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## MEMORANDUM

**DATE:** 08 September 2021  
**TO:** Northern Beaches Development Determination Panel  
**CC:** Lashta Haidari, Acting Manager Development Assessments  
**FROM:** Gareth David, Planner  
**SUBJECT:** DA2021/0317 - 141 Riverview Road AVALON BEACH

Dear Panel,

The following is a supplement to the Assessment Report to address Panel questions and minor errors and omissions within the submitted DDP Report and Consent.

### **Condition 16 Amendment**

An error in formatting cut out a portion of the table inserted within Condition 16. As such Condition 16 of the Development Consent Shall read as follows:

#### **16. Variation rule credit retirement conditions - Ecosystem credit retirement conditions**

*Prior to issue of the relevant Construction Certificate the class and number of species credits in Table 2 must be retired to offset the impacts of development.*

*Evidence of the retirement of credits in satisfaction of Table 2 requirements is to be provided to the Manager Bushland and Biodiversity of Northern Beaches Council and the Certifying Authority prior to release of construction certification.*

*Table 2 Ecosystem credits required to be retired – variation rules*

<b><i>Impacted plant community type</i></b>	<b><i>Number of ecosystem credits</i></b>	<b><i>Containing HBT</i></b>	<b><i>IBRA sub-region</i></b>	<b><i>Approved variation plant community type(s) that be used to offset the impacts from development</i></b>
<i>PCT 1214 Pittwater Spotted Gum forest</i>	<i>1</i>	<i>No</i>	<i>IBRA Region: Sydney Basin, or Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.</i>	<i>Any PCT from Wet Sclerophyll Forests (Grassy sub-formation), Tier 3 or higher.</i>



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*Reason: To offset the residual biodiversity impacts of the development in accordance with the NSW Biodiversity Offset Scheme.*

### **Replication of Conditions 12 and 23**

Within the Conditions of Consent, Condition 12 and Condition 23 are replicated. The conditions are as follows:

#### **12. Geotechnical Report Recommendations have been Incorporated into Designs and Structural Plans**

*The recommendations of the risk assessment required to manage the hazards as identified in the Geotechnical Report prepared by White Geotechnical Group dated 23/2/2021 and letter dated 24/6/2021 are to be incorporated into the construction plans. Prior to issue of the Construction Certificate, Form 2 of the Geotechnical Risk Management Policy for Pittwater (Appendix 5 of P21 DCP) is to be completed and submitted to the Accredited Certifier. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.*

*Reason: To ensure geotechnical risk is mitigated appropriately.*

#### **23. Geotechnical Report Recommendations have been Incorporated into Designs and Structural Plans**

*The recommendations of the risk assessment required to manage the hazards as identified in the Geotechnical Report referenced in Condition 1 of this consent are to be incorporated into the construction plans. Prior to issue of the Construction Certificate, Form 2 of the Geotechnical Risk Management Policy for Pittwater (Appendix 5 of P21 DCP) is to be completed and submitted to the Accredited Certifier. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.*

*Reason: To ensure geotechnical risk is mitigated appropriately.*

As such, it is recommended that condition 23 is deleted from the consent.

### **Replication of Conditions 21 and 33**

Within the Conditions of Consent, Condition 21 and Condition 33 are replicated. The conditions are as follows:

#### **21. Traffic Management and Control**

*The Applicant is to submit an application for Traffic Management Plan to Council for approval prior to issue of the Construction Certificate. The Traffic Management Plan shall be prepared to RMS standards by an appropriately certified person.*

*Reason: To ensure appropriate measures have been considered for site access, storage and*



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*the operation of the site during all phases of the construction process.*

### **33. Construction Traffic Management Plan**

*A Construction Traffic Management Plan is to be prepared for the development given its unusual access arrangements.*

*The Construction Traffic Management Plan shall include (but not be limited to) the following:*

- *The proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken*
- *Details for maintaining access to adjacent properties and properties which benefit from the right of carriageway easement*
- *Details regarding the proposed method of access to and egress from the site for construction vehicles, and demonstration these vehicle will manoeuvre the right of way safely – i.e enter and leave in a forward direction.*
- *Details for storage of materials*
- *Provision of parking for workers*
- *Details for loading and unloading of materials*
- *Include a Traffic Control Plan prepared by a person with suitable RMS accreditation for any activities involving the management of vehicle and pedestrian traffic*
- *The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process. It must also specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure*
- *The location and operation of any on site crane*

*The Construction Traffic Management Plan shall be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.*

*Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.*

As such, it is recommended that condition 21 is deleted from the consent.

### **Replication of Conditions 29 and 30**

Within the Conditions of Consent, Condition 29 and Condition 30 are replicated. The conditions are as follows:

#### **29. External Colours and Finishes**

*The external colours and finishes to the external walls and roof shall have a medium to dark range. Light colours such as off white, cream, silver or light grey colours are not permitted. Proposed new retaining walls shall be constructed of sandstone or sandstone like materials.*

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

*Reason: To ensure building colours and materials compliment and enhance the natural*



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*landscapes and to ensure that excessive glare or reflectivity nuisance does not occur as a result of the development.*

### **30. External Finishes to Roof**

*The external finish to the roof shall have a medium to dark range (BCA classification M and D) in order to minimise solar reflections to neighbouring properties. Any roof with a metallic steel finish is not permitted.*

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

*Reason: To ensure that excessive glare or reflectivity nuisance does not occur as a result of the development. (DACPLC03)*

As such, it is recommended that condition 30 is deleted from the consent. Given the deletion of condition 30, it is recommended that condition 29 be amended to the following wording:

### **29. External Colours and Finishes**

*The external colours and finishes to the external walls and roof shall have a medium to dark range (BCA classification M and D). Light colours such as off white, cream, silver or light grey colours are not permitted. Any roof with a metallic steel finish is not permitted. Proposed new retaining walls shall be constructed of sandstone or sandstone like materials.*

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

*Reason: To ensure building colours and materials compliment and enhance the natural landscapes and to ensure that excessive glare or reflectivity nuisance does not occur as a result of the development.*

## **Deletion of Conditions 34**

It is recommended that Condition 34 (Waste Management Plan) is deleted from the consent as a Waste Management Plan is referenced in Condition 1. Condition 34 states:

### **34. Waste Management Plan**

*A Waste Management Plan must be prepared for this development. The plan must comply with the Northern Beaches Council Waste Management guidelines. Details demonstrating compliance must be provided to the Principal Certifying Authority prior to the issue of any Construction Certificate.*

*Reason: To ensure that any demolition and construction of waste, including excavated material, is reused, recycled or disposed of in an environmentally friendly manner.*

## **Add Condition – Waste Management During Works**

The following condition was omitted and is recommended to be added to the Consent:



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**Waste Management During Development**

*The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.*

*Details demonstrating compliance must be submitted to the Principal Certifying Authority.*

*Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.*

**Add Condition – Geotechnical Recommendations During Works**

The following condition was omitted and is recommended to be added to the Consent:

**Geotechnical Recommendations During Works**

*All works and construction activities shall be undertaken in accordance with the recommendations of the risk assessment required to manage the hazards as identified in the Geotechnical Report prepared by White Geotechnical Group dated 23/2/2021 and letter dated 24/6/2021.*

*Reason: To ensure geotechnical risk is mitigated appropriately.*

**Add Condition – Implementation of Construction Traffic Management Plan**

The following condition was omitted and is recommended to be added to the Consent:

**Implementation of Construction Traffic Management Plan**

*All works and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CTMP is to be kept onsite at all times and made available to Council on request.*

*Reason: To ensure compliance of the developer/builder in adhering to the Construction Traffic Management procedures agreed and are held liable to the conditions of consent.*

**Add Condition – Lift noise control**

The following condition was omitted and is recommended to be added to the Consent:

**Passenger Lift Noise Control**

*Prior to the issue of an Occupation Certificate, certification by a suitably qualified person shall be provided to the Principle Certifying Authority demonstrating that the noise level from the*



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*passenger lift will not exceed 5dBA above background noise when measured from the nearest property boundary.*

*Reason: To ensure an appropriate level of residential amenity is maintained.*

### **Discrepancies between the carport approval**

During the assessment, amended plans were received which amended the carport design to reflect the approved carport design within DA2019/1449. The carport design in the proposed plans would be consistent with that approved within DA2019/1449 with the exception of the balustrade (to connect to the lift) and alternate with the access to the storeroom. The lift addition and alternate access was considered as part of this assessment and is not considered to alter the assessment or recommendations of DA2019/1449. A deferred commencement condition was considered onerous and therefore condition 65 (prior to Occupation Certificate) was recommended, which states:

#### **65. Completion of parking platform as approved within DA2019/1449**

*Prior to the issue of any Occupation Certificate, the covered two car parking platform as approved within DA2019/1449 (approved 22 May 2020) and as shown on the approved plans must be fully constructed. Evidence of an Occupation Certificate for DA2019/1449 must be submitted to the Principal Certifying Authority prior to issue of any Occupation Certificate.*

*Reason: To ensure the site has adequate parking.*

Regards,

Gareth David  
**Planner**