

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	Mod2022/0491
<b>Date:</b>	02/11/2022
<b>Responsible Officer</b>	Megan Surtees
<b>Land to be developed (Address):</b>	Lot 28 DP 228119 , 287 Hudson Parade 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 proposed modification has been assessed against the following applicable biodiversity-related provisions:

- NSW Biodiversity Conservation Act 2016
- NSW Biodiversity Regulation 2017
- Pittwater LEP Clause 7.6 - Biodiversity Protection
- Pittwater DCP Clause B4.7 - Pittwater Spotted Gum Forest Endangered Ecological Community

Portions of the subject site have been added to the NSW Government's Biodiversity Values Map (BV Map). Any new impacts to native vegetation within the Biodiversity Values Map will trigger entry into the NSW Biodiversity Offsets Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR). However, the submitted correspondence from the consulting arborist (Tristan Bradshaw, 21 February 2022) indicates that the proposed stormwater dispersal system will provide an opportunity to reduce the impacts on trees. It is thus assumed that the proposed modifications will not result in additional impacts to native trees or vegetation within the BV Map area. Should the works result in impact to native vegetation within the BV Map area, an additional consent application will be required and this must be accompanied by a BDAR, prepared by an ecologist accredited in application of the NSW Biodiversity Assessment Method.

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:**

**ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**

**No impact to native vegetation within Biodiversity Values Map**

Any impacts to any native vegetation within the area mapped as Biodiversity Values Map will require an application for development consent which must be accompanied by a Biodiversity Development Assessment Report prepared by an ecologist accredited in application of the NSW Biodiversity Assessment Method, unless otherwise approved under an existing development consent, a Local Land Services Native Vegetation Panel permit, or a Threatened Species License.

Compliance is to be confirmed in writing and provided to the Certifier prior to issue of any Occupation Certificate.

Reason: To comply with mandatory assessment requirements set out under NSW Biodiversity Conservation Act 2016.