

Natural Environment Referral Response - Coastal

Application Number:	DA2022/0804
Date:	07/10/2022
Responsible Officer	Megan Surtees
Land to be developed (Address):	Lot 248 DP 16362 , 337 Whale Beach 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 and Hazards) 2021 and against the relevant requirements of the Pittwater LEP 2014 and Pittwater 21 DCP.

Pittwater LEP 2014 and Pittwater 21 DCP Coastal Hazard

The subject site is identified as "Bluff/Cliff Instability" on the Coastline Risk Planning Map of Pittwater LEP 2014. As such, the provisions of clause 7.5 Coastal Risk Planning of Pittwater LEP 2014, clause B3.4 Coastline (Bluff) Hazard of Pittwater 21 DCP and the Geotechnical Risk Management Policy for Pittwater 2009 (Appendix 5, Pittwater 21 DCP) are applicable to the application.

The application has been amended and is now supported by a Geotechnical Report and a Coastal Engineering Report, with the appropriately signed forms, consistent with the requirements of these clauses/controls.

Limited Development on Foreshore Area

The subject property is bisected by the foreshore building line, as shown on the Foreshore Building Line Map of PLEP 2014. No works are proposed within the foreshore area.

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 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 and Hazards) 2021

The subject land is identified:

- partially within the 'Coastal Environment Area' on the Coastal Environment Area Map, and
- within the 'Coastal Use Area' on the Coastal Use Area Map, and

As such, the application is subject to the provisions of clauses 2.10, 2.11 and 2.12 of State Environmental Planning Policy (Resilience and Hazards) 2021.

On internal assessment and as also assessed in the submitted Statement of Environmental Effects report and the accompanying Coastal Engineering Report, the application satisfies the requirements of clauses 2.10, 2.11 and 2.12 of this policy. As such, it is considered that the application is consistent with the provisions of the State Environmental Planning Policy (Resilience and Hazards) 2021.

The proposal is therefore unsupported.

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

Recommended Natural Environment Conditions:

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 recommendations outlined in the Geotechnical Assessment by JK Geotechnics (dated 30 August 2022) are to be complied with and adhered to throughout development.

Reason: To ensure the works are undertaken in an appropriate manner and are structurally sound.