

Environmental Health Referral Response - contaminated lands

Application Number:	DA2024/0557
Proposed Development:	Alterations and additions to a dwelling and use as an educational establishment
Date:	07/06/2024
Responsible Officer	Jordan Davies
Land to be developed (Address):	Lot 1 DP 1045063 , 46 Eurobin Avenue MANLY NSW 2095

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

Environmental Health has been requested to consider this proposal for "Alterations and additions to a dwelling and use as an educational establishment" in respect of the potential for contaminated lands

The development proposes:

1. Alterations and additions to the existing dwelling house comprising:
 - (a) Removal of some internal walls and the amenities on the first floor
 - (b) Internal reconfiguration to make way for staff administration and a uniform shop
 - (c) New entrance gate on eastern side boundary shared with the Main Campus
2. Change of use from a residential to educational establishment (school), to be used in association with Stella Maris College. The following operational details are proposed:
 - (a) Hours of operation consistent with Stella Maris Colleges' existing hours of operation.

The Preliminary Site Investigation (PSI) report notes that the site has been in use for residential purposes since at least 1918

The PSI also notes that buildings upon the land were constructed in an era known for utilising asbestos containing materials in the building fabric and lead-based paints.

It is also noted within the report the potential for historical importation of fill of unknown origin associated with construction of on-site residential dwelling.

Environmental Health agrees that the site represents a low potential risk of contamination and supports the proposal, recommending a number of appropriate conditions of consent relation to the removal, management and disposal of contaminants, as well as the requirement to notify the relevant authority should evidence of contamination not previously identified by encountered.

Recommendation

SUPPORTED - 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 Building Materials Survey

A hazardous building materials survey is to be conducted by a suitably qualified and experienced person. The survey is to include a survey of hazardous building materials including but not limited to asbestos, lead, SMF and PCBs. Following the survey a Hazardous Building Materials Register is to be prepared for the premises providing recommendations for the safe management/removal of hazardous building material.

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

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Site Contamination

All stockpiles of potentially contaminated soil must be stored in a secure area on the site (no greater than 48 hours) so as not to cause pollution or public health risk until disposed of at a waste facility. All contaminated soil removed from the site must be disposed of at a waste facility that can lawfully receive that waste and must be done in accordance with all relevant Acts, Regulations and Guidelines. Copies of all test results and disposal dockets must be retained for at least 3 years and be made available to authorised Council officers on request.

Note: The following Acts and Guidelines applied at the time of determination: Protection of the Environment Operations Act 1997; and Environment Protection Authority's waste classification guidelines.

Reason: To protect human health and the environment.

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.