

Natural Environment Referral Response - Riparian

Application Number:	DA2024/0802
Proposed Development:	Demolish existing pool and construct a new swimming pool with associated structures and outbuildings, a tennis court pavilion and landscaping works
Date:	15/08/2024
To:	Olivia Ramage
Land to be developed (Address):	Lot 416 DP 752017 , 416 / 0 Cooyong Road TERREY HILLS NSW 2084

Reasons for referral

This application seeks consent for the following:

- All Development Applications on land, and located within 40 metres of land, containing a watercourse, or
- All Development Applications on land containing a wetland, or located within 100m of land containing a wetland,
- All Development Applications on land that is mapped as “DCP Map Waterways and Riparian Land”.

And as such, Council's Natural Environment Unit officers are required to consider the likely impacts on drainage regimes.

Officer comments

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 All Development Applications on land that is mapped as “DCP Map Waterways and Riparian Land”.

And as such, Council's Natural Environment Unit officers are required to consider the likely impacts on drainage regimes and riparian land.

Neverfail Gully Creek is located at the site North Western corner with associated riparian corridor. On the Western boundary the creek is located on the adjacent property however the riparian corridor extend to the project lot.

Neverfail Gully Creek, at the subject lot, is mapped under NSW Government Department of Planning and Environment as a stream order 1.

The lot is a waterfront land under the Water Management Act 2000 (WM Act). The proposal is exempt from a riparian control activity permit.

The submitted plans and documentation (including the waterway impact statement) indicate that the

proposed works will not require the removal of any riparian vegetation, however Council note that the Bushfire Hazard Assessment includes recommendations for the establishment of an inner protection area.

The Bushfire Hazard Assessment is indicating an APZ to the property boundary for the North and Western side susceptible to impact the riparian vegetation.

At that stage it is unclear if impacts to native vegetation will be required to establish the APZ.

Riparian corridors management on waterfront land guidelines under the Water Management Act 2000 (WM Act) indicates that Asset Protection Zones are allowed within the outer 50% of the vegetated riparian buffer, so long as offsets are provided in accordance with the averaging rule (refer Guidelines for riparian corridors on waterfront land).

The Bushfire Hazard Assessment is to be revised to detail any impacts on native vegetation, or confirm that the APZ can be established without impact to native vegetation, especially that located within the riparian corridor or vegetation associated with the Biodiversity Values Map (refer NECC Bushland and Biodiversity referral).

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Natural Environment Conditions:

Nil.