

Environmental Health Referral Response - contaminated lands

Application Number:	Mod2023/0720
Proposed Development:	Modification of Development Consent DA2022/1000 granted for Demolition works, alterations and additions to existing buildings and construction of new mixed use buildings including 2 levels of basement and stratum subdivision
Date:	12/03/2024
Responsible Officer	Jordan Davies
Land to be developed (Address):	Lot 101 DP 1247422 , 22 Wentworth Street MANLY NSW 2095 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

This application is seeking consent for modifications to DA2022/1000.
Modifications include;

Modification of basement level plans including adjustment of setbacks from site boundaries, internal replanning of basement levels and coordination of structural services and lift cores.

- Minor modification to accommodate the retention of an existing fire egress stair within C.C.K building.
- Modifications to the upper level plans to coordinate with replanning of basement egress stairs, lifts cores and car parking exhaust riser locations.
- A 15m² reduction in commercial/retail floor space.
- The revised basement design proposes a total supply of 213 car parking spaces, comprising of 50 CCK/ Drummond House spaces (including two van spaces), 89 residential spaces, 5 residential visitor spaces, 69 commercial spaces and no car share space. The total quantum of car spaces will continue to satisfy the requirement of the Concept Approval to provide a minimum of 184 spaces for the total development.

Environmental Health recommends 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 WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE
OCCUPATION CERTIFICATE**

Long -Term Environmental Management Plan

If some amount of capping of contaminated materials is deemed necessary, by the Environmental Consultant, in any part of the site and / or long-term management of residual contamination is required (such as residual groundwater contamination) then a long-term Environmental Management Plan may be required. If required, the EMP must include:

- Details the extent of contaminated soils that remain present at the site;
- A description of the expected conditions at the site;
- Details the remediation works completed at the site;
- The management and maintenance protocols for the capping system or other management system;
- The protocols for future works at the site within contaminated areas;
- The hazards associated with the contaminated materials at the site and the corresponding management controls; and
- The responsibilities of the appropriate parties to the EMP.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to Occupation Certificate.

Reason: Protection of the environment

Positive Covenant for encapsulated contamination

If required based on the completion of the Remediation Action Plan and in consultation with the Environmental Consultant, a covenant is to be registered on the title of the land, giving notice of the former use, level of site contamination and its former location on the land.

A covenant must be registered on the title of the land binding the owners and future owners to be responsible for ongoing maintenance and any future rehabilitation works required in terms of the encapsulated materials, including the discharge or prevention of discharge there from of any contaminants or for any works required by Northern Beaches Council or any State or Federal Department/Authority.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: Environmental Protection.