
Sent: 6/05/2019 12:26:57 PM
Subject: DA2018/1989 Cabarita Road AVALON BEACH
Attachments: gta IDAS1111868.pdf; coverLetter IDAS1111868.pdf;

Attention Alex Keller

Please find attached a copy of a cover letter and general terms of approval relating to DA 2018/1989.

Regards,

Chris Jones | Water Regulation Officer
Natural Resources Access Regulator
Department of Industry | Lands & Water
Level 11, 10 Valentine Avenue | Parramatta NSW 2150
Locked Bag 5123 | Parramatta NSW 2124
T: 02 9842 8743
E: Christopher.jones@nrar.nsw.gov.au
W: www.industry.nsw.gov.au

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General Terms of Approval

for proposed development requiring approval
under s89, 90 or 91 of the Water Management Act 2000

Reference Number:	IDAS1111868
Issue date of GTA:	06 May 2019
Type of Approval:	Controlled Activity
Description:	Land subdivision of 4 Lots into 2 Torrens Title Lots to create 9 Community Title residential Lots with 1 Community Title access Lot, including landscaping, roadworks, services infrastructure and ancillary site works
Location of work/activity:	96, 100, 102 & 104 Cabarita Road AVALON BEACH 2107 NSW
DA Number:	DA2018/1989
LGA:	Northern Beaches Council
Water Sharing Plan Area:	Greater Metropolitan Region Unregulated River Water Sources

The GTA issued by NRAR do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to NRAR for the relevant approval **after development consent** has been issued by Council **and before** the commencement of any work or activity.

Condition Number	Details
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Design of works and structures

- | | |
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| GT0009-00010 | Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Natural Resources Access Regulator, and obtained, for a controlled activity approval under the Water Management Act 2000. |
| GT0019-00003 | Any proposed excavation on waterfront land must be undertaken in accordance with a plan submitted as part of a controlled activity approval, to be approved by Natural Resources Access Regulator. |
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Plans, standards and guidelines

- | | |
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| GT0002-00695 | A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents found in Schedule 1, relating to Development Application DA2018/1989 provided by Council to Natural Resources Access Regulator. B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Natural Resources Access Regulator, Parramatta Office, must be notified in writing to determine if any variations to the GTA will be required. |
| GT0012-00004 | Any proposed controlled activity must be carried out in accordance with plans submitted as part of a controlled activity approval application, and approved by Natural Resources Access Regulator. |
| GT0032-00004 | The application for a controlled activity approval must include the following document(s): A. Erosion and Sediment Control Plan; B. Vegetation Management Plan; and C. Survey and Construction Plans. |
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Rehabilitation and maintenance

- | | |
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| GT0023-00001 | Vegetation clearance associated with the proposed controlled activity must be limited to where the controlled activity is to be carried out, as shown on the approved plan(s). |
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SCHEDULE 1

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by NRAR for integrated development associated with DA2018/1989 as provided by Council:

- Statement of Environmental Effects, Waterway Impact Statement, and Plans of Subdivision.



Contact: Christopher Jones
Phone:
Email: christopher.jones@nrar.nsw.gov.au

General Manager
Northern Beaches Council
725 Pittwater Road
DEE WHY NSW 2099

Our ref: IDAS1111868
Our file: V18/534-5#62
Your ref: DA2018/1989

Attention: Alex Keller

06 May 2019

Dear Sir/Madam

Re: Integrated Development Referral – General Terms of Approval
Dev Ref: DA2018/1989
Description: Land subdivision of 4 Lots into 2 Torrens Title Lots to create 9 Community Title residential Lots with 1 Community Title access Lot, including landscaping, roadworks, services infrastructure and ancillary site works
Location: 96, 100, 102 & 104 Cabarita Road AVALON BEACH 2107 NSW

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the above location. Attached, please find Natural Resources Access Regulator's General Terms of Approval (GTA) for part of the proposed development requiring a Controlled Activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 4.47 of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, NRAR requests these GTA be included (in their entirety) in Council's development consent. Please also note NRAR requests notification:

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities (i) in the bed of any river, lake or estuary; (ii) on the banks of any river lake or estuary, (iii) on land within 40 metres of the highest bank of a river lake or estuary; or (iv) any excavation which interferes with an aquifer.

NRAR will ascertain from the notification if the amended plans require review of or variation/s to the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.

- if Council receives an application under s96 of the EPA Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- of any legal challenge to the consent.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, NRAR recommends the following condition be included in the development consent:

The attached GTA issued by NRAR do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to NRAR for a Controlled Activity approval **after consent** has been issued by Council **and before** the commencement of any work or activity.

A completed application form must be submitted to NRAR together with any required plans, documents, application fee, security deposit or bank guarantee (if required) and proof of Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

Application forms are available from the NRAR website at:

www.industry.nsw.gov.au › [Water](#) › [Licensing & Trade](#) › [Approvals](#).

NRAR requests that Council provide a copy of this letter to the development consent holder.

NRAR also requests a copy of the determination for this development application be provided by Council as required under section 91A (6) of the EPA Act.

Yours Sincerely

David Zerafa
Senior Water Regulation Officer
Water Regulatory Operations
Natural Resources Access Regulator