

Environmental Health Referral Response - contaminated lands

Application Number:	DA2024/1003
Proposed Development:	Demolition works and construction of shop top housing
Date:	16/08/2024
Responsible Officer	Thomas Burns
Land to be developed (Address):	Lot 8 DP 16212 , 3 Rickard Road NORTH NARRABEEN NSW 2101 Lot 7 DP 16212 , 1 Rickard Road NORTH NARRABEEN NSW 2101 Lot 9 DP 16212 , 5 Rickard Road NORTH NARRABEEN NSW 2101

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 have review the PSI by EBG which requires, A DSI shall be undertaken that shall provide adequate data in accordance with EPA NSW guidelines, to enable the consultant to form an opinion whether the site is suitable for the proposed development with respect to contamination, or if not, the remediation measures needed to provide to the client a site suitable for the proposed development

A detailed site investigation (DSI) be carried out and should include both site assessment and ground water investigation. The investigation should include an intrusive acid sulfate soil assessment and supplementary waste classification, and any soil stockpile testing to determine their suitability to be reused on site or otherwise disposed off-site; and

- Preparation of a remediation action plan (RAP) to address the identified risks and contamination and any additional contamination identified during the above additional investigations.

In accordance with Chapter 4, Clause 4.6 (2) and (3) of State Environmental Planning Policy (Resilience and Hazards) 2021 the finding of the PSI must be considered by the consent authority before determining the application and the applicant is required to carry out, and provide a report, on the detailed investigation if the PSI warrant such an investigation.

(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

(3) The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.

Please therefore submit the DSI and any other additional information to address the recommendation of the PSI

Recommendation

REFUSAL

The proposal is therefore unsupported.

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

Recommended Environmental Investigations Conditions:

Nil.