

Natural Environment Referral Response - Riparian

Application Number:	DA2019/1334
To:	Benjamin Price
Land to be developed (Address):	Lot 2 DP 1237357 , 12 A John Street AVALON BEACH NSW 2107

Reasons for referral

This application seeks consent for the following:

- All Development Applications on land, and located within 40 metres of land, containing a watercourse, or
- All Development Applications on land containing a wetland, or located within 100m of land containing a wetland,
- All Development Applications on land that is mapped as "DCP Map Waterways and Riparian Land".

And as such, Council's Natural Environment Unit officers are required to consider the likely impacts on drainage regimes.

Officer comments

Summary

This application is recommended for refusal because:

Dwellings must be setback from the highest top of bank of Careel Creek by 20 metres (including decks and large areas of steps and any significant paved areas). The survey plan should indicate the highest top of bank of Careel Creek to aid assessment.

This development has been assessed under:

Pittwater 21 DCP B5.13 Development on waterfront land

SEPP Coastal Management 2018 - Coastal Environment Area/Land in proximity to coastal wetlands

Pittwater 21 DCP 5.8 Water Quality

Pittwater 21 DCP 5.11 Discharge into waterways and coastal areas

Pittwater 21 DCP 8.2 Sediment and Erosion Control

Riparian Zones

While dwellings are exempt from requiring a controlled activity permit for building in a riparian zone, this does not exempt them from being subject to the riparian guidelines set by the Natural Resources Access Regulator. Council species that development should incorporate appropriately size riparian corridors based on the NRAR Riparian Guidelines - in this case a 20 metre riparian corridor (taken from top of the highest bank - not the centreline) applies to Careel Creek, which at this reach is a second order creek.

In addition to providing habitat in the creekline corridor, the riparian zone provides room for the creek to meander and provides an interface between development and the waterway. This is particularly important to mitigate the issues of natural odours and poor drainage impacting this section of Careel Creek due to the mangrove community.

The survey plan does not provide the exact location of Careel Creek and the top of the highest bank, however it is estimated that the building (including the deck and steps) encroaches on the riparian area by several metres.

Coastal Wetland

The subdivision is located on land mapped as Coastal Wetland and land in proximity to Coastal Wetland under the SEPP Coastal Management 2018. Due to the presence of coastal wetlands on the subdivision, further weight is given to the requirement to avoid encroachment on the 20 metre riparian zone.

It is considered that the proposed dwelling is unlikely to significantly impact on the hydrological integrity of the coastal wetland, and quantity of surface flows. This is aided by there being no roof over the deck and the small quantity of earthworks planned. The use of infiltration trenches also helps to ensure stormwater is distributed in a dispersed fashion, minimising changes to groundwater and surface flows. It is also commendable that the impervious surface of the driveway and pathway has been reduced.

Water quality

The applicant has met the requirements of Pittwater DCP B5.8. The use of infiltration beds to disperse stormwater from the property is supported, as this method is the best available to limit changes to the hydrology of the lot.

Sediment and Erosion Control

The sediment and erosion control plan provided is acceptable.

Referral Body Recommendation

Recommended for refusal

Recommended Natural Environment Conditions:

Nil.