

Natural Environment Referral Response - Coastal

Application Number:	DA2019/1111
Responsible Officer	Adam Croft
Land to be developed (Address):	Lot 2 DP 236331 , 135 Seaforth Crescent SEAFORTH NSW 2092

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

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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.

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:

As assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Urban Escape Landscape Contractors dated July 2019 and the DA satisfies requirements under Clause 15 of the CM SEPP.

As such, it is considered that the application complies 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 adjacent to the W1 (Maritime Water), and W8 (Scenic Waters – Passive Use) Zones

As assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Urban Escape Landscape Contractors dated July 2019 it is determined that the objectives and assessment criteria of the zone have been met.

Sydney Harbour Foreshores and Waterways Area Development Control Plan, 2005

Landscape character Assessment

The subject site is located within the Landscape Character Type 4.

As assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Urban Escape Landscape Contractors dated July 2019 Council accepts the assessment and it is determined that the proposed development within the landscape satisfies the relevant criteria.

Manly LEP 2013 and Manly DCP

The subject site is also shown to be as “Landslide risk” on Council’s Landslide Risk Map in Manly LEP 2013. As such, Clause 6.8 (Landslide Risk) of the Manly LEP 2013 and Part 4, section 4.1.8 Development on Sloping Sites of the Manly DCP 2013 will apply to proposed development on the site.

Landslide/ Landslip Hazard Management

A Geotechnical Report by White Geotechnical Group dated 6 September 2019 assessing landslide/landslip hazard has been submitted with the DA. The report assessed that the proposed development is suitable for the site provided its completion is carried out in accordance with the requirements of the report and good engineering and building practice. To ensure compliance with the report, sections 9 to 13 of the report are particularly important.

As such, it is considered that the application does comply, subject to conditions, with the requirements of the Clause 6.8 (Landslide Risk) of the Manly LEP 2013 and Part 4, section 4.1.8 Development on Sloping Sites of the Manly DCP 2013.

Manly LEP 2013 and Manly DCP

The subject site is also shown to be as “Manly Foreshores Scenic Protection Area” on Council’s Foreshores Scenic Protection Area in Manly LEP 2013. As such, Clause 6.9 (Foreshores Scenic Protection Area) of the Manly LEP 2013 and Part 5, section 5.4.1 Foreshores Scenic Protection Area of the Manly DCP 2013 will apply to proposed development on the site.

Foreshores Scenic Protection Area Management

As assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Urban Escape Landscape Contractors dated July 2019 Council accepts the assessment under Clause 6.9 (Foreshores Scenic Protection Area) of the Manly LEP 2013 and Part 5, section 5.4.1 Foreshores Scenic Protection Area of the Manly DCP 2013.

As such, it is considered that the application does comply with the requirements of the Clause 6.9 (Foreshores Scenic Protection Area) of the Manly LEP 2013 and Part 5, section 5.4.1 Foreshores Scenic Protection Area of the Manly DCP 2013.

Referral Body Recommendation

Recommended for approval, subject to conditions

Refusal comments

Recommended Natural Environment Conditions:

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Installation and Maintenance of Sediment and Erosion Control

Sediment and erosion controls must be installed in accordance with Landcom’s ‘Managing Urban Stormwater: Soils and Construction’ (2004). Techniques used for erosion and sediment control on site are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall

remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Pollution Control

All stockpiles, materials, waste and slurry associated with works (including excavated material) is to be contained at source within the construction area and enclosed in waterproof covering and/or sediment and erosion control while not in use. All waste/debris is to be removed off site and disposed of as frequently as required in accordance to local regulations.

Reason: To protect the surrounding environment, and ensure that pollutants and building associated waste do not leave the construction site.

Geotechnical Issues

All conditions outlined in White Geotechnical Group dated 6 September 2019 are to be complied with and adhered to throughout development.

Reason: To ensure work is undertaken in an appropriate manner and structurally sound.

Pollution Control

Any excess materials such as cleaning paintbrushes, lacquers, and any water from cleaning tools must not enter the stormwater network and/or receiving waterways.

Reason: To ensure that building associated chemicals and pollutants don't enter the surrounding environment.