

## Environmental Health Referral Response - contaminated lands

<b>Application Number:</b>	DA2020/0962
<b>Date:</b>	19/11/2020
<b>Responsible Officer</b>	Rebecca Englund
<b>Land to be developed (Address):</b>	Lot 1 DP 1170245 , 0 Wharves And Jetties 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 have been requested to provide comment on the potential for contamination in the seabed where piers are to be installed and how construction of piers will be managed in an environmentally satisfactory manner.

The covering letter and concept sketch provided by Consult Marine indicate that as part of construction existing piles will be repaired/replaced and new piles are to be installed. In no document provided by the applicant is there any mention of a construction environmental management plan detailing how potential for pollution will be managed. Reference is made to the referral response from DPI Fisheries which recommends environmental safeguards such as silt booms

Based on the existing use of the site as a commuter wharf and entry point into Manly it is probable that there would be some level of contamination within the strata of the sediment below the subject site. Should pile driving be controlled and detailed methods for environmental protection listed within a construction environmental management plan there is little need for preliminary investigation into contamination.

Environmental Health recommend approval subject to the proposed conditions being imposed and a deferred commencement requiring the applicant to submit a construction environmental management plan to Council for their assessment and satisfaction.

### Recommendation

APPROVAL - Deferred commencement - 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:

---

## DEFERRED COMMENCEMENT CONDITIONS

### **Construction Environmental Management Plan**

A Construction Environmental Management Plan (CEMP) shall be prepared for the approved development.

The plan is to be prepared by a suitably qualified person and shall be to the satisfaction of Council and must address:

Risk assessment of all Environmental Aspects and impacts to site and other potentially impacted properties or waterbodies.

The impacts must at minimum consider the following areas:

- Hazardous Substances
- Water
- Air
- Noise
- Vibration
- Waste & Litter
- Land
- Pile driving
- Dredging
- Environmental Protection objectives and control strategies
- Environmental conditions using measurable indicators and standards
- Emergency Response Plan
- Environmental monitoring and reporting plan

Reason: To ensure the appropriate operation and management of the site and environmental protection.

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

### **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 Certifying Authority.

Reason: To protect human health and the environment.

### **Compliance with the Contamination Management Plan**

The requirements of the Construction Environmental Management Plan required by this consent are to be fully implemented from commencement of any excavation, dredging, pile driving, demolition or development works until the issue of any interim / final occupation certificate.

Reason: Protection of the environment.

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

### **Construction Environmental Management Plan Certification**

Written certification from a suitably qualified person(s) shall submit to the Principal Certifying Authority and Council, stating that Construction Environmental Management Plan approved by Council has been complied with.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of a Interim / Final Occupation Certificate.

Reason: To ensure compliance with standards.