

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2024/0857
<b>Proposed Development:</b>	Strata Subdivision of a dual occupancy
<b>Date:</b>	18/07/2024
<b>Responsible Officer</b>	Simon Ferguson Tuor
<b>Land to be developed (Address):</b>	Lot 2 DP 815540 , 96 Wakehurst Parkway ELANORA HEIGHTS NSW 2101

### 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:

- NSW Biodiversity Conservation Act 2016
- NSW Biodiversity Conservation Regulation 2017
- SEPP (Resilience and Hazards) 2021 - Coastal Wetlands and Proximity Area
- Pittwater LEP - Clause 7.6 Biodiversity Protection
- Pittwater DCP - Clause B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor

Portions of the site are identified on the Department of Climate Change, Energy, the Environment and Water (DCCEE) Biodiversity Values Map (BV Map). Under the NSW Biodiversity Conservation Act 2016, any removal of native vegetation from within mapped areas will trigger the Biodiversity Offsets Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR). However, the submitted plans and documentation indicate that the proposal would not require the removal of any vegetation as it is for the subdivision only and therefore will not trigger entry into the BOS.

Furthermore, the site is on land identified as proximity area for coastal wetlands and as such the development must not impact on the ecological integrity of the wetlands.

A bushfire report has been submitted with the application and concludes that the existing asset protection zones are sufficient for compliance with Planning for Bushfire Protection 2019 - no additional vegetation removal is required.

No native vegetation or fauna habitat would be impacted, the development is designed, sited and will be managed to avoid any significant adverse environmental impact.

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.