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Newcastle City Council
by Concurrence and Referrals Portal

Attention: Amanda Gale agale@ncc.nsw.gov.au

Dear Ms Gale

**Development Application 2017/01388, CNR reference 8174
Adaptive re-use of Woolshed Buildings – 31, 33, 41, 49 & 57 Annie Street Wickham**

I refer to your email to the Environment Protection Authority (EPA), dated 26 May 2020, requesting review and comment in relation to the adaptive re-use of Woolshed Buildings at 31, 33, 41, 49 and 57 Annie Street Wickham, application reference DA2017/01388.

Based on the information provided it does not appear that the proposed development involves an activity that is listed in Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act). As such Newcastle City Council would be the appropriate regulatory authority for matters under the POEO Act in respect of the proposed development.

The EPA notes there is hydrocarbon and metal contamination present in the soil and groundwater at varying degrees on the site and that 33 Annie Street is currently declared as significantly contaminated land under the *Contaminated Land Management Act 1997* (CLM Act).

If consent is granted, the EPA recommends the inclusion of the following condition;

1. The validation process for 33, 41, 49 and 57 Annie Street must be audited by an NSW Environment Protection Authority accredited site auditor. The auditor must:
 - provide to Newcastle City Council, a site audit report(s) and site audit statement(s) stating that all sites have been remediated in accordance with the approved remediation action Plans and are suitable for the proposed development;
 - consider the risk of explosion due to the elevated methane levels present beneath the slab of the former "Building 33" as part of the remediation process; and
 - approve any environmental management plan developed for the site.

If you require any further information regarding this matter, please contact Ms Jenny Lange 02 4908 6891 or by email to hunter.region@epa.nsw.gov.au.

Yours sincerely

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