

## Natural Environment Referral Response - Biodiversity

Application Number:	DA2022/0786
Date:	21/06/2022
Responsible Officer	Nick England
Land to be developed (Address):	Lot 8 DP 21933 , 47 Hilltop Road AVALON BEACH 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 application seeks approval for the construction of a new garage and landscaping. 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) Pittwater Local Environmental Plan (PLEP)**

- 7.6 Biodiversity Protection

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

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

The site is partially located within the Department of Planning and Environment's (DPE) Biodiversity Values (BV) mapping. Any removal of native vegetation from within mapped areas will trigger the Biodiversity Offset Scheme (BOS). The application is accompanied by an Arboricultural Impact Assessment Report (RainTree Consulting 2022) and an Ecological Letter (Kingfisher Urban Ecology 2022).

The application seeks to remove Tree 1 (*Glochidion ferdinandi*) located within the road reserve to accommodate the proposed driveway crossover. The Ecology Letter states that Tree 1 is located outside DPE's BV mapping, however, this statement appears to be contradicted by Figures 1.1 & 1.4. On this basis, the minimum submission requirements have not been met and the Biodiversity Referral cannot support the application. The applicant is encouraged to redesign to retain Tree 1, or

must provide a Biodiversity Development Assessment Report (BDAR).

On receipt of the requested information, the Biodiversity Referral can reassess the application.

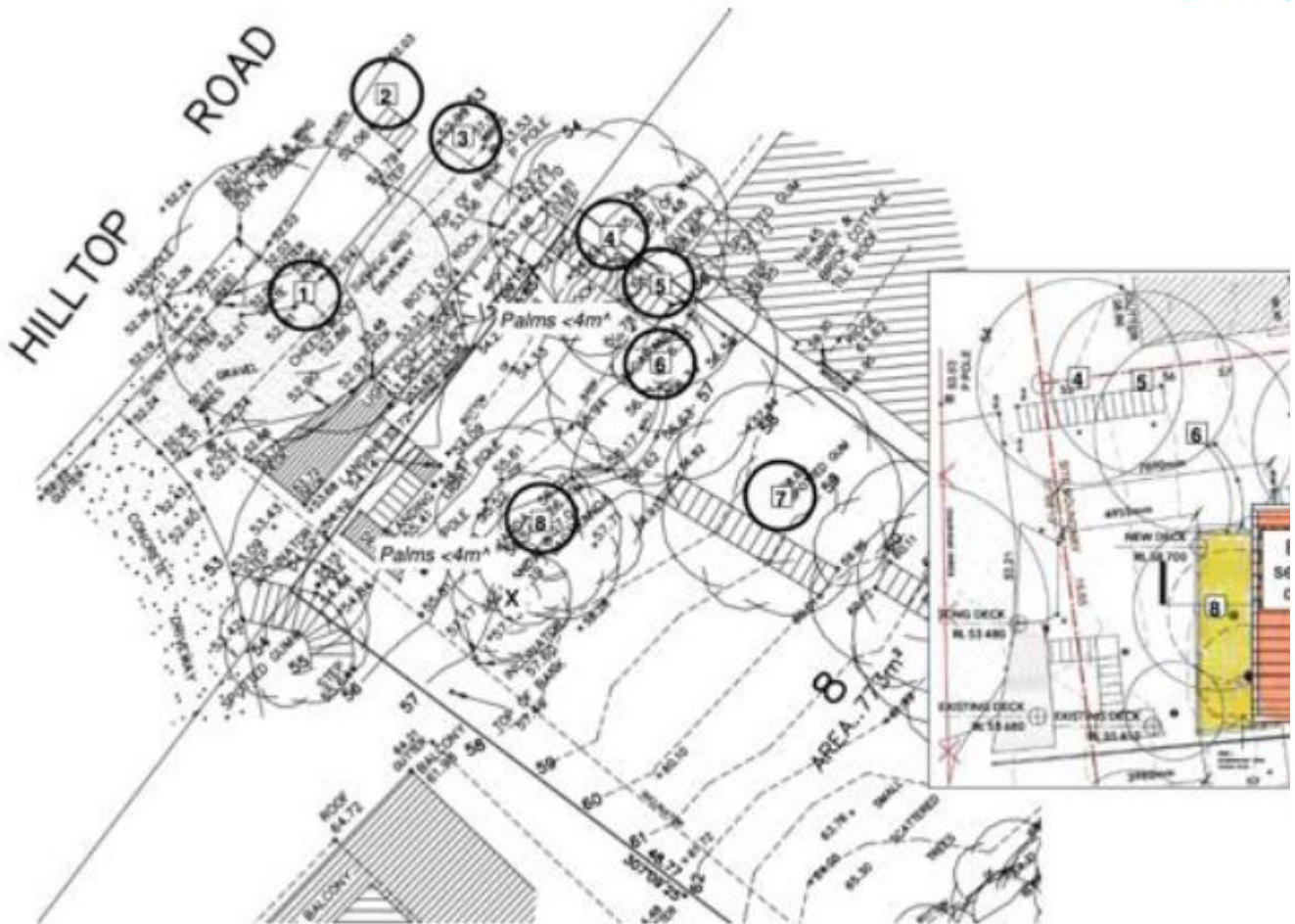


Figure 1.1. Extract from Arboricultural Impact Assessment. Source: raintree Consulti



Figure 1.4. Biodiversity values. Source: DPIE and accessed 2022.

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.