

Relevant Information for Local Planning Panel

FILE: D/2023/727 **DATE:** 16 April 2025

TO: Local Planning Panel Members

FROM: Andrew Thomas, Executive Manager, Planning and Development

SUBJECT: Information Relevant To Item 3 – Development Application: 21C Billyard Avenue, Elizabeth Bay – D/2023/727

For Noting

That the Local Planning Panel note the information contained in this memo.

Background

This memorandum provides additional detail as part of the assessment of the application under the paragraph **Chapter 6 Water Catchments** contained within **State [Sydney] Environmental Planning Policy (Biodiversity and Conservation) 2021**.

This assessment detail was omitted and is provided below for completeness.

6.6 Water Quality and Quantity

In relation to s.6.6(1) considerations, matters (a) to (g) have been considered, or are not relevant, as outlined below:

- (a) subject to the installation and maintenance of sediment controls during building works, the development will have a neutral effect on the quality of water entering a waterway.
- (b) the development will not have an adverse impact on water flow in a natural waterbody.
- (c) the development re will be no discernible increase to stormwater runoff that would adversely affect downstream land.
- (d) the development will incorporate adequate stormwater measures.
- (e) General terms of approval have been received from Water NSW.

- (f) cumulative environmental impacts from the development on the regulated catchment are negligible.
- (g) the development makes adequate provision to protect the quality and quantity of groundwater.

In relation to s.6.6(2) considerations, the following matters are considered satisfied:

- (a) the effect on the quality of water entering a natural waterbody will be as close as possible to neutral.
- (b) the development has negligible and satisfactory water flow impacts for a natural waterbody.

6.7 Aquatic ecology

In relation to s.6.7(1) considerations, matters (a) to (f) have been considered, as outlined below:

- (a) to the extent of any direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation, the impact is minor and not determinative of the application.
- (b) the development does not involve the clearing of riparian vegetation.
- (c) the development will not involve sedimentation of a natural waterbody or erosion of land abutting a natural waterway.
- (d) the development will not have an adverse impact on wetlands.
- (e) the development will not impact aquatic ecology and therefore does not require safeguards and rehabilitation measures.
- (f) the development does not adjoin a natural waterbody.

In relation to s.6.7(2) criteria, the following matters are considered satisfied:

- (a) any direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation will be kept to the minimum necessary for the carrying out of the development.
- (b) the development will not have a direct, indirect or cumulative adverse impact on aquatic reserves
- (c) no approval or permit is required under the Water Management Act 2000 or the Fisheries Management Act 1994 for the clearing of riparian vegetation.
- (d) the land does not abut a natural waterbody
- (e) there will be no adverse impact on wetlands.

6.8 Flooding

In relation to s.6.8(1) considerations, the development will have no impact on periodic flooding that benefits wetlands and other riverine ecosystems. In relation to s.6.8(2) criteria, the development:

- (a) will not result in a release of pollutants in the event of a flood.
- (b) will not have an adverse impact on the natural recession of floodwaters into wetlands and other riverine ecosystems.

6.9 Recreation and public access

In relation to s.6.9(1) considerations, it is considered that the:

- (a) the development will have no impact on recreational land uses in the Sydney Harbour catchment.
- (b) the development has no impact on public access to and around foreshores.

In relation to s.6.9(2) criteria, the following matters are considered satisfied:

- (a) the development has no impact on public access to and from natural waterbodies for recreational purposes.
- (b) the development does not involve new or existing points of public access to natural waterbodies.
- (c) the land does not form part of a foreshore of a natural waterbody.

In relation to s.6.10, the development will not have an adverse environmental impact for adjacent and downstream local government areas.

Prepared by: Erin Faulkner, Area Coordinator

Approved



ANDREW THOMAS

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Development