



3 June 2010

Kirela Pty Ltd

C/- Urbis
PO Box 205
North Strathfield NSW 2137

Attention: **Seph Glew**
Executive Chairman

Dear Seph

Document Review and Statement of Commitment for the Bakehouse Quarter Proposed Redevelopment, North Strathfield, New South Wales

1.0 Introduction

Kirela Pty Ltd requested Environmental Earth Sciences NSW undertake a document review and compile this Statement of Commitment for the Bakehouse Quarter Proposed Redevelopment located in North Strathfield, New South Wales (the site). This letter is intended to be included in an environmental assessment to support an application under Part 3A of Section 75E of the Environmental Planning and Assessment Act (1979) (EP&A Act) for Ministerial approval to carry out the site development.

Environmental Earth Sciences NSW was engaged by Kirela Pty Ltd to review existing environmental investigations and development plans for the site to determine what would be required to ensure the site was rendered suitable for the proposed development.

2.0 Data review overview

Previous environmental site investigations identified soil contamination associated with underground storage tanks (USTs) formerly used onsite and contaminated fill material. These areas were reported as requiring remediation.

The document review identified data gaps within the former Lovell Springs Factory site, the Former Arnott's Factory site and areas not investigated within the Bakehouse Quarter. The data gaps related specifically to the age of the reports, lack of recent historical information and limited information on any change in site activities since the issue of the last report.

Despite this, the proposed development plans include significant excavation for construction of basement car parks and onsite stormwater detention (OSD) systems.

The following section outlines the process which must be followed to ensure site development proceeds such that contaminated soil and/or groundwater is investigated and remediated (if necessary) in accordance with current industry standards.



3.0 Environmental site investigation, remediation and validation process

In order to render the site suitable for the proposed development, the following process must be undertaken:

- information must be obtained and site inspections undertaken to assess potentially contaminating activities undertaken on site (if any) since previous environmental site investigations;
- where necessary, soil and/or groundwater investigations must be conducted to delineate the nature and extent of contamination onsite;
- intrusive soil investigation should be used to:
 - validate areas of the site as suitable for the proposed development;
 - waste classify soil *in-situ* to allow it to be disposed of to a suitable facility following the excavation soil for basement car parks and OSD tanks; and
 - assess the vertical and lateral extent of remaining contamination (if any) requiring remediation.
- a remedial action plan will be prepared which will detail the remediation requirements and options, controls for occupational health and safety and environmental protection to be implemented during remediation. It will also include site remediation criteria;
- remediation should be undertaken in accordance with the remedial action plan;
- following remediation, a validation report should be written to document the sites suitability for the proposed land use;
- the validation report should be signed off by the regulating authority; and
- depending on the outcome of remediation, a site management plan may be initiated to ensure maintenance of the remedial solution and commitment to ongoing environmental monitoring (if necessary).

Environmental Earth Sciences NSW understand that the site is currently operating as a carpark and that Kirela Pty Ltd would prefer to undertake the abovementioned works post development application to minimise site disturbance.

4.0 Statement of Commitment

Environmental Earth Sciences NSW understand that Kirela Pty Ltd is committed to undertaking all environmental investigation and remediation deemed necessary by relevant regulatory authorities to ensure the site is rendered suitable for the proposed development.

Environmental Earth Sciences NSW, if engaged by Kirela Pty Ltd, will undertake environmental investigation, remediation and validation to ensure that site remediation is undertaken in accordance with regulatory requirements and relevant legislation and guidelines.

5.0 References

1. City of Canada Bay Council (2008) — *Contaminated Land Policy*. Document last revised 6/05/2009.



2. Department of Environment and Conservation NSW (2007) — *Contaminated sites: guidelines for the assessment and management of groundwater contamination*.
3. Department of Environment and Conservation NSW (2006) — *Contaminated sites: guidelines for the NSW Site Auditor Scheme (2nd Edition)*.
4. Department of Urban Affairs and Planning (DUAP) and Environmental Protection Authority (EPA) (1998) — *Managing Land Contamination, Planning Guidelines, SEPP 55 – Remediation of Land*. April 1999.
5. Environmental & Earth Sciences Pty Ltd (Feb 2002) — *Environmental Site Assessment of 199-205 Parramatta Road, North Strathfield, New South Wales* (Rep: 101140).
6. Environmental & Earth Sciences Pty Ltd (May 2003) — *Detailed Environmental Site Investigation of the rear of 199-205 Parramatta Road, North Strathfield, New South Wales* (Rep: 103062).
7. NSW Government (1998) — *State Environmental Planning Policy No 55 – Remediation of Land*. [1998-520]. Updated 25 May 2005.
8. Woodward-Clyde (May 1997) — *Environmental Site Characterisation - Arnott's Biscuit Site, 11-16 George Street, Homebush, NSW*.

6.0 Limitations

This letter report has been prepared by Environmental Earth Sciences NSW ABN 109 404 006 in response to and subject to the following limitations:

1. The specific instructions received from Kirela Pty Ltd care of Urbis;
2. The specific scope of works set out in PO110094v2 issued by Environmental Earth Sciences NSW for and on behalf of Kirela Pty Ltd care of Urbis, of which a copy can be provided;
3. May not be relied upon by any third party not named in this report for any purpose except with the prior written consent of Environmental Earth Sciences NSW (which consent may or may not be given at the discretion of Environmental Earth Sciences NSW);
4. This report comprises the formal report, documentation sections, tables, figures and appendices as referred to in the index to this report and must not be released to any third party or copied in part without all the material included in this report for any reason;
5. The report only relates to the site referred to in the scope of works being located as part of the Bakehouse Quarter Development located in North Strathfield, NSW ("the site");
6. The report relates to the site as at the date of the report as conditions may change thereafter due to natural processes and/or site activities;
7. No warranty or guarantee is made in regard to any other use than as specified in the scope of works and only applies to the depth tested and reported in this report,
8. Fill, soil, groundwater and rock to the depth tested on the site may be fit for the use specified in this report. Unless it is expressly stated in this report, the fill, soil and/or rock may not be suitable for classification as clean fill if deposited off site; and
9. Our General Limitations set out at the back of the body of this report.

Should you have any further queries, please do not hesitate to contact us on (02) 9922 1777.

On behalf of
Environmental Earth Sciences NSW

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ENVIRONMENTAL EARTH SCIENCES GENERAL LIMITATIONS

Scope of services

The work presented in this report is Environmental Earth Sciences response to the specific scope of works requested by, planned with and approved by the client. It cannot be relied on by any other third party for any purpose except with our prior written consent. Client may distribute this report to other parties and in doing so warrants that the report is suitable for the purpose it was intended for. However, any party wishing to rely on this report should contact us to determine the suitability of this report for their specific purpose.

Data should not be separated from the report

A report is provided inclusive of all documentation sections, limitations, tables, figures and appendices and should not be provided or copied in part without all supporting documentation for any reason, because misinterpretation may occur.

Subsurface conditions change

Understanding an environmental study will reduce exposure to the risk of the presence of contaminated soil and or groundwater. However, contaminants may be present in areas that were not investigated, or may migrate to other areas. Analysis cannot cover every type of contaminant that could possibly be present. When combined with field observations, field measurements and professional judgement, this approach increases the probability of identifying contaminated soil and or groundwater. Under no circumstances can it be considered that these findings represent the actual condition of the site at all points.

Environmental studies identify actual sub-surface conditions only at those points where samples are taken, when they are taken. Actual conditions between sampling locations differ from those inferred because no professional, no matter how qualified, and no sub-surface exploration program, no matter how comprehensive, can reveal what is hidden below the ground surface. The actual interface between materials may be far more gradual or abrupt than an assessment indicates. Actual conditions in areas not sampled may differ from that predicted. Nothing can be done to prevent the unanticipated. However, steps can be taken to help minimize the impact. For this reason, site owners should retain our services.

Problems with interpretation by others

Advice and interpretation is provided on the basis that subsequent work will be undertaken by Environmental Earth Sciences NSW. This will identify variances, maintain consistency in how data is interpreted, conduct additional tests that may be necessary and recommend solutions to problems encountered on site. Other parties may misinterpret our work and we cannot be responsible for how the information in this report is used. If further data is collected or comes to light we reserve the right to alter their conclusions.

Obtain regulatory approval

The investigation and remediation of contaminated sites is a field in which legislation and interpretation of legislation is changing rapidly. Our interpretation of the investigation findings should not be taken to be that of any other party. When approval from a statutory authority is required for a project, that approval should be directly sought by the client.

Limit of liability

This study has been carried out to a particular scope of works at a specified site and should not be used for any other purpose. This report is provided on the condition that Environmental Earth Sciences NSW disclaims all liability to any person or entity other than the client in respect of anything done or omitted to be done and of the consequence of anything done or omitted to be done by any such person in reliance, whether in whole or in part, on the contents of this report. Furthermore, Environmental Earth Sciences NSW disclaims all liability in respect of anything done or omitted to be done and of the consequence of anything done or omitted to be done by the client, or any such person in reliance, whether in whole or any part of the contents of this report of all matters not stated in the brief outlined in Environmental Earth Sciences NSW's proposal number and according to Environmental Earth Sciences general terms and conditions and special terms and conditions for contaminated sites.

To the maximum extent permitted by law, we exclude all liability of whatever nature, whether in contract, tort or otherwise, for the acts, omissions or default, whether negligent or otherwise for any loss or damage whatsoever that may arise in any way in connection with the supply of services. Under circumstances where liability cannot be excluded, such liability is limited to the value of the purchased service.