

## Natural Environment Referral Response - Coastal

<b>Application Number:</b>	DA2018/1992
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<b>Responsible Officer</b>	Nick England
<b>Land to be developed (Address):</b>	Lot 9 DP 629464 , 104 Cabarita Road AVALON BEACH NSW 2107 Lot 8 DP 629464 , 102 Cabarita Road AVALON BEACH NSW 2107 Lot 15 DP 858130 , 100 Cabarita Road AVALON BEACH NSW 2107 Lot 14 DP 858130 , 96 Cabarita Road AVALON BEACH NSW 2107

### 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

#### Estuarine Risk Management

The coastal engineer engaged by the applicant has independently derived an Estuarine Planning Level (EPL) of RL 3.2m AHD for the proposed subdivision at a distance 10.0m landward of the existing seawall. As lots 2-5 and lot 10, located landward of the waterfront lots, are all elevated above 12.0m AHD (i.e. well above the EPL) the coastal engineer considers that these lots would not credibly be affected by estuarine processes over a design life of 100 years. The development proposal for lot 4 is therefore able to satisfy the relevant requirements of the Estuarine Risk Management Policy and associated Estuarine Hazard controls without conditions.

#### State Environmental Planning Policy (Coastal Management) 2018

##### 12 Development on land within the coastal vulnerability area

*Development consent must not be granted to development on land that is within the area identified as "coastal vulnerability area" on the Coastal Vulnerability Area Map unless the consent authority is satisfied that:*

- (a) *if the proposed development comprises the erection of a building or works—the building or works are engineered to withstand current and projected coastal hazards for the design life of the building or works, and*
- (b) *the proposed development:*
  - (i) *is not likely to alter coastal processes to the detriment of the natural environment or other land, and*
  - (ii) *is not likely to reduce the public amenity, access to and use of any beach, foreshore, rock platform or headland adjacent to the proposed development, and*
  - (iii) *incorporates appropriate measures to manage risk to life and public safety from coastal hazards, and*
- (c) *measures are in place to ensure that there are appropriate responses to, and management of,*

*anticipated coastal processes and current and future coastal hazards.*

Comment:

The subject land has not been included on the Coastal Vulnerability Area Map under *State Environmental Planning Policy (Coastal Management) 2018* (CM SEPP) and in regard to clause 15 of the CM SEPP the proposed development is unlikely to cause increased risk of coastal hazards on the subject land or other land.

As such, it is considered that the application complies with the requirements of *State Environmental Planning Policy (Coastal Management) 2018* as they relate to development on land identified as a coastal vulnerability area or land that may be affected by coastal hazards.

**Referral Body Recommendation**

Recommended for approval

**Refusal comments**

**Recommended Natural Environment Conditions:**

Nil.