

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	Mod2021/0929
<b>Date:</b>	22/12/2021
<b>Responsible Officer</b>	Julie Edwards
<b>Land to be developed (Address):</b>	Lot 12 DP 16029 , 23 Grandview Drive NEWPORT NSW 2106

### 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 modification seeks to relocate an approved construction footprint for a dwelling (N0410/15). Council's Natural Environment Unit - Biodiversity referral team have reviewed the modification for consistency against the relevant environmental legislation and controls, including:

#### **Biodiversity Conservation Act 2016 (BC Act) Biodiversity Conservation Regulation 2017 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 located within the Department of Planning, Industry and Environment's (DPIE) Biodiversity Values mapping:

<https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BOSETMap>

Any additional or previously unapproved removal of native vegetation from within mapped areas will trigger the Biodiversity Offset Scheme (BOS).

On review of the submitted Architectural Plans (Shorehouse Projects 2021) it is noted that the application seeks to remove native trees within the front of the property that were not approved under the original application (N0410/15) and that are located within DPIE's Biodiversity Values mapping.

The proposal must be accompanied by a Biodiversity Development Assessment Report (BDAR) prepared by an Accredited Assessor:  
<https://customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor>

Alternatively, the applicant is encouraged to adopt a more sensitive design that allows retention of all native trees within the front of the property

On receipt of the required BDAR or redesign, Council's Natural Environment Unit - Biodiversity can reassess the application.

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.