

## Roads and Assets Referral Response

<b>Application Number:</b>	DA2022/2202
<b>Proposed Development:</b>	Alterations and additions to a dwelling house including a swimming pool and double carport
<b>Date:</b>	14/06/2023
<b>To:</b>	Nick England
<b>Land to be developed (Address):</b>	Lot 14 DP 216125 , 6 Jacqueline Close BAYVIEW NSW 2104

### Reasons for referral

Works proposed by the development may impact on existing Council road assets (eg. kerb and gutter, footpath, retaining walls, landscaping) or results in new structures/encroachments being created within the road reserve. Council's Road Asset Managers are required to review the development application and if necessary liaise with Council's Development Engineering and/or Traffic Management Teams to ensure appropriate conditions are considered.

### Officer comments

The proposal impacts the public road reserve with the construction of a new driveway, retaining walls and stairs. The application also indicates the existence of "gatehouse", bin storage and fencing of the public road reserve. Although the fencing of the road reserve dates back prior to 2007 (Streetview) No past approvals could be located for this work, or the more recent picket fence being installed around September 2013. Given the topography of the site it is not unreasonable to provide/permit fencing along the top of the embankment however with the proposed garage development, Council seeks to have the fencing to the south of the driveway relocated to the property boundary, and the fencing to the north relocated closer to the property boundary alignment.

The bin storage area is to be removed from Council's road reserve and bins are to be stored within the property boundary in accordance with Council policy.

The gatehouse was a open structure in 2009 however was later enclosed by 2013 perhaps around the same time the picket fence was built given the similar styles.

The removal of the gatehouse stairs is noted, however the gatehouse encroaching on the public road reserve is unauthorised private development and must also be removed from the road reserve. Amended plans to be submitted indicating same, a condition prior to issuing the occupation certificate may be required to ensure the removal of the private structure.

Development Engineering to require s138 Civil Works Application for driveway, retaining walls on road reserve and stairway. Details of proposed fencing to be also included.

### Second Referral 14/06/2023:

The removal of the gatehouse from the road reserve is noted and relocation of the bin enclosure within property boundary. Development Assessment to consider the application of a condition requiring that prior to issuing the occupation certificate it is ensured the removal of the private gatehouse structure.

Driveway details indicate "wall" or "kerb" structure on sides of driveway crossing across verge to layback. Development Engineering to ensure the kerb is omitted on the traffickable section of the verge and the grass verge shall be battered off between concrete driveway finished surface level and existing verge level in compliance with Council's standards. Development Engineering to require s138 Civil Works Application for driveway, retaining walls on road reserve. Details of proposed fencing as well as

existing fencing to be also included in Application. Encroachment of fencing and paving in the road reserve to be maintained by the property owner in accordance with S142 of Roads Act 1993. The land enclosed by the fencing shall only be used for landscaping purposes and not the storage of private goods.

The proposal is therefore supported.

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

**Roads and Assets Conditions:**

Nil.