

Natural Environment Referral Response - Riparian

Application Number:	DA2021/1596
Date:	10/09/2021
To:	Phil Lane
Land to be developed (Address):	Lot 46 DP 13620 , 967 Barrenjoey Road PALM BEACH NSW 2108 Lot LIC 402863 , 967 Barrenjoey Road PALM BEACH NSW 2108

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

This application has been assessed against relevant legislation and policy relating to waterways, riparian areas, and groundwater.

This site is on Pittwater estuary and as such the development must not significantly impact on the biophysical, hydrological or ecological integrity of Pittwater. In addition, it must not significantly affect seagrass beds or other estuarine habitats.

This application, subject to conditions, is recommended for approval as it is unlikely to have an adverse effect on the integrity and resilience of the biophysical, ecological and hydrological environment of Pittwater, including seagrass beds, if conditions are adhered to.

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

Light penetration

As per the NSW DPI Fisheries response dated 7 December 2020, the jetty and ramp must be re-

decked with mesh that provided at least 60% light penetration.

Reason: Protection of seagrass.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Management of *Caulerpa taxifolia*

The invasive marine alga *Caulerpa taxifolia* is present on this site. Site personnel must be able to identify *Caulerpa*.

All tools, machinery and environmental control devices must be inspected and cleaned thoroughly prior to leaving the site to prevent the spread of *Caulerpa* to other sites.

Any *Caulerpa* removed from the waterway should be tightly sealed in a plastic bag and lawfully disposed in general waste.

Reason: *Caulerpa taxifolia* is listed under the Biosecurity Act 2015 for all NSW waters.

Aquatic sediment management

Environmental safeguards (e.g. silt curtains) are to be used during construction to prevent the escape of turbid plumes into the aquatic environment. The silt curtains must be carefully placed and secured to ensure they do not drag over any nearby seagrass beds.

The safeguards must be regularly maintained and removed once the works are completed.

Reason: Protection of seagrass.

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.

Stockpiling

No materials are to be stockpiled on the seabed.

Reason: protection of seagrasses

Vessel Operation

As recommended in the Aquatic Ecology Assessment prepared by Marine Pollution Research Pty Ltd dated 13 August 2021, the works must adopt measures to ensure no damage to seagrass and inshore rock rubble habitat identified in figure 4 of the report. These measures must include the following:

No vessel is to pass over the indicated marine vegetation unless there is sufficient depth to prevent vessel strike, propeller strike, or scouring damage from propeller wash.

No vessel is to be moored with anchor or other bottom tackle located in the indicated marine vegetation habitats.

Barge movement operations must be done during favourable tide and wind combinations, with the pushing vessel operated in such a manner as to minimise sediment disturbance and prevent strike or disturbance to seabed aquatic habitats. These manoeuvres should also be timed with the tides and low wave/wash periods to minimise seabed disturbance.

Barge mounted spuds cannot be used in seagrass or rock reef habitat areas as indicated in Figure 4 of the Aquatic Ecology Assessment.

If winches and anchor/mooring blocks are to be used, the anchor/mooring blocks and any associated chain are to be placed in such a manner that there is no direct damage to the identified habitats from the anchors/mooring blocks or chain, and anchors/blocks must be placed so that there is no risk under any tide or tide/wind combination of scalping the identified habitats from anchor chain or from cables sagging between the barge and anchor/mooring blocks or from the barge to other shore mooring points. If there is a sagging and scalping risk, the use of floating rope or suitable buoyancy for cables must be adopted.

All construction offcuts must be removed from the site and no construction materials are to be placed or stored on the seabed. Any dropped offcuts are to be retrieved from the seabed immediately for appropriate on-site disposal.

Any moorings or anchors that are used or piles/structures that are removed, should be inspected for the pest algae *Caulerpa taxifolia* once on the barge deck. If the alga is present, it should not be returned to the water and should be disposed of as normal construction waste into bins for appropriate shore disposal.

Reason: Protection of seagrass