

## Environmental Health Referral Response - contaminated lands

<b>Application Number:</b>	DA2024/1145
<b>Proposed Development:</b>	Alterations to replace underground fuel storage tanks with associated site works
<b>Date:</b>	03/09/2024
<b>Responsible Officer</b>	Jordan Howard
<b>Land to be developed (Address):</b>	Lot 23 DP 819441 , 238 Condamine Street MANLY VALE NSW 2093

### 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

The following works form part of the proposal:

Removal of five (5) Underground Petroleum Storage System (UPSS) tanks;  
Installation of two (2) 60kL compartmentalised UPSS tanks;  
Installation of one (1) underground oil/water separator;  
Replacement of fuel dispensers, hoses, and pipework;  
Decommissioning and removing of the existing vent pipes to be replaced with new vent pipes;  
Resurfacing of the fuel forecourt, crossovers and hard stand areas post UPSS tank installation;  
Construction of an enclosed bin storage area, measuring 4.2m by 3m with a sloping roof with a maximum height of 2.7m, on a new concrete slab; and  
Other minor works

### 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 TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

#### **Requirement to Notify about New Contamination Evidence**

Any new information revealed during demolition works that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the Council and the Principal Certifier.

Reason: To protect human health and the environment.

**Imported Fill**

Prior to the importation of any landfill material onto the site, a waste classification report is to be prepared in accordance with the NSW Environment Protection Authority Guidelines, the report shall state in an end statement that the fill material is suitable for the proposed use on the land.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the fill being imported to the site.

Reason: To ensure that imported fill is of an acceptable standard.

**Off-site Disposal of Contaminated Soil - Chain of Custody**

‘Chain of Custody’ documentation including receipts shall be kept for the exportation of waste (fill and/or soil material) from the site.

Details demonstrating compliance are to be submitted to the Crown Certifier within seven (7) days of transport and made available to Council upon request.

Reason: For protection of environment.

**CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE  
OCCUPATION CERTIFICATE****Validation for Remediation**

Validation for Remediation

At the completion of remediation works a validation report is to be prepared by a suitably qualified and experienced environmental consultant specialising in land contamination and submitted to Council within 60 of completing remediation works.

The Validation Report must be prepared by an appropriately qualified and experienced environmental consultant in accordance with the requirements of the following:

- I State Planning Policy (Resilience and Hazards) 2021;
- I Contaminated Land Management Act 1997;
- I Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019; and
- I 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 approved Remedial Action Plan, prepared by Tetra Tech Coffey, Dated 23 May 2024 (reference: 754-SYDEN346453-R02 - AMPOL\_22259\_Manly Vale\_RAP\_Final).

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

Reason: Protection of the environment, SEPP compliance.