

Natural Environment Referral Response - Riparian

Application Number:	DA2024/1409
Proposed Development:	Reconfiguration of the existing marina to a nine (9) berth marina and subdivision into eight (8) lots including: concept building envelopes for boat sheds on proposed Lots 5 and 6; associated landscaping and demolition; and extension to an existing seawall and associated land reclamation being Nominated Integrated development.
Date:	18/12/2024
To:	Nick England
Land to be developed (Address):	Lot 295 DP 820302 , 122 A Crescent Road NEWPORT NSW 2106

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

Not Supported

This application was assessed in consideration of:

- Supplied plans and reports;
- Coastal Management Act 2016;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- Water Management Act 2000 & Water Management (General) Regulation 2018;
- Relevant LEP and DCP clauses; and
- Northern Beaches Water Management for Development Policy.

Referral has been made to the Department of Planning and Environment – Water. DPE – Water have advised that the proposal is exempt from requiring a controlled activity permit subject to obtaining a lease, licence or permit from Crown Lands. A Crown Lands Licence has been granted.

No objections to the proposed subdivision but additional information is required about other aspects of the proposal.

Boat ramp and vertical slipway

It is implied that the boat ramp and vertical slipway will be demolished and a landscaped area constructed in replacement. Description of how this will be achieved is absent from the proposal. The boat ramp and vertical slipway amount to at least 100 square metres in area. Any infilling of the area in preparation for construction would be considerable and likely meet the Fisheries Management Act 1994 definition of reclamation work and so require a permit. It is unclear how construction over these areas would be achieved without building new sections of seawall to facilitate any infilling. Additional information is required to explain the design intend for these areas. Any infilling must be referred to NSW Fisheries for comment.

Seawalls

Subject to the required information, if any new seawall is proposed then it must be described how the new seawall will meet the outcomes and the design criteria of Pittwater 21 DCP, B15.18 Seawalls.

Aquatic Ecology and Marine Sediment Assessment

The Aquatic Ecology and Marine Sediment Assessment must be updated to include details of the Aquatic Ecology survey method and the results of the survey.

Subject to details on the demolition and construction intent in the areas of the existing boat ramp and slipway, the Assessment must also consider the potential impacts of these activities and what mitigative measures will be required to protect the environment.

The design of any new seawall must be justified against the outcomes and criteria in the Pittwater 21 DCP, B15.18, and the Guide to Environmentally Friendly Seawalls. Opportunities for naturalisation must be considered, with example features including stepped sandstone blocks, rockpools, boulders, riprap, and habitat tiles. It must incorporate changes of slope and create vertical and horizontal complexity.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Natural Environment Conditions:

Nil.