

Environmental Approval Checklist & Review of Environmental Factors

(EP&A Act - Part 5, Div 5.1)

Notes:

1. This document includes a MANDATORY checklist for ALL Capex projects.
2. This document includes an REF template (should this be required – as identified in the checklist).
3. Ensure that all licenses and approvals are received prior to the undertaking of any works.
4. Ensure all mandatory sections are completed prior to signature.
5. Make sure to provide necessary supporting evidence where applicable.

SECTION 1 - Details	(MANDATORY)
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PROPOSAL TITLE: Manly Dam Memorial Shelter

PROJECT OFFICER: Eliza Halsey

BUSINESS UNIT PROPOSING ACTIVITY: Parks and Recreation

SECTION 2 - Applicability	(MANDATORY)
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Is the proposed work a routine activity?

Where a routine activity is - simple, small-scale activities associated with regular (daily, weekly, monthly, etc.) and general upkeep or maintenance of a building, plant, or structure against normal wear and tear.

NO

If **Yes**, activity can be undertaken without assessment but must be in line with relevant standards and assessment recorded in the appropriate location.

If **No** proceed to Section 3.

Note 1: must ensure “minimal” environmental impact by use of one of the following:

- *Standard operating procedure;*
- *relevant Australian Standards;*
- *the Building Code of Australia;*
- *any relevant NSW Roads and Traffic Authority design guidelines;*
- *Ausspec;*
- *Northern Beaches Councils standard operating procedure;*
- *Northern Beaches Councils Pesticide notification plan;*
- *All product labels and warnings;*
- *Works that have previously been approved.*

Note 2: *If any Aboriginal cultural material or heritage constraints are found on any job site, all work should cease and the Office of Environment and Heritage and the Metropolitan Local Aboriginal Land Council notified immediately in accordance with the National Parks and Wildlife Act. An assessment can be undertaken by the Aboriginal Heritage Officer via Aboriginal Heritage Office.*

Please attach any additional information to support the assessment

DESCRIPTION OF ACTIVITY:

Construction of hard landscape works including: new memorial picnic shelter, stone seating and concrete paved area and accessible pathway connections; accessible elevated FRP boardwalk connection to the Dam Wall pedestrian accessway, and FRP kayak launch ramp and sandstone steps.

TRIM FOLDER:

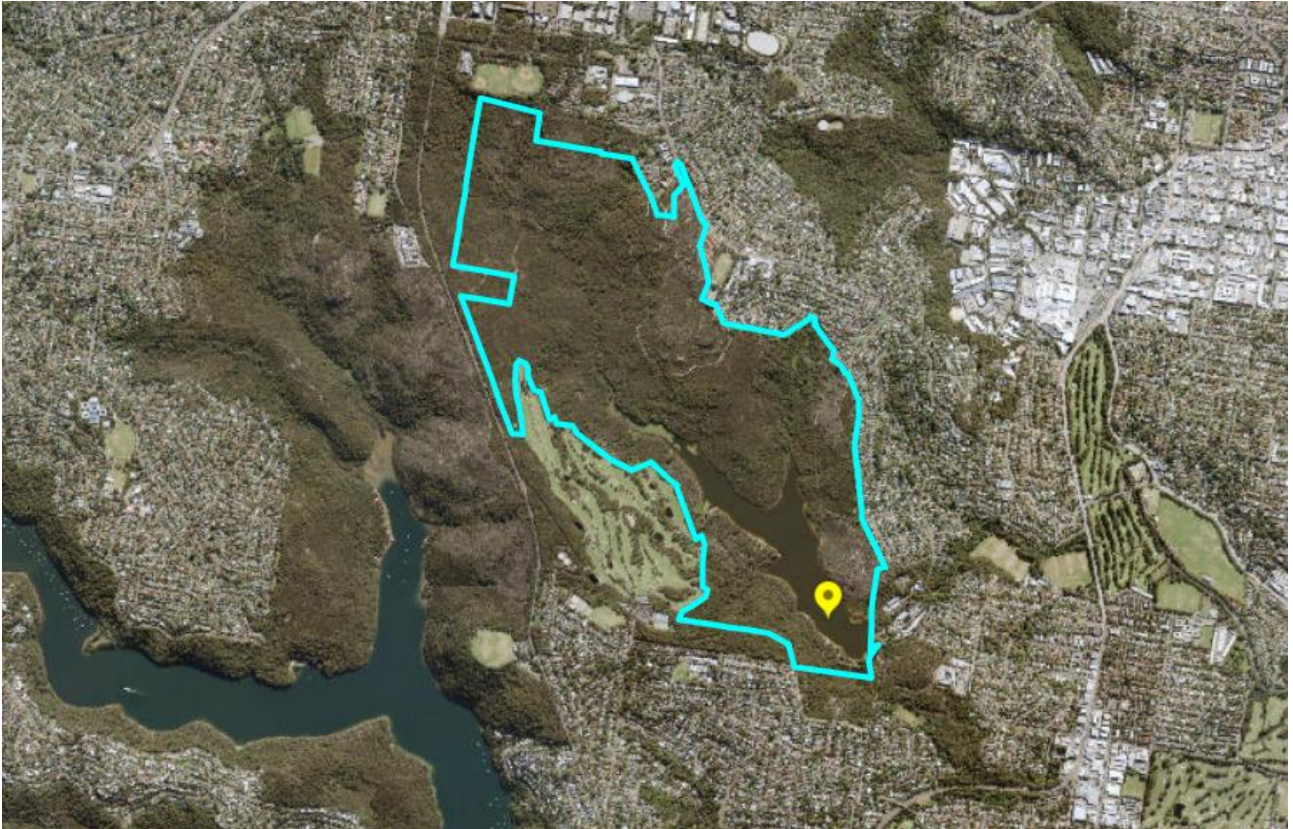
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REASON FOR ACTIVITY:

The proposed works will improve functionality and amenity of the main recreation picnic foreshore area of the park, providing better connectivity and accessibility to facilities and the waterbody and increased recreational opportunities for multiple user groups in keeping with the look and feel of the park.

LOCATION: *(include address and attach maps/ plans as appropriate)*

Manly Warringah War Memorial Park

**LAND OWNER:**

Crown Land, managed by the Manly Warringah War Memorial Park Reserve Trust, under care and control of North Beaches Council.

LAND ZONE:

RE1 – Public Recreation

TIMING AND DURATION OF WORKS:

Works are expected to commence [fill in] and be complete by [fill in]. The proposed works will be undertaken during standard working hours according to NSW Environmental Protection Authority as follows:

- 7:00 am – 6:00 pm Monday to Friday
- 8:00 am – 1:00 pm Saturday
- No work on Sundays or Public Holidays

APPROXIMATE COST:

\$329,000

SECTION 3 continued (MANDATORY)
*All Tables below **MUST** be completed*

Table 1 will determine if the activity is Exempt Development. If the activity is Exempt Development then no further assessment is required (other than sections 1-4).


Table 1			Yes	No
Q1	Is the activity listed as Exempt Development? (within SEPP Transport & Infrastructure 2021) If YES provide details below. For assistance please refer to a Principal Planner from the Development Assessment business unit.	<i>If YES, provide detail below and complete items 2 to 6 to determine if environmental assessment required</i> <i>If NO Continue to Table 2</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>WHY IS ACTIVITY EXEMPT: (provide details here of relevant section from exempt clauses and other relevant detail)</p> <p>Division 12 parks and other public reserves</p> <p>State Environmental Planning Policy (Transport and Infrastructure) 2021</p> <p>2.73 Development permitted without consent 2.74 Exempt development</p> <p>The works are within the permissible scope of Division 12 https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0732#ch.2-pt.2.3-div.12</p> <p>Part of the works are exempt including the boardwalk and ramps</p>				
WILL THE ACTIVITY:				
Q2	Involve the removal or damage to any remnant native vegetation or any construction works within Tree Protection Zones (under the drip line). Note. this excludes issues where there is a significant public risk posed from the vegetation. For assistance please see Natural Environment Officer in Bushland and Biodiversity team.	<i>If YES to any of these items, activity is not exempt continue to Table 2- Q7.</i> <i>If all items are NO, complete Approvals and Licences and Certifications</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Q3	Involve construction within 40 metres of a waterway that will impact geomorphology, groundwater, water quality or appearance of the foreshore or waterway. Note. This excludes the removal of built up sediment and maintenance works within drainage channels to restore the channel. For assistance please talk to the Senior Environment Officer – Catchments in Environment & Sustainability.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Q4	Have a negative impact on amenity in the area either during or post works.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Q5	Be immediately adjacent to or within a Threatened Ecological Community.		<input type="checkbox"/>	<input checked="" type="checkbox"/>

	(Check SEA or for assistance please talk to the Natural Environment Officer in Bushland and Biodiversity team)		
Q6	Disturb more than 40m ² excluding man-made surfaces (eg/ road, sportsfield turf) and linear work such as trenching or kerb & gutter.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

..continue to next page for exempt development

Certification Exempt

I certify that the proposed activity is exempt and will be undertaken in accordance with any relevant environmental controls, standards, procedures, etc. and that any other agency requirements will be met.

Executive Manager	Business Unit	Signature	Date
Steven Lawler	Parks & Recreation		26 June 2023

Note 1: For EXEMPT Activities no further assessment is required. However, licenses or permits from other agencies may be required please complete section 4. If the activity is exempt the Executive Manager for the business unit of the proposal should complete the above certification.

Note 2: It is advisable that an informal impact assessment is undertaken as a risk management measure.

Table 2 will determine if the activity is Permissible Without Consent. If the activity is Permissible Without Consent then no Development Application is required.

Table 2			
	Assessment	Description and References	Tick box
Q7	Permitted Without Consent	<p>The activity is "Permitted Without Consent". Assessment is via Part 5 of the EP&A Act 1979 and Form 1 – Impact Assessment is to be completed, and/or an REF prepared.</p> <p>List the relevant Clause from SEPP Infrastructure or the LEP that determined this outcome below. For assistance please refer to a Principal Planner from the Development Assessment business unit.</p>	<input checked="" type="checkbox"/>
<p>Why is Activity Permitted Without Consent:</p> <p>2.73 Development permitted without consent</p> <p>3) ANY OF THE FOLLOWING DEVELOPMENT MAY BE CARRIED OUT BY OR ON BEHALF OF A PUBLIC AUTHORITY WITHOUT CONSENT ON LAND OWNED OR CONTROLLED BY THE PUBLIC AUTHORITY—</p> <p>(A) DEVELOPMENT FOR ANY OF THE FOLLOWING PURPOSES—</p> <p>(I) ROADS, PEDESTRIAN PATHWAYS, CYCLEWAYS, SINGLE STOREY CAR PARKS, TICKETING FACILITIES, VIEWING PLATFORMS AND PEDESTRIAN BRIDGES,</p> <p>(II) RECREATION AREAS AND RECREATION FACILITIES (OUTDOOR), BUT NOT INCLUDING GRANDSTANDS,</p> <p>(III) VISITOR INFORMATION CENTRES, INFORMATION BOARDS AND OTHER INFORMATION FACILITIES,</p> <p>(IV) LIGHTING, IF LIGHT SPILL AND ARTIFICIAL SKY GLOW IS MINIMISED IN ACCORDANCE WITH THE LIGHTING FOR ROADS AND PUBLIC SPACES STANDARD,</p> <p>(V) LANDSCAPING, INCLUDING LANDSCAPE STRUCTURES OR FEATURES (SUCH AS ART WORK) AND IRRIGATION SYSTEMS,</p> <p>(VI) AMENITIES FOR PEOPLE USING THE RESERVE, INCLUDING TOILETS AND CHANGE ROOMS,</p> <p>2.74 Exempt Development</p> <p>(1) DEVELOPMENT FOR ANY OF THE FOLLOWING PURPOSES THAT IS CARRIED OUT IN THE PRESCRIBED CIRCUMSTANCES IS EXEMPT DEVELOPMENT—</p> <p>(A) CONSTRUCTION OR MAINTENANCE OF—</p> <p>(I) WALKING TRACKS, RAISED WALKING PATHS (INCLUDING BOARDWALKS), RAMPS, STAIRWAYS OR GATES, OR</p> <p>(II) BICYCLE-RELATED STORAGE FACILITIES, INCLUDING BICYCLE RACKS AND OTHER BICYCLE PARKING FACILITIES (EXCEPT FOR BICYCLE PATHS), OR</p> <p>(III) HANDRAIL BARRIERS OR VEHICLE BARRIERS, OR</p> <p>(V) VIEWING PLATFORMS WITH AN AREA NOT EXCEEDING 100M², OR</p> <p>(VI) SPORTING FACILITIES, INCLUDING GOAL POSTS, SIGHT SCREENS AND FENCES, IF THE VISUAL IMPACT OF THE DEVELOPMENT ON SURROUNDING LAND USES IS MINIMAL, OR</p> <p>(VII) PLAY EQUIPMENT IF ADEQUATE SAFETY MEASURES (INCLUDING SOFT LANDING SURFACES) ARE PROVIDED AND, IN THE CASE OF THE CONSTRUCTION OF SUCH EQUIPMENT, SO LONG AS THE EQUIPMENT IS SITUATED AT LEAST 1.2M AWAY FROM ANY FENCE, OR</p> <p>(VIII) SEATS, PICNIC TABLES, BARBECUES, BINS (INCLUDING FRAMES AND SCREENING), SHELTERS OR SHADE STRUCTURES, OR</p> <p>(IX) PORTABLE LIFEGUARD TOWERS IF THE FOOTPRINT OF THE TOWER COVERS AN AREA NO GREATER THAN 20 SQUARE METRES, OR</p> <p>(X) TEMPORARY STRUCTURES,</p>			

(B) ROUTINE MAINTENANCE OF PLAYING FIELDS AND OTHER INFRASTRUCTURE, INCLUDING LANDSCAPING, (C) ROUTINE MAINTENANCE OF ROADS THAT PROVIDE ACCESS TO OR WITHIN THOSE PLAYING FIELDS, INCLUDING LANDSCAPING, (D) ENVIRONMENTAL MANAGEMENT WORKS.			
Q8	Permitted With Consent	The activity is Permitted With Consent – a Development Application to be prepared and lodged with Council under Part 4 of the EP&A Act.	<input type="checkbox"/>

SECTION 4 – Approvals from other Agencies	(MANDATORY)
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Table 3 will identify what approvals, licenses and permits from other Agencies are required to undertake the proposed works. These approvals, permits and licenses **MUST** be obtained prior to the commencement of works. In some instances the agencies may request an Environmental and/or Species Impact Statement prior to granting approval.

Table 3			
Is the activity:	Approval required		If Yes
	YES	NO	
Working within or impacting on Threatened Species/Populations and/or Threatened Ecological Communities and/or causing any possible damage to those threatened species or communities. For assistance check SEA or for assistance please talk to the Natural Environment Officer in Environment & Sustainability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Must complete an REF and depending on the assessment the proposed works may require a license from Office of Environment & Heritage (OEH).
Working near Aquatic Reserves, Aquatic Habitat or damaging any marine vegetation such as sea grass, mangroves, etc. For assistance please talk to the Senior Environment Officer in Environment & Sustainability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Refer to 2023/378527
Dredging of water or banks of creeks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Refer to 2023/378257
Working within the 'place' of a Heritage Item identified under the NSW Heritage Act	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Refer to Councils Heritage Officer Exemptions to State Heritage Listing for Manly Warringah War Memorial Park 6. Improvements to the War Memorial area Works to improve the War Memorial area, in conjunction with the Manly Warringah War Memorial Remembrance Trust, including a shelter structure, paths for disability access, landscaping and service provision (generally in accordance with concept plan dated 25 June 2018), where these activities do not materially impact on the identified heritage values of Manly Warringah War Memorial Park.

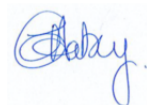
Working near known aboriginal relics, places, or potential Aboriginal relics or places – Check with the Aboriginal Heritage Office. see APPENDIX 2 Aboriginal heritage potential desktop assessment checklist	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Refer to 2023/385739
Working on vacant Crown Lands not under Council Control and/or Council not Trustee - check with the property office.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Permission must be sought from the Department of Primary Industries
Working on a Classified Roads – not under a current maintenance program	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Approval required from NSW Roads and Maritime Services
If polluting a waterway ie. dewatering, herbicide application, etc	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Licence from the Office of Environment and Heritage
Check Dial Before You Dig to identify any services that may be impacted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contact the relevant service authority
On the open coast or estuary. Assistance can be provided from the Coast & Catchments team in Environment & Climate.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Approval from the Office of Environment and Heritage may be required.
On land which is not owned or controlled by Council.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contact the landowner to obtain approval

Certification Sections 1-4

I certify that the above information in **Sections 1 to 4** is correct and I have endeavoured to clarify that all requirements have been met.

Eliza Halsey

Parks and Recreation



28/04/2023

Project Officer

Business Unit

Signature

Date

SECTION 5 – Form 1-REF - Consideration of Impacts of the Activity (MANDATORY if Q7 in Table 2 is YES)

Notes:

1. This Form 1 & Form 2 must be completed and evidence provided (you can refer to and attach additional documents to this assessment)
2. Assessment of all impacts must be provided; reason and justification for answers must be provided.
3. For all construction impacts of Minor or greater possible impacts, mitigation measures must be included and a final Impact determined. Additional information detailing justification and/or mitigation of the impact may need to be referenced, provided and attached to the assessment.
4. Possible impact is to be determined utilising the descriptions in the table below.
5. Construction impact - refer to all activities of undertaking the works, ongoing impacts, cumulative impacts, maintenance and permanent impacts.

1 - Negligible	2 - Minor	3 - Moderate or Greater
Does not create a nuisance	Creates a temporary nuisance	Creates a continuous or ongoing nuisance
Impacts contained within work site	Impact short term/localised, for life of project	Impact ongoing/long term or widespread impact
No detectable/noticeable change	Measurable change/may be offensive	Obvious change/offensive
Complies with industry guidelines	Exceeds industry guidelines (minor)	Exceeds industry guidelines (major)
Reasonable inconvenience/financial loss	Sustained/short term inconvenience/financial loss	Unacceptable inconvenience/financial loss
Change but similar to original land use	Slight or temporary change to land use	Transforms a locality permanently
No damage to heritage items or native flora or fauna	Heritage items or native flora and fauna able to be repaired/rehabilitated	Permanent damage/loss of a heritage item/flora or fauna from an area
No foreseen increase to risk from natural hazards	Slight increase to risk from natural hazards	Major increase to risk from natural hazards
Waste disposed/recycled of at licensed waste facility or reused immediately	Waste stockpiled with end use unknown, potential for temporary impact to air, soil, water	Long term contamination of air, soil or water due to waste disposal
No remediation required following work to prevent/remove pollution	Minor /short term site remediation required at completion of work to prevent/remove pollution	Extensive site remediation required over extended timeframe to prevent/remove pollution (e.g. soil or water contamination, severe soil erosion, large scale revegetation)

FORM - 1 REF – To address Part 8, Clause 171(2) Factors from the EP&A Regulation 2021

FORM 1 - IMPACT ASSESSMENT

	Description	Construction Impact			Mitigation Measures (detail measures)	Ongoing Impact		
A	Any environmental impact on a community <i>eg Social, economic and cultural impacts</i>							
	<ul style="list-style-type: none"> It is anticipated that the proposed shelter will have positive impacts on the community in the long term. Impacts of construction activities are considered minor, are localised, and will be removed at the completion of the works. The site is located within a park and therefore no immediate neighbours will be impacted by construction activities. 	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> Noise is to be managed according with the Protection of the Environment Operations Act, 1997 No 156. Noise from power tools will be restricted to standard working hours according to NSW Environmental Protection Authority as follows or as amended in the future: 7:00 am – 6:00 pm Monday to Friday. 8:00 am – 1:00 pm Saturday and no work on Sundays or Public Holidays 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
B	Any transformation of a locality <i>eg . Human and non-human environment</i>							
	<ul style="list-style-type: none"> The portion of Manly Dam War Memorial Park that forms part of the works will have new accessible pathways and a new memorial shelter, however this is expected to have a positive impact on the area and will not change the current use of the area. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> The works will cause minimal changes to the existing area, still retaining public use of the space but in a more accessible way. Appropriate tree protection measures will be put in place, pruning works to be carried out by a qualified arborist. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
C	Any environmental impact on the ecosystems of the locality <i>Flora, fauna, ecological integrity, biological diversity, connectivity/fragmentation, air, water including hydrology, soil</i>							

<ul style="list-style-type: none"> The site is within the Manly Warringah War Memorial Park, which includes: <ul style="list-style-type: none"> Low – High Risk Flooding Riparian Land Native Vegetation Threatened Species Ecosystems Wildlife Corridors Heritage Conservation Area While construction of the kayak launching area is not anticipated to have impacts on the waterway or fauna that use the area, mitigation measures will be put in place during construction. Minor tree pruning will be required for the construction of the memorial shelter <p>Flora</p> <p>The site of the proposed works is surrounded by native vegetation; however, the area is already largely cleared of trees and is turfed.</p> <p>Fauna</p> <p>Manly Dam forms part of a wildlife corridor and is home to several native and introduced species. No nesting habitat or food sources will be impacted by the proposed works. Works will not be undertaken at night when most animals would be active.</p> <ul style="list-style-type: none"> Small plant will be used during construction activities with minor excavation. 	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> No wildlife habitat is proposed to be removed. In addition, the following impact mitigation measures will be implemented to prevent impacts to wildlife habitat: <ul style="list-style-type: none"> All natural landscape features, including any rock outcrops, native vegetation, will remain undisturbed. Watercourse disturbance will be minimal and construction methodologies will be focused on the lowest impact to both waterways and fauna. Sedimentation and erosion control in accordance with the Blue Book will be in place. Barriers will be placed around construction site. Loads/ stockpiles and bins will be covered 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
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D	Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality <i>eg Visual, recreational, scientific and other</i>								
<ul style="list-style-type: none"> The site is located within an existing area that has been largely disturbed by pedestrian pathways, shelters and memorials – the proposed works will not add significantly to this disturbance either aesthetically or recreationally. There will be minor disturbance to the area during construction, but these will be managed throughout. The memorial shelter will be visually complimentary to the site. The kayak launching area will add recreational benefits to the area. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> The proposed works are anticipated to add to the visual and recreational amenity of the area. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>		
E	Any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations <i>eg Aboriginal heritage (including intangible cultural significance), architectural heritage, social/community values and identity, scenic values and other</i>								
<ul style="list-style-type: none"> An AHIMS Basic search has identified 11 aboriginal sites recorded in or near Manly Dam State Park. The Aboriginal Heritage Office has been contacted to seek guidance on how to proceed. 	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> AHO have advised that project is free to proceed due to nature of works and disturbed area of the site 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>		
F	Any impact on the habitat of protected animals (within the meaning of the Biodiversity Conservation Act 2016) <i>eg Listed species and habitat requirements/ critical habitat</i>								
<ul style="list-style-type: none"> This site does not impact on the habitat of any protected animal, being a threatened species or threatened ecological community under the Biodiversity Conservation Act 2016. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> Mitigation measures to prevent any impacts to the environment will be put in place during construction. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>		

G	Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air eg <i>Listed species, non-listed species and key threatening processes</i>								
	<ul style="list-style-type: none"> No threatened species have been recorded on the subject site. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> Mitigation measures to prevent any impacts to the environment will be put in place during construction. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	
H	Any long-term effects on the environment eg <i>Ecological, social and economic</i>								
	<ul style="list-style-type: none"> Negative impacts of the activity are considered negligible and short term during construction and as the site is already disturbed. Overall there will be a positive impact on the environment in improving accessibility and amenity. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> Mitigation measures to prevent any impacts to the environment will be put in place during construction. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	
I	Any degradation of the quality of the environment eg <i>Ecological, social and economic</i>								
	<ul style="list-style-type: none"> Negative impacts of the activity are considered negligible and short term in nature during the construction phase and as the site is already disturbed. The new shelter and paths will improve the functionality of the area as a memorial ceremony space. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> Mitigation measures to prevent any impacts to the environment will be put in place during construction. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	

J	Any risk to the safety of the environment <i>eg Public health, contamination, bushfire, sea level rise, flood, storm surge, wind speeds, extreme heat, urban heat and climate change adaptation</i>								
	<ul style="list-style-type: none"> Negative impacts of the activity on public health and the environment are considered negligible. Accessibility works will improve pedestrian and user safety 	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> Mitigation measures to prevent any impacts to the environment will be put in place during construction. A Construction Management Plan to ensure human and environmental hazards are controlled must be provided and approved to Council before work can commence 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	
K	Any reduction in the range of beneficial uses of the environment <i>eg Natural resources, community resources and existing uses</i>								
	<ul style="list-style-type: none"> Negative impacts of the activity are considered negligible, the site is already highly disturbed and is largely turfed. The works will provide more accessible amenity and community resources and will not change the existing use. 	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> Mitigation measures to prevent any impacts to the environment will be put in place during construction. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	
L	Any pollution of the environment <i>eg Air (including odours and greenhouse gases); water (including runoff patterns, flooding/tidal regimes, water quality health); soil (including contamination, erosion, instability risks); noise and vibration (including consideration of sensitive receptors); or light pollution</i>								
	<ul style="list-style-type: none"> May impact on users of Area 1 during construction, however this will be temporary. Issues relating to air, water, vibration and light are considered negligible. 	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> Materials that could cause dust will be covered by a fabric. Noise mitigation measures are covered in this Table under Item A. Works will not be carried out at night to avoid any potential disturbances to local and native fauna. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	

M	Any environmental problems associated with the disposal of waste <i>eg Transportation, disposal and contamination</i>								
	<ul style="list-style-type: none"> Minimal environmental problems due to waste disposal are anticipated. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> Construction methodology will include for the contractor to be responsible for waste removal from site. Contractors will be responsible for the storing and removal of waste in a way that prohibits any contamination to the surrounding area. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	
N	Any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply <i>eg Land, soil, water, air, minerals and energy</i>								
	<ul style="list-style-type: none"> No demands on resources that are in short supply are anticipated. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	•	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	
O	Any cumulative environmental effect with other existing or likely future activities <i>eg Existing activities and future activities</i>								
	<ul style="list-style-type: none"> There are no future works proposed for this area of Manly Dam. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	•	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	

p	Any impact on coastal processes and coastal hazards, including those under projected climate change conditions <i>eg Coastal processes and hazards (impacts arising from the proposed activity on coastal processes and hazards and impacts on the proposed activity from coastal processes and hazards), climate scenarios</i>								
<ul style="list-style-type: none"> No impact on coastal processes and hazards are anticipated. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>		
Q	Any applicable local strategic planning statement, regional strategic plan or district strategic plan made under Division 3.1 of the Act <i>eg Issues, objectives, policies and actions identified in local, district and regional plans</i>								
Towards 2040 – Local Strategic Planning Statement <ul style="list-style-type: none"> The memorial shelter, accessible pathways and kayak launching area are consistent with Priorities under the chapters Sustainability, Efficiency, Liveability and Great places, including the following priorities: <ul style="list-style-type: none"> High quality open space for recreation (Priority 6) Provide community facilities and services that meet changing community need (Priority 11) An inclusive, healthy, safe and socially connected community (Priority 12) CSP2040 – Community Strategic Plan Relevant outcomes <ul style="list-style-type: none"> The proposed works align with environmental, social, economic and civic outcomes. 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	<ul style="list-style-type: none"> 	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>		
R	Any other relevant environmental factors <i>eg Any other factors relevant in assessing impacts on the environment to the fullest extent</i>								

	<ul style="list-style-type: none">No other relevant environmental factors are anticipated.	1	2	3	<ul style="list-style-type: none">	1	2	3
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Declarations	YES	NO
Sustainability Principles have been applied to the assessment of Environmental, Social, and Economic factors of this project.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
This Impact Assessment provides a true and fair review of the proposal in relation to its likely affects on the environment. It addresses, as best as possible, the impacts affecting or likely to affect the environment as a result of the activity. It provides sufficient information to determine whether this is likely to be a significant impact on the environment as a consequence of the activity.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alternate methods, activities or designs been investigated for alternate method of delivery for all activities other than Level 1 Impacts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community Consultation has been undertaken as per the Community Engagement Framework.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The implementation of the recommended mitigation measures will minimise the identified impacts/risks.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
All material supporting the assessment has been detailed in the assessment of the item above with a copy attached to this assessment, this is detailed in Addendum 1.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A risk assessment will be undertaken to ensure that Work Health and Safety requirements are met on the site at all times.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
This environmental review (and a formal REF if required) must be published on Council's website, before activity commences, if any of the following are true - Environmental Planning and Assessment Regulation 2021 (Part 8, clause 171 (4)). Refer to legislation to check other requirements... https://legislation.nsw.gov.au/view/pdf/asmade/sl-2021-759		
(a) the activity has a capital investment value of more than \$5 million, or	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) the activity requires an approval or permit as referred to in any of the following provisions before it may be carried out—		
(i) Fisheries Management Act 1994, sections 144, 201, 205 or 219,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(ii) Heritage Act 1977, section 57,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iii) National Parks and Wildlife Act 1974, section 90,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iv) Protection of the Environment Operations Act 1997, sections 47–49 or 122, or	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) the determining authority considers that it is in the public interest to publish the review.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SECTION 6 – Assessment Result**(MANDATORY)**

Based on the information in Section 5 (ie Forms 1 and 2), the assessment results in the following LEVEL of impact (tick one of the following):

- ☐ LEVEL 4: All items assessed as 1 Negligible Impact - **NO FURTHER ASSESSMENT REQUIRED - Proceed to Section 7**
- ☒ LEVEL 3: Some items assessed as 2 Minor Impact and others as 1 Negligible with proposed mitigation - **CURRENT ASSESSMENT ADEQUATE – Proceed to Section 7**
- ☐ LEVEL 2: Any item assessed as 3 Moderate or Greater Impact **and/or** any works occurring in Endangered Ecological Communities or impacting species as Scheduled in the Biodiversity Conservation Act – a formal **REVIEW OF ENVIRONMENTAL FACTORS REQUIRED** addressing these issues and attach to this assessment. - **Proceed to Section 7**
- ☐ LEVEL 1 – In the assessment numerous items are assessed as 3 Moderate or Greater Impact and deemed to have environmental **and/or** other impact determined as significant by any consent authority (including Council officers) as determined in Part 5 of the *Environmental Planning and Assessment Act 1979* (listed SECTION 4 – Approvals and Other Agencies) - **ENVIRONMENTAL and/or SPECIES IMPACT STATEMENT REQUIRED**. This requires a report to Council with concurrence of the relevant agency. No self-determination possible. For assistance please speak to a Principal Planner from the Development Assessment unit. - **Proceed to Section 7**

SECTION 7 – Consultation**(MANDATORY)**

The level of consultation and engagement required is to be determined via the community engagement matrix (from Community Engagement Framework).

<https://www.northernbeaches.nsw.gov.au/council/publications/policies/community-engagement-policy>

Two Stage Community Engagement process was carried out.

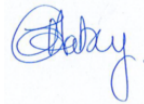
8.1 REVIEW OF ENVIRONMENTAL FACTORS

Tick the option which accurately reflects the requirements of a Review of Environmental Factors for the proposal:

- ☒ A formal Review of Environmental factors is not required. This REF document is satisfactory considering the low impact nature of the proposal.
- ☐ A formal Review of Environmental factors is required and has been submitted and is attached.
- ☐ A formal Review of Environmental factors has been submitted, it is considered that the overall impact on the environment is significant. The proposal should not proceed until an Environmental and/or Species Impact Statement is prepared and approved.

Eliza Halsey

Parks and Recreation



28/04/2023

Project Officer

Business

Signature

Date

8.2 DETERMINATION

For proposal that is “permitted without consent” the following Decision Statement is required.

The determination is undertaken by an authorised person - an individual authorised by the determining authority to determine the proposal under Division 5.1 of the EP&A Act and Part 8, Division 1 of the EP&A Regulation. That authorised person will produce a decision statement.

A. For proposal that is “permitted without consent” with Level 3 or 4 impact, under current delegations **any** Executive Manager in the **Transport & Assets** directorate may provide determination.

- the proposed activity is/is not likely to have a significant impact on the environment and therefore an EIS is / is not required
- the proposed activity will/will not be carried out in a declared area of outstanding biodiversity value and is/is not likely to significantly affect threatened species, populations or ecological communities, or their habitats or impact biodiversity values, meaning a SIS and/or BDAR is/is not required
- the proposed activity may/may not proceed and the reasons for the decision
- mitigation measures are/are not required to eliminate, minimise or manage environmental impacts, indicating where in the REF document the mitigation measures are set out, as well as any additional mitigation measures and/or conditions required and the reasons for these mitigation measures and conditions.
- A determining authority may also choose to note whether referral to the Commonwealth Department of Agriculture, Water and the Environment has been considered.

If a SIS and/or BDAR is prepared, and the determining authority is a Minister, the decision statement will identify any recommendations from the Environment Agency Head or the Primary Industries Head that have not been accepted.

The proposal has been assessed and can proceed, subject to the inclusion of the stated mitigation measures below (if any):

Executive Manager	Business Unit	Signature	Date
Steven Lawler	Parks & Recreation		26 June 2023

- B.** For proposal that is “permitted without consent” with Level 2 (Section 6) proposals, under current delegations endorsement from the **Executive Manager Development Assessment (or delegate) is required.**

In this case, this completed form is to be forwarded to the Development Assessments team who will review and determine with conditions (as appropriate) by provision of a separate memo.

APPENDIX 1

Biodiversity Conservation Act 2016 – Part 7 Division 1 Section 7.3

7.3 Test for determining whether proposed development or activity likely to significantly affect threatened species or ecological communities, or their habitats

(1) The following is to be taken into account for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:

- a) in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,
- b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:
 - i. is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or
 - ii. is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,
- c) in relation to the habitat of a threatened species or ecological community:
 - i. the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and
 - ii. whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and
 - iii. the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,
- d) whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly),
- e) whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.

(2) The Minister may, by order published in the Gazette with the concurrence of the Minister for Planning, issue guidelines relating to the determination of whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats. Any such guidelines may include consideration of the implementation of strategies under the Biodiversity Conservation Program.

APPENDIX 2

Aboriginal heritage desktop assessment checklist (direct reference from Aboriginal Heritage Office)

1. Check Aboriginal heritage potential mapping and Aboriginal site data			
a) What level of potential is the subject area in	<input checked="" type="checkbox"/>	Very High	
	<input type="checkbox"/>	High	
	<input type="checkbox"/>	Moderate	
	<input type="checkbox"/>	Low	
	<input type="checkbox"/>	Very Low	
Comments:			
b) Are there registered Aboriginal site within or within the vicinity of the subject area?	<input type="checkbox"/>	Immediate vicinity	
	<input checked="" type="checkbox"/>	Within 100-200m	
	<input type="checkbox"/>	Not recorded nearby	
Comments:			
2. Check landscape features present in the subject area			
a) Are any of the following features present in the subject area?	<input checked="" type="checkbox"/>	Watercourses (creek lines, drainage lines even if ephemeral)	
	<input type="checkbox"/>	Foreshore	
	<input type="checkbox"/>	Cliff lines or boulders (higher than 1m)	
	<input type="checkbox"/>	Overhangs or caves	
	<input type="checkbox"/>	Level sandstone outcrops (>2m ²)	
	<input type="checkbox"/>	Deep sandy deposits	
Comments:			
b) What is the land use history of the subject area?	<input checked="" type="checkbox"/>	Heavily modified	
	<input type="checkbox"/>	Moderately modified	
	<input type="checkbox"/>	Limited modification	
	<input type="checkbox"/>	No known modification	
Aboriginal heritage potential identified:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> unsure
If yes/unsure, refer to AHO	Date referred:		
If no, works may proceed with caution			

ADDENDUM 1

Please list all attached information to support the Assessment:


[TRIM: 2023/385739](#)

[TRIM: 2023/378527](#)

RE: Aboriginal Heritage Potential Assessment - Manly Warringah War Memorial State Park



Phil Hunt on behalf of AHO

To  Eliza Halsey

Cc  online-referrals



You replied to this message on 19/06/2023 12:54 PM.

Hi Eliza,
I met Chris Buckley this morning and had a good look around.
The area is all fill and highly modified.
There are no Aboriginal heritage issues for the proposal.

Thanks
Phil

Phil Hunt
A/Manager



Aboriginal Heritage Office

Ku-ring-gai, Lane Cove, North Sydney,
Northern Beaches, Strathfield & Willoughby Councils
29 Lawrence St, Freshwater NSW 2096
Phil.Hunt@northernbeaches.nsw.gov.au
PH# 0403 239 404
www.aboriginalheritage.org

We acknowledge the traditional owners of the lands we work across – the Gamaragal, Garigal, Gayamaygal, Darramurragal and Wangal clans.

RE: Manly Dam - kayak launching ramp

JR

Jillian Reynolds <jillian.reynolds@dpi.nsw.gov.au>
To

Eliza Halsey

Cc

Anthony Calabro

This sender jillian.reynolds@dpi.nsw.gov.au is from outside your organization.

You forwarded this message on 14/06/2023 9:49 AM.



Reply

Reply All

Hi Eliza,

Thank you for sending the information through. As the ramp will be raised off the substrate and the piles will not require excavation then the works will not trigger the dredging and reclamation provisions of the Fisheries Management Act and a permit will not be required for this job.

Could you please provide us with an email prior to any works commencing and I will forward it to our Compliance team so that they know to expect works occurring.

Regards,

Jillian

Jillian Reynolds
Senior Fisheries Manager

DPI Fisheries | Department of Regional NSW

M 0429 918 575 E jillian.reynolds@dpi.nsw.gov.au