



DOC23/571353-5

Attention: [REDACTED]
The Proper Officer
c/o Transport for NSW,
PO Boc K659,
Haymarket, NSW, 2000
By Email: [REDACTED]

Dear [REDACTED],

**Approval of Voluntary Management Proposal
Goulburn Roundhouse – 12 Braidwood Road, Goulburn, NSW**

I am pleased to inform you that the EPA has approved the Voluntary Management Proposal (VMP) that you submitted for management of the contamination at the Goulburn Roundhouse at 12 Braidwood Road, Goulburn.

The submitted VMP is for Phase 1 of the investigation and remediation works to be undertaken at the site and involves additional site investigations to fully delineate and characterise the site's contamination. This VMP will be followed by two other VMPs, which will comprise Phase 2 and Phase 3 of the works, respectively.

A signed Notice of Approval of VMP (Notice No. 20231703) made under the Contaminated Land Management Act 1997 (CLM Act) is enclosed. A copy of this Notice has been placed on our website and a copy has also been provided to Council.

If you are unable to meet any deadline identified in the proposal, a written request for an extension must be provided. The request must be made 21 days before the deadline, and must outline the reasons for the delay, a revised time within which the action will be achieved and a statement explaining why enforcement action should not be taken.

Please be aware that section 34 of the CLM Act allows the EPA to recover its costs in relation to:

- assessing and settling the terms of a VMP,
- monitoring action under an approved VMP,
- seeking compliance with an approved VMP or
- matters associated with, or incidental to, any of these matters.

The rate of cost recovery is prescribed under clause 4 of the Contaminated Land Management Regulation 2013.

Phone 131 555
Phone +61 2 9995 5555
(from outside NSW)

TTY 133 677
ABN 43 692 285 758

Locked Bag 5022
Parramatta
NSW 2124 Australia

4 Parramatta Square
12 Darcy St, Parramatta
NSW 2150 Australia

info@epa.nsw.gov.au
www.epa.nsw.gov.au

If you wish to discuss any matters raised above, please contact [REDACTED] on [REDACTED]
[REDACTED] or [REDACTED].

Yours sincerely,

A handwritten signature in black ink, appearing to be 'S. [REDACTED]', written in a cursive style.

6 JULY 2023

**A/Unit Head Regulatory Operations – Metro South
NSW Environment Protection Authority**

Attachments: Notice of Approved VMP Ref. 20231703

Notice of Approved Voluntary Management Proposal

Section 17 of the *Contaminated Land Management Act 1997*

To: [REDACTED]
Transport for NSW (ABN 18 804 239 602),
PO Box K659,
Haymarket NSW, 2000

Attention: [REDACTED]

Notice No. 20231703; Declaration No. 20221108; Area No. 3531

Why is the EPA writing to you?

The Environment Protection Authority (EPA) has issued this Notice of Approved Voluntary Management Proposal to notify you of approval of the voluntary management proposal (the Proposal) submitted by Transport for NSW (TfNSW), subject to the conditions set out in this Notice. Further information is set out below.

What are you required to do?

Please read this Notice carefully and comply with its conditions. If you have any queries about this matter, please contact [REDACTED] on [REDACTED] or [REDACTED].

BACKGROUND

A. The EPA is responsible for administration and enforcement of the *Contaminated Land Management Act 1997* (Act) and has issued this Notice under s 17(3) of the Act.

Land to which this Notice applies

B. The Proposal relates to land described as Lot 2, DP 1002813, 12 Braidwood Road, Goulburn, NSW, 2580 (Land). The Proposal, dated June 2023, was submitted by TfNSW.

Appropriate Terms of Proposal and other Considerations

- C. Prior to approval of the Proposal, the EPA has been satisfied that the terms of the Proposal, as modified by the conditions of this Notice, are appropriate.
- D. The EPA is also satisfied that the party has taken all reasonable steps to identify and find every owner and notional owner of the Land and every person responsible for significant contamination of the Land and given those persons identified a reasonable opportunity to participate in the formulation and carrying out of the Proposal on reasonable terms.

It is satisfied of these matters for the following reasons:

- (i) TfNSW is the landowner and is responsible for the contamination of the Land.

NOTICE OF APPROVED VOLUNTARY MANAGEMENT PROPOSAL

The EPA approves the Proposal relating to the Land and submitted by the Approved Party, subject to the following conditions.

1. The Proposal, as submitted by the Approved Party, is approved in the terms set out in Annexure A (Approved Proposal).
2. The Approved Party is to comply with each undertaking or term of *Part 2 Undertakings* of the Approved Proposal.
3. The Approved Party is to complete or otherwise comply with each feature, milestone, reporting or other term of *Part 3 Performance Schedule* of the Proposal by the date specified in the Approved Proposal.
4. A failure to satisfactorily complete any term of the Approved Proposal by the due date may be taken as a failure to carry out the terms of the Approved Proposal for the purposes of s 17(6) of the Act.

The Approved Party cannot recover contributions under Part 3 Division 6 of the Act in accordance with s 17(5) of the Act, as the EPA is not satisfied of either or both matters in s 17(4)(b) – (c).

5. The Approved Party must make available for inspection by any person, free of charge, and provide a copy to any person for a reasonable fee, any document required to be prepared and submitted to the EPA under the Approved Proposal. It is not necessary to disclose:
 - (a) any information contained in those documents that relates to any manufacturing, industrial or commercially sensitive information, or working processes; or
 - (b) any personal information, within the meaning of the *Privacy and Personal Information Protection Act 1998* contained in those documents.
6. Any report submitted to the EPA to comply with the Approved Proposal must be prepared, or reviewed and approved, by a consultant certified by an EPA recognised scheme. A personalised electronic seal providing evidence of certification must be affixed alongside the certified person's details in the quality information section of a report. Further information, and a list of contaminated land consultant certification schemes recognised by the EPA is available on the EPA's website at <http://www.epa.nsw.gov.au/your-environment/contaminated-land/managing-contaminated-land/engaging-consultant>.
7. Where the Approved Proposal requires an Approved Party or any other person to give a document to the EPA, that document may be given to the EPA by:

Email info@epa.nsw.gov.au

or

Post Director Regulatory Operations
NSW Environment Protection Authority
Locked Bag 5022
PARRAMATTA NSW 2124



**A/Unit Head – Regulatory Operations Metro South
NSW Environment Protection Authority**

(by delegation)

Date of this Notice: 6 July 2023

Delivered by email to [REDACTED]

Further Information about this Notice

Continuing Offences

Under s 108A of the Act, a Notice made under the Act that specifies a time by which, or period within which, a direction or other requirement in the Notice must be complied with continues to have effect until the direction or requirement is complied with. Where a time is not specified, the direction or requirement continues to have effect until it is complied with.

Cost Recovery

Section 34 of the Act allows the EPA to recover its costs in connection with assessing and settling the terms, monitoring actions under, or seeking compliance with an approved voluntary management proposal. The EPA may also recover the costs of any other matter associated with, or incidental to these matters, or other matters prescribed by the regulations.

Information recorded by the EPA

Section 58 of the Act requires the EPA to maintain a public record. A copy of this Notice will be included in the public record and is available for access at the principal office of the EPA and on the EPA's website.

Information recorded by Councils

Section 59(1)(c) of the Act requires the EPA to inform the relevant local Council as soon as practicable after this Notice of Approved Voluntary Management Proposal has been served. Pursuant to s 59(2)(c) of the Act, Land being the subject to an approved voluntary management proposal is a prescribed matter to be specified in a planning certificate issued pursuant to s 10.7 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The EPA is required to inform the relevant Council as soon as practicable when the Notice is withdrawn or completed (s 59(1)(c) Act). Pursuant to s 59(3) of the Act, if a Council includes advice in a planning certificate regarding a Notice that no longer applies to the Land the subject of that Notice, it is to make it clear on the planning certificate that the Notice no longer applies.

Relationship to other regulatory instruments

This Notice does not affect the provisions of any relevant environmental planning instruments which apply to the Land or provisions of any other environmental protection legislation administered by the EPA.

Guidelines made or approved under s 105 of the Act

All the investigation or remediation works must be carried out in accordance with guidelines made or approved under s 105 of the Act. See <https://www.epa.nsw.gov.au/your-environment/contaminated-land/statutory-guidelines>.

Amendment or Repeal

This Notice may be amended or repealed by subsequent notices. Under s 44 of the Act, the subsequent notice must state the reasons for the amendment or repeal.

Cessation of the approved voluntary management proposal

This Notice will cease if the EPA serves a notice in writing on an approved party or approved parties, stating that it is satisfied that the terms of the Approved Proposal have all been carried out, or stating that it withdraws its approval of the proposal, at the time specified in the Notice or if no time is specified, at the time the EPA notifies each approved party of the cessation of the Approved Proposal.

Management Order

Under s 17(6) of the Act, the EPA may serve a management order in relation to significantly contaminated land the subject of an approved voluntary management proposal on an approved party to the proposal, if in the opinion of the EPA, the terms of the approved proposal are not carried out, or the management order relates to a matter that is not adequately addressed by the proposal, or its approval of the proposal was given on the basis of false or misleading information.

ANNEXURE A

APPROVED VOLUNTARY MANAGEMENT PROPOSAL

**VOLUNTARY MANAGEMENT PROPOSAL UNDER THE CONTAMINATED LAND
MANAGEMENT ACT 1997**

Part 1

Preliminary Details

1. Proponent's Details

(a) Name and contact details

Trading as: Transport for NSW
ABN: 18 804 239 602

Phone: (02) 8202 2200
Fax: (02) 8202 2209
Email: [REDACTED]
Postal address: PO Box K659 Haymarket NSW
Postcode: 1240
EPA licence number (if applicable): NA

(b) Who the EPA should contact with technical enquiries about the proposal

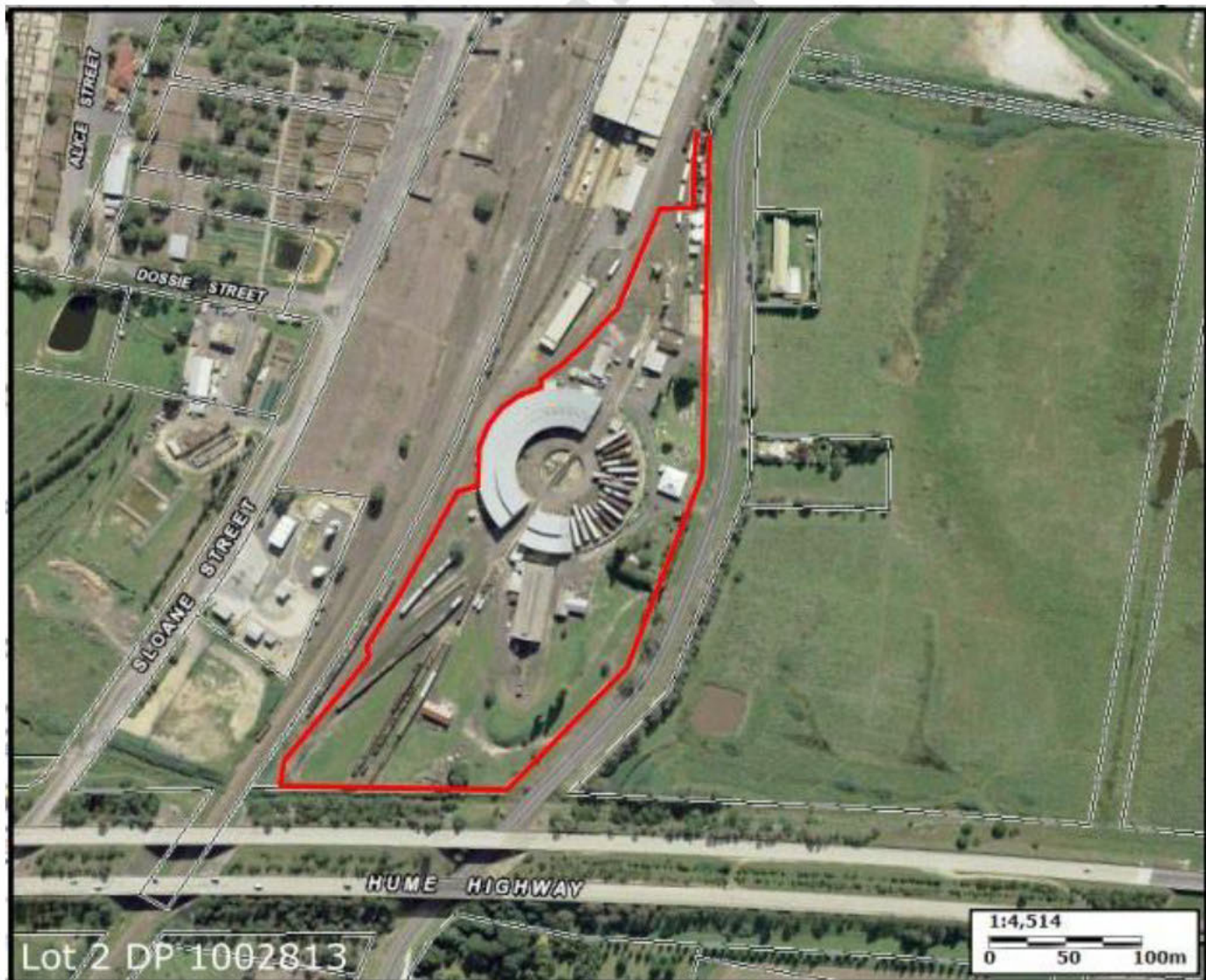
Name: [REDACTED]
Employer/Company: Transport for NSW
Position title: Project Manager
Type of business: Government Organisation
Phone (business): [REDACTED]
Phone (after hours): [REDACTED]
Fax: NA
Email: [REDACTED]

Proponent: Transport for NSW
Site: 12 Braidwood Road Goulburn 2580
Proposal Date: 29 March 2023

2. Site to which proposal applies

The site to which the proposal applies (“the site”) is:

Address:	12 Braidwood Road, Goulburn, NSW 2580
Identifier:	Lot 2 IN DP 1002813
Site Area:	Approximately 46,390m ²
Local Government:	Goulburn Mulwaree Shire Council
Owner:	Transport Asset Holding Entity (TAHE)
Zoning:	IN1 – General Industrial
Network Operator:	Australian Rail Track Corporation (ARTC)
Tenant:	Goulburn Locomotive Roundhouse Preservation Society Incorporated (GLRPS)



Proponent: Transport for NSW
Site: 12 Braidwood Road Goulburn 2580
Proposal Date: 29 March 2023

3. The contamination

Soil and/or groundwater and/or surface water at the site are contaminated with substances and the contamination is significant enough to warrant regulation under the *Contaminated Land Management Act 1997*. The substances of concern (“the contaminants”) are:

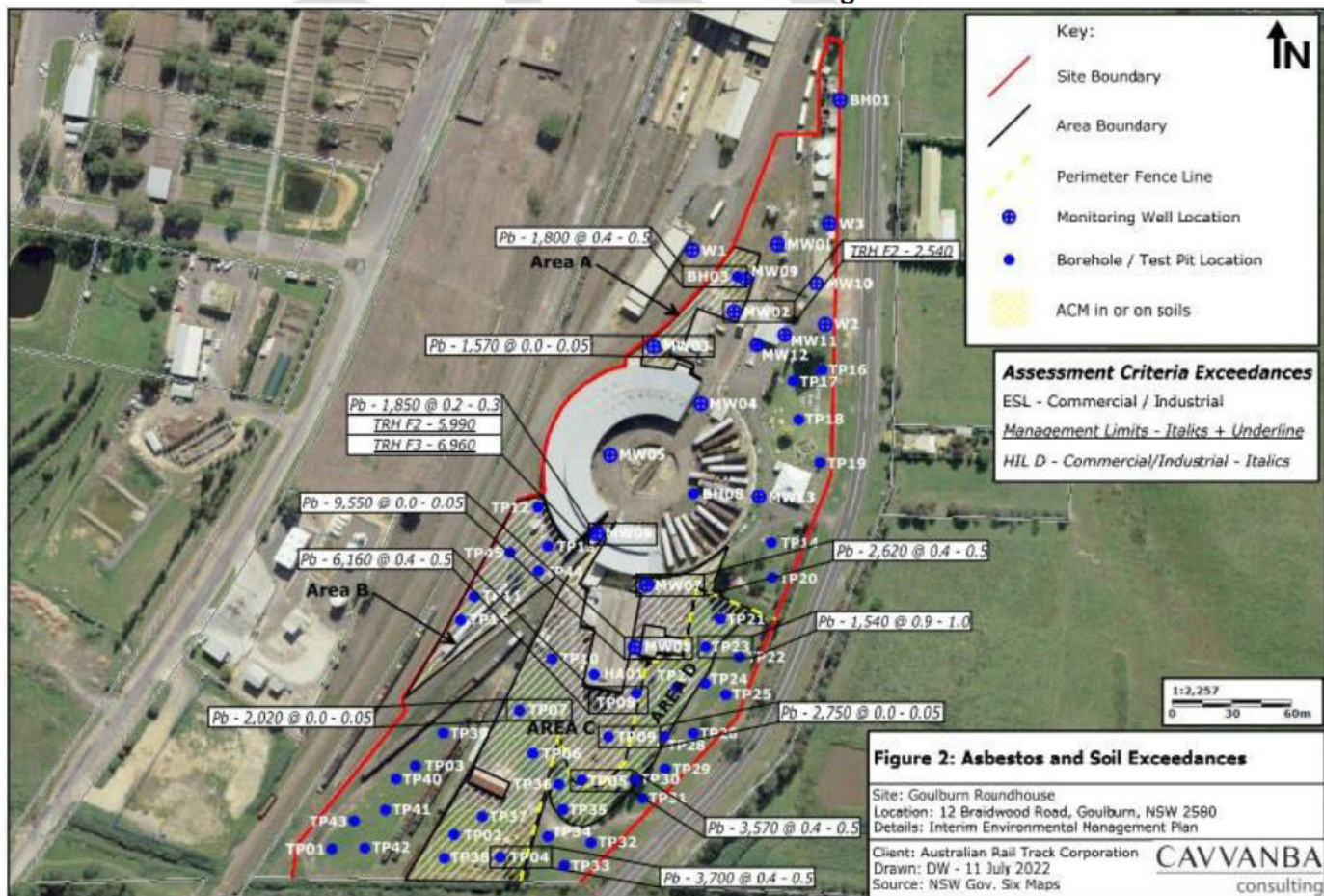
- Lead
- Chromium
- Trichloroethene (TCE)
- Cis-1,2-dichloroethene (DCE)

The lead contamination in the soil is widespread and detected in surface soils (the top 0-0.05m).

Chromium contamination was detected in the groundwater and detected in downgradient wells on the eastern border of the site, presenting a potential ecological risk.

Additional contaminants were detected in the groundwater in 2022 which require further investigation to determine source and risk. These include TCE and DCE.

The contamination exceeds HIL D as indicated in the below figure.



Exposure routes for the contaminants include:

- Direct contact with contaminated soil
- Inhalation of dust from contaminated soil, airborne dust
- Incidental ingestion of contaminated soil, airborne dust
- Root uptake of contaminants in soil and groundwater
- Potential off-site groundwater migration
- Potential inhalation of vapours produced by chlorinated solvents

4. The management proposal

The management proposal (“the proposal”) comprises:

- a) the information set out above;
- b) the actions, works and other components set out in the following documents:
 - Detailed Site Investigation, Goulburn Roundhouse – Cavaanba Consulting – dated December 2020
 - Additional Environmental Site Assessment, Goulburn Roundhouse – Cavnaba dated August 2021
 - Groundwater Monitoring Event – Cavaanba Consulting – dated April 2022
 - Interim Management Plan Goulburn Roundhouse – Cavaanba Consulting – dated July 2022
- c) the undertakings set out in Part 2 of this document; and
- d) the performance schedule set out in Part 3 of this document.

Part 2

Undertakings Included in Voluntary Management Proposal

THE PROPOSAL INCLUDES THE FOLLOWING UNDERTAKINGS:

General

1. All works or activities carried out in connection with the proposal, including sampling and preparation of associated reports (“the activities”), will be carried out in accordance with applicable provisions of *State Environmental Planning Policy 55 – Remediation of Land* and any requirements imposed under it in relation to the activities.
2. All matters listed as relevant to a remediation action plan by the EPA’s *Consultants reporting on contaminated land: Contaminated Land Guidelines* (2020) will be taken into account in the carrying out of the activities.
3. All the activities will be carried out consistently with guidelines made or approved under section 105 of the CLM Act.
(See www.epa.nsw.gov.au/clm/guidelines.htm)
4. All the activities will be carried out in compliance with applicable NSW environmental legislation, and in particular:
 - i) All the activities, including:
 - (1) the processing, handling, movement and storage of materials and substances used to carry out the activities; and
 - (2) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activitieswill be carried out in a competent manner;
 - ii) All plant and equipment installed at the site or used in connection with the activities:
 - (1) will be maintained in a proper and efficient condition; and
 - (2) will be operated in a proper and efficient manner.
5. All the activities at the site will be carried out in a manner that prevents or minimises the emission of dust, odour and noise from the site.
6. Waste generated or stored at the Site will be assessed and classified in accordance with the EPA’s *Waste Classification Guidelines Part 1: Classifying Waste*.
(See www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm)
7. All waste transported from the Site that is required by the *Protection of the Environment Operations (Waste) Regulation 2014* to be tracked must be tracked using the EPA’s on-line tracking system or an alternative tracking system approved in writing by the EPA.
(See www.epa.nsw.gov.au/owt/aboutowt.htm)
8. The proponent will make this voluntary management proposal available to the public free of charge and consents to the EPA placing this proposal on its public website.
9. The proponent will make all documents referred to in, and required to be prepared under, this voluntary management proposal available to the public free of charge,

unless the proponent identifies commercial-in-confidence or private/personal information (including information relating to a third party) within those documents. In these cases, the proponent will remove such information from the documents to make the documents suitable for public release.

10. The proponent will:

- i) prior to the implementation of the proposal provide for the EPA's approval a strategy for communicating about that implementation, particularly the actual management works, with members of the public who are likely to have a real interest in or be affected by that implementation; and
- ii) implement the strategy as approved in writing by the EPA.

Monitoring, Record Keeping & Reporting

11. At least until the EPA has notified the proponent that the EPA no longer considers that the contamination is significant enough to warrant regulation under the *Contaminated Land Management Act 1997*, record and retain all monitoring data and information and provide this record to the EPA at any reasonable time if so requested by the EPA and as specifically provided under the proposal.
12. The EPA will be informed in writing within 7 days of the proponent becoming aware of information or data indicating a material change:
 - a) in conditions at the site, or
 - b) in its surrounding environment,which could adversely affect the prospects of successful management of the site or result in harm to the environment.
13. The EPA will be informed in writing within 7 days of the proponent becoming aware of any failure, either by the proponent or any other person, to comply with any term of the proposal.
14. If the proponent becomes aware that they will not meet a key milestone or reporting requirement, they must notify the EPA in writing at least 21 days before the specified deadline. The notification must include:
 - a) detailed reasons for not meeting the milestone or requirement,
 - b) a revised time period within which the milestone or requirement will be met, and
 - c) a statement explaining why compliance action should not be taken.
15. The EPA will be informed in writing as soon as practicable of any notification by the proponent, its employees or its agents to an appropriate regulatory authority other than the EPA of any pollution incident at the site within the meaning of the *Protection of the Environment Operations Act 1997*.

(See <http://www.epa.nsw.gov.au/licensing/dutytonotify.htm>)

Performance Schedule

16. The performance schedule which is in Part 3 of this document will be adhered to.

Part 3

Performance Schedule

PERFORMANCE SCHEDULE

1. Objectives of the proposal

The objectives of this proposal are to protect human health and the environment, and provide a plan to manage identified site contamination.

The proposal is to undertake investigations and remediation of the contamination in three (3) phases:

- Phase 1 – Supplementary Detailed Site Investigation: this involves additional site investigations to fully delineate and characterise the contamination.
- Phase 2 – Remediation Planning: this involves identifying and analysing the remediation options to support the preferred future land use; developing remediation action plan detailing the remediation implementation strategy and obtaining the necessary planning approvals to enable the remediation works
- Phase 3 – Remediation and Validation: this involves the delivery of the remediation action plan and validation that the remediation has met the objectives of this proposal.

This Schedule relates only to Phase 1. Phase 2 and 3 will be implemented upon completion of Phase 1 to the satisfaction of the EPA. TfNSW will submit a S44 for Phase 2 upon the completion of Phase 1, and so on for Phase 3.

The main objective of Phase 1 is to achieve the following outcomes within the timeframes specified in the proposal:

O1. Fully delineate and characterise the extent of the contamination at the site

2. Principal features of the proposal

The principal features of Phase 1 include, but are not limited to:

a. Capital works

P1. No capital works

b. Investigation

P1. Update Interim Environmental Management Plan to address potential risks associated with chromium in groundwater

P2. Supplementary Detailed Site Investigation

P3. Update Interim Environmental Management Plan to address any risks identified in the supplementary Detailed Site Investigation

c. Monitoring

No monitoring activity is required under the current IEMP dated 16/05/2023 Version 3.

3. Key milestones for investigation, remediation and other actions

All works set out in the proposal must be completed by the deadlines specified below:

Works	Deadline
T1. Update Interim Environmental Management Plan	31 July 2023
T2. Develop Community and Stakeholder Engagement Plan	31 July 2023
T3. Completion of supplementary Detailed Site Investigation	30 November 2023
T4. Update Interim Environmental Management Plan	31 January 2024
T5. Prepare Interim Site Audit Report on Supplementary Detailed Site Investigation	28 February 2024

4. Reporting requirements and timeframe for submission of reports

The EPA must be provided with the following reports by the deadlines specified below:

Report	Deadline
R1. Updated Interim Environmental Management Plan	31 August 2023
R2. Community and Stakeholder Engagement Plan	31 August 2023
R3. Detailed Site Investigation	31 December 2023
R5. Updated Interim Environmental Management Plan	28 February 2024
R5. Interim Audit Advice on Supplementary Detailed Site Investigation	31 March 2024
R6. Submission of Phase 2 VMP	31 March 24

Signature of proponent

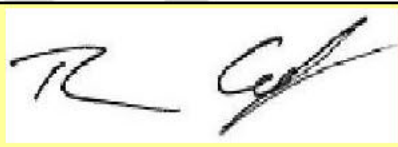
This application for approval of this voluntary management proposal may only be signed by a person(s) with the legal authority to sign it. The various ways in which the application may be signed, and the people who may sign the application, are set out in the categories below.

Please tick (✓) the box next to the category that describes how this application is being signed.

If the proponent is:		The application must be signed and certified by one of the following:
an individual	<input type="checkbox"/>	the individual.
a company	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	the common seal being affixed in accordance with the <i>Corporations Act 2001</i> , or two directors, or a director and a company secretary, or if a proprietary company that has a sole director who is also the sole company secretary – by that director.
a public authority other than a council	<input type="checkbox"/> <input checked="" type="checkbox"/>	the chief executive officer of the public authority, or by a person delegated to sign on the public authority's behalf in accordance with its legislation (Please note: a copy of the relevant instrument of delegation must be attached to this application).
a local council	<input type="checkbox"/> <input type="checkbox"/>	the general manager in accordance with s.377 of the <i>Local Government Act 1993</i> ('LG Act'), or the seal of the council being affixed in a manner authorised under the LG Act.

I/We (the proponent):

- **apply for approval of the voluntary management proposal set out in this proposal and in any documents referred to in Part 1.4 of this proposal**
- **declare that the information in this proposal form (including any attachment or document referred to in Part 1.4 of this proposal) is not false or misleading.**

Signature	
Name (printed)	Tom Grosskopf
Position	Executive Director Network & Assets
Date	08/06/2023

Seal (if signing under seal):

Proponent: Transport for NSW
Site: 12 Braidwood Road Goulburn 2580
Proposal Date: 29 March 2023