

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2021/0508
<b>Date:</b>	19/05/2021
<b>Responsible Officer</b>	Kent Bull
<b>Land to be developed (Address):</b>	Lot 2 DP 1104192 , 60 Chisholm Avenue AVALON BEACH NSW 2107

### 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

Council's Biodiversity referrals team have assessed the Development Application for compliance against the following applicable biodiversity related controls:

- Biodiversity Conservation Act 2016
- Pittwater LEP cl. 7.6 Biodiversity Protection
- Pittwater 21 DCP cl. B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor
- Coastal Management SEPP cl. 11 Development on land in proximity to coastal wetlands or littoral rainforest

Advice on biodiversity reporting requirements and applicable controls was provided to the Applicant at a pre-lodgement meeting held 19th November 2020. Subsequent to this meeting, the NSW State government announced amendments to the NSW Biodiversity Values Map (BV Map) which were to apply to areas identified as Pittwater Spotted Gum Forest endangered ecological community. This includes the subject site at 60-62 Chisholm Avenue, Avalon.

The BV Map amendments came into effect after 26th February 2021 and, as a consequence, the proposed development now triggers entry into the NSW Biodiversity Offsets Scheme. As such, the development application must be accompanied by a Biodiversity Development Assessment Report (BDAR), prepared by an Accredited Assessor under the Biodiversity Assessment Method.

Council's biodiversity referrals body will recommence assessment of the development upon receipt of a BDAR.

Further information on the Biodiversity Offsets Scheme can be found on the NSW Department of Planning, Industry and Environment website: <https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/biodiversity-offsets-scheme>

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.