

## Natural Environment Referral Response - Coastal

|                                 |   |
|---------------------------------|---|
| Application Number:             | DA2019/1129   |
| Responsible Officer             | David Auster  |
| Land to be developed (Address): | Lot 2 DP 531960 , 39 Cabbage Tree 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.

The subject site has not been located within the coastal zone and therefore both the *Coastal Management Act 2016* and the State Environmental Planning Policy (Coastal Management) 2018 are not applicable to the proposed development at present..

### Pittwater LEP 2014 and Pittwater 21 DCP

However, the subject property has been identified as affected by estuarine wave action and tidal inundation in future 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 2.24m AHD at 2050 and 2.74m AHD at 2100 would apply at the subject site.

An assesement has been made in the submitted Statement of Environmental Effects (SEE) report prepared by Turnbull Planning International Pty.Ltd. dated October 2019. Although the habitable floor,

which is the first floor of the development has an RL of 4.30m AHD and above the adopted EPL, yet car parking, a bicycle stand, bean storage area and others will be located on the ground floor that has 1.4-2.0m AHD and is below the adopted EPL for the site.

The proposed development is therefore subject to conditions to satisfy the relevant estuarine risk management requirements of P21 DCP.

### **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.

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 2.24m 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 2.24m 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 2.24m 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 2.24m AHD.
- All interior power supplies (including electrical fittings, outlets and switches) must be located at or above 2.24m AHD. All exterior power supplies (including electrical fittings, outlets and switches) shall be located at or above 2.24m 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

### **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 100years unless otherwise justified and accepted by Council) the development is able to withstand the wave impact forces and loadings.

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

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