

Environmental Health Referral Response - industrial use

Application Number:	DA2018/1924
To:	David Auster
Land to be developed (Address):	Lot 20 DP 1209801 , Forest Way FRENCHS FOREST NSW 2086

Reasons for referral

This application seeks consent for large/and or industrial development.

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

Officer comments

General Comments

This referral pertains to ground water and soil contamination by petroleum-based products on the site. Environmental Health has considered the available information with aim of placing conditions on the development for managing and/or disposing any contaminants appropriately to reduce the potential impacts on human health.

A brief summary:

- contamination (below human screening levels) of ground water at 2-4 m below ground surface level
- excavation to 6 m below ground service levels
- Environmental Protection Agency were managing the site until "remediation works were completed in 2017"
- soil and ground water testing have been done
- contamination levels are generally decreasing with time, though there may still be accumulations occurring due to current land uses as a car park and car wash
- human contact with liquid chemicals not a major concern
- vapour inhalation and soil disposal are the major concerns
- the applicant has provided some recommendations for appropriate management of contaminated land, but no overall management plan thus far

Our conclusion is recommend that prior to CC the applicant provide an environmental contamination management plan to be reviewed and approved by Council.

Recommendation

APPROVAL - subject to conditions

Recommended Environmental Investigations Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION

CERTIFICATE

Contaminated Land Requirements

Prior to the issue of any Construction Certificate a Contamination Management Plan is to be prepared by an appropriately qualified person or firm and provided to Council to be reviewed and approved by the Environmental Health team. The plan shall detail:

- a) How the requirements and / or recommendations contained within the Contamination Reports entitled *Soil Assessment Report* and *Groundwater Monitoring Event* numbered 5832 prepared by *Prensa* and dated *July 2018* are to be implemented; and
- b) A Remedial Action Plan (RAP) prepared by a suitably qualified person or firm in accordance with State Environmental Planning Policy No. 55 - Remediation of Land, and with any contaminated land planning guidelines under the Contaminated Land Management Act 1997.

Reason: Protection of the environment, SEPP 55 compliance. (DACHPCPCC6)

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Compliance with the Contamination Management Plan

The Contamination Management Plan approved prior to Construction Certificate must be with complied with during demolition, excavation and construction.

Reason: reduce harm to the environment (DACHPEDW1)

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

Compliance with Contamination Management Plan

Prior to the issue of any interim / final occupation certificate, certification from an appropriately qualified person or firm is to be provided to Council and the Principal Certifying Authority stipulating that the requirements of the Contamination Management Plan have been complied with throughout excavation, demolition and development work stages. The certification shall include at least:

- a) A validation report prepared in accordance with relevant guidelines issued under the Contaminated Land Management Act 1997; and
- b) Proof of appropriate contaminated waste disposal.

Reason: Protection of the environment, SEPP 55 compliance. (DACHPFPOC5)