

## Natural Environment Referral Response - Coastal

<b>Application Number:</b>	DA2023/0690
<b>Proposed Development:</b>	Demolition works and construction of a dwelling house and secondary dwelling, swimming pool, carport, inclinator and boatshed
<b>Date:</b>	12/07/2023
<b>Responsible Officer</b>	Grace Facer
<b>Land to be developed (Address):</b>	Lot 59 DP 13760 , 252 Hudson Parade CLAREVILLE 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

UNSUPPORTED

A preliminary assessment of this DA has been undertaken in consideration of the:

- Plans and documents lodged in support of this DA;
- Coastal Management Act 2016;
- State Environmental Planning Policy (Resilience and Hazards) 2021; and
- 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 (CM Act) is applicable to the DA. The proposed development is generally consistent with the objects, as set out under Clause 3 of the CM Act subject to conditions..

### State Environmental Planning Policy (Resilience and Hazards) 2021

As the subject site is within the coastal zone State Environmental Planning Policy (Resilience and Hazards) 2021 (SEPP R&H) also applies to the proposed development. The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps under the SEPP R&H. Hence, Division 3, Division 4 and Division 5 of the SEPP R&H apply for this DA and appropriate conditions will apply.

### Pittwater 21 Development Control Plan

#### Estuarine Risk Management

The subject site has been identified as being affected by estuarine wave action and tidal inundation on Council's Estuarine Hazard Mapping. The Estuarine Risk Management Policy for Development in Pittwater (Appendix 7, Pittwater DCP) and the B3.7 Estuarine Hazard Control in Pittwater 21 DCP will apply to the 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 2.68m AHD has been adopted by Council for the subject site.

The proposed boat shed is shown with a floor level of 2.30m AHD which is lower than the EPL adopted

by Council. Similarly, the bottom station and landing pit for the inclinator appear to be below the adopted EPL, however, insufficient detail has been provided to be able to determine these levels. A variation to the B3.7 Control provides that consideration may be given on a merit basis to a floor level of a boat shed at a level lower than the Estuarine Planning Level where it can be demonstrated through an Estuarine Risk Management Report that the boat shed is structurally designed to withstand periodic wave action and tidal inundation up to the Estuarine Planning Level. An Estuarine Risk Management Report must also address the objectives and relevant requirements of the Estuarine Risk Management Policy for Development in Pittwater as well as those of the CM Act and SEPP R&H.

**Additional Information Required:**

An Estuarine Risk Management Report addressing proposed development below the adopted EPL, including proposed inclinator and boat shed.

If significant new developments such as residential accommodation, construction of a new boatshed, sea wall, inclinator and associated works are proposed on land below the adopted EPL, an Estuarine Risk Management Report must be submitted in support of the DA.

The requirements of other relevant controls under D15.15 Waterfront Development Controls in Pittwater 21 DCP may also need to be considered.

The minimum floor level for new boatsheds shall be in accordance with the B3.7 Estuarine Hazard Controls.

An Estuarine Risk Management Report should consider development constraints due to estuarine hazard impacts on the land, including an assessment of the degree of inundation, effects of wave action, impacts of waterborne debris, buoyancy effects, and other emergency issues during the design event (100 year ARI event). The report should also contain recommendations as to any reasonable and practical measures that can be undertaken to remove foreseeable risk associated with estuarine hazards for the design life of the development.

The estuarine risk management report must be prepared by a specialist coastal engineer who is a registered professional engineer with chartered professional status (CP Eng) and with coastal engineering as a core competency and who has an appropriate level of professional indemnity insurance.

Form 1, provided in the Estuarine Risk Management Policy for Development in Pittwater (Appendix 7, Pittwater 21 DCP) must be signed by the specialist coastal engineer and included with the Estuarine Risk Management Report.

As per Appendix 7 of the Pittwater 21 DCP, applicants may also seek their own professional advice on estuarine planning levels from a suitably qualified Coastal Engineer at the expense of the individual applicant.

The coastal assessment will be finalised when additional information is received.

The proposal is therefore unsupported.

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

**Recommended Natural Environment Conditions:**

Nil.