

Natural Environment Referral Response - Coastal

Application Number:	DA2024/0660
Proposed Development:	Alterations and additions to a dwelling house
Date:	01/07/2024
Responsible Officer	Nick England
Land to be developed (Address):	Lot 7 DP 17704 , 20 Cabarita Road AVALON BEACH 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

SUPPORTED SUBJECT TO CONDITIONS

This application was assessed in consideration of:

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

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 DFP Planning Consultants dated May 2024, the DA satisfies requirements under clauses 2.10, 2.11 and 2.12 of the SEPP R&H.

As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Resilience & Hazards) 2021

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.

The proposed development is located wholly within the site and above the Mean HWM and does not include any works within the public realm other than the driveway cross-over. Court Appeal approval

has been issued to DA2022/0880 for a new seawall and landscaped reclamation area including ancillary works below Mean HWM.

The proposed development is 15.37m AHD which is well above the estuarine planning level and therefore the proposal is able to satisfy the relevant estuarine risk management requirements of P21 DCP.

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 proposed dwelling alterations and additions do not extend past the foreshore building line at the site.

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by DFP Planning Consultants dated May 2024, the DA satisfies the objectives and requirements of Part 7, Clause 7.8 of the Pittwater LEP 2014.

No other coastal issues identified.

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

Compliance with Coastal Risk Management Report

The development is to comply with all recommendations of the approved Coastal Risk Management Report prepared by Stantec, dated March 2024, and these recommendations are to be incorporated into construction plans and specifications and maintained over the life of the development.

Reason: To ensure coastal risk is addressed appropriately

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.