

Natural Environment Referral Response - Coastal

Application Number:	DA2019/0877
Responsible Officer	Daniel Milliken
Land to be developed (Address):	Lot 51 DP 9202 , 20 Fisher Street BALGOWLAH HEIGHTS 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 (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.

Sydney Harbour Catchment Regional Environment Plan, 2005 and Sydney Harbour Foreshores and Waterways Area Development Control Plan, 2005

The site is located within the Sydney Harbour Catchment Regional Environment Plan, 2005. On internal assessment, it is determined that the objectives and assessment criteria of the zone have been met. Further, the subject land is located within the Sydney Harbour Foreshores and Waterways Area.

As such, the proposed development meets the requirements of the Sydney Harbour REP and DCP,

Manly LEP 2013

The proposed development site is located within the Manly Foreshores Scenic Protection Area.. The Statement of Environmental Effects (SEE) has addressed Clause 6.9 of the Manly LEP and relevant clauses of the Manly DCP.

As such, the proposed development meets the requirements of the Manly LEP and DCP,

State Environmental Planning Policy (Coastal Management) 2018

12 Development on land within the coastal vulnerability area

Development consent must not be granted to development on land that is within the area identified as "coastal vulnerability area" on the Coastal Vulnerability Area Map unless the consent authority is satisfied that:

- (a) *if the proposed development comprises the erection of a building or works—the building or works are engineered to withstand current and projected coastal hazards for the design life of the building or works, and*
- (b) *the proposed development:*

- (i) *is not likely to alter coastal processes to the detriment of the natural environment or other land, and*
 - (ii) *is not likely to reduce the public amenity, access to and use of any beach, foreshore, rock platform or headland adjacent to the proposed development, and*
 - (iii) *incorporates appropriate measures to manage risk to life and public safety from coastal hazards, and*
- (c) *measures are in place to ensure that there are appropriate responses to, and management of, anticipated coastal processes and current and future coastal hazards.*

Comment:

The proposed development meets Clauses 12 and 15 of the Coastal Management SEPP (13 and 14 do not apply as the site is located within the SREP area). As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.

Referral Body Recommendation

Recommended for approval, subject to conditions

Refusal comments

Recommended Natural Environment Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Design Impact on Coastal Processes and Public/Private Amenity

All development and/or activities must be designed and constructed so that they will not adversely impact on surrounding properties, coastal processes or the amenity of public foreshore lands.

Reason: To ensure the development does not impact the coastal process and public/private