

Engineering Referral Response

Application Number:	Mod2021/0768
Date:	18/02/2022
To:	Adam Mitchell
Land to be developed (Address):	Lot 103 DP 1247294 , 145 Old Pittwater Road BROOKVALE NSW 2100

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

The proposed modification to conditions 57, 61 and 63 are not supported for the following reasons:

Condition 57:

Proposed changes:

"A copy of the certificate of title demonstrating the creation of a public positive covenant and restriction as to user, for the trunk drainage network and floor barrier system is to be submitted to Council for approval and execution.

Details demonstrating compliance as relevant to each stage of construction as shown on the approved staging plans SW-001-SW-004 (Rev B) are to be submitted to the Certifying Authority prior to the issue of the interim / Occupation certificate for each stage."

Response: Council requires a positive covenant for to ensure the safe operation of the flood mitigation devices located within the site. It is not clear by staging this condition when the Positive covenant will be endorsed by Council and registered on title. Council requires the covenant to be in place for all flood mitigation devices/structures located with the site.

Condition 61:

Some above concerns apply to this proposed condition modification.

Condition 63.

Response : The proposed modification of this condition has been an ongoing matter between

Councils Legal office and Scentre Groups representatives for a extended period . Background history including the final agreed version is to be provided by the applicant to support the current proposed wording changes .

The proposal is therefore unsupported.

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

Recommended Engineering Conditions:

Nil.