

Natural Environment Referral Response - Biodiversity

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:	23/07/2024
Responsible Officer	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 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 following biodiversity related legislation and planning controls apply to the subject lot.

- Biodiversity Conservation Act (BC Act) 2016
- Biodiversity Conservation Regulation (BC Reg) 2017
- Warringah DCP – Control E4 Wildlife Corridors and E5 Native Vegetation

IN addition to the DCP mapping in the southern portion of the site an area associated with the drainage line in the north-west corner is identified on the Department of Climate Change, Energy, the Environment and Water (DCCEEW) Biodiversity Values Map (BV Map). Under the NSW Biodiversity Conservation Act 2016, 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).

The submitted plans and documentation indicate that the proposed works are located outside of the BV Map area, will not require the removal of any native vegetation, and therefore will not trigger entry into the BOS. However the Bushfire Hazard Assessment includes recommendations for the establishment of an inner protection area. From the information provided it is unclear if impacts to native vegetation will be required to establish the APZ. 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 BV Map area.

Dependent on the outcomes of this assessment additional ecological assessment may be required. The applicant is referred to the information on assessment requirements which can be found in Council's Biodiversity Guidelines for Applicants.

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.