



Environment Protection Authority
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OFFICIAL

EPA Reference: PDI 1061

22 October 2024

Otello Projects
C/- URPS

Development@urps.com.au

Dear Scott Twine

Development Application Information Request

Development Application Number	23012013
Applicant	Otello Projects c/- URPS
Location	46 Unley Road, Unley SA 5061 (CT 5564/801)
Proposal	Mixed use building, comprising 15 dwellings, office and car parking

This development application ('DA') was referred to the Environment Protection Authority ('EPA') by the State Planning Commission in accordance with section 122 of the *Planning, Development and Infrastructure Act 2016*.

The information included in the DA is not sufficient for the EPA to undertake an environmental assessment. Therefore, as provided for by section 122(3) of the Planning, Development and Infrastructure Act, the EPA requires the following additional information to complete its assessment.

Application information

The Site Contamination Declaration Form ('SCDF') submitted with the DA (prepared by Dr Ruth Keogh of Land and Water Consulting and dated 21 April 2023) identifies site contamination exists or may exist (for the purposes of planning consent) as a result of:

- the following Class 1 potentially contaminating activities ('PCAs') on adjacent land:
 - dry-cleaning
 - a metal coating, finishing or spray painting
 - a service station
 - a tyre retreading and/or vulcanising, and
 - a printing works.

The EPA has undertaken a review of the following site contamination information provided with the DA:

- Preliminary Site Investigation 42-46 Unley Road, Unley, South Australia, Otello Projects, April*

2023, prepared by Land and Water Consulting, dated 21 April 2023 ('the PSI report').

The EPA does not hold any other information directly relevant to the site subject to the development application.

Summary of site contamination

The available and relevant information has been reviewed by the EPA taking into account relevant legislation and guidelines provided in the *National Environment Protection (Assessment of site contamination) Measure 1999* (the ASC NEPM) and the EPA publication *Guidelines for the assessment and remediation of site contamination* (2019).

Following the review of the available information, the following matters have been identified by the EPA:

- The site has been used for unspecified commercial purposes from prior to 1935 to present, and has most recently been used for offices, a showroom, and general storage. No PCAs were identified as having occurred onsite.
- The subject site is proposed to be developed as a ground floor commercial tenancy with upper level (high density) residential apartments and a ground level carpark.
- The consultant notes that multiple Class 1 PCAs have been undertaken within 60 metres of the subject site, and that these could have resulted in groundwater contamination with volatile contaminants.
- The consultant notes that if volatile contaminants are present within groundwater at the site, this could represent a potential source of vapour intrusion into future indoor air spaces. As such, the preliminary conceptual site model ('CSM') identifies a potentially complete exposure pathway for future site residents and workers through vapour inhalation.
- Based on the results of the PSI report, the consultant has made the following recommendations:
 - a passive soil vapour assessment should be undertaken at the site, specifically targeting future indoor air spaces, and
 - a CEMP should be prepared, and instigated, for the proposed development.

Conclusion

The EPA considers that further information is required to reasonably demonstrate the site can be made suitable for the proposed use and to determine the appropriate practitioner to prepare the statement of site suitability.

In particular, having regard to the information provided with the application and the EPA's understanding of the site with reference to Schedule A of the ASC NEPM and relevant EPA guidelines, further information is required:

- in relation to a robust CSM relevant to the proposed land use
- to reasonably determine the existence, nature and extent of, any site contamination at the site, and
- to reasonably inform the need for, and devise (if needed), risk-based remediation strategies for the proposed land use
- to ensure that the appropriate and proportionate assessment of site contamination or potential site contamination is undertaken to determine whether the site can be made suitable for the intended use occurs.

The EPA considers, based on the information available, that further Tier 1 and/or Tier 2 investigations consistent with the ASC NEPM and EPA guidelines are appropriate.

The EPA considers that a soil vapour assessment may be incorporated into a revised PSI report (consistent with the ASC NEPM), including an updated CSM identifying site specific sources, pathways and receptors based on the proposed land use. A revised statement on whether site contamination exists, may exist or is unlikely exist based on the proposed land use should also be included.

REQUEST FOR FURTHER INFORMATION

1. Provide a revised and updated Preliminary Site Investigation (PSI) report.

The revised and updated PSI is expected to provide further lines of evidence to address the identified issues.

The revised and updated PSI must be prepared by a suitably qualified and experienced site contamination consultant addressing the above items and in accordance with the *National Environment Protection (Assessment of Site Contamination) Measure 1999* and the EPA publication [Guidelines for the assessment and remediation of site contamination](#) (2019).

2. Where remediation is identified as being or remaining necessary, provide a Site Remediation Plan (SRP) prepared by a site contamination consultant in accordance with the EPA publication *Guideline for the assessment and remediation of site contamination* (2019).

The EPA expects that following preparation of the SRP, verification of its implementation would be provided by an appropriately qualified and experienced site contamination consultant in the form of a Remediation and Validation Report, in order to support the final statement of site suitability for the intended land use by the appropriate practitioner, to be determined by the EPA.

3. Provide a construction environment management plan (CEMP) prepared by a suitably qualified and experienced site contamination consultant in accordance with the EPA Industry Guideline [Construction Environmental Management Plan](#) (CEMP), the EPA *Guidelines for the assessment and remediation of site contamination* (2019), the ASC NEPM, and any other relevant guidelines issued by the EPA.

The CEMP is expected to address the range of potential contamination issues likely to be associated with the site, based on the proposed land use.

The CEMP must incorporate, without being limited to, the following matters in relation to site contamination:

- a. air quality, including odour and dust
- b. surface water including erosion and sediment control
- c. soils, including fill importation, waste and stockpile management and prevention of soil contamination
- d. acid sulfate soils (ASS), described in the EPA guideline [Acid sulfate soil materials](#) (2007), if applicable

- e. soil vapour and ground gas, including potential vapour intrusion
- f. groundwater, including prevention of groundwater contamination
- g. contingencies for unexpected finds
- h. work health and safety risk communication and engagement, and
- i. environmental assessment following completion of the proposed works, to verify the site is suitable for the intended use.

Please upload the further information to the PlanSA portal within six months of this request.

There may be a need to request subsequent information to clarify items requested above and/or if your response introduces new matters that require further detail.

If you have any questions about this request, please contact Niall Stephen on (08) 8204 2078 or Niall.stephen@sa.gov.au

Yours faithfully

Melissa Chrystal
Delegate
ENVIRONMENT PROTECTION AUTHORITY