

Natural Environment Referral Response - Coastal

Application Number:	DA2025/1299
Proposed Development:	Demolition works, Construction of a garage including home office and gym
Date:	29/09/2025
Responsible Officer	Anaiis Sarkissian
Land to be developed (Address):	Lot 13 DP 12979 , 106 Iluka 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

This proposal is for construction of a garage with an office and gym at 106 Iluka Road, Palm Beach (Lot 13/DP12979). The proposed development includes demolition of the existing garage and hard surfaces (including gate and front pathway), and replacement with a new structure to be constructed in the same general location, immediately adjoining the Iluka Road frontage. The proposed works are above the mean high water mark, landward of the foreshore building line and above the estuarine planning level.

Officer comments:

This application was assessed in consideration of:

- Supplied plans and reports;
- *Coastal Management Act 2016*;
- State Environmental Planning Policy (Resilience & Hazards) 2021 (sections 2.10, 2.11 & 2.12);
- Relevant LEP and DCP sections of the Pittwater Local Environmental Plan (LEP) 2014 and Pittwater 21 Development Control Plan (DCP).

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 section 3 of the *Coastal Management Act 2016*.

Comment:

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Dave Moody dated 2025 the proposal does generally comply with the objectives of the *Coastal Management Act 2016* with respect to matters related to coastal processes and hazards.

As such it is considered that the application is generally consistent with the objects of the Coastal Management Act 2016.

This referral has not assessed the compliance of the proposal, for any potential impact on the scenic value of the area in accordance with the objectives of section 3(a) of the *Coastal Management Act 2016* that relate to scenic impact. Assessment of compliance with section 3(a) of the *Coastal Management Act*

2016 will be undertaken by the development assessment officer assessing this development application.

State Environmental Planning Policy (Resilience & Hazards) 2021

The subject site has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Resilience & Hazards) 2021. Hence, section 2.10, section 2.11 and section 2.12 of the State Environmental Planning Policy (Resilience & Hazards) 2021 apply for this DA.

Comment:

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report DA satisfies requirements under section 2.10, section 2.11 and section 2.12 of the State Environmental Planning Policy (Resilience & Hazards) 2021.

This referral has not assessed the compliance of the proposal, against any potential impact on the visual amenity or scenic qualities of the coast in accordance with section 2.11(1)(a)(ii) and section 2.11(1)(a)(iii) of the State Environmental Planning Policy (Resilience & Hazards) 2021. Assessment of compliance with these sections of the State Environmental Planning Policy (Resilience & Hazards) 2021 will be undertaken by the development assessment officer assessing this development application.

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 site has 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), the relevant section B3.7 Estuarine Hazard Controls in Pittwater 21 DCP will apply to any proposed development of the site.

In accordance with the Pittwater Estuary Mapping of Sea Level Rise Impacts Study (2015), a base estuarine planning level (EPL) of RL (reduced level - AHD) 2.79m AHD would apply at the subject site. A reduction factor (RF) based upon the distance from the foreshore of proposed development may also apply at a rate of 0.08m reduction to the EPL for every 5.00m distance from the foreshore edge up to a maximum distance of 40.00m.

Comment:

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report, the proposed development is above the applicable EPL of 2.79m AHD for the site. As assessed in the Master Plans prepared by Henderson & Co. dated 13 June 2025 the proposed development works is above 2.92m AHD.

The proposed development is therefore able to satisfy the relevant estuarine risk management requirements of Pittwater 21 DCP.

Development on Foreshore Area

A section of the subject site is within the foreshore building line. The proposed works do not extend into or near the foreshore area. Part 7, section 7.8 – Limited development on foreshore area of the Pittwater LEP 2014 applies for any development within the foreshore area.

Comment:

The DA proposes no works on the foreshores area and hence, the DA does not require to satisfy the objectives and requirements of Part 7, section 7.8 of the Pittwater LEP 2014.

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 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.