Natural Environment Referral Response - Coastal

Application Number:	DA2021/2435

Date:	14/12/2021
Responsible Officer	Adam Mitchell
Land to be developed (Address):	Lot 18 DP 6195 , 40 Hillcrest Avenue MONA VALE NSW 2103

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

The application has been assessed in consideration of the *Coastal Management Act 2016*, State Environmental Planning Policy (Coastal Management) 2018 and has also been assessed against requirements of the 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 *Coastal Management Act 2016* is applicable to the proposed development. The proposed development is in line with the objects, as set out under Clause 3 of the *Coastal Management Act 2016.*

State Environmental Planning Policy (Coastal Management) 2018
The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). Hence, Clauses 13, 14 and 15 of the CM SEPP apply for this DA.

Comment:

On internal assessment and as assessed in the submitted Coastal Engineering Advice prepared by Horton Coastal Engineering Pty. Ltd. dated 2 December 2021, the DA satisfies requirements under clauses 13, 14 and 15 of the CM SEPP.

As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.

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 Investigation Report by While Geotechnical Group dated 7 December 2021 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 Pty. Ltd. dated 2 December 2021 has been appended with the Geotechnical Report. The report assessed that the long term erosion/recession of the sea cliff that falls from the NE boundary of the property is a potential hazard (Risk Acceptable). A mass failure of the sea cliff is a potential hazard (Risk acceptable). The portion of remaining fill immediately below and around the existing cabana deck is a potential hazard (Risk unacceptable). The proposed excavations for the driveway and cabana are a potential hazard (Risk Unacceptable).To move the risk to 'ACCEPTABLE' levels, the recommendations in Sections 13 and 16 are to be followed.

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.

Development on Foreshore Area

Further, a section of the subject property is within the foreshore building line. Part 7, Clause 7.8 – Limited development on foreshore area of the Pittwater LEP 2014 applies for any development within the foreshore area.

The DA proposes works like pool, cabana and improvement in recreation area. All these proposed works are consistent with Clause 7.8(2)(b).

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Housed by Nanna Lesiuk dated 21 October 2021, the DA satisfies the objectives and requirements of the Pittwater LEP 2014.

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

Coastal Bluff Engineering Assessment Implementation
The advice and recommendations contained in the approved Coastal Engineering Assessment report prepared by Horton Coastal Engineering Pty. Ltd. dated 2 December 2021, 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

Geotechnical Issues
All conditions outlined in Geotechnical Investigation prepared by White Geotechnical Group dated 7 December 2021 are to be complied with and adhered to throughout development.

Reason: To ensure excavation, foundations, footings, etc. are undertaken in an appropriate manner and structurally sound.