

Environmental Health Referral Response - contaminated lands

Application Number:	DA2019/1346
Date:	21/05/2020
Responsible Officer	Lashta Haidari
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

Due to the complex nature of contamination on this site and previous involvement of the EPA, Council forwarded documentation to the EPA for review on the proposal. The EPA provided comments and recommended conditions to Council on 18 May 2020 TRIM ref 2020/287471. Council has taken to implement these conditions to form part of the DA.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Prior to commencement - Land Contamination

Prior to the commencement of construction, the Applicant must engage an auditor accredited under the Contaminated Land Management Act 1997 (Site Auditor) throughout the duration of works to ensure that any work required in relation to soil and/or groundwater contamination is appropriately managed.

The Applicant must conduct site investigations to determine the full nature and extent of the contamination at the project area. The site investigations must be undertaken, and the subsequent report/s, must be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997*.

At the completion of the site investigations, the Applicant must provide a Remediation Action Plan to ensure the site will be suitable for the proposed use when the RAP is implemented. The Remediation Action Plan must be prepared in accordance with relevant guidelines made or

approved by the EPA under section 105 of the *Contaminated Land Management Act 1997*.

Prior to commencing the remediation, the Applicant must submit Interim Audit Advice or a Section B Site Audit Statement from the Site Auditor that certifies that the site can be made suitable for the proposed use subject to the implementation of the Remediation Action Plan. The applicant must adhere to the management measures in the Remediation Action Plan which were approved by the Site Auditor.

Any variations to the approved Remediation Action Plan must be approved in writing by the Site Auditor.

If work is to be completed in stages, the Site Auditor must confirm satisfactory completion of each stage by the issuance of Interim Audit Advice/s.

Reason: To ensure all site contamination is managed to protect public and environmental health.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

During works - Compliance with the Remediation Action Plan

Compliance with the management measures in the Remediation Action Plan approved by the Site Auditor must be adhered to during the development.

Reason: Protection of the environment, SEPP 55 compliance

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

Prior to Occupation certification - Land Contamination

The applicant must obtain a Section A1 Site Audit Statement - or a Section A2 Site Audit Statement accompanied by an Environmental Management Plan - from a Site Auditor and submit it to the principal certifying authority prior to commencement of occupation. The Site Audit Statement must certify the site is suitable for its use.

Reason: To protect public and environmental health.