

Natural Environment Referral Response - Biodiversity

Application Number:	DA2025/0029
Proposed Development:	Alterations and additions to a dwelling house including a swimming pool
Date:	24/02/2025
Responsible Officer	Kye Miles
Land to be developed (Address):	Lot 369 DP 752017 , 323 McCarrs Creek Road TERREY HILLS NSW 2084 Lot 425 DP 752017 , 323 McCarrs Creek 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 comments in this referral relate to the following applicable controls and provisions:

- Planning for Bushfire Protection 2019
- Warringah DCP Clause E2 Prescribed Vegetation
- Warringah DCP Clause E5 Native Vegetation
- Warringah DCP Clause E6 Retaining unique environmental features

The proposal has been submitted with an arborist report that has assessed the condition of a total of 13 trees and recommended the removal of trees T2, T3, T4 and T5. No objections are raised subject to replacement plantings being conditioned to ensure compliance with the objectives of WDCP E2, E5 and E6.

A Bushfire report has also been submitted with the application as the site is identified as being in Bushfire prone land. The report has awarded the site a Bushfire Attack level of BAL 29 and issued the following set of recommendations in relation to the establishment of an Asset Protection Zone:

"At the commencement of building works and in perpetuity the property around the building shall be managed as follows and as outlined within Planning for Bushfire Protection 2019 and the New South Wales Rural Fire Service document standards for Asset Protection Zones:

- North as an Inner Protection Area to the property boundary.
- East as an Inner Protection Area to the property boundary.

- South as an Inner Protection Area to the property boundary.
- West as an Inner Protection Area to a distance of least 40m."

As it is recommended to establish an Inner Protection Area and the proposed APZ would not extend beyond the property boundary no objections are raised. However, conditions will be recommended in relation to the management of the APZ where removal of vegetation will need to prioritise the removal of introduced vegetation and retention of native vegetation where possible. This will be conditioned.

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 Certifier prior to issue of Construction Certificate.

Reason: To protect native vegetation.

Delineation of Asset Protection Zones

Prior to the commencement of any vegetation clearance/modification, the boundaries of the bushfire Asset Protection Zone (APZ) are to be surveyed and clearly marked by way of temporary fencing, flagging tape or markers and must not extend beyond the property boundary. Clearing of vegetation for APZ establishment must only occur within the lot. No clearing is to be undertaken outside of the lot boundaries. Clearing of vegetation for APZ establishment must only occur within the marked APZ boundaries.

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

Reason: To protect native vegetation and wildlife.

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.

Clearing for Asset Protection Zones

Clearing of vegetation during works for APZ establishment must only occur within the surveyed and marked APZ boundaries. No clearing is to be undertaken outside of the APZ boundaries. Clearing of vegetation for APZ establishment must prioritise removal of exotic and invasive species in the first instance, with removal of locally native vegetation undertaken only where required to achieve required inner protection area standards.

Written certification of compliance is to be submitted to the Principal Certifier.

Reason: To protect native vegetation and wildlife.

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

Replacement of Canopy Trees

At least 4 locally native canopy trees are to be planted on the site to replace trees approved for removal. Species are to have a minimum mature height of 8.5m and be consistent with the Native Planting Guide available on Council's website.

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.

Clearing for Asset Protection Zones

Clearing of vegetation for APZ establishment must prioritise removal of exotic and invasive species in the first instance, with removal of locally native vegetation undertaken only where required to achieve required inner protection area standards.

Written certification of compliance is to be prepared and submitted to the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To protect native vegetation and wildlife.

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.

Priority Weed Removal and Management

All Priority weeds (as specified in the Northern Beaches Local Weed Management Plan) within the development footprint are to be removed using an appropriate control method.

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 weeds.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**Protection of Habitat Features**

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

Reason: To protect wildlife habitat.

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. Clearing of vegetation for APZ maintenance must prioritise removal of exotic and invasive species in the first instance, with removal of locally native vegetation undertaken only where required to achieve required inner protection area standards.

Reason: To protect native vegetation and wildlife.

Control of Domestic Dogs/Cats

Domestic dogs and cats are to be kept from entering wildlife habitat areas at all times.

Dogs and cats are to be kept in an enclosed area and/or inside the dwelling, or on a leash such that they cannot enter areas of wildlife habitat, bushland or foreshore unrestrained, on the site or on surrounding properties or reserves.

Reason: To protect native wildlife and habitat.