

Engineering Referral Response

Application Number:	DA2025/0097
Proposed Development:	Demolition and construction of a retaining wall
Date:	27/03/2025
To:	Brittany Harrison
Land to be developed (Address):	Lot 2 DP 505001 , 78 McCarrs Creek Road CHURCH POINT NSW 2105

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 13/03/2025

The applicant intends to rebuild a retaining wall along the boundary that adjoins the Council's road reserve, located in front of the property to the south of the existing garage. The applicant's geotechnical engineer has certified that the proposed construction of the retaining wall poses an acceptable risk. The wall must be built on the property to support the road reserve, which requires approval under Section 138 of the Road Act. Appropriate conditions have been requested for the proposed works.

There are no objections from Development Engineering, provided the recommended conditions of approval are met.

DATED 27/03/2025

The submitted amendment has been reviewed, and it shows that the proposed retaining wall is located within the property. 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:

FEES / CHARGES / CONTRIBUTIONS

Construction, Excavation and Associated Works Security Bond(s)

The applicant is to lodge a bond with Council for the following:

Road Works

A bond covering the estimated cost of the required works, including road pavement/shoulder reconstruction, shall be submitted to the Council as part of the S138 Road Acts Application, as specified in the conditions of development consent. This bond will serve as security against any damage or failure to complete the construction.

Details confirming payment of the bond(s) are to be submitted to the Principal Certifier prior to the issue of the Construction Certificate.

Reason: Protection of Council's infrastructure.

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

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 KFM Geotech dated 13/02/2-25 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.

Submission Roads Act Application for Civil Works in the Public Road

The Applicant is to submit an application for approval for infrastructure works on Council's roadway. Engineering plans for the new development works within the road reserve and this development consent are to be submitted to Council for approval under the provisions of Sections 138 and 139 of the Roads Act 1993.

The application is to include Civil Engineering plans for the design of retaining wall which are to be generally in accordance with concept plans prepared for the Development Application. The retaining wall the Council's specification for engineering works - AUS-SPEC #1. The plans shall be prepared by a qualified Structural Civil Engineer who has membership to Engineers Australia, National Engineers

Register (NER). The design must include the following information:

- The retaining wall must be entirely contained within the property with a minimum of 200mm clearance from the boundary to the public road. This should be indicated on a plan prepared by a registered surveyor.
- Detailed structural design plan for the retaining wall.
- The retaining wall shall be designed to accommodate the vehicular loading anticipated on the public road.
- Subsoil drainage plan details for the retaining wall.
- Support from the Geotechnical Engineer for the design plan, ensuring all recommendations are implemented with consideration of traffic loading.
- Setout plan for the proposed construction works.

The fee associated with the assessment and approval of the application is to be in accordance with Council's Fee and Charges.

An approval is to be submitted to the Principal Certifier prior to the issue of the Construction Certificate

Reason: To ensure engineering works are constructed in accordance with relevant standards and Council's specification.

Pre-Commencement Dilapidation Report

The applicant must prepare and submit a dilapidation report providing an accurate record of the existing condition of adjoining public property and public infrastructure (including roads, gutter, footpaths, etc). A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of adjoining and affected private properties.

The dilapidation report must be submitted to Council for written approval and the written approval is then to be submitted to the Certifier prior to the issue of the any Construction Certificate and the commencement of any works including demolition.

Reason: Protection of Council's infrastructure during construction.

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.

Traffic Control During Road Works

Lighting, fencing, traffic control and advanced warning signs shall be provided for the protection of the works and for the safety and convenience of the public and others in accordance with Transport for NSW and to the satisfaction of the Roads Authority. Traffic movement in both directions on public roads, and vehicular access to private properties is to be maintained at all times during the works.

Reason: Public Safety.

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

Certification of Civil Works and Works as Executed Data in accordance with Road Act Approval

The Applicant shall submit a certification by a suitably qualified Civil Engineer, who has membership to Engineers Australia, National Engineers Register (NER) or Professionals Australia (RPENG) that the completed works have been constructed in accordance with this consent and the approved retaining wall under Section 138 and/or Construction Certificate plans. Works as Executed data certified by a registered surveyor in relation to boundaries and/or relevant easements, prepared in accordance with Council's 'Guideline for preparing Works as Executed data for Council Assets' in an approved format shall be submitted to the Principal Certifier for approval prior to the issue of the Occupation Certificate.

Reason: To ensure compliance of works with Council's specification for engineering works.

Post-Construction Dilapidation Report (Major Development)

The applicant must bear the cost of all restoration any works (public utility services, pavement) within the public road, damaged during the course of this development.

A Post Construction Dilapidation Report after the completion of all building works is to demonstrate that there is no damage to Council infrastructure prior to the refund of any security deposits.

Reason: To ensure security against possible damage to Council property.

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.

Easement Creation for Support

The Applicant shall create an easement for support (under the provisions of Section 88B of the Conveyancing Act or transfer of granting an easement) in favour of Council prior to issue of occupation certificate. .

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

Reason: Council's Subdivision standards and statutory requirements of the Conveyancing Act 1919.