

Technical Memorandum



To: Daniel Pszczonka – Rise Projects

From: Jesse Munro, Damian McCann - AWC

Date: 25 October 2023

Pg/Attach.: 3+Attachment 1 Draft Development plans (Rise Projects) (6pg)

Job ref: 221557_05b_

Proposed Development Lot 2 DP 1091323 Phillip Drive South West Rocks – Stage 2 and 3 review

Australian Wetlands Consulting (AWC) have been requested to review and comment on draft development plans for Stage 2 and Stage 3 at the above-mentioned site in relation to the proximity to the adjacent Coastal Wetlands.

Background

Stage 1 of the proposed development for a *Staged Community Title Subdivision including Multi-Dwelling Housing, Residential Flat Building, Neighbourhood Shops and Take Away Food & Drink Premises* (Integrated Development: IDAS-2022—10330) has been approved. As part of the initial DA process the wetland boundary to the north was delineated with agreement from the Department of Planning and Environment (DPE) who gave General Terms of Approval (for Stage 1).

The plans for Stage 2 and Stage 3 (refer Attachment 1) show the development extending to the north of Stage 1 towards the fringing Coastal Wetland of Saltwater Creek.

The aim of this assessment is to determine the following:

1. The concept design and distance from the wetland edge compliance can be met
2. What items can be and can't be within the outer 50% VRZ

The following documents have been used to make this assessment:

- *Controlled activities – Guidelines for riparian corridors on waterfront land* (DPE 2022)
- *Controlled activities – Guidelines for outlet structures on waterfront land* (DPE 2022b)

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Vegetated Riparian Zone (VRZ)

A VRZ of 40 metres from the agreed wetland edge is required due to Saltwater Creek being a fourth order stream. Works within the VRZ will require approval from DPE under the *Water Management Act (2000)*. However, there are allowances for works within the VRZ which are relevant to the proposal which theoretically allow the proposed works to proceed (approvals pending). The attached plan shows the agreed wetland edge. The DPE (2022) Guidelines allow cycleways and paths (maximum 4m width – total disturbance footprint) and bushfire Asset Protection Zones (APZ) within the outer 50% of the 40m VRZ.

The DPE (2022) guideline allow some incursions into the outer 50% of the VRZ with the use of “the averaging rule”. This allows non-riparian corridor works and activities to be authorised with the outer 50% of the VRZ though an equivalent area is to be included and attached (off set) to the inner 50% of the VRZ at another location. Cycle ways, paths, stormwater outlets and other essential services do not need to be offset.

Assessment: The proposed development (as shown in Attachment 1) complies with the DPE (2022) guidelines as:

- The attached plan shows a path within the outer 50% of the VRZ along the north eastern boundary
 - In accordance with DPE 2022 “averaging rule”, cycle ways and paths do not need to be offset
- Although the plan (refer Attachment 1) does not detail the zonation of the inner and outer 50% VRZ, there appears to be no other encroachments into the VRZ from Stage 2 or Stage 3

Allowances and Exclusions in the VRZ

Two objectives of the DPE (2022) for riparian corridor management include:

- *maintain or rehabilitate a RC/VRZ with fully structured native vegetation ...*
- *minimise disturbance and harm to the recommended RC/VRZ*

Allowances within the outer 50% of the VRZ include:

- Cycleways and paths no wider than 4m total disturbance footprint (no offset required)
- Bushfire APZs with offset in accordance with “the averaging rule”
- Stormwater detention-basins (although none proposed), however the following stipulations apply (DPE 2022):
 - *be dry and vegetated*
 - *be for temporary flood detention only with no permanent water holding*
 - *have an equivalent VRZ for the corresponding watercourse order*
 - *not be used for water quality treatment purposes*
- Stormwater outlet structures and essential services are allowed in the RC

- Works for essential services on a fourth order or greater stream are to be undertaken by directional drilling or tied to existing crossings
- Stream realignment – N/A
- Road Crossing – N/A

Exclusions from the VRZ include:

- Stormwater treatment systems
- Hard landscaping including retaining walls
- Exotic species

Conclusion

Review of the proposed development plans provided by Rise Projects (refer Attachment 1) reveals the plan set generally accord with the requirements of the DPE (2022) guidelines (Controlled activities – Guidelines for riparian corridors on waterfront land). The development approval for Stage 2 and Stage 3 will require review and approval by DPE as stipulated in the General Terms of Approval.

Attachment 1 Site Plan (Rise Projects)

DW No: DA-CST2&3-04.01. Rev: B, dated 24.10.23 (Finla for concept DA lodgement)

