

Engineering Referral Response

Application Number:	DA2021/1135
Date:	11/09/2021
To:	Gareth David
Land to be developed (Address):	Lot 3 DP 1196894 , 6 Guwara Road DUFFYS FOREST NSW 2084

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 alterations and additions are not supported for the following reasons:

1) Terms of Positive Covenant – Right of Carrageway

The subject lot is burdened by a number of easements and restrictive covenants, in the Section 88B Instrument for DP1195894, which were required as part of the approved subdivision of the land under development consent DA2005/0376. The restriction on the use of land referred to and numbered 4 states the following:

Right of Carriageway, over those areas marked 'C' in the abovementioned Plan, as set out in Schedule 4A of the Conveyancing Act with the following addition:

Access is limited to the purposes of emergency access, access for emergency services and rural fire services personnel.

The proposed tennis court is proposed to be built over of this right of carriageway and would prevent access for the Rural Fire Service and emergency services as required by the original conditions of the subdivision development consent.\ and therefore is not supported.

2) Stormwater management.

The proposed works to extend the current stormwater discharge device are not supported because the works will impact on the existing ecology which was originally intended to remain in its current form . Additionally the construction of a tennis court in the current location will impact overland flows in higher storm events and lead to hydrological impacts impacts on the downstream ecology.

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.