

## Natural Environment Referral Response - Coastal

<b>Application Number:</b>	Mod2024/0568
<b>Proposed Development:</b>	Modification of Development Consent DA2019/0916 granted for Demolition works and construction of a dwelling house including swimming pools
<b>Date:</b>	05/11/2024
<b>Responsible Officer</b>	Claire Ryan
<b>Land to be developed (Address):</b>	Lot 28 DP 8075 , 32 Bower Street 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 proposal seeks for Modification of Development Consent DA2019/0916 granted for demolition works and construction of a dwelling house and swimming pools.

The application has been assessed in consideration of the Coastal Management Act 2016, State Environmental Planning Policy Resilience & Hazards) 2021 and has also been assessed against requirements of the Manly LEP 2013 and Manly 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.

#### State Environmental Planning Policy (Resilience & Hazards) 2021

The subject land has been included on the 'Coastal Use Area' map under the State Environmental Planning Policy (Resilience & Hazards) 2021 (SEPP R & H). Hence, Clauses 2.11 and 2.12 of the CM (R & H) apply for this DA modification.

#### Manly LEP 2013 and Manly DCP

#### Manly Land Zoning

The subject site is shown to be within the C3 Environmental Management Zone in the Manly LEP. The objectives of the zone specified in the Land Use Table of the Manly LEP therefore apply to proposed DA modification at this site.

#### 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.

#### Conclusion

The proposed modification remains consistent with the design intent of the original proposal. As such, it is considered that the application remains generally consistent with the requirements of the State Environmental Planning Policy (Resilience & Hazards) 2021 and with the requirements of the coastal relevant clauses of the Manly LEP 2013 and Manly DCP.

The proposed modifications of Development Consent DA 2019/0916 are recommended for approval with no additional conditions.

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.