

Natural Environment Referral Response - Coastal

| | |
|--|---|
| Application Number: | DA2021/1338 |
| Date: | 25/08/2021 |
| Responsible Officer | Gareth David |
| Land to be developed (Address): | Lot 1 DP 662920 , 52 Cabbage Tree Road BAYVIEW NSW 2104 Lot 5 DP 45114 , 52 Cabbage Tree Road BAYVIEW NSW 2104 Lot 7 DP 45114 , 52 Cabbage Tree Road BAYVIEW NSW 2104 Lot A DP 339874 , 1825 Pittwater Road BAYVIEW NSW 2104 Lot 1 DP 986894 , 1825 Pittwater Road BAYVIEW NSW 2104 Lot 2 DP 986894 , 1825 Pittwater Road BAYVIEW NSW 2104 Lot 3 DP 986894 , 1825 Pittwater Road BAYVIEW NSW 2104 Lot 150 DP 1003518 , 1825 Pittwater Road BAYVIEW NSW 2104 Lot 191 DP 1039481 , 1825 Pittwater Road BAYVIEW NSW 2104 |

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 proposes installation of subsurface drainage and storm water harvesting at Bayview Golf Club. 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 coastal relevant requirements of 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 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', 'Coastal Use Area' and 'Coastal Wetlands and Littoral Rainforests Area' maps under the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). Hence, Clauses 10, 11, 13, 14 and 15 of the CM SEPP apply for this DA.

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE)

report (prepared by Vaughan Milligan Development Consulting Pty Ltd), the proposed development is considered to satisfy the relevant requirements under clauses 13, 14 and 15 of the CM SEPP. Planner please note that the requirements of the CM SEPP in regard to the Coastal Wetlands and Littoral Rainforests Area have been addressed in the Natural Environment Referral Response - Biodiversity for this DA.

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

Pittwater LEP 2014 and Pittwater 21 DCP

Estuarine Hazard 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 Estuarine Hazard Controls will apply to any proposed development of the site.

An estuarine risk management report prepared by Horton Coastal Engineering Pty Ltd dated 1 August 2021, defines an independently derived estuarine planning level (EPL) for the site of RL 1.73m AHD over a proposed design life of 25 years. The report concludes that for events more severe than about 2% AEP, catchment flooding produces more elevated water levels than the EPL. As the higher level, the FPL and relevant flood controls will therefore prevail and the conditions applied in the Natural Environment Referral Response - Flood for this DA are supported.

As such it is considered that the proposed development satisfies the relevant requirements of the Estuarine Risk Management Policy and Estuarine Hazard Controls subject to conditions herein as well as those applied in the Natural Environment Referral Response - Flood.

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

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.

Compliance with Estuarine Risk Management Report

The development is to comply with all recommendations of the approved Estuarine Risk Management Report prepared by Horton Coastal Engineering Pty Ltd, dated 1 August 2021 and these recommendations are to be incorporated into construction plans.

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

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Stockpiling materials

During construction, all material associated with works is to be contained at source, covered and must be within the construction area. All waste material is to be removed off site and disposed of according to local regulations. The property is to be kept clean and any building debris removed as frequently as required to ensure no debris enters receiving waters.

Reason: To ensure pollution control measures are effective to protect the aquatic habitats within receiving waters throughout the construction period.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Compliance with Estuarine Risk Management Report

The development is to comply with all recommendations of the approved Estuarine Risk Management Report prepared by Horton Coastal Engineering Pty Ltd, dated 1 August 2021 and these recommendations are to be maintained over the life of the development.

Reason: To ensure preservation of the development and the estuarine environment