

## Engineering Referral Response

Application Number:	DA2020/1331
Date:	05/02/2021
To:	Adam Mitchell
Land to be developed (Address):	Lot 8 DP 26254 , 128 Wallumatta Road NEWPORT NSW 2106

### 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 existing dwelling has no off street parking. The proposal will increase the need for off-street parking. The development does not provide any off street parking and does not comply with B6 of Pittwater 21 DCP controls.*

Planner comment: The issue of car parking is not a Development Engineering issue. The prevailing ARHSEPP prohibits the consent authority from refusing an application for a secondary dwelling for a shortfall in car parking (Cl.22(4)(b)). Further, the site has no driveway and it is not considered feasible that a driveway could be introduced to the site without requiring significant excavation and the removal of a significant number of high-value native trees, which would not be supported by a Planning, Landscaping or Natural Environment perspective. This matter does not warrant the refusal and is discussed in greater detail later in this report.

DATED 20/01/2020

Street view fronting the site shown below does not indicate any significant vegetation



The adjacent property 130 Wallumatta Road DA N0496/17 provides for car space. The proposed development currently has no car parking spaces within the property. Off street parking should be made available within the property to prevent the need for future parking within the nature reserve.

The development has not provided any concept stormwater management with provision of On Site detention required in accordance with Northern Beaches Council's "Water Management for Engineering Development Policy.

As result the application is not supported.

#### **Additional Information Received on 2/02/2021**

The plans showing sufficient setback for the future provision a car parking space within the property is acceptable.

The proposed development increases the impervious area by more than 50m<sup>2</sup> and as such OSD is required. OSD shall be provided in accordance with Council's Water Management for Development Policy as conditioned.

The site is in Geotechnical Hazard H1 area. Hence a geotechnical report and certified Forms 1 & 1a are required. Only the geotechnical report and Form 1 has been submitted. As discussed with the Planner Form 1a shall be requested before final approval.

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

### **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 Construction Sciences dated 22/09/2020 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 Principal Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.

### **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. Detailed drainage plans are to be prepared by a suitably qualified Civil Engineer, who has membership to the Institution of Engineers Australia, National Professional Engineers Register (NPER) and/or registered in the General Area of Practice for civil engineering.

i. Onsite detention to be provided in accordance with Clause 9.3.1 of Council's Water Management for Development Policy.

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.

### **Structural Adequacy and Excavation Work**

Excavation work is to ensure the stability of the soil material of adjoining properties, the protection of adjoining buildings, services, structures and / or public infrastructure from damage using underpinning, shoring, retaining walls and support where required. All retaining walls are to be structurally adequate for the intended purpose, designed and certified by a Structural Engineer, except where site conditions permit the following:

- (a) maximum height of 900mm above or below ground level and at least 900mm from any property boundary, and
- (b) Comply with AS3700, AS3600 and AS1170 and timber walls with AS1720 and AS1170.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

Reason: To provide public and private safety.

## 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.

## **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 a Legal Documents Authorisation Application with Council. The application is to include the original completed request forms (NSW Land Registry standard forms 13PC and/or 13RPA) and a copy of the Works-as-Executed plan (details overdrawn on a copy of the approved drainage plan by a Registered Surveyor) and Hydraulic Engineers' certification for the completed on-site stormwater detention system works. A guide to the process can be found on Council's website using the following link.

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/pdf-forms/legal-documents-authorisation-on-site-stormwater-detention-systems/guide-submitting-ldaa-nov19.pdf>

The form for the application can be found on Council's website using the following link.

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/pdf-forms/legal-documents-authorisation-on-site-stormwater-detention-systems/4023-legal-documents-authorisation-oct19.pdf>

The Applicant shall create on the Title a positive covenant in respect to the ongoing maintenance and restriction as to user over the on-site stormwater detention system 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 as to user for the on-site stormwater detention system is to be submitted.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of final Occupation Certificate.

Reason: To ensure the on-site stormwater detention system is maintained to an appropriate operational standard and not altered.

### **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 Certifying Authority prior to issue of the Occupation Certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.