

Natural Environment Referral Response - Coastal

Application Number:	DA2020/1762
Date:	25/02/2021
Responsible Officer	Jordan Davies
Land to be developed (Address):	Lot 1 DP 827733 , 316 Hudson Parade CLAREVILLE NSW 2107 Lot 2 DP 827733 , 316 Hudson Parade CLAREVILLE NSW 2107 Lot LIC 559856 , 316 Hudson Parade CLAREVILLE NSW 2107

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 refused for lack of required supporting information and document

1. The proposed development is located within the coastal zone of NSW and is subject to the provisions of the Coastal Management Act 2016 (CM Act) and State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP) The objectives and requirements of both the CM Act and the CM SEPP must be addressed. This should be done in a revised **Statement of Environmental Effects (SEE) Report** as they relate to development within these coastal management areas.

2. As the proposal is construction of a seawall, the Section 27: granting of development consent relating to coastal protection works of the Coastal Management Act 2016 will apply for assessment of the DA. As required, the impact & risk associated with the construction of the seawall has to be addressed. in a **Risk Management Report**.

3. The subject property has been identified as being affected, among others, 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 proposed development of a boatshed at the site. The requirements of other relevant controls under D15. 15 Waterfront Development Controls in Pittwater 21 DCP may also need to be considered. Consideration should be given to 'section B3 Estuarine Hazard Controls relating to boatsheds'.

In accordance with the Pittwater Estuary Mapping of Sea Level Rise Impacts Study (2015), a base estuarine planning level (EPL) of RL2.63m AHD has been adopted by Council for this property. A reduction factor (RF) based upon the distance from the foreshore of proposed development may also apply at a rate of 0.06m 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

The proposal is, among others, to construct a boatshed. According to 'section B3 Estuarine Hazard Controls relating to boatsheds' of the Pittwater DCP, 'All floor levels shall be at or above the Estuarine Planning Level'.

The Finished Floor Level (FFL) of the proposed boatshed is 1.72 m AHD. An Estuarine Risk Management Report is required if the FFL of the boatshed is below the EPL.

As per Appendix 7 of the Pittwater 21 DCP, applicants may also seek their own professional advice on estuarine planning levels, based on design life of proposed developments, from a suitably qualified Coastal Engineer at the expense of the individual applicant. It is the responsibility of the applicant to submit the independent wave action and tidal inundation information and risk assessment to Council in the form of a technical Estuarine Risk Management Report of adequate qualitative and quantitative detail addressing estuarine level information, the management of risk due to estuarine hazards at an acceptable level and the consideration of other environmental impacts (where applicable) as they affect the subject land neighbouring properties and adjoining foreshore lands.

The Estuarine Planning Level does not apply to Jetties, Bridging Ramps or Pontoons located on the seaward side of the foreshore edge.

An Estuarine Risk Management Report should consider development constraints due to estuarine hazard impacts on the land, including an assessment of the degree of inundation, effects of wave action, impacts of waterborne debris, buoyancy effects, and other emergency issues during the design event (100 ARI event). The report should also contain recommendations as to any reasonable and practical measures that can be undertaken to remove foreseeable risk associated with estuarine hazards for the design life of the development.

An estuarine risk management report must be prepared by a specialist coastal engineer who is a registered professional engineer with chartered professional status (CP Eng) and with coastal engineering as a core competency and has an appropriate level of professional indemnity insurance.

Based on above, the applicant needs to submit:

- a) Revised Statement of Environmental Effects (SEE) report addressing requirements of CMA and SEPP(CM).
- b) An Estuarine Risk Management Report addressing EPL and boatshed floor level and requirement of Section 27 of the CMA

Further assessment of the DA remains pending till these reports addressing the requirements are received

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Natural Environment Conditions:

Nil.