

Natural Environment Referral Response - Riparian

Application Number:	DA2023/1708
Proposed Development:	Demolition works and construction of a Recreation Facility (indoor) with signage
Date:	29/02/2024
To:	Gareth David
Land to be developed (Address):	Lot 2743 DP 752038 , 431 Pittwater Road NORTH MANLY NSW 2100

Reasons for referral

This application seeks consent for the following:

- All Development Applications on land, and located within 40 metres of land, containing a watercourse, or
- All Development Applications on land containing a wetland, or located within 100m of land containing a wetland,
- All Development Applications on land that is mapped as “DCP Map Waterways and Riparian Land”.

And as such, Council's Natural Environment Unit officers are required to consider the likely impacts on drainage regimes.

Officer comments

Not Supported

This application was assessed in consideration of:

- Supplied plans and reports;
 - Coastal Management Act 2016;
 - State Environmental Planning Policy (Resilience and Hazards) 2021*;
 - Water Management Act 2000;
 - Water Management (General) Regulation 2018;
 - Relevant LEP and DCP clauses;
 - Protection of Waterways and Riparian Land Policy;
 - Northern Beaches Water Management for Development Policy (WMD Policy)
- *In particular, Clause 2.10 (1) whether the proposed development is likely to cause an adverse impact on the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment.

The site is within 40 metres of Brookvale Creek and within the catchment for Manly Lagoon. The proposal is for demolition and the construction of a gymnastics and multi-sport facility. As the proposal is within 40 metres of a watercourse mapped under the Water Management (General) Regulation 2018 Hydro Line spatial data, it is on waterfront land. Construction of a stormwater outlet constitutes an activity on the bed, or land lying between the bed and the mean high watermark of a watercourse and so a controlled activity permit is required from the Department of Planning and

Environment (DPE) – Water, and the proposal is integrated development. A referral from DPE – Water has been provided issuing the General Terms of Approval (GTAs).

The proposal includes two 375mm stormwater pipes connecting to the nearby watercourse via concrete headwall outlets with scour protection apron at R.L. 0.6 metres.

On review, there is insufficient information to complete the riparian assessment. The drawing set lacks detail on the connection of the proposed stormwater outlets with the creek, including topographical information (survey) of creek bed and banks. No information has been provided to demonstrate that the potential for erosion or sedimentation impacts on the creek bed and opposite bank during construction and operation of the outlets has been considered and mitigated. Note, Council only permits a single discharge point to a watercourse from a development as per the WMD Policy section 4.4C requirement. Site constraints such as watercourse depth, bed and bank sediment character, and tidal inundation may be used to justify the need for an additional outlet. Details on the post-construction remediation of the riparian area are absent.

Therefore, Council requires an improved design rationale and supporting documentation to properly assess the potential impact to the riparian area and creek. This must include a) outlet cross-section with relevant outlet and creek levels; b) flow information to confirm appropriate scour protection sizing and dimensions, including justification of the angle of outlet connection (ideally a 45 degree angle downstream); and c) restoration plan including riparian replanting species list.

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.