

## Natural Environment Referral Response - Coastal

<b>Application Number:</b>	DA2024/0891
<b>Proposed Development:</b>	Demolition work and construction of a dwelling house with a swimming pool, including associated site works.
<b>Date:</b>	15/08/2024
<b>Responsible Officer</b>	Brittany Harrison
<b>Land to be developed (Address):</b>	Lot 289 DP 16362 , 12 - 14 Rock Bath Road PALM BEACH NSW 2108 Lot 290 DP 16362 , 12 - 14 Rock Bath Road PALM BEACH NSW 2108

### 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

#### Proposed Development

- Demolition of an existing dwelling and construction of a four-storey dwelling and swimming pool/spa

#### Officer comments

This application was assessed in consideration of:

- Supplied plans and reports;
- Coastal Management Act 2016
- State Environmental Planning Policy (Resilience and Hazards) 2021 (section 2.10, 2.11 & 2.12)
- Relevant LEP and DCP clauses

#### State Environmental Planning Policy (Resilience & Hazards) 2021

The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Resilience & Hazards) 2021 (SEPP R & H). Hence, Clauses 2.10, 2.11 and 2.12 of the SEPP apply for this DA.

#### Comment:

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by aSquare dated June 2024 the DA satisfies the requirements under clauses 2.10, 2.11 and 2.12 of the SEPP R&H.

As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Resilience & Hazards) 2021.

Pittwater LEP 2014 and Pittwater 21 DCP

The subject site is also shown to be affected by Coastline Bluff/Cliff Instability Hazard on Council's Coastal Risk Planning Map in Pittwater LEP 2014. As such, the Geotechnical Risk Management Policy for Pittwater (Appendix 5, Pittwater 21 DCP) and the relevant B3.4 Coastline (Bluff) Hazard controls in P21 DCP will apply to new development of the site.

#### Coastline Bluff Hazard Management

A Geotechnical Report by Crozier Geotechnical Consultants dated June 2024 assessing coastline (bluff)/ coastal cliff or slope instability has been submitted with the DA. An impact assessment of the long-term coastal processes on the coastline (bluff)/ coastal cliff or slope instability, prepared by Horton Coastal Engineering dated 19 June 2024 has been appended with the Geotechnical Report. The report concluded the following

- The geotechnical engineer should consider these estimated rates in conjunction with an understanding of the particular nature of the cliff materials east of the site, their resistance to erosion, and potential failure planes related to geotechnical issues such as the joint spacing
- Coastal inundation is not a significant risk for the proposed development over a planning period of well over 100 years. Given this, and given that the geotechnical engineer has found that the development is at an acceptably low risk of damage from erosion/recession over a 100 year design life, the proposed development satisfies the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 (Clauses 2.10 to 2.13), the Coastal Management Act 2016, Clause 7.5 of Pittwater Local Environmental Plan 2014, and Chapter B.4 of the Pittwater 21 DCP for the matters considered herein.

As such, it is considered that the application does comply, subject to conditions, with the requirements of the coastal relevant clauses of the Pittwater LEP 2014 and Pittwater 21 DCP.

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**

#### **Erosion and Sediment Control Plan**

An Erosion and Sediment Control Plan (ESCP) shall be prepared by an appropriately qualified person and implemented onsite prior to commencement. The ESCP must meet the requirements outlined in

the Landcom publication *Managing Urban Stormwater: Soils and Construction - Volume 1, 4th Edition* (2004). The ESCP must include the following as a minimum:

- Site Boundaries and contours
- Approximate location of trees and other vegetation, showing items for removal or retention (consistent with any other plans attached to the application)
- Location of site access, proposed roads and other impervious areas (e.g. parking areas and site facilities);
- Existing and proposed drainage patterns with stormwater discharge points
- Locations and methods of all erosion and sediment controls;
- North point and scale.

Details demonstrating compliance are to be submitted to the Certifier for approval prior to the issue of the Construction Certificate.

Reason: To protect the environment from the effects of sedimentation and erosion from development sites.

#### **Coastal Bluff Engineering Assessment Implementation**

The advice and recommendations contained in the approved Coastal Engineering Assessment report prepared by Horton Coastal Engineering, dated 19 June 2024, must be addressed as necessary through the Geotechnical Risk Management Report prepared in support of the development application and must be incorporated as required into construction plans and structural specifications for the development.

Reason: To ensure potential hazards associated with development on a Coastal Bluff are minimised

#### **Coastal Bluff Engineering Assessment Implementation**

All development or activities must be designed and constructed such that they will not increase the level of risk from coastal processes for any people, assets or infrastructure in surrounding properties; they will not adversely affect coastal processes; they will not be adversely affected by coastal processes.

Reason: To ensure potential hazards associated with development on a Coastal Bluff are minimised

### **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**

#### **Stockpiling materials**

During construction, all material associated with works is to be contained at source, covered and must

be within the construction area. All material is to be removed off site and disposed of according to local regulations. The property is to be kept clean and any building debris removed as frequently as required to ensure no debris enters receiving waters.

Reason: To ensure pollution control measures are effective to protect the aquatic habitats within receiving waters throughout the construction period.

### **Geotechnical Issues**

All conditions outlined in (insert Geotechnical report title) prepared by Crozier geotechnical Consultants dated June 2024 are to be complied with and adhered to throughout development. Evidence demonstrating compliance must be submitted to the Certifier for approval prior to the commencement of any works.

Reason: To ensure (insert excavation, foundations, footings, etc.) is undertaken in an appropriate manner and structurally sound.