
Sent: 6/05/2019 2:05:18 PM
Subject: DA2018/1044 - 9, 11, 12 & 13 Fern Creek Road WARRIEWOOD Integrated Development Application (IDAS1113403)
Attachments: Cover Letter & GTAs.pdf;

Hi,

Please find attached NRAR's response to the above DA application.

Kind regards,

Ellie Randall | Water Regulation Officer

Natural Resources Access Regulator | Water Regulation (East)
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Natural Resources
Access Regulator

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Contact: Gina Potter
Phone: 02 8838 7566
Email: Gina.Potter@nrar.nsw.gov.au

General Manager
Northern Beaches Council
PO Box 82
Manly NSW 1655

Our ref: IDAS1113403
Your Ref: DA2018/1044

Attention: Renee Ezzy

6 May 2019

Dear Renee

Re: Integrated Development Referral – General Terms of Approvals
Development Reference: DA2018/1044
Description: Subdivision of Part Lots 1112 13 DP 1092788 and Part Lot 5 DP 73961 into three 3 lots construction of roads, drainage and associated infrastructure
Location: 9, 11, 12 & 13 Fern Creek Road WARRIEWOOD

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the above location. Attached, please find Natural Resources Access Regulator's (NRAR) General Terms of Approval (GTA) for part of the proposed development requiring a Controlled Activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 91A (3) of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, NRAR request these GTA's be included (in their entirety) in Council's development consent. Please also note NRAR requests notification:

- If any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities (i) in the bed of any river, or lake or estuary; (ii) on the banks of any river, lake or estuary; (iii) on land within 40 metres of the highest bank of a river, lake or estuary; or (iv) any excavation which interferes with an aquifer.

NRAR will ascertain from the notification if the amended plans require review of or variation/s to the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.

- If Council receives an application under s96 of the EPA Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- Of any legal challenge to the consent.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, NRAR recommends the following condition be included in the development consent:

The attached GTA issued by NRAR do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to NRAR for a Controlled Activity approval **after consent** has been issued by Council **and before** the commencement of any work or activity.

A completed application form must be submitted to NRAR together with any required plans, documents, application fee, security or bank guarantee (if required) and proof of Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

Application forms are available from the NRAR website at:

www.industry.nsw.gov.au › [Water](#) › [Licensing & Trade](#) › [Approvals](#).

NRAR requests that Council provide a copy of this letter to the development consent holder.

NRAR also requests a copy of the determination for this development application be provided by Council as required under section 91A (6) of the EPA Act.

Yours sincerely



Alison Collaros
Manager Licensing and Approvals (East)
Natural Resources Access Regulator
Department of Industry - Water



General Terms of Approval

for proposed development requiring approval
under s89, 90 or 91 of the Water Management Act 2000

Reference Number:	IDAS1113403
Issue date of GTA:	06 May 2019
Type of Approval:	Controlled Activity
Description:	Subdivision of parts lots 111 13 DP 1092788 and Part Lot 5 DP73961 into three 3 lots construction of roads drainage and associated infrastructure
Location of work/activity:	9,11,12,& 13 Fern Creek road WARRIEWOOD NSW 2102
DA Number:	DA2018/1044
LGA:	Northern Beaches Council
Water Sharing Plan Area:	Greater Metropolitan Region Unregulated River Water Sources

The GTA issued by NRAR do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to NRAR for the relevant approval **after development consent** has been issued by Council **and before** the commencement of any work or activity.

Condition Number	Details
Design of works and structures	
GT0009-00010	Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Natural Resources Access Regulator, and obtained, for a controlled activity approval under the Water Management Act 2000.
Erosion and sediment controls	
GT0006-00001	The following plan(s): - Erosion and Sediment Controls Plan must be: A. prepared in accordance with Managing Urban Stormwater: Soils and Construction, Volume 1 (Landcom, 2004), as amended or replaced from time to time, and B. submitted with an application for a controlled activity approval.
GT0021-00004	The proposed erosion and sediment control works must be inspected and maintained throughout the construction or operation period of the controlled activity and must not be removed until the site is fully stabilised.
Plans, standards and guidelines	
GT0002-00665	A. This General Terms of Approval (GTA) only applies to the proposed activity described in the plans and associated documents found in Schedule One, relating to Development Application 2019 provided by Council to Natural Resources Access Regulator. B. Any amendments or modifications to the proposed activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Natural Resources Access Regulator, Parramatta Office, must be notified in writing to determine if any variations to the GTA will be required.
GT0003-00002	The application for a controlled activity approval must include the following document(s): - outlet structures; Erosion and Sediment Control Plan; Soil and Water Management Plan; Vegetation Management Plan.
GT0012-00004	Any proposed controlled activity must be carried out in accordance with plans submitted as part of a controlled activity approval application, and approved by Natural Resources Access Regulator.
GT0030-00006	The application for a controlled activity approval must include plans prepared in accordance with Natural Resources Access Regulator's guidelines located on the website https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities .



General Terms of Approval

for proposed development requiring approval
under s89, 90 or 91 of the Water Management Act 2000

Reference Number: IDAS1113403

Issue date of GTA: 06 May 2019

Type of Approval: Controlled Activity

Description: Subdivision of parts lots 111 13 DP 1092788 and Part Lot 5 DP73961 into three
3 lots construction of roads drainage and associated infrastructure

Location of work/activity: 9,11,12,& 13 Fern Creek road WARRIEWOOD NSW 2102

DA Number: DA2018/1044

LGA: Northern Beaches Council

Water Sharing Plan Area: Greater Metropolitan Region Unregulated River Water Sources

Reporting requirements

GT0020-00004 The consent holder must inform Natural Resources Access Regulator in writing
when the proposed construction of the controlled activity has been completed.

SCHEDULE 1

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by NRAR for integrated development associated with DA2018/1044 as provided by Council:

- DA Engineering Drawings
- - note outlet structure to be in accordance with our guidelines
- Flora and Fauna Report