

Memo

To: Northern Beaches Local Planning Panel

From: Alex Keller – Assessment Officer

Date: 7 October 2020

Subject: Northern Beaches Local Planning Panel Meeting - Item 3.1 - DA2020/0455 for demolition works and construction of a residential flat building at 50-52 Golf Avenue Mona Vale

Record Number: 2020/585557, 2020/606610

Purpose:

As part of the NBLPP's considerations for DA2020/0455, the Panel has sought clarification on the following matters:

Details:

1. Internal Residential Amenity (Noise)

New Condition No.22A "*Acoustic Treatment*" to address internal noise amenity concerns:

"22A Acoustic Treatment

The common walls between the bedrooms of one unit and the living rooms or bathrooms of an adjoining unit are to be constructed to a minimum of 10Rw (sound reduction index) units above the minimum requirement specified in the Building Code of Australia for separating wall construction applicable to this building.

Details are to be provided to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To provide for internal acoustic amenity"

2. Contamination Management

- i) As a supplement to the Assessment Report, please note the following:

*SEPP 55 – Remediation of Land
Paragraph 3 (page 18) should correctly read as follows:*

"In response to the above requirements of the SEPP, the applicant has submitted a Detailed Site Investigation dated 28 February 2020 and prepared by EI Australia. In its conclusion, the investigation states:"

Environmental Health (Contaminated Lands) have considered both the Geotechnical Investigation E24490.G03, dated 12 Feb 2020 and the Detailed Site Investigation E24490.E02, Rev 01 dated 28 Feb 2020.

Supplementary Comments from Environmental Health

A supplementary comment has been provided by Environmental Health as follows:

"I have reviewed both the geotechnical report and the detailed site investigation phase 1 contamination report by EI Australia referenced as E24490.E02Rev1.

Based on the detailed nature of the assessment, some remediation having taken place and the site being excavated with material not being kept on-site, I am satisfied with a standard condition being imposed that;

- *A Remediation Action Plan (RAP) be submitted prior to CC,*
- *The RAP is followed during works, and*
- *A validation report be submitted prior to OC.*

As well as the existing condition of unexpected finds being reported to Council."

- ii) **New Condition No. "22A Remediation Action Plan"** - should be imposed to ensure the RAP is prepared prior to CC and executed during the works:

"22A. Contaminated Land Requirement and Remediation

A Remediation Action Plan (RAP) is to be prepared by a suitably qualified Environmental Consultant in accordance with State Environmental Planning Policy No. 55 - Remediation of Land, and with any contaminated land planning guidelines under the Contaminated Land Management Act 1997.

The RAP shall detail how all requirements and / or recommendations contained within the Detailed Site Investigation E24490.E02, Rev 01 dated 28 Feb 2020 by EI Australia are appropriately implemented and completed.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: Protection of the environment, SEPP 55 compliance."

- iii) **New Condition No. "58A Validation for Remediation"** - should be imposed prior to issue of the Occupation Certificate :

"58A Validation for Remediation

A Validation Report to certify compliance with the Remediation Action Plan (RAP) is to be prepared in accordance with relevant guidelines issued under the Contaminated Land Management Act 1997, and a copy of the RAP submitted to Council.

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

Reason: To ensure environmental amenity is maintained.”

3. Clause 4.6(4)(a)(i) Justification Assessment

Page 44 - Paragraph 3 under the heading “Comment:” is to correctly read as follows:

“In this regard, the Applicant’s written request has adequately demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of this case as required by cl 4.6(3)(a).”

4. i) Condition 1 - Approved Plans and Supporting Documentation

Page 69 –in the Architectural Plans Drawing No. reference “DA103 B Roof Plan” to read as follows:

“DA104 B Roof Plan”

ii) Condition 1 - Approved Plans and Supporting Documentation

Page 69 – under “Part a) Approved plans”, in the reports reference table the Report No. “*Site Investigation Report E24490.E02_Rev01*” is to correctly read as follows:

“Detailed Site Investigation E24490.E02_Rev01”

ii) Condition 1 - Approved Plans and Supporting Documentation

Page 69 – in the Engineering Plans dated reference “23.4.2020” for Stormwater Management Details Sheet 2 to read as follows:

“1 April 2020”

iii) Condition 1 - Approved Plans and Supporting Documentation

Page 69 – in the Engineering Plans dated reference “1.4.2020” for Driveway Plan Sheet 3, to read as follows:

“21 April 2020”

Recommendation:

For the information of the Panel prior to the determination of Item 3.1.