



northern
beaches
council

MEMORANDUM

To: Northern Beaches Local Planning Panel

From: Brittany Harrison - Planner

Date: 22 February 2023

Subject: Item 5.1 – MOD2022/0342 – 135 Riverview Road, Avalon Beach

Record Number: 2023/109738 – Geotechnical Report – Amended
2023/109572 – Preliminary Acid Sulfate Soils Assessment

Application No. Mod2022/0342 for the Modification of Development Consent DA2018/2051 granted for demolition works and the construction of a dwelling house, was deferred by the panel on 1 February 2023 for the following reasons:

- *To provide the applicant with the opportunity to amend the submitted Geotechnical Report to reflect the proposed modified works and reduction in excavation.*
- *Provide further information to Council, whether sub clauses (4) or (6) of Clause 7.1 of the Pittwater Local Environmental Plan 2014 (PLEP 2014) applies to the proposed modified works. Under clause 7.1(2) development consent is required for the carrying out of the proposed works unless, relevantly, sub clauses (4) or (6) applies.*

In response to the Panel's deferral of MOD2022/0342, the applicant provided Council with the required additional information on 16 February 2023. This consisted of an amended Geotechnical Report dated 7 February 2023 as well as a Preliminary Acid Sulfate Soils Assessment dated 15 February 2023, as requested. All documentation was uploaded via the NSW Planning Portal.

Assessment

Acid sulphate soils

The proposed works and accompanied Preliminary Acid Sulfate Soils Assessment have been assessed against Clause 7.1 Acid Sulfate Soils of the PLEP 2014, accordingly.

Clause 7.1 requires Council to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

The proposed works are located in an area identified as Acid Sulfate Soil Class 1, as indicated on Council's Acid Sulfate Soils Planning Map. The remainder of the site however is located on Acid Sulfate Soil Class 5. Any works within a Class 1 acid sulfate soil area are required to be assessed to determine if any impact will occur.

The development proposes to excavate the site to approximately 500mm below the natural ground level. As such, a Preliminary Acid Sulfate Soil Assessment in accordance with the Acid Sulfate Soils Manual has been undertaken by Crozier Geotechnical Consultants dated 15 February 2023. The assessment indicated that the works consist of minor excavation (i.e., less than or equal to 1 tonne), and based on the proposed work and site conditions the water level will not be intersected or surrounding water level lowered.

In this regard, Crozier Geotechnical Consultants advise that an Acid Sulfate Soil Management Plan (ASSMP) is not considered to be necessary for the modified works on site. The Preliminary Assessment was referred to Council's Environmental Health Officer who concurred with the findings with no additional conditions to be recommended.

The comments are as follows:

"I have reviewed the Crozier Geotechnical Consultants Preliminary Acid Sulfate Soils Assessment for 135 Riverview Road, Avalon Beach, NSW Ref: 2019/152

Which states: A preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works.

Therefore, Environmental Health has no objection to the application with no proposed conditions".

In this instance, it is considered that both sub clauses (4) and (6) of Clause 7.1 the PLEP 2014, apply.

Geotechnical Report

The proposed works and amended Geotechnical Report prepared Crozier Geotechnical Consultants dated 7 February 2023 have been assessed against Clause 7.7 Geotechnical Hazards of the PLEP 2014, and the relevant clauses of the Pittwater 21 Development Control Plan.

The submitted geotechnical report has been amended to appropriately reflect the modification works and the reduced excavation. The report concludes that the proposed changes do not significantly alter the geotechnical aspects of the proposed development or the site from those on which the original report were based. As such Crozier Geotechnical Consultants recommend that the works are undertaken as per the recommendations of the original geotechnical report.

Conclusion

The applicant has satisfactorily addressed the concerns of the panel.

Recommendation

That the application be approved as contained in the assessment report with an amendment to Condition No. 1B Modification of Consent - Approved Plans and supporting Documentation, to read as follows:

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
A.01.00-C, Site Plan	11 January 2022	Burley Katon Halliday Pty Ltd.
A.01.01-D, Accessible Inclinor and Stairs - Plan, Revision D	11 January 2022	Burley Katon Halliday Pty Ltd.
A.03.02-B, Accessible Inclinor and Stairs - Elevation North - no pedestrian underpass, Revision B	13 January 2022	Burley Katon Halliday Pty Ltd.
A.03.03-A, Accessible Inclinor - Elevation and Section	11 January 2022	Burley Katon Halliday Pty Ltd.

1B Modification of Consent - Approved Plans and supporting Documentation

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

- a) Modification Approved Plans

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Basix Certificate (No. 981643S_05)	6 February 2022	Basix Certificate Centre
Arboricultural Impact Assessment Report Addendum C	19 September 2022	Martin Peacock Tree Care
Geotechnical Assessment Addendum (Ref. 2019-152)	7 February 2023	Crozier Geotechnical Consultants
Coastal Engineering Risk Assessment Report (Ref. 3046007xx/L001)	3 August 2022	Stantec Australia Pty Ltd.
Preliminary Acid Sulfate Soils Assessment (Ref. 2019-152)	15 February 2023	Crozier Geotechnical Consultants

- b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.