

Natural Environment Referral Response - Biodiversity

Application Number:	DA2022/1342
Date:	27/09/2022
Responsible Officer	Dean Pattalis
Land to be developed (Address):	Lot 93 DP 12749 , 43 Florence Terrace SCOTLAND ISLAND NSW 2105 Lot LIC 363575 , 43 Florence Terrace SCOTLAND ISLAND 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

The proposed development has been assessed against the requirements of the following environmental planning instruments and development controls:-

- NSW Biodiversity Conservation Act 2016 and Biodiversity Conservation Regulation 2017
- State Environmental Planning Policy (Resilience and Hazards) 2021 cl. 2.10 Development on land within the coastal environment area
- Pittwater LEP 2014 cl 7.6 Biodiversity
- Pittwater 21 DCP Item B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community.

I note the site is mapped as Bushfire Prone Land, portions of the front and rear yard is mapped on the NSW Biodiversity Values Map, and the site is unsewered. In addition to the proposed development, a new on site waste water treatment system is proposed including 21.2 metres of trench located within the BV mapped area. The vegetation on the site is described as "a mix of trees, smaller shrubs, and lawn. Landscaping across the site was overgrown with exotic & weed species." The Bushfire report states that no additional vegetation requires removal to create an asset protection zone. The replacement tree planting conditioned previously as part of the approved tree application is noted.

A Biodiversity Report is provided, although the author and their qualifications is not detailed. The brief letter style report has assessed the development against the relevant planning requirements and concludes that the NSW Biodiversity Offset Scheme will not be triggered and a Biodiversity Development Assessment Report is not required. While the potential impacts appear minimal, in order to restore and/or regenerate the Pittwater Spotted Gum Endangered Ecological Community conditions

have been applied in relation to weed management and landscaping

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Natural Environment Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

No Clearing of Vegetation

Unless otherwise exempt, no vegetation is to be cleared prior to issue of a Construction Certificate.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to issue of Construction Certificate.

Reason: To protect native vegetation.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Dead or Injured Wildlife

If construction activity associated with this development results in injury or death of a native mammal, bird, reptile or amphibian, a registered wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To protect native wildlife.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Planting Areas of Native Vegetation

Areas proposed for revegetation are to be planted with locally native species at the following minimum densities:

- 4 shrubs/groundcovers per 1m²

The Project Manager is to provide written certification of compliance to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To protect and maintain native vegetation and wildlife habitat.

No Weeds Imported On To The Site

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan 2019 – 2023) are to be imported on to the site prior to or during construction works.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To reduce the risk of site works contributing to spread of Priority and environmental weeds.

Priority Weed Removal and Management

All Priority weeds as specified in the Northern Beaches Local Weed Management Plan 2019 – 2023) within the development footprint are to be removed.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To reduce the risk of site works contributing to spread of Priority weeds.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Protection of Habitat Features

All natural landscape features, including any rock outcrops, native vegetation, soil and/or watercourses, are to remain undisturbed except where affected by necessary works detailed on approved plans.

Reason: To protect wildlife habitat.