

## Environmental Health Referral Response - acid sulfate soils

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| <b>Application Number:</b>             | DA2023/0987                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Proposed Development:</b>           | Demolition and construction of a shop top housing development with basement parking                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Date:</b>                           | 23/01/2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Responsible Officer</b>             | Maxwell Duncan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Land to be developed (Address):</b> | Lot 1 SP 14133 , 39 Belgrave Street MANLY NSW 2095<br>Lot 2 SP 14133 , 38 Belgrave Street MANLY NSW 2095<br>Lot 3 SP 14133 , 36 Belgrave Street MANLY NSW 2095<br>Lot 4 SP 14133 , 35 Belgrave Street MANLY NSW 2095<br>Lot 5 SP 14133 , 1 / 37 Belgrave Street MANLY NSW 2095<br>Lot 6 SP 14133 , 2 / 37 Belgrave Street MANLY NSW 2095<br>Lot 7 SP 14133 , 3 / 37 Belgrave Street MANLY NSW 2095<br>Lot 1 DP 100633 , 40 Belgrave Street MANLY NSW 2095<br>Lot 1 DP 104766 , 41 Belgrave Street MANLY NSW 2095<br>Lot 1 DP 34395 , 42 Belgrave Street MANLY NSW 2095<br>Lot 1 DP 719821 , 43 Belgrave Street MANLY NSW 2095<br>Lot CP SP 14133 , 35 - 39 Belgrave Street MANLY NSW 2095 |

### Reasons for referral

This application seeks consent for one or more of the following:

- All development in class 1 land
- Any works below ground surface or will lower water table in area class 2 land
- Any works beyond 1 metre or lower water table by 1 metre in class 3 land
- Any works beyond 2 metres or lower water table by 2 metres in class 4 land
- Works on land below 10 metres AHD and within 500m of class 1, 2, 3 or 4 land which are likely to lower water table below 1 metre

And as such, Council's Environmental Investigations officers are required to consider the likely impacts.

### Officer comments General Comments

This application seeks consent for the demolition of the existing structures and the construction of a shop top housing development at 35-43 Belgrave Street, Manly.

The land is Acid Sulfate Soils Class 4. A Preliminary Site Assessment undertaken by JK Environments dated 30 June 2023 Ref:E35999BT rptRev1 has stated the following:

*Although at a low concentration, oxidisable sulfur was reported in one sample analysed, suggesting that PASS may be present at the site. Further assessment of the natural soils will be required to appropriately delineate the lateral and vertical extent of any PASS present at depths likely to be*

*disturbed during the proposed development. Disturbed PASS will require management during the works where natural soils are excavated/exposed to air. Once the final development scenario is known, management requirements are to be documented in an ASS management plan (ASSMP).*

9.2.4

At this time, the extent of Potential Acid Sulfate Soils (PASS) on the site is unknown therefore further investigation will be required. Council has an obligation to ensure the need for an Acid Sulfate Soils Management Plan is or is not required before development consent can be granted.

#### UPDATED REFERRAL

An updated report by JKEnvironments dated 27 July 2023 has stated:

We anticipate that excavation to a maximum depth of approximately 7m below existing surface levels would be required to achieve the lowest basement level. The updated report includes methods for management of acid sulfate soils. 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 SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

#### Acid Sulfate Soils

After demolition but prior to CC, Acid Sulfate Soils are to be further investigated as per Section 4 of the Acid Sulfate Soils Report dated 27 July 2023 prepared by JKEnvironments.

A report is to be prepared on completion and the Acid Sulfate Soils Management Plan is to be updated where required (the report must also consider the results of the preliminary assessment as reported in the Preliminary Site Investigation). This must be submitted to the certifier and to the consent authority (Northern Beaches Council) prior to commencement of works that disturb or expose Potential Acid Sulfate Soils.

Reason: To ensure acid sulfate soils are management effectively.

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

#### Acid Sulfate Soil Management Confirmation

Details demonstrating compliance with the approved Acid Sulfate Soil Management Plan titled Acid Sulfate Soil Management Plan dated 27 July 2023 ref. no. E35995BTlet-ASSMP is to be submitted to the satisfaction of the principal certifier prior to the issue of the occupation certificate. The Validation Report demonstrating compliance with Section 4.7 of the mentioned report is to be provided to the Principal Certifier.

Reason: To ensure management of potential acid sulfate soils.