

Natural Environment Referral Response - Coastal

Application Number:	DA2023/1532
Proposed Development:	Demolition works and construction of a dwelling house including swimming pool
Date:	13/11/2023
Responsible Officer	Adam Croft
Land to be developed (Address):	Lot 2 DP 412086 , 15 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 (Resilience and Hazards) 2021 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 (Resilience & Hazards) 2021

The subject land has been included on the 'Coastal Use Area' map under the State Environmental Planning Policy (Resilience & Hazards) 2021. Hence, Clauses 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 BMA Urban Pty. Ltd. dated 20 October 2023 and also as assessed in the submitted Coastal Risk Management Report prepared by Horton Coastal engineering Pty. Ltd. dated 19 October 2023, the DA satisfies requirements under clauses 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.

Pittwater LEP 2014 and Pittwater 21 DCP

Wave Inundation & Beach Hazard Management

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.

Comment:

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by BMA Urban Pty. Ltd. dated 20 October 2023 and also as assessed in the submitted Coastal Risk Management Report prepared by Horton Coastal engineering Pty. Ltd. dated 19 October 2023, The Coastline Planning Level has been assessed as 5.67m AHD which is 0.5m above the garage floor. The following report further recommended measures that should be adopted to further reduce the risk of inundation impacting on the dwelling.

As such the DA satisfies requirements, subject to conditions, of the coastal relevant clauses of the Pittwater LEP 2014 and Pittwater 21 DCP.

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

Coastal Planning Level Requirements

A Coastal Planning Level (EPL) of 5.67m AHD has been adopted in the approved Coastal Risk Management Report prepared by Horton Coastal Engineering Pty. Ltd. dated 19 October 2023 for the subject site and shall be applied to all development proposed below this level as follows:

1. All structural elements below 5.67m 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 5.67m 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 5.67m AHD.

4. All interior power supplies (including electrical fittings, outlets and switches) must be located at or above 5.67m AHD. All exterior power supplies (including electrical fittings, outlets and switches) shall be located at or above 5.67m AHD to avoid the likelihood of contact with splashing waves and spray.

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

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 Report dated 19 October 2023, and these recommendations are to be incorporated into construction plans and specifications and maintained over the design life of the development (taken as 60 years).

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.

Reason: Relevant coastal hazards to be accommodated in the design of affected development.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Installation and Maintenance of Sediment and Erosion Control

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004). Techniques used for erosion and sediment control on site are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Compliance with Coastline Risk Management Report

The development is to comply with all recommendations of the approved Coastline Risk Management Report prepared by Horton Coastal Engineering Pty. Ltd. dated 19 October 2023 and these recommendations are to be maintained over the life of the development.

Reason: To ensure preservation of the development and the coastal environment