

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2023/1485
Responsible Officer:	Jordan Howard
Land to be developed (Address):	Lot 23 DP 24428, 50 Rednal Street MONA VALE NSW 2103 Lot LIC 486100, 50 Rednal Street MONA VALE NSW 2103
Proposed Development:	Construction of a mooring pen and berthing area
Zoning:	C4 Environmental Living
Development Permissible:	Yes - Zone C4 Environmental Living Yes - Zone W1 Natural Waterways
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Matthew John Ranken Onions Katherine Elizabeth Onions
Applicant:	Katherine Elizabeth Onions
Application Lodged:	19/10/2023
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Other
Notified:	30/10/2023 to 13/11/2023
Advertised:	Not Advertised
Submissions Received:	1
Clause 4.6 Variation:	Nil
Recommendation:	Approval
Estimated Cost of Works:	\$ 25,000.00

PROPOSED DEVELOPMENT IN DETAIL

This Development Application seeks consent for construction of a mooring pen and berthing area. Specifically, development consent is sought for the following:

- An 8m by 4.9m berthing area.
- A mooring pen surrounding the berthing area with four (4) new mooring piles below the Mean High Water Mark.

These proposed berthing area is to be accessed by an existing jetty and pontoon.

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Pittwater Local Environmental Plan 2014 - 7.1 Acid sulfate soils

Pittwater Local Environmental Plan 2014 - 7.8 Limited development on foreshore area

Pittwater 21 Development Control Plan - D9.7 Side and rear building line

Pittwater 21 Development Control Plan - D9.9 Building envelope

Pittwater 21 Development Control Plan - D9.11 Landscaped Area - Environmentally Sensitive Land

Pittwater 21 Development Control Plan - D15.12 Development seaward of mean high water mark

Pittwater 21 Development Control Plan - D15.13 Lateral limits to development seaward of mean high water mark

Pittwater 21 Development Control Plan - D15.15 Waterfront development

SITE DESCRIPTION

Property Description:	Lot 23 DP 24428 , 50 Rednal Street MONA VALE NSW 2103 Lot LIC 486100 , 50 Rednal Street MONA VALE NSW 2103
Detailed Site Description:	The subject site consists of one (1) allotment located on the north-eastern side of Rednal Street. The site is irregular in shape with a frontage of 15.24m along Rednal Street and a depth of 65.075m. The site has a surveyed area of 953.6sqm. The site is located within the C4 Environmental Living zone and accommodates a dwelling house. At the waterfront is an existing boat ramp, as well as an existing small jetty ramp and pontoon, which will provide access to the berthing area / mooring pen. The site slopes from the front (south-west) down to the rear waterfront (north-east). The site contains lawn areas, garden beds and trees. There are no details of any threatened species on the subject site. The application is accompanied by a Marine Habitat Review of the surrounding marine habitat. Detailed Description of Adjoining/Surrounding Development Adjoining and surrounding development is characterised by dwelling houses, many abutting the waterway with jetties, pontoons, berthing areas and mooring pens.

Map:



SITE HISTORY

The land has been used for residential purposes for an extended period of time. A search of Council's records has revealed the following relevant history:

Development Application No. DA2022/0970 for Demolition works and construction of a dwelling house including swimming pool. This application was withdrawn on 9 November 2023.

Development Application No. N0349/11 for alterations and additions to the existing dwelling and erection of a swimming pool. This application was approved by Pittwater Council on 20 July 2012.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 Matters for Consideration	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	There are no current draft environmental planning instruments.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Pittwater 21 Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)	<u>Part 4, Division 2</u> of the EP&A Regulation 2021 requires the consent authority to consider “Prescribed conditions” of development consent. These matters have been addressed via a condition of consent. <u>Clause 29</u> of the EP&A Regulation 2021 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.

Section 4.15 Matters for Consideration	Comments
	<u>Clauses 36 and 94</u> of the EP&A Regulation 2021 allow Council to request additional information. No additional information was requested in this case. <u>Clause 61</u> of the EP&A Regulation 2021 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent. <u>Clauses 62 and/or 64</u> of the EP&A Regulation 2021 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application. <u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition of consent. <u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Pittwater 21 Development Control Plan section in this report. (ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal. (iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 30/10/2023 to 13/11/2023 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

As a result of the public exhibition process council is in receipt of 1 submission/s from:

Name:	Address:
Mr Ian Alan Ward	48 Rednal Street MONA VALE NSW 2103

The following issues were raised in the submission:

- Navigational Concerns**

The submission raised concerns that the proposed berthing area and mooring pen could create navigational issues.

Comment:

The proposed development is accompanied by a letter from Transport for NSW Maritime dated 14 April 2023 advising that "an inspection/assessment has been conducted by the local Boating Safety Officer and there are no navigational concerns regarding the designated proposal". As such, the proposal has demonstrated it is sufficient in regard to nautical navigation.

- Date of images used in application**

The submission raised concerns that the images used in the application were outdated and did not reflect the current development / state of the waterway.

Comment:

A site inspection was undertaken during the course of the assessment to view the site and surrounds. As stated in the above comments on navigational concerns, the letter from Transport for NSW Maritime advised that an inspection/assessment was conducted by the local Boating Safety Officer in regards to navigational concerns.

REFERRALS

Internal Referral Body	Comments
Environmental Health (Acid Sulfate)	General Comments This application is seeking consent for the installation of a mooring pen with four piles and a berthing area. Acid Sulfate Soils have been considered and given that no removal of piles is proposed, the risk of acid generation is low. Environmental Health recommends approval
NECC (Bushland and Biodiversity)	The proposed development has been assessed against the objectives and requirements of Pittwater LEP cl 7.6 Biodiversity and State Environmental Planning Policy (Resilience and Hazards) 2021 cl 2.10 Development on land within the coastal environment area. The The marine habitat report did not record any marine vegetation, the land habitats are highly altered and no vegetation or fauna habitats will be significantly impacted. The proposed works do not require any reclamation or dredging and will not have adverse impact to the ecological environment.
NECC (Coast and Catchments)	The application has been assessed in consideration of the Coastal Management Act 2016, State Environmental Planning Policy (Resilience &

Internal Referral Body	Comments
	Hazards) 2021 and has also been assessed against requirements of the Pittwater LEP 2014 and Pittwater 21 DCP. The application has been assessed in consideration approval/support of: • Consent to lodge DA from the NSW Department of Planning and Environment – Crown Lands and Public Spaces dated 26 September 2023 • No navigational Concerns from the Transport for NSW- Maritime Division dated 14 April 2023 enclosing dated and signed maps • No Objection from the DPI-Fisheries, a division of the Department of Primary Industries dated 18 April 2023 Coastal Management Act 2016 The subject site has been identified as being within the coastal zone and therefore <i>Coastal Management Act 2016</i> is applicable to the proposed development. The proposed development is in line with the objects, as set out under Clause 3 of the <i>Coastal Management Act 2016</i>. State Environmental Planning Policy (Resilience & Hazards) 2021 The subject property 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 Copley Marine Group dated 10 October 2023, 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 Hazard 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-B3.10 Estuarine Hazard Controls will apply to any proposed development of the site. The Estuarine Hazard Controls do not apply to Jetties, Bridging Ramps or Pontoons located on the seaward side of the foreshore edge.

Internal Referral Body	Comments
	However, development works proposed are located on the seaward side of the foreshore edge on crown lands, below the Mean High Water Mark (MHW). The proposed development is therefore not required to satisfy the relevant estuarine risk management requirements of P21 DCP. Development on Foreshore Area A large 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. However, development works proposed are located on the seaward side of the foreshore edge on crown lands, below the Mean High Water Mark (MHW). Therefore, the proposed development is not required to satisfy the relevant Clause 7.8 –Limited development on foreshore area of the Pittwater LEP 2014. Development seaward of mean high water mark Proposed development works are located on crown land below the Mean High Water Mark. Hence, Section D15.12: Development seaward of mean high water mark of the Pittwater 21 DCP applies to proposed development. Comment: On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Copley Marine Group dated 10 October 2023, the DA satisfies requirements under the Section D15.12: Development seaward of mean high water mark of the Pittwater 21 DCP. An analysis of the proposal demonstrated that the proposed development will not adversely impact on the visual amenity of the foreshore or water quality or estuarine habitat of the Pittwater waterway. Further the applicant has submitted a Marine Habitat Review prepared by Copley Marine Group dated 5 April 2023 demonstrated that the development will not compromise the marine environment near the Site on Winji Jimmy Bay, and there will not be any adverse environmental impacts. As such, it is considered that the application does comply with the requirements of the Section D15.12: Development seaward of mean high water mark of the Pittwater 21 DCP.

Internal Referral Body	Comments
	Waterfront Development Proposed development of berthing areas are located on crown land below the Mean High Water Mark. Hence, Section D15.15: Waterfront development, sub-section b) Berthing areas of the Pittwater 21 DCP applies to proposed development. Comment: On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Copley Marine Group dated 10 October 2023, the DA satisfies requirements under the Section D15.15: Waterfront development, sub-section b) Berthing areas of the Pittwater 21 DCP. The maximum dimension for berthing areas perpendicular to shore shall be 5 metres x 9 metres As such, it is considered that the application does comply with the requirements of the Section D15.15: Waterfront development, sub-section b) Berthing areas of the Pittwater 21 DCP
NECC (Riparian Lands and Creeks)	Supported This application was assessed in consideration of: • Supplied plans and reports; • Coastal Management Act 2016; • State Environmental Planning Policy (Resilience and Hazards) 2021; • Relevant LEP and DCP clauses; and • Northern Beaches Water Management for Development Policy The site abuts Pittwater estuary and as such the development must not significantly impact on the biophysical, hydrological or ecological integrity of the estuary, or the quantity and quality of surface and ground water flows that it receives. NSW DPI Fisheries does not consider the proposal to constitute Integrated Development as it does not include any dredging, reclamation, harm to marine vegetation, or blockage of fish passage. A Marine Habitat Review prepared by Copley Marine Consulting Group has been provided as required by the Pittwater 21 DCP to support the proposal. The review indicates that harm to the marine environment is unlikely provided environmental safeguards are put in place. On review, no objections to the proposal provided conditions are adhered to.
External Referral Body	Comments
Ausgrid - SEPP (Transport and Infrastructure) 2021, s2.48	The proposal was referred to Ausgrid who provided a response stating that the proposal is acceptable subject to compliance with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice. These recommendations will be included as a condition of consent.
Aboriginal Heritage Office	Reference is made to the proposed development at the above area and Aboriginal heritage. No sites are recorded in the current development area and the area has been subject to previous disturbance reducing the likelihood of surviving unrecorded Aboriginal sites.

External Referral Body	Comments
	Given the above, the Aboriginal Heritage Office considers that there are no Aboriginal heritage issues for the proposed development. Under the National Parks and Wildlife Act 1974 (NPW Act) all Aboriginal objects are protected. Should any Aboriginal Cultural Heritage items be uncovered during earthworks, works should cease in the area and the Aboriginal Heritage Office assess the finds. Under Section 89a of the NPW Act should the objects be found to be Aboriginal, Heritage NSW and the Metropolitan Local Aboriginal Land Council (MLALC) should be contacted.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)*

All, Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP (Transport and Infrastructure) 2021

Ausgrid

Section 2.48 of Chapter 2 requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to Ausgrid who raised no objections, subject to conditions which have been included in the recommendation of this report.

SEPP (Resilience and Hazards) 2021

Chapter 2 – Coastal Management

The site is subject to Chapter 2 of the SEPP. Accordingly, an assessment under Chapter 2 has been carried out as follows:

Division 2 Coastal Vulnerability Area

2.9 Development on land within the coastal vulnerability area

Development consent must not be granted to development on land that is within the area identified as “coastal vulnerability area” on the Coastal Vulnerability Area Map unless the consent authority is satisfied that:

- a) if the proposed development comprises the erection of a building or works—the building or works are engineered to withstand current and projected coastal hazards for the design life of the building or works, and
- b) the proposed development:
 - i) is not likely to alter coastal processes to the detriment of the natural environment or other land,
 - ii) and
 - iii) is not likely to reduce the public amenity, access to and use of any beach, foreshore, rock platform or headland adjacent to the proposed development, and incorporates appropriate measures to manage risk to life and public safety from coastal hazards, and
- c) measures are in place to ensure that there are appropriate responses to, and management of, anticipated coastal processes and current and future coastal hazards.

Comment:

There is currently no adopted Coastal Vulnerability Area Map, however, Council's Coasts and Catchments Officer has reviewed the proposed development and it is supported subject to conditions.

Division 3 Coastal environment area

2.10 Development on land within the coastal environment area

- 1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:
 - a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,
 - b) coastal environmental values and natural coastal processes,
 - c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,
 - d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,
 - e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,
 - f) Aboriginal cultural heritage, practices and places,
 - g) the use of the surf zone.

Comment:

Council's Coasts and Catchments Officer has reviewed the proposed development and it is supported subject to conditions. The works are not considered to have adverse impacts on the above matters.

- 2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
 - a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or
 - b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
 - c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

Comment:

Council's Coasts and Catchments Officer has reviewed the proposed development and it is supported subject to conditions. The proposed development has been sited so as not to cause adverse impacts on the coastal environment.

Division 4 Coastal use area

2.11 Development on land within the coastal use area

- 1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:
 - a) has considered whether the proposed development is likely to cause an adverse impact on the following:
 - i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,
 - ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,
 - iii) the visual amenity and scenic qualities of the coast, including coastal headlands,
 - iv) Aboriginal cultural heritage, practices and places, cultural and built environment heritage, and
 - b) is satisfied that:
 - i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or
 - ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
 - iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and
 - c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

Comment:

Council's Coasts and Catchments Officer has reviewed the proposed development and it is supported subject to conditions. The works are not considered to have adverse impacts on the above matters.

Division 5 General

2.12 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Comment:

Council's Coasts and Catchments Officer has reviewed the proposed development and it is supported subject to conditions. The proposed development is not likely to cause increased risk of coastal hazards.

2.13 Development in coastal zone generally—coastal management programs to be considered

Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.

Comment:

Council's Coasts and Catchments Officer has reviewed the proposed development and it is supported subject to conditions. There are no certified coastal management programs that apply to the land.

As such, it is considered that the application complies with the requirements of Chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021.

Chapter 4 – Remediation of Land

Sub-section 4.6 (1)(a) of Chapter 4 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for residential purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under sub-section 4.6 (1)(b) and (c) of this Chapter and the land is considered to be suitable for the residential land use.

Pittwater Local Environmental Plan 2014

Is the development permissible?	Zone C4 : Yes Zone W1 : Yes
After consideration of the merits of the proposal, is the development consistent with: aims of the LEP?	Yes
zone objectives of the LEP?	Zone C4 : Yes Zone W1 : Yes

Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	4m	2.575m AHD (RL of piles)	-	Yes

Compliance Assessment

Clause	Compliance with Requirements
1.9A Suspension of covenants, agreements and instruments	Yes
4.3 Height of buildings	Yes
5.7 Development below mean high water mark	Yes
5.10 Heritage conservation	Yes
5.21 Flood planning	Yes
7.1 Acid sulfate soils	Yes
7.2 Earthworks	Yes
7.6 Biodiversity protection	Yes
7.8 Limited development on foreshore area	Yes
7.10 Essential services	Yes

Detailed Assessment

7.1 Acid sulfate soils

Clause 7.1 - 'Acid sulfate soils' requires Council to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. In this regard, development consent is required for the carrying out of works described on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

The subject site is located in an area identified as Acid Sulfate Soil Class 1, 2 & 5, as indicated on Council's Acid Sulfate Soils Planning Map. Proposed works are located within a waterway adjacent to the site identified a Acid Sulfate Soil Class 1.

Any works within a Class 1 acid sulfate soil area are required to be assessed to determine if any impact will occur.

The development proposes construction of a mooring pen and berthing area, involving the installation of four (4) piles. This will require driving the piles approximately up to a maximum depth of 2.5m into the solid seabed. As such, a Preliminary Acid Sulfate Soil Assessment has been undertaken by Copley Marine Consulting Group dated 12 October 2023. In the assessment, Copley Marine Consulting Group found that "potential ASS will not be oxidised and therefore an ASS Management Plan is not required (as per the Acid Sulfate Soils Manual 1998). In addition, it is considered the works meet the objectives of clause 7.1 of the PLEP in that the development would not disturb, expose or drain ASS and cause environmental damage".

In this regard, Copley Marine Consulting Group advise that an Acid Sulfate Soil Management Plan (ASSMP) is not considered to be necessary for the development of the site. The Preliminary Assessment was referred to Council's

Environmental Health Officer who concurred with the findings and provided a supportive recommendation, without conditions.

The recommendations made in the Preliminary Assessment have been included in the recommendation of this report.

7.8 Limited development on foreshore area

The foreshore area in this Clause refers to the land between the foreshore building line and the mean high water mark of the nearest natural waterbody shown on the Foreshore Building Line Map. The proposed works are located within the waterway adjacent to the site and below the the mean high water mark of the waterway. Therefore, the proposed works are located outside the foreshore area as defined by this Clause.

Pittwater 21 Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
Lateral Limits	North: 2m from lateral limit line	5.9m	-	Yes
	South: 2m from lateral limit line	Nil	100%	No

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A1.7 Considerations before consent is granted	Yes	Yes
A4.9 Mona Vale Locality	Yes	Yes
B1.3 Heritage Conservation - General	Yes	Yes
B1.4 Aboriginal Heritage Significance	Yes	Yes
B3.6 Contaminated Land and Potentially Contaminated Land	Yes	Yes
B3.9 Estuarine Hazard - Business, Light Industrial and Other Development	Yes	Yes
B4.16 Seagrass Conservation	Yes	Yes
B4.19 Estuarine Habitat	Yes	Yes
B5.13 Development on Waterfront Land	Yes	Yes
B5.15 Stormwater	Yes	Yes
B6.7 Transport and Traffic Management	Yes	Yes
B8.3 Construction and Demolition - Waste Minimisation	Yes	Yes
B8.4 Construction and Demolition - Site Fencing and Security	Yes	Yes
C1.3 View Sharing	Yes	Yes
C1.4 Solar Access	Yes	Yes
C1.5 Visual Privacy	Yes	Yes
C1.6 Acoustic Privacy	Yes	Yes
C1.12 Waste and Recycling Facilities	Yes	Yes
C1.13 Pollution Control	Yes	Yes
C5.1 Landscaping	Yes	Yes
C5.2 Safety and Security	Yes	Yes
C5.4 View Sharing	Yes	Yes
D9.1 Character as viewed from a public place	Yes	Yes
D9.3 Building colours and materials	Yes	Yes
D9.7 Side and rear building line	N/A	N/A
D9.9 Building envelope	N/A	N/A

Clause	Compliance with Requirements	Consistency Aims/Objectives
D9.11 Landscaped Area - Environmentally Sensitive Land	N/A	N/A
D9.17 Scenic Protection Category One Areas	Yes	Yes
D15.11 Waterfront lighting	Yes	Yes
D15.12 Development seaward of mean high water mark	Yes	Yes
D15.13 Lateral limits to development seaward of mean high water mark	No	Yes
D15.14 Minimum frontage for waterfront development	Yes	Yes
D15.15 Waterfront development	No	Yes
D15.18 Seawalls	Yes	Yes
D15.19 Dredging	Yes	Yes

Detailed Assessment

D9.7 Side and rear building line

The side building and rear line requirements of this control relate to proposed structures within a subject site. Proposed structures are located on a waterway adjacent to the subject site. Therefore, the side and rear building line is not applicable. Rather, lateral limits to waterfront development are applicable, as assessed in the section of this report on PDCP Clause D15.13 Lateral limits to development seaward of mean high water mark.

D9.9 Building envelope

Proposed structures are located on a waterway adjacent to the subject site. Therefore, the building envelope is not applicable.

D9.11 Landscaped Area - Environmentally Sensitive Land

Proposed structures are located on a waterway adjacent to the subject site. Therefore, the proposal does impact on the landscaped area of the subject site and the control is not applicable.

D15.12 Development seaward of mean high water mark

This control restricts all new buildings to be located landward of mean high water mark, however, provides exceptions to some types of structures.

The proposal is for structures seaward of the mean high water mark, however, the proposed structures are associated with the accommodation, servicing or provision of access to boats. These types of structures are permitted by this control seaward of the mean high water mark.

D15.13 Lateral limits to development seaward of mean high water mark

Description of non-compliance

Clause D15.13 Lateral limits to development seaward of mean high water mark stipulates that waterfront development shall be set back a minimum of 2.0 metres along the full length of the lateral limit line.

The proposed development is setback further than 2m from the northern lateral limit line, compliant with this control.

The proposal is has nil setback from the southern lateral limit line, representing 100% variation to the control.

Merit consideration

With regard to the consideration for a variation, the development is considered against the underlying objectives of the Control as follows:

- To ensure that fair and equitable enjoyment of the waterway is achieved between neighbouring waterfront landowners through restricting unreasonable encroachment of waterfront development in front of adjoining properties.

Comment

The proposed mooring pen / berthing area will continue to allow for fair and equitable enjoyment of the waterway. The proposed mooring pen / berthing area is located at the end of an existing jetty and pontoon, a suitable location for its placement. The proposed development is accompanied by a letter from Transport for NSW Maritime dated 14 April 2023 advising that "an inspection/assessment has been conducted by the local Boating Safety Officer and there are no navigational concerns regarding the designated proposal". As such, the proposal is considered sufficient in this regard. Considering the site context, as well as surrounding waterfront development, the positioning of the proposal is not considered to be unreasonable, or unreasonably encroachment the waterfront of adjoining properties.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of P21DCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported in this particular circumstance.

D15.15 Waterfront development

Description of non-compliance

The proposal includes the construction of a mooring pen / berthing area (which incorporates freestanding piles).

P21DCP Clause D15.15 Waterfront development provides various controls on the design of waterfront development. Proposed variations to the listed requirements are discussed below:

Berthing Areas

- Where provided, berthing areas shall provide sufficient clearance from prolongation of adjoining boundaries (i.e. a minimum of 2.5 metres). If the side boundaries were to be prolonged over the waterway, the southern boundary would be against the southern side of the berthing area (nil setback). Nonetheless, the lateral limit line (which is calculated differently than just prolonging the boundary, and requires 2m setback) is discussed in the section of this report on P21DCP Clause D15.13 Lateral limits to development seaward of mean high water mark. In summary, the proposed development is considered to be supported on merit concerning lateral limits to development.
- Berthing areas are to be designed and located to enable efficient and safe manoeuvring without impinging on adjoining neighbours. A submission from a neighboring property raised navigational concerns. However, the proposed development is accompanied by a letter from Transport for NSW Maritime dated 14 April 2023 advising that "an inspection/assessment has been conducted by the local Boating Safety Officer and there are no navigational concerns regarding the designated proposal". As such, the proposal is considered sufficient in this regard.

The proposal also incorporates freestanding piles. These elements are generally not favored, however, the clause allows for a variation to this requirement, stating that Council may consider such structures, provided they are unlikely to detract from the visual character of the foreshore, will not affect marine vegetation and will not restrict public foreshore access.

The proposal is not considered to visual detract from the visual character of the foreshore, considering surrounding properties contain existing jetties, pontoons, boat ramps and berthing areas / mooring pens. The applicant has submitted an Marine Habitat Review which concludes that the proposed development "is not expected to have any short or long-term significant impacts on marine habitat". Foreshore access will not be further obstructed by the proposal as it consists of a berthing area / mooring pen at the end of an existing jetty, over the waterway.

The proposal has been reviewed by Council's Coastal Officer who has raised no objection to the works and associated impacts to the surrounding natural environment, subject to conditions.

Merit consideration

With regard to the consideration for a variation, the development is considered against the underlying outcomes of the control as follows:

- *Waterfront development does not have an adverse impact on the water quality and estuarine habitat of Pittwater.*

Comment:

The proposed development is accompanied by a letter from Department of Primary Industries (Fisheries), raising no objection to the proposal. The applicant has provided an Marine Habitat Review which supports the proposed works. Council's Bushland and Biodiversity and Coast and Catchments Officers have also reviewed the proposal having regard to water quality and habitat and have raised no objections, subject to conditions. In turn, it is considered that the proposal will not have an adverse impact on the water quality or estuarine habitat of Pittwater. As a result, the proposal (subject to conditions) has been designed and sited to avoid unreasonable or adverse impacts on water quality and estuarine habitat.

- *Public access along the foreshore is not restricted.*

Comment:

Foreshore access will not be further obstructed by the proposal as it consists of a berthing area / mooring pen at the end of an existing jetty, over the waterway.

- *Waterfront development does not encroach on navigation channels or adversely affect the use of ferries and service vessels or use of the waterway by adjoining landowners.*

Comment:

The proposed development is accompanied by a letter from Transport for NSW Maritime dated 14 April 2023 advising that "an inspection/assessment has been conducted by the local Boating Safety Officer and there are no navigational concerns regarding the designated proposal". As such, the proposal is considered sufficient in this regard.

- *Structures blend with the natural environment.*

Comment:

The proposal will appropriately blend with the surrounding natural environment.

- *Structures are not detrimental to the visual quality, water quality or estuarine habitat of the Pittwater Waterway.*

Comment:

The proposal will be visually consistent and comparable with surrounding waterfront development. It is considered that the proposed development will not be detrimental to the visual quality, water quality or estuarine habitat of the Pittwater Waterway, subject to conditions included in the recommendation of this report.

- *To promote a mix of commercial waterfront development for the accommodation of boats, their repair and maintenance, and for organised waterfront development.*

Comment:

The proposal is not a commercial waterfront development. This outcome is therefore not applicable.

- *Waterfront development which does not comply with the outcomes of this clause are removed.*

Comment:

As demonstrated above, the proposed waterfront development complies with the outcomes of this clause and is considered to be both appropriate and acceptable.

Having regard to the above assessments, it is concluded that the proposed development is consistent with the relevant outcomes of the P21DCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly affect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Northern Beaches Section 7.12 Contributions Plan 2022

As the estimated cost of works is less than \$100,001.00 the policy is not applicable to the assessment of this application.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;
- All relevant and draft Environmental Planning Instruments;
- Pittwater Local Environment Plan;
- Pittwater Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2023/1485 for Construction of a mooring

pen and berthing area on land at Lot 23 DP 24428, 50 Rednal Street, MONA VALE, Lot LIC 486100, 50 Rednal Street, MONA VALE, subject to the conditions printed below:

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

1. Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan
LOC1	A	Existing & New Works Plan	Copley Marine Group	27 March 2023
LOC2	A	Section 1 (Mooring Pen)	Copley Marine Group	27 March 2023
LOC3	A	Navigation Plan	Copley Marine Group	5 April 2023

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
Preliminary Acid Sulfate Soil Assessment	-	Copley Marine Group	12 October 2023
Marine Habitat Review	-	Copley Marine Group	5 April 2023
Waste Management Plan	-	Copley Marine Group	10 September 2023

In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. Compliance with Other Department, Authority or Service Requirements

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	EDMS Reference	Dated
Ausgrid	Ausgrid - Referral Response - Clearance Guide	26/10/2023 (on EDMS)
Ausgrid	Ausgrid - Referral Response	26/10/2023 (on EDMS)

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

3. Prescribed Conditions

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifier for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 - (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
 - (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.
- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative requirement.

4. General Requirements

- (a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:

- 7.00 am to 5.00 pm inclusive Monday to Friday,
- 8.00 am to 1.00 pm inclusive on Saturday,
- No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) Should any asbestos be uncovered on site, its demolition and removal must be carried out in accordance with WorkCover requirements and the relevant Australian Standards.
- (c) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of an Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (d) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (e) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (f) Prior to the release of the Construction Certificate, payment of the following is required:
- i) Long Service Levy - Payment should be made to Service NSW (online or in person) or alternatively to Northern Beaches Council in person at a Customer Service Centre. Payment is not required where the value of the works is less than \$250,000. The Long Service Levy is calculated on 0.25% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
 - ii) Section 7.11 or Section 7.12 Contributions Plan – Payment must be made to Northern Beaches Council. Where the subject land to which the development is proposed is subject to either a Section 7.11 or 7.12 Contributions Plan, any contribution to which the development is liable under the respective plan that applies is to be paid to Council. The outstanding contribution will be indexed at time of payment in accordance with the relevant Contributions Plan.
 - iii) Housing and Productivity Contribution - Payment must be made on the NSW Planning Portal for development to which this contribution applies. The amount payable is subject to indexation at the time of payment.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (h) No skip bins, building materials, demolition or excavation waste of any nature, and no hoist, plant or machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (i) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (j) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.), on the land to be developed, or within adjoining properties, shall be removed or damaged during excavation or construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- (k) Prior to the commencement of any development onsite for:
- i) Building/s that are to be erected
 - ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
 - iii) Building/s that are to be demolished
 - iv) For any work/s that is to be carried out

- v) For any work/s that is to be demolished
The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.
- (l) A "Road Opening Permit" must be obtained from Council, and all appropriate charges paid, prior to commencement of any work on Council property. The owner/applicant shall be responsible for all public utilities and services in the area of the work, shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.
- (m) The works must comply with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice.
- (n) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.
 - (1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

Relevant legislative requirements and relevant Australian Standards (including but not limited) to:

 - (i) Swimming Pools Act 1992
 - (ii) Swimming Pools Amendment Act 2009
 - (iii) Swimming Pools Regulation 2018
 - (iv) Australian Standard AS1926 Swimming Pool Safety
 - (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
 - (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.
 - (2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.
 - (3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewered areas or managed on-site in unsewered areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.
 - (4) Swimming pools and spas must be registered with the Division of Local Government.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

BUILDING WORK – BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

5. **Compliance with Standards**

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards.

6. **Sydney Water "Tap In"**

The approved plans must be submitted to the Sydney Water Tap in service, prior to works commencing, to determine whether the development will affect any Sydney Water assets and/or easements. The appropriately stamped plans must then be submitted to the Certifier demonstrating the works are in compliance with Sydney Water requirements.

Please refer to the website www.sydneywater.com.au for:

- "Tap in" details - see <http://www.sydneywater.com.au/tapin>
- Guidelines for Building Over/Adjacent to Sydney Water Assets.

Or telephone 13 000 TAP IN (1300 082 746).

Reason: To ensure compliance with the statutory requirements of Sydney Water.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

7. 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

8. Submission of a Construction Environment Management Plan

Submit a Construction Environment Management Plan indicating the following safeguards during the construction works:

- silt curtains should be put in place to minimise siltation on nearby habitats and potential impacts on water quality during works with potential to mobilise sediments; and
- all materials, debris and rubbish should be removed from the site at the end of construction works.

Reason: To minimise potential impact on marine habitat during construction works

DURING BUILDING WORK

9. Aquatic environment protection

Environmental safeguards including silt curtains are to be used during construction to protect the aquatic environment. Appropriate methods must be installed and secured to ensure damage to the aquatic environment is minimised. Actions and recommendations of the Marine Habitat Review must be followed.

Reason: To protect the aquatic environment.

10. Waste Management During Development

The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.

Details demonstrating compliance must be submitted to the Principal Certifier.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

11. Aboriginal Heritage

If in undertaking excavations or works any Aboriginal site or object is, or is thought to have been found, all works are to cease immediately and the applicant is to contact the Aboriginal Heritage Officer for Northern Beaches Council, and the Cultural Heritage Division of the Department of Planning and Environment.

Any work to a site that is discovered to be the location of an Aboriginal object, within the meaning of the National Parks and Wildlife Act 1974, requires a permit from the Director of the Department of Planning and Environment.

Reason: Aboriginal Heritage Protection.

BEFORE ISSUE OF THE OCCUPATION CERTIFICATE

12. Waste Management Confirmation

Prior to the issue of an Occupation Certificate, evidence / documentation must be submitted to the Principal Certifier that all waste material from the development site arising from demolition and/or construction works has been appropriately recycled, reused or disposed of generally in accordance with the approved Waste

Management Plan.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

In signing this report, I declare that I do not have a Conflict of Interest.

Signed



Jordan Howard, Planner

The application is determined on 01/12/2023, under the delegated authority of:



Steven Findlay, Manager Development Assessments