

Natural Environment Referral Response - Riparian

Application Number:	DA2024/0303
Proposed Development:	Demolition of existing structures, removal of trees and subdivision of one lot into three lots.
Date:	13/09/2024
To:	Anne-Marie Young
Land to be developed (Address):	Lot 5 DP 222134 , 337 Lower Plateau Road BILGOLA PLATEAU NSW 2107

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

AMENDED COMMENTS

This application was assessed in consideration of but not limited to:

- Supplied plans and reports;
- Northern Beaches Water Management for Development Policy.
- Relevant LEP and DCP clauses with specific attention to:

Pittwater LEP 2014 C4 Environmental Living objective: to encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.

Pittwater 21 DCP section B5.13 Outcome: An appropriate setback between waterways and development .

Pittwater 21 DCP sB5.13 Controls:

- Any waterfront land (as defined in the Water Management Act 2000) on the property shall be retained in their natural state to: carry stormwater/flood flows, maintain aquifers, retain stability, and provide habitat functions.

- Development within waterfront land shall incorporate appropriately sized riparian corridor zones into the design (now based on Controlled activities – Guidelines for riparian corridors on waterfront land (NSW DPE, May 2022)).

- No encroachments or low lying overhangs of the development are permitted over natural water courses.

The proposal is for demolition of all existing site improvements, tree removal, subdivision of one lot into three, internal driveway, and infrastructure.

The site is located in a C4 Environmental Living Zone and includes two watercourse with associated vegetated riparian corridor.

The proposal is subject to a control activity permit for waterfront land.

The amended documentation is showing a relocation of building footprint compatible with riparian protection requirements.

NECC riparian has no objection to the proposal, subject to conditions.

ORIGINAL COMMENTS

The site opportunities for development are limited by the lot shape, topography, geology and the presence of the watercourses. The proposed three lot arrangements and indicative building pad is detrimental to the site setting due to the impacts on the riparian corridor. The encroachments in the five meter inner riparian corridor compromise the riparian functions.

The indicative building layout encroachments over and adjacent the watercourses would not be acceptable under future development applications.

The catchment team is not supporting the applications as the proposal is too extensive for the site natural constraints.

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.

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.

No mortar is to be used on the outlet. 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.

Detailed Design of Creek Works

A certificate from a suitably qualified engineer who has membership of Engineers Australia and the National Engineering Register (NER), stating that the creek crossing have been designed in accordance with the architectural concept plan 2133 DA-06 CONCEPT SECTIONS 30/08/2022 (GARTNERTROVATO), Controlled activities – Guidelines for watercourse crossings on waterfront land (WaterDPIE) and the approved Waterways Impact Statement.

No box culvert or pipes are to be used.

No piles or structures is to be located within the bed of the creeks located on site,

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

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

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Controlled activity approval

An application must be submitted to Department of Planning and Environment-Water, and obtained, for a controlled activity approval under the Water Management Act 2000 as per DPEW General Terms of Approval IDAS-2024-10243.

Reason: Protection of waterfront land.