# Natural Environment Referral Response - Biodiversity

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| **Application Number:** | DA2025/0008 |
| **Proposed Development:** | Subdivision of two (2) lots into three (3) lots and construction of a dwelling house on future Lot 2 including driveway and services |
| **Date:** | 19/02/2025 |
| **Responsible Officer** | Thomas Prosser |
| **Land to be developed (Address):** | Lot 1 DP 305247 , 62 Powderworks Road NORTH NARRABEEN NSW 2101<br>Lot 1 DP 1271591 , 32 Bellara Avenue NORTH NARRABEEN NSW 2101<br>Lot 35 DP 6462 , 64 Powderworks Road NORTH NARRABEEN NSW 2101 |

**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:

- NSW Biodiversity Conservation Act 2016
- NSW Biodiversity Conservation Regulation 2017
- Pittwater LEP Clause 7.6 Biodiversity Protection
- Pittwater DCP B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor

Portions of the site are 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).

A BDAR prepared by East Coast Ecology (December 2024) has been submitted with the application. The BDAR confirms the presence of PCT 3592: Sydney Coastal Enriched Sandstone Forest. Field investigations have revealed that the impacts of the proposal would include the clearing of 0.08 hectares of PCT 3592, including the removal of a total of 23 native trees as identified by the Arboricultural report prepared by Joanne Willis (July 2024).

The assessed residual impacts of the development result in the following offset requirements under the Biodiversity Offsets Scheme:

- Retirement of 1 Ecosystem Credit for PCT 3592: Sydney Coastal Enriched Sandstone Forest
- Retirement of 2 Species Credits for Lathamus discolor (Swift Parrot)

The submitted arborist report assessed a total of 86 trees and recommended the removal of 23 prescribed trees and an additional 3 exempt trees. The submitted BDAR has indicated in its Avoid and Minimise section that the design has been modified for trees 31, 66 and 76 to be retained, however, these trees are still shown as proposed for removal on "Figure 3: Tree Assessment Schedule" included in the arborist report.

Furthermore, a landscape proposal has been submitted with the application and has included a number of canopy replacement trees which is inconsistent with the recommended impact mitigation strategies included in table 18 of the submitted BDAR where a 1:1 replacement ratio. Additionally, species identified as weeds should not be included in the planting schedule (i.e Raphiolepis).

While it is acknowledged that the design has reduced the overall impacts to trees, inconsistencies between the submitted documents need to be addressed before the Biodiversity referral can be concluded. The Biodiversity referral assessment will recommence upon receipt of the following amended documentation:

- Amended arborist report confirming that trees 31, 66 and 76 can be retained.
- Amended landscape plan including a planting schedule compensating for the proposed tree removals where a minimum of 1:1 canopy replacement within the site boundaries.

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.