

Environmental Health Referral Response - contaminated lands

Application Number:	DA2021/0199
Date:	16/04/2021
Responsible Officer	Lashta Haidari
Land to be developed (Address):	Lot B DP 402309 , 4 Jacksons Road WARRIEWOOD NSW 2102 Lot 1 DP 595298 , 4 Jacksons Road WARRIEWOOD NSW 2102 Lot 7 DP 455967 , 4 Jacksons Road WARRIEWOOD NSW 2102 Lot 6 DP 8561 , 4 Jacksons Road WARRIEWOOD NSW 2102 Lot 5 DP 8561 , 4 Jacksons Road WARRIEWOOD NSW 2102 Lot 4 DP 654321 , 4 Jacksons Road WARRIEWOOD NSW 2102 Lot 6 DP 737137 , 4 Jacksons Road WARRIEWOOD NSW 2102 Lot 8 DP 455967 , 4 Jacksons Road WARRIEWOOD NSW 2102 Lot 3 DP 8561 , 2 Jacksons Road WARRIEWOOD NSW 2102 Lot 2 DP 8561 , 2 Jacksons Road WARRIEWOOD NSW 2102 Lot 1 DP 8561 , 2 Jacksons Road WARRIEWOOD NSW 2102 Lot 15 DP 26902 , 2 Jacksons Road WARRIEWOOD NSW 2102

Reasons for referral

This application requires detailed consideration of Phase 1 and 2 contaminated land matters
 And as such, Council's Environmental Investigations officers are required to consider the likely impacts.

Officer comments General Comments

Environmental Health are satisfied that the site can be made suitable for the intended use.
 Recommendations in the contamination report are to be followed.

Recommendation

APPROVAL - subject to 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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Follow recommendations of contamination report

Provide documented evidence to the Principal Certifying Authority that recommendations in the "Detailed Site Investigation (Contamination)" report prepared by Douglas Partners Pty Ltd, dated January 2021, numbered 99909.00 have been implemented. Those recommendations are:

- An additional round of LFG monitoring should be undertaken during a period of falling air pressure with water samples taken for laboratory analysis;
- An ACM investigation prior to demolition and construction in the vicinity of BH201 to determine the extent of ACM soil impact;
- A hazardous building material assessment should be undertaken on the site buildings prior to demolition;
- Preparation of an Acid Sulfate Soil Management Plan (ASSMP) prior to commencement of works;
- Management of potential exposure to LFG contamination during excavation works is addressed prior to commencing works; and
- Implementation of an Unexpected Finds Protocol such that any finds of suspected contamination (e.g., asbestos) can be documented and managed under an appropriate management procedure.

Determine if a remediation action plan (RAP) is required in accordance with SEPP 55, and Contaminated Land Guidelines. If so, prepare and implement a RAP.

Reason: To manage contaminated materials according to relevant legislation and guidelines, to protect health.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Removing, Handling and Disposing of Asbestos

Any asbestos-containing material arising from the demolition, excavation or construction process shall be removed and disposed of in accordance with the following requirements:

- Work Health and Safety Act;
- Work Health and Safety Regulation;
- How to safely remove asbestos: Code of Practice by Safe Work Australia;
- Clause 42 of the Protection of the Environment Operations (Waste) Regulation 2005; and
- The demolition must be undertaken in accordance with Demolition Work: Code of Practice by Safe Work Australia and Australian Standard AS2601 – The Demolition of Structures.

If asbestos-containing material is removed, capped and/or disposed, a Clearance Certificate must be provided to the Principal Certifying Authority.

Reason: For the protection of human health.

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

Compliance with recommendations of Contamination report.

Evidence must be provided to the Principal Certifying Authority that all recommendations of the contamination report have been followed.

Reference is made to the document "Detailed Site Investigation (Contamination)" report prepared by Douglas Partners Pty Ltd, dated January 2021, numbered 99909.00. Those recommendations to have been implemented:

- An additional round of LFG monitoring should be undertaken during a period of falling air pressure with water samples taken for laboratory analysis;
- An ACM investigation prior to demolition and construction in the vicinity of BH201 to determine the extent of ACM soil impact;
- A hazardous building material assessment should be undertaken on the site buildings prior to demolition;
- Preparation of an ASSMP prior to commencement of works;
- Management of potential exposure to LFG contamination during excavation works is addressed in prior to commencing works;
- Implementation of an Unexpected Finds Protocol such that any finds of suspected contamination (e.g., asbestos) can be documented and managed under an appropriate management procedure; and
- Confirmation of preliminary waste classification prior to off-site disposal.

Reason: To manage contaminated materials according to relevant legislation and guidelines, to protect health.

Validation for Remediation of any contaminated land or asbestos containing materials

If remediation of contaminated materials has occurred, a validation and site monitoring report is to be prepared in accordance with relevant guidelines issued under the Contaminated Land Management Act 1997. The validation report must be reviewed and approved by an accredited Certified Environmental Practitioner, in accordance with the protocol outlined in the NSW EPA (1997) document entitled "Consultants reporting on contaminated land: Contaminated Land Guidelines", demonstrate that any remediation or remediation action plan has been followed through demolition and construction phases, and conclude that the site is suitable for its intended use.

Reason: To ensure compliance with SEPP 55, RAP, Contaminated Land Guidelines, and protection of environment and human health.