

Natural Environment Referral Response - Biodiversity

Application Number:	Mod2022/0606
Proposed Development:	Modification of Development Consent DA2021/2671 granted for Alterations and additions to a dwelling house including a swimming pool
Date:	16/12/2022
Responsible Officer	Grace Facer
Land to be developed (Address):	Lot 19 DP 236667 , 61 B Wandeen Road CLAREVILLE 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

The modifications to the original proposal have been assessed against the following provisions:

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

Portions of the site are identified on the 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).

The plans submitted with the application indicate that excavation of up to 1.5 metres will take place in a BV Map mapped area effectively triggering the requirement of a BDAR and entry into the BOS.

Additionally, no Arborist report has been submitted with the application to determine whether the proposed works will have an impact on significant trees within the BV Map.

Alternatives are proposed to avoid triggering the BOS:

1. Alter the design to delete works taking place within the BV Map area.
2. A review of the BV Map can be requested by the customer at <https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/about->

the-biodiversity-offsets-scheme/when-does-bos-apply/biodiversity-values-map/biodiversity-values-map-review

AMENDED COMMENTS ADDED ON 13/12/2022 AFTER REMOVAL OF THE PARKING BAY FROM PLANS SUBMITTED ON 03/11/2022

The modifications to the original proposal have been assessed against the following provisions:

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

Portions of the site are identified on the 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). However, the submitted plans and documentation indicate that the proposed works will not impact the BV Map area and therefore will not trigger entry into the BOS.

A site visit was conducted to review potential impacts of the newly proposed plans on 07/12/2022 and found that no native vegetation will be impacted by the plans proposed on 13/12/2022. No native vegetation or fauna habitat would be impacted, the development is designed, sited and will be managed to avoid any significant adverse environmental impact.

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 Certifier prior to issue of Construction Certificate.

Reason: To protect native vegetation.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Wildlife Protection

If construction activity associated with this development results in injury or displacement 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

No Weeds Imported On To The Site

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan 2021 – 2026) 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.