

Natural Environment Referral Response - Biodiversity

Application Number:	DA2025/0603
Proposed Development:	Construction of an inclinor and associated works
Date:	23/06/2025
Responsible Officer	Brittany Harrison
Land to be developed (Address):	Lot 1 DP 1180405 , 33 Sturdee Lane ELVINA BAY NSW 2105 Lot 2 DP 1180405 , 31 Sturdee Lane ELVINA BAY NSW 2105 Lot LIC 645182 , 31 Sturdee Lane ELVINA BAY 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

The comments in this referral relate to the following applicable controls and provisions:

- Pittwater LEP – Clause 7.6 Biodiversity Protection
- Pittwater DCP – Clause B4.7 Pittwater Spotted Gum Forest – Endangered Ecological Community
- SEPP (Resilience and Hazards) 2021 – Coastal Environment Area
- NSW Biodiversity Conservation Act 2016
- NSW Biodiversity Conservation Regulation 2017

Portions of the site are identified on the Department of Climate Change, Energy, the Environment and Water (DCCEEW) Biodiversity Values Map (BV Map).

According to the Ecologist consultation letter (ACS Environmental Pty Ltd, May 2025) the proposed development that will occur within the Biodiversity Values Mapped area is very minor and is not expected to have significant impact to the flora and fauna. A single non-locally native tree is proposed for removal, Tree 3 *Stenocarpus sinuatus*. No objections in relation to removal of identified tree subject to its replacement with at least two locally native canopy trees consistent with the species listed in Pittwater Spotted Gum Endangered Ecological Community scientific determination.

Due to the inclinor rail being elevated off the ground, the anticipated understory vegetation impact will be minimal and vegetation can be largely retained. Development shall ensure that at least 80% of

any new planting incorporates native vegetation (as per species found on the site or listed in Pittwater Spotted Gum Endangered Ecological Community).

The submitted Arborist report (Temporal Tree Management, March 2025) has identified incursions in the Tree Protection Zones of Trees 1,4 and 5 but has identified these incursions as acceptable and that the trees will remain healthy. A tree protection plan has been developed and will be implemented.

No objections in relation to biodiversity, subject to conditions.

It is assumed that impacts to the marine environment will be assessed by the appropriate referral body.

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.

Amendment of Landscape Plans

The submitted Landscape Plan is to be amended in accordance with the following:

- Any new landscaping is to incorporate a minimum 80% locally native vegetation species as a proportion of the total number of plants. Locally native species are to be consistent with the species listed in Pittwater Spotted Gum Endangered Ecological Community.
- At least 2 locally canopy trees consistent with the Pittwater Spotted Gum Forest Endangered Ecological Community are to be planted on the site to replace the protected tree approved for removal. Species are to have a minimum mature height of 8.5m and be consistent with the Native Planting Guide available on Council's website.

Tree plantings 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.

The Landscape Plan is to be amended by a qualified landscape architect and provided to the Certifier prior to issue of the Construction Certificate.

Reason: To maintain and replace habitat on the site.

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

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.