Natural Environment Referral Response - Coastal

Application Number:	DA2023/0894
Proposed Development:	Demolition works and construction of a dwelling house including swimming pool
Date:	13/09/2023
Responsible Officer	Alex Keller
Land to be developed (Address):	Lot 292 DP 16362 , 18 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

The application has been assessed in consideration of the *Coastal Management Act 2016*, State Environmental Planning Policy (Resilience & Hazards) 2021 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 (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 CM (R & H) apply for this DA.

Comment:

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Northern Beaches Planning Pty. Ltd. dated July 2023 and also as assessed in the submitted Coastal Engineering Advice prepared by Horton Coastal Engineering Pty. Ltd. dated 16 June 2023, the DA satisfies 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

Coastline Bluff Hazard Management

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.

A Report on Geotechnical Investigations by Crozier Geotechnical Consultants dated July 2023 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 16 June 2023 has been appended with the Geotechnical Report. The report assessed that the proposed development would not increase coastal risks nor alter coastal processes and the impacts of coastal hazards, as it would not affect the wave impact process at the base of the cliff. Further, an allowance for recession/weathering of the NE cliff face of about 8mm to 12mm per year should be considered and assessed by the geotechnical engineer.

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

Coastal Bluff Engineering Assessment Implementation
The advice and recommendations contained in the approved Coastal Engineering Advice prepared by Horton Coastal Engineering Pty. Ltd. dated 16 June 2023, 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.

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

Engineers Certification of Plans
The structural design and specification shall be prepared by and signed by, a registered professional civil or structural engineer with chartered professional status (CP Eng) who has an appropriate level of professional indemnity insurance and shall be submitted to the Certifier prior to the release of the Construction Certificate.

Reason: To ensure structural engineering design is prepared and certified by an appropriately qualified professional.

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