

Natural Environment Referral Response - Biodiversity

Application Number:	DA2024/1379
Proposed Development:	Demolition works and construction of a dwelling house
Date:	06/01/2025
Responsible Officer	Thomas Burns
Land to be developed (Address):	Lot 35 DP 6462 , 64 Powderworks Road NORTH NARRABEEN NSW 2101

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

Original Comments (20 November 2024)

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. 7.6 Biodiversity Protection
- Pittwater 21 DCP cl. B4.4 Flora and Fauna Habitat Enhancement Category 2 Wildlife Corridor

Portions of the site are identified on the NSW Governments Biodiversity Values Map (BV Map). Under the NSW Biodiversity Conservation Act, 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). As the proposed development is not located within the BV Mapped area, nor will it remove native vegetation from within the area, the BOS is not triggered and a BDAR is not required to be submitted with the application.

An Arboricultural Impact Assessment (Joanne Willis, December 2023) has been submitted with the application which outlines the trees that require removal to facilitate the development. The Arborist assessed 11 trees within proximity to the development, 4 of which are located outside the property boundary. It is noted that the heavily vegetated area within the rear of the site was not assessed by the Arborist due to their location outside of the development area. The Arborist has recommended the removal of Tree 3 (*Angophora costata*), Tree 6 (*Glochidion ferdinandi*) and Tree 10 (*Angophora costata*), all three of which are native prescribed trees. No objection to the proposed removal of Tree 6

from a biodiversity perspective, however defer to the appropriate referrals team to comment on the removal of Tree 10 which is located within Council's road reserve.

Council's Landscape Referrals team have noted in their referral comments that they require realignment of the proposed driveway to preserve Tree 3 as it is considered that the 34% encroachment is considered to be manageable with tree sensitive excavation and driveway design. As such, Council's Biodiversity Referrals team support this and propose that the applicant seek an alternative design approach to the driveway in order to retain Tree 3 due to its significant canopy coverage and ecological value.

Additional Comments (6 January 2025)

An Amended Arboricultural Impact Assessment (Joanne Willis, December 2024) has been submitted which confirms the retention of Tree 3, noting that the driveway has been modified to be located outside the SRZ of Tree 3 and that the turning area has been deleted and replaced with a turning plate within the driveway area. As such, Council's Biodiversity Referrals team raise no objections in relation to biodiversity, subject to recommended 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.

No Weeds Imported On To The Site

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan) are to be imported on to the site prior to or during construction works.

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

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