

Environmental Health Referral Response - contaminated lands

Application Number:	DA2021/2608
Date:	15/06/2022
Responsible Officer	Thomas Prosser
Land to be developed (Address):	Lot 1 DP 1220196 , 4 - 10 Inman Road CROMER NSW 2099

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

In response to a site review of contamination issues by TRACE Environmental, Council spoke with the NSW EPA, current site auditor and the applicant's contamination consultant, to establish the following key points:

- likelihood of contamination in the portion of the site to be excavated for pool installation is low, VENM is likely to be encountered
- likelihood of groundwater intrusion is very low -ground water at approximately 4.0m bgl, excavation to 2m bgl
- it is suggested that decontamination and dewatering are not required
- NSW EPA and site auditor recommended the provision of interim advice from an accredited site auditor to demonstrate that the site can be made suitable for the proposed use

Following which, the applicant has provided an interim report from a site auditor. This interim report, in-effect, re-iterates that the site can be made suitable for use as commercial / industrial land, and advises that the below conditions are an appropriate control measure regarding clearance of the land prior to occupation certificate.

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**

Site Audit Statement

Prior to the issue of any Occupation Certificate, a Site Audit Statement must be obtained from a NSW EPA accredited Site Auditor to certify the site as suitable for use under relevant provisions of the State Environmental Planning Policy (Resilience and Hazards) 2021.

Reason: Certification of potentially contaminated land as suitable for use under SEPP (Resilience and Hazards) 2021.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Compliance with any Voluntary Management Proposals and Remedial Action Plan issued on the site

All site works are to be in accordance-with:

- any current Voluntary Management Proposal approved by NSW EPA issued on the site as a whole as part of the development approval for DA2019-1346; and
- the Remedial Action Plan referred to in the document “Site Audit Interim Advice 13 – Appropriateness of the Remedial Action Plan (following review of final document – Rev-0) – Proposed Commercial Building – including swimming centre, 4-10 Inman Road, Cromer, NSW by Trace Environmental” by NSW EPA accredited Contaminated Land Site Auditor James Davis.

Reason: Effectively manage land contamination to prevent harm to health.