

## Natural Environment Referral Response - Biodiversity

Application Number:	DA2021/0416
Date:	29/04/2021
Responsible Officer	Gareth David
Land to be developed (Address):	Lot 20 DP 11186 , 71 Alexandra Crescent BAYVIEW NSW 2104

### 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 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**

- Biodiversity Values Mapping

#### **Pittwater Local Environmental Plan (PLEP)**

- 7.6 Biodiversity Protection

#### **Pittwater Development Control Plan (PDCP)**

- B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community

Natural Environment Unit - Biodiversity note incorrect information has been cited within the submitted Biodiversity Report (Narla Environmental 2021) which states that the Department of Planning, Industry and Environment's (DPIE) *Biodiversity Values* (BV) mapping does not occur within this site. The site was included in the November 2020 update, and on review of the current available information, both Tree 5 and Tree 2 (Horticultural Management Services 2021) appear to be located within BV Mapping. Therefore, prior to any further assessment of the application, the applicant must:

- Reassess the available BV Mapping, and likely submit a Biodiversity Development Assessment

Report; OR

- Avoid any native vegetation clearing within the BV Mapping and have the Ecologist and Arborist amend their reports to endorse that no native vegetation will be removed.

Additionally, the following conclusion within the Biodiversity Report is inaccurate based on submitted plans, and requires reassessment:

"The proponent has sited the proposed development in a location that will not require the removal of trees that are characteristic of the Pittwater Spotted Gum EEC... As such, an assessment of significance (5-part test) is not required as part of the proposed development." (Narla Environmental 2021).

On submission of the required documentation, Biodiversity will reassess the application.

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.