

Natural Environment Referral Response - Riparian

Application Number:	DA2024/1079
Proposed Development:	Community title subdivision into five (5) lots and civil works
Date:	30/04/2025
To:	Adam Richardson
Land to be developed (Address):	Lot 3 DP 1115877 , 53 B Warriewood Road WARRIEWOOD NSW 2102 Lot 3 DP 942319 , 53 Warriewood Road WARRIEWOOD NSW 2102 Lot 2 DP 1115877 , 53 A Warriewood Road WARRIEWOOD NSW 2102

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 has been assessed in consideration of:

- Supplied plans and reports;
- Pittwater LEP 2014 6.1 Warriewood Valley Release Area (Protection and rehabilitation of creekline corridors and riparian areas, including water quality and flows, and bank stability)
- Pittwater 21 DCP C6.1 Integrated Water Cycle Management (Use and rehabilitation of creekline corridors and riparian land)
- Pittwater 21 DCP C6.2 Natural Environment and Landscaping Principles (Integration and landscaping of the creekline corridor)
- Warriewood Valley Landscape Masterplan and Design Guidelines (Public Domain) (Detailed guidance on creekline corridor improvements)
- Warriewood Valley Urban Land Release Water Management Specification 2001 (Detailed guidance on the restoration of creekline corridors in Warriewood)
- State Environmental Planning Policy (Resilience and Hazards) 2021 (section 2.8 & 2.12) (Protecting the hydrological integrity of the adjacent coastal wetland and no impact to quantity and quality of surface AND groundwater flows)

This referral relates to the Narrabeen creek and the creekline corridor. Particular consideration has

been given to the inner and outer riparian corridor.

The inner 25m creekline corridor is to be dedicated to Council.

General terms of approval and a controlled activity permit are required from the Department of Planning and Environment (DPE) – Water prior to any works in Narrabeen Creek and the creekline corridor.

No objections, subject to conditions.

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:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

FEES/BONDS CONDITIONS FEES/BONDS CONDITIONS Construction, Excavation and Associated Works Security Bond(s)

The applicant is to lodge a bond with Council for the following:

-Maintenance for Riparian Biodiversity and Vegetation Management Works

A maintenance bond of \$150,000 for the completion of the Riparian Biodiversity and Vegetation Management Works. The maintenance bond will only be refunded upon completion of the five-year Riparian Biodiversity and Vegetation Management works in accordance with the approved plans and to the satisfaction of Council.

- Narrabeen Creek Protection Works

As security against any damage to Narrabeen Creek including sedimentation, caused by failure of sediment and erosion controls or other construction related work activities as a bond of \$100,000. Details confirming payment of the bond(s) are to be submitted to the Principal Certifier prior to the issue of the Subdivision Works Certificate.

Reason: Protection of Council's infrastructure.

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

BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE Soil and Water Management Plan

Soil and Water Management Plan

A Soil and Water Management Plans (SWMP) shall be prepared by an appropriately qualified person and implemented onsite prior to commencement. The SWMP must meet the requirements outlined in the Landcom publication Managing Urban Stormwater: Soils and Construction - Volume 1, 4th Edition (2004).

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

Reason: To protect the receiving environment.

BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE 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 Flora and Fauna Report and Vegetation Management Plan. The CEMP must identify and appropriately manage invasive species (e.g. *Ludwigia peruviana*). The CEMP 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 Subdivision Works Certificate.

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

BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE 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 works have been designed in accordance with the Civil Engineering Works drawings and report as referenced in this consent condition "Approved Plans and Supporting Documentation" from enspire.

As the creek line corridor is to be dedicated to Council, the complete detailed design of all creek works and inner riparian corridor is to be submitted and approved in writing by Council prior to the issue of any Subdivision Works Certificate.

The engineer certificate and Council approval shall be submitted to the Certifier prior to the release of the Subdivision Works Certificate.

BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE Water Management Report - Warriewood Valley

The detailed design of all works associated with the water management system must provide for a complete system, which meets the objectives and requirements of the Warriewood Valley Water Management Specification (February 2001).

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the Subdivision Works Certificate.

Reason: To ensure water is managed appropriately and in accordance with the requirements of the Warriewood Valley Water Management Specification and Pittwater 21 DCP.

BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE Certification of Water Management Report

The Applicant shall submit a certificate from a suitably qualified Civil Engineer, who has membership to Engineers Australia, National Engineers Register (NER) or Professionals Australia (RPENG) that the Water Management Report and all associated plans and detailed design are in accordance with the Warriewood Valley Water Management Specification (February 2001), and as meeting the requirements of these conditions.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of the Subdivision Works Certificate.

Reason: To ensure water is managed appropriately and in accordance with the requirements of the Warriewood Valley Water Management Specification and Pittwater 21 DCP.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

DURING 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: Protection of the receiving environment.

DURING BUILDING WORK Riparian Corridors Vegetation Management

The Biodiversity Management Plan annual report is to be delivered to Council on a yearly basis for a period of five years. Council access to the site must be allowed for inspection of the inner riparian corridor vegetation management.

The reports and Council visit are forming part of the Council approval process for the issue of the construction certificate for the inner constructed riparian corridor.

Reason: Biodiversity/Vegetation Conservation and Management.

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

BEFORE ISSUE OF THE OCCUPATION CERTIFICATE Completion of Water Management Report

The Applicant shall submit a Water Management Report certifying the all works associated with the water management system required under these conditions of consent and the Warriewood Valley Water Management Specification (February 2001) and submitted to the Principal Certifier prior to the issue of the Occupation Certificate.

Reason: To ensure Stormwater Management has been built in accordance with the plans and specifications required under this consent.

BEFORE ISSUE OF THE OCCUPATION CERTIFICATE Certification of Water Management Report

The Applicant shall submit a certificate from a suitably qualified Civil Engineer, who has membership to Engineers Australia, National Engineers Register (NER) or Professionals Australia (RPENG) and has appropriate experience and competence in the related field, that the drainage/stormwater management system has been installed to the manufacturer's specification (where applicable) and completed in accordance with the engineering plans and specifications required within this development consent is to be submitted to the Principal Certifier prior to the issue of the Occupation Certificate.

Reason: To ensure Stormwater Management has been built in accordance with the plans and specifications required under this consent.

CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF ANY STRATA SUBDIVISION OR SUBDIVISION CERTIFICATE

BEFORE ISSUE OF A SUBDIVISION CERTIFICATE Warriewood Valley - Dedication of Creek line Land Proposed

A Subdivision Certificate must be issued by Council.

Prior to the issue of a Subdivision Certificate, the following documents are to be submitted to Council:

- A draft Plan of Subdivision which clearly identifies the allotment containing the inner creek line land to be dedicated to Council.

The draft Plan must include a notation that the land is to be transferred to Council for a public reserve or drainage reserve.

- Works-As-Executed plans for all structures or facilities on the land to be dedicated to Council.

Reason: To provide for contributions in accordance with the Contribution Plan that enables the provision of local infrastructure and services commensurate with the increased demand resulting from development in the Warriewood Valley Release Area.

BEFORE ISSUE OF A SUBDIVISION CERTIFICATE Works as Executed Drawings – Creek Works

Works as Executed Drawings for the creek works, including surveyed levels, must be prepared and submitted to the Principal Certifier prior to the release of the Subdivision Certificate.

Reason: Enabling effective asset management

BEFORE ISSUE OF A SUBDIVISION CERTIFICATE implementation of Biodiversity Management Plan

Implementation of Biodiversity Management Plan

All requirements in the Biodiversity Management Plan are to be implemented prior, during and post construction.

Details demonstrating compliance are to be certified by the project ecologist and submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: Biodiversity/Vegetation Conservation and Management.

BEFORE ISSUE OF A SUBDIVISION CERTIFICATE Certification for Creek Works

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 creek and riparian plans approved at Occupation Certificate stage.

Council is to approve the constructed riparian and creek works approved at Subdivision Works Certificate stage prior to the issue of any Subdivision Certificate.

The engineer certificate and Council approval shall be submitted to the Certifier prior to the release of the Subdivision Certificate.

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