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## MEMORANDUM

**DATE:** 22 July 2020  
**TO:** Development Determination Panel  
**CC:** Anna Williams, Planning Assessments Manager  
**FROM:** Maxwell Duncan, Development Assessment Officer  
**SUBJECT:** DA2019/1512 140 Ocean Street, Narrabeen  
**REFERENCE:** DA2019/1512

Dear Panel,

The following memo is supplementary to the Assessment Report prepared for DA2019/1512.

### **SEPP (Coastal Management) 2018**

The site is subject to SEPP Coastal Management (2018). Accordingly, an assessment under the SEPP has been carried out as follows:

#### **13 Development on land within the coastal environment area**

- |   |
|---|
| (1) <i>Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:</i> |
| (a) <i>the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,</i>  |
| (b) <i>coastal environmental values and natural coastal processes,</i>  |
| (c) <i>the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,</i>        |
| (d) <i>marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,</i>   |
| (e) <i>existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</i>  |
| (f) <i>Aboriginal cultural heritage, practices and places,</i>  |
| (g) <i>the use of the surf zone.</i>  |

#### Comment:

The proposed development is located one residential block back from Narrabeen Beach. The beach and subject site are separated by existing residential development. The proposal is not likely to cause an adverse impact on the integrity or resilience of the biophysical, hydrological or ecological environment; the coastal environmental values or natural coastal processes; the water quality of the



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marine estate; marine vegetation, native vegetation or fauna and their habitats, undeveloped headlands or rock platforms. The development is not considered likely to negatively impact on existing public open space, safe access to and along the foreshore, beach, headland or rock platforms for members of the public including persons with a disability; aboriginal cultural heritage, practices and places; or the use of the surf zone.

(2) <i>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</i>
(a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or
(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

Comment:

Council is satisfied that the development is designed, sited and will be managed (subject to condition) to avoid an adverse impact referred to in sub-clause (1).

The development satisfies Clause 13(1) and (2).

#### 14 Development on land within the coastal use area

(1)
(a) has considered whether the proposed development is likely to cause an adverse impact on the following: (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability, (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores, (iii) the visual amenity and scenic qualities of the coast, including coastal headlands, (iv) Aboriginal cultural heritage, practices and places, (v) cultural and built environment heritage, and
(b) is satisfied that: (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and
(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.



Comment:

The development has been designed to ensure that no adverse impact will be caused to the matters raised in Point (a)(i) to (v).

Therefore, Council is satisfied that the development has been designed, sited and will be managed to avoid any adverse impact referred to in Point (a).



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As noted above, the subject site is located a block back from the foreshore. The assessment has considered the development against the applicable standards and controls relating to bulk and scale and overall size of the development with the surrounding natural and built environment.

The development satisfies Clause 14(1).

As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.

### **15 Development in coastal zone generally—development not to increase risk of coastal hazards**

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

#### Comment:

The development is for a multi dwelling housing development which is larger than the existing dwelling house. The proposal has been designed to respond to the constraints of the site and provide appropriate waste and drainage management systems to avoid any increased risk of coastal hazard.

Maxwell Duncan  
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