

Natural Environment Referral Response - Biodiversity

Application Number:	DA2025/0108
Proposed Development:	Alterations and additions to a dwelling house
Date:	27/02/2025
Responsible Officer	Olivia Ramage
Land to be developed (Address):	Lot 137 DP 225585 , 24 De Lauret Avenue 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

Council's Biodiversity Referrals team have assessed the Development Application for compliance against the following applicable provisions:

- NSW Biodiversity Conservation Act 2016
- NSW Biodiversity Conservation Regulation 2017
- Pittwater LEP 2014 cl. Biodiversity Protection
- Pittwater 21 DCP cl. B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community
- SEPP (Resilience and Hazards) 2021 - Littoral Rainforest Proximity Area

Portions of the site are identified on the NSW Government's 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). The Architectural Plans (Contemporary Architecture, September 2023) indicate that the proposed development is located within an existing paved area at the rear of the existing dwelling. The Statement of Environmental Effects (Contemporary Architecture, August 2023) and Architectural plans do not identify the requirement for the removal of any trees for the proposed development. Furthermore, Council's Landscape Referrals team have identified that the potential impact on the palms from the proposed works is unlikely to result in any detrimental effects, given the unique nature of palm root systems, and that standard conditions of consent shall be imposed for tree and vegetation protection. As the proposal does not require the removal of any native vegetation from within the BV mapped area, a BDAR is not required to be submitted with the application. No objections in relation to biodiversity, subject to conditions.

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.

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 licensed 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 Certifier prior to issue of any Occupation Certificate.

Reason: To protect wildlife habitat.