

## Environmental Health Referral Response - contaminated lands

Application Number:	DA2022/1000
Date:	15/08/2022
Responsible Officer	Lashta Haidari
Land to be developed (Address):	Lot 100 DP 1276056 , 19 - 21 South Steyne MANLY NSW 2095

### 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

Redevelopment of the Royal Far West site at Manly includes the demolition of several structures, and excavation of subsurface contaminating materials. A site investigation report was provided with the application along with a remedial action plan (RAP). The RAP provides a detailed outline of measures that need to be taken to make the land 'suitable for use' (in line with SEPP (Remediation and Hazards) requirements) and to achieve validation certification.

A crucial part of validation will be determined by the requirement for a long-term environmental management plan where contaminants will be "capped" below hardstands rather than removed. Although unlikely to occur, this can only be determined once the demolition has begun and the current "data gap" can be filled via further detailed investigation.

Council is satisfied that the site can be made suitable for land use by following the RAP, and if an EMP is required, must be informed of any capping.

The below conditions are imperative to ensuring the safe decontamination of this site.

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**

#### Implementation of the Remediation Action Plan

At all times during demolition, excavation and construction, works must be done according to the Remediation Action Plan "EN-RPT-0002 Remediation Action Plan, Royal Far West Redevelopment 14-22 Wentworth Street & 19-21 South Steyne, Manly, Project 72252.09 June 2022".

A certified consultant as defined under NSW EPA Contaminated Land Consultant Certification Policy must oversee the decontamination and remediation process.

Reason: manage on-site contamination in accordance with the NSW EPA Land Contamination Guidelines and SEPP (Resilience and Hazards).

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

### **Validation for Remediation**

At the completion of any required remediation works a validation report is to be prepared by, or reviewed and approved, by a certified consultant as defined under NSW EPA Contaminated Land Consultant Certification Policy and submitted to the satisfaction of the Principal Certifier.

The Validation Report must be in accordance with the requirements of the following:

- State Environmental Planning Policy No 55—Remediation of Land;
- Contaminated Land Management Act 1997;
- Relevant NSW EPA guidelines including the NSW EPA Guidelines for Consultants reporting on contaminated Land: Contaminated land guidelines 2020.

The report shall document the following:

1. The extent of validation sampling, and the results of the validation testing;
2. That the remediation and validation of the site has been undertaken in accordance with the Remedial Action Plan.
3. A Long-Term Environmental Management Plan if capping was required.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Council must be notified of any Long-term Environmental Management Plan required for the site, in accordance with the Remedial Action Plan, prior to the issue of any interim / final Occupation Certificate.

Reason: Protection of the environment, SEPP (Resilience and Hazards) 2021 compliance.

