



ACT
Government

Chief Minister, Treasury and
Economic Development

Agreement No: CL 2015-021

AUSTRALIAN CAPITAL TERRITORY

ENVIRONMENTAL PROTECTION AGREEMENT UNDER THE ENVIRONMENT PROTECTION ACT 1997

Name: **ACT Property Group**
ACN: **N/A**
ABN: **92 548 663 534**
Street: **255 Canberra Avenue**
Suburb: **Fyshwick ACT**
Postcode: **2609**

PURPOSE OF THE ENVIRONMENTAL PROTECTION AGREEMENT

The *Environment Protection Act 1997* (the Act) provides for the protection of the environment from pollution and includes a provision under Section 38 for the Environment Protection Authority (EPA) to enter into an Environmental Protection Agreement (Agreement).

This Agreement is an agreement between ACT Property Group (ACTPG) and the Environment Protection Authority (EPA) concerning the ongoing management of the site(s) detailed in Schedule A of this Agreement in accordance with the requirements of the site management plans (SMP) specified.

The aim of this Agreement is to ensure that the site(s) specified in this Agreement is/are managed in such a way as to ensure the residual contamination at the site(s) does not, or is not likely to, cause a significant risk of harm to human health or a significant risk of material environmental harm or serious environmental harm while measures for its management continue.

TIME PERIOD COVERED

This Agreement is current for an indefinite period from the date of signing or until the EPA agrees in writing that the site(s) no longer requires management under its SMP.

Either party can initiate negotiations to vary the content of this Agreement at any stage during the currency of the Agreement.

The EPA must be notified and consent obtained before any change in custodianship/responsibility for the Site(s) subject to this Agreement.

RELATIONSHIP OF THE AGREEMENT TO LEGISLATIVE REQUIREMENTS

Clause 40 of the Act makes it clear that Agreements cannot override any of the provisions of the Act. Instead, the Agreement supplements those legal obligations and establishes a practical framework to ensure that requirements of the Act are given effect.

Breach of this Agreement may result in the serving of an Environment Protection Order under section 125(3) of the Act on the ACTPG thereby requiring compliance with the Act.

ENVIRONMENTAL ISSUES

Each of the sites listed in Schedule A of this Agreement have either undergone or are undergoing assessment and remediation to determine their suitability for their permitted land uses. The assessments have identified contamination which requires ongoing management to ensure the site(s) does not pose an unacceptable risk to human health or the environment and is suitable for its permitted uses.

PROCEDURE

ACTPG agrees to manage the site(s) listed in Schedule A in accordance with the requirements of the site's corresponding SMPs as listed in Schedule A.

All aspects of the SMPs must be implemented by ACTPG or their authorised representative. Variation to the requirements of the SMP can only be made following agreement in writing by the EPA.

PUBLIC INSPECTION OF DOCUMENT

In accordance with section 19 of the Act a copy of this Agreement will be made available for public inspection on the Environment and Planning Directorate website and during business hours at the office of the Environment Protection Authority.



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Schedule A

List of sites

Site Description	Site Details	Name of Assessment Reports	Name of Site Specific Management Plans
City Services Depot Belconnen	Block 2 Section 7 Belconnen	<i>"Belconnen Works Depot Groundwater Assessment Report ACT Parks, Conservation & Lands Depot 44 Nettlefold Street Belconnen ACT 2617 (Block 2, Section 7)"</i> dated 19 January 2015 by Northwood Environmental	<i>"ACT Parks Conservation and Lands Belconnen Works Depot Contaminant Management Plan (Revised) Belconnen Works Depot 44 Nettlefold Street Belconnen ACT 2617"</i> dated 19 February 2016 by Northwood Environmental.
Woden Business Park	Part Block 9 Section 54 Phillip as shown in Figure 2 of the <i>Site Audit Statement (005_IDGACT)</i> dated 20 July 2015	<i>Site Audit Statement (005_IDGACT)</i> dated 20 July 2015; and <i>Site Audit Report (005_IDGACT) titled "Underground Storage Tank Remediation, Woden Business Park, 33 Dundas Court, Phillip ACT"</i> dated 20 July 2015 by Mr Ian Gregson of GHD Pty Ltd	<i>"Site Management Plan, Woden Bus Depot, 33 Dundas Court, Phillip, ACT"</i> , Doc. No. 60281813_Woden Business Park SMP_RevE_20150717 dated 17 July 2015 by AECOM Australia Pty Ltd

Site Description	Site Details	Name of Assessment Reports	Name of Site Specific Management Plans
Old Canberra Brickworks asbestos dump area	Part Blocks 1 and 20 Section 102 Yarralumla and Block 1 Section 127 Yarralumla	<p><i>Section B Site Audit Statement (LBJ 14/01) dated 7 March 2016; and Site Audit Report (LBJ 14/01) "Site Audit of Former Canberra Brickworks Asbestos Dump Area, Yarralumla, ACT"</i></p> <p>dated 7 March 2016 by Dr Lange Jorstad of Geosyntec Consultants Pty Ltd</p>	<p><i>"Contaminant Management Plan (CMP) Canberra Brickworks Remediation Project Portions of Blocks 1 and 20 Section 102 and Block 1, Section 127 Yarralumla, ACT 2600"</i></p> <p>dated 3 March 2016 by Robson Environmental Pty Ltd</p>
Hackett Community Centre	Part Blocks 6 and 11 Section 12 Hackett	<p><i>"Underground Storage Tank - Soil and Groundwater Assessment, Hackett Community Centre, Hackett, ACT"</i></p> <p>dated 12 April 2011 by Environmental Resources Management Australia Pty Ltd</p>	<p><i>"Hackett Community Centre Contamination Management Plan"</i></p> <p>dated October 2011 by Environmental Resources Management Australia Pty Ltd</p>
Glendale Depot	Block 41 Booth	<p><i>"Underground Petroleum Storage System Removal, Contamination Assessment and Validation Report, Glendale Depot, Bobeyan Road, Glendale, ACT"</i></p> <p>dated September 2011 by Environmental Resources Management Australia Pty Ltd</p>	<p><i>"Glendale Works Depot Contaminant Management Plan"</i></p> <p>dated 21 March 2013 by Northwood Environmental</p>