

## 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

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### 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. Condition 1 - Approved Plans and Supporting Documentation**

Page 69 – under “Part a) Approved plans”, in the reference table the Drawing No. “DA103 B Roof Plan” is to correctly read as follows:

*“DA104 B Roof Plan”*

### **5. 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”*

#### **Recommendation:**

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