

Natural Environment Referral Response - Coastal

Application Number:	DA2024/0175
Proposed Development:	Demolition works and construction of a dwelling house including a spa and landscaping
Date:	18/04/2024
Responsible Officer	Anne-Marie Young
Land to be developed (Address):	Lot 19 DP 9606 , 1808 Pittwater Road BAYVIEW NSW 2104

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

This application was assessed in consideration of:

- Supplied plans and reports;
- Coastal Management Act 2016;
- State Environmental Planning Policy (Resilience and Hazards) 2021 (section 2.10, 2.11 & 2.12);
- State Environmental Planning Policy (Biodiversity & Conservation) 2021
- Relevant LEP and DCP clauses.

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 dated February 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

Estuarine Risk Management

The subject property has also been identified as affected by estuarine wave action and tidal inundation on Council's Estuarine Hazard Mapping. As such, the Estuarine Risk Management Policy for

Development in Pittwater (Appendix 7, Pittwater 21 DCP) and the relevant B3.7 Estuarine Hazard Controls will apply to any proposed development of the site.

In accordance with the Pittwater Estuary Mapping of Sea Level Rise Impacts Study (2015), a base estuarine planning level (EPL) of RL 3.1m AHD would apply at the subject site. A reduction factor (RF) based upon the distance from the foreshore of proposed development may also apply at a rate of 0.06m reduction to the EPL for every 5.00m distance from the foreshore edge up to a maximum distance of 40.00m.

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Bluecoast dated January 2024 the ground floor level for the proposed additions and alterations is above the applicable EPL for the site.

The proposed development is therefore able to satisfy the relevant estuarine risk management requirements of P21 DCP.

No other coastal issues identified.

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

Estuarine Planning Level Requirements

An Estuarine Planning Level (EPL) of 3.1 m AHD has been adopted by Council for the subject site and shall be applied to all development proposed below this level as follows:

1. All structural elements below 3.1 m AHD shall be of flood compatible materials;
2. All electrical equipment, wiring, fuel lines or any other service pipes and connections must be located either above INSERT m AHD or waterproofed to this level; and
3. The storage of toxic or potentially polluting goods, chemicals or materials, which may be hazardous or pollute the waterway, is not permitted below 3.1 m AHD.
4. All interior power supplies (including electrical fittings, outlets and switches) must be located at or above 3.1 m AHD. All exterior power supplies (including electrical fittings, outlets and switches) shall be located at or above 3.1 m AHD to avoid the likelihood of contact with splashing waves and spray.

Reason: To ensure vulnerable components of the development are built at the appropriate level.

Compliance with Estuarine Risk Management Report

The development is to comply with all recommendations of the approved Estuarine Risk Management Report prepared by Bluecoast, dated January 2024 and these recommendations are to be incorporated into construction plans and specifications and maintained over the life of the development.

Reason: To minimise potential hazards associated with development in an estuarine habitat.

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