

## Environmental Health Referral Response - contaminated lands

<b>Application Number:</b>	DA2022/0596
<b>Proposed Development:</b>	Construction of a mixed use development comprising retail and 'Co-living housing' over part basement parking
<b>Date:</b>	09/05/2023
<b>Responsible Officer</b>	Alex Keller
<b>Land to be developed (Address):</b>	Lot CP SP 35989 , 29 - 37 Dobroyd Road BALGOWLAH HEIGHTS NSW 2093

### 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

**Supported with conditions.**

#### General Comments

In reviewing amended plans now received we have become aware the site was previously part of a larger site 43 Dobroyd Road on which a service station previously operated. When the part of the site (immediately next door and on the same land contour) known as 31 Dobroyd Road was developed a site contamination report was carried out. Site testing involved bore holes and water monitoring but not on the current DA application site.

Due to the immediate proximity to the previous service station site and infrastructure (UPSS) including 5 tanks (since removed) it is felt that a contamination review should be carried out on this site.

As the perceived risk is considered overall "low" this can be a condition of any approval. Therefore, the proposal is supported with conditions.

#### Planning comment:

Council's Environmental Health team consider the site to be at "low" risk of contamination and given the excavation required within rock (up-slope natural ground levels) as well as the existing building being concrete base across the majority of the land any contamination can be appropriately managed and supervised during the initial site works / site preparation stage.

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**

### Site Contamination review prior to construction certificate

Due to the previous site use as a Service Station, of the adjoining land, a contamination review is to be carried out by a suitably qualified person following demolition of the existing building to enable access and before any earthworks or construction is carried out.

The review shall examine any :

1. Hydrocarbon impact to soil.
2. Hydrocarbon impact to groundwater in close proximity to the identified USTs at the adjoining site.
3. Groundwater monitoring to determine whether or not direct groundwater remediation is necessary.
4. Make recommendations, if appropriate, for remediation of impacted soils and any other works deemed necessary.

The report is to be submitted to the Principal Certifier and Council.

Council will then determine if work can proceed on site with or without additional conditions.

Reason: To protect the environment and public health

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

### **Requirement to notify about contamination evidence**

Any information revealed during demolition works or excavation that has the potential to alter previous conclusions about site contamination or hazardous materials (such as Asbestos) shall be immediately notified to the Council and the Principal Certifying Authority and a plan put in place to manage any such materials.

Reason: To protect human health and the environment.

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

### **Environmental/Contamination Reports Certification prior to (OC) Occupation Certificate.**

Where contamination has been identified on site and as part of any condition this consent :

Written certification from a suitably qualified person(s) shall submit to the Principal Certifier and Northern Beaches Council, stating that all the works/methods/procedures/control measures/recommendations approved or required by Council have been completed.

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

Reason: To ensure compliance with standards and protect the environment.