



DOC22/587328-4

12 August 2022

David Glasgow
Principal Planning Officer
Industry Key Sites
Department of Planning and Environment

(via Major Projects Assessment Website)

Dear Mr Glasgow

**Barangaroo Concept Plan (MP 06_0162 Mod 9)
Modification to Concept Plan**

I am writing to you in reply to your invitation to the NSW Environment Protection Authority (EPA) to provide comment on the above proposal.

The EPA understands that the proposal involves a modification to the concept plan to:

- allow an increase in total permissible gross floor area (GFA) from 602,354 square metres (sqm) to 708,041 sqm within the Central Barangaroo and Barangaroo Reserve development areas;
- readjustments to the southern boundary of Block 5;
- modifications to the building envelopes of Blocks 5, 6 and 7, including additional height, block alignments, additional GFA and distribution of GFA across the blocks;
- associated variations to building envelopes, basement design and development plans;
- changes to traffic movements; and
- the introduction design guidelines for Central Barangaroo.

Please note the following observations and recommendations when finalising the concept plan for this site:

The site is no longer declared under contaminated land management legislation

The site is near land that was previously regulated by the EPA under the *Contaminated Land Management Act 1997*. Under the proposed Mod 9 footprint, a portion of Block 5 would cross into the area of land that was previously declared as significantly contaminated. Although the area is no longer declared, the site auditor, Rowena Salmon, refers to this portion of land as the 'Declaration Area' in her interim audit advice letter (Appendix Q).

Interim advice is inappropriately described as a site audit statement

The following four contamination-related documents were appended to the Mod 9 application and referenced as follows:

- **Appendix O – Remedial Action Plan (RAP)** – prepared by JBS Environmental – Rev H, dated May 2013

- **Appendix P – RAP Executive Summary** – Letter from EDP Consultants – ‘*Suitability of JBS RAP for Central Barangaroo for MP06-0162 (Mod 9)*’ – dated 26 July 2021
- **Appendix Q – Site Audit Statement** (see comments below – this document is not a Site Audit Statement although it has been referenced as this) – Letter from Ramboll Australia (Rowena Salmon, EPA Accredited Site Auditor) – ‘*Suitability of JBS Remedial Action Plan for Central Barangaroo MP 06_0162 (Mod 9)*’ – dated 15 November 2021
- **Appendix R – Site Audit Report Remedial Action Plan, Barangaroo Central** – prepared by Environ, dated July 2013

Please note: Appendix Q has been uploaded on the public website and titled ‘Site Audit Statement’. However, this is not a Site Audit Statement, and is in fact an interim advice letter from the appointed site auditor for the site. This advice letter does not constitute a Site Audit Statement and the auditor makes this clear in the correspondence. The site auditor states that a Site Audit Statement and supporting documentation will be provided at the completion of the remediation and validation of the site. To avoid any confusion, the title of Appendix Q should be changed to ‘Site auditor interim audit advice’ or similar.

Further risk assessment will be needed as part of any future development assessments

In her review of the documentation relating to the modification application, the current site auditor, Rowena Salmon, outlined that the RAP and the Section B Site Audit Statement (SAS) and accompanying Site Audit Report (SAR) dated 31 July 2013 (GN439B-5) (SAS/SAR) issued by the previous site auditor, Graeme Nyland, are considered applicable to the proposed MOD 9 to the Barangaroo Concept Plan, except for the portion of Block 5 located within the former Declaration Area which is included within the footprint of the proposed MOD 9 Barangaroo Central basement. Ms Salmon recommends that remediation planning documentation be prepared, and a site audit of the proposed remediation be conducted for this area as part of the Stage 2 Development Application process. This requirement is consistent with the requirements of the SAS/SAR issued by the previous site auditor.

The current site auditor has outlined that the implications of variations in basement design and public domain development plans can be adequately addressed by the detailed design and additional documentation to be prepared (and to be approved by the site auditor) prior to the commencement of works. A further risk assessment to address retail and commercial usage within basements is also required. Section 7.13 of the *Environmental Assessment Report* (Urbis, December 2021) also confirms that future State Significant Development Applications will need to provide further assessment of contamination / remediation, including an updated human health risk assessment and incorporation of the Block 5 former declaration area into future site audits. The site auditor’s recommendations should be captured in future development applications for Block 5.

Should you require clarification of any of the above please contact Anna Timbrell on 9274 6345 or email environmentprotection.planning@epa.nsw.gov.au

Yours sincerely

MITCHELL BENNETT
Unit Head – Statutory Planning