

## Natural Environment Referral Response - Coastal

<b>Application Number:</b>	DA2025/0136
<b>Proposed Development:</b>	Construction of a boat shed, waterway access stairs and landscaping
<b>Date:</b>	19/05/2025
<b>Responsible Officer</b>	Anaiis Sarkissian
<b>Land to be developed (Address):</b>	Lot 56 DP 7794 , 60 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

This application was assessed in consideration of:

- Supplied plans and reports including;
- Coastal Management Act 2016;
- State Environmental Planning Policy (Resilience and Hazards) 2021 (section 2.10, 2.11 & 2.12);
- Relevant LEP and DCP clauses.

The application has been assessed in consideration of the following:

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 BBF Town Planner dated December 2024 and amended on the 12th May 2025 the DA satisfies requirements under clauses 2.10, 2.11 and 2.12 of the SEPP R&H.

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 this situation, the EPL for this property is 2.71 m AHD. A reduction factor (RF) based upon the distance from the foreshore of proposed development may also apply at a rate of 0.07 m reduction to the EPL for every 5.00 m distance from the foreshore edge up to a maximum distance of 40.0 m.

Comment: On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by BBF Town Planner dated December 2024, the ground floor level of the proposed boatshed (FFL of 2.71 m AHD) complies with the relevant estuarine risk management requirements of P21 DCP and does not need to be supported by an Estuarine Risk Management Report. In this situation, the new boat hoist and lift may be subject to conditions as the supplied plans do not indicate the elevation above the EPL.

#### Waterfront Development

The proposed development of a boatshed is classified as waterfront development and therefore section D15.15 P21 DCP applies. This sub-section specifies height, design and utilization of the boatshed. Boatsheds shall be one storey and no greater than 4.5m in building height above the platform on which it is built, irrespective of its location and be designed for its original purpose.

Comment: On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by BBF Town Planner dated December 2024, the proposed boatshed does not comply as the proposed boatshed exceeds the size limitation in accordance with Waterfront Development D15.15. The size of the boatshed according to the designs by Bennett Murada Architects are 4.8 m (width of opening) x 5.38 m x 3.15 m. The required specifications of a boat shed should not exceed 4 m x 6 m x 4.5 m. It is noted that the exceedance in size will have negligible impacts on coastal processes and that impacts of visual amenity has not been assessed.

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

#### Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan (ESCP) shall be prepared by an appropriately qualified person and implemented onsite prior to commencement. The ESCP must meet the requirements outlined in the Landcom publication Managing Urban Stormwater: Soils and Construction - Volume 1, 4th Edition (2004). The ESCP must include the following as a minimum:

- Site Boundaries and contours
- Approximate location of trees and other vegetation, showing items for removal or retention (consistent with any other plans attached to the application)

- Location of site access, proposed roads and other impervious areas (e.g. parking areas and site facilities);
- Existing and proposed drainage patterns with stormwater discharge points
- Locations and methods of all erosion and sediment controls;
- North point and scale.

Details demonstrating compliance are to be submitted to the Certifier for approval prior to the issue of the Construction Certificate.

Reason: To protect the environment from the effects of sedimentation and erosion from development sites.

### **Estuarine Planning Level Requirements**

An Estuarine Planning Level (EPL) of 2.71 m AHD has been adopted by Council for the subject site and shall be applied to all development proposed below this level as follows:

1. All structural elements below 2.71 m AHD shall be of flood compatible materials;
2. All electrical equipment, wiring, fuel lines or any other service pipes and connections must be located either above 2.71 m AHD or waterproofed to this level; and
3. The storage of toxic or potentially polluting goods, chemicals or materials, which may be hazardous or pollute the waterway, is not permitted below 2.71 m AHD.
4. All interior power supplies (including electrical fittings, outlets and switches) must be located at or above 2.71 m AHD. All exterior power supplies (including electrical fittings, outlets and switches) shall be located at or above 2.71 m AHD to avoid the likelihood of contact with splashing waves and spray.

Reason: To ensure vulnerable components of the development are built at the appropriate level.

## **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 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.