

# Variation of Clean-up Notice

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Transport for NSW  
18 804 239 602  
PO BOX K659  
HAYMARKET NSW 1240

Attention:

Notice Number 3508334  
Reference Number VN-1043  
Date 28-02-2024

## VARIATION OF NOTICE OF CLEAN-UP ACTION

### BACKGROUND

- A. On 15 January 2024, the Environment Protection Authority (EPA) issued Notice of Clean-up Action No. 3507919 to Transport for NSW (TfNSW) (Notice).
- B. The Notice directs TfNSW to remove all mulch transported to and applied to land at the Rozelle Parklands (Lot 24 DP 1194941) (the Premises) and dispose of it at a facility that can lawfully receive it by 5pm on Thursday 29 February 2024.
- C. The Notice also requires TfNSW to provide the EPA with evidence that the mulch has been disposed of at a facility that can lawfully receive it by 5pm on Thursday 7 March 2024.
- D. On 22 January 2024, in Notice No 3507976, the EPA varied the definition of the Premises to include both the Rozelle Parklands and some surrounding areas, including some pocket parks/gardens near Victoria Road. The date for compliance was not varied at that time.
- E. On 23 February 2024, the EPA received a written request from TfNSW to extend the timeframe by which the mulch must be removed from the Premises. TfNSW provided further details about this request on 28 February 2024.
- F. The EPA understands that TfNSW and its contractors, John Holland Pty Ltd and CPB Contractors Pty Ltd, have been progressively removing mulch applied to land at the Premises.
- G. TfNSW has advised that the clean-up of some areas of the Premises is progressing more slowly, including because:



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- (a) some of the areas are adjacent to the road corridor and require week-night road occupancy licences, involving traffic management set-up, the establishment of a protected work-zone and decommissioning the same night,
  - (b) some areas require further risk assessment and control measures to manage the environmental and human health risks associated with the removal of mulch.
- H. The EPA has decided to vary the Notice to extend the timeframe for the removal of the mulch as set out in this notice.
- I. TfNSW has advised the EPA that once mulch has been removed from each area, a licensed asbestos assessor and a site auditor will certify the areas are clear and safe for their intended use. Clean mulch will then be reinstalled, and the areas will be progressively opened to the public.

## VARIATION OF NOTICE OF CLEAN-UP ACTION

By this notice the EPA varies Notice of Clean-up Action No. 3507919 (“the previous notice”) in the following manner:

The following direction to take clean-up action:

*“1. The EPA directs TfNSW to take the following clean-up action:*

*2. By **5pm on Thursday 29 February 2024**, remove all mulch that has been transported to and applied to land at the Premises and dispose of it at a facility that can lawfully receive it.*

*3. By **5pm on Thursday 7 March 2024**, provide the EPA with evidence that the mulch has been disposed of a facility that can lawfully receive it.”*

is replaced by:

*“The EPA directs Transport for NSW to take the following clean-up action:*

*1. By **5pm on Thursday 28 March 2024**, remove all mulch that has been transported to and applied to land at the Premises and dispose of it at a facility that can lawfully receive it.*

*2. By **5pm on Thursday 4 April 2024**, provide the EPA with evidence that the mulch has been disposed of a facility that can lawfully receive it.*

*3. TfNSW must provide the EPA with a copy of a clearance certificate(s) from a licensed asbestos assessor as soon as practicable.*

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A handwritten signature in blue ink, appearing to read 'Peter Bloem'.

**Peter Bloem**  
**Manager Regulatory Operations**  
(by Delegation)

## INFORMATION ABOUT THIS NOTICE

- Details provided in this notice will be available on the EPA's Public Register in accordance with section 308 of the Protection of the Environment Operations Act 1997.
- This notice is issued under section 110 of the Protection of the Environment Operations Act 1997.
- This notice operates from the date of issue of this notice unless a later date is specified in this notice.