

Natural Environment Referral Response - Coastal

Application Number:	DA2023/1548
Proposed Development:	Alterations and additions to a dwelling house and associated works.
Date:	06/03/2024
Responsible Officer	Reeve Cocks
Land to be developed (Address):	Lot 15 DP 651513 , 3 Waratah 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 Development Application is seeking approval to:

- Alterations and additions to an existing dwelling house;
- Alterations and additions to an existing garage; and
- Construction of a home office/studio above the garage.

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 Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Resilience & Hazards) 2021 (SEPP R & H). Hence, Clauses 2.10, 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 DFP Planning Pty. Ltd. dated 24 October 2023, the DA satisfies requirements under clauses 2.10, 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

Estuarine Risk Management

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.

In accordance with the Pittwater Estuary Mapping of Sea Level Rise Impacts Study (2015), a base estuary planning level of 2.74m AHD has been adopted by Council for the year 2050 i.e. if the design life of proposed development is 30 years or less. If the design life is higher, it is advisable to consider a base estuarine planning level (EPL) of RL 3.24m AHD. A reduction factor (RF) based upon the distance from the foreshore of proposed development may also apply at a rate of 0.08m reduction to the EPL for every 5.00m distance from the foreshore edge up to a maximum distance of 40.00m. No further reduction is applicable.

As requested, the applicant has submitted an Estuarine Risk Management Report prepared by Haskoning Australia Pty. Ltd. dated 14 February 2024. The report indicated the following parameters:

- the design life of the proposed developments should be considered as 65 years
- proposed developments are located approximately 90m from the foreshore edge, thus claiming reduction of 0.64m from adopted EPLs
- Considering latest results, predicted sea level rise has been calculated as 0.65m at 2100, rather than 0.9m.
- Freeboard has been considered as 23-27cm rather than 30cm.

Considering these estimates, the report concluded that the FFLs of the proposed developments are located above the derived EPLs.

As assessed in the submitted Estuarine Risk Management Report prepared by Haskoning Australia Pty. Ltd. dated 14 February 2024, the finished floor level for the proposed additions and alterations is above the derived EPL for the site.

The proposed development is therefore able 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:

Nil.