

## Natural Environment Referral Response - Coastal

<b>Application Number:</b>	DA2023/0374
<b>Proposed Development:</b>	Construction of a studio and car parking structure
<b>Date:</b>	16/06/2023
<b>Responsible Officer</b>	Dean Pattalis
<b>Land to be developed (Address):</b>	Lot 4B DP 361236 , 18 The Serpentine BILGOLA BEACH NSW 2107 Lot 4A DP 361236 , 20 The Serpentine BILGOLA BEACH NSW 2107 Lot 5 DP 13497 , 20 The Serpentine BILGOLA BEACH NSW 2107

### Reasons for referral

This application seeks consent for land located within the Coastal Zone.

And as such, Council's Natural Environment Unit officers are required to consider the likely impacts on drainage regimes.

### Officer comments

SUPPORTED WITH CONDITIONS

The application has been assessed in consideration of:

- Plans and documents lodged in support of the DA;
- the Coastal Management Act 2016;
- State Environmental Planning Policy (Resilience & Hazards) 2021; and
- Pittwater LEP 2014 and Pittwater 21 DCP.

### Coastal Management Act 2016

The subject site has been identified as being within the coastal zone and therefore the Coastal Management Act 2016 is applicable to the DA. Subject to conditions the proposed development is generally consistent with the objects, as set out under Part 1 Section 3 of the Coastal Management Act 2016.

### State Environmental Planning Policy (Coastal Management) 2018

The subject land has been included on the 'Coastal Use Area' map under the State Environmental Planning Policy (Resilience & Hazards) 2021 (R & H SEPP). Hence, Divisions 4 and 5 of the R&H SEPP apply for this DA.

On internal assessment, and as assessed by the Statement of Environmental Effects prepared by Sutherland & Associates Planning, dated 27 March 2023, Council considers that the DA generally satisfies the relevant requirements under Chapter 2 of the R & H SEPP.

It is considered therefore that the application complies with the provisions of State Environmental Planning Policy (Resilience & Hazards) 2021.

### Pittwater LEP 2014 and Pittwater 21 DCP

Development on Foreshore Area

The subject property is affected, in part, by the foreshore building line and Part 7, Section 7.8 – Limited

development on foreshore area of the Pittwater LEP 2014 applies to any development within the foreshore area. The proposed development works are located landward of the foreshore building line and the proposed development is therefore compliant with the requirements of Part 7, Section 7.8 of Pittwater LEP 2014.

No other coastal planning or development controls relevant to the subject proposal were identified.

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

**Recommended Natural Environment Conditions:**

**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**

**Stormwater Management**

Stormwater shall be disposed of in accordance with Council's Policy. A stormwater management plan is to be implemented to ensure that there is no increase in stormwater pollutant loads arising from the approved development. Water quality is not to be reduced from pre-development conditions and water quantity is not to be increased from pre-development levels.

Details demonstrating compliance are to be prepared by a registered professional stormwater engineer with chartered professional status (CP Eng) and who has an appropriate level of professional indemnity insurance and must be submitted to the Certifier for approval prior to issue of the Construction Certificate.

Reason: To ensure that the generation of additional stormwater discharge from the site, due to increases in impervious surfaces, does not adversely impact receiving waters.

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

**Installation and Maintenance of Sediment and Erosion Control**

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004). Techniques used for erosion and sediment control on site are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site

**CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

**Pollution Control**

All stockpiles, materials, waste and slurry associated with works (including excavated material) is to be contained at source within the construction area and enclosed in waterproof covering and/or sediment and erosion control while not in use. All waste and debris is to be removed off site and disposed of as frequently as required in accordance with the Waste Management Plan and applicable regulations.

Reason: To protect the surrounding environment, and ensure that pollutants and building associated waste do not leave the construction site.

### **Geotechnical Issues**

All conditions outlined in the Geotechnical Report for Proposed Studio with Car Platform at 20 The Serpentine, Bilgola Beach, NSW prepared by Crozier Geotechnical Consultants dated February 2023 are to be complied with and adhered to throughout development. Details demonstrating compliance must be submitted to the Certifier for approval prior to the commencement of works.

Reason: To ensure excavation and foundation design are undertaken in an appropriate manner and are structurally sound.