

Natural Environment Referral Response - Biodiversity

Application Number:	DA2022/0601
Date:	31/05/2022
Responsible Officer	Stephanie Gelder
Land to be developed (Address):	Lot 27 DP 758566 , 70 Killarney Drive KILLARNEY HEIGHTS NSW 2087

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

The application seeks approval for alterations and additions to an existing dwelling, including ground and first floors, a new driveway and a new swimming pool. The application also seeks to establish an Asset Protection Zone (APZ) over the entirety of the site in perpetuity.

Council's Natural Environment Unit - Biodiversity referral team have reviewed the application for consistency against the relevant environmental legislation and controls, including:

Biodiversity Conservation Act 2016 (BC Act) Warringah Development Control Plan (WDCP)

- Clause E2 Prescribed Vegetation
- Clause E6 Retaining unique environmental features

The Arboricultural Impact Assessment report identifies eleven existing trees within the property. The proposed development works including landscape design as proposed results in all existing trees recommended for removal. Of these, T4, and T5 (Cocos Palm) are exempt species that do not require Council consent.

It is noted that the site currently benefits from the 10/50 clearing eligibility, therefore no approval is required from Council for the removal of any tree within 10m of the existing dwelling, which appears to include all trees within the site. On this basis, no objection is raised to their removal, nor the establishment of a proposed APZ over the entirety of the site.

No objection is raised by the Biodiversity Referral to the submitted Landscape Plan (Paterson Design

Studio 2022), which includes planting of locally-native species.

Subject to conditions the Bushland and Biodiversity referral team find the application to be consistent against relevant environmental controls.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Dead or Injured Wildlife

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

Reason: To protect native wildlife.

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

Certification of Landscape Plan

Landscaping is to be implemented in accordance with the approved Landscape Plans (Paterson Design Studio 2022) and these conditions of consent.

Details demonstrating compliance are to be prepared by the landscape architect and provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.

No Weeds Imported On To The Site

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan 2019 – 2023) are to be imported on to the site prior to or during construction works.

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

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

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Maintenance of Asset Protection Zones

Vegetation clearing for ongoing APZ maintenance must only occur within the surveyed and marked APZ boundaries. No clearing is to be undertaken outside of the APZ boundaries.

Reason: To protect native vegetation and wildlife.