

## Natural Environment Referral Response - Riparian

<b>Application Number:</b>	REV2021/0006
<b>Date:</b>	21/06/2021
<b>To:</b>	Thomas Prosser
<b>Land to be developed (Address):</b>	Lot 2615 DP 752038 , 181 Allambie Road ALLAMBIE HEIGHTS 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

The review application relates to the refused development application under DA2020/0552 for the demolition of existing buildings, tree removal and the construction of 24 Independent Living Units under SEPP (Housing for Seniors or People with a Disability) 2004.

The design of the development has not been altered as part of the review request as the reasons for refusal state that the information provided within the submitted Biodiversity Development Assessment Report (BDAR) was insufficient to determine the extent of impact on the Manly Warringah War Memorial Park, including the required Asset Protection Zone.

The proposal was assessed under the current creek and water management legislation framework, the relevant parts of the Warringah LEP, DCP and Protection of Waterways and Riparian Lands Policy (Policy PL740). The Warringah Creek Management Study 2004 principles and NRAR waterfront land principles were also used in the assessment.

The supplied reports and plans were considered.

The community submissions for the review were considered.

The supplied documentation has been assessed satisfactory.

On balance the proposed location of the development and proposed riparian land treatment measures have been determined as acceptable under Northern Beaches riparian controls.

The proposal is therefore supported subject to conditions

Refer to water management referral for water quality and sediment and erosion control assessment and 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:**

**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION 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 Waterway Impact Statement and must be kept in the site office.

An induction plan for site personnel must be prepared that addresses the CEMP.

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

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

**Design of Stormwater Outlet Structure to Creek**

The stormwater outlet structure to the creek must be designed in accordance with DPI Water's Guidelines for Outlet Structures on Waterfront land. Guidelines can be found on Water NSW website. No mortar is to be used on the outlet. Sandstone rocks must be placed using an interlocking system with varying rock sizes. The grade control/stabilisation shall be designed following industry best practice and the sandstone rocks shall be well graded.

This design is to be submitted to the Certifying Authority prior to the release of the Construction Certificate.

No construction works are to be undertaken within the creek channel or beyond the 'extent of works' shown in Landscape Concept Plan L-SD-01. Erosion and sediment control, bush regeneration and weed removal is excepted.

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

**CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

**Site inductions for Construction Environment Management Plan**

The site Environmental Officer (or appropriate equivalent) must induct all staff prior to starting work, with an induction record maintained and available onsite at all times.

Personnel conducting the site induction must:

- (a) Be familiar with any environmental protection conditions under the development approval and/or the Construction Environment Management Plan
- (b) Be familiar with the names and contact details of relevant people and authorities in the event of any environmental or site management emergency.
- (c) Be familiar with the presence of environmentally significant areas within and surrounding the site.
- (d) Be able to identify threatened species of fauna if they enter the site, especially Red-crowned Toadlet, or other potential species including *Galaxias brevipinnis*.
- (e) Be familiar with animal welfare issues and procedures should human-wildlife interactions take place during the construction phase.

Reason: To ensure all personnel understand what must be done to protect native vegetation, wildlife, habitats and receiving waterways on the site.

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

### **Relocation of Logs and Coarse Woody Debris**

All logs and branches are to be salvaged from trees prior to any vegetation clearing and reused as fauna habitat within the riparian corridor

Details demonstrating compliance are to be provided to the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To protect wildlife habitat.

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

### **Management of Plant Species and Weeds**

All areas requiring vegetation management are to be vegetated with native endemic species consistent with surrounding vegetation types. All exotic plant species, noxious and environmental weeds are to be managed continuously and are not to be imported to the site. Any areas identified as Asset Protection Zones for bush fire management purposes should be maintained for that purpose accordingly, with advice from Council and Rural Fire Service as required .

Only certified weed free and contaminant free mulch is to be used on the site, as they may contain weed seeds and viable vegetative matter and other contaminants, which may impact adversely on the vegetation, soil, water quality or ecology of the site.

Reason: To ensure bushland and riparian management, and bushfire management.

### **General Watercourse and Riparian Areas Matters**

Unless in accordance with the approved works the Consent holder must ensure that:

- a) No materials or cleared vegetation that may obstruct flow or cause damage to river banks are

left within the riparian zone.

- b) All drainage works must not obstruct flow of water within the watercourse. Drain discharge points are stabilised to prevent erosion. Any excavation must not result in diversion of any watercourse, bank instability or damage to native vegetation.
- c) Any vegetation or other material removed from the area of operations shall be disposed of lawfully. Burning of the material is not permitted.
- d) The riparian zones are to function as ecological systems and as such, all works, access routes, roads, recreational areas, service easements and any other non-ecologically functioning work or activity are to be located beyond the riparian zones other than provided by the consent.

Reason: Environmental Protection, Monitoring and Enhancement.