

## Natural Environment Referral Response - Coastal

<b>Application Number:</b>	DA2023/0998
<b>Proposed Development:</b>	Alterations and additions to a Community Facility
<b>Date:</b>	25/09/2023
<b>Responsible Officer</b>	Alex Keller
<b>Land to be developed (Address):</b>	Lot 1 DP 909023 , 9999 The Esplanade FRESHWATER NSW 2096

### 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 (Resilience & Hazards) 2021 and has also been assessed against requirements of the Warringah LEP 2011 and Warringah DCP 2011.

#### 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 (Resilience & Hazards) 2021

The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Resilience & Hazards) 2021. 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 GSA Planning Pty. Ltd. dated June 2023 and also as assessed in the submitted Coastal Assessment Report prepared by Haskoning (Australia) Pty. Ltd. dated 31 January 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

#### Warringah LEP 2011 and Warringah DCP 2011

No other coastal related issues identified.

As such, it is considered that the application does comply with the requirements of the coastal relevant clauses of the Warringah LEP 2011 and Warringah DCP 2011.

### **Coastal hazards & A Note from pre-lodgement Meeting**

The subject site is not located in any mapped coastal hazard area. However, at a Pre-lodgement meeting held on 22 April 2016 concluded that the matters related to the impact of the development on coastal processes (Clause 5.5 of WLEP 2011 and Part E9 WDCP 2011) and compliance with SEPP71 (replaced with the State Environmental Planning Policy (Resilience & Hazards) 2021) can be addressed within the Statement of Environmental Effects. It is recommended that the limited impact of the proposal on coastal processes be confirmed by a coastal engineer. A short letter or email will be sufficient. A coastal hazards assessment does not need to be submitted with this proposal .

The applicant submitted the Coastal Assessment Report prepared by Haskoning (Australia) Pty. Ltd. dated 31 January 2023. The proposed works are not likely to cause increased risk of coastal hazards on the subject land or other land as the proposed works are either located landward of coastal processes, or are situated within existing building structures, or are at a level above the influence of coastal processes.

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**

##### **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.

Reason: Relevant coastal hazards to be accommodated in the design of affected development.

#### **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