

Natural Environment Referral Response - Riparian

Application Number:	DA2024/0137
Proposed Development:	Demolition works and construction of a boat shed and skid ramp
Date:	02/04/2024
To:	Stephanie Gelder
Land to be developed (Address):	Lot 72 DP 558694 , 22 Bona Crescent MORNING BAY NSW 2105 Lot LIC 344162 , 22 Bona Crescent MORNING BAY NSW 2105

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

Supported

This application was assessed in consideration of:

- Supplied plans and reports;
- Coastal Management Act 2016;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- Relevant LEP and DCP clauses; and
- Northern Beaches Water Management for Development Policy

The site abuts Pittwater estuary and as such the development must not significantly impact on the biophysical, hydrological or ecological integrity of the estuary, or the quantity and quality of surface and ground water flows that it receives.

NSW DPI Fisheries does not consider the proposal to constitute Integrated Development as it does not include any dredging, reclamation, harm to marine vegetation, or blockage of fish passage. This determination by DPI Fisheries does not negate the Pittwater DCP section B4.19 requirement that a Marine Habitat Survey/Aquatic Ecology report be provided for all works below the Mean High Water.

Council can exercise discretion on this requirement according to the nature of the proposal and the perceived level of risk to the aquatic environment. On review of the proposal, it is considered that in place of a full-scale Marine Habitat Survey/Aquatic Ecology Report, it would be acceptable for the applicant to provide a letter from a suitably qualified aquatic ecologist supporting that the proposal is acceptable in the context of the site and unlikely to have a significant impact on the aquatic environment.

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Natural Environment Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Aquatic Ecology Letter

A letter must be provided from a suitably qualified aquatic ecologist supporting that the proposal is unlikely to have any adverse impacts on the aquatic environment. Any recommendations provided in the letter to prevent potential impacts must be incorporated into the construction plans.

The letter and documentation demonstrating compliance with its recommendations if any shall be submitted to the Certifier prior to the release of the Construction Certificate.

Reason: Protection of the receiving environment.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Installation and Maintenance of Sediment and Erosion Controls

Council proactively regulates construction sites for sediment management.

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004) and the Erosion and Sediment Control Plan prior to commencement of any other works on site.

Erosion and sediment controls are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and vegetation cover has been re-established across 70 percent of the site, and the remaining areas have been stabilised with ongoing measures such as jute mesh or matting.

Reason: To protect the receiving environment.

Aquatic environment protection

Environmental safeguards are to be used during construction to protect the aquatic environment. Appropriate methods must be installed and secured to ensure damage to the aquatic environment is minimised. Actions and recommendations of the aquatic ecology letter/report must be followed.

Reason: To protect the aquatic environment.

Use of equipment and vessels in the vicinity of seagrass

No equipment is to be placed on any seagrass beds.

Inshore infrastructure for mooring vessels and plant must be used where suitable. Where mooring lines or cables are required, they shall be suitably buoyed prior to laying and kept buoyed once laid to prevent cable drag or swing damage (scalping). Where this is impractical, contractors should use a floating rope.

Vessels must have adequate clearance over seagrass beds, including allowance for tidal movement, swell/wind wave heights and vessel propulsion.

Reason: Protection of seagrass.