

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2021/0266
<b>Date:</b>	06/05/2021
<b>Responsible Officer</b>	Ashley Warnest
<b>Land to be developed (Address):</b>	Lot 122 DP 16327 , 114 Grandview Drive NEWPORT NSW 2106

### 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 legislation and controls:

- Biodiversity Conservation Act 2016 (BC Act)
- Pittwater LEP cl. 7.6 Biodiversity Protection
- Pittwater 21 DCP cl. B4.7 Pittwater Spotted Gum Forest – Endangered Ecological Community
- Coastal Management SEPP 2018 cl. 11 Development on land in proximity to coastal wetlands or littoral rainforest

The development application seeks consent for alterations and additions to an existing dwelling.

The eastern extent of the property is located within the NSW State Government's Biodiversity Values Map.

No native vegetation is proposed for removal in order to facilitate the proposed development, including for APZ establishment. The Bushfire Consultant has stated "*although the Asset Protection Zone requirements are listed as a recommendation, the site has been landscaped and is maintained to a standard that complies with the requirements of 'Planning for Bushfire Protection 2019' for Inner Protection Area Requirements*". As such, no native vegetation is to be removed in order to establish the APZ. Priority weeds (such as Lantana camara) and environmental weeds (exotic species) can and should be removed for the purpose of the establishment and maintenance of APZ.

As no native vegetation is required for removal in order to facilitate the development or APZ, the Biodiversity Offset Scheme (BOS) is not triggered and a Biodiversity Development Assessment Report

(BDAR) is not required to be prepared and submitted with the DA.

Council's Biodiversity referrals team are satisfied that the proposed development complies with the relevant legislation and controls listed above, subject to these consent conditions.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

#### **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**

#### **Protection of Habitat Features**

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

Details demonstrating compliance are to be provided to the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To protect wildlife habitat.

#### **Clearing for Asset Protection Zones**

Clearing of vegetation for APZ establishment must only occur within the surveyed and marked APZ boundaries. No clearing is to be undertaken outside of the APZ boundaries.

Any clearing of vegetation for APZ establishment is to prioritise removal of declared and environmental weeds. No native vegetation is to be removed for APZ establishment.

Written certification of compliance is to be submitted to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Reason: To protect native vegetation and wildlife.

#### **No Weeds Imported On To The Site**

No Priority or environmental weeds (as specified on the NSW WeedWise website) are to be imported on to the site prior to or during construction works.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority 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 on the NSW WeedWise website within the development footprint are to be removed.

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

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