

## Natural Environment Referral Response - Coastal

<b>Application Number:</b>	DA2022/1759
<b>Date:</b>	22/11/2022
<b>Responsible Officer</b>	Gareth David
<b>Land to be developed (Address):</b>	Lot 2 DP 367690 , 50 The Avenue NEWPORT NSW 2106 Lot LIC 477547 , 50 The Avenue NEWPORT NSW 2106

### 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

NOT SUPPORTED DUE TO LACK OF INFORMATION (Estuarine Risk Management Report and Seawall Maintenance Management Plan are required)

The proposed works involve the complete removal of the existing stone seawall and the construction of a new sandstone seawall, with recessed steps, in the same location to retain the existing reclamation. Additional decking alongside the boat shed is also proposed and the application modifies the existing timber jetty and removes the existing pontoon to add a ramp and new pontoon with 2 existing and one relocated stabilising piles. A berthing area using the existing berthing piles will be located to the south of the pontoon.

### Estuarine Risk Management Report by a Coastal Engineer

SEPP (Resilience and Hazards) 2021 maps the property as Coastal Management Area and Coastal Use Area. The proposed development must therefore comply with the relevant requirements of development on land within these Coastal Management Areas. The subject property has also been identified as being affected by estuarine wave action and tidal inundation on Council's Estuarine Hazard Mapping. 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 development of the site.

The objective 3.0 (a) of the Estuarine Risk Management Policy for Development in Pittwater (Appendix 7, Pittwater 21 DCP) is "to ensure that wave action and tidal inundation processes (affecting development or likely to be affected by development) are adequately investigated and documented by applicants or proponents of activities prior to the lodgment of any development application". Additionally, the relevant provisions of Clause D15.18 of the Pittwater 21 DCP must also be addressed in support of the DA.

Furthermore, Clause 27 of the Coastal Management Act 2016, requires that satisfactory arrangements have been made for ongoing maintenance of the (coastal protection) works for the life of the works.

An Estuarine Risk Management Report and a Maintenance Management Plan prepared by a suitably qualified Coastal Engineer are required to be submitted in support of the subject development proposal in order to address the abovementioned matters.

### Estuarine Risk Management Report

An Estuarine Risk Management Report should also consider development constraints due to estuarine hazard impacts on the land, including an assessment of the degree of inundation, effects of wave action forces, buoyancy effects, impacts of waterborne debris, erosion effects, and other emergency issues during the design event (100 yr ARI event). The report should contain recommendations as to any reasonable and practical measures that can be undertaken to remove foreseeable risk associated with estuarine hazards for the design life of the development as well as assessing the suitability of the design of the proposed development for its intended purpose.

An estuarine risk management report must be prepared by a specialist coastal engineer who is a registered professional engineer with chartered professional status (CP Eng) and with coastal engineering as a core competency and who has an appropriate level of professional indemnity insurance.

### Maintenance Management Plan

In compliance with Clause 27 of the Coastal Management Act 2016, a Maintenance Management Plan (MMP) is to be prepared for the ongoing maintenance of the proposed seawall (coastal protection works) for its intended design life. The MMP is also to be prepared by a suitably qualified coastal engineer. The MMP may be included as a part of the Estuarine Risk Management Report.

Once an Estuarine Risk Management Report and Seawall Maintenance Management Plan are received for the subject development proposal, the DA assessment will be completed in regard to the relevant coastal matters.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

### **Recommended Natural Environment Conditions:**

Nil.