

Natural Environment Referral Response - Biodiversity

Application Number:	DA2023/0929
Proposed Development:	Alterations and additions to a dwelling house
Date:	19/09/2023
Responsible Officer	Nick Keeler
Land to be developed (Address):	Lot 1 DP 243387 , 147 McCarrs Creek Road CHURCH POINT NSW 2105

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 - 19/09/2023

It is noted that RFS have submitted their recommendation that *"from the start of building works, and in perpetuity to ensure ongoing protection from the impact of bush fires, the property must be managed as an inner protection area (IPA) for a distance of 10 meters from the proposed works (or to the property boundary if closer) in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019"*.

As no prescribed trees or vegetation will be removed as a result of the proposed development, nor will Biodiversity Values within the site be impacted, Council's Biodiversity referrals team raise no objections, subject to conditions.

Original Comments - 25/07/2023

The proposal seeks approval for alterations and additions to a dwelling house.

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

- NSW Biodiversity Conservation Act 2016
- NSW Biodiversity Conservation Regulation 2017
- Planning for Bushfire Protection 2019 (PBP 2019)
- SEPP (Resilience and Hazards) 2021 - Littoral Rainforest and Proximity Area

Portions of the site are identified on the Department of Planning and Environment's Biodiversity Values Map (BV Map). Under the NSW Biodiversity Conservation Act, any removal of native vegetation from

within mapped areas will trigger the Biodiversity Offsets Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR). However, the submitted plans and documentation indicate that the proposed works are located outside of the BV Map area and therefore will not trigger entry into the BOS.

No arborist report has been submitted with the application with works taking place within 5 metres of an existing tree. However, a desktop survey has confirmed that the tree identified in the Plan - Survey is an *Archontophoenix cunninghamiana* (Bangalow palm) palm which is exempt and may be removed without consent.

A bushfire report has been submitted with the application and has awarded the site a BAL-FZ (Flame zone) risk level. As the bushfire report has awarded a Flame Zone risk level to the property, a referral to the RFS is required. The Biodiversity referral assessment will continue upon reception of this referral.

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.

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

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.