

Memo

Environment

To:	Rodney Piggott , Development Assessment Manager
From:	Catriona Shirley, Planner
Date:	9 August 2021
Application Number:	Mod2021/0572
Address:	Lot 74 DP 7310 , 48 Johnson Street FRESHWATER NSW 2096
Proposed Modification:	Modification of Development Consent DA2020/1723 granted for demolition works and construction of a dwelling house including swimming pool

Background

The abovementioned development consent was granted by Council on 20/04/2021 for demolition works and construction of a dwelling house including swimming pool;

Details of Modification Application

Under Section 4.55(1) of the EPA Act 1979, a consent containing an error or mis-description may be amended. The Northern Beaches Community Participation Plan does not require the notification of Section 4.55(1) modification applications as they are considered to be of minimal environmental impact.

The application seeks to modify condition(s) **No. 6 Stormwater Disposal from Low Level Property**, which reads as follows:

The Applicant is to provide a certification of drainage plans detailing the provision of dispersion trench in accordance with Northern Beaches Council's Water Management for Development Policy clause 5.5.1.1.3 and generally in accordance with the concept drainage plans prepared by ITM Design Pty Ltd, Job Number 20/89, Drawing Number H-DA-00, Issue A, dated 27-11-2020.

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 registered in the General Area of Practice for civil engineering.

The drainage plans must address the following:

- i) Applicant must install a rainwater tank of at least 3000lt capacity (BASIX).
- ii) The dispersion trench in backyard is to discharge rest of the surface water, while the roof discharge is going to be discharged to Johnson Street via rainwater tank.
- iii) Dispersion system has to be in line with contours for it to allow to flow
- iv) Dispersion system should be 3m away from site boundary and pool as well.

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.

Consideration of error or mis-description

Northern Beaches Councils Development Engineers applied a specific condition to the consent requiring the stormwater drainage plans to be prepared by a qualified Civil Engineer who has membership to the Institution of Engineers Australia, National Professional Engineers Register (NPER) and registered in the General Area of Practice for civil engineering. However, other types of Civil Engineering are also qualified to undertake the preparation of stormwater management plan designs (i.e. stormwater drainage plans).

Stormwater management plan designs for residential developments can also be suitably prepared by a Hydraulic Engineer, a type of Civil Engineering.

There is no impact by amending the qualification of the required Engineer to a Hydraulic Engineer, particularly as a Hydraulic Engineer possess the correct qualifications to ensure the stormwater design complies with Council's stormwater management policy, and that the stormwater design will be generally in accordance with the concept drainage plans prepared by ITM Design Pty Ltd, Job Number 20/89, Drawing Number H-DA-00, Issue A, dated 27-11- 2020, as required by Condition No. 6.

Council's Development Engineers have raised no objections to the amended condition.

As a result, the specific engineering qualification was placed in error and Condition No. 6 has been amended accordingly.

Conclusion

It is considered that the modification is minor in nature and consistent with the provisions of section 4.55(1) of the EPA Act 1979 and is therefore recommended for approval.

Recommendation

THAT Council as the consent authority approve Modification Application No. Mod2021/0572 for Modification of Development Consent DA2020/1723 granted for demolition works and construction of a dwelling house including swimming pool on land at Lot 74 DP 7310,48 Johnson Street, FRESHWATER, as follows:

A. Modify Condition Number 6. Stormwater Disposal from Low Level Property to read as follows:

The Applicant is to provide a certification of drainage plans detailing the provision of dispersion trench in accordance with Northern Beaches Council's Water Management for Development Policy clause 5.5.1.1.3 and generally in accordance with the concept drainage plans prepared by ITM Design Pty Ltd, Job Number 20/89, Drawing Number H-DA-00, Issue A, dated 27-11- 2020. Detailed drainage plans are to be prepared by a suitably qualified Hydraulic Engineer.

The drainage plans must address the following:

- i) Applicant must install a rainwater tank of at least 3000lt capacity (BASIX).
- ii) The dispersion trench in backyard is to discharge the remaining surface water, while the roof discharge is to be discharged to Johnson Street via the rainwater tank.
- iii) Dispersion system has to be constructed level with contours for flows to evenly dispersed.

iv) Dispersion system shall be 3m away from site boundaries and pool structure.

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.

In signing this report, I declare that I do not have a Conflict of Interest.

Signed



Catriona Shirley, Planner

The application is determined on 05/08/2021, under the delegated authority of:



Rodney Piggott, Manager Development Assessments