

Natural Environment Referral Response - Coastal

Application Number:	DA2022/1000
Date:	22/07/2022
Responsible Officer	Lashta Haidari
Land to be developed (Address):	Lot 100 DP 1276056 , 19 - 21 South Steyne 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 application has been assessed in consideration of the *Coastal Management Act 2016* and State Environmental Planning Policy (Resilience & Hazards) 2021. It has also been assessed against requirements of the Manly LEP and DCP.

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*.

Coastal Hazard Risk Assessment

The Coastal Risk Management Report prepared by Royal HaskongDHV dated 10 June 2022 identified that the present day (2012) hazard line extends generally for the full width of the reserve, the 2050 hazard line extends to approximately the landward side of South Steyne, and it is only the 2100 hazard line extends well into the proposed development RFW site. It is considered that the coastal hazards shown to affect the RFW site, which correspond to a case where the seawall is assumed to have failed,

The report concluded that the coastal risk to the RFW site is not considered to be significant and, accordingly:

- the building and other works (including existing works to be retained) do not need to be engineered to withstand current and projected coastal hazards for the design life of the development;
- the proposed development would not alter coastal processes to the detriment of the natural environment or other land; and
- it is not necessary to put measures in place to ensure there are appropriate responses to, and management of risks associated with, anticipated coastal processes and current and future coastal hazards.

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.

Comment:

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Boston Blygh Fleming dated 12 June 2022 and also Coastal Assessment Report prepared by Royal HaskongDHV dated 10 June 2022, the DA satisfies requirements under clauses 2.10, 2.11 and 2.12 of the SEPP R&H.

As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Resilience & Hazards) 2021.

Manly LEP 2013 and Manly DCP

Foreshores Scenic Protection Area Management

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.

On internal assessment, the DA satisfies requirements 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.

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**

Low Level Coastal Inundation Risk Design

All development must be designed and constructed to achieve a low risk of damage and instability due to coastal inundation, wave impact and foreshore erosion hazards.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**Compliance with Coastal Risk Management Report**

The risk assessment is based on previous findings and certain assumptions as described in the approved Coastal Risk Management Report prepared by Royal HaskongDHV dated 10 June 2022, As such, there is no need to consider measures to address coastal risks. It is recommended that updated assessments are done every five years to accommodate latest knowledge and legal requirements over the life of the development.

Reason: To ensure coastal risk is addressed appropriately