
200 Aldington Road Industrial Estate

Unexpected Contamination Procedure

Prepared for Fife Kemps Creek Pty Ltd
May 2023

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Unexpected Contamination Procedure

Report Number

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Client

Fife Kemps Creek Pty Ltd

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Version

v2.3 Final

Prepared by



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Consultant

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Approved by



David Bone

Associate Director

31 May 2023

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1 Introduction

This Unexpected Contamination Procedure (UCP) has been prepared for implementation by Fife Kemps Creek Pty Ltd (FKC) (and its contractors) for the construction of Stage 1 of the 200 Aldington Road Industrial Estate (the Project). The Project is in Kemps Creek, New South Wales 2178, within the Penrith Local Government Area (LGA).

The following documents have been reviewed and applicable information incorporated into this procedure:

- Environmental Impact Statement (the EIS), prepared by Ethos Urban, dated 11 November 2020;
- SSDA 10479 Conditions of consent; and
- Detailed Site Investigation, prepared by ADE Consulting Group, dated 6 December 2022.

1.1 Key Construction Contact Details

Key contacts for the Project are provided in the Table below.

Table 1 Key Construction Contact details

Contact/Agency	Reason	Contact Number
Project Manager Fife Creek	Complaints, incidents-	Richard Harris 0408865947
Construction Manager – Simmons Construction	Complaints, incidents-	Kirk Wilson 0418235375
Community Liaison Officer – Fife Capital	Liaison	Richard Harris 0408865947
Environmental Representative	Non-compliance with consent condition (environmental / noise/ traffic)	Carl Vincent 0424203046
Project Information Number	Complaints/issues/enquiries	TBC
Penrith City Council	Traffic / access (local roads)	(02) 4732 7777
DPE	Non-compliance, regulatory advice	
TfNSW	Traffic / access (Mamre Road)	
SafeWork NSW	Notifiable incidents	131 050
NSW EPA	Pollution Incident	131 555
NSW Police	In case of fire, medical or police emergency.	
Fire and Rescue NSW	For pollution incidents that present an immediate threat to human health or property.	000
NSW Ambulance		
Nepean Hospital	Medical incidents	(02) 4734 2000
Police Assistance Line		131 444
Poison Information Centre	Toxicology advice	131 126
IXOM (Chemical industry)	Incidents relating to transport, storage, and use of chemical products	1800 033 111

2 Conditions of approval

This UCP forms part of the Construction Environmental Management Plan (CEMP) and has been prepared in accordance with condition D83 of the development consent for SSD 10479. The condition requirements and where they have been addressed in this report are summarised in Table 2.1.

Table 2.1 **Conditions of Approval**

Conditions of Approval (CoA)	Condition	Where addressed
D81	Detailed Site Investigation Prior to the commencement of earthworks, the Applicant must undertake further soil sampling in areas of the site that were inaccessible during the Detailed Site Investigation prepared by ADE Consulting Group dated February 2022. The sampling must define the nature and extent of any contamination, with reference to the relevant criteria in the National Environment Protection Measure - Assessment of Site Contamination (National Environment Protection Council, 2013). Any areas identified as contaminated must be managed in accordance with the Unexpected Finds Procedure required by Condition D83.	DSI by ADE dated Dec 2022 This UFP
D82	Asbestos The Applicant must ensure that any asbestos encountered during the remediation and construction works for the development is monitored, handled, transported, and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including: (a) Work Health and Safety Regulation 2017; (b) SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace September 2016; (c) SafeWork NSW Code of Practice – How to Safely Remove Asbestos September 2016; and (d) Protection of the Environment Operations (Waste) Regulation 2014.	Table 4.1
D83	Unexpected Finds Procedure Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination finds procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition E2 and must ensure any material identified as contaminated is disposed of in accordance with the POEO Act and its associated regulations. Details of the final disposal location and the results of any associated testing must be submitted to the Planning Secretary prior to removal of the contaminated material from the site.	This UFP

3 Site Assessments

3.1 Preliminary Contamination studies

The following preliminary environmental investigations were undertaken in relation to potential contamination at the existing project site:

- Preliminary Site Investigation for Contamination – 106-142 Aldington Road, Kemps Creek, dated 18 April 2019 (KPMG);
- Preliminary Site Investigation – Due Diligence – 144-228 Aldington Road, Kemps Creek, dated 11 October 2019 (Douglas Partners);
- Supplementary Contamination Investigation – 144-228 Aldington Road, Kemps Creek – dated 23 October 2019 (Douglas Partners); and
- Contamination Status Summary Report – 200 Aldington Road, Kemps Creek – dated September 2021 (Douglas Partners).

Both KPMG (2019) and Douglas Partners (2019) recognise the potential for moderate to high potential for this site to be contaminated; particularly from the previous and current activity surrounding the market gardens and their associated chemicals use.

3.2 Detailed Site Investigation (v2d) – ADE Consulting Group Dec 2022

A Detailed Site Investigation (DSI) was completed in two stages, the first prior to full access being possible, which was then updated in December by ADE Consulting Group (ADE). The objective of the DSI was to determine the nature and extent of soil contamination at the site and to provide an opinion, based on these results, on the suitability for the site for the project development in accordance with the development application.

The site investigation and corresponding sampling regime were undertaken throughout the period of 15 December 2021 to 14 January 2022 and 8 and 28 of November 2022 and involved the collection and subsequent analysis of soil and surface water. The selected samples were compared against the adopted Site Assessment Criteria (SAC) to determine if the site is suitable for the proposed land use.

Of the 162 primary soil samples analysed for the full chemical suite that was utilised for the investigation, all samples returned with concentrations below that of the adopted human health assessment criteria for Tier 1 screening purposes for commercial/industrial sites (HIL-D) and health screening levels for vapour intrusion and direct human contact (HSL-D), as outlined in the NEPM (NEPC, 2013).

Based on the results of the soil assessment, and proposed development comprising of hardstand over much of the site, ADE considers that groundwater is not likely to be affected by on-site soils and the proposed development. Should development plans change, or should groundwater be encountered during the construction works, further assessment may be required.

Based on the results of the investigation and the existing environment of the site, ADE concludes that the identified areas of concern, are proven to no longer be of concern and that the site is considered suitable for the intended land use of the project.

4 Management measures

This section outlines the management measures to be implemented during the construction phase of the Project to mitigate impacts to the environment from unexpected contamination sources. This section (refer to Table 4.1 below) includes management measures to prevent harm to the environment.

Table 4.1 Environmental management controls for contamination

Measure	Timing	Responsibility	Source
Implement Unexpected Contamination Procedure.	Pre-construction and construction	Contractor Project Manager	Douglas Partner 2020
In the event contamination of soil or waterways occurs, notify the Environmental Representative who will inform agencies as required.	Construction	Contractor Project Manager	Douglas Partner 2020
All chemicals, fuels and oils used onsite must be stored in accordance with the requirements of relevant Australian Standards and the NSW EPA Storing and Handling of Liquids: Environmental Protection – Participants Manual’ if the chemicals are liquids.	Construction	Contractor	Douglas Partner 2020
All demolition will be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).	Construction	Contractor	Douglas Partner 2020
If unexpected, contaminated material (not including minor spills) are found, cease work immediately and notify the Site Supervisor.	Construction	All site personnel Project Manager	Douglas Partner 2020
Minor asbestos unexpected finds should be assessed in accordance with Managing Asbestos in or on soil (SafeWork NSW 2014).	Construction	Contractor Safety Representative Project Manager	Douglas Partner 2020
Management and removal of greater than 10 m ² non-friable asbestos materials must be undertaken by a Class B licensed asbestos contractor. Any friable asbestos materials must be removed by a Class A licensed asbestos contractor. A licensed asbestos assessor (LAA) will be required for clearance of friable asbestos impacts.	Construction	Contractor Safety Representative Project Manager	Douglas Partner 2020
Asbestos air monitoring is required during all asbestos related works at the site.	Construction	Project Manager Safety Representative	Douglas Partner 2020

5 Unexpected Contaminated Finds Procedure

The Unexpected Finds Procedure for Contamination must be followed should unexpected contamination or asbestos (or suspected contamination) be excavated or otherwise discovered. In accordance with Environmental Management Measures, this unexpected finds procedure has been prepared with consideration of the *Guideline for the Contamination of Management – Factsheet 12* (TfNSW, 2013) and Management of road construction and maintenance wastes Issue 1 (June 2016).

Likelihood of contamination

The following indicates the presence of potentially contaminated material; where material is uncovered which displays some or all of these characteristics, stop works and notify the Site Supervisor:

- Unusual odour from soils that are not detected in other similar areas
- Discolouration or staining of soil or rock
- Seepage of unusual liquids from soil or rock
- Unusual odours, sheen or colour on groundwater and/or surface water
- Unexpected underground storage tanks, buried drums or machinery etc.
- Potential asbestos containing materials

Where these factors are identified, the material is considered to be possibly contaminated and the flowchart is to be followed.

Asbestos

An unexpected asbestos find occurs when asbestos containing materials (ACM) are found on site. In the event of an unexpected asbestos find, the below steps are to be followed along with the flowchart:

1. The area is to be demarcated, works in the area to cease and workers warned
2. Notify the Safety and Environmental Representative
3. Ensure the soil and potential asbestos remain damp with dust suppression or covered where water cannot be accessed.
4. Arrange for testing of the suspected ACM and monitoring of the area by approved subcontractors (if required)
5. An asbestos removalist is to be engaged to provide recommendations to treat the area, as required
6. A clearance certificate is required from the asbestos removalist to confirm that the area is to be made safe.

The Environment Representative will be consulted prior to any material being removed off-site to ensure it is classified in accordance with the NSW EPA Waste Classification requirements. Refer to flow chart for clear steps to follow.

UNEXPECTED CONTAMINATED LAND FINDS FLOW CHART

EVIDENCE OF CONTAMINATION OBSERVED

If observations indicate presence of potential contamination, then STOP all work in the immediate area and prevent further works from occurring.
Notify the Site Supervisor, Safety Advisor and Environmental Representative.

- Do not touch or disturb the item/material.
- Delineate the area of potential contamination to prevent access by other workers and public.
- The following details will be recorded upon the unexpected contamination finds:
 - Location of the potential contamination
 - Visual appearance
 - Odour (if any)
 - Surrounding material and works being undertaken at the time material uncovered

Site Supervisor

ADDITIONAL ASSESSMENT

If required, the Site Supervisor / Safety Advisor / Environmental Representative to obtain assistance from a suitably qualified and experienced contaminated land consultant in identifying the potential hazard to human health or the environment in accordance with the NSW regulatory requirements. Sampling and laboratory analysis of the materials will be undertaken in accordance with the relevant guidelines.

Management Team
Site Supervisor / Safety Advisor and Environmental Representative (ER) and a suitably qualified contaminated land consultant

MANAGEMENT STRATEGY

Develop a plan for managing and/or remediating the suspected materials.

ER to report to Council and Planning Secretary through the Major Portal if required.

STRATEGY IMPLEMENTATION

Implement the management and/or remediation strategy. If the material is to be removed from site refer to the Environmental Representative and the CEMP for the classification and disposal.

Management Team
(as above)

RECOMMENCE WORKS

Once the contaminated find has been managed, works in the vicinity of the find may recommence with approval from the Environmental Representative and Safety Advisor.

Site Supervisor

5.1 Assessment of unexpected finds

The sampling strategy for the characterisation and validation of an 'unexpected find' must be prepared by a suitably qualified specialist and in accordance with requirements of the consent and regulatory guidelines (e.g. *Sampling Design Guidelines Contaminated Sites* (EPA 1995)). The intent of the sampling is to determine the nature of the substance/material found and whether it is hazardous. It should then be determined if the substance/material exists in concentrations which could cause an unacceptable risk to human health and/or the environment.

5.2 Validation sampling of unexpected finds

Validation inspection and possible sampling/analysis is required to be undertaken to demonstrate that unexpected finds have been managed to a standard suitable for the proposed land use. In the event unexpected, contaminated material is found the following sampling schedule is outlined in Table 5.1 below.

Table 5.1 Validation sampling and analytical schedule

Validation area	Sampling frequency	Analytes
Excavations formed by the removal of unexpected finds	Minimum of 1 validation sample per 10 m linear of wall and 1 m depth, minimum of 1 validation sample per 100 m ² area for the base (10 m grid).	As appropriate, based on the characteristics of the find
Contaminated material requiring disposal offsite	TBC	TPH/BTEX, PAHs, heavy metals, OCP/PCBs, asbestos and TCLP (if required), or as appropriate based on the characteristics of the find
Residual soils underneath stockpiles where contaminated material has been stored	Minimum of 1 sample per 10 m grid	As appropriate, based on the characteristics of the find

Note: All samples analysed for asbestos validation / re-use purposes (including ENM) will be 500 mL samples in accordance with WA DOH (2009) guidelines and analysed in accordance with AS 4964-2004. Asbestos samples for waste disposal purposes will be 50 g samples.

5.3 Remediation or removal from site.

Contaminated material must be documented, and the quantities determined, a suitably qualified specialist must advise on the appropriate action to be taken. Any material identified as contaminated must be disposed of in accordance with the POEO Act and its associated regulations. Details of the final disposal location and the results of any associated testing must be submitted to the Planning Secretary prior to removal of the contaminated material from the site.

Attachment A

Detailed Site Investigation Report – ADE Consulting Group 2022 (DSI.v2d)

Attachment can be found

The ADE report 72MB is attached

<https://atl.sharefile.com/d-s5d747864eadf4da88d55a66b65b47d4c>