

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2023/0976
<b>Proposed Development:</b>	Demolition works, civil and infrastructure works, subdivision into 53 lots and one community title road, the construction of 53 dwellings and associated works.
<b>Date:</b>	15/09/2023
<b>Responsible Officer</b>	Thomas Prosser
<b>Land to be developed (Address):</b>	Lot 1 DP 592091 , 20 - 22 Macpherson Street WARRIEWOOD NSW 2102

### 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 proposal is unacceptable as the development will not provide the 25 metre public and 25 metre private riparian corridor as required under the Pittwater LEP clauses 6.1 and 7.6, and the specific Warriewood Valley development planning controls. The subdivision plans and Vegetation Management Plan do not clearly identify the Inner 25m Riparian Corridor, and Lot 23 is not clearly defined on the Plans or within the supporting documentation. In particular, the 25 metre Outer Riparian Corridor includes the private rear yards of 14 lots as well as rights of way, and this is not allowed under the specific Warriewood Valley controls and Design Guidelines. The Landscape Referral includes more specific commentary with respect to the relevant controls.

The Riparian Corridor should focus on the creekline rehabilitation and bank stabilisation, weed removal and native revegetation, and passive use recreation. The development should identify the retention, restoration and revegetation of flora and fauna habitats, with the other permissible passive public uses (basins, roads etc) confined to the Outer 25 metres. The design of the outer corridor riparian buffer should be detailed in the Landscape Plan, with the objective to provide a generous private riparian buffer that is not impacted by private lots or rights of way.

The Flora and Fauna Report and Arborist Reports are noted, and these identify the limited impacts to native vegetation and fauna habitats. The conclusion by Kingfisher that a significant impact to the environment is unlikely is concurred with, and the recommended mitigation and management measures noted.

In relation to the VMP, the Plan is too generic and needs to be in accordance with Pittwater 21 DCP controls C6.1 Integrated Water Cycle Management and C6.2 Natural Environment and Landscaping Principles and the Warriewood Valley Riparian Corridor Design requirements. The VMP is to be specific to the subdivision development proposal, and focus on the 25 metre Inner Riparian Corridor. Extensive cut and fill is proposed within the creekline corridor, and this needs to be accounted for in the proposed vegetation management measures of the Plan. The area is not bush fire prone land, so the VMP should be prepared to retain and or recreate a fully structured native plant community. Specific management zones should be provided for the aquatic zones, creekbank zone, and then the remaining portion of the Inner Creekline Corridor. For each zone the VMP should clearly detail weed control methods, soil amelioration, sedimentation controls, plant species, planting densities, responsibilities, timing, maintenance and monitoring methods as a minimum.

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.