

Memo

Environment

To:	Anna Williams , Development Assessment Manager
From:	Tony Collier, Planner
Date:	19 October 2020
Application Number:	Mod2020/0361
Address:	Lot 1768 DP 752038 , 77 Sunshine Street MANLY VALE NSW 2093
Proposed Modification:	Modification of Development Consent DA2015/0597 granted for demolition works, alterations and additions to existing buildings, construction of new school buildings and an increase in student numbers at Manly Vale Public School

The applicant seeks to amend Conditions 41 and 46 of the consent issued pursuant to DA2015/0597.

Condition 41

Condition 41 'Authorisation of Legal Documentation Required for On-site Stormwater Detention and Stormwater Quality Management System' currently reads:

The original completed request forms (Department of Lands standard forms 13PC and/or 13RPA) must be submitted to Council, with a copy of the Works-as-Executed plan (details overdrawn on a copy of the approved drainage plan), hydraulic engineers certification and Compliance Certificate issued by an Accredited Certifier in Civil Works.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to occupation in accordance with the state building laws.

Reason: To create encumbrances on the land. (DACENF01)

The applicant seeks to amend Condition 41 to read as follows (amendment in bold):

*The original completed request forms (Department of Lands standard forms 13PC and/or 13RPA) must be submitted to Council, with a copy of the Works-as-Executed plan (details overdrawn on a copy of the approved drainage plan) **and certification by a practising Chartered Civil Engineer with MIE (AUST) NER(civil) registration.***

Details demonstrating compliance are to be submitted to the Certifying Authority prior to occupation in accordance with the state building laws.

Reason: To create encumbrances on the land. (DACENF01)

Condition 46

Condition 46 'On-Site Stormwater Detention Compliance Certification Detention and Stormwater Quality Management System' currently reads:

Upon completion of the on-site stormwater detention (OSD) system and stormwater quality management system, certification from a consulting engineer and a "work as executed" (WAE) drawing certified by a registered surveyor and overdrawn in red on a copy of the approved OSD system plans are to be provided to Council. Additionally a Compliance Certificate is to be issued by an Accredited Certifier in Civil Works registered with the Institute of Engineers Australia, stating that the works are in accordance with the approved plans.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to occupation in accordance with the state building laws.

Reason: To ensure stormwater disposal is constructed to Council's satisfaction. (DACENF10)

The applicant seeks to amend Condition 41 to read as follows (amendment in bold):

*Upon completion of the on-site stormwater detention (OSD) system and stormwater quality management system, certification from a consulting engineer and a "work as executed" (WAE) drawing certified by a registered surveyor and overdrawn in red on a copy of the approved OSD system plans are to be provided to Council. Additionally, **certification** is to be issued by a **practising Chartered Civil Engineer with MIE(Aust) NER (civil) registration** stating that the works are in accordance with the approved plans.*

Details demonstrating compliance are to be submitted to the Certifying Authority prior to occupation in accordance with the state building laws.

Reason: To ensure stormwater disposal is constructed to Council's satisfaction. (DACENF10)

In their supporting documentation, the applicant states:

"The proposed modifications, were to remove the requirement in Conditions 41 and 46 for a "Compliance Certificate issued by an Accredited Certifier in Civil Works." Neither the Building Professionals Board nor the Association of Accredited Certifiers lists an Accredited Certifier in Civil Works".

The proposed amended conditions have been reviewed by Council's Development Engineer who has agreed to the amendments.

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. Mod2020/0361 for Modification of Development Consent DA2015/0597 granted for demolition works, alterations and additions to existing buildings, construction of new school buildings and an increase in student numbers at Manly Vale Public School on land at Lot 1768 DP 752038,77 Sunshine Street, MANLY VALE, as follows:

A. Amend Condition 41 - 'Authorisation of Legal Documentation Required for On-site Stormwater Detention and Stormwater Quality Management System' to read as follows:

The original completed request forms (Department of Lands standard forms 13PC and/or 13RPA) must

be submitted to Council, with a copy of the Works-as-Executed plan (details overdrawn on a copy of the approved drainage plan) and certification by a practising Chartered Civil Engineer with MIE (AUST) NER(civil) registration.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to occupation in accordance with the state building laws.

Reason: To create encumbrances on the land. (DACENF01)

B. Amend Condition 46 - 'On-Site Stormwater Detention Compliance Certification Detention and Stormwater Quality Management System' to read as follows:

Upon completion of the on-site stormwater detention (OSD) system and stormwater quality management system, certification from a consulting engineer and a "work as executed" (WAE) drawing certified by a registered surveyor and overdrawn in red on a copy of the approved OSD system plans are to be provided to Council. Additionally, certification is to be issued by a practising Chartered Civil Engineer with MIE(Aust) NER (civil) registration stating that the works are in accordance with the approved plans.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to occupation in accordance with the state building laws.

Reason: To ensure stormwater disposal is constructed to Council's satisfaction. (DACENF10)

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

Signed



Tony Collier, Planner

The application is determined on 19/10/2020, under the delegated authority of:



Anna Williams, Manager Development Assessments