

## Natural Environment Referral Response - Biodiversity

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| <b>Application Number:</b>             | DA2023/1698                                       |
| <b>Proposed Development:</b>           | Alterations and additions to a dwelling house     |
| <b>Date:</b>                           | 21/03/2024  |
| <b>Responsible Officer</b>             | Simon Ferguson Tuor                               |
| <b>Land to be developed (Address):</b> | Lot 15 DP 5830 , 8 Consul Road BROOKVALE NSW 2100 |

### Reasons for referral

This application seeks consent development on land, or within 40m of land, containing:

- All Development Applications on
- Actual or potential threatened species, populations, ecological communities, or their habitats;
- Wildlife corridors;
- Vegetation query stipulating that a Flora and Fauna Assessment is required;
- Vegetation query - X type located in both A & C Wards;

And as such, Council's Natural Environment Unit officers are required to consider the likely potential environmental impacts.

### Officer comments

#### Additional Comments (21/03/2024)

Amended plans (Scale Architecture 12/03/2024) have been received and reviewed. The amended plans have reduced the amount of excavation into the existing sandstone outcrops within the site and is supported in order to retain unique environmental features where possible. The applicant is encouraged to utilise excavated sandstone in landscaping and gabion walls where possible. Plant species selected for landscaping should be locally native and not include any environmental weed species.

No objections in relation to biodiversity matters, subject to conditions.

#### Original Comments (14/12/2023)

Council's Biodiversity Referrals have assessed the Development Application for compliance against the following applicable biodiversity related provisions:

- Warringah DCP cl. E2 Prescribed Vegetation
- Warringah DCP cl. E4 Wildlife Corridors
- Warringah DCP cl. E5 Native Vegetation
- Warringah DCP cl. E6 Retaining Unique Environmental Features

The Development Application seeks consent for Alterations and additions to a dwelling house.

An Arborist Report (Hugh the Arborist, October 2023) was submitted with the application which confirmed that no native trees are proposed for removal.

However, the application does require significant removal of the existing sandstone outcropping within the site, with the Geotechnical Report stating *"It is anticipated that due to the nature of the excavation that the majority of boulders within the vicinity footprint of proposed works site will be removed"*.

Substantial removal of sandstone outcropping from within the site is non-compliant with WDCP cl. E6 as it is a unique environmental feature that distinguishes it from its surroundings. In accordance with WDCP cl. E6 Development is to be designed to address any distinctive environmental features of the site and on adjoining nearby land and should respond to these features through location of structures, outlook, design and materials. The detached sandstone boulder as well as the cracked retaining wall and buttress at the rear of the existing carport is acknowledged in the report, however the sandstone outcropping and boulders in multiple locations within this front garden area did not exhibit any signs of impending stability concern.

As such, Council's Biodiversity Referrals team do not support the proposal in its current design and encourage the applicant to consider a redesign of the carport, gabion stone retaining walls and landscape terrace areas to incorporate the existing rock outcropping and boulders into the landscape design in order to be sympathetic to the distinguishing environmental features.

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**

#### **No Clearing of Vegetation**

Unless otherwise exempt, no vegetation is to be cleared prior to issue of a Construction Certificate.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to issue of Construction Certificate.

Reason: To protect native vegetation.

### **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

#### **Wildlife Protection**

If construction activity associated with this development results in injury or displacement of a native mammal, bird, reptile or amphibian, a licensed wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To protect native wildlife.

#### **Protection of Habitat Features**

All natural landscape features, including any rock outcrops, native vegetation and/or watercourses, are to remain undisturbed during the construction works, except where affected by necessary works detailed on approved plans.

Reason: To protect wildlife habitat.

## **CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**

### **Protection of Habitat Features**

All natural landscape features, including any rock outcrops, native vegetation and/or watercourses, are to remain undisturbed except where affected by necessary works detailed on approved plans.

Details demonstrating compliance are to be provided to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To protect wildlife habitat.

### **No Weeds Imported On To The Site**

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan) are to be imported on to the site prior to or during construction works.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To reduce the risk of site works contributing to spread of Priority and environmental weeds.