

Environmental Health Referral Response - acid sulfate soils

Application Number:	DA2024/1156
Proposed Development:	Demolition works and construction of a nine (9) berth residential marina, associated works and subdivision into eight (8) lots
Date:	04/09/2024
Responsible Officer	Nick England
Land to be developed (Address):	Lot 112 DP 556902 , 122 Crescent Road NEWPORT NSW 2106 Lot 295 DP 820302 , 122 A Crescent Road NEWPORT NSW 2106

Reasons for referral

This application seeks consent for one or more of the following:

- All development in class 1 land
- Any works below ground surface or will lower water table in area class 2 land
- Any works beyond 1 metre or lower water table by 1 metre in class 3 land
- Any works beyond 2 metres or lower water table by 2 metres in class 4 land
- Works on land below 10 metres AHD and within 500m of class 1, 2, 3 or 4 land which are likely to lower water table below 1 metre

And as such, Council's Environmental Investigations officers are required to consider the likely impacts.

Officer comments

General Comments

The proposal includes the following:

- Demolition and removal of 46 existing piles and pontoons of the existing 43-berth marina and part of the existing concrete structure (remainder to be retained);
- Construction of 31 new piles, pontoons and gangways to create a 9-berth residential marina;
- Landscaping works;
- Building envelopes for 2 x boatsheds (subject to separate Development Applications); and
- Subdivision of the site.

In respect of the potential for the presence of acid sulfate soils, an Acid Sulfate Soil Assessment and Management Plan has been provided with the proposal documentation.

This plan is intended to address any potential risk of exposure of Acid Sulfate Soils, during management, treatment and disposal.

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

Acid Sulfate Soils

All excavation, construction and associated works must be conducted in accordance with the recommendations as outlined in section 7 - ASS Management Plan of Acid Sulfate Soil Assessment and Management Plan by EI AUSTRALIA dated 28 October 2022 ref. no. E25561.E14_Rev2

Reason: To ensure management of potential acid sulfate soils.

Off-site Disposal of Contaminated Material

Any contaminated material removed from the site must be disposed of at a waste facility that can lawfully receive that waste and must be done in accordance with Protection of the Environment Operations Act 1997 (NSW); and Environment Protection Authority's Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999).

Copies of all test results and disposal dockets must be retained for at least 3 years and be made available to authorised Council officers on request.

Reason: To protect environment and public health.

Requirement to notify about new Acid Sulfate Soils evidence

Any new information revealed during excavation works that has the potential to alter previous conclusions about Acid Sulfate Soils shall be immediately notified to the Council and the Principal Certifier and a report be obtained from a suitably qualified person. Any recommendations provided by the report are to be complied with during works.

Reason: To protect the environment.

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

Acid Sulfate Soil Management Confirmation

Details demonstrating compliance with the requirements of section 7 - ASS Management Plan, of Acid Sulfate Soil Assessment and Management Plan by EI AUSTRALIA dated 28 October 2022 ref. no. E25561.E14_Rev2 is to be submitted to the satisfaction of the principal certifier prior to the issue of the occupation certificate.

Reason: To ensure management of potential acid sulfate soils.