

Natural Environment Referral Response - Riparian

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| Application Number: | DA2023/1708 |
| Proposed Development: | Demolition works and construction of a Recreation Facility (indoor) with signage |
| Date: | 27/05/2024 |
| 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

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.

The revised documentation is generally satisfactory.

The riparian corridor impacted by the construction activity is to be restored with suitable native riparian planting.

Superseded

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 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

Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan (ESCP) shall be prepared by an appropriately qualified person and implemented onsite prior to commencement. The ESCP must meet the requirements outlined in the Landcom publication Managing Urban Stormwater: Soils and Construction - Volume 1, 4th Edition (2004). The ESCP must include the following as a minimum:

- Site Boundaries and contours
- Approximate location of trees and other vegetation, showing items for removal or retention (consistent with any other plans attached to the application)

- Location of site access, proposed roads and other impervious areas (e.g. parking areas and site facilities)
- Existing and proposed drainage patterns with stormwater discharge points
- Locations and methods of all erosion and sediment controls that must include sediment fences, stabilised site access, materials and waste stockpiles locations, location of any stormwater pits on the site and how they are going to be protected.
- North point and scale.

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

Reason: To protect the receiving environment.

Construction Environment Management Plan

A Construction Environmental Management Plan (CEMP) must be prepared in accordance with the environmental risks and mitigation methods identified in the Waterway Impact Statement and must be kept in the site office.

An induction plan for site personnel must be prepared and implemented that addresses the CEMP. Induction records must be maintained and available onsite at all times.

The CEMP and site induction plan must be submitted to the Principal Certifier for approval prior to the issue of the Construction Certificate.

Reason: To protect native vegetation, wildlife, habitats and receiving waterways.

Stormwater Outlet Structure to Creek

Stormwater outlet structures to the creek must be designed in accordance with DPE Water's Guidelines for Outlet Structures on Waterfront land. Guidelines can be found on the DPE website. All disturbed bank area to be revegetated with suitable local native riparian species at 8 plants by square meter.

No mortar is to be used on the outlet scour protection. Rocks must be placed using an interlocking system with varying rock sizes. The surface should be a textured finish to break up and dissipate sheet flows.

This design is to be submitted to the Principal Certifier prior to the release of the Construction Certificate.

Reason: To protect the surrounding creek bank from the effects of localised erosion.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

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 report must be followed.

Reason: To protect the aquatic environment.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Certification for Creek Works/stormwater outlets

A certificate from a Civil Engineer, who has membership to Engineers Australia and the National Engineers Register must be provided, stating that the creek works have been completed in accordance with the plans construction certificate plan.

The certificate shall be submitted to the Principal Certifier prior to the release of the Occupation Certificate.

Reason: To ensure creek works are completed in accordance with the consent approval.