

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

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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.

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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>

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.

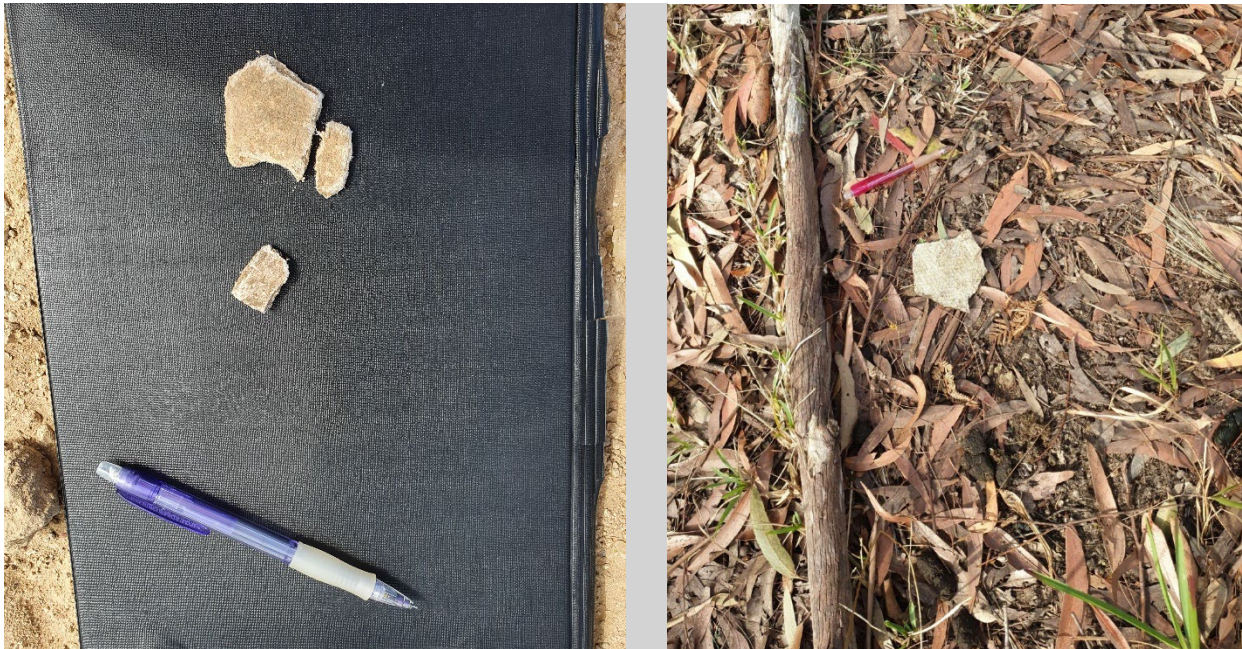


Figure 2: Example of Bonded Potential ACM Fragment Find



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 odourous 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
Ramboll Australia Pty Ltd



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