

Natural Environment Referral Response - Coastal

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| Application Number: | DA2021/1032 |
| Date: | 02/08/2021 |
| Responsible Officer | Thomas Prosser |
| Land to be developed (Address): | Lot 20 DP 13291 , 8 Delecta Avenue CLAREVILLE 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

The application has been assessed in consideration of the Coastal Management Act 2016, State Environmental Planning Policy (Coastal Management) 2018 and has also been assessed against the requirements of the Pittwater LEP 2014 and Pittwater 21 DCP.

Coastal Management Act 2016

The subject site has been identified as being within the coastal zone and therefore the Coastal Management Act 2016 is applicable to the proposed development. The proposed development is consistent with the objects, as set out under Clause 3 of the Coastal Management Act 2016.

State Environmental Planning Policy (Coastal Management) 2018

The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). Hence, Clauses 13, 14 and 15 of the CM SEPP apply for this DA.

On internal assessment and as assessed in the Statement of Environmental Effects, the DA satisfies requirements under clauses 13, 14 and 15 of the CM SEPP and it is therefore considered that the application does comply with the requirements of State Environmental Planning Policy (Coastal Management) 2018.

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.

An Estuarine Planning Level (EPL) of RL 2.1m AHD has been independently derived for the site by Pittwater Data Services Pty Ltd, in a report supporting the DA dated 25/06/2021. The derived EPL is consistent with the EPL adopted by Council for the site.

As the minimum floor level (RL 2.60m AHD) for the proposed alterations and additions as well as the existing dwelling is above the applicable EPL for the site, the proposed development is able to satisfy the relevant estuarine risk management requirements of P21 DCP. Please note however that the Food Planning Level (FPL) is higher than the EPL and the applicable flood controls will therefore prevail for this development proposal.

Development on Foreshore Area

The subject property is affected by the foreshore building line and Part 7, Clause 7.8 – Limited Development on Foreshore Area of Pittwater LEP 2014 applies for any development within the foreshore area.

A portion of the existing dwelling is within the foreshore area. The DA however, does not propose any new works within the foreshore area and as assessed in the Statement of Environmental Effects prepared by Vaughn Milligan Development Consulting Pty Ltd (June 2021), the development proposal is considered to satisfy the objectives and requirements of Part 7, Clause 7.8 of Pittwater LEP 2014.

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 Hazard Design Requirements

The following applies to all development:

All development or activities must be designed and constructed such that they will not increase the level of risk from estuarine processes for any people, assets or infrastructure in surrounding properties; they will not adversely affect estuarine processes; they will not be adversely affected by estuarine processes.

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