

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2022/0486
<b>Date:</b>	28/04/2022
<b>Responsible Officer</b>	Olivia Ramage
<b>Land to be developed (Address):</b>	Lot 2 DP 532883 , 17 Corniche Road CHURCH POINT NSW 2105

### 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 development has been assessed against the following applicable biodiversity-related provisions:

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

Portions of Pittwater Spotted Gum Forest Endangered Ecological Community (EEC) vegetation in the front and rear yards have been identified on the NSW Government's Biodiversity Values (BV) Map. As such, any impacts to native vegetation within the BV Map will trigger entry into the Biodiversity Offsets Scheme and the requirement for a Biodiversity Development Assessment Report (BDAR).

It is considered that the proposal has been thoughtfully designed to avoid impacts to biodiversity values. The submitted arboricultural impact assessment (Selena Hannan Landscape Design, 23 February 2022) assesses one locally native prescribed tree which will be subjected to a high level of encroachment as a result of the new raised driveway; however, detailed and tailored tree protection measures have been proposed to avoid impact to this tree, including root investigations and arborist supervision of excavation and pile location.

Subject to these measures (as conditioned by Council's Landscape referral body), it is considered that the proposal will not result in impacts to native vegetation or impacts prescribed under s6.1 of the BC Reg on land identified on the BV Map.

Should impacts to Tree 1 (*Eucalyptus paniculata*) occur during construction, entry into the Biodiversity Offsets Scheme will be triggered, and consent in the form of a development modification or a Native Vegetation Panel permit will be required.

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 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**

**Protection of Habitat Features**

All natural landscape features, including any rock outcrops, native vegetation and/or watercourses, are to remain undisturbed except where affected by necessary works detailed on approved plans.

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

Reason: To protect wildlife habitat.

**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.