

## Engineering Referral Response

<b>Application Number:</b>	DA2021/1464
<b>Date:</b>	11/02/2022
<b>To:</b>	Anne-Marie Young
<b>Land to be developed (Address):</b>	Lot 1 DP 1220196 , 4 - 10 Inman Road CROMER NSW 2099

### 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

#### **SUPPORTED**

#### Final Comments 2/2/2022

The applicant has now provided a survey which has confirmed that the existing Council stormwater drainage line and watercourse traversing the site will be located wholly on proposed lot 2. Easements for drainage will be required and a ROW for Council to access the stormwater line for maintenance this is also consistent with the previous conditions of DA2019/1346. No objections subject to conditions.

#### Previous Comments:

The previously comments in relation to a detailed property survey including levels to AHD has not been submitted.

Accordingly the subdivision application is not supported.

#### Original comments

The proposed subdivision is not supported with reference to the former Warringah DCP subclause C1 Subdivision for the following reasons:

- 1) The applicant is to submit a detailed survey plan prepared by a registered surveyor that details all buildings ,accessways, hardstand areas , Council drainage infrastructure(Pits ,pipes ,culverts) /open water courses in relation to the proposed subdivision boundaries.
- 2) Council requires the creation of stormwater drainage easements in favour of Council over Councils stormwater infrastructure . Please refer to Councils Water management policy for development for the required easement widths. Any proposed easements are to be detailed on the proposed subdivision

plan.

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 THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF ANY STRATA SUBDIVISION OR SUBDIVISION CERTIFICATE**

**Right of Carriageway**

The Applicant shall create a right of carriageway (under the provisions of Section 88B of the Conveyancing Act) on the final plan of subdivision and accompanying 88B instrument a minimum of 3.5 metres wide along the adjoining driveway to the east of the existing Council drainage line for its full length maintenance purposes. A Right of Access shall be in favour of Council. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: Council's subdivision standards and the statutory requirements of the Conveyancing Act 1919.

**Sydney Water Compliance Certification**

The Applicant shall submit a Section 73 Compliance Certificate under the Sydney Water Act 1994 issued by Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) <<http://www.sydneywater.com.au>> then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and fees to be paid. Please make early contact with the coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

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

Reason: To ensure compliance with the statutory requirements of Sydney Water.

**Easement for Drainage**

The Applicant shall create an easement for drainage (under the provisions of Section 88B of the Conveyancing Act) on the final plan of subdivision, to accompany the Section 88B instrument to ensure all Council drainage infrastructure including pits, pipes and culverts is located within the appropriate Council easement(s). Easement widths are to be in accordance with Councils water management policy for development.

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

Reason: Council's Subdivision standards and statutory requirements of the Conveyancing Act 1919.

**Easement to Drain Water - Channel/Floodways**

The Applicant shall create an easement to drain water in favour of Council over the watercourse /floodway to encompass the 1 in 100 year AEP frequency predicted water surface level. The easements are to be detailed on the final plan of subdivision.

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

Reason: To identify flood affected areas on the property title.

**Easement for Services**

The Applicant shall create an easement for services (under the provisions of Section 88B of the Conveyancing Act) on the final plan of subdivision, to accompany the Section 88B instrument to ensure all utility services are located within the appropriate easement(s).

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

Reason: Council's Subdivision standards and statutory requirements of the Conveyancing Act 1919.

**Release of Subdivision Certificate**

The final plan of subdivision will not be issued by Council until the development has been completed in accordance with terms and conditions of the development consent.

Reason: Council's subdivision standards and the statutory requirements of the Conveyancing Act 1919.

**Subdivision Certificate Application**

The Applicant shall submit a Subdivision Certificate Application to Council, which is to include a completed Subdivision Certificate form and checklist, a final plan of subdivision prepared in accordance with the requirements of the Conveyancing Act 1919, four copies of the final plan of subdivision and all relevant documents including electronic copies. This documentation is to be submitted to Council prior to the issue of the Subdivision Certificate. All plans of survey are to show connections to at least two Survey Co-ordination Permanent Marks. The fee payable is to be in accordance with Council's fees and charges.

Reason: Statutory requirement of the Conveyancing Act 1919.

**Title Encumbrances**

The Applicant shall ensure all easements, rights of carriageway, positive covenants and restrictions as to user as detailed on the plans and required by the development consent are to be created on the title naming Council as the sole authority empowered to release or modify.

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

Reason: To ensure proper management of land.