

Environmental Health Referral Response - contaminated lands

Application Number:	DA2021/1478
Date:	07/09/2021
Responsible Officer	Jordan Davies
Land to be developed (Address):	Lot 2 DP 1115877 , 53 A Warriewood Road WARRIEWOOD NSW 2102

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

Site investigations found some contaminated material including asbestos and PAHs. Subsequently the phase 1 and 2 reports offer appropriate measures for removal and remediation to make the site suitable for use.

In accordance with contaminated land guidelines and legislation, Environmental Health recommend a standard set of conditions along with approval.

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 SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Remedial Action Plan to be prepared and approved

Prior to the Construction Certificate being issued, a site-specific Remedial Action Plan (RAP) is to be prepared according to the recommendations in "Phase 2 Contamination Assessment" numbered 137577/2-AA prepared by Geotechnique Pty Ltd and dated 27 June 2016. The RAP must be prepared in accordance with Managing Land Contamination Planning Guidelines SEPP 55–Remediation of Land, Contaminated Land Management Act 1997, and State Environmental Planning Policy No 55 – Remediation of Land, be approved by an accredited Certified Environmental Practitioner and provided to the Principal Certifying Authority.

Reason: to comply with State legislative requirements.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Demolition: Removing, Handling and Disposing of Asbestos

Any asbestos material arising from the demolition process shall be removed and disposed of in accordance with the following requirements:

- Work Health and Safety Act;
 - Work Health and Safety Regulation;
 - How to safely remove asbestos: Code of Practice by Safe Work Australia;
 - Clause 42 of the Protection of the Environment Operations (Waste) Regulation 2005;
- and
- The demolition must be undertaken in accordance with Demolition Work: Code of Practice by Safe Work Australia and Australian Standard AS2601 – The Demolition of Structures.

Reason: For the protection of human health.

Asbestos Clean-up

Engage appropriately qualified and experienced persons to carry out and supervise the Clean-up Works in accordance with the Clean-up Plan and relevant policies, procedures and requirements of NSW Safework.

Reason: To ensure compliance with relevant regulations, protection of environment and human health.

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

Detailed Site Investigation and Remediation

During works, recommendations contained within the Contamination Report entitled “Phase 2 Contamination Assessment” numbered 137577/2-AA prepared by Geotechnique Pty Ltd and dated 27 June 2016 are to be implemented.

Any Remediation Action Plan and validation procedures must be submitted to Council prior to occupation certificate being issued.

The Remedial Action Plan (RAP) is to be submitted to an accredited Certified Environmental Practitioner for review and approval prior to remediation. The RAP must identify the extent and depth of all fill material in relation to existing roadways and buildings.

A validation and site monitoring report confirming clean-up objectives within the Remediation Action Plan, 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. The validation report must be reviewed and approved by an accredited Certified Environmental Practitioner and must be in

accordance with the protocol outlined in the NSW EPA (1997) document entitled Guidelines for Consultants Reporting on Contaminated Sites, and state that the site is suitable for its proposed use.

Reason: To ensure compliance with SEPP 55, Contaminated Land Guidelines, and protection of environment and human health.

Proof of compliant management of contamination

Documentation of disposal of any contaminated material according with SEPP55 and the Contaminated Land Management Act 1997 must be provided to the Principal Certifying Authority by a Suitably Qualified Environmental Consultant.

Reason: proof of effective management of any contaminated materials found during excavation, according with SEPP55 and the Contaminated Land Management Act 1997.