

Natural Environment Referral Response - Biodiversity

Application Number:	DA2024/0137
Proposed Development:	Demolition works and construction of a boat shed and skid ramp
Date:	29/02/2024
Responsible Officer	Stephanie Gelder
Land to be developed (Address):	Lot 72 DP 558694 , 22 Bona Crescent MORNING BAY NSW 2105 Lot LIC 344162 , 22 Bona Crescent MORNING 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

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
- Planning for Bushfire Protection 2019 - Bushfire Prone Land
- SEPP (Resilience and Hazards) 2021 cl. 2.10 Development within the coastal environment area

Portions of the site are identified on the NSW Department of Climate Change, Energy, the Environment and Water 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 Arborist Report (Syncarpia Vegetation Management, February 2024) submitted with the application recommends one native tree for removal (Tree 1 Allocasuarina torulosa (Forest Oak)). This tree is located within the BV Map and as such a BDAR is required to be prepared by an accredited assessor trained in application of the Biodiversity Assessment Method (BAM) and submitted with the

application. Alternatively, amendments to the design to avoid impacting on native vegetation within the BV Map will remove the requirement for a BDAR.

Upon receipt of a BDAR or amended plans, Council's Biodiversity Referrals team will recommence assessment of 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.