

Natural Environment Referral Response - Biodiversity

Application Number:	DA2023/1717
Proposed Development:	Use of existing structures
Date:	22/01/2024
Responsible Officer	Anaiis Sarkissian
Land to be developed (Address):	Lot 4 DP 17910 , 45 Riverview 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

There is insufficient information to assess the proposal at this time.

The following biodiversity-related provisions apply to the subject site:

- NSW Biodiversity Conservation Act 2016 (BC Act)
- SEPP (Resilience and Hazards) - Coastal Environment Area
- Pittwater LEP Clause 7.6 - Biodiversity Protection
- Pittwater DCP Clause B4.7 - Pittwater Spotted Gum Forest Endangered Ecological Community

Portions of the site are identified on the NSW Biodiversity Values Map, due to the presence of the Pittwater Spotted Gum Forest Endangered Ecological Community (EEC). In accordance with the BC Act, any impacts to native vegetation within the BV Map will trigger entry into the Biodiversity Offsets Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR).

As the new structures have resulted in impacts to native vegetation within the BV Map, a BDAR is required to be prepared in accordance with the NSW Biodiversity Assessment Method (BAM). The BDAR is to be prepared by an ecologist who is an Accredited Assessor under the BAM, and is to assess the impacts associated with construction and ongoing retention of the structures which are the subject of this application. The BDAR is also to outline what measures are proposed to avoid and minimise ongoing impacts to native vegetation, particularly the EEC.

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.