

Engineering Referral Response

Application Number:	DA2025/0167
Proposed Development:	Alterations and additions to a dwelling house including a secondary dwelling and garage
Date:	02/07/2025
To:	Brittany Harrison
Land to be developed (Address):	Lot 2 DP 528345 , 45 A Riviera Avenue AVALON BEACH NSW 2107

Reasons for referral

This application seeks consent for the following:

- New Dwellings or
- Applications that require OSD where additional impervious area exceeds 50m² or
- Alterations to existing or new driveways or
- Where proposals affect or are adjacent to Council drainage infrastructure incl. watercourses and drainage channels or
- Torrens, Stratum and Community Title Subdivisions or
- All new Commercial and Industrial and RFB Development with the exception of signage or
- Works/uses in flood affected areas

And as such, Council's development engineers are required to consider the likely impacts on drainage regimes.

Officer comments

DATED 05/03/2025

The applicant seeks approval for garage parking, a secondary dwelling, and external stairs within the public road reserve. Geotechnical engineers have certified that the proposed development presents an acceptable risk. Driveway access is provided via an existing right of carriageway over adjoining properties, leading to Riviera Avenue. In accordance with the Council's "Water Management for Development" Policy, the applicant is required to provide On-Site Detention stormwater management, with a storage volume of 6 cubic meters and an allowable discharge rate of 3 l/s. However, the applicant has not submitted a stormwater management plan to support the application.

The proposed stairs within the road reserve represent a significant encroachment. Council's Transport & Civil Infrastructure Assets do not support the stair encroachment within the road reserve. As a result, the application is not supported for the following reasons:

- The development does not comply with Pittwater 21 DCP Clause B5.15 regarding Stormwater Management and fails to meet the requirements of the Council's "Water Management for Development Policy."
- The proposal is non-compliant with Section 138 of the Roads Act 1993. Specifically, the stairs within the road reserve are not supported by Council's Transport & Civil Infrastructure Assets,

as they do not provide the minimum required 1.5-meter clearance from the face of the kerb.

The Council Planner is requested to comment on the proposed stairs in relation to the rock escarpment and its impact on the streetscape.

DATED 12/06/2025

Review of the amended plan shows that the applicant has not provided the previously requested stormwater management information in accordance with Council's *Water Management for Development* Policy for the proposed development. In this regard, the applicant is required to incorporate an on-site detention (OSD) system with a storage volume of 6 cubic metres and an allowable discharge rate of 3 litres per second.

DATED 2/07/2025

The submitted stormwater management plan is deemed acceptable. The applicant has revised the development to exclude any stairs within the public road reserve. The applicant's Geotechnical Engineer has certified that the proposed development can achieve an acceptable level of risk. All geotechnical recommendations outlined in Table 6 of the report must be complied with. All development engineering matters previously raised have been addressed. There are no objections from Development Engineering, subject to the recommended conditions.

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Engineering Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

On-Site Stormwater Detention Details

The Applicant is to provide a certification of drainage plans detailing the provision of on-site stormwater detention in accordance with Northern Beaches Council's Water Management for Development Policy, and generally in accordance with the concept drainage plans prepared by Approved Consulting Engineers, drawing number SW01, SW02, SW03, SW04, SW05. SW06 Rev C, dated 25/06/25. Detailed drainage plans are to be prepared by a suitably qualified Civil Engineer, who has membership to Engineers Australia, National Engineers Register (NER) or Professionals Australia (RPENG) and registered in the General Area of Practice for civil engineering.

Detailed drainage plans, including engineering certification, are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development.

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 ASCENTGEO- Geotechnical Consulting dated 2 August 2024 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 Certifier prior to the issue of the Construction Certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Road Reserve

The applicant shall ensure the public footways and roadways adjacent to the site are maintained in a safe condition at all times during the course of the work.

Reason: Public safety.

Property Boundary Levels

The Applicant is to maintain the property boundary levels. No approval is granted for any change to existing property alignment levels to accommodate the development.

Details demonstrating compliance are to be submitted to the Principal Certifier.

Reason: To maintain the existing profile of the nature strip/road reserve.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Positive Covenant and Restriction as to User for On-site Stormwater Disposal Structures

The Applicant shall lodge the Legal Documents Authorisation Application with the original completed request forms (NSW Land Registry standard forms 13PC and/or 13RPA) to Council and a copy of the Works-as-Executed plan (details overdrawn on a copy of the approved drainage plan by a Registered Surveyor), and Civil Engineers' certification.

The Applicant shall create on the Title a restriction on the use of land and a positive covenant in respect to the ongoing maintenance and restriction of the on-site stormwater disposal structures within this development consent. The terms of the positive covenant and restriction are to be prepared to Council's standard requirements at the applicant's expense and endorsed by Northern Beaches Council's delegate prior to lodgement with the NSW Land Registry Services. Northern Beaches Council shall be nominated as the party to release, vary or modify such covenant. A copy of the certificate of title demonstrating the creation of the positive covenant and restriction for on-site storm water detention as to user is to be submitted.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: To ensure the on-site stormwater disposal system is maintained to an appropriate operational

standard.

Certification of Off Street Parking Works

The Applicant shall submit a certificate from a suitably qualified person certifying that the parking facility was constructed in accordance within this development consent and the relevant provisions of Australian/New Zealand Standard AS/NZS 2890.1:2004 parking facilities.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of the Occupation Certificate.

Reason: Compliance with this consent.

Geotechnical Certification Prior to Occupation Certificate

The Applicant is to submit the completed Form 3 of the Geotechnical Risk Management Policy (Appendix 5 of P21 DCP) to the Principal Certifier prior to issue of the Occupation Certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.