

Natural Environment Referral Response - Coastal

Application Number:	Mod2020/0553
Date:	23/11/2020
Responsible Officer	Ashley Warnest
Land to be developed (Address):	Lot 5 DP 816673 , 67 Florence Terrace SCOTLAND ISLAND NSW 2105

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 modification application seeks modification of condition 10 covering the life span of the proposed boatshed, as conditioned in the Notice of Determination dated 6 February 2020 related to DA2019/1275

The modification 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

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). Hence, Clauses 13, 14 and 15 of the CM SEPP apply for this DA.

Comment:

On internal assessment and as assessed in the submitted Statement of Modification report prepared by Stephen Crosby & Associates Pty. Ltd. dated 20 October 2020, the DA satisfies requirements under clauses 13, 14 and 15 of the CM SEPP.

As such, it is considered that the application does comply 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

The modification application has submitted an addendum dated 20 October 2020 to the original Coastal Engineering Report dated 16 October 2019. The Addendum has considered the design life of the boatshed as 30 years and provided design considerations taking an estuarine planning level (EPL) of RL 1.92m AHD.

On internal assessment and as assessed in the submitted addendum dated 20 October 2020 to the original Coastal Engineering Report dated 16 October 2019 prepared by Cardno (NSW/ACT) Pty. Ltd, the finished floor level for the proposed boatshed is below the recommended EPL.

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

Development on Foreshore Area

A section of the subject property is within the foreshore building line. Part 7, Clause 7.8 –Limited development on foreshore area of the Pittwater LEP 2014 applies for any development within the foreshore area.

The DA modification proposes construction of boatshed, decking and skid ramp. All these proposed works are consistent with Clause 7.8(2)(b).

On internal assessment, the DA modification satisfies the objectives and requirements of Part 7, Clause 7.8 of the Pittwater LEP 2014.

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

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 1.92m AHD has been accepted by Council and shall be applied to all development proposed below this level as follows:

- All structural elements below 1.92m 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 1.92m 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 1.92m AHD.
- All interior power supplies (including electrical fittings, outlets and switches) must be located at or above 1.92m AHD. All exterior power supplies (including electrical fittings, outlets and switches) shall be located at or above 1.92m 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 Addendum dated 20 October 2020 to the Coastal Engineering Report dated 16 October 2019 prepared by Cardno (NSW/ACT) Pty. Ltd. and these recommendations are to be incorporated into construction plans.

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 30 years as justified and accepted by Council) the development is able to withstand the wave impact forces and loadings identified in the approved Addendum dated 20 October 2020 to the Coastal Engineering Report dated 16 October 2019 prepared by Cardno (NSW/ACT0 Pty. Ltd..

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