

Natural Environment Referral Response - Coastal

Application Number:	DA2025/0116
Proposed Development:	Construction of a swimming pool
Date:	08/04/2025
Responsible Officer	Phil Lane
Land to be developed (Address):	Lot 1 DP 208499 , 60 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

The application has been assessed in consideration of the Coastal Management Act 2016, State Environmental Planning Policy (Resilience & Hazards) 2021 and has also been assessed against 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 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 Vaughan Milligan dated January 2025, 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 is generally consistent 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 2.57 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 0.05m 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 Vaughan Milligan dated January 2025, the level for the proposed swimming pool and pump box is 3.58 AHD and above the EPL applicable for the site.

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

Development on Foreshore Area

A section of the subject property is within the foreshore building line. Part 7, Clause 7.8 –Limited development on foreshore area of the Pittwater LEP 2014 applies for any development within the foreshore area.

The proposed swimming pool is consistent with Clause 7.8(2)(b).

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Vaughan Milligan dated January 2025, the DA satisfies the objectives and requirements of Part 7, Clause 7.8 of the 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:

Nil.