

Environmental Health Referral Response - contaminated lands

Application Number:	DA2021/1436
Date:	16/09/2021
Responsible Officer	Penny Wood
Land to be developed (Address):	Lot 1 DP 137168 , 0 Kenneth Road MANLY NSW 2095 Lot 10 DP 1177 , 0 Kenneth Road MANLY NSW 2095 Lot 6 DP 1177 , 0 Kenneth Road MANLY NSW 2095 Lot DP 55906 , 0 Kenneth Road MANLY NSW 2095 Lot 2 DP 535058 , 0 Kenneth Road MANLY NSW 2095 Lot 30 DP 649787 , 0 Kenneth Road 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

Excavation to 1.0 m below ground level (bgl) is expected on this site where new hardstands will be constructed. According to the site investigation reports, it is not anticipated that contaminated soils will be encountered during excavation. We are satisfied with this conclusion.

Groundwater was discovered at 1.5 m bgl, found to be contaminated with arsenic (among other heavy metals) from coal ash -in fill material. Although groundwater is unlikely to be disturbed by excavation, it has been recommended that ground water monitoring stations are installed and contamination monitored for one year -results to be reviewed by Council and a suitably qualified consultant. Environmental Health have referred this matter to the Coast and Catchments team to evaluate and condition appropriately.

Bonded asbestos-containing materials on-site are required to be removed from the shed-to-be-demolished according to NSW and federal standards and practices.

Dust controls and bunding of new soil bays will be required to prevent pollution once operational.

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

Removing, Handling and Disposing of Asbestos

All removal, repair or disturbance of or to asbestos materials must comply with the following:

- The Work Health and Safety Act 2011;
- The Work Health and Safety Regulation 2017;
- NSW SafeWork Code of Practice - How to Safely Remove Asbestos;
- NSW SafeWork Code of Practice - How to Manage and Control Asbestos in the Workplace; and
- Hazardous Construction Materials Survey - Maintenance Facilities Buildings prepared by p. Clifton & Associates Pty Ltd and referenced as PCA6675-2020_HMSURRPT_29Jun20.

All asbestos waste must be disposed of at a lawful waste disposal facility that accepts asbestos waste.

Upon completion of tipping operations the applicant must lodge to the Principal Certifying Authority, all receipts issued by the receiving tip as evidence of proper disposal.

Following the removal of asbestos containing materials an asbestos clearance certificate is to be issued by a suitably qualified and experienced professional such as an Occupational Hygienist or Licenced Asbestos Assessor before the recommencement of any work.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To protect human health.

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

Dust controls

Retractable weather covers must be used to prevent air pollution emanating from soil and sand bays.

Reason: to prevent air pollution causing nuisance as defined in the Protection of Environment Operations Act 1997

Shed and soil bay bunding

All maintenance facilities and soil/sand bays must be adequately bunded to prevent water and land pollution from occurring.

Reason: bunding prevents spills causing stormwater contamination, pollution and harm to the environment.