

## Natural Environment Referral Response - Coastal

<b>Application Number:</b>	DA2023/0718
<b>Proposed Development:</b>	Renovation of eleven (11) of the existing golf course greens, construction of one (1) new green and removal of trees.
<b>Date:</b>	11/09/2023
<b>Responsible Officer</b>	Nick Keeler
<b>Land to be developed (Address):</b>	<p>Lot 1 DP 662920 , 52 Cabbage Tree Road BAYVIEW NSW 2104</p> <p>Lot 1 DP 19161 , 52 Cabbage Tree Road BAYVIEW NSW 2104</p> <p>Lot 5 DP 45114 , 52 Cabbage Tree Road BAYVIEW NSW 2104</p> <p>Lot 7 DP 45114 , 52 Cabbage Tree Road BAYVIEW NSW 2104</p> <p>Lot 6 DP 45114 , 52 Cabbage Tree Road BAYVIEW NSW 2104</p> <p>Lot A DP 339874 , 1825 Pittwater Road BAYVIEW NSW 2104</p> <p>Lot 1 DP 986894 , 1825 Pittwater Road BAYVIEW NSW 2104</p> <p>Lot 2 DP 986894 , 1825 Pittwater Road BAYVIEW NSW 2104</p> <p>Lot 3 DP 986894 , 1825 Pittwater Road BAYVIEW NSW 2104</p> <p>Lot 150 DP 1003518 , 1825 Pittwater Road BAYVIEW NSW 2104</p> <p>Lot 191 DP 1039481 , 1825 Pittwater Road BAYVIEW NSW 2104</p> <p>Lot 300 DP 1139238 , 1825 Pittwater Road BAYVIEW NSW 2104</p>

### 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 DA proposes renovation of 11 of the existing golf course greens, construction of one new green and removal of trees at Bayview Golf Club. 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 the coastal relevant requirements of 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 the Coastal

Management Act 2016 is applicable to the proposed development. The proposed development is considered to be consistent 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 'Proximity to Coastal Wetlands Area', 'Coastal Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Resilience & Hazards) 2021 (SEPP R & H). Hence, Clauses 2.9, 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 Vaughan Milligan Development Consulting Pty Ltd. dated May 2023 and also as assessed in the submitted Estuarine Risk Management Report prepared by Horton Coastal Engineering Pty. Ltd dated 27 April 2023, the DA satisfies requirements under clauses 2.9, 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.

### **Estuarine Hazard Management**

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 Estuarine Hazard Controls will apply to any proposed development of the site.

An estuarine risk management report prepared by Horton Coastal Engineering Pty Ltd dated 27 April 2023, defines an independently derived estuarine planning level (EPL) for the site of RL 1.71m AHD over a proposed design life of 25 years. The report concludes that for events more severe than about 2% AEP, catchment flooding produces more elevated water levels than the EPL. As the higher level, the FPL and relevant flood controls will therefore prevail and the conditions applied in the Natural Environment Referral Response - Flood for this DA are supported. As such it is considered that the proposed development satisfies the relevant requirements of the Estuarine Risk Management Policy and Estuarine Hazard Controls subject to conditions herein as well as those applied in the Natural Environment Referral Response - Flood.

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**

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.

Reason: To minimise risks associated with coastal hazards for development in an estuarine environment.

### **Estuarine Planning Level Requirements**

A higher Estuarine Planning Level (EPL) of 1.92m AHD has been adopted by Council for the subject site and shall be applied to all development proposed below this level as follows:

1. All structural elements below 1.92m AHD shall be of flood compatible materials;
2. All electrical equipment, wiring, fuel lines or any other service pipes and connections must be located either above 1.92m AHD or waterproofed to this level; and
3. The storage of toxic or potentially polluting goods, chemicals or materials, which may be hazardous or pollute the waterway, is not permitted below 1.92m AHD.

Reason: To ensure vulnerable components of the development are built at the appropriate level.

### **Compliance with Estuarine Risk Management Report**

The development is to comply with all recommendations of the approved Estuarine Risk Management Report prepared by Horton Coastal Engineering Pty. Ltd. dated 27 April 2023 and these recommendations are to be incorporated into construction plans and specifications and maintained over the life of the development.

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

### **Structural Engineering for Estuarine Risk**

Structural engineering design for the development shall be prepared to ensure that for its design life (taken to be 25 years as justified and accepted by Council) the development is able to withstand the wave impact forces and loadings identified in the approved Estuarine Risk Management Report prepared by Horton Coastal Engineering Pty. Ltd. dated 27 April 2023.

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