

Environmental Health Referral Response - acid sulfate soils

Application Number:	DA2020/0046
Responsible Officer	Nick Keeler
Land to be developed (Address):	Lot 71 DP 6746 , 22 Ocean Road PALM BEACH NSW 2108

Reasons for referral

This application seeks consent for one or more of the following:

- All development in class 1 land
- Any works below ground surface or will lower water table in area class 2 land
- Any works beyond 1 metre or lower water table by 1 metre in class 3 land
- Any works beyond 2 metres or lower water table by 2 metres in class 4 land
- Works on land below 10 metres AHD and within 500m of class 1, 2, 3 or 4 land which are likely to lower water table below 1 metre

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

Officer comments

General Comments

Environmental Health have assessed the proposed development and recommend Approval with Conditions for the following reasons:

- The Statement of Environmental Effects (SEE) addresses the issue of Acid Sulphate Soils (ASS) based upon the development being located within a Class 5 area. According to ASS map number ASS_015 (*Pittwater LEP 2014*), all proposed works are located within a Class 4 ASS area.
- The SEE is based upon inaccurate facts relating to ASS classification, which prompted the submission of a proposal without the results of a preliminary ASS assessment or an Acid Sulphate Soils Management Plan. Despite this oversight, there does not appear to be any significant excavation planned, nor are there plans to remove or plant trees. Environmental Health therefore considers ASS-related risk to be low.
- Due to the proximity of the proposed development to Palm Beach, Environmental Health recommends strict conditions relating to the type of fill used for the development, along with adequate sediment and erosion controls.
- As the applicant proposes to raise ground level on the property, Environmental Health also recommends the development be prevented from altering surface water flow in such a way that it is diverted wholly, or in part, onto neighboring properties.

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 Acid Sulphate Soils evidence

Any new information revealed during excavation works that has the potential to alter previous conclusions about Acid Sulphate Soils shall be immediately notified to Council and the Principal Certifying Authority prior to further commencement.

Reason: Protection of the environment.

Installation and Maintenance of Sediment and Erosion Control

Sediment and erosion controls must be installed in accordance with 'Landcom's 'Managing Urban Stormwater: Soils and Construction (2004)'.

Techniques used for sediment and erosion control on site are to be adequately maintained and monitored at all times, particularly after periods of heavy rain, and shall remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Imported Fill

All fill imported onto the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported onto the site shall also be compatible with the existing soil characteristic for site drainage purposes.

Council may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods:

- Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- Sampling and analysis of the fill material should be conducted in accordance with the EPA Contaminated Sites: Sampling Design Guidelines (1995) to ensure that the material is not contaminated.

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

Overland Flow of Surface Waters

The development must not alter the flow of surface waters overland in such a way that these waters are directed into neighbouring properties.

Reason: To protect neighbouring land and buildings.