

## Environmental Health Referral Response - contaminated lands

<b>Application Number:</b>	DA2024/0597
<b>Proposed Development:</b>	Demolition works and construction of Shop top Housing
<b>Date:</b>	05/06/2024
<b>Responsible Officer</b>	Adam Croft
<b>Land to be developed (Address):</b>	Lot 10 DP 8172 , 21 Oaks Avenue DEE WHY 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

This application is seeking consent for a shop top housing development at 21 Oaks Avenue, Dee Why. The development includes the demolition of the existing structures and the construction of a shop top housing development of 22 apartments, 2 office suites above a ground floor retail tenancy and parking for 28 vehicles over 3 levels.

There will be two levels of basement parking.

A Preliminary Site Investigation was undertaken by eiaustralia dated 24 January 2024, reference number E26229.E01\_Rev2. The report states the following:

*It was concluded that there is a potential for contamination to exist on the site and the associated risks to human and environmental receptors is considered to be low to moderate. EI consider that the site can be made suitable for the proposed use, subject to recommendations.*

Environmental Health recommends 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

### Hazardous Material Survey and Detailed Site Investigation

Prior to demolition works, a Hazardous Materials Survey is to be completed by a suitably qualified consultant, to confirm the presence/location of any hazardous material within the existing building fabrics.

All identified hazardous material must be appropriately managed during future demolition works, to maintain worker health and safety and prevent the spread of hazardous substances onto the site

surface.

Where clearance inspection indicates hazardous material remain on the site, further removal and re-clearance inspection must be undertaken.

After demolition of all structures but prior to any further works, a Detailed Site Investigation (DSI) is to be undertaken to assess soils and groundwater quality onsite. The DSI is to be undertaken in accordance with the NSW EPA Contaminated Land Sampling Guidelines Part 1 2022 by a suitably qualified Consultant. A report is to be prepared in accordance with the NSW EPA Guidelines reporting on contaminated land 2020.

The investigation is to include sampling and associated laboratory analysis for the contaminants of potential concern identified in Section 4.6 of the Preliminary Site Investigation dated 24 January 2024 prepared by eiaustralia.

Reason: To assess potential land contamination and ensure its managed effectively.

## **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

### **Requirement to Notify about New Contamination Evidence**

Any new information revealed during demolition works that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the Council and the Principal Certifier.

Reason: To protect human health and the environment.

### **Imported Fill**

Prior to the importation of any landfill material onto the site, a waste classification report is to be prepared in accordance with the NSW Environment Protection Authority Guidelines, the report shall state in an end statement that the fill material is suitable for the proposed use on the land.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the fill being imported to the site.

Reason: To ensure that imported fill is of an acceptable standard.

### **Off-site Disposal of Contaminated Soil - Chain of Custody**

All soil material designated for off-site disposal as part of excavation of the basement and foundation works, including any virgin excavated natural material (VENM), must be classified in accordance with the NSW EPA (2014) Waste Classification Guidelines.

'Chain of Custody' documentation shall be kept and submitted for the transport of the validated fill material from the subject site at 21 Oaks Avenue, Dee Why to a licensed waste facility.

Details demonstrating compliance are to be submitted to the Principal Certifier and Council within seven (7) days of transport.

Reason: For protection of environment.