

## Natural Environment Referral Response - Coastal

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| <b>Application Number:</b>             | DA2025/0455   |
| <b>Proposed Development:</b>           | Alterations and additions to a dwelling house including an inclinor   |
| <b>Date:</b>                           | 19/06/2025  |
| <b>Responsible Officer</b>             | Lachlan Rose  |
| <b>Land to be developed (Address):</b> | Lot 2 DP 562588 , 131 A Seaforth Crescent SEAFORTH NSW 2092<br>Lot LIC 30002060 , 131 A 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

This application was assessed in consideration of:

- Supplied plans and reports;
- Coastal Management Act 2016;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Biodiversity & Conservation) 2021; and
- Relevant LEP and DCP clauses.

#### 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). Hence, Clauses 2.10, 2.11 and 2.12 of the CM (R & H) apply for this DA. Clauses 2.10 (coastal environment area) and 2.11 (coastal use area) do not apply as the site is also located within the Sydney Harbour catchment area. Hence, only Clause 2.12 of the SEPP R & H apply for this DA.

#### Comment:

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

#### State Environmental Planning Policy (Biodiversity & Conservation) 2021

#### Harbour 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 Division 3 of the State Environmental Planning Policy (Biodiversity & Conservation) 2021 apply in assessing this DA. On internal assessment, it is determined that the Planning Principles and Matters for Consideration of the Area have been met.

The subject site is located adjacent to the W8 (Scenic Waters – Passive Use) Zones. On internal assessment, 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

The subject site is located within a foreshore area identified on the map and therefore the DCP applies to the proposed development. This referral has not assessed the compliance of the proposal, for any potential impact on the scenic value or landscape character of the area in accordance with the DCP.

Manly LEP 2013 and Manly DCP

Development on Foreshore Area

The subject site is also shown to be as “Manly Foreshores Area” on Council’s Area “within the foreshore building line Map” in Manly LEP 2013. This referral has not assessed the compliance of the proposal, for any potential impact on the scenic value of the area in accordance with Part 6, Clause 6.10.

Estuarine Risk Management

The subject property has been identified as an Estuarine Risk Property within the North and Middle Harbour Estuarine Planning Levels Study (2024). In accordance with this study, a base estuarine planning level (EPL) of RL 2.19m AHD would apply at the subject site. Due to this, conditions will be applied to the proposed development.

Foreshores Scenic Protection Area Management

This referral has not assessed the compliance of the proposal, against any potential impact on the visual amenity or scenic qualities of the coast in accordance with 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.

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 SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**

**Estuarine Planning Level Requirements**

An Estuarine Planning Level (EPL) of 2.19m AHD has been adopted by Council for the subject site and shall be applied to all development proposed below this level as follows:

1. All structural elements below 2.19m AHD shall be of flood compatible materials;

2. All electrical equipment, wiring, fuel lines or any other service pipes and connections must be located either above 2.19m AHD or waterproofed to this level; and

Reason: To ensure vulnerable components of the development are built at the appropriate level.

## **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**

### **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.

### **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.