

## Environmental Health Referral Response - contaminated lands

<b>Application Number:</b>	DA2024/1303
<b>Proposed Development:</b>	Two (2) staged redevelopment of the Forestville RSL club involving the construction of a registered club and fifty two (52) independent living units and ancillary uses
<b>Date:</b>	04/07/2025
<b>Responsible Officer</b>	Thomas Burns
<b>Land to be developed (Address):</b>	Lot 11 DP 626916 , 11 / 0 Melwood Avenue FORESTVILLE NSW 2087 Lot 31 DP 366454 , 20 Melwood Avenue FORESTVILLE NSW 2087 Lot 2589 DP 752038 , 22 Melwood Avenue FORESTVILLE NSW 2087

### 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

The proposal documentation includes a Preliminary Site Investigation report by an environmental consultancy. The report outlines the site history and provides detailed information on site sampling and testing results.

The report concludes that there is so remnant contamination on site, largely as the result of activities associated with the construction and use of the existing club.

The report also states that the site can be made suitable for the proposed use, subject to the carrying out of a Detailed Site Investigation, and, if necessary, the preparation and implementation of a remediation action plan and standard remediation works.

Until such time as a Detailed Site Investigation and any subsequent remediation action plan (if necessary) are put forward for consideration, the proposal is not supported as full information as to how identified contamination may be dealt with has not yet been provided.

#### 04/04/2025 - Updated Referral Comments

The applicant has provided updated information in the form of a Detailed Site Investigation (DSI) and Remedial Action Pan (RAP).

The DSI has identified area of contamination that will required remediation by the implementation of the RAP.

Environmental Health supports the proposal and recommends a number of conditions of consent.

## **Recommendation**

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**

#### **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 Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999).

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.

#### **Compliance with Detailed Site Investigation and Remedial Action Plan**

The requirements of the Detailed Site Investigation and Remedial Action Plan required by this consent are to be fully implemented from commencement of any excavation, demolition or development works until the issue of an Occupation Certificate.

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

#### **Off-site Disposal of Contaminated Soil - Chain of Custody**

'Chain of Custody' documentation shall be kept and submitted for the transport of the validated fill material from the subject site to a lawful waste facility  
Details demonstrating compliance are to be submitted to the Principal Certifier and Council within seven (7) days of transport.

Reason: For protection of environment.

### **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.