

## Natural Environment Referral Response - Riparian

Application Number:	DA2020/0450
Date:	22/05/2020
To:	Nick England
Land to be developed (Address):	Lot 2 DP 530146 , 88 Booralie Road TERREY HILLS NSW 2084

### 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 property borders on National Park and intends to discharge stormwater in very close proximity to the boundary. The current stormwater plan does not meet the requirements of NSW National Parks and therefore must be updated.

*(Link) OEH guidelines for adjacent development*

*The National Parks and Wildlife Regulation 2009 requires the consent of OEH to discharge stormwater into a park (for example, where a development proposes new infrastructure that alters stormwater flows and directs them into a park).*

- *Development proposals for areas adjacent to OEH land should incorporate stormwater detention and water quality systems (with appropriately managed buffer areas) within the development site.*
- *Stormwater should be diverted to council stormwater systems or to infiltration and subsurface discharge systems within the development site.*
- *The discharge of stormwater to OEH land, where the quantity and quality of stormwater differs from natural levels, must be avoided.*

The drainage must be addressed prior to construction certificate with an updated stormwater plan provided that shows both stormwater outlet draining to a sub-surface infiltration area (similar to that used to infiltrate on-site sewer systems) well within the property boundary to ensure that during high rainfall events any overflow remains within the property (conditioned).

This infiltration area will address the requirements to avoid discharge directly to OEH land and remove

excess nutrients and sediment collected from the property. If this requirement is not met, an application must be made to the Office of Environment and Heritage for approval to discharge to National Park - it is expected that this approval would not be given, as there is sufficient area on the property to incorporate infiltration within the site.

The sediment and erosion control plan provided is suitable.

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**

#### **Water Quality Management**

The applicant must install a sub-surface drainage absorption system that has the capacity to capture all stormwater runoff from the property for infiltration prior to the boundary of the property with National Park. This system must be designed to capture coarse and fine sediments and nutrients prior to discharge of stormwater from the land. All stormwater treatment measures must make provision for convenient and safe regular inspection, periodic cleaning, and maintenance. Non-compliant systems may result in a referral to the NSW Office of Environment and Heritage.

Details demonstrating compliance are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: Protection of the receiving environment

### **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

#### **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 prepared by Positive Fix Pty Ltd 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.

The discharge of sediment-laden waters from the site may result in clean-up orders and/or fines under Council's Compliance and Enforcement Policy and legislation including Protection of the Environment Operations Act 1997 and Contaminated Lands Act 1997.

Reason: Protection of the receiving environment

### **CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE**

## OCCUPATION CERTIFICATE

### **Works as Executed Drawings - Stormwater Treatment Measures**

Works as Executed Drawings for the stormwater treatment measures must be prepared in accordance with Council's Guideline for Preparing Works as Executed Data for Council Stormwater Assets.

The drawings shall be submitted to the Principal Certifying Authority prior to the release of the Occupation Certificate.

Reason: Protection of the receiving environment

## ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

### **Maintenance of Stormwater Treatment Measures**

Stormwater treatment measures must be maintained at all times in accordance with manufacturer's specifications and as necessary to achieve the required stormwater quality targets for the development.

Northern Beaches Council reserves the right to enter the property and carry out appropriate maintenance of the device at the cost of the property owner.

Reason: Protection of the receiving environment