

Natural Environment Referral Response - Coastal

Application Number:	DA2020/0776
Date:	18/08/2020
Responsible Officer	Thomas Burns
Land to be developed (Address):	Lot 5 DP 17704 , 16 Cabarita Road AVALON BEACH 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

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:

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Peter Downes Design dated UNDATED, 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 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 Estuarine Hazard Controls will apply to any proposed development of the site.

Estuarine Risk Management

In accordance with the Pittwater Estuary Mapping of Sea Level Rise Impacts Study (2015), a base estuarine planning level (EPL) of RL 2.66m 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 0.07m reduction to the EPL for every 5.00m distance from the foreshore edge up to a maximum distance of 40.00m.

An independently derived EPL of RL 2.45m AHD has been established for this DA through an Estuarine Risk Management Report prepared by Salients Pty. Ltd. dated 13 November 2018

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Peter Downes Designs dated UNDATED, the ground level for the landing site 5 of the proposed incline passenger lifts is below the derived EPL for the site.

The proposed development is therefore subject to conditions to satisfy the relevant estuarine risk management requirements of P21 DCP.

Development on Foreshore Area

However, 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.

The DA proposes works to install Incline Passenger Lifts which serves the purpose of waterway access stairs. This proposed work is consistent with Clause 7.8(2)(b).

On internal assessment, the DA satisfies the objectives and requirements of Part 7, Clause 7.8 of the Pittwater LEP 2014.

Installation of Incline Passenger Lifts

The DA proposes installation of two passenger lifts to access foreshores. The proposed work is subject to control C1.19: Incline Passenger Lifts and Stairways of the Pittwater DCP 2014.

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Peter Downes Designs dated UNDATED, the DA satisfies the objectives and requirements of the C1.19: Incline Passenger Lifts and Stairways of the Pittwater DCP 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 TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Estuarine Hazard Design Requirements

The following applies to all development:

All development or activities must be designed and constructed such that they will not increase the level of risk from estuarine processes for any people, assets or infrastructure in surrounding properties; they will not adversely affect estuarine processes; they will not be adversely affected by estuarine processes.

To ensure Council's recommended flood evacuation strategy of 'shelter-in-place', it will need to be demonstrated that there is safe pedestrian access to a 'safe haven' above the Estuarine Planning Level.

Reason: To minimise potential hazards associated with development in an estuarine habitat.

Estuarine Planning Level Requirements

An independently assessed Estuarine Planning Level (EPL) of 2.45m AHD has been adopted for the subject site and shall be applied to all development proposed below this level as follows:

- All structural elements below 2.45m AHD shall be of flood compatible materials;
- All electrical equipment, wiring, fuel lines or any other service pipes and connections must be located either above 2.45m AHD or waterproofed to this level; and
- The storage of toxic or potentially polluting goods, chemicals or materials, which may be hazardous or pollute the waterway, is not permitted below 2.45m AHD.
- All interior power supplies (including electrical fittings, outlets and switches) must be located at or above 2.45m AHD. All exterior power supplies (including electrical fittings, outlets and

switches) shall be located at or above 2.45m AHD to avoid the likelihood of contact with splashing waves and spray.

Reason: To ensure aspect of the development are built at the appropriate level

Structural Engineering for Estuarine Risk

Structural engineering design for the development shall be prepared, with input as necessary from a chartered professional engineer with coastal engineering as a core competency, to ensure that for its design life, the development is able to withstand the wave impact forces and loadings identified in the approved Estuarine Risk Management Report prepared by Salients Pty. Ltd. dated 13 November 2018.

Note: The potential for component fatigue (wear and tear) should be recognised for the less severe, but more frequent, wave impact loadings.

Reason: To ensure structural engineering is prepared by an appropriately qualified professional