

Environmental Health Referral Response - acid sulfate soils

Application Number:	DA2025/0143
Proposed Development:	Demolition works and construction of a shop top housing development including basement car parking
Date:	13/08/2025
Responsible Officer	Brittany Harrison
Land to be developed (Address):	Lot 1 DP 715158 , 1753 Pittwater Road MONA VALE NSW 2103 Lot 2 DP 230780 , 4 Bungan Lane MONA VALE NSW 2103 Lot 2 DP 715158 , 4 Bungan Lane MONA VALE NSW 2103 Lot 102 DP 788439 , 4 Bungan Lane MONA VALE NSW 2103 Lot 2 DP 1136849 , 4 Bungan Lane MONA VALE NSW 2103 Lot 2 DP 412869 , 1749 Pittwater Road MONA VALE NSW 2103

Reasons for referral

This application seeks consent for one or more of the following:

- All development in class 1 land
- Any works below ground surface or will lower water table in area class 2 land
- Any works beyond 1 metre or lower water table by 1 metre in class 3 land
- Any works beyond 2 metres or lower water table by 2 metres in class 4 land
- Works on land below 10 metres AHD and within 500m of class 1, 2, 3 or 4 land which are likely to lower water table below 1 metre

And as such, Council's Environmental Investigations officers are required to consider the likely impacts.

Officer comments

General Comments

The proposal seeks consent for demolition and construction of shop top housing.

The site is classified as acid sulphate soils class 4 and 5.

Findings by a specialist consultant have determined that the likelihood of the presence of acid sulphate soils is low, that it is acknowledged that further intrusive soil investigation would need to be conducted.

Clause 7.1 of the Pittwater Local Environmental Plan 2014 provides that development consent must not be granted for the carrying out of the proposed works unless an Acid Sulfate Management Plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority, and no such plan has been provided to the consent authority.

Accordingly, the proposal is not supported

13/08/2025 - Updated Referral Comments

The applicant has provided further information which now includes an acid sulphate soils management plan.

Accordingly, Environmental Health supports the proposal with a recommendation of a number of conditions of consent.

Recommendation

APPROVAL - with conditions

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Environmental Investigations Conditions:

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Acid Sulfate Soils

All excavation, construction and associated works must be conducted in accordance with the approved Acid Sulfate Soil Management Plan within the document titled GEOTECHNICAL INVESTIGATION AND ASSESSMENT REPORT FOR THE PROPOSED NEW DEVELOPMENT dated July 2025 ref. no JOB NO: 2025-136

Reason: To ensure management of potential acid sulfate soils.

Requirement to notify about new Acid Sulfate Soils evidence

Any new information revealed during excavation works that has the potential to alter previous conclusions about Acid Sulfate Soils shall be immediately notified to the Council and the Principal Certifier and a report be obtained from a suitably qualified person. Any recommendations provided by the report are to be complied with during works.

Reason: To protect the environment.

Site Contamination - Acid Sulfate Soils

All stockpiles of potentially contaminated soil must be stored in a secure area in a way that is not likely to cause pollution or be a public health risk.

All contaminated soil removed from the site must be disposed of at a waste facility that can lawfully receive that waste and must be done in accordance with all relevant Acts, Regulations and Guidelines.

Copies of all test results and disposal dockets must be retained by whom? for at least 3 years and be made available to authorised Council officers on request.

Note: The following Acts and Guidelines applied at the time of determination:

- i) Protection of the Environment Operations Act 1997;
- ii) Environment Protection Authority, Waste Classification Guidelines (2014);
- iii) Water Quality Australia, National Acid Sulfate Soils Guidance (2018); and
- iv) Acid Sulfate Soil Advisory Committee, Acid Sulfate Soil Manual (1998).

Reason: To protect environment and public health.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Acid Sulfate Soil Management Confirmation

Details demonstrating compliance with the approved Acid Sulfate Soil Management Plan within the document titled GEOTECHNICAL INVESTIGATION AND ASSESSMENT REPORT FOR THE PROPOSED NEW DEVELOPMENT dated July 2025 ref. no JOB NO: 2025-136 is to be submitted to the satisfaction of the principle certifier prior to the issue of the occupation certificate.

Reason: To ensure management of potential acid sulfate soils.