

Natural Environment Referral Response - Coastal

Application Number:	DA2021/1790
Date:	21/10/2021
Responsible Officer	Anne-Marie Young
Land to be developed (Address):	Lot 41 DP 13760 , 214 Hudson Parade CLAREVILLE NSW 2107 Lot LIC 187249 , 214 Hudson Parade 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 DA seeks consent for alterations and additions to a dwelling house including a swimming pool and garage.

This application was assessed in consideration of:

- Supplied plans and reports;
- Coastal Management Act 2016;
- State Environmental Planning Policy (Coastal Management) 2018 (clauses 13, 14 & 15); and
- Relevant LEP and DCP clauses.

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 DA. The proposed development is considered to be consistent with the objects, as set out under Clause 3 of the Coastal Management Act 2016.

State Environmental Planning Policy (Coastal Management) 2018

The proposed development site 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 to the DA.

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Tomasy Planning PTY LTD (Sept 2021) the proposed development is considered to satisfy the relevant provisions under clauses 13, 14 and 15 of the CM SEPP.

As such, it is considered that the DA does comply with the requirements of State Environmental Planning Policy (Coastal Management) 2018.

A base Estuarine Planning Level of RL 2.78 m AHD has been adopted by Council for this property. However, the B3.7 Estuarine Hazard Controls are satisfied as all proposed alterations and additions will occur above the foreshore building line (situated along the 9 m contour) as noted in the Statement of Environmental Effects.

As no works will be located forward of the foreshore building line, the DA also complies with the provisions of clause 7.8 of Pittwater LEP 2014.

The application therefore meets the coastal relevant requirements of the applicable Environmental Planning Instruments and policies.

The application is supported subject to conditions:

- Compliance with Estuarine Risk Management Report (prior to construction certificate)
- Stormwater management (prior to construction certificate)
- Installation and maintenance of erosion and sediment controls (prior to commencement)

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

Compliance with Estuarine Risk Management Report

The development is to comply with all recommendations of the approved Estuarine Risk Management Report prepared by Total Earth Care, dated 20 September 2021, and these recommendations are to be incorporated into construction plans. Details demonstrating compliance are to be submitted to the Certifying Authority for approval prior to the release of the Construction Certificate.

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

Stormwater Management

Stormwater shall be disposed of in accordance with Council's Policy. The stormwater management plan is to be implemented to ensure that there is no increase in stormwater pollutant loads arising from the approved development. Details demonstrating compliance are to be submitted to the Certifying Authority for approval prior to issue of the Construction Certificate.

Reason: To ensure appropriate provision for disposal and stormwater management arising from development, ensuring that the proposed works do not negatively impact receiving waters.

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