

Natural Environment Referral Response - Coastal

Application Number:	Mod2020/0550
Date:	09/11/2020
Responsible Officer	Kelsey Wilkes
Land to be developed (Address):	Lot 58 DP 12749 , 121 Florence Terrace SCOTLAND ISLAND NSW 2105

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

Further, this assessment has also considered the letter of consent with stamped maps from the Department of Planning, Industry & Environment - Crown Lands dated 22 September 2020

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 (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.

Comment:

On internal assessment and as assessed in the submitted Statement of Modifications of the SEE report prepared by Stephen Crosby & Associates Pty. Ltd. dated 16 October 2020, the DA satisfies requirements under clauses 13, 14 and 15 of the CM SEPP.

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

Pittwater LEP 2014 and Pittwater 21 DCP

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.

No change in assessment made for the DA2020/0174

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 DA modification proposes works on the boatshed and retaining walls are consistent with Clause 7.8(2)(b).

On internal assessment the DA satisfies the objectives and requirements of Part 7, Clause 7.8 of the Pittwater LEP 2014.

Conditions

Related conditions Nos, 2, 3, 4, 5 and 6 in Notice of Determination dated 27/5/2020 for DA2020/0174 stands valid for this modification application. However, within condition 7, existing maps DA 01 and DA 03 need to be replaced by updated maps DA 01A and DA 03A dated 5 August 2020.

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.