

Natural Environment Referral Response - Coastal

Application Number:	DA2020/0046
Responsible Officer	Nick Keeler
Land to be developed (Address):	Lot 71 DP 6746 , 22 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

As the subject site has been identified as being within the coastal zone and therefore SEPP (Coastal Management) 2018 is also applicable to the proposed development.

The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps but not been included on the Coastal Vulnerability Area Map under the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). Hence, Clauses 13, 14 and 15 of the CM SEPP apply for this DA.

Comment:

As assessed in both the submitted Statement of Environmental Effects (SEE) report prepared by Mersonn Pty. Ltd. dated November 2019 and also Coastline Risk Management Report prepared by Horton Coastal Engineering dated 13 January 2020, Council accepts the assessment, the DA satisfies requirements under clauses 13, 14 and 15 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

A Coastline Risk Management Report by Horton Coastal Engineering, dated 13 January 2020, has been submitted with this DA application.

The report assessed that some of the proposed works are seaward of the CHL (Coastline Hazard Line)/CML (Coastline Management Line), such as the driveway relocation, part of the filling and part of the boundary walls. This is acceptable based on variation (iii) in Chapter 8.1 of the Coastline Policy, namely: "Relocatable or sacrificial, ancillary, non-habitable, detached, light weight structures associated with landscaping, storage or outdoor living areas may be permitted seaward of the 100 year Coastline Management Line where their destruction by coastal processes is unlikely to exacerbate property damage during a storm event".

In relation to wave inundation, the proposed works (in particular the filling of the land) and the retention of a solid eastern boundary wall would reduce the impact of wave runup on the property compared to the existing situation, without exacerbating any impacts of wave runup on adjacent properties. The additional retaining wall on the seaward side of the proposed development would reduce the risk of wave runup impacting on the dwelling compared to the existing situation. The proposed works would not be expected to be adversely impacted by wave runup. For the purpose of the report herein, a Coastline Planning Level of 5.4m AHD has been adopted, which represents wave runup being 'tripped' by the retaining wall seaward of the dwelling. This Coastline Planning Level does not apply to the dwelling itself, as wave runup would not be expected to reach the dwelling in the design event.

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:

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 13 January 2020, 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.

Design Impact on Coastal Processes and Public/Private Amenity

All development and/or activities must be designed and constructed so that they will not adversely impact on surrounding properties, coastal processes or the amenity of public foreshore lands.

Reason: To ensure the development does not impact the coastal process and public/private