

Natural Environment Referral Response - Coastal

Application Number:	DA2019/1234
Responsible Officer	Tony Collier
Land to be developed (Address):	Lot 1 DP 1170245 , 0 Wharves And Jetties MANLY NSW 2095

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, Sydney Harbour Catchment Regional Environment Plan, 2005 and Sydney Harbour Foreshores and Waterways Area Development Control Plan, 2005. It has also been assessed against requirements of the Manly LEP and DCP.

The application has also been assessed using Northern Beaches SREP assessment template.

The application has been assessed based on submitted Statement of Environmental Effects (SEE) Report prepared by Planning Lab dated 12 September 2019 and other supporting documents submitted with the DA and also reviewing numerous public submissions.

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

As the subject site has been identified as being within the coastal zone and therefore SEPP (Coastal Management) 2018 is also applicable to the proposed development.

The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps but not been included on the Coastal Vulnerability Area Map under the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). Clauses 13 (coastal environment area) and 14 (coastal use area) do not apply as the site is also located within the SREP area. Hence, only Clause 15 of the CM SEPP apply for this DA.

Comment:

On internal assessment, the DA satisfies requirements under Clause 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.

Sydney Regional Environment Plan (Sydney Harbour Catchment), 2005

The subject site is located within W2 (Environmental Protection) Zone.

On internal assessment, it is determined that the proposed internal development has no impact on natural and cultural values of waters in this zone and adjoining foreshores and it is consistent with the aims of this plan and the objectives of the zone.

Sydney Harbour Foreshores and Waterways Area Development Control Plan, 2005

Landscape character Assessment

The subject site is located within the Landscape Character Type 8 : Urban Development with Scattered Trees.

On internal assessment, it is determined that the proposed development within the landscape generally satisfy the relevant criteria except on noise ground. The Acoustic assessment submitted with the DA is dated 27/8/2010. A final assessment is subject to submission of a new recently dated Acoustic Assessment.

Manly LEP 2013, Manly DCP and DCP for Manly Cove

The Manly Wharf is excluded from the Manly LEP 2013 and Manly DCP 2013 and the applicable control is the Manly Development Control Policy for Manly Cove, 1996.

No relevant coastal issues.

Referral Body Recommendation

Recommended for approval, subject to conditions

Refusal comments

Recommended Natural Environment Conditions:

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Requirement & Compliance with an Accoustic Assessment Report

The Development is needed to submit a recently dated Accoustic Assessment Report and is to comply with all recommendations of the Report and these recommendations are maintained over the life of the development.

Reason: To ensure that measures are provided to minimise noise and amenity impacts