

Natural Environment Referral Response - Coastal

Application Number:	DA2021/2485
Date:	25/02/2022
Responsible Officer	Stephanie Gelder
Land to be developed (Address):	Lot 53 DP 9745 , 13 Monash Crescent CLONTARF 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 cannot be supported in its current form because uncertainty remains about the suitability of the site for the proposal.

Additional documentation was provided by the applicant.

The coastal engineering risk management report focused on the construction of a seawall that is the subject of a separate application. However, the report does not assess the suitability of the spa for its proposed location with regard to the pending seawall. It is unknown what the final design of the seawall will be if it is accepted, and this will influence the suitability of the site for the proposed spa. Furthermore, it is undefined as to whether the location is suitable for the proposed spa if the proposed seawall is not constructed. The submitted addendum to the geotechnical report assumes that the seawall will be properly designed and constructed but this is not a guarantee of the design, and is not specific to assessing the suitability of a spa in the location.

A number of the aforementioned comments still apply including:

*The amended statement of environmental effects does not consider the Coastal Management Act 2016, State Environmental Planning Policy (Coastal Management) 2018, Sydney Harbour Catchment Regional Environment Plan, 2005 or Sydney Harbour Foreshores and Waterways Area Development Control Plan, 2005. The SEE also does not explicitly consider 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.

* With the above undefined, the geotechnical stability and safety of the proposal is unclear and a determination cannot be made.

* Clause 15 of the Coastal Management SEPP is to be addressed with regard to the proposal.

* Council is in possession of draft Estuarine Hazard information which has been prepared for a Northern Beaches wide LEP and DCP. This is in line with information already available for Pittwater waterway. This shows the estuarine planning level for this property as 2.97 AHD. The proposed floor level is above this but it would be prudent to consider this information in the planning for all infrastructure below this level including the spa. Council also has a report titled 'Identification of Coastal Hazard risk areas to projected sea level rise for Manly LGA' WRL, 2012 which can be provided for the preparation of Coastal Assessment.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Natural Environment Conditions:

Nil.