

Natural Environment Referral Response - Riparian

Application Number:	DA2023/1289
Proposed Development:	Demolition works and construction of Shop Top Housing
Date:	30/11/2023
To:	Gareth David
Land to be developed (Address):	Lot 21 DP 571298 , 1112 - 1116 Barrenjoey Road PALM BEACH NSW 2108

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

This application was assessed in consideration of:

- Supplied plans and reports;
- Coastal Management Act 2016;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- Relevant LEP and DCP clauses; and
- Northern Beaches Council Water management for development policy.

Riparian

The proposed development lies within 100m of seagrass beds mapped in the Pittwater estuary so must not significantly impact on the biophysical, hydrological or ecological integrity of the waterway or the quantity and quality of surface and ground water flows that it receives.

Sediment Management

Due to the sensitivity of the downstream environment it is imperative that an erosion and sediment management strategy is developed and implemented to ensure protection of this area during construction. Sediment and erosion controls must be installed prior to any disturbance of soil on site and maintained until all work is complete and groundcover re-established.

Dewatering

Dewatering of the site during and after construction must be undertaken in a way that does not impact

the condition of seagrass beds off the foreshore of the Pittwater estuary which is adjacent to the site. Council is requiring that before construction start:

- An application for interference with an aquifer is required to WaterNSW
- All approval and supporting documentation (WaterNSW) be sent to Council
- A permit from Council is required for any dewatering of groundwater (Contact catchment@northernbeaches.nsw.gov.au for more information about Council permits).

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) is required as the construction activities (construction dewatering in particular) could cause environmental harm or environmental nuisance to the seagrass beds mapped at proximity in the Pittwater estuary.

A Construction Environmental Management Plan (CEMP) must be prepared in accordance with environmental risks and mitigation methods best practices and must be kept in the site office. The CEMP must identify and appropriately manage invasive species.

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.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND 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: To protect the receiving environment.

Aquatic environment protection

Environmental safeguards are to be used during construction to protect the aquatic environment with a focus on seagrass beds. Appropriate methods must be installed and secured to ensure damage to the aquatic environment is minimised with specific attention to the dewatering for construction stage.

Reason: To protect the aquatic environment.