

Natural Environment Referral Response - Biodiversity

Application Number:	Mod2023/0088
Proposed Development:	Modification of Development Consent DA2022/0888 granted for Alterations and additions to a dwelling house including a garage, shed and carport
Date:	15/03/2023
Responsible Officer	Thomas Prosser
Land to be developed (Address):	Lot 259 DP 752017 , 259 / 0 Aumuna Road TERREY HILLS NSW 2084

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 proposal seeks approval for Section 455 Modifications of Development Consent DA2022/0888 granted for Alterations and additions to a dwelling house including a garage, shed and carport.

The comments on this referral relate to the following applicable controls and provisions:

- Planning for Bushfire Protection 2019
- Biodiversity Conservation Act 2016
- Biodiversity Conservation Regulation 2017
- Warringah DCP cl. E2 Prescribed Vegetation
- Warringah DCP cl. E4 Wildlife Corridors
- Warringah DCP cl. E6 Retaining Unique Environmental Features

The proposal seeks approval for the following modifications:

- relocation of the shed / garage
- reconfiguration of the shed / garage including changed roof profile and additional water closet
- reconfiguration and relocation of the access driveway to the shed / garage
- deletion of the carport. Car parking is now accommodated within the shed and garage
- revised materials and finishes schedule for the shed / garage
- modifications to the proposed tree removal and replanting regime
- modifications to the location and extent of the wastewater system

No modifications are proposed to the alterations and additions to the dwelling house and its associated studio.

The following Biodiversity relevant reports are noted:

- Plans Master Set 07/03/2023
- Report - Arboricultural 07/03/2023 (AIA)
- Report - Bushfire 07/03/2023 (BF)

The new proposed location for the shed is noted and no objection is raised as it will allow for the retention of an additional 3 trees in comparison to the original proposal. As per the original AIA (Tree Survey, 19 April 2022) the original proposal would take out 11 trees (13, 14, 15, 16, 27, 28, 29, 30, 68, 69 and 70). The AIA prepared in relation to the modifications (Tree Survey, 30 January 2023) has proposed the removal of a total of 8 trees (21, 37, 38, 40, 42, 44, 46 and 48) and has identified an additional 27 trees. Conditions will apply to ensure that trees proposed for retention and potentially affected by the proposed modifications due to TPZ encroachment are retained.

The revised Bushfire Consultant report (Matthew Toghil, February 2023) has assessed that, as the proposed new shed is a Class 10a structure and is not within 6m of the dwelling on the site, "there are no bushfire specific protection requirements". Therefore, no additional removal of vegetation shall be required for the establishment of Asset Protection Zones as per the biodiversity referral comments for the original development (Biodiversity Planning Team, July 2022).

No planting schedule has been provided for replacement tree. Conditions shall apply to ensure correct species mix for replacements.

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

Adherence to Natural Environment Consent Conditions

All biodiversity-related conditions of consent under previous development applications are to be adhered to, including DA2022/0888, unless amended by these biodiversity-related conditions of consent.

Reason: To protect biodiversity values.

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

Replacement of Canopy Trees

The following locally native trees are to be planted on site to replace protected trees approved for removal. Species are to have a minimum mature height of 8.5m and be consistent with Council's Native Gardening Guide.

- 3 *Casuarina glauca*
- 1 *Corymbia maculata*
- 1 *Eucalyptus robusta*
- 2 *Casuarina cunninghamiana*

Tree plantings are to be retained for the life of the development and/or for their safe natural life. Trees that die or are removed must be replaced with another locally native canopy tree.

Replacement plantings are to be certified as being completed in accordance with these conditions of consent by a qualified landscape architect, and details submitted to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To establish appropriate native landscaping.