

Environmental Health Referral Response - contaminated lands

Application Number:	DA2025/0024
Proposed Development:	Demolition works and construction of shop top housing including strata subdivision
Date:	26/03/2025
Responsible Officer	Thomas Burns
Land to be developed (Address):	Lot 1 DP 34753 , 158 Pacific Parade 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

Accompanying the proposal documentation is a Preliminary Site Investigation by an Environmental Consultancy.

The report identifies a number of possible risks from contamination as a result of historical uses at the site as well as neighbouring properties.

The report concludes that a Detailed Site Investigation (DSI) will be required to determine the suitability of the site for the proposed development.

Until such time as a DSI is undertaken and any subsequent Remedial Action Plan proposed (if required), the proposal is not supported.

Updated comments - 26/03/2025

The applicant has provided further information in the form of a Detailed Site Investigation (DSI) and Remedial Action Plan (RAP)

The concludes that, despite investigations revealing some contaminants such as asbestos and metals in soil samples and hydrocarbons in groundwater, that the the site shall be suitable for the proposed development provided recommendations outlined within the DSI and RAP are completed.

Accordingly, Environmental Health supports the proposal with a recommendation of a number of conditions of consent.

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

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.

Compliance with Contamination Management Plan

The requirements and all recommendations of the Detailed Site Investigation and Remedial Action Plan required by this consent are to be fully implemented from commencement of any excavation, demolition or development works until the issue of an Occupation Certificate.

Reason: Protection of the environment, SEPP (Resilience and Hazards) 2021 compliance.

Off-site Disposal of Contaminated Soil - Chain of Custody

'Chain of Custody' documentation shall be kept and submitted for the transport of the validated fill material from the site to a lawful 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.

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

Validation for Remediation

A validation and site monitoring report, including a survey of all sites used for landfill disposal is to be prepared in accordance with relevant guidelines issued under the Contaminated Land Management Act 1997 must be submitted to the Council within one month from completion of the remediation work.

The plan must identify the extent and depth of all fill material in relation to existing roadways and buildings. The survey must also include a detailed survey of all sites used as landfill disposal pits, identifying boundaries and depth of disposal pits in relation to existing roadways and buildings.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: To ensure environmental amenity is maintained.