

Natural Environment Referral Response - Coastal

Application Number:	REV2021/0034
Date:	20/09/2021
Responsible Officer	Rebecca Englund
Land to be developed (Address):	Lot B DP 316404 , 231 Whale Beach Road 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 development proposal is for demolition works and construction of a mixed use development comprising shop top housing and retail premises, with associated carparking, landscaping and strata subdivision at 231 Whale Beach Road, Whale Beach.

Preliminary assessment of the application has been undertaken in consideration of the Coastal Management Act 2016, State Environmental Planning Policy (Coastal Management) 2018 and against the coastal relevant requirements of Pittwater LEP 2014 and Pittwater 21 DCP. Adequate information to complete the coastal assessment has not been provided.

Coastal Management Act 2016 and State Environmental Planning Policy (Coastal Management) 2018

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 subject site is included on the 'Coastal Use Area' map under State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP) and the provisions of Clauses 14 and 15 of the CM SEPP are relevant to the proposed development.

While the subject site is not included on the Pittwater Coastal Risk Planning Map in Pittwater LEP 2014, as a consequence of the relatively low crest level (about 7.2m AHD) of the vehicle access ramp to the proposed basement carpark and the direction the driveway faces, there is potential for coastal hazards (in particular coastal inundation) to impact the proposed development over its design life. Coastal hazards may therefore constitute a risk to life and property if the basement carpark is inundated as a result of wave run-up during extreme, but rare, ocean storm events. In this regard, clause 15 of the CM SEPP states that:

15 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

In order for Council to assess the proposed development in accordance with the requirements of clause 15 of the CM SEPP, a coastal risk management report should be lodged in support of the application. For guidance, the Coastline Risk Management Policy for Development in Pittwater (Appendix 6,

Pittwater 21 DCP) outlines the requirements of a coastal risk management report. The 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.

The coastal assessment will be completed upon receipt of the additional information.

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.