



NSW Site Auditor Scheme

Site Audit Statement

A site audit statement summarises the findings of a site audit. For full details of the site auditor's findings, evaluations and conclusions, refer to the associated site audit report.

This form was approved under the *Contaminated Land Management Act 1997* on 12 October 2017.

For information about completing this form, go to Part IV.

Part I: Site audit identification

Site audit statement no. RS-010B-1

This site audit is a:

- ☐ statutory audit
- ☒ non-statutory audit

within the meaning of the *Contaminated Land Management Act 1997*.

Site auditor details

(As accredited under the *Contaminated Land Management Act 1997*)

Name Rowena Salmon

Company Ramboll Australia Pty Ltd

Address Level 3

100 Pacific Highway, North Sydney

Postcode 2060

Phone 02 9954 8100

Email rsalmon@ramboll.com

Site details

Address: Part of 236-260 Hakone Road, 99 and 103 Sparks Road and Part of 107 Sparks Road, Woongarra NSW

Postcode:2259

Property description

The site covers an approximate irregular rectangle shape (shown in red boundary on attachment at end of Part I of this statement) and excludes the RE1 Public Recreation Zoning portion (shown in green on attachment at end of Part I of this statement).

The Lot/Deposited Plan (DP) numbers for the site are as follows: Part Lot 1 DP376264, Part Lot 54 and 55 DP7527, Part Lot 41 DP1200210 (formerly part Lot 4 DP7738), Lot 51 and 52 DP561032, Lot 1 DP375712, and Lot 1 DP371647.

Local government area: Central Coast Council

Area of site (include units, e.g. hectares): Approximately 19 hectares

Current zoning: B2 Local Centre, B4 Mixed Use, E2 Environmental Conservation, E3 Environmental Management, R1 General Residential under Wyong Local Environment Plan 2013

Regulation and notification

To the best of my knowledge:

- ☐ **the site is** the subject of a declaration, order, agreement, proposal or notice under the *Contaminated Land Management Act 1997* or the *Environmentally Hazardous Chemicals Act 1985*, as follows: (provide the no. if applicable)

☐ Declaration no.

☐ Order no.

☐ Proposal no.

☐ Notice no.

- ☒ **the site is not** the subject of a declaration, order, proposal or notice under the *Contaminated Land Management Act 1997* or the *Environmentally Hazardous Chemicals Act 1985*.

To the best of my knowledge:

- ☐ the site **has** been notified to the EPA under section 60 of the *Contaminated Land Management Act 1997*
- ☒ the site **has not** been notified to the EPA under section 60 of the *Contaminated Land Management Act 1997*.

Site audit commissioned by

Name: John Pearce

Company: Wyong Shire Council (now Central Coast Council)

Address: PO Box 20, Wyong NSW

Postcode: 2259

Phone: 02 4350 5555

Email: -

Contact details for contact person (if different from above)

Name: Jamie Barclay - Unit Manager Economic Development and Property

Phone: 0421 839 865 and 02 4350 5534

Email: Jamie.barclay @centralcoast.nsw.gov.au

Nature of statutory requirements (not applicable for non-statutory audits)

- ☐ Requirements under the *Contaminated Land Management Act 1997*
(e.g. management order; please specify, including date of issue)

- ☐ Requirements imposed by an environmental planning instrument
(please specify, including date of issue)

- ☐ Development consent requirements under the *Environmental Planning and Assessment Act 1979* (please specify consent authority and date of issue)

- ☐ Requirements under other legislation (please specify, including date of issue)

Purpose of site audit

- ☐ **A1** To determine land use suitability

Intended uses of the land:

OR

- ☒ **A2** To determine land use suitability subject to compliance with either an active or passive environmental management plan

Intended uses of the land: *uses in accordance with the land zoning under Wyong Local Environment Plan 2013 including B2 Local Centre, B4 Mixed Use, E2 Environmental Conservation, E3 Environmental Management, R1 General Residential*

OR

(Tick all that apply)

- ☐ **B1** To determine the nature and extent of contamination
- ☐ **B2** To determine the appropriateness of:
- ☐ an investigation plan
 - ☐ a remediation plan
 - ☐ a management plan
- ☐ **B3** To determine the appropriateness of a **site testing plan** to determine if groundwater is safe and suitable for its intended use as required by the *Temporary Water Restrictions Order for the Botany Sands Groundwater Resource 2017*
- ☐ **B4** To determine the compliance with an approved:
- ☐ **voluntary management proposal** or
 - ☐ **management order** under the *Contaminated Land Management Act 1997*
- ☐ **B5** To determine if the land can be made suitable for a particular use (or uses) if the site is remediated or managed in accordance with a specified plan.

Intended uses of the land:

Information sources for site audit

Consultancies which conducted the site investigations and/or remediation:

Environmental Monitoring Services Pty Ltd (EMS)

Coffey Geotechnics Pty Ltd/Coffey Environments Australia Pty Ltd/Tetra Tech Coffey (Coffey)

Douglas Partners Pty Ltd (DP)

Ramboll Australia Pty Ltd (Ramboll)

Titles of reports reviewed:

'Hazardous Materials Audit & Register, Wyong Shire Council, Sparks Rd, Warnervale NSW 2259' dated 26 August 2008 by EMS

'Stage 1 Progress Report, Sparks Rd, Warnervale NSW (ACM Removal Works)' dated 14 May 2009 by EMS

'Stage 2 Progress Report, Sparks Rd, Warnervale NSW (ACM Removal Works)' dated 31 July 2009 by EMS

'Final Clearance Certificate, Sparks Rd, Warnervale NSW – Stage 3 ACM Removal Works' dated 15 March 2010 by EMS

'Sampling, Analysis and Quality Plan, Asbestos Validation in the Area Outside the Landfill at the Proposed Warnervale Town Centre, Warnervale NSW' draft dated 15 January 2013 by Coffey

'Asbestos Validation Report, Warnervale Town Centre, Warnervale NSW' dated 15 July 2013 by Coffey

'Warnervale Town Centre Redevelopment, Landfill Gas Risk Assessment', dated 27 August 2021, prepared by Coffey

'Preliminary Site Investigation for Contamination, Windrow Stockpile and Filled Area, 103 Sparks Road, Warnervale', dated 13 September 2021, prepared by DP

'Environmental Management Plan, Warnervale Town Centre, Management of Potential Contamination During Development', dated 4 November 2021, prepared by Ramboll (the Auditor)

Other information reviewed, including previous site audit reports and statements relating to the site:

'Site Audit Report, Proposed Warnervale Town Centre, Sparks and Hakone Road, Warnervale' dated March 2006, Audit PWH-002, by Phillip Hitchcock of ENVIRON Australia Pty Ltd (ENVIRON) (now Ramboll Australia Pty Ltd)

'Site Audit Report, Proposed Warnervale Town Centre, Warnervale, NSW' dated 1 February 2010, Audit PWH_NSW_002A, by Phillip Hitchcock of ENVIRON (now Ramboll Australia Pty Ltd)

'Warnervale Town Centre Hilltop Park Concept' dated 23 September 2011 by Wyong Shire Council

'Project Description for the Design of the Warnervale Hilltop Park' dated June 2012 by Wyong Shire Council, Sport Leisure and Recreation

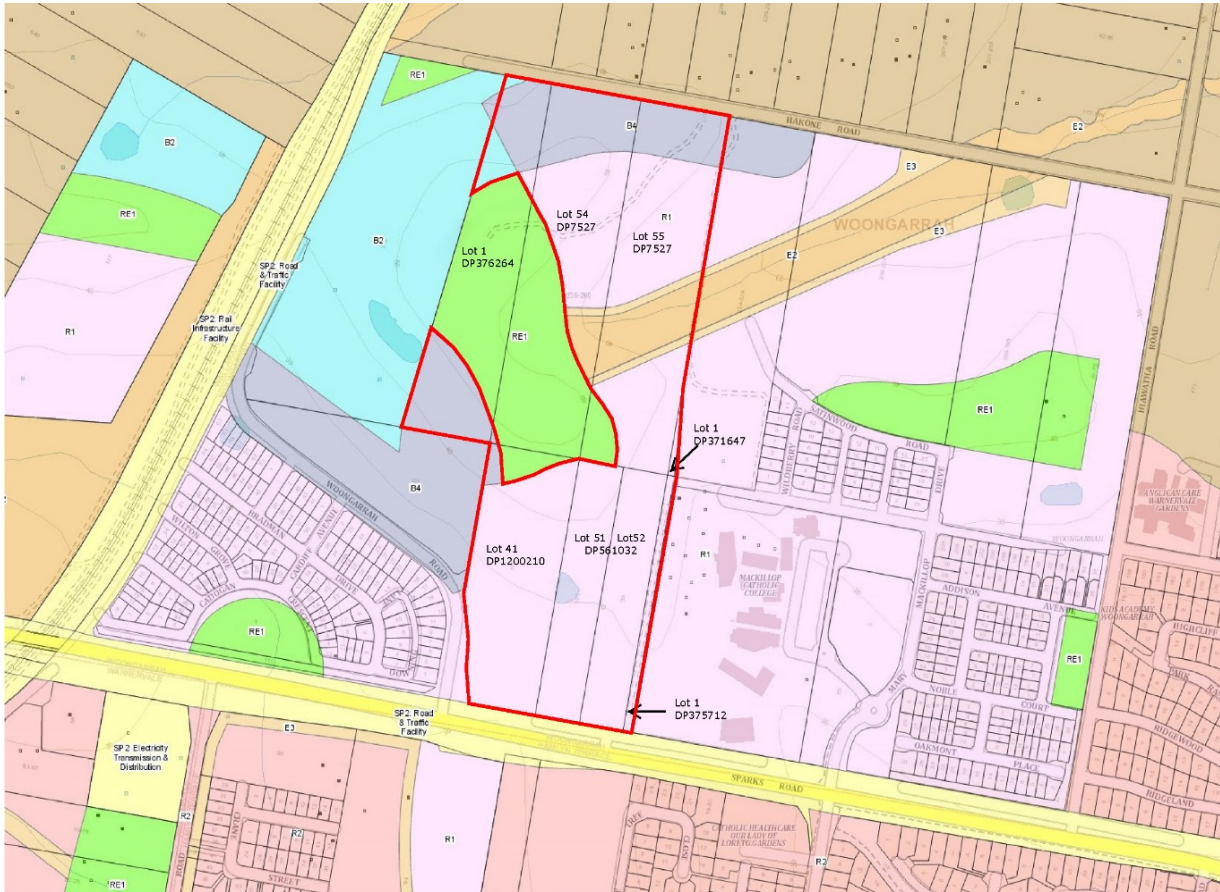
'Site Audit Report, Warnervale Town Centre, Remediation of Asbestos Outside Landfill' dated 10 August 2016, Audit RS 010A-1, by Rowena Salmon of Ramboll Environ Australia Pty Ltd (now Ramboll Australia Pty Ltd)

'Site Audit Report, Warnervale Former Landfill, Validation of Remediation' dated 8 September 2021, Audit RS 010A-2, by Rowena Salmon of Ramboll Australia Pty Ltd

Site audit report details

Title	Site Audit Report – Warnervale Town Centre, Site Suitability Outside Landfill	
Report no.	RS-010B-1 (Ramboll Ref: 318001250)	Date 4 November 2021

Attachment: Site Audit Area (red boundary, excludes RE1 zoning)



Part II: Auditor's findings

Please complete either Section A1, Section A2 or Section B, not more than one section.
(Strike out the irrelevant sections.)

- Use **Section A1** where site investigation and/or remediation has been completed and a conclusion can be drawn on the suitability of land uses **without the implementation** of an environmental management plan.
- Use **Section A2** where site investigation and/or remediation has been completed and a conclusion can be drawn on the suitability of land uses **with the implementation** of an active or passive environmental management plan.
- Use **Section B** where the audit is to determine:
 - (B1) the nature and extent of contamination, and/or
 - (B2) the appropriateness of an investigation, remediation or management plan¹, and/or
 - (B3) the appropriateness of a site testing plan in accordance with the *Temporary Water Restrictions Order for the Botany Sands Groundwater Source 2017*, and/or
 - (B4) whether the terms of the approved voluntary management proposal or management order have been complied with, and/or
 - (B5) whether the site can be made suitable for a specified land use (or uses) if the site is remediated or managed in accordance with the implementation of a specified plan.

¹ For simplicity, this statement uses the term 'plan' to refer to both plans and reports.

Section A1

I certify that, in my opinion:

The **site is suitable** for the following uses:

(Tick all appropriate uses and strike out those not applicable.)

- ☐ Residential, including substantial vegetable garden and poultry
- ☐ Residential, including substantial vegetable garden, excluding poultry
- ☐ Residential with accessible soil, including garden (minimal home-grown produce contributing less than 10% fruit and vegetable intake), excluding poultry
- ☐ Day care centre, preschool, primary school
- ☐ Residential with minimal opportunity for soil access, including units
- ☐ Secondary school
- ☐ Park, recreational open space, playing field
- ☐ Commercial/industrial
- ☐ Other (please specify):

OR

☐ I certify that, in my opinion, the **site is not suitable** for any use due to the risk of harm from contamination.

Overall comments:

Section A2

I certify that, in my opinion:

Subject to compliance with the **attached** environmental management plan² (EMP), the site is suitable for the following uses:

(Tick all appropriate uses and strike out those not applicable.)

- ☐ ~~Residential, including substantial vegetable garden and poultry~~
- ☐ ~~Residential, including substantial vegetable garden, excluding poultry~~
- ☐ ~~Residential with accessible soil, including garden (minimal home grown produce contributing less than 10% fruit and vegetable intake), excluding poultry~~
- ☐ ~~Day care centre, preschool, primary school~~
- ☐ ~~Residential with minimal opportunity for soil access, including units~~
- ☐ ~~Secondary school~~
- ☐ ~~Park, recreational open space, playing field~~
- ☐ ~~Commercial/industrial~~
- ☒ Other (please specify):

Uses in accordance with the land zoning under Wyong Local Environment Plan 2013 including B2 Local Centre, B4 Mixed Use, E2 Environmental Conservation, E3 Environmental Management, R1 General Residential

EMP details

Title: Environmental Management Plan, Warnervale Town Centre, Management of Potential Contamination During Development

Author: Ramboll Australia Pty Ltd

Date: 4 November 2021

No. of pages 7

EMP summary

This EMP (attached) is required to be implemented to address residual contamination on the site.

The EMP: (Tick appropriate box and strike out the other option.)

- ☐ requires operation and/or maintenance of **active** control systems³
- ☒ requires maintenance of **passive** control systems only³.

² Refer to Part IV for an explanation of an environmental management plan.

³ Refer to Part IV for definitions of active and passive control systems.

Purpose of the EMP:

The purpose of this EMP is to document management measures required to be prepared and implemented for future development works at the site that include bulk earthworks or major ground disturbance across the entire site and any future development works in the E2 Environmental Conservation and E3 Environmental Management zoned areas of the site. Management measures are to be documented by the developer in a construction environmental management plan (CEMP) and unexpected finds protocol (UFP).

Description of the nature of the residual contamination:

Based on the results of previous investigations and the remediation undertaken, contamination at the site which requires management has not been identified. However, there are risks associated with potential residual asbestos at the site, including from isolated fragments of bonded asbestos containing material (ACM) associated with previous illegal dumping and potential further illegal dumping of waste materials containing asbestos prior to future development. There is also potential for ACM to be found within mounded fill within 103 Sparks Road or within the densely vegetated E2/E3 zoned areas. These risks can be appropriately managed during the development process through implementation of an UFP.

Summary of the actions required by the EMP:

Implementation of the EMP is the responsibility of the registered proprietor of the land who must ensure that preparation and implementation of a CEMP and UFP be undertaken for all relevant future development works. These comprise site preparation/bulk earthworks and ground disturbance works for the entire site and any future works in the E2/E3 areas (which may not be disturbed during initial site preparation).

The EMP will apply during residential subdivision earthworks, however, implementation of the UFP/CEMP is not anticipated as a requirement for construction of individual residences except as would normally be required by Council.

The CEMP is required to be prepared in accordance with the NSW Department of Infrastructure, Planning and Natural Resources (2004) *Guideline for the Preparation of Environmental Management Plans* with consideration of relevant legislation, guidelines and codes of practice.

The UFP is to be followed in the event of an unexpected find of potential contamination during excavation works.

The EMP provides an outline and examples of what is required within the UFP document which includes:

- Objectives of the UFP
 - Responsibilities
 - Potential Unexpected Finds
 - Procedure in the Event of an Unexpected Find
 - Emergency contacts
-

-
- Regulatory requirements
-

How the EMP can reasonably be made to be legally enforceable:

The CEMP/UFP will be enforced via a public positive covenant on title under Section 88E of the *Conveyancing Act 1919*. It is anticipated that the CEMP/UFP will be further enforced via development consent conditions under the *Environmental Planning and Assessment Act 1979*, as applicable to the relevant future development works.

How there will be appropriate public notification:

The EMP is provided to Council attached to this Site Audit Statement and will therefore be recorded on the Section 10.7 certificate(s) for the site. The EMP will also be noted on the covenant on title.

Overall comments:

The site comprises part of a 24 ha parcel of Council-owned land within the proposed Warnervale Town Centre precinct. The Council-owned land parcel comprises predominantly vacant bushland, with two unsealed access roads and a former landfill area (backfilled quarry). The site audit relates to land outside the former landfill and applies to an area of around 19 hectares as shown by the red boundary on the Attachment at the end of Part 1 of this Statement. Previous investigations identified the northern portion of the site to have historically comprised primarily bushland, while rural residential land uses were historically located in the south of the site including a greenhouse (nursery), dams and former buildings. Following demolition of buildings in the south at 103 Sparks Road, this portion was used as a compound for storage of construction materials between 2011 and 2015.

The site is proposed to be developed for a range of uses including retail and commercial premises, residential dwellings, community facilities and environmental conservation areas (Environmental Management and Environmental Conservation zonings).

Two site audits were previously conducted in relation to the site, by Mr Philip Hitchcock, formerly of ENVIRON Australia Pty Ltd (now Ramboll Australia Pty Ltd), in 2006 and 2010. Contamination by asbestos was identified at the site due to illegal 'fly' dumping, particularly near tracks. The 2010 site audit included as conditions the requirement for remediation and validation of asbestos contamination. The 2010 Audit did not identify any other contamination issues at the site requiring action, including with respect to other contaminants in soil or contaminants in groundwater. The audit found that the site had been adequately investigated and contaminant levels are generally low. Therefore, only asbestos and landfill gas required further consideration.

Removal of stockpiles of asbestos-containing materials and affected soil was undertaken in 2008-2009 and validation sampling to confirm adequate removal of asbestos from areas outside the landfill was undertaken in 2013. The asbestos remediation and validation works were reviewed in previous site audit RS 010A-1 (attached as Appendix C to the accompanying Site Audit Report).

Asbestos management within the landfill and landfill gas management within (and surrounding) the landfill has been addressed by remediation undertaken within the Council-owned RE1 Public Recreation land parcel between 2018 and 2021. The remediation included the relocation and consolidation of landfill waste materials in the RE1 Public Recreation zoning area beneath a formal landfill capping. Additional landfill wastes including asbestos were identified in portions on the site and these materials were relocated and consolidated within in the RE1 Public Recreation zoning area beneath a formal landfill capping. The landfill also contains a gas collection and venting system along with capping that controls landfill gas emissions and migration. RS 010A-2 has reviewed the remediation undertaken with the RE1 zoning area.

Validation of the landfill remediation has demonstrated that there is negligible potential for landfill gas (methane) to impact on the proposed redevelopment however elevated background levels of carbon dioxide are present at the site. A risk assessment was undertaken by Coffey which confirmed that subsurface gas carbon dioxide does not pose a risk to the proposed residential development.

Two areas of mounded fill were identified by the Auditor during a detailed inspection of the former construction compound. A test pit investigation of the mounded fill was undertaken by DP which found the material to be compatible with the proposed residential use. A fragment of suspected ACM was found in one location and DP recommended that any disturbance of site soils should be completed in accordance with a construction environmental management plan (CEMP) and that an unexpected finds protocol (UFP) should be prepared as part of the CEMP which outlines the necessary procedures to be adopted in the event that an unexpected find such as asbestos be encountered. This recommendation is consistent with the findings of RS 010A-1.

Despite the assessment and remediation works that have been undertaken, there is a risk that residual fragments of ACM may be present at the site and a risk that further illegal dumping may occur prior to site redevelopment. The potential risk to future site occupants is considered to be low however implementation of a CEMP and UFP during future development that involves major ground disturbance across the entire site or any development in the E2/E3 zoned areas is recommended to manage this risk. The attached Environmental Management Plan has been prepared to document the CEMP and UFP requirements that are required to be undertaken under the covenant on title.

This audit addresses the requirements of all relevant conditions from previous site audits at the site. A further Section A Site Audit Statement will be prepared for the landfill area (offsite within the RE1 Public Recreation zoning area) at the completion of the proving period monitoring and prior to opening to the public to address the site suitability for the intended land use of that land parcel.

Section B

Purpose of the plan⁴ which is the subject of this audit:

I certify that, in my opinion:

(B1)

- ☐ The nature and extent of the contamination **has** been appropriately determined
- ☐ The nature and extent of the contamination **has not** been appropriately determined

AND/OR (B2)

- ☐ The investigation, remediation or management plan **is** appropriate for the purpose stated above
- ☐ The investigation, remediation or management plan **is not** appropriate for the purpose stated above

AND/OR (B3)

- ☐ The site testing plan:
- ☐ **is** appropriate to determine
- ☐ **is not** appropriate to determine

if groundwater is safe and suitable for its intended use as required by the *Temporary Water Restrictions Order for the Botany Sands Groundwater Resource 2017*

AND/OR (B4)

- ☐ The terms of the approved voluntary management proposal* or management order** (strike out as appropriate):

- ☐ **have** been complied with
- ☐ **have not** been complied with.

*voluntary management proposal no.

**management order no.

AND/OR (B5)

- ☐ The site **can be made suitable** for the following uses:
- (Tick all appropriate uses and strike out those not applicable.)
- ☐ Residential, including substantial vegetable garden and poultry
- ☐ Residential, including substantial vegetable garden, excluding poultry

⁴ For simplicity, this statement uses the term 'plan' to refer to both plans and reports.

- ☐ Residential with accessible soil, including garden (minimal home-grown produce contributing less than 10% fruit and vegetable intake), excluding poultry
- ☐ Day care centre, preschool, primary school
- ☐ Residential with minimal opportunity for soil access, including units
- ☐ Secondary school
- ☐ Park, recreational open space, playing field
- ☐ Commercial/industrial
- ☐ Other (please specify):

IF the site is remediated/managed* in accordance with the following plan (**attached**):

*Strike out as appropriate

Plan title

Plan author

Plan date

No. of pages

SUBJECT to compliance with the following condition(s):

Overall comments:

Part III: Auditor's declaration

I am accredited as a site auditor by the NSW Environment Protection Authority (EPA) under the *Contaminated Land Management Act 1997*.

Accreditation no. 1002

I certify that:

- I have completed the site audit free of any conflicts of interest as defined in the *Contaminated Land Management Act 1997*, and
- with due regard to relevant laws and guidelines, I have examined and am familiar with the reports and information referred to in Part I of this site audit, and
- on the basis of inquiries I have made of those individuals immediately responsible for making those reports and obtaining the information referred to in this statement, those reports and that information are, to the best of my knowledge, true, accurate and complete, and
- this statement is, to the best of my knowledge, true, accurate and complete.

I am aware that there are penalties under the *Contaminated Land Management Act 1997* for wilfully making false or misleading statements.

Signed



Date 4 November 2021

Part IV: Explanatory notes

To be complete, a site audit statement form must be issued with all four parts.

How to complete this form

Part I

Part I identifies the auditor, the site, the purpose of the audit and the information used by the auditor in making the site audit findings.

Part II

Part II contains the auditor's opinion of the suitability of the site for specified uses or of the appropriateness of an investigation, or remediation plan or management plan which may enable a particular use. It sets out succinct and definitive information to assist decision-making about the use or uses of the site or a plan or proposal to manage or remediate the site.

The auditor is to complete either Section A1 or Section A2 or Section B of Part II, **not** more than one section.

Section A1

In Section A1 the auditor may conclude that the land is *suitable* for a specified use or uses OR *not suitable* for any beneficial use due to the risk of harm from contamination.

By certifying that the site is *suitable*, an auditor declares that, at the time of completion of the site audit, no further investigation or remediation or management of the site was needed to render the site fit for the specified use(s). **Conditions must not be** imposed on a Section A1 site audit statement. Auditors may include **comments** which are key observations in light of the audit which are not directly related to the suitability of the site for the use(s). These observations may cover aspects relating to the broader environmental context to aid decision-making in relation to the site.

Section A2

In Section A2 the auditor may conclude that the land is *suitable* for a specified use(s) subject to a condition for implementation of an environmental management plan (EMP).

Environmental management plan

Within the context of contaminated sites management, an EMP (sometimes also called a 'site management plan') means a plan which addresses the integration of environmental mitigation and monitoring measures for soil, groundwater and/or hazardous ground gases throughout an existing or proposed land use. An EMP succinctly describes the nature and location of contamination remaining on site and states what the objectives of the plan are, how contaminants will be managed, who will be responsible for the plan's implementation and over what time frame actions specified in the plan will take place.

By certifying that the site is suitable subject to implementation of an EMP, an auditor declares that, at the time of completion of the site audit, there was sufficient information satisfying guidelines made or approved under the *Contaminated Land Management Act 1997*

(CLM Act) to determine that implementation of the EMP was feasible and would enable the specified use(s) of the site and no further investigation or remediation of the site was needed to render the site fit for the specified use(s).

Implementation of an EMP is required to ensure the site remains suitable for the specified use(s). The plan should be legally enforceable: for example, a requirement of a notice under the CLM Act or a development consent condition issued by a planning authority. There should also be appropriate public notification of the plan, e.g. on a certificate issued under s.149 of the *Environmental Planning and Assessment Act 1979*.

Active or passive control systems

Auditors must specify whether the EMP requires operation and/or maintenance of active control systems or requires maintenance of passive control systems only. Active management systems usually incorporate mechanical components and/or require monitoring and, because of this, regular maintenance and inspection are necessary. Most active management systems are applied at sites where if the systems are not implemented an unacceptable risk may occur. Passive management systems usually require minimal management and maintenance and do not usually incorporate mechanical components.

Auditor's comments

Auditors may also include **comments** which are key observations in light of the audit which are not directly related to the suitability of the site for the use(s). These observations may cover aspects relating to the broader environmental context to aid decision-making in relation to the site.

Section B

In Section B the auditor draws conclusions on the nature and extent of contamination, and/or suitability of plans relating to the investigation, remediation or management of the land, and/or the appropriateness of a site testing plan in accordance with the *Temporary Water Restrictions Order for the Botany Sands Groundwater Source 2017*, and/or whether the terms of an approved voluntary management proposal or management order made under the CLM Act have been complied with, and/or whether the site can be made suitable for a specified land use or uses if the site is remediated or managed in accordance with the implementation of a specified plan.

By certifying that a site *can be made suitable* for a use or uses if remediated or managed in accordance with a specified plan, the auditor declares that, at the time the audit was completed, there was sufficient information satisfying guidelines made or approved under the CLM Act to determine that implementation of the plan was feasible and would enable the specified use(s) of the site in the future.

For a site that *can be made suitable*, any **conditions** specified by the auditor in Section B should be limited to minor modifications or additions to the specified plan. However, if the auditor considers that further audits of the site (e.g. to validate remediation) are required, the auditor must note this as a condition in the site audit statement. The condition must not specify an individual auditor, only that further audits are required.

Auditors may also include **comments** which are observations in light of the audit which provide a more complete understanding of the environmental context to aid decision-making in relation to the site.

Part III

In **Part III** the auditor certifies their standing as an accredited auditor under the CLM Act and makes other relevant declarations.

Where to send completed forms

In addition to furnishing a copy of the audit statement to the person(s) who commissioned the site audit, statutory site audit statements must be sent to

- the **NSW Environment Protection Authority**:
nswauditors@epa.nsw.gov.au or as specified by the EPA

AND

- the **local council** for the land which is the subject of the audit.

4 November 2021

Central Coast Council
Attn: Peter Davis
PO Box 20
Wyong, NSW 2259

By email: Peter.M.Davis@centralcoast.nsw.gov.au

Dear Peter

RE: ENVIRONMENTAL MANAGEMENT PLAN - WARNERVALE TOWN CENTRE, MANAGEMENT OF POTENTIAL CONTAMINATION DURING DEVELOPMENT

Ramboll Australia Pty Ltd
Level 3, 100 Pacific Highway
PO Box 560
North Sydney NSW 2060

T +61 2 9954 8100
www.ramboll.com

Ref: 318001250

Audit Number: RS 010B-1

1. INTRODUCTION

As an Auditor accredited by NSW Environment Protection Authority (EPA) under the NSW *Contaminated Land Management Act 1997*, I am conducting an Audit (RS 010B-1) in relation to land being developed as part of the Warnervale Town Centre (WTC), located in Warnervale, NSW. The larger WTC precinct comprises privately owned land and land owned by Central Coast Council (Council). Within the WTC is a 24 hectare (ha) parcel of land that is owned by Council. This land parcel comprises predominantly vacant bushland, with two unsealed access roads and a former landfill area (backfilled quarry) which is located within an area zoned for public recreation (RE1). The audit relates to portions of the Council-owned land parcel that are outside the RE1 zoning area and therefore does not include the landfill.

This environmental management plan (EMP) has been prepared by the Auditor for the future development works at WTC.

2. PURPOSE OF EMP

The purpose of this EMP is to document management measures required to be prepared and implemented for future development works at the Warnervale Town Centre that include bulk earthworks or major ground disturbance and any future development works in the E2 Environmental Conservation and E3 Environmental Management zoned areas of the site. Management measures are to be documented by the developer in a construction environmental management plan (CEMP) and unexpected finds protocol (UFP).

The EMP will apply during residential subdivision earthworks, however, implementation of the CEMP/UFP is not anticipated as a requirement for construction of individual residences except as would normally be required by Council.

Ramboll Australia Pty Ltd
ACN 095 437 442
ABN 49 095 437 442

Implementation of this EMP is the responsibility of the registered proprietor of the land who must ensure that preparation and implementation of a CEMP and UFP be undertaken for all relevant future development works. These comprise site preparation/bulk earthworks and ground disturbance works for the entire site and any future works in the E2/E3 areas (which may not be disturbed during initial site preparation).

The EMP will be enforced via a public positive covenant on title under Section 88E of the *Conveyancing Act 1919*.

It is anticipated that the EMP (CEMP/UFP) will be further enforced via development consent conditions under the NSW *Environmental Planning and Assessment Act 1979*, as applicable to the relevant future development works.

The EMP will be provided to Council attached to the Site Audit Statement and will therefore be recorded on the Section 10.7 certificate(s) for the site. The EMP will also be noted on the covenant on title.

3. BACKGROUND

This section provides an overview of the site identification, environmental setting, site history and regulatory information obtained from publicly available information sources and previous investigations. Table 1 below includes a summary of background information relevant to the site and EMP. The site boundary and zoning layout is shown on Figure 1 following and excludes the area zoned RE1.

Table 1: Background Information

Information	Details
<i>Site Address</i>	Part of 236-260 Hakone Road, 99 and 103 Sparks Road & Part of 107 Sparks Road, Woongarah, NSW 2259
<i>Identifier</i>	Part Lot 1 DP376264, Part Lot 54 and 55 DP7527, Part Lot 41 DP1200210 (formerly part Lot 4 DP7738), Lot 51 and 52 DP561032, Lot 1 DP375712, and Lot 1 DP371647
<i>Site Area</i>	Approximately 19 hectares (ha)
<i>Local Government Authority</i>	Central Coast Council
<i>Site Owner</i>	Central Coast Council
<i>Land Zoning</i>	Zonings under the Wyong Local Environment Plan (LEP) 2013 include: <ul style="list-style-type: none"> • B2 Local Centre • B4 Mixed Use • E2 Environmental Conservation • E3 Environmental Management • R1 General Residential
<i>Geographic Location (GDA94-MGA96)</i>	E: 357046.789 N: 6321240.207
<i>Site History</i>	<p>The northern portion of the site has historically comprised primarily bushland, while rural residential land uses were historically located in the south of the site including a greenhouse (nursery), dams and buildings. Following demolition of buildings in the south at 103 Sparks Road, this portion was used as a compound for storage of construction materials between 2011 and 2015.</p> <p>The site has historically experienced illegal 'fly' dumping of waste materials which have included asbestos. Remediation and validation of surface asbestos impacts from illegal dumping was undertaken in 2009-2013 however there is potential for further illegal dumping to have occurred since that time.</p> <p>The Council-owned RE1 Public Recreation land parcel which adjoins the site primarily to the northwest and west was used for quarrying and landfilling between circa 1969 and 1989. The former landfill site has been remediated and is to be redeveloped in the future as Hilltop Park,</p>

Information	Details
	an open green space for passive public recreation. The remediation included the relocation and consolidation of landfill waste materials in the RE1 Public Recreation zoning area beneath a formal landfill capping. Landfill wastes including asbestos were identified in localised areas of the EMP site and these materials were relocated and consolidated within the RE1 Public Recreation zoning area beneath a formal landfill capping. The landfill also contains a gas collection and venting system along with capping that controls landfill gas emissions and migration.
<i>Current Site Use</i>	Vacant bushland and vacant former rural residential properties
<i>Future Site Uses</i>	The site falls within the larger Warnervale Town Centre (WTC) precinct and is owned by Council. Council plan to divest the site for redevelopment as part of the WTC precinct. Development of the site area is proposed in accordance with the land zoning and includes retail and commercial premises, residential dwellings, community facilities and environmental conservation areas. A transport interchange for rail and bus is proposed to the west, outside the site area, and the proposed recreational area is also outside the site area, within the area of the former landfill.

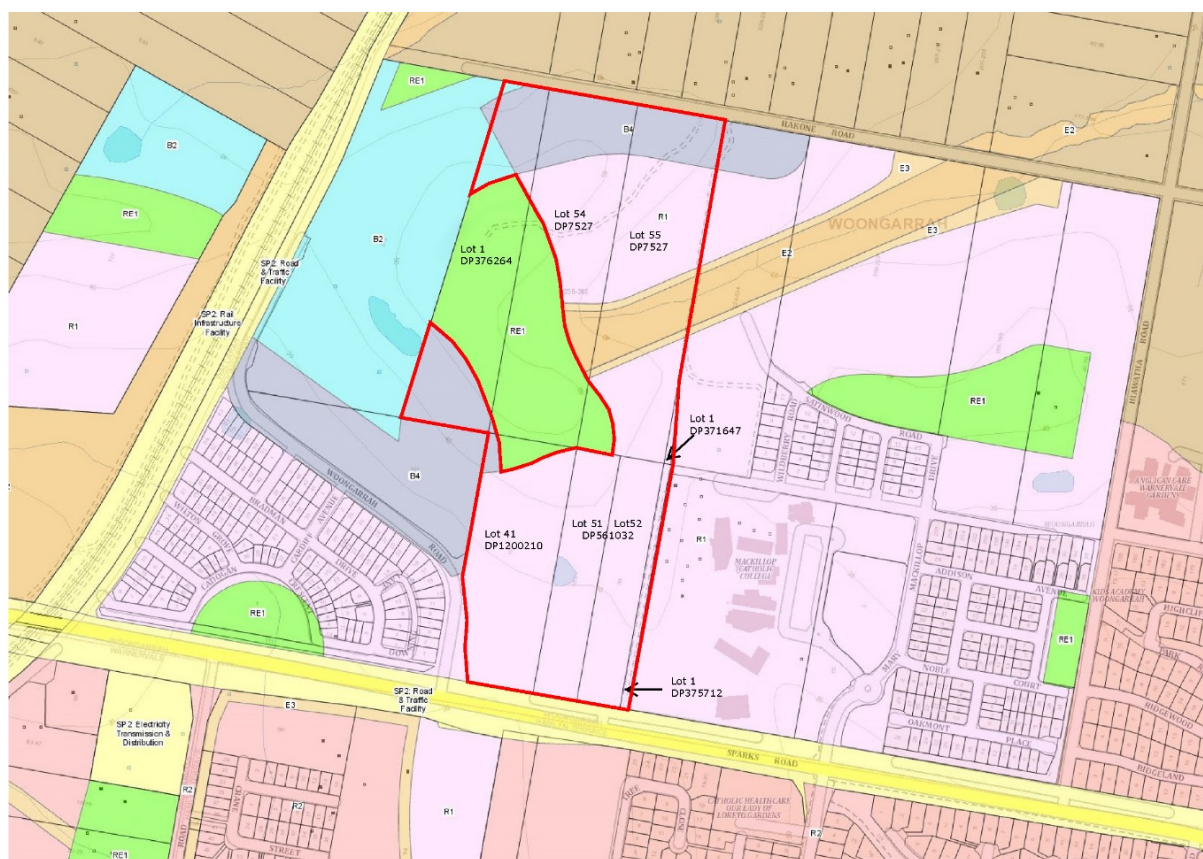


Figure 1: Site Boundary and Land Zoning

4. CONTAMINATION REQUIRING MANAGEMENT

Based on the results of previous investigations and the remediation undertaken, contamination at the site which requires ongoing management has not been identified. However, there are risks associated with potential residual asbestos at the site, including from isolated fragments of bonded potential asbestos containing material (ACM) associated with previous illegal dumping (see Figure 2 for examples) and potential further illegal dumping of waste materials containing asbestos prior to future development (see Figure 3 for example). There is also potential for ACM to be found within mounded fill

within 103 Sparks Road, located as shown on Figure 4, or within the densely vegetated E2/E3 zoned areas. These risks can be appropriately managed during the development process through implementation of an UFP.

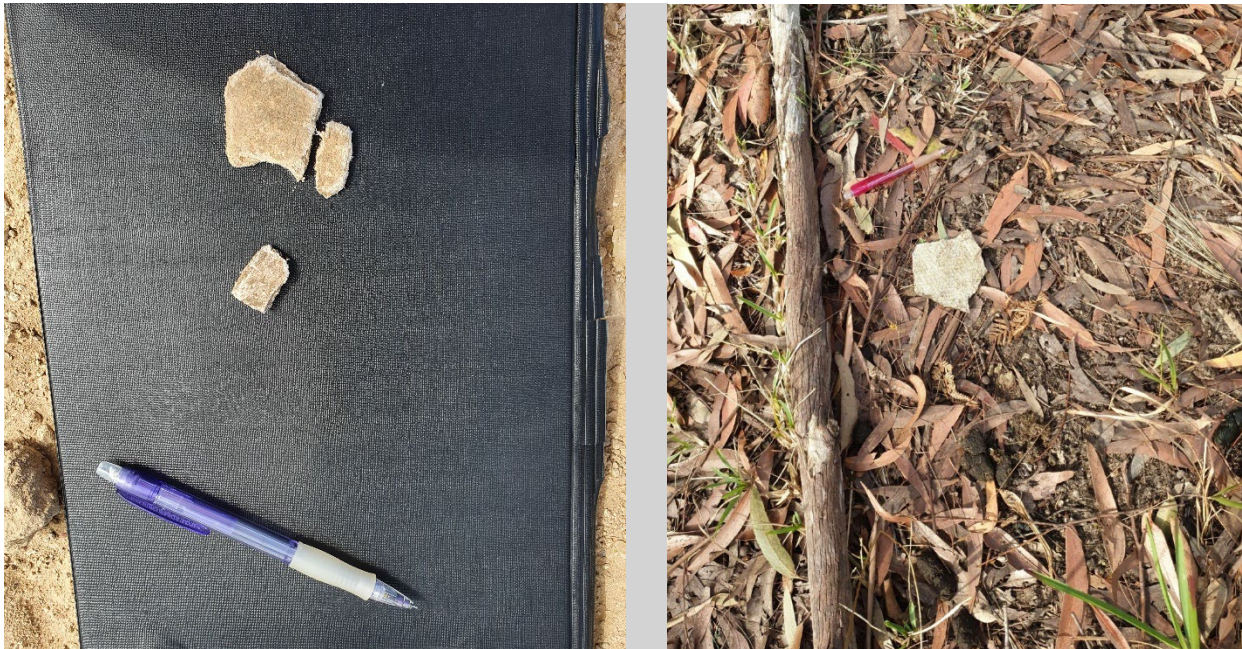


Figure 2: Example of Bonded Potential ACM Fragment Find



Figure 3: Example of Illegal Dumping Find



Figure 4: Location of Mounded Fill within 103 Sparks Road

5. MANAGEMENT ACTIVITIES

As discussed in Section 2, the purpose of this EMP is to document the requirements for preparation and implementation of a CEMP and UFP which is required for all future development that includes bulk earthworks or other major ground disturbance.

5.1 Construction Environmental Management Plan Requirements

The CEMP is required to be prepared in accordance with the NSW Department of Infrastructure, Planning and Natural Resources (2004) *Guideline for the Preparation of Environmental Management Plans* with consideration of relevant legislation, guidelines and codes of practice as outlined in Table 2 below.

5.2 Unexpected Finds Protocol Requirements

The UFP is to provide information to employees, contractors and sub-contractors in the event of discovery of unexpected materials at the site during developments. At this site the most likely unexpected find is either the identification of bonded ACM or aesthetically unacceptable material (including demolition waste).

The UFP is to be followed in the event of an unexpected find of potential contamination during excavation works. Table 2 below provides an outline of the UFP requirements.

Table 2: Outline of UFP Requirements

UFP Item	Details
<i>Objectives of the UFP</i>	Objectives of the UFP should be clearly stated and should generally be to: <ul style="list-style-type: none"> • Manage potential unexpected finds of contamination (if any), • Mitigate human health and environmental risks (if any) associated with the unexpected find, • Require a suitably qualified environmental consultant to adequately assess the find to provide appropriate advice, and • Allow remediation and validation of the unexpected find.
<i>Responsibilities</i>	The UFP is to identify responsible parties including who is responsible for implementing the unexpected find procedure and who is responsible for engaging a suitably qualified environmental consultant to assess the unexpected find.
<i>Potential Unexpected Finds</i>	The UFP is to include examples of potential unexpected finds which maybe encountered at the site. These are most likely to include: <ul style="list-style-type: none"> • Visually contaminated or odorous soil and/or groundwater • Aesthetically unacceptable material (demolition waste (bricks, concrete, wood and metal) and/or ashy material) • Asbestos containing material (bonded and fibrous asbestos). Examples are shown in Section 4 above.
<i>Procedure in the Event of an Unexpected Find</i>	The UFP is to include a procedure for management of any unexpected finds that may be encountered at the site during development works. The procedure should generally include: <ul style="list-style-type: none"> • Stop/cease work in the area of the find • Install temporary barricades around the area of the unexpected find • Notify project manager, supervisor and/or site superintendent etc (if applicable) of the find. • Engage a suitably qualified environmental consultant to adequately assess the find to provide appropriate advice and recommend remedial works. • Contamination should be remediated and validated in accordance with the advice provided by and in the presence of the environmental consultant, and the results should be documented in a report. • Validation/clearance to be provided before works can commence in the area of the find.
<i>Emergency Contacts</i>	Emergency and project related contacts should be documented in the UFP.
<i>Regulatory Requirements</i>	The CEMP and UFP should be prepared with consideration of relevant legislation, guidelines, and codes of practice including: <ul style="list-style-type: none"> • State Environmental Planning Policy 55 (SEPP 55) Remediation of Land and the Managing Land Contamination Planning Guidelines • Work Health and Safety Regulation (2017) • Protection of the Environment Operations (Waste) Regulation 2015 • SafeWork NSW Code of Practice: How to manage and control asbestos in the workplace (2019) • SafeWork NSW Code of Practice: How to safely remove asbestos (2019)

* * *

Yours faithfully
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