

Environmental Health Referral Response - acid sulfate soils

Application Number:	DA2020/0047
Date:	19/05/2020
Responsible Officer	Adam Urbancic
Land to be developed (Address):	Lot 9 DP 629464 , 104 Cabarita Road AVALON BEACH NSW 2107

Reasons for referral

This application seeks consent for one or more of the following:

- All development in class 1 land
- Any works below ground surface or will lower water table in area class 2 land
- Any works beyond 1 metre or lower water table by 1 metre in class 3 land
- Any works beyond 2 metres or lower water table by 2 metres in class 4 land
- Works on land below 10 metres AHD and within 500m of class 1, 2, 3 or 4 land which are likely to lower water table below 1 metre

And as such, Council's Environmental Investigations officers are required to consider the likely impacts.

Officer comments

Environmental Health have considered the proposed development at 104 Cabarita Road AVALON BEACH - 'Jetty with Sea Stairs and Access Decking'.

According to *Pittwater LEP 2014*, the area of the proposed works is classified as Class 1 for Acid Sulphate Soils (ASS) (i.e. ASS are likely to be found on and below ground surface). Whilst the Statement of Environmental Effects (SEE) dated 20 January 2020, states that no excavation works are required, the driving of 16 wooden support piles will disturb aquatic sediments, a fact that is acknowledged by the Aquatic Ecology Impact Report (AEIR) dated 30 August 2018 (submitted with the application). The AEIR predicts that an area of exotic algae will actually be smothered by sediment as a result of driving the outer most piles. Although the demise of exotic algae is considered beneficial, exposed ASS may damage native faunal assemblages and threatened sea grasses recorded in the area of the proposed works.

Neither the ESS nor the AEIR mention ASS. As such, Environmental Health recommends refusal due to failure of the applicant to consider ASS in accordance with clause 7.1 *Pittwater LEP 2014*.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Environmental Investigations Conditions:

Nil.