

Natural Environment Referral Response - Coastal

Application Number:	DA2024/1375
Proposed Development:	Internal and external alterations and additions to Manly Wharf and Manly Wharf Hotel
Date:	19/12/2024
Responsible Officer	Claire Ryan
Land to be developed (Address):	Lot 1 DP 1170245 , 0 East Esplanade 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 Applicant seeks the following

- Removal of existing climbable balustrades
- Installation of new retractable glass balustrades to replace all removed balustrading
- Revised awning arrangement to outdoor areas
- Installation of a pizza preparation area
- Extension of Manly Wharf Bar deck to enable construction of a children's play area, including a repurposed boat playground installation.

The application has been assessed in consideration of the

- Coastal Management Act 2016
- State Environmental Planning Policy (Resilience & Hazards) 2021
- The Manly LEP and DCP
- Submitted designs and reports
- Sydney Regional Environmental Plan 2005 (SREP)

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:

2.12 Development in coastal zone generally—development not to increase risk of coastal hazards

The proposed development sits within the Foreshore zone and is subject to the risks of inundation and coastal processes such as wave energy and overtopping. The EPL for this location is 3.26 m AHD however the proposed development is above this EPL and therefore does not apply.

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Architectus Australia Pty Ltd dated 6 December 2024, the DA satisfies requirements under clause 2.12 of the SEPP R&H.

Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005

The subject land has been included on the Foreshore and Waterways Area and hence is subject to the objectives and clauses of the DCP 2005

On internal assessment, the objectives of the DCP are satisfied in the Statement of Environmental Effects (SEE).

In particular, clause 6.32 Rocky Foreshore and significant seagrasses (Division 3 Development in Foreshore and Waterways Area) has been considered. The proposed development is limited to interior alterations and will have no impact to the seagrass, marine environment or coastal processes assuming appropriate design and conditions are followed.

As such, the DA complies with the DCP

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:

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Stockpiling materials

During construction, all material associated with works is to be contained at source, covered and must be within the construction area. All material is to be removed off site and disposed of according to local regulations. The property is to be kept clean and any building debris removed as frequently as required to ensure no debris enters receiving waters.

Reason: To ensure pollution control measures are effective to protect the aquatic habitats within receiving waters throughout the construction period.