



**Blue Sky**  
PLANNING &  
ENVIRONMENT

## **Statement of Environmental Effects**

**Jetty (Pontoon)**

**Lot 153 DP 754440**

**171 Pelican Bay Road Mitchells Island**

**October 2024**

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## 1. INTRODUCTION AND BACKGROUND

This Statement of Environmental Effects (SEE) assesses the likely environmental impacts of a proposed pontoon and gangway (collectively referred to in this SEE as a pontoon) in accordance with the requirements of Section 4.15 of the *Environmental Planning and Assessment Act 1979*. The assessment has been undertaken with reference to the following plans and reports that have been lodged with the application:

Plan / Report Name and Version	Prepared By
Site Plan sheet 1 of 3. October 2024	Neil Ryan
Floor Plan sheet 2 of 3. October 2024	Neil Ryan
Elevations sheet 3 of 3. October 2024	Neil Ryan
Contour and Detail Survey	Zenith Surveying

The land was previously used for dairy farming, and is currently used as a rural lifestyle property, with some cattle grazing still being undertaken. There is currently a dwelling on the site that has been on the land for around 80 – 100 years (estimated). There are currently no waterfront structures or facilities associated with the land.

## 2. DESCRIPTION OF SITE AND SURROUNDS

### 2.1 Context and Setting

Lot 153 has a total area of 11.2ha. The site is located to the west of Manning Point in the MidCoast Local Government Area (LGA). The proposed pontoon is located on the northern boundary of the site, in front of the existing dwelling, and fronts the Manning River.

The proposed pontoon will be located in the Manning River within the lower Manning estuary. The Manning River has a catchment area of over 8000km<sup>2</sup>, with the majority of the catchments' population living in the towns of Taree, Wingham, Harrington and Old Bar.

The MidCoast Council Catchment Management Plan notes that the lower Manning Estuary has a trend towards increasing algal levels since sampling began in 2014. On the day of the site inspection, turbidity levels were moderate.

The site of the proposed pontoon is cleared of native vegetation. Native trees and shrubs are scattered along the bank of the land, with a more intact corridor of riparian vegetation located on the riverbank near the western boundary of the land.

Aerial photography interpretation indicates that the nearest jetty or ponton is located approximately 700m west, on private land.







***Photo 1: proposed pontoon location at high tide from off-shore facing the property.***



***Photo 2: proposed pontoon location at high tide from on-shore facing the river.***





***Photo 3: proposed pontoon location at low tide from off-shore facing the property.***



***Photo 4: proposed pontoon location at low tide from on-shore facing the river.***

## 2.2 Biodiversity

The proposed pontoon will be located within the lower Manning estuary within the water column and extending approximately 10.3m from the top of the bank.

The walkway length is required to be not less than 7.9m to achieve the DPIRD Fisheries requirement (*Policy and Guidelines for Fish Habitat Conservation and Management, 2013*) for a minimum clearance of 0.9m between the base and the substrata at lowest astronomical tide.

The substrate in the proposed location of the pontoon is comprised of mud and sand, with some shell fragments. Although mangroves and *Zostera* are common along the banks of the Manning River, no aquatic vegetation occurs within the footprint of the proposed pontoon or in close proximity.

Threatened species potentially occurring within the area include:

- White-bellied sea-eagle (*Haliaeetus leucogaster*)
- Eastern Osprey (*Pandion cristatus*)

The proposed location would provide only a minor area for foraging for these species as components of larger home ranges.

The proposed location of the pontoon is not included on the NSW Biodiversity Values mapping.

## 2.3 Primary Production

The site and surrounds are primarily improved pasture, used for cattle farming and cropping.

The proposed pontoon is not located in close proximity to any mapped oyster aquaculture infrastructure or lease boundary.

## 2.4 Hazards

### 2.4.1 Contamination

The site is not mapped as contaminated (MidCoast Council online mapping 2024). No contaminating activities are known to have occurred on site in the past.

### 2.4.2 Bushfire

The site is mapped as bushfire prone (MidCoast Council online mapping 2024). Maritime infrastructure are not subject to the provisions of *Planning for Bushfire Protection 2019*.





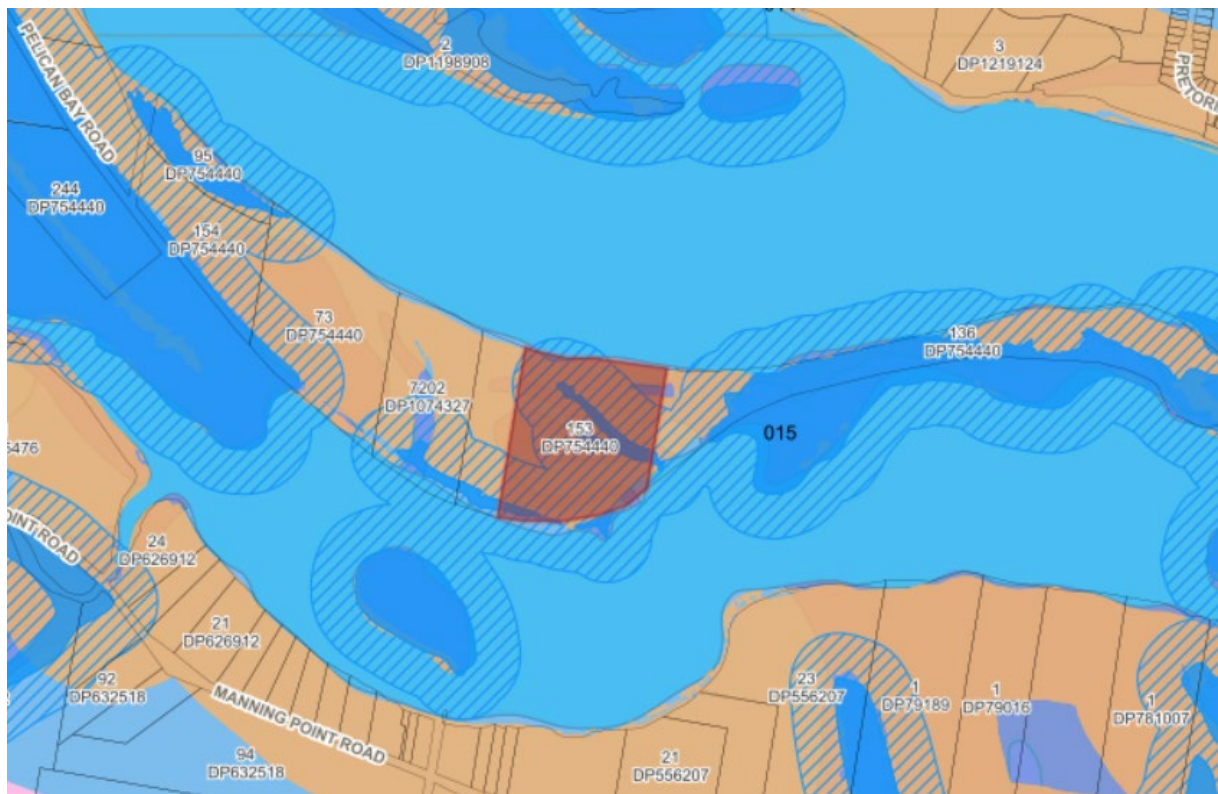
## 2.6 Heritage

There are no heritage items located on the site or on any adjoining property. As the development involves a single pontoon extending from the top of the river bank, it is unlikely to affect any archaeological item.

A search of the AHIMS database did not reveal any Aboriginal sites or places on the land or in close proximity.

## 2.7 Coastal Management

The site is located within the mapped coastal environment and coastal use areas, as well as coastal wetlands and coastal wetland proximity area. To the south of the development, across Lots 6 and 52, there are mapped coastal wetlands and a coastal wetland proximity area. These would be unaffected by the proposed pontoon.



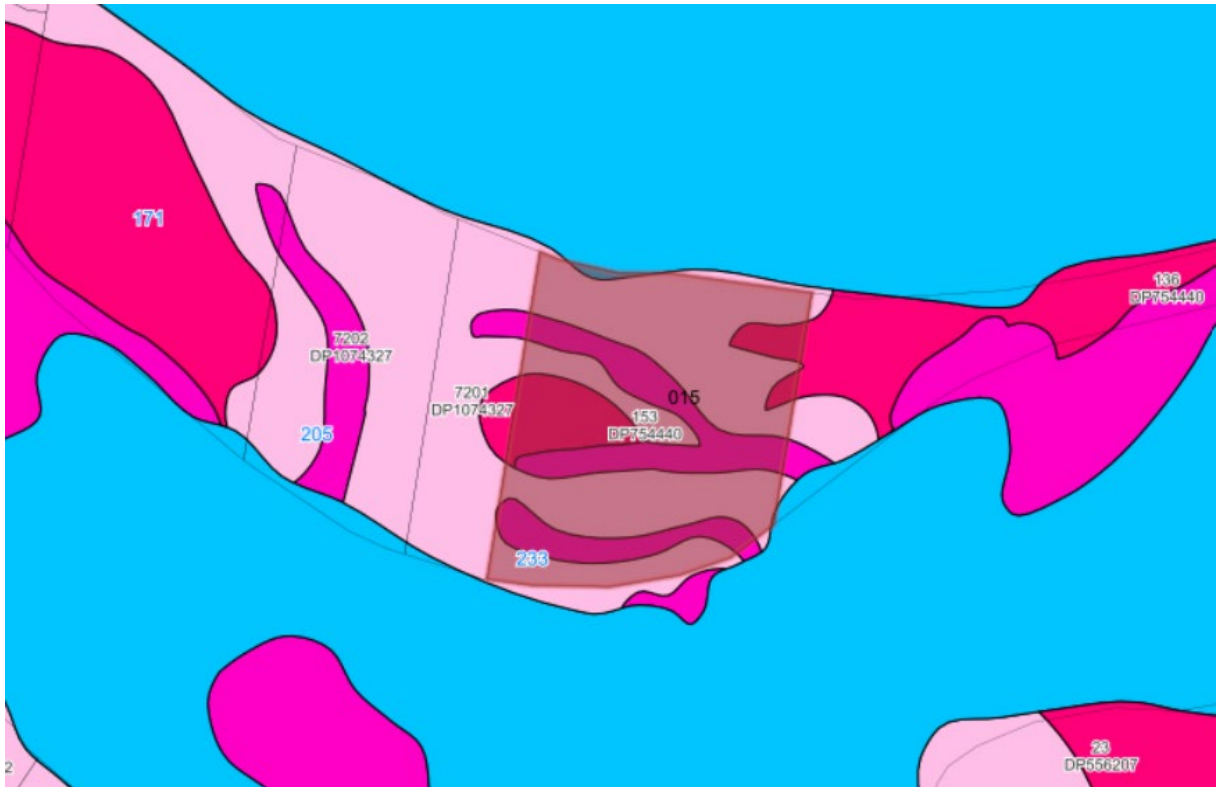
**Figure 3: Site location within the coastal zone (coastal use area – orange, and coastal environment area – blue, coastal wetlands proximity area – hashed blue). Source: MidCoast Council online mapping 2024.**

## 2.8 Soils and Topography

The site is mostly flat with a slope of approximately 2%.

The proposed location for the pontoon is within class 1 (river) and class 3 (land) acid sulfate soils (ASS). The works within the river will not involve bed disturbance. The proposal would

not result in the exposure of any ASS. The works on land will involve the construction of a concrete pad and anchoring pier at the top of the bank.



**Figure 4: Site location within the mapped ASS area. Source: MidCoast Council online mapping 2024**

### 3. DESCRIPTION OF PROPOSED DEVELOPMENT

The plans lodged with the application detail the proposed design of the pontoon. As the proposed works are entirely within the Deed boundary and do not extend onto Crown land, landowner's consent from Crown Lands is not required, and no licence for the structure is required from Crown Lands. A letter from Crown Lands confirming this has been lodged with the application.

The pontoon will be constructed from the bank at low tide. It will comprise a pre-fabricated aluminium walkway and floating pontoon attached to steel chain bracing, with UV resistant polypropylene tiles that provide a perforated decking surface to allow light penetration through to the river. A 1650mm x 1200mm concrete pad and smaller concrete bracing pads will be installed at the top of the bank to secure the structure. The walkway will be fixed to the pontoon which will rise and fall with the tides.

As the site is easily accessed, and the development is pre-fabricated, it is not expected that the construction timeframe would extend beyond three days in total.

## 4. RELEVANT LEGISLATION AND PLANNING CONTROLS

### 4.1 Fisheries Management (FM) Act 1994

The objects of this Act are to conserve, develop and share the fishery resources of the State for the benefit of present and future generations. To meet the primary objectives, Part 7 of the FM Act deals with the protection of aquatic habitats and Part 7A deals with threatened species conservation.

#### 4.1.1 Part 7 Protection of Aquatic Habitats

With relevance to the proposed development, Part 7 of the FM Act applies to integrated development proposals as defined by the (*Environmental Planning and Assessment Act 1979* (see below). Under Part 4 of the EP&A Act, NSW DPI Fisheries is a 'determining authority' for local development that requires one or more of the following permits under the FM Act:

- Section 144 - aquaculture permit (i.e. cultivating fish or marine vegetation for sale/commercial purposes),
- Section 201 - permit to carry out works of dredging or reclamation (i.e. any excavation within, or filling or draining of, water land or the removal of woody debris, snags, rocks or freshwater native aquatic vegetation or the removal of any other material from water land that disturbs, moves or harms these in-stream habitats),
- Section 205 - permit to harm (cut, remove, injure, destroy, shade etc) marine vegetation (saltmarshes, mangroves, seagrass and seaweeds),
- Section 219 – permit to obstruct the free passage of fish.

**Comment:** The proposed pontoon does not include any cultivation of fish or marine vegetation. No excavation, dredging, reclamation or bed disturbance is required.

The substrate in the proposed location consists primarily of sand and mud, with a distinct absence of woody debris, snags, large rocks and vegetation. Some smaller rocks are noted in the area of the proposed pontoon. The absence of significant habitat features is likely due to the strong currents at the site of the pontoon.

No marine vegetation is present at the proposed site of the pontoon and the pontoon has been designed to minimise shading through the use of mesh. There will be no obstruction of fish passage.

No approvals are required under the FM Act. The proposed development is not integrated development under the FM Act.

*DPIRD Fisheries Policy and Guidelines for Fish Habitat Conservation and Management* (2013) states:

*5.1.7 (a) Private pontoons for boat mooring should generally not be greater in size than 3.6m x 2.4m and have a minimum clearance of 0.9m between their base and the substrata at lowest astronomical tide.*



The proposed walkway length is 7.9m to achieve the minimum 0.9m clearance as stated in the Guidelines. The pontoon is 3.6m x 2.4m to comply with the Guidelines.

#### 4.1.2 Part 7A Threatened Species Conservation

With relevance to the proposed development Part 7A of the FM Act aims to protect and conserve aquatic biodiversity. The proposed location of the pontoon does not provide habitat for any species, population or ecological community listed under Schedules 4, 4A or 5 of the FM Act. The proposed development does not constitute a key threatening process as listed in Schedule 6 of the FM Act.

### 4.2 Water Management (WM) Act 2000

Controlled activity approvals are required in accordance with the WM Act for work carried out on waterfront land unless an exemption applies.

Waterfront land is the bed of any river, lake or estuary, and the land within 40 metres of the highest bank of the river, the shore of the lake or the mean high-water mark of the estuary. A controlled activity approval allows certain types of activities to be carried out on waterfront land as defined in the WM Act.

A controlled activity approval is not required if an exemption applies. Schedule 4 Part 2 of the *Water Management (General) Regulation 2018* specifies a number of exemptions. The Regulation provides the following exemption for the proposed development:

*32 - Any activity carried out in connection with the construction of a pontoon, pontoon or mooring pole on waterfront land relating to a lake or estuary but only if that activity does not require any of the following—*

- (a) the removal of material from the land,*
- (b) the depositing of material, other than that which is necessary for the construction of the pontoon, pontoon or mooring, on the land,*
- (c) works which change the profile of the waterfront land adjoining the lake or estuary.*

**Comment:** The proposed development is the construction of a floating pontoon and associated walkway. The development does not propose to remove material from the land, deposit material on the land or change the profile of the land adjoining the river.

No controlled activity approval is required for the development.

### 4.3 Crown Land Management (CLM) Act 2016

The objectives of the CLM Act are that:

*a. environmental, social, cultural heritage, economic and traditional landownership outcomes are considered for any domestic waterfront facilities on Crown land*

- b. Crown waterfront land and submerged Crown land is managed fairly and remains in public ownership for long-term public benefit*
- c. public access to waterfront and submerged Crown land is maximised and domestic waterfront facilities do not obstruct, restrict or discourage the safe and practical access along and adjacent to this land*
- d. private use of Crown land is balanced with the public's right to access Crown waterfront land in perpetuity*
- e. shared domestic waterfront facilities are encouraged where it is appropriate or necessary to minimise and reduce the cumulative effect of structures on Crown land*
- f. domestic waterfront facilities on Crown land are for water-dependant or water-related recreational purposes that require location in, or in close proximity to, the waterway*
- g. domestic waterfront facilities do not present a navigational hazard, or impede access or use of any existing domestic waterfront facilities, or deter future domestic waterfront facilities*
- h. the location and design of a domestic waterfront facility harmonises with the appearance and scale of the landscape and maintains the visual quality of the surrounding foreshore and waterway environment*
- i. domestic waterfront facilities do not adversely affect the cultural or environmental values of the location, or any existing items of importance or significance*
- j. domestic waterfront facilities do not adversely affect the natural environment, including water quality, marine vegetation, and natural coastal processes such as the flow of water and interactions with sediment and vegetation.*

**Comment:** NSW Crown Lands (the Department) is responsible for administering the CLM Act. For this application the Department's responsibilities are to assess the application for landowner's consent to enable a development application to be lodged for the proposed development under Part 4 of the *Environmental Planning and Assessment Act 1979*. The Manning River is not a waterway that is included in the *Domestic Waterfront Structures – Land Owner's Consent Strategies* at the time of writing this SEE.

The *Domestic Waterfront Licences – Guidelines* February 2023 lists certain waterfront facilities and uses not acceptable on Crown land. The proposed development is not a type that is listed as unacceptable. The proposed development does not adjoin reserved Crown land, a Crown road or other public land or freehold land not owned by the applicant.

The proposed development complies with the objectives of the CLM Act as it is a waterfront facility that does not adversely affect the natural environment, including water quality, marine vegetation, and natural coastal processes such as the flow of water and interactions with sediment and vegetation. It does not present a navigational hazard or impede access or use of any existing domestic waterfront facilities, or deter future domestic waterfront facilities.

The location and design of the facility harmonises with the appearance and scale of the landscape and maintains the visual quality of the surrounding foreshore and waterway environment.

The survey held by Crown Lands indicates that the Deed boundary extends 97.7m into the water from the riverbank, while the survey prepared for the application shows that the proposed structures extend only 10.3m from the riverbank. As the proposed works are entirely within the Deed boundary and do not extend onto Crown land, landowner's consent

from Crown Lands is not required. Correspondence has been provided by Crown Lands confirming this, and has been lodged with the application.

## 4.4 Environmental Planning and Assessment Act 1979

The objects of the EP&A Act are:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

**Comment:** The proposed development complies with the objects of the Act, primarily because it promotes the orderly and economic use and development of land and good design and amenity of the built and natural environments.

The information below assesses the development against the relevant matters that must be taken into consideration by the determining authority under Division 4.3, Clause 4.15 of the Act.

### 4.4.1 Greater Taree Local Environmental Plan (GTLEP) 2010

The aims of the LEP are:

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) to promote and encourage the ecologically sustainable development of Greater Taree City,*
- (b) to encourage the proper management, development and conservation of natural and human made resources (including natural areas, forests, coastal areas, water, groundwater dependent ecosystems, agricultural land, extractive resources, towns, villages, and cultural amenities) for the purpose of promoting the social and economic welfare of the community, protecting ecological and cultural heritage and achieving a better environment,*



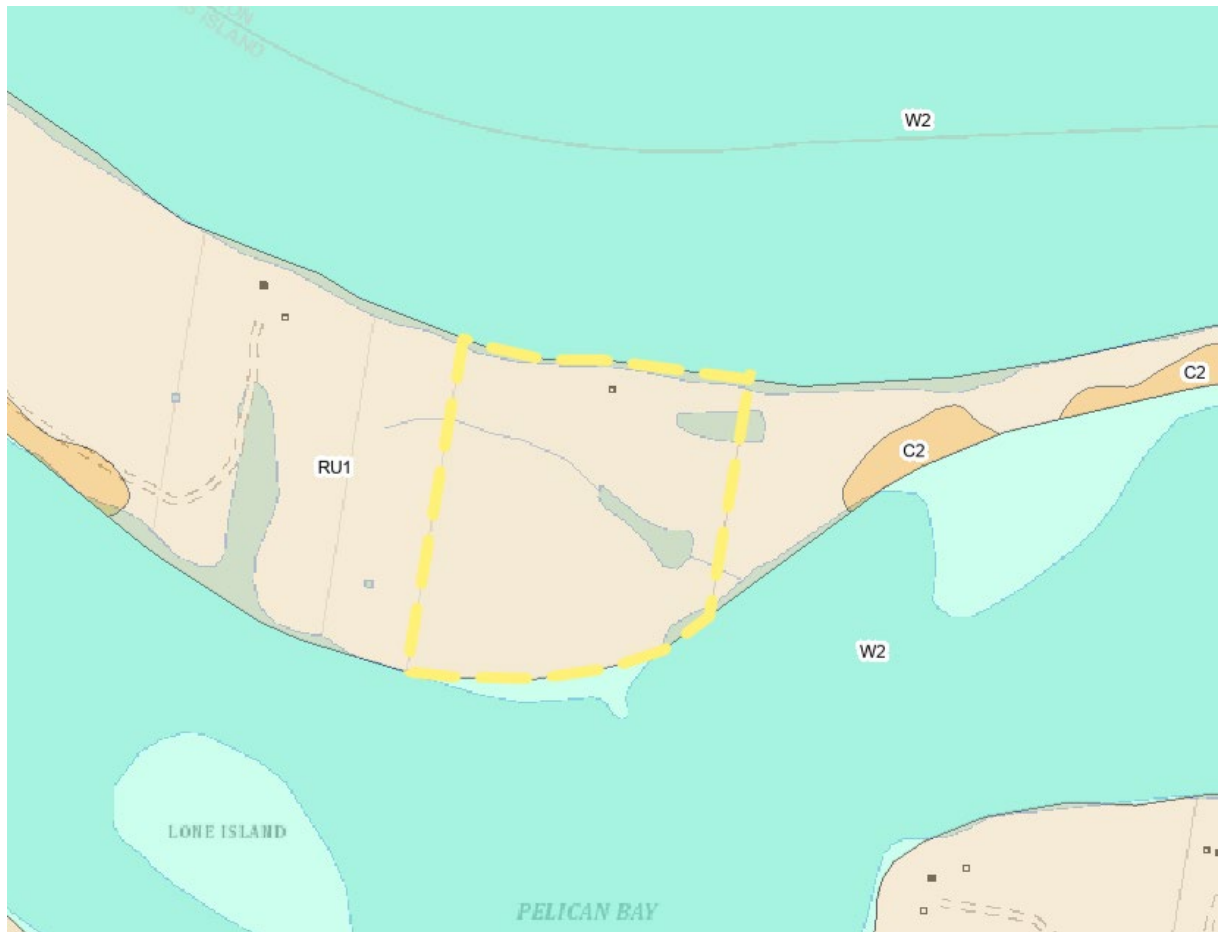
- (c) to promote and co-ordinate the orderly and economic use and development of land, and to minimise conflict between adjacent land uses,*
- (d) to facilitate the provision and co-ordination of community services and facilities,*
- (e) to encourage the protection of the environment, including the protection and conservation of native animals and plants, threatened species and endangered ecological communities and their habitats,*
- (f) to minimise the exposure of development to natural hazards and natural risks,*
- (g) to seek the provision of adequate and appropriate infrastructure to meet the needs of future development,*
- (h) to encourage a strong, growing and diversified economy that promotes local self-reliance, and recognises and strengthens the local community and its social capital in ways that safeguard the quality of life of future generations.*

**Comment:** The proposed development complies with the aims of the LEP as it delivers orderly and economic use and development of land. The development does not result in any conflict between adjacent land uses. The pontoon has been designed to minimise navigational risks and impacts on the aquatic environment.

#### **4.4.1.1 Permissibility**

Lot 153 is located in the RU1 Primary Production zone. All of the work on land would be located within the RU1 zone. The Manning River is zoned W2 Recreational Waterways. The proposed pontoon would be located entirely within the RU1 and W2 zones.

The LEP map extract below shows the zoning of the site, the Manning River and the surrounding properties. Pontoons are permitted with consent in the RU1 and W2 zones.



**Figure 5: Land Use Zones. Source: MidCoast Council online mapping 2024**

#### **4.4.1.2 Objectives of the Zones**

The objectives of the RU1 Primary Production zone are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To permit small scale rural tourism uses associated with primary production and environmental conservation with minimal impact on primary production and the scenic amenity of the area.*
- *To maintain the rural landscape character of the land.*
- *To protect and enhance the native flora, fauna and biodiversity links.*
- *To secure a future for agriculture in the area by minimising the fragmentation of rural land and loss of potential agricultural productivity.*

**Comment:** The proposed development comprises a single, small private pontoon. The proposed pontoon is not in conflict with any of the objectives of the RU1 zone.

The objectives of the W2 Recreational Waterways zone are:

- *To protect the ecological, scenic and recreation values of recreational waterways.*
- *To allow for water based recreation and related uses.*
- *To provide for sustainable fishing industries and recreational fishing.*

**Comment:** The proposed pontoon has a small footprint and has been designed and located to avoid the removal of any aquatic or terrestrial vegetation, thereby protecting the ecological, scenic and recreational values of the river. The proposed development is particularly consistent with the second objective of the zone as it provides infrastructure for water-based recreation, recreational fishing and related uses.

#### **4.4.1.2 Part 5 Miscellaneous Provisions**

##### **Clause 5.7 - Development below mean high water mark**

The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters.

Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).

**Comment:** This SEE assesses the potential environmental impacts of the proposed pontoon and accompanies a development application for the proposed pontoon.

##### **Clause 5.21 – Flood planning**

The objectives of this clause are:

- a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,*
- (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,*
- (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.*

**Comment:** The development will not result in an increased risk to life and property. The pontoon will be fixed to the bank and will be designed to rise and fall with the tides.

The development is unlikely to have any impact on aquatic or riparian vegetation, or the riverbank, as the pontoon will extend from a cleared area of the bank via a suspended gangway, to a floating pontoon.

Aerial photography interpretation indicates that the nearest jetty or ponton is located approximately 700m west, therefore the proposed development is unlikely to pose a risk to other aquatic infrastructure during a flood.



It is unlikely that the development will alter flood behaviour as it has been designed to maintain the natural flow of the river.

In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters:

- (a) the impact of the development on projected changes to flood behaviour as a result of climate change,*
- (b) the intended design and scale of buildings resulting from the development,*
- (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,*
- (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.*

**Comment:** The proposed pontoon is an aquatic recreation structure which will be designed to withstand the flood forces applicable to the location, taking into account the flood hazard category, flood hydraulic category and velocity for a 1% AEP flood level in the Year 2100. The design of the structure will be certified by a qualified engineer prior to the issue of a construction certificate.

The proposed pontoon is a small, light structure and is located at a generous distance from other aquatic infrastructure. The installation of the proposed pontoon will not result in any changes to flood behaviour.

The jetty has a small footprint and extends out into the river only by the minimum amount required to provide safe boat access during low tide.

#### **4.4.1.3 Part 7 Additional Local Provisions**

##### **Clause 7.1 - Acid sulfate soils**

The objective of the clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

The proposed pontoon is located within a mapped class 1 and class 3 acid sulfate soils (ASS) area. The Clause states that development consent is required for works as follows:

**Class 1** – Development consent is required for all works within a class 1 ASS area.

No disturbance of the river bed is required for the installation of the pontoon. No ASS will be exposed as a result of works within the mapped class 1 area.

**Class 3** – Development consent is required for works more than 1m below the natural ground surface or for works by which the watertable is likely to be lowered more than 1m below the natural ground surface.

The pontoon will be anchored to the top of the bank within the mapped class 3 area. It is not proposed to excavate more than 1m below the natural ground surface or lower the watertable.

#### 4.5 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 of the SEPP applies to the development as it is located within a mapped coastal management area.

The development lies within the mapped coastal use and coastal environment areas and the mapped coastal wetlands proximity area. These are considered in the table below.

Consideration	Assessment
<b>Clause 2.8: Development on land in proximity to coastal wetlands or littoral rainforest</b>	
(a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest	The construction of a small floating pontoon in the river will not affect the nearby wetlands.
(b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.	The construction of a small floating pontoon in the river will not affect the hydrological regime of the land.
<b>Clause 2.10: Development on land in within the coastal environment area</b>	
a.(i) Existing safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability	The development is located on private land and within a Crown waterway. No public space, foreshore, beach, headland or rock platform will be impacted.
a.(ii) Overshadowing, wind funnelling and the loss of views from public places to foreshores	The development is located on private land and Crown waterway. It involves the installation of a small piece of aquatic infrastructure which would not result in any overshadowing, wind funnelling or loss of views.
a.(iii) The visual amenity and scenic qualities of the coast, including coastal headlands	The development is located on private land. Jetties and pontoons are common along the Manning River and the visual quality and scenic amenity of the area is unlikely to be affected.
a.(iv) Aboriginal cultural heritage, practices and places	The development is proposed in a modified rural environment. No Aboriginal cultural heritage, practices or places will be impacted.
a.(v) Cultural and built environment heritage	There are no listed or mapped heritage items on the land or in close proximity.
<b>Clause 2.11: Development on land in within the coastal use area</b>	
(a) whether the proposed development is likely to cause an adverse impact on the following:	The development is located on private land and within a Crown waterway. It involves the installation of a small piece of aquatic

Consideration	Assessment
(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	infrastructure which would not result in any negative impacts on any public place.  The development is not located in an area of Aboriginal cultural heritage or within the vicinity of any historic heritage.
(b) the consent authority is to be 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.	The development has been designed to minimise impacts on the aquatic environment through the use of decking material that allows light penetration and by locating the pontoon in an area free of riparian or aquatic vegetation.  The proposed pontoon is a small, compact structure that is appropriately sized and scaled to be functional without impacting the coastal environment. Its design is consistent with other aquatic infrastructure in the Manning River.

## 5. Potential Environmental Impacts

### 5.1 Amenity and Aesthetics

The small footprint and aluminium and mesh design of the pontoon is appropriate to the rural character of the area and the recreational waterway zoning of the Manning River in this location. The built form is minimal and functional and typical of aquatic infrastructure in the area. The proposed development is unlikely to have a negative impact on the amenity and aesthetics of the area.

### 5.2 Soils and Geology

The development site is mapped as having class 3 Acid Sulfate Soils (ASS) on the land and Class 1 ASS within the waterway.

Class 3 ASS present a pollution risk for any works 1m below the ground surface or where works are likely to lower the ground water level by more than 1m. There are no components of the development which will penetrate more than 1m below the ground surface or lower the ground water level.

There will be no exposure of Class 1 ASS as the no river bed disturbance is proposed.

Erosion and sediment controls will be in place during construction of the proposed concrete pads and will be implemented in accordance with Council's DCP 2010 and *The Blue Book*.

### **5.3 Biodiversity and Natural Coastal Processes**

The proposed development has been located in area free of aquatic or riparian vegetation. Natural features will be retained, including the configuration of the bed of the waterway, which will not be altered by the proposed development.

As the development comprises a single, small structure it is unlikely that there would be any impact on any threatened species or community.

The development has been designed with a mesh deck to allow light penetration through to the aquatic environment.

The development will maintain the natural flow and the flooding regime of the river will remain unchanged. Flood behaviour on adjoining properties is not expected to be altered by the proposed development.

### **5.4 Access and Navigation**

The proposed development is a small aquatic structure that extends into the water 10.3m from the riverbank. The width of the river in the vicinity of the proposed pontoon is generally between 350m and 370m, providing a safe navigation area.

The pontoon is located entirely within the division of waterway, ensuring that the proposed development will not unacceptably affect waterway access and / or amenity for neighbouring facilities or properties, both existing and future.

## **6. THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT**

The proposed development is located within the Manning River which is zoned for recreational use. The pontoon will allow the owners of the land to readily access the river for recreational purposes.

The development is unlikely to have any negative environmental impacts as it has been located in an area where no clearing of riparian or aquatic vegetation is required. The site is



suitable for the proposed development and is flat and cleared, allowing ready access for machinery to achieve efficient construction.

## **7. THE PUBLIC INTEREST**

The development is compatible with the character of the area and the development footprint is relatively small. The development has been located to be clear of environmentally sensitive areas and to provide safe and efficient use of the Manning River for recreational purposes.

The proposed development is unlikely to have any significant environmental impacts and approval of the development is in the public interest.

