

## Natural Environment Referral Response - Coastal

<b>Application Number:</b>	DA2022/0403
<b>Date:</b>	12/05/2022
<b>Responsible Officer</b>	David Auster
<b>Land to be developed (Address):</b>	Lot 1 DP 1170245 , 0 Wharves And Jetties 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*, State Environmental Planning Policy (Resilience & Hazards) 2021, State Environmental Planning Policy (Biodiversity & Conservation) 2021 and Sydney Harbour Foreshores and Waterways Area Development Control Plan, 2005. It has also been assessed against requirements of the Manly LEP and DCP for Manly Cove.

### **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 requirements under clause 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.

## **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 10.2, Clause 10.11 and Part 10.3, Division 2 apply in assessing this DA.

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by BBC Consulting Planners dated March 2022, it is determined that the Planning Principles and Matters for Consideration of the Area have been met.

The subject site is located within/adjacent to the W2 (Environmental Protection) Zones.

On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by BBC Consulting Planners dated March 2022, it is determined that the objectives and assessment criteria of the zone have been met.

### **Manly LEP 2013 and Manly Cove DCP**

No issues identified.

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.