

## Engineering Referral Response

<b>Application Number:</b>	DA2022/0596
<b>Proposed Development:</b>	Construction of a mixed use development comprising retail and 'Co-living housing' over part basement parking
<b>Date:</b>	08/05/2023
<b>To:</b>	Alex Keller
<b>Land to be developed (Address):</b>	Lot CP SP 35989 , 29 - 37 Dobroyd Road BALGOWLAH HEIGHTS NSW 2093

### Reasons for referral

This application seeks consent for the following:

- New Dwellings or
- Applications that require OSD where additional impervious area exceeds 50m<sup>2</sup> 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

#### Not supported.

The proposed on site stormwater detention system ( OSD) is located within a locked garage. In accordance with Council's *Water Management For Development Policy*, the OSD shall be located externally to all structures and buildings, so it can be accessed freely. The applicant must relocate the OSD.

In this regards, Development Engineering cannot support the application due to clause 3.7 of Council Manly DCP 2013.

#### DA Assessments Comment:

The OSD tank is relatively small and was previously positioned near the Waste bin room. The volume of the cylinder shaped tank can be suitably accommodated in square concrete tank of similar volume (e.g. 2.1m x 2.05m x 2m) under the landscape area located across the south east corner of the basement. This space was previously to be excavated for a "store" room, that is not required there anymore. A condition is recommended that a 8600 Litre tank be positioned below the outside landscape planter box at the SW corner of the site with a minimum 600mm soil cover and an external maintenance access grate provided, openable from Commerce Lane.

#### Amended Plans Submitted 4/05/2023

The amended stormwater sketch plan and architectural plans satisfy the issue relating to the OSD system.

Development Engineering support the proposal, subject to conditions as recommended.

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 Bond (Drainage works)**

The applicant is to lodge a bond of \$5,000 as security against any damage to Council's stormwater drainage infrastructure as part of this consent.

Details confirming payment of the bond are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: Protection of Council's infrastructure.

### **Construction, Excavation and Associated Works Security Bond (Crossing / Kerb)**

The applicant is to lodge a Bond of \$20,000 as security against any damage or failure to complete the construction of any vehicular crossings, kerb and gutter and any footpath and landscaping works and removal of any redundant driveways required as part of this consent.

Details confirming payment of the bond are to be submitted to the Certifying Authority 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**

### **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, and generally in accordance with the revised stormwater mock up concept drainage and architectural plans prepared by Taylor Consulting, drawing Storm-1/A, Storm-2/A, Storm-3/A, dated 8/02/2022 and plans prepared by Woodhouse & Danks Architects, job number 21010 drawing number CD-03h, CD-04g and CD-23j dated 27/02/2023 as amended in red. Detailed drainage plans are to be prepared by a suitably qualified Civil Engineer, who has membership to Engineers Australia, National Engineers Register (NER) and registered in the General Area of Practice for civil engineering.

The drainage plans must address the following:

1. Relocation of the on-site stormwater detention (OSD) tank with suitable external access within the proposed deep soil planting area at the south eastern corner of the site.
2. Maximum discharge from the site is to be 9 l/s for all storms up to and including the 1% AEP.

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.

### **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 the kerb and gutter, driveway crossing, footpath and ancillary landscaping works fronting the site which are to be generally in accordance with the Council's specification for engineering works - AUS-SPEC #1. The plans shall be prepared by a qualified Civil Engineer. The design must include the following information:

1. Kerb and gutter along the entire frontage of the site.
2. Footpath between the back of the new kerb to the boundary along Commerce Lane.
3. Driveway crossing 4 metres wide designed in accordance with Council's Normal profile and AS/NZS2890.1:2004.
4. New entry path paving and landscaping design along the Dobroyd Road frontage.
5. Stormwater pipe connection from the site into the existing Council pit in Commerce Lane.

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 Certifying Authority prior to the issue of the Construction Certificate

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

### **Shoring of Council's Road Reserve (Temporary road anchors)**

Should the proposal require shoring to support an adjoining property or Council land, the Applicant shall provide the adjoining properties with engineering drawings, detailing the proposed shoring works for their consideration and approval.

Written approval from Council under Section 138 of the Roads Act 1993 is required if temporary ground anchors are to be used within Council's road reserve. The Owner's approval is to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure that owners consent is obtained for ancillary works, and to ensure the protection of adjoining properties and Council land.

## **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

### **Public Liability Insurance - Works on Public Land**

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a

minimum cover of \$20 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for Northern Beaches Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land.

## **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.

### **Civil Works Supervision**

The Applicant shall ensure all civil works approved in the Section 138 approval are supervised by an appropriately qualified and practicing Civil Engineer.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority and/or Roads Authority.

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

### **Notification of Inspections (infrastructure works to be handed over to Council)**

Council's Development Engineer is to be given 48 hours notice when the works reach the following stages:

- (a) Installation of Silt and Sediment control devices
- (b) Prior to pouring of kerb and gutter
- (c) Subgrade level / basecourse level / subbase
- (d) Sealing road pavement

NOTE: Any inspections carried out by Council do not imply Council approval or acceptance of the work, and do not relieve the developer/applicant from the requirement to provide an engineer's certification.

Reason: To ensure new Council infrastructure is constructed in accordance with Auspec 1 Council's design and specification standards.

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

### **Certification of Civil Works and Works as Executed Data on Council Land**

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 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 Council and Council's acceptance issued to the Principal Certifier prior to the issue of the Occupation Certificate.

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

**Positive Covenant and Restriction as to User for On-site Stormwater Disposal Structures**

The Applicant shall lodge the Legal Documents Authorisation Application with Council. The application shall 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), and Civil Engineers' certification.

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 disposal structures within this development consent. The terms of the positive covenant and restriction as to user are to be prepared to Council's standard requirements at the applicant's expense and endorsed by Northern Beaches Council's delegate prior to lodgment 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 is to be submitted.

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

Reason: To ensure the on-site stormwater disposal system is maintained to an appropriate operational standard.