



DOC18/936465-3

Planning Services Industry Assessments  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2000

Att: Nikki Matthews  
nikki.matthews@planning.nsw.gov.au

Dear Sir/Madam

### **Additional Comments for Concrush Increase to Capacity – SSD 8753**

I refer to the proposal above which the Environment Protection Authority (EPA) assessed and provided comments to the Department of Planning and Environment (DPE) on 13 December 2018.

On 18 December 2018, DPE informed the EPA that Lake Macquarie City Council had raised concerns over contaminated land relating to the proposal. The EPA has reviewed contaminated land matters relating to the proposal and provides the following comments for consideration by DPE.

### **Comments on Land Contamination and Remediation**

As indicated in the EIS documents and by Council, contamination is present at the site which will require further assessment and remediation.

The EPA agrees a Remedial Action Plan should be developed and additional works should be undertaken at the proposed development site to ensure identified and suspected contamination on the site is characterised and managed appropriately.

There is a notice for the part of the premises (part of Lot 2 in DP 220347) issued under Section 35 of the *Environmentally Hazardous Chemicals Act 1995* (EHC Notice) which remains in force. The EHC Notice was approved in 1998 and required the recipient to remediate and manage the part of the premises due to known and suspected contamination. The EPA has searched its records and we are unable to confirm if the required remedial actions have been undertaken.

The EHC Notice contains a map (refer to Attachment 1), however quality of the map is poor and such that the actual boundaries of the site are difficult to verify. The proposed expansion – as indicated by the red dotted boundary of the attached satellite image (refer also to Attachment 1) - sits within the premises envelope, but it appears to be located to the north of and outside the area referred to in the EHC Notice.

The reports prepared for the Concrush proposal (EIS RCA reports, November 2018) indicate that based on their investigations and previously completed investigations (Coffey, 2013 & 2014), which also reported concentrations of metals, total recoverable hydrocarbons (TRH) and Polycyclic Aromatic Hydrocarbons (PAH) below the relevant risk based criteria, that the baseline conditions at the site were "commensurate with the land zone as IN1 – General Industrial and the site would be suitable for the proposed commercial/industrial development" provided that stockpiled fill was

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classified and managed appropriately, a marker layer be placed across the entire site in accordance with a management plan, and additional assessment be undertaken to manage asbestos contamination.

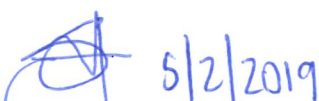
### **Recommended requirements for consent**

The EIS confirms that contamination is present at the site which will require further assessment to confirm the extent of impacts, and remediation. The proponent has proposed to manage and retain asbestos on site by capping. Considering this and the long term risks arising from the proposed management of residual contamination, the EPA recommends the consent authority require the proponent to undertake the following:

- A Data Gap Investigation (DGI) and report to delineate the extents of any residual contamination on the site including but not limited to asbestos. The DGI report must include a full assessment of groundwater contamination and hydrogeology as the EPA notes the EIS groundwater investigations were insufficient using data from two wells on site only.
- In addition to the contaminants of concern previously identified for the site, and given the site history as a waste management facility, the proponent is to also assess for the potential for per and polyfluoroalkyl substance contamination.
- Prepare an Environment Management Plan and a Remedial Action Plan to manage any residual contamination with the object of making the site suitable for the intended use.
- Engage a NSW EPA accredited site auditor to prepare a Section A Site Audit statement and report at the end of the remediation, to confirm suitability or otherwise, of the land for the intended use, subject to any long-term Environment Management Plan.

If you have any queries relating to this matter, please contact Grace Bell on (02) 4908 6845.

Yours faithfully



**STEVEN JAMES**  
**Unit Head - Waste Compliance - Hunter**  
**Environment Protection Authority**

Attachment 1: Satellite Image and EHC Notice Map



Attachment 1 - Satellite Image (Google Maps 2019, above) and EHC Notice Map (below) for Lot 2 in DP 220347.

