

Natural Environment Referral Response - Biodiversity

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| Application Number: | Mod2022/0606 |
| Date: | 30/11/2022 |
| 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>

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.