

Natural Environment Referral Response - Biodiversity

Application Number:	DA2022/0658
Date:	15/06/2022
Responsible Officer	Dean Pattalis
Land to be developed (Address):	Lot 152 DP 29335 , 1 Kanimbla Crescent BILGOLA PLATEAU 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 application seeks approval for alterations and additions to an existing dwelling, comprising 3 bedrooms plus a kitchen extension to the north and a double carport to the street. The application also seeks to establish an Asset Protection Zone (APZ) over the entirety of the site in perpetuity. Council's Natural Environment Unit - Biodiversity referral team have reviewed the application for consistency against the relevant environmental legislation and controls, including:

Biodiversity Conservation Act 2016 (BC Act)

Biodiversity Conservation Regulation 2017

State Environmental Planning Policy (Resilience and Hazards) 2021

Division 1, Clause 2.7 Development on certain land within coastal wetlands and littoral rainforests area

Division 1, Clause 2.8 Development on land in proximity to coastal wetlands or littoral rainforest

Pittwater Local Environmental Plan (PLEP)

- 7.6 Biodiversity Protection

Pittwater Development Control Plan (PDCP)

- B4.17 Littoral Rainforest - Endangered Ecological Community

The rear (south) of the site is located within the Department of Planning and Environment's (DPE) Biodiversity Values Mapping. Any removal of native vegetation from within mapped areas will trigger the Biodiversity Offset Scheme (BOS). An Arboricultural Impact Assessment is submitted with the application which concludes that all trees located within the Biodiversity Values mapped area can be retained, therefore the BOS is not triggered.

It is noted that the application seeks to remove one Lilly Pilly (*Syzygium* spp.) located outside BV mapped areas due to encroachment of the proposed driveway. Subject to replacement (conditioned within Landscape Referral), the removal of this tree is considered acceptable by the Biodiversity Referral.

As an APZ is already effectively in place within the site, no further objection is raised to the recommended ongoing treatment of the site as an APZ, subject that no removal of trees or vegetation from the southern-most portion of the site occurs, including but not limited to the tree denoted as 'Tree 1: *Synoum glandulosum*' within the Arboricultural Impact Assessment. Should this tree require removal in future for the purposes of APZ maintenance, approval from Council's Biodiversity Referral is required.

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

Wildlife Protection

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.

Temporary Protection Fencing – Exclusion Zones

Prior to the commencement of any works onsite, temporary mesh construction fencing is to be erected surrounding areas of retained native vegetation on the site, particularly Tree 1 (*Synoum glandulosum*) per the Arboricultural Impact Assessment (Growing My Way 2022) and vegetation beyond the south property boundary.

Details demonstrating compliance must be prepared by the Project Ecologist and submitted to the Principal Certifying Authority prior to any commencement.

Reason: To protect native vegetation.

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 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 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.

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

Replacement of Canopy Trees

Tree replacement plantings required under this consent are to be retained for the life of the development and/or for their safe natural life.

Trees that die or are removed must be replaced with another locally native canopy tree.

Reason: To replace locally native trees.

Maintenance of Asset Protection Zones

Vegetation clearing for ongoing APZ maintenance must only occur within the surveyed and marked APZ boundaries. No clearing is to be undertaken outside of the APZ boundaries, nor within areas mapped as 'Littoral Rainforest' (Clause 2.7) under State Environmental Planning Policy (Resilience and Hazards) 2021.

Reason: To protect native vegetation and wildlife.