

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2024/1552
<b>Proposed Development:</b>	Alterations and additions to a dwelling house
<b>Date:</b>	17/12/2024
<b>Responsible Officer</b>	Olivia Ramage
<b>Land to be developed (Address):</b>	Lot 108 DP 12749 , 11 Florence Terrace SCOTLAND ISLAND NSW 2105 Lot LIC 643012 , 11 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

Council's Biodiversity Referrals team have assessed the Development Application for compliance against the following applicable provisions:

- NSW Biodiversity Conservation Act 2016
- NSW Biodiversity Conservation Regulation 2017
- Pittwater LEP 2014 cl. 7.6 Biodiversity Protection
- Pittwater 21 DCP cl. B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community
- SEPP (Resilience and Hazards) 2021 cl. 2.10 Development on land within the Coastal Environment Area

Portions of of the site are identified on the NSW Governments Biodiversity Values Map (BV Map). Under the NSW Biodiversity Conservation Act, any removal of native vegetation from within mapped areas will trigger the Biodiversity Offsets Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR).

A Bushfire Assessment Report (Peterson Bushfire, October 2024) was submitted with the application, which stated that "the subject land is considered to be managed to achieve the performance objectives of an Inner Protection Area (IPA) as described within Section A4.1.1 of PBP" and that "removal of trees within the subject land will not offer any significant improvement in bushfire protection due to the large number of surrounding trees within adjoining residential properties including the road reserves". Furthermore, the Asset Protection Zone is existing from previous development.

An Arboricultural Impact Assessment (Bradshaw Consulting Arborists, November 2024) was submitted with the application which assessed 12 trees in proximity to the proposed development, all of which are locally native trees representative of Pittwater Spotted Gum Forest which is listed as an Endangered Ecological Community under the Biodiversity Conservation Act 2016. The Arborist has recommended retention of all 12 trees, one of which will be located within the proposed deck.

As the application does not require the removal of any native vegetation from within the BV Mapped areas, the BOS is not triggered, and a BDAR is not required to be submitted. The works are proposed to take place in existing managed turf areas and as such will not impact upon biodiversity within the site.

No objections in relation to biodiversity, subject to recommended 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 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 licensed wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To protect native wildlife.

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

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

Reason: To protect wildlife habitat.

### **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 Certifier prior to issue of any Occupation Certificate.

Reason: To protect wildlife habitat.

**No Weeds Imported On To The Site**

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