

Natural Environment Referral Response - Biodiversity

Application Number:	DA2022/0888
Date:	26/07/2022
Responsible Officer	Thomas Burns
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 development application has been assessed against the following applicable biodiversity legislation and controls:

- 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 applicant has revised a previously submitted development proposal in negotiation with Council and has removed the habitable (Class 1a) portion of the garage thereby removing the need for an APZ and the 10/50 clearing eligibility. The development will result in the removal of 11 trees, which is a reduction from previous applications, and also includes tree planting to replace and compensate for the tree removals. The tree removals/replacements are identified in the submitted Plans, and supported by the Arborist and Bushfire consultant reports.

The revised Bushfire Consultant report (Ronald Coffey, April 2022) has assessed that, as the proposed new shed and the existing carport are Class 10a structures and are not within 6m of the dwelling on the site, there is no requirement to remove or modify vegetation on the site for asset protection purposes. They conclude that the site is developed and maintained and there is no threat from bushfire attack on the site, the areas of shrubs and trees on the site are almost entirely managed as an effective IPA, and additional clearing is not necessary.

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 Certifying Authority prior to issue of Construction Certificate.

Reason: To protect native vegetation.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Temporary Protection Fencing – Exclusion Zones

Prior to the commencement of any works onsite, temporary mesh construction fencing is to be erected surrounding areas of retained native vegetation on the site as mapped in the approved Arborist Report.

Details demonstrating compliance must be prepared and submitted to the Principal Certifying Authority prior to any commencement.

Reason: To protect native vegetation.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Dead or Injured Wildlife

If construction activity associated with this development results in injury or death of a native mammal, bird, reptile or amphibian, a registered 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 additional trees and native vegetation for asset protection zone establishment is not permitted. Vegetation management for bushfire protection measures is to only include the current maintenance measures implemented across the site.

Written certification of compliance is to be submitted to the Principal Certifying Authority.

Reason: To protect native vegetation and 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 2019 – 2023) are to be imported on to the site prior to or during construction works.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority 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 2019 – 2023) within the development footprint are to be removed.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority 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.