

## Natural Environment Referral Response - Coastal

<b>Application Number:</b>	DA2024/1654
<b>Proposed Development:</b>	Construction of a garage
<b>Date:</b>	19/12/2024
<b>Responsible Officer</b>	Lachlan Rose
<b>Land to be developed (Address):</b>	Lot 1 DP 525168 , 7 A Linkmead Avenue CLONTARF NSW 2093

### 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 (Resilience & Hazards) 2021
- Schedule 1 of the State Environmental Planning Policy Amendments (Water Catchments) 2022 amending the State Environmental Planning Policy (Biodiversity & Conservation) 2021
- Sydney Harbour Foreshores and Waterways Area Development Control Plan, 2005.
- Manly LEP and DCP.

Proposed works

- construction of a garage

**SUPPORTED: WITH CONDITIONS**

**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), however Clauses 2.10 and 2.11 do not apply to land within the Foreshores and Waterways Area within the meaning of State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 6.

Hence, only clause 2.12 of the CM (R & H) apply for this DA.

Comment:

On internal assessment the report satisfies the requirements under 2.12 of the SEPP R&H. As such, it is considered that the application is consistent with the requirements of the State Environmental Planning Policy (Resilience & Hazards) 2021.

Schedule 1 of the State Environmental Planning Policy Amendments (Water Catchments) 2022  
amending the State Environmental Planning Policy (Biodiversity & Conservation) 2021  
Foreshores & Waterways Area

The subject site is located within the Sydney Harbour Catchment and is identified as being within the Foreshores and Waterways Area. Hence Part 6.3 of the Schedule 1 of the State Environmental Planning Policy Amendments (Water Catchments) 2022 amending the State Environmental Planning Policy (Biodiversity & Conservation) 2021 will apply in assessing this DA. Development consent, among others, must consider clause 6.28.

On internal assessment, it is determined that the relevant clauses of the Part 6.3 including the clause 6.28 have been followed.

Manly LEP 2013 and Manly DCP

No coastal related issues identified.

As such, it is considered that the application does comply with the requirements of the coastal relevant clauses of the Manly LEP 2013 and Manly 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.