

3 August 2021

Yehan Koo
Maygood Australia Pty Ltd
PO Box 662
St Ives, NSW 2075

Proposed modifications to DA2017/1127

Dear Yehan,

It is understood that a modification under Section 4.55 of the NSW *Environmental Planning and Assessment Act* 1979 is proposed to be submitted to Northern Beaches Council (Council) in relation to an approved development application (DA2017/1127) for 88 Eurabba Road, Duffys Forest (the 'subject site') (Lot 88 DP 752017).

Under Section 7.17 of the NSW *Biodiversity Conservation Act* 2016 (BC Act), a Biodiversity Development Assessment Report (BDAR) is required to be submitted with an application for modification due to the potential for additional impacts on native vegetation, flora and fauna species. However, Clause 7.17.2(c) of the BC Act states:

'a further biodiversity development assessment report is not required to be submitted if the authority or person determining the application for modification (or determining the environmental assessment requirements for the application) is satisfied that the modification will not increase the impact on biodiversity values'.

Based off the plans provided on 28 July 2021, it is understood that all of the modifications proposed to the development are associated with the residential dwelling and are fully contained located within the approved development footprint in the eastern portion of the subject site. Furthermore, the bushfire Asset Protection Zones that were identified as part of the approved DA do not require modification and therefore the proposed modification does not encroach further on areas of bushland within the subject site.

Although one threatened ecological community, Duffys Forest Ecological Community in the Sydney Basin Bioregion, and one threatened flora species, *Epacris purpurascens* are present within the subject site, the proposed modification will not increase impacts on TEC's or threatened species. Impacts to these threatened entities are associated with the approved driveway and will be managed under the approved Biodiversity Management Plan (BMP) prepared for the subject site. These areas are identified within the BMP and

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the proposed modification does not impact on any of these areas. Construction of the approved driveway has already commenced and no modifications have been proposed to the driveway.

As the proposed modification is located within the approved development footprint and there are no additional impacts to TECs or threatened species, the proposed modification is not considered to increase the impact of the approved DA on biodiversity values within the subject site. As such a biodiversity development assessment report is not required to support the Section 4.55 modification.

If you have any questions please do not hesitate to contact me at the Cumberland Ecology office on (02) 9868 1933.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'M. Freeman'.

Matt Freeman
Project Manager/Ecologist
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