

# Natural Environment Referral Response - Coastal

Application Number:	DA2020/0014
Responsible Officer	Anne-Marie Young
Land to be developed (Address):	Lot 51 DP 740538 , 1772 Pittwater Road BAYVIEW NSW

2104

#### 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, SEPP (Coastal Management) 2018 is applicable to the proposed development.

The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). It is also included in Council's Estuarine Risk Map. Hence, Clauses 13, 14 and 15 of the CM SEPP have been assessed for this DA.

#### Comment:

On internal assessment the DA satisfies requirements under clauses 13, 14 and 15 of the CM SEPP. As such, it is considered that the application complies with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.

## Pittwater LEP 2014 and Pittwater 21 DCP

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 B3.7 Estuarine Hazard Controls will apply to any proposed development of the site.

#### **Estuarine Risk Management**

In accordance with the Pittwater Estuary Mapping of Sea Level Rise Impacts Study (2015), a base estuarine planning level (EPL) of RL 2.7 m AHD applies to the subject site.

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Proposed development below the derived EPL

The submitted Estuarine Risk Management Report prepared by Horton Coastal Engineering, dated 20 December 2020, identifies the EPL as being 3.3m AHD. For the purposes of this referral, staff have identified the EPL as being 2.7m AHD as per the Pittwater Estuary Mapping of Sea Level Rise Impacts Study (2015).

The majority of the development is at above 3.5m AHD with only the pool, pool pumps and landscaping being below this level. The proposed development is therefore acceptable subject to conditions to satisfy the relevant estuarine risk management requirements of P21 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

## **Flood Compatible Materials**

All structural elements below the coastline planning level of 2.7m AHD as defined in the approved Coastal Risk Management Report shall be comprised of flood compatible materials.

Reason: To ensure potential impact of coastal inundation is minimised

## **Estuarine Hazard Design Requirements**

The following applies to all development:

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.

To ensure Council's recommended flood evacuation strategy of 'shelter-in-place', it will need to be demonstrated that there is safe pedestrian access to a 'safe haven' above the Estuarine Planning Level.

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

## **Estuarine Planning Level Requirements**

An Estuarine Planning Level (EPL) of 2.7m AHD has been adopted by Council for the subject site and shall be applied to all development proposed below this level as follows:

- All structural elements below 2.7m AHD shall be of flood compatible materials;
- All electrical equipment, wiring, fuel lines or any other service pipes and connections must be located either above 2.7m AHD or waterproofed to this level; and
- The storage of toxic or potentially polluting goods, chemicals or materials, which may be hazardous or pollute the waterway, is not permitted below 2.7m AHD.
- All interior power supplies (including electrical fittings, outlets and switches) must be located at
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or above 2.7m AHD . All exterior power supplies (including electrical fittings, outlets and switches) shall be located at or above 2.7m AHD to avoid the likelihood of contact with splashing waves and spray.

Reason: To ensure aspect 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, 20 Dec 2019, and these recommendations are to be incorporated into construction plans.

Note: Council adopted EPL of 2.7m AHD is to be applied to the site.

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, with input as necessary from a chartered professional engineer with coastal engineering as a core competency, to ensure that for its design life (taken to be 60years) 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, 20 Dec, 2019.

Note: The potential for component fatigue (wear and tear) should be recognised for the less severe, but more frequent, wave impact loadings.

Note: Council adopted EPL of 2.7m AHD is to be applied to the site.

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

#### 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.

## 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

# CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

#### **Pollution Control**

All stockpiles, materials, waste and slurry associated with works (including excavated material) is to be contained at source within the construction area and enclosed in waterproof covering and/or sediment and erosion control while not in use. All waste/debris is to be removed off site and disposed of as frequently as required in accordance to local regulations.

Reason: To protect the surrounding environment, and ensure that pollutants and building associated



waste do not leave the construction site.

## **Pollution Control**

Any excess materials such as cleaning paintbrushes, lacquers, and any water from cleaning tools must not enter the stormwater network and/or receiving waterways.

Reason: To ensure that building associated chemicals and pollutants don't enter the surrounding environment.

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

#### **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, 20 Dec 2019, and these recommendations are to be maintained over the life of the development.

Note: Council adopted EPL of 2.7m AHD is to be applied to the site.

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