

Natural Environment Referral Response - Coastal

Application Number:	DA2019/0913
Responsible Officer	Maxwell Duncan
Land to be developed (Address):	Lot 70 DP 11067 , 32 The Strand WHALE 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.

State Environmental Planning Policy (Coastal Management) 2018

12 Development on land within the coastal vulnerability area

Development consent must not be granted to development on land that is within the area identified as "coastal vulnerability area" on the Coastal Vulnerability Area Map unless the consent authority is satisfied that:

- (a) *if the proposed development comprises the erection of a building or works—the building or works are engineered to withstand current and projected coastal hazards for the design life of the building or works, and*
- (b) *the proposed development:*
 - (i) *is not likely to alter coastal processes to the detriment of the natural environment or other land, and*
 - (ii) *is not likely to reduce the public amenity, access to and use of any beach, foreshore, rock platform or headland adjacent to the proposed development, and*
 - (iii) *incorporates appropriate measures to manage risk to life and public safety from coastal hazards, and*
- (c) *measures are in place to ensure that there are appropriate responses to, and management of, anticipated coastal processes and current and future coastal hazards.*

Comment:

The subject land has been included in the 'Coastal Use Area' map but not been included on the Coastal Vulnerability Area Map under the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). Hence, Clauses 12, 14 and 15 of the CM SEPP apply for this DA. In regard to clauses 12 and 15 of the CM SEPP, the proposed development is unlikely to cause increased risk of coastal hazards on the subject land or other land. As elaborated in the Statement of Environmental Effects (SEE), the DA satisfies requirements under clause 14 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” area designated on the Coastal Risk Planning Map (Sheet CHZ_015) that is referenced in Pittwater Local Environmental Plan 2014. The property is also mapped as being subject to coastal erosion and coastal inundation hazards on the Pittwater 21 Development Control Plan (DCP)1 Map MDCP016. Therefore, the property is subject to Chapter B3.3 of the DCP, and the Coastline Risk Management Policy for Development in Pittwater (Coastline Policy),

The subject land is also identified under Coastline Beach Hazard Area.

For this, a Coastline Risk Management Report by Horton Coastal Engineering Pty. Ltd, dated 9 August 2019, has been submitted with this DA application. In this report a Coastline Planning Level of 8.5m AHD has been adopted.

In the Coastline Risk Management Policy for Development in Pittwater, it is noted that a planning period (design project life) of 100 years should be adopted unless otherwise justified. A 60-year planning period has been considered herein, The Policy allows variations between the 50 and 100 years.

According to Coastline Risk Management Report by Horton Coastal Engineering Pty. Ltd, dated 9 August 2019, coastal erosion/recession is not a credible risk to the proposed development for a planning period beyond 2100 (design life of 81 years). The development would be at an acceptably low risk of damage from coastal inundation and wave runoff over a reasonable 60 year design life if the measures outlined in Section 8 are adopted.

Final Comment

The proposed development does comply with the requirements of State Environmental Planning Policy (Coastal Management) 2018 (Clauses 12, 14 and 15), Section 9(2) of the Coastal Management Act 2016, 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.

Referral Body Recommendation

Recommended for approval, subject to conditions

Refusal comments

Recommended Natural Environment Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

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 9 August 2019, 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 WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Post Construction Coastal certificate

Prior to the issue of the Occupation Certificate, a Post Construction Coastal Certificate shall be submitted to the Principal Certifying Authority (Form No. 3 of the Coastline Risk Management Policy for Development in Pittwater - Appendix 6 of P21 DCP) that has been prepared and signed by a specialist coastal engineer who is a registered professional engineer with chartered professional status (CP Eng) and coastal engineering as a core competency and who has an appropriate level of professional indemnity insurance.

Reason: To ensure the development has been constructed to the engineers requirements