

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2023/1561
<b>Proposed Development:</b>	Alterations and additions to a studio to construct a secondary dwelling
<b>Date:</b>	08/01/2024
<b>Responsible Officer</b>	Reeve Cocks
<b>Land to be developed (Address):</b>	Lot 6 DP 9935 , 110 Central Road 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 provisions:

- NSW Biodiversity Conservation Act 2016
- Pittwater LEP 2014 cl. 7.6 Biodiversity Protection
- Pittwater 21 DCP cl. B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor

The Development Application seeks consent for alterations and additions to a studio to construct a secondary dwelling

Portions of the site are identified on the NSW Department of Planning and Environment's Biodiversity Values Map (BV Map). Under the NSW Biodiversity Conservation Act, any removal of native vegetation from within mapped areas will trigger the Biodiversity Offset Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR). As the proposed development is located within the BV Map and the proposal requires the removal of native vegetation, the BOS is triggered. A BDAR (GIS Environmental Consultants, 20/10/23) has been prepared by an accredited assessor and submitted with the Development Application.

The Arboricultural Impact Assessment (Growing My Way, April 2023) has identified that 1 x *Eucalyptus paniculata* will require removal as it is within the footprint of the proposed secondary dwelling. The BDAR has assessed the impacts of the removal of the tree and 1 x Ecosystem credit for PCT 3234-

Hunter Coast Lowland Spotted Gum Moist Forest has been generated and is required to be retired prior to release of the Construction Certificate. No species credits were generated through the assessment.

Replacement planting at a ratio of 1:1 is required for the removal of the *Eucalyptus paniculata* to ensure no net loss of canopy.

Without access to, and review of the case on the Biodiversity Offsets and Agreement Management System (BOAMS), Council's Biodiversity referrals team cannot complete assessment of the application. Upon receiving notice from the applicant or Consulting Ecologist that Council have been added as a case party, 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.