
Sent: 9/05/2022 2:20:15 PM
Subject: Objection 48 Johnson street Freshwater D/A 2022/0279,DA 2022/0091
Attachments: 48 Johnson St. freshwater DA objection.pdf;

Attention:

Maxwell Duncan and Adam Croft.

Dear Sirs please see the additional submission re this proposed development.

Yours sincerely

Paul tocchini

Medcalf Grant Lawyers



MEDCALF | GRANT
LAWYERS

Our Ref: 5191

Your Ref:

9 May 2022

Northern Beaches council

:

By Email Only

council@northernbeaches.nsw.gov.au

attention Maxwell Duncan and Adam Croft

Dear Sirs

**RE: Proposed Development 48 Johnson Street Freshwater
Northern Beaches Council DA 2020/1723 Modification 2022/0091 and
New DA 2022/0279**

As we advised in our letter to council of 28 March 2022, act for Mr and Mrs Crowley who live at 50 Johnson Street Freshwater.

A development application has been made for the adjoining property and our clients are very concerned about the application and the variation to the development application which has been lodged with Northern Beaches Council.

Apart from the fact that there is a 3.5m excavation within 900mm of their side boundary the filed geotechnical application does not adequately indicate what safety precaution are being made.

JK Geotechnics, report a copy of which is attached suggests that Council refer the matter to WaterNSW. because of groundwater forcing the abandonment of one of the two boreholes dug

. Curiously the applicants lodged Geotechnical Report from Green Geotechnics advised that

"Groundwater observations were made in all boreholes... No longer term monitoring of groundwater was carried out" see Page 2 of their report. but omitted to mention the water flow into the boreholes, which means they either did not look properly or that their report is of no proper use.

Worryingly there appears to be an interference with an aquifer which runs down Johnson Street from Harbord Road and our clients have noticed that early maps of the area on the uphill side of the site to our clients there appears to be some sort of stream which is constantly running and sends water down Johnson Street.

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It has been observed again lately particularly in heavy rains and they are concerned that an excavation of 3.6m fed by rainfall and an aquifer or underground spring could seriously threaten their property.

If the proposed development which is effectively a three storey project, with one storey under natural ground level is approved it will require in the proposed construction a sump and a flotation pump which would run continually creating an enormous noise nuisance.

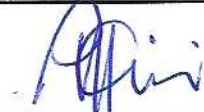
During the course of any construction which is 3.5m under the natural level of the ground, there could be a catastrophic failure if adequate safeguards are not put in place in terms of supporting our clients' property.

The source of the spring and the exact flow path is not known however a very early map of the area shows apparently the natural spring. It does not appear on the latest deposited plans but earlier plans, we are show this natural spring or stream. We are endeavouring to obtain a copy of the plan from the Land and Property Information Service.

The spring, we believe has been overlooked possibly because it was not noted on the latest DP. Our clients are concerned for their property and those of their neighbours to ensure that they are protected. Those concerns include that the ongoing maintenance of any spring or groundwater flowing is adequately dealt with in the course of considering the development application.

Yours sincerely

MEDCALF GRANT



Paul Tocchini
Solicitor
Notary Public
LLB, LLM (HONS)

Paul Tocchini

From: Bigpond <steve.crowley@bigpond.com>
Sent: Monday, 28 March 2022 3:52 PM
To: Paul Tocchini
Subject: Fwd: DA for 48 Johnson St Freshwater - submission

Paul,

Initial response from Nicholas Smith Geotechnical Engineer.

Regard

Steve and Sue Crowley
0417241767

From: Nicholas Smith <NSmith@jkgeotechnics.com.au>
Sent: Monday, March 28, 2022 1:24 pm
To: steve.crowley@bigpond.com
Subject: RE: DA for 48 Johnson St Freshwater - submission

Hi Steve,

I have had a look at the geotechnical report and the drawings.

These seems to be groundwater at shallow depth, with one of the boreholes abandoned due to water inflow. I believe the best approach for this matter would be to request Council refer the DA to WaterNSW under the integrated development process, as dewatering during construction will be required, and the proponent will need to demonstrate how their works will not cause groundwater disruption in the temporary or permanent cases. In the permanent case the basement will need to be tanked (waterproof) and provision made for drainage around the structure.

Did you want a formal proposal for JKG to prepare a letter for submission to Council.

Regards
Nicholas Smith
Senior Associate | Geotechnical Engineer



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From: steve.crowley@bigpond.com <steve.crowley@bigpond.com>
Sent: Thursday, 24 March 2022 5:47 PM