

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2020/0552
<b>Date:</b>	17/09/2020
<b>Responsible Officer</b>	Lashta Haidari
<b>Land to be developed (Address):</b>	Lot 2615 DP 752038 , 181 Allambie Road ALLAMBIE HEIGHTS NSW 2100

### 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 proposed development footprint is in proximity to the western portion of the site which is covered with high quality native vegetation. Direct and indirect impacts to native vegetation will result from tree removals, clearing and modification for asset protection zones, sewer infrastructure, passive recreation, with increased and ongoing management of native vegetation and fauna habitat as part of the overall bush fire management measures.

The application included a Biodiversity Development Assessment Report (BDAR) that has quantified the biodiversity values of the land and applied the avoid, minimise and offset hierarchy and assessed the direct and indirect impacts associated with the proposed development. While the potential impacts of the most recent development design have been reduced from that of the previous application, the development in its current format is not supported due to unacceptable impacts to the natural environment. The location and design of the proposed development does not satisfy the objectives and/or requirements of the Warringah Development Control Plan 2011, including

- E2 Prescribed Vegetation
- E5 Native Vegetation
- E6 Retaining unique environmental features, and
- E7 Development on land adjoining public open space.

The proposed development will directly and indirectly impact native vegetation and fauna habitat, including threatened species or vegetation communities with potential for a serious and irreversible impact as mapped on the Biodiversity Values Map. The development is located on land adjoining public open space, and should protect, preserve and enhance the native bushland and natural qualities of the adjoining the Park, and not threaten the protection or preservation of the bushland and fauna habitats. Additional impacts that require further assessment, and potentially additional biodiversity offsets, have not been adequately addressed as described below.

The Asset Protection Zone (APZ) requirement of 85 metres to the south-west increases the extent and ongoing reliance of vegetation management of land within the adjoining public reserve. The adjoining public reserve has some existing asset protection requirements, both as a result of a historic agreement with the adjoining development and the Fire Management Plan requirements. However, to achieve the full 85m setback (Manly Dam APZ (4) as shown in Map 2 of the Bush Fire Management Plan (Total Earth Care Feb 2020)), the development relies on the modification of native vegetation to create an asset protection zone beyond what currently exists. Parts of the proposed APZ within the Reserve are currently managed as a strategic fire advantage zone, and this does not meet the requirements of an APZ and would result in additional impacts which are not supported.

In addition, the impacts of the proposed APZ within the adjoining Sydney Water land to the north (APZ (3) of Map 2), relies on the written agreement of Sydney Water, and the impact to native vegetation and threatend species habitat has not been assessed in the BDAR.

A section of the site is mapped by Council as waterways and riparian lands, and any asset protection zone (APZ) should avoid and minimise impacts within the riparian area. However I note that the proposed design and management in this area has been supported by Councils Riparian referral body.

Finally, the inclusion of pedestrian walkways into the native bushland area of the site mapped on the Biodiversity Values map is not supported, and these elements should be deleted.

Based on the comments above, the development application is recommended for refusal as it does not satisfy the Warringah Development Control Plan 2011 and NSW Biodiversity Conservation Act 2016 requirements.

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.