

Natural Environment Referral Response - Coastal

Application Number:	DA2018/1845
Responsible Officer	Julie Edwards
Land to be developed (Address):	Lot 27 DP 14682 , 52 Iluka 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

Estuarine Risk Management

The property at 52 Iluka Road, Palm Beach has been identified as being affected by estuarine wave action and tidal inundation on Council's Estuarine Hazard Mapping. 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.

A Coastal and Estuarine Hazard Assessment prepared by Cardno (NSW/ACT) Pty Ltd, dated 1 November 2018, has been lodged in support of the development proposal and an Estuarine Planning Level (EPL) of RL 2.65m AHD has been determined for the alterations and additions to the existing dwelling by the coastal engineer. The EPL has been calculated based upon the foreshore type and the setback of the existing development from the foreshore edge for the 2050 sea level rise scenario. EPLs for the development proposed further landward have also been calculated utilising the applicable reduction factor consistent with Council's Pittwater Estuary Mapping of Sea Level Rise Impacts Study (2015).

Floor levels for proposed new development are at or above the EPL with the exception of the boat shed (which is not included as a part of this DA) and the ground floor of the existing dwelling. At RL 2.63m AHD, the ground floor level of the existing dwelling is lower than the recommended EPL however the B3.7 Estuarine Hazard Control makes the following provision:
'For existing structures, a tolerance of up to minus 100mm may be applied to the Estuarine Planning Level in respect of compliance with these controls'.

As the EPL is less than 100mm lower than the EPL, the existing floor level is sufficient to satisfy the control. The proposed new development is able to satisfy the requirements of Council's estuarine hazard policy and controls subject to conditions.

State Environmental Planning Policy (Coastal Management) 2018

12 Development on land within the coastal vulnerability area

Development consent must not be granted to development on land that is within the area identified as "coastal vulnerability area" on the Coastal Vulnerability Area Map unless the consent authority is satisfied that:

- (a) *if the proposed development comprises the erection of a building or works—the building or works are engineered to withstand current and projected coastal hazards for the design life of the building or works, and*

- (b) *the proposed development:*
- (i) *is not likely to alter coastal processes to the detriment of the natural environment or other land, and*
 - (ii) *is not likely to reduce the public amenity, access to and use of any beach, foreshore, rock platform or headland adjacent to the proposed development, and*
 - (iii) *incorporates appropriate measures to manage risk to life and public safety from coastal hazards, and*
- (c) *measures are in place to ensure that there are appropriate responses to, and management of, anticipated coastal processes and current and future coastal hazards.*

Comment:

The subject land is not included on the Coastal Vulnerability Area Map under *State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP)* and in regard to clause 15 of the CM SEPP the proposed development is unlikely to cause increased risk of coastal hazards on the subject land or other land.

As such, it is considered that the application complies with the requirements of *State Environmental Planning Policy (Coastal Management) 2018* as they relate to development on land identified as a coastal vulnerability area or land that may be affected by coastal hazards.

Referral Body Recommendation

Recommended for approval, subject to conditions

Refusal comments

Recommended Natural Environment Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

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, they will not reduce access to or diminish the amenity of adjoining foreshore public land.

Reason: To minimise risk associated with estuarine hazards for development in the coastal zone.

Estuarine Planning Level Requirements

An Estuarine Planning Level (EPL) of RL 2.65m AHD has been determined for the existing dwelling and shall be applied to all additions and alterations proposed below this level as follows:

- All structural elements below RL 2.65m 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 RL 2.65m 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 RL 2.5m AHD.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure aspects of the development likely to be affected by wave action and tidal inundation are built at the appropriate level

Compliance with Estuarine Risk Management Report

The development is to comply with all recommendations and requirements of the approved Coastal and Estuarine Hazard Assessment Report prepared by Cardno (NSW/ACT) Pty Ltd, dated 1 November 2018 and these recommendations are to be incorporated into construction plans and specifications as necessary.

Reason: To minimise potential risk associated with estuarine hazards for development in the coastal zone.