

Natural Environment Referral Response - Biodiversity

Application Number:	DA2022/0683
Date:	24/05/2022
Responsible Officer	Kye Miles
Land to be developed (Address):	Lot B DP 416953 , 23 Chisholm Avenue 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

Council's Biodiversity referral team have reviewed the application for consistency against the relevant planning controls, including;

- *Biodiversity Conservation Act 2016,*
- *Biodiversity Conservation Regulation 2017,*
- Pittwater LEP 2014 Part 7.6 Biodiversity Protection,
- Pittwater DCP Parts
 - B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor,
 - B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community

The majority of the proposal site is located on the NSW Government's Biodiversity Values (BV) Map. Any impacts to native vegetation within the BV mapped area, including those that occur as part of construction works, will trigger entry into the Biodiversity Offset Scheme (BOS). The proposal includes alterations and additions within the existing building envelop, no trees or native vegetation are proposed for removal and no Arborist's report has been prepared for this application, it is therefore acknowledged that the BOS is not triggered for this proposal.

Conditions have been applied to ensure consistency with the controls above, including the protection of wildlife and natural landscape features on site, which are to remain undisturbed during the construction works. All storage, stockpiling and parking of vehicles must be within the existing hard stand area or designated area outside of any Tree Protection Zones.

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 Certifying Authority prior to issue of Construction Certificate.

Reason: To protect native vegetation.

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 registered wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To protect native wildlife.

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 2019 – 2023) are to be imported on to the site prior to or during construction works.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To reduce the risk of site works contributing to spread of Priority and environmental weeds.

Protection of Trees and Habitat Features

All natural landscape features, including any rock outcrops and native vegetation not included in any landscape plan are to remain undisturbed during the construction works.

All storage, stockpiling and parking of vehicles must be within the existing hard stand area or designated area outside Tree Protection Zones. Tree protection measures are to be in place should construction works impinge on canopy trees or their Structural Root Zones.

Written details demonstrating compliance are to be provided to the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To protect wildlife, and their habitat, and ensure compliance with State and local planning controls.

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

Protection of Trees and Habitat Features

All natural landscape features, including any rock outcrops, native vegetation, soil and/or watercourses, are to remain undisturbed on the site, portions of which are located on the NSW Government's Biodiversity Values Map.

Any impacts or disturbances to the habitat features above may trigger entry into the Biodiversity Offsets Scheme and must be assessed by an Accredited Assessor under the Biodiversity Assessment Method and a Biodiversity Development Assessment Report (BDAR) submitted to the Principal Certifying Authority as part of a Development Assessment.

Reason: To protect wildlife, and their habitat, and ensure compliance with State and local planning controls.