

Environmental Health Referral Response - contaminated lands

Application Number:	Mod2023/0720
Proposed Development:	Modification of Development Consent DA2022/1000 granted for Demolition works, alterations and additions to existing buildings and construction of new mixed use buildings
Date:	23/01/2024
Responsible Officer	Jordan Davies
Land to be developed (Address):	Lot 101 DP 1247422 , 22 Wentworth Street MANLY NSW 2095 Lot 100 DP 1276056 , 19 - 21 South Steyne 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

This application is seeking consent for modifications to DA2022/1000.
Modifications include;

Modification of basement level plans including adjustment of setbacks from site boundaries, internal replanning of basement levels and coordination of structural services and lift cores.

- Minor modification to accommodate the retention of an existing fire egress stair within C.C.K building.
- Modifications to the upper level plans to coordinate with replanning of basement egress stairs, lifts cores and car parking exhaust riser locations.
- A 15m² reduction in commercial/retail floor space.
- The revised basement design proposes a total supply of 213 car parking spaces, comprising of 50 CCK/ Drummond House spaces (including two van spaces), 89 residential spaces, 5 residential visitor spaces, 69 commercial spaces and no car share space. The total quantum of car spaces will continue to satisfy the requirement of the Concept Approval to provide a minimum of 184 spaces for the total development.

Environmental Health recommends 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

Compliance with Contamination Management Plan

At all times during demolition, excavation and construction, works must be done according to the Remediation Action Plan "EN-RPT-0002 Remediation Action Plan, Royal Far West Redevelopment 14-22 Wentworth Street & 19-21 South Steyne, Manly, Project 72252.09 June 2022".

A certified consultant as defined under NSW EPA Contaminated Land Consultant Certification Policy must oversee the decontamination and remediation process. Reason: manage on-site contamination in accordance with the NSW EPA Land Contamination Guidelines and SEPP (Resilience and Hazards)

Reason: Manage on-site contamination in accordance with the NSW EPA Land Contamination Guidelines and SEPP (Resilience and Hazards) 2022.

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.

Positive Covenant for encapsulated contamination

A covenant must be registered on the title of the land, giving notice of the former use, level of site contamination and its former location on the land.

A covenant must be registered on the title of the land binding the owners and future owners to be responsible for ongoing maintenance and any future rehabilitation works required in terms of the encapsulated materials, including the discharge or prevention of discharge there from of any contaminants or for any works required by Northern Beaches Council or any State or Federal Department/Authority.

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

Reason: Environmental Protection.