



DOC21/849079

Mr Jordan Davies
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Attention Jordan Davies

DA2021/1464 – 100 South Creek Road, Cromer

I am writing in response to your invitation to the NSW Environment Protection Authority (EPA) to provide comment on development application DA2021/1464. The development application seeks Northern Beaches Council's (Council's) approval to subdivide Lot 1 in DP1220196 into three parcels of land. The address is 100 South Creek Road, Cromer, but has also previously been referred to 4-10 Inman Road, Dee Why.

Background

The south-western portion of the site is declared as significantly contaminated land (declaration number 20161101) and is regulated by the EPA under the *Contaminated Land management Act 1997* (CLM Act). The site is being remediated under an EPA agreed Voluntary Management Plan (VMP) (VMP approval no. 20191730).

The EPA understands that Council provided consent with conditions for an industrial development under DA2019/1346 and subsequent modification consent for MOD2020/0611.

Current Development Application

The EPA has reviewed the current development application DA2021/1464. Given that the purpose of the development application is solely to seek subdivision approval of the same parcel of land, the EPA does not have any recommended conditions, but reiterates Council's requirement to consider State of the Environment Planning Policy (SEPP55) and Remediation of Land when considering the proposal. The EPA also notes that if, during redevelopment works, contamination is identified which triggers a duty to notify contamination to the EPA under the CLM Act on portions of the land which are not already declared as significantly contaminated, the owner and polluter have a duty to notify the EPA of the contamination as soon as possible.

If you have any questions regarding the above matter, please contact Brenda Ioffrida on 9995 5195.

Yours sincerely,

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A handwritten signature in black ink, appearing to read 'Andy Hawkins', with a long horizontal stroke at the end.

28 September 2021

ANDY HAWKINS
Unit Head – Regulatory Operations Metro West
NSW Environment Protection Authority