

Natural Environment Referral Response - Biodiversity

Application Number:	DA2024/0700
Proposed Development:	Alterations and additions to a dwelling house including a carport and garage
Date:	26/06/2024
Responsible Officer	Nick England
Land to be developed (Address):	Lot 16 DP 6084 , 8 Bakers Road CHURCH POINT NSW 2105

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 provisions:

- NSW Biodiversity Conservation Act 2016
- NSW Biodiversity Conservation Regulation 2017
- Pittwater 21 DCP cl. B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land
- SEPP (Resilience and Hazards) 2021 cl. 2.10 Development within the coastal environment area

A portion of the site is identified on the NSW 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 BV mapped areas will trigger the Biodiversity Offset Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR). The Biodiversity Mapping corresponds with native vegetation mapping undertaken by the NSW State Government (DPE State Vegetation Map) which identifies PCT 3234 Hunter Coast Lowland Spotted Gum Moist Forest as occurring in the front of the site. This PCT corresponds to Pittwater Spotted Gum Forest which is listed as an Endangered Ecological Community under the NSW Biodiversity Conservation Act 2016.

It is noted that the Arboricultural Impact Assessment (Joanne Willis, April 2024) indicates that there is no native canopy diagnostic of Pittwater Spotted Gum Forest within the front portion of the site, which was further confirmed by Council's Biodiversity Officer during a site visit. As the Arborist

report recommends the removal of one native tree located within the BV Map (T6 Banksia integrifolia), a BDAR would be required to be submitted with the application. As such, it is recommended that the applicant request a Biodiversity Values Map review from NSW DCCEEW via this link.

Alternatively, the applicant may consider a redesign of the plans in order to retain T6 and a BDAR will not be required.

Upon receiving either amended plans or confirmation of a map review, Council's biodiversity referrals team will recommence assessment of the application.

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.