

Environmental Health Referral Response - contaminated lands

Application Number:	DA2022/2148
Proposed Development:	Demolition works and construction of a building for use as a specialised retail premises including signage
Date:	06/01/2023
Responsible Officer	Maxwell Duncan
Land to be developed (Address):	Lot 18 DP 819775 , 202 Condamine Street BALGOWLAH NSW 2093 Lot 17 DP 819775 , 204 Condamine Street BALGOWLAH NSW 2093 Lot 91 DP 607382 , 200 Condamine Street BALGOWLAH NSW 2093

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

Supported - subject to conditions being imposed

Environmental health has been requested to provide comment on contamination of the site. The proposal changes little in regards to the use of the site and does not propose excavation as part of the proposal. The SEE states" Council records indicate that the subject site has been used for commercial purposes for a significant period of time with no prior land uses. As there is no excavation proposed, the site poses no risk of contamination" While this statement is hard to quantify without a phase 1 preliminary site investigation into contamination the applicant is correct that there is limited risk with the proposal other than existing materials within the current building that may be hazardous and require controls in place for appropriate removal. Environmental health are in support of the proposal subject to conditions being imposed requiring a hazardous building materials survey prior to the release of the construction certificate.

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

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: To protect human health.

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 Certifier.

Reason: To protect human health and the environment.

Compliance with Recommendations within Hazardous Building Materials Survey

Any recommendations within the Hazardous Building Materials Survey are to be followed during works.

Reason: To protect human health.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Onsite encapsulation of contaminated material

No onsite encapsulation of contaminated material is to occur without approval under a separate DA or modification submitted to Council.

Reason: To allow for a proper evaluation of any proposed encapsulation works and to ensure that any contaminated material is effectively capped and managed long term.