

Natural Environment Referral Response - Coastal

Application Number:	DA2020/1563
Date:	15/12/2020
Responsible Officer	Jordan Davies
Land to be developed (Address):	Lot 85 DP 6746 , 35 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

The subject land has been included on the ' Littoral Rainforest and Proximity Area', 'Coastal Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). Hence, Clauses 10, 11, 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 Mecone dated 27 November 2020, the DA satisfies/does not satisfy requirements under clauses 13, 14 and 15 of the CM SEPP.

Council's Bushland & Biodiversity Unit will assess the requirements under Clauses 10 and 11 of the CM SEPP.

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

The Applicant received an advice from Council that "A Coastal Risk Management Report is not required to be submitted with the development application where it is demonstrated that all floor levels, including those of existing components of the development, are at or above the Coastline Planning Level (CPL), or raised to the Coastline Planning Level and/or all development (existing and proposed) is landward of the 100 year Coastline Management Line (CML).

The submitted Statement of Environmental Effects (SEE) report prepared by Mecone dated 27 November 2020 showed that all floor levels, including those of existing components of the development, are at or above the Coastline Planning Level (CPL), or raised to the Coastline Planning Level and/or all development (existing and proposed) is landward of the 100 year Coastline Management Line (CML).

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:

Nil.