



northern
beaches
council

Environmental Approval Checklist & Review of Environmental Factors

(EP&A Act - Part 5, Div 5.1)

Notes:

- 1. This document includes a MANDATORY checklist for ALL Capex projects.**
- 2. This document includes an REF template (should this be required – as identified in the checklist).**
- 3. Ensure that all licenses and approvals are received prior to the undertaking of any works.**
- 4. Ensure all mandatory sections are completed prior to signature.**
- 5. Make sure to provide necessary supporting evidence where applicable.**

SECTION 1 - Details**(MANDATORY)**PROPOSAL TITLE: Freshwater Beach Masterplan Staged ImplementationPROJECT OFFICER: Barbara Stack– Senior Asset Management OfficerBUSINESS UNIT PROPOSING ACTIVITY: Parks and Recreation Park Assets – Planning, Design & Delivery**SECTION 2 - Applicability****(MANDATORY)**

Is the proposed work a routine activity?

Where a routine activity is - simple, small-scale activities associated with regular (daily, weekly, monthly, etc.) and general upkeep or maintenance of a building, plant, or structure against normal wear and tear.

NO

If **Yes**, activity can be undertaken without assessment but must be in line with relevant standards and assessment recorded in the appropriate location.

If **No** proceed to Section 3.

Note 1: *must ensure “minimal” environmental impact by use of one of the following:*

- *Standard operating procedure;*
- *relevant Australian Standards;*
- *the Building Code of Australia;*
- *any relevant NSW Roads and Traffic Authority design guidelines;*
- *Ausspec;*
- *Northern Beaches Councils standard operating procedure;*
- *Northern Beaches Councils Pesticide notification plan;*
- *All product labels and warnings;*
- *Works that have previously been approved .*

Note 2: *If any Aboriginal cultural material or heritage constraints are found on any job site, all work should cease and the Office of Environment and Heritage and the Metropolitan Local Aboriginal Land Council notified immediately in accordance with the National Parks and Wildlife Act. An assessment can be undertaken by the Aboriginal Heritage Officer via Aboriginal Heritage Office.*

Please attach any additional information to support the assessment

DESCRIPTION OF ACTIVITY:

Hard and soft landscape improvement works including playground renewals.
A summary of the works and the anticipated sequence is provided below:

CONSTRUCTION STAGING TIMELINES

Stage 1A: Spring - Summer 2023
Stage 1B: Spring 2023 - Autumn 2024
Stage 2: Spring 2023 - Autumn 2024
Stage 3: Winter - Spring 2024
Stage 4A: 2025
Stage 4B: TBD by DA and Funding Approvals

TRIM FOLDER:

SF1837 CN01116 - Freshwater Beach Masterplan

REASON FOR ACTIVITY:

Adopted Masterplan objectives and playground renewals are in the program of works including DIAP objectives and actions.

- Improve the amenity and quality of existing landscaped areas , park asset infrastructure at a heavily frequented foreshore location.
- Improve safety, accessibility and inclusion throughout the parkland area and play spaces.
- Improved shared user path provision to support and encourage sustainable transportation to alleviate some of the pressure on the existing defined car park capacity.
- Consideration given to reduce maintenance and operating costs
- Improve safety, user experience and satisfaction levels.

LOCATION: *(include address and attach maps/ plans as appropriate)*

Freshwater Reserve, Freshwater NSW 2096





LAND OWNER:

Crown Land and Northern Beaches Council

LAND ZONE: RE1: Public Recreation

TIMING AND DURATION OF WORKS:

Works are expected to commence [fill in] and be complete by [fill in]. The proposed works will be undertaken during standard working hours according to NSW Environmental Protection Authority as follows:

- 7:00 am – 6:00 pm Monday to Friday
- 8:00 am – 1:00 pm Saturday (by written approval only in exceptional circumstances)
- No work on Sundays or Public Holidays

APPROXIMATE COST:

\$1.8 million

SECTION 3 continued (MANDATORY)

All Tables below **MUST** be completed

Table 1 will determine if the activity is Exempt Development. If the activity is Exempt Development then no further assessment is required (other than sections 1-4).

Table 1			Yes	No
Q1	Is the activity listed as Exempt Development? (within SEPP Transport & Infrastructure 2021) If YES provide details below. For assistance please refer to a Principal Planner from the Development Assessment business unit.	<i>If YES, provide detail below and complete items 2 to 6 to determine if environmental assessment required</i> <i>If NO Continue to Table 2</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>WHY IS ACTIVITY EXEMPT:</p> <p>State Environmental Planning Policy (Transport and Infrastructure) 2021 Division 12 parks and other public reserves</p> <p>https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0732#ch.2-pt.2.3-div.12</p> <p>2.74 Exempt development</p> <p>Construction of the following features and ongoing maintenance of—</p> <ul style="list-style-type: none"> • Raised walking paths (including boardwalks), ramps, stairways or gates, • Bicycle racks • Handrail barriers • Viewing platforms with an area not exceeding 100m², or • Play equipment if adequate safety measures (including soft landing surfaces) • Seats, picnic tables, barbecues, bins (including frames and screening), shelters or shade structures, or • Environmental management works. 				
WILL THE ACTIVITY:				
Q2	Involve the removal or damage to any remnant native vegetation or any construction works within Tree Protection Zones (under the drip line). Note. this excludes issues where there is a significant public risk posed from the vegetation. For assistance please see Natural Environment Officer in Bushland and Biodiversity team.	<p><i>If YES to any of these items, activity is not exempt continue to Table 2- Q7.</i></p> <p><i>If all items are NO, complete Approvals and Licences and Certifications</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Q3	Involve construction within 40 metres of a waterway that will impact geomorphology, groundwater, water quality or appearance of the foreshore or waterway. Note. This excludes the removal of built up sediment and maintenance works within drainage channels to restore the channel. For assistance please talk to the Senior Environment Officer – Catchments in Environment & Sustainability.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Q4	Have a negative impact on amenity in the area either during or post works.		<input type="checkbox"/>	<input checked="" type="checkbox"/>

- Information Boards
- Additional recreation facilities such as seating BBQ and Shelters
- Landscape Works – Hard and soft landscape works (irrigation systems as required)

Q8	Permitted With Consent	The activity is Permitted With Consent – a Development Application to be prepared and lodged with Council under Part 4 of the EP&A Act.	
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SECTION 4 – Approvals from other Agencies (MANDATORY)

Table 3 will identify what approvals, licenses and permits from other Agencies are required to undertake the proposed works. These approvals, permits and licenses **MUST** be obtained prior to the commencement of works. In some instances the agencies may request an Environmental and/or Species Impact Statement prior to granting approval.

Table 3			
Is the activity:	Approval required		If Yes
	YES	NO	
Working within or impacting on Threatened Species/Populations and/or Threatened Ecological Communities and/or causing any possible damage to those threatened species or communities. For assistance check SEA or for assistance please talk to the Natural Environment Officer in Environment & Sustainability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Must complete an REF and depending on the assessment the proposed works may require a license from Office of Environment & Heritage (OEH).
Working near Aquatic Reserves, Aquatic Habitat or damaging any marine vegetation such as sea grass, mangroves, etc. For assistance please talk to the Senior Environment Officer in Environment & Sustainability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A Permit from the Department of Primary Industries is required.
Dredging of water or banks of creeks	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A Permit from the Department of Primary Industries is required
Working within the 'place' of a Heritage Item identified under the NSW Heritage Act	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Refer to Councils Heritage Officer
Working near known aboriginal relics, places, or potential Aboriginal relics or places – Check with the Aboriginal Heritage Office. see APPENDIX 2 Aboriginal heritage potential desktop assessment checklist	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Must notify the Office of Environment and Heritage prior to commencing works TRIM # 2023/352038 - 230528_FreshwaterPark_ACH_Advice
Working on vacant Crown Lands not under Council Control and/or Council not Trustee - check with the property office.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Permission must be sought from the Department of Primary Industries
Working on a Classified Roads – not under a current maintenance program	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Approval required from NSW Roads and Maritime Services

If polluting a waterway ie. dewatering, herbicide application, etc	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Licence from the Office of Environment and Heritage
Check Dial Before You Dig to identify any services that may be impacted	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contact the relevant service authority
On the open coast or estuary. Assistance can be provided from the Coast & Catchments team in Environment & Climate.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Approval from the Office of Environment and Heritage may be required.
On land which is not owned or controlled by Council.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contact the landowner to obtain approval

Certification Sections 1-4

I certify that the above information in **Sections 1 to 4** is correct and I have endeavoured to clarify that all requirements have been met.

Barbara Stack Parks and Recreation



30/06/23

Project Officer

Business Unit

Signature

Date

SECTION 5 – Form 1-REF - Consideration of Impacts of the Activity (MANDATORY if Q7 in Table 2 is YES)

Notes:

1. This Form 1 & Form 2 must be completed and evidence provided (you can refer to and attach additional documents to this assessment)
2. Assessment of all impacts must be provided; reason and justification for answers must be provided.
3. For all construction impacts of Minor or greater possible impacts, mitigation measures must be included and a final Impact determined. Additional information detailing justification and/or mitigation of the impact may need to be referenced, provided and attached to the assessment.
4. Possible impact is to be determined utilising the descriptions in the table below.
5. Construction impact - refer to all activities of undertaking the works, ongoing impacts, cumulative impacts, maintenance and permanent impacts.

1 - Negligible	2 - Minor	3 - Moderate or Greater
Does not create a nuisance	Creates a temporary nuisance	Creates a continuous or ongoing nuisance
Impacts contained within work site	Impact short term/localised, for life of project	Impact ongoing/long term or widespread impact
No detectable/noticeable change	Measurable change/may be offensive	Obvious change/offensive
Complies with industry guidelines	Exceeds industry guidelines (minor)	Exceeds industry guidelines (major)
Reasonable inconvenience/financial loss	Sustained/short term inconvenience/financial loss	Unacceptable inconvenience/financial loss
Change but similar to original land use	Slight or temporary change to land use	Transforms a locality permanently
No damage to heritage items or native flora or fauna	Heritage items or native flora and fauna able to be repaired/rehabilitated	Permanent damage/loss of a heritage item/flora or fauna from an area
No foreseen increase to risk from natural hazards	Slight increase to risk from natural hazards	Major increase to risk from natural hazards
Waste disposed/recycled of at licensed waste facility or reused immediately	Waste stockpiled with end use unknown, potential for temporary impact to air, soil, water	Long term contamination of air, soil or water due to waste disposal
No remediation required following work to prevent/remove pollution	Minor /short term site remediation required at completion of work to prevent/remove pollution	Extensive site remediation required over extended timeframe to prevent/remove pollution (e.g. soil or water contamination, severe soil erosion, large scale revegetation)

Project Methodology

Swift Timeline

WHS procedures and AS standards followed

FORM - 1 REF – To address Part 8, Clause 171(2) Factors from the EP&A Regulation 2021

FORM 1 - IMPACT ASSESSMENT

	Description	Construction Impact			Mitigation Measures (detail measures)	Ongoing Impact		
A	Any environmental impact on a community <i>eg Social, economic and cultural impacts</i>							
	<ul style="list-style-type: none"> ▪ Freshwater Beach is a unique and highly desirable iconic location on the Northern Beaches forming part of the Coastal Walk. The proposed work will provide improved safety for pedestrians and better connect the foreshore park open space with the beach and headland whilst improving user experience and resilience to natural processes. ▪ There may be some short-term restrictions to sections of the reserve whilst works are undertaken. ▪ The works will have a beneficial impact on socio-economic factors through creating an accessible, functional, safe and usable space for community members. ▪ 	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> • Works are forecast to commence in the cooler months of 2023 and again in winter 2024 to minimise disruption to the community. • Access to most parts of the reserve will be maintained during the works, however sections of the carpark and park infrastructure may be restricted at times throughout the project duration to maintain public safety. Detours will be put in place if required. • NBC will notify residents, businesses, community groups of the proposed works prior to commencement. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
B	Any transformation of a locality <i>eg . Human and non-human environment</i>							
	<ul style="list-style-type: none"> ▪ There will be short term localised impact during the life of the project that may cause a temporary nuisance to the human environment. No damage to heritage items or native flora or fauna is expected. ▪ The completed works will protect and improve scenic qualities of the coastal foreshore ▪ The completed works will improve accessibility and social cohesion 	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> • Identified impacts to the community will be monitored and control measures implemented to mitigate the impact. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
C	Any environmental impact on the ecosystems of the locality <i>Flora, fauna, ecological integrity, biological diversity, connectivity/fragmentation, air, water including hydrology, soil</i>							

<ul style="list-style-type: none"> ▪ Works unlikely to impact flora, fauna, ecological integrity, biological diversity, connectivity/fragmentation, air, water including hydrology and soil 	1	2	3	<ul style="list-style-type: none"> • Environmental controls will be implemented as necessary during the life of the project. • Tree protection measures will be implemented as required. 	1	2	3
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

d

D									
Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality <i>eg Visual, recreational, scientific and other</i>									
▪ Short term aesthetic and recreational impacts expected during the life of the project.	1	2	3	<ul style="list-style-type: none"> • Works will be staged to minimise disruption to the community. • There will be no loss of seating, landscape open space or play spaces • All improvement works will be sympathetic to the surrounds and in alignment with our public space guidelines. 	1	2	3		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
E									
Any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations <i>eg Aboriginal heritage (including intangible cultural significance), architectural heritage, social/community values and identity, scenic values and other</i>									

<ul style="list-style-type: none"> ▪ Area mapped on SEA as Class 1 in the foredune area and Class 4 in others areas within the scope of works. ▪ Referral submitted to AHO for review and comment. ▪ An Aboriginal Cultural Heritage and Archaeological Advice - Due Diligence Assessment has been carried out a and survey was undertaken with Rowena Welsh-Jarrett, a Heritage Officer from the Metropolitan Local Aboriginal Land Council (MLALC) with Sydney saltwater people (Katungal) ancestry. The proposed works in the foreshore area are deemed to satisfy the objective of not impacting on natural foreshore processes or affecting the significance and amenity of the area. ▪ Harm to any potential Aboriginal cultural heritage material is nonetheless considered avoidable if the following recommendation as per the Due Diligence Assessment outlines - Primarily limiting the depth and extent of excavation as much as possible. 	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> • No works will commence until AHO and Metropolitan Local Aboriginal Land Council (MLALC) advice has been received and considered. • All persons undertaking works on site should be briefed on the protection of Aboriginal heritage objects under the NPW Act, and the penalties for damage to these items. • Should an unexpected Aboriginal object be identified during construction, work in the immediate vicinity of the find is to stop and the area must be fenced off with suitable markers (star pickets, flagging or barrier mesh). The NBC Project Manager is to be notified. Engage an archaeologist to determine the significance of the find, and if required, determine the notification, consultation, and approval requirements. Works must not recommence until NBC has provided written approval to do so. • If human remains are discovered, works should immediately cease, and the NSW Police should be contacted. If the remains are suspected to be Aboriginal, the OEH may also be contacted at this time to assist in determining appropriate management. • If required; Ensure that excavation is properly monitored by a Heritage Officer from the Metropolitan Local Aboriginal Land Council, only where it needs to occur, especially in areas of deep sand where they cannot be safely shown to be in post-invasion sand build-up. • Initial excavation work should be subject to monitoring by a MLALC Heritage Officer, or, if they are unable to attend by the AHO or an appropriately experienced archaeologist • Harm to any potential Aboriginal cultural heritage material is nonetheless considered avoidable if the following recommendation as per the Due Diligence <ul style="list-style-type: none"> a) The proposed work can be completed without any excavation significantly extending into any intact pre-invasion deposits; b) Excavation work is monitored by a MLALC Heritage Officer (or archaeologist); and c) Variation to construction methods – such as shallower and wider footings or imported fill –can be considered if required. <p>TRIM# 2023/352038 - 230528 FreshwaterPark ACH Advice</p>	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
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F	Any impact on the habitat of protected animals (within the meaning of the Biodiversity Conservation Act 2016) <i>eg Listed species and habitat requirements/ critical habitat</i>
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<ul style="list-style-type: none"> Proposed works are unlikely to cause any impact on the habitat of protected animals (within the meaning of the Biodiversity Conservation Act 2016) 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> Mitigation measures to prevent any impacts to the environment will be put in place during construction. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
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G												
Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air <i>eg Listed species, non-listed species and key threatening processes</i>												
<ul style="list-style-type: none"> ▪ Proposed works are unlikely to cause any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air 				1	2	3	<ul style="list-style-type: none"> • Mitigation measures to prevent any impacts to the environment will be put in place during construction. 			1	2	3
				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H												
Any long-term effects on the environment <i>eg Ecological, social and economic</i>												
<ul style="list-style-type: none"> ▪ Proposed works are unlikely to cause any long-term effects on the environment 				1	2	3	<ul style="list-style-type: none"> • The proposed scope of works will provide long-term gain and public benefit through improved accessibility, pedestrian safety and of enhanced park amenity which will offer better opportunities for social cohesion. 			1	2	3
				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E												
Any degradation of the quality of the environment <i>eg Ecological, social and economic</i>												
<ul style="list-style-type: none"> ▪ Proposed works are unlikely to cause any degradation of the quality of the environment. 				1	2	3	<ul style="list-style-type: none"> • Mitigation measures to prevent any impacts to the environment will be put in place during construction. 			1	2	3
				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

J	Any risk to the safety of the environment <i>eg Public health, contamination, bushfire, sea level rise, flood, storm surge, wind speeds, extreme heat, urban heat and climate change adaptation</i>								
	<ul style="list-style-type: none"> ▪ Proposed works are unlikely to cause any risk to the safety of the environment 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> • Mitigation measures to prevent any impacts to the environment will be put in place during construction. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	
K	Any reduction in the range of beneficial uses of the environment <i>eg Natural resources, community resources and existing uses</i>								
	<ul style="list-style-type: none"> ▪ Proposed works are unlikely to cause any reduction in the range of beneficial uses of the environment 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> • Scope of works are minor 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	
L	Any pollution of the environment <i>eg Air (including odours and greenhouse gases); water (including runoff patterns, flooding/tidal regimes, water quality health); soil (including contamination, erosion, instability risks); noise and vibration (including consideration of sensitive receptors); or light pollution</i>								
	<ul style="list-style-type: none"> ▪ Proposed works are unlikely to cause any reduction in the range of beneficial uses of the environment ▪ Potential for minor noise impacts during the works, particularly to nearby residents. These are anticipated to be minimal and short-term and may originate from: <ul style="list-style-type: none"> ▪ Concrete works and path ▪ Potential for dust generation from construction activities ▪ Potential fumes from machinery 	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> • Typical methods of noise reduction to be employed: <ul style="list-style-type: none"> ○ Regular maintenance on machines ○ Avoid over revving machines ○ Avoid dropping objects from height ○ Advise employees not to yell across the site ○ Limit work to approved hours (normally 7am to 5pm) ○ Limit noisy activities from 8am to 3pm where possible • Employ dust minimisation methods including: <ul style="list-style-type: none"> ○ Water dust suppression ○ Sweep or hose down site on a regular basis and keep clean generally to prevent construction dust building up and causing issues on a windy day. ○ Check weather forecast, avoid moving stockpiles on windy days, or hot dry days. • Regular maintenance of machinery to avoid excessive emissions. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	

M	Any environmental problems associated with the disposal of waste <i>eg Transportation, disposal and contamination</i>								
	<ul style="list-style-type: none"> Proposed works are not likely to cause any environmental problems associated with the disposal of waste. The proposed works area only covers a small section of land designated as Class 5 on the Acid Sulfate Soils Map. The proposed works are not in area designated as being contaminated land. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	Methods of waste management to be adopted across the site are: <ul style="list-style-type: none"> Quality Assurance Plans (QMP & ITPs) and Safety Plans (SMP & SMWS) in place. To re-use or recycle wherever possible and avoid sending material to landfill. Separate waste materials such as stone, concrete, metal etc. Waste to go to a recycling facility. Provide separate bin on site for food wrappings and scraps Storage of demolished or stockpiled materials in designated areas only (away from stormwater pits and drainage systems). If present removal of asbestos to be undertaken in accordance with NSW Code of Practice 'How to safely remove asbestos' August 2019. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	
N	Any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply <i>eg Land, soil, water, air, minerals and energy</i>								
	<ul style="list-style-type: none"> The proposed works are not likely to cause any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	•	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	
O	Any cumulative environmental effect with other existing or likely future activities <i>eg Existing activities and future activities</i>								
	<ul style="list-style-type: none"> The proposed works are likely to have a positive cumulative environmental impact by improving the landscaped space to make it more resilient and sustainable to natural processes and human interaction. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	•	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	

p	<p>Any impact on coastal processes and coastal hazards, including those under projected climate change conditions <i>eg Coastal processes and hazards (impacts arising from the proposed activity on coastal processes and hazards and impacts on the proposed activity from coastal processes and hazards), climate scenarios</i></p>	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	•	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
▪	The proposed works are unlikely to have any impact on coastal processes and coastal hazards, including those under projected climate change conditions.							
Q	<p>Any applicable local strategic planning statement, regional strategic plan or district strategic plan made under Division 3.1 of the Act <i>eg Issues, objectives, policies and actions identified in local, district and regional plans</i></p>	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	•	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
▪	The proposed works are consistent with Council's Strategic Community Plan and Asset Management Strategy and Plan.							
R	<p>Any other relevant environmental factors <i>eg Any other factors relevant in assessing impacts on the environment to the fullest extent</i></p>	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	•	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
▪	N/A							

Declarations	YES	NO
Sustainability Principles have been applied to the assessment of Environmental, Social, and Economic factors of this project.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
This Impact Assessment provides a true and fair review of the proposal in relation to its likely effects on the environment. It addresses, as best as possible, the impacts affecting or likely to affect the environment as a result of the activity. It provides sufficient information to determine whether this is likely to be a significant impact on the environment as a consequence of the activity.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alternate methods, activities or designs been investigated for alternate method of delivery for all activities other than Level 1 Impacts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community Consultation has been undertaken as per the Community Engagement Framework.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The implementation of the recommended mitigation measures will minimise the identified impacts/risks.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
All material supporting the assessment has been detailed in the assessment of the item above with a copy attached to this assessment, this is detailed in Addendum 1.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A risk assessment will be undertaken to ensure that Work Health and Safety requirements are met on the site at all times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
This environmental review (and a formal REF if required) must be published on Council's website, before activity commences, if any of the following are true - Environmental Planning and Assessment Regulation 2021 (Part 8, clause 171 (4)). Refer to legislation to check other requirements... https://legislation.nsw.gov.au/view/pdf/asmade/sl-2021-759		
(a) the activity has a capital investment value of more than \$5 million, or	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) the activity requires an approval or permit as referred to in any of the following provisions before it may be carried out—		
(i) Fisheries Management Act 1994, sections 144, 201, 205 or 219,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(ii) Heritage Act 1977, section 57,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iii) National Parks and Wildlife Act 1974, section 90,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iv) Protection of the Environment Operations Act 1997, sections 47–49 or 122, or	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) the determining authority considers that it is in the public interest to publish the review.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SECTION 6 – Assessment Result**(MANDATORY)**

Based on the information in Section 5 (ie Forms 1 and 2), the assessment results in the following LEVEL of impact (tick one of the following):

- LEVEL 4: All items assessed as 1 Negligible Impact - **NO FURTHER ASSESSMENT REQUIRED - Proceed to Section 7**
- LEVEL 3: Some items assessed as 2 Minor Impact and others as 1 Negligible with proposed mitigation - **CURRENT ASSESSMENT ADEQUATE – Proceed to Section 7**
- LEVEL 2: Any item assessed as 3 Moderate or Greater Impact **and/or** any works occurring in Endangered Ecological Communities or impacting species as Scheduled in the Biodiversity Conservation Act – a formal **REVIEW OF ENVIRONMENTAL FACTORS REQUIRED** addressing these issues and attach to this assessment. - **Proceed to Section 7**
- LEVEL 1 – In the assessment numerous items are assessed as 3 Moderate or Greater Impact and deemed to have environmental **and/or** other impact determined as significant by any consent authority (including Council officers) as determined in Part 5 of the *Environmental Planning and Assessment Act 1979* (listed SECTION 4 – Approvals and Other Agencies) - **ENVIRONMENTAL and/or SPECIES IMPACT STATEMENT REQUIRED.** This requires a report to Council with concurrence of the relevant agency. No self-determination possible. For assistance please speak to a Principal Planner from the Development Assessment unit. - **Proceed to Section 7**

SECTION 7 – Consultation**(MANDATORY)**

The level of consultation and engagement required is to be determined via the community engagement matrix (from Community Engagement Framework). <https://www.northernbeaches.nsw.gov.au/council/publications/policies/community-engagement-policy>

Two Stage Community Engagement process was carried out.

8.1 REVIEW OF ENVIRONMENTAL FACTORS

Tick the option which accurately reflects the requirements of a Review of Environmental Factors for the proposal:

- A formal Review of Environmental factors is not required. This REF document is satisfactory considering the low impact nature of the proposal.
- A formal Review of Environmental factors is required and has been submitted and is attached.
- A formal Review of Environmental factors has been submitted, it is considered that the overall impact on the environment is significant. The proposal should not proceed until an Environmental and/or Species Impact Statement is prepared and approved.

Barbara Stack

Parks and Recreation



30/06/23

Project Officer

Business

Signature

Date

8.2 DETERMINATION

For proposal that is “permitted without consent” the following Decision Statement is required.

The determination is undertaken by an authorised person - an individual authorised by the determining authority to determine the proposal under Division 5.1 of the EP&A Act and Part 8, Division 1 of the EP&A Regulation. That authorised person will produce a decision statement.

A. For proposal that is “permitted without consent” with Level 3 or 4 impact, under current delegations **any** Executive Manager in the **Transport & Assets** directorate may provide determination.

- the proposed activity is/is not likely to have a significant impact on the environment and therefore an EIS is / is not required
- the proposed activity will/will not be carried out in a declared area of outstanding biodiversity value and is/is not likely to significantly affect threatened species, populations or ecological communities, or their habitats or impact biodiversity values, meaning a SIS and/or BDAR is/is not required
- the proposed activity may/may not proceed and the reasons for the decision
- mitigation measures are/are not required to eliminate, minimise or manage environmental impacts, indicating where in the REF document the mitigation measures are set out, as well as any additional mitigation measures and/or conditions required and the reasons for these mitigation measures and conditions.
- A determining authority may also choose to note whether referral to the Commonwealth Department of Agriculture, Water and the Environment has been considered.

If a SIS and/or BDAR is prepared, and the determining authority is a Minister, the decision statement will identify any recommendations from the Environment Agency Head or the Primary Industries Head that have not been accepted.

The proposal has been assessed and can proceed, subject to the inclusion of the stated mitigation measures below (if any):

ADDENDUM 1 recommendations

Jeremy Smith 

31/7/2023

A/Executive Manager	Parks and Recreation	Signature	Date
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- B.** For proposal that is “permitted without consent” with Level 2 (Section 6) proposals, under current delegations endorsement from the **Executive Manager Development Assessment (or delegate) is required.**

In this case, this completed form is to be forwarded to the Development Assessments team who will review and determine with conditions (as appropriate) by provision of a separate memo.

APPENDIX 1

Biodiversity Conservation Act 2016 – Part 7 Division 1 Section 7.3

7.3 Test for determining whether proposed development or activity likely to significantly affect threatened species or ecological communities, or their habitats

(1) The following is to be taken into account for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:

- a) in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,
 - b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:
 - i. is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or
 - ii. is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,
 - c) in relation to the habitat of a threatened species or ecological community:
 - i. the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and
 - ii. whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and
 - iii. the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,
 - d) whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly),
 - e) whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.
- (2) The Minister may, by order published in the Gazette with the concurrence of the Minister for Planning, issue guidelines relating to the determination of whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats. Any such guidelines may include consideration of the implementation of strategies under the Biodiversity Conservation Program.

APPENDIX 2

Aboriginal heritage desktop assessment checklist (direct reference from Aboriginal Heritage Office)

1. Check Aboriginal heritage potential mapping and Aboriginal site data		
a) What level of potential is the subject area in	<input type="checkbox"/>	Very High
	<input type="checkbox"/>	High
	<input checked="" type="checkbox"/>	Moderate
	<input type="checkbox"/>	Low
	<input type="checkbox"/>	Very Low
Comments: Refer to the Due Diligence REF 2023/352038 - 230528 FreshwaterPark ACH Advice		
b) Are there registered Aboriginal site within or within the vicinity of the subject area?	<input type="checkbox"/>	Immediate vicinity
	<input checked="" type="checkbox"/>	Within 100-200m
	<input type="checkbox"/>	Not recorded nearby
Comments: Refer to the Due Diligence REF		
2. Check landscape features present in the subject area		
a) Are any of the following features present in the subject area?	<input type="checkbox"/>	Watercourses (creek lines, drainage lines even if ephemeral)
	<input checked="" type="checkbox"/>	Foreshore
	<input type="checkbox"/>	Cliff lines or boulders (higher than 1m)
	<input type="checkbox"/>	Overhangs or caves
	<input type="checkbox"/>	Level sandstone outcrops (>2m ²)
	<input checked="" type="checkbox"/>	Deep sandy deposits
Comments: Refer to the Due Diligence REF		
b) What is the land use history of the subject area?	<input type="checkbox"/>	Heavily modified
	<input checked="" type="checkbox"/>	Moderately modified
	<input type="checkbox"/>	Limited modification
	<input type="checkbox"/>	No known modification
Aboriginal heritage potential identified:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> unsure
If yes/unsure, refer to AHO - Refer to the Completed Due Diligence REF and recommendations	Date referred: 13/4/22 and again on 13/2/23 Official Form in this format Sent to AHO-	

If no, works may proceed with caution
Refer to the Due Diligence REF and recommendations

ADDENDUM 1

Please list all attached information to support the Assessment:

[2023/352038 - 230528 FreshwaterPark ACH Advice](#)

Aboriginal Cultural Heritage and Archaeological Advice

(Due Diligence)