

**Regional Assessments**

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Our Ref: DA 22/6312

12 July 2022

Dominic Warland  
412 King Street  
Newcastle NSW 2302

Dear Mr Warland,

**Request for Additional Information for DA 22/6312, 106 Bourke Street, Carrington**

I refer to the above development application (DA) lodged with the Department on 5 May 2022. The Department requests that you provide additional information under clause 36 of the Environmental Planning and Assessment Regulation 2021 (the Regulation). At the date of this letter, 48 days in the assessment period have elapsed.

The Department publicly exhibited the proposal from Tuesday 31 May 2022 until Monday 11 July 2022 and notified relevant public authorities and neighbouring landowners. The Department received advice from three public authorities. Advice from Heritage NSW and Roads and Maritime Services is outstanding and will be forwarded to you for response (if required) once received.

A copy of the agency advice received is provided with this letter.

The Department requests that you review and respond to the issues raised in the agency advice as well as the Department's request for information outlined in **Attachment A**, with a view to providing a Response to Submissions report and the requested information to the Department by **26 June 2022**. If you are unable to provide the requested information within this timeframe, you are required to provide, and commit to, a timeframe detailing the provision of this information.

Please note that the Department's assessment of the DA is on hold pending receipt of a satisfactory response to this request.

If you have any questions, please do not hesitate to contact Chris Eldred on (02) 8289 6855 or [christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au).

Yours sincerely,



Keiran Thomas  
**Director, Regional Assessments**  
**NSW Planning**

**ATTACHMENT A – Department comments**

**Contamination**

1. The Department has considered the information submitted with the application as well as the further information provided post lodgement. The Department advises that this information does not meet the requirements of clause 4.6 of the State Environmental Planning Policy (Resilience and Hazards) 2021 (being the former State Environmental Planning Policy No. 55 – Remediation of Land). The Department acknowledges that no land use is proposed as part of the development, however undertaking the further investigations would be prudent at this stage prior to further works taking place to understand the nature of the contamination prior to construction works commencing.

The Department requires an assessment that meets the requirements of the NSW EPA document: *Consultants reporting on contaminated land: Contaminated Land Guidelines* (copy enclosed). Given the known contaminant within the building it is strongly recommended that the assessment comprise a Detailed Site Investigation as described within the above guidelines. The investigation should be prepared by a contaminated land consultant certified under one of the two schemes recognised by the NSW EPA. Further details can be obtained here: <https://www.epa.nsw.gov.au/your-environment/contaminated-land/managing-contaminated-land/engaging-consultant> .