

Natural Environment Referral Response - Coastal

Application Number:	Mod2021/1003
Date:	31/01/2022
Responsible Officer	Clare Costanzo
Land to be developed (Address):	Lot 6 DP 541797 , 949 Barrenjoey Road PALM BEACH NSW 2108

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 development proposal is for modifications to an approved development application (DA2018/1655). 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 the 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 consistent 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 to this application.

On internal assessment, Council considers that the modification application satisfies the relevant 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 State Environmental Planning Policy (Coastal Management) 2018 subject to conditions.

Pittwater LEP 2014 and Pittwater 21 DCP

Development on Foreshore Area

The subject property is affected by the foreshore building line and Part 7, Clause 7.8 – Limited development on foreshore area of the Pittwater LEP 2014 applies for any development within the foreshore area. No modification works are located seaward of the foreshore building line and the development proposal therefore satisfies the objectives and requirements of Clause 7.8 – Limited development on foreshore area of Pittwater LEP 2014.

Estuarine Hazard Management

The subject property has been identified as affected by estuarine wave action and tidal inundation on Council's Estuarine Hazard Mapping. As the modification works are proposed at a level well above Council's adopted Estuarine Planning Level (EPL) the proposed development is considered to satisfy the relevant provisions of the Estuarine Risk Management Policy for Development in Pittwater (Appendix 7, Pittwater 21 DCP) and the B3.7 Estuarine Hazard Controls.

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 COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Pollution Control

All stockpiles, materials, waste and slurry associated with works (including excavated material) is to be contained at source within the construction area and enclosed in waterproof covering and/or sediment and erosion control while not in use. All waste/debris is to be removed off site and disposed of in accordance with applicable regulations as frequently as required to prevent building waste and debris from entering receiving waters.

Reason: To protect receiving waters and ensure that pollutants and building associated waste do not leave the construction site.