Natural Environment Referral Response - Coastal

Application Number:	DA2020/0028

Responsible Officer	Phil Lane
Land to be developed (Address):	Lot 22 DP 11552 , 9 Ocean 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

The application has been assessed in consideration of the *Coastal Management Act 2016*, State Environmental Planning Policy (Coastal Management) 2018 and has also been assessed against requirements of the 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 *Coastal Management Act 2016* is applicable to the proposed development.

The proposed development is in line with the objects, as set out under Clause 3 of the *Coastal Management Act 2016.*

State Environmental Planning Policy (Coastal Management) 2018
As the subject site has been identified as being within the coastal zone and therefore SEPP (Coastal Management) 2018 is also applicable to the proposed development.

The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps but not been included on the Coastal Vulnerability Area Map under the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). Hence, Clauses 13, 14 and 15 of the CM SEPP apply for this DA.

Comment:

As assessed in both the submitted Statement of Environmental Effects (SEE) report prepared by Vaughan Milligan Development Consulting Pty. Ltd. dated January 2020 and Coastline Risk Management Report by Horton Coastal Engineering Pty. Ltd. dated 4 January 2020, Council accepts the assessments, the DA satisfies requirements under clauses 13, 14 and 15 of the CM SEPP.

As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.

Pittwater LEP 2014 and Pittwater 21 DCP

The property is located within a “Wave inundation” hazard area designated on the Coastal Risk Planning Map that is referenced in Pittwater Local Environmental Plan 2014. The subject property is also mapped as being land identified under Coastline Beach Hazard Area on the Pittwater 21 Development Control Plan (DCP) Map MDCP016. As such, the Coastal Risk Management Policy for Development in Pittwater (Appendix 6, Pittwater 21 DCP) and the relevant B3.3 Coastline (Beach) Hazard controls in P21 DCP will apply to new development of the site.

Coastline (Beach) Hazard Management

A Coastline Risk Management Report byHorton Coastal Engineering Pty. Ltd. dated 4 January 2020 has been submitted with this DA application.

The report assessed that wave runup levels at Palm Beach in a severe storm may exceed 8m AHD, particularly taking sea level rise into account over the next 60 years, and assuming an infinite height foreshore. In reality, any waves that overtopped the foreshore seaward of the subject property (at a level of about 6m AHD) would ‘fold over’ the crest and travel as a sheet flow at shallow depth, spreading out and infiltrating over landward areas5. There is the expectation of a significant reduction in the velocity and depth of the runup within the order of 10m from the foreshore crest.For the purpose of the report herein, a Coastline Planning Level of 7.8m AHD has been adopted, which is 0.5m above the Ground Floor level.To reduce the risk of wave runup impacting the proposed development, number of recommendations have been made..

Further, it has been noted that elevated bedrock at the subject property means that traditional sandy beach coastal hazards do not apply at the property.

Hence, the proposed development does comply with the requirements of Clause 7.5 of Pittwater Local Environmental Plan 2014, Section B3.3 of the Pittwater 21 DCP and the Coastline Risk Management Policy for Development in Pittwater for the matters considered herein.

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

Erosion and Sediment Control Plan
An Erosion and Sediment Control Plan (ESCP) shall be prepared by an appropriately qualified person and implemented onsite prior to commencement. The ESCP must meet the requirements outlined in the Landcom publication Managing Urban Stormwater: Soils and Construction - Volume 1, 4th Edition (2004). The ESCP must include the following as a minimum:

- Site Boundaries and contours
- Approximate location of trees and other vegetation, showing items for removal or retention (consistent with any other plans attached to the application)
- Location of site access, proposed roads and other impervious areas (e.g. parking areas and site

facilities);
- Existing and proposed drainage patterns with stormwater discharge points
- Locations and methods of all erosion and sediment controls;
- North point and scale.

Details demonstrating compliance are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: To protect the environment from the effects of sedimentation and erosion from development sites.

Compliance with Coastal Risk Management Report
The development is to comply with all recommendations of the approved Coastal Risk Management Report prepared by Horton Coastal Engineering Pty Ltd. dated 4 January 2020, and these recommendations are to be incorporated into construction plans and maintained over the life of the development.

Reason: To ensure coastal risk is addressed appropriately

Low Level Coastal Inundation Risk Design
All development must be designed and constructed to achieve a low risk of damage and instability due to coastal inundation, wave impact and foreshore erosion hazards.

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