

Natural Environment Referral Response - Biodiversity

Application Number:	DA2024/0521
Proposed Development:	Alterations and additions to a dwelling house including a carport
Date:	09/07/2024
Responsible Officer	Megan Surtees
Land to be developed (Address):	Lot 221 DP 752017 , 308 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

AMENDED COMMENTS

An amended bushfire report has been submitted and indicates that no vegetation management is required to reach compliance with Planning for Bushfire Protection 2019.

Furthermore, the proposed Inner Protection Area is contained within the lot.

All outstanding biodiversity matters have been addressed and conditions are recommended.

The development is designed, sited and will be managed to avoid any significant adverse environmental impact.

ORIGINAL 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 E4 Wildlife Corridors
- Warringah DCP - Clause E6 - Retaining unique environmental features

The proposed development has been submitted with a Bushfire report that will need to be amended as it is unclear on whether clearing will be required for compliance with the requirements of PBP 2019.

The report recommends that the entire site be treated as an Inner Protection Area with the site being awarded a Bushfire Attack Level of BAL 29. Proposed Asset Protection Zones have been provided in Figure 2 of the report. However, alternative solutions requiring clearing beyond the property boundary have been recommended - notably *table 4. Planning for bushfire protection compliance (PBP 2019)*

Chapter 7 - Infill residential developments on bush fire prone lands, recommends asset protection zones on the Southern elevation to extend for 16 metres "or to the property boundary, whichever is furthest" (sic.).

Furthermore, the submitted Statement of Environmental Effects confirms that the proposed works will not require the removal of vegetation or trees.

Clarification is required in relation to the necessary clearing for compliance with the recommended bushfire protection measures as no clearing beyond the property boundary will be supported and the proposed measures within the submitted Bushfire report are contradictory to what has been included in the Statement of Environmental Effects.

The Biodiversity Referral will recommence upon reception of amended documents that are aligned and confirm whether vegetation and tree removal will be required or not.

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.

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.

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.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

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.

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.