

Natural Environment Referral Response - Biodiversity

Application Number:	DA2021/0524
Date:	10/06/2021
Responsible Officer	Nick Keeler
Land to be developed (Address):	Lot 55 DP 13325 , 45 Park Avenue AVALON BEACH NSW 2107

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 biodiversity related provisions:

- Biodiversity Conservation Act 2016 (BC Act)
- Biodiversity Conservation Regulation 2017 (BC Reg)
- Pittwater LEP cl. 7.6 Biodiversity Protection
- Pittwater 21 DCP cl. B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community

The proposed development is for alterations & additions to the existing dwelling, carparking facilities and a secondary dwelling.

The proposed development is situated within the Biodiversity Values Map (BV Map) area. The BV Map forms part of the Biodiversity Offsets Scheme Threshold which is one of the triggers for determining whether the Biodiversity Offset Scheme (BOS) applies to a development proposal. The map is prepared by the Department of Planning, Industry and Environment (the Department) under Part 7 of the Biodiversity Conservation Act 2016 (BC Act).

Development occurring within DPIE's BV Map will require assessment under the Biodiversity Assessment Methodology (BAM) 2020 if they involve:

Impacts to Native Vegetation (as defined under 60B of the Local Land Services Act 2013), or;
Prescribed actions (as defined under 6.1 of the Biodiversity Conservation Regulation 2017).

An Arboricultural Impact Assessment (Coastal Care Horticultural Services Pty Ltd, February 2021) was submitted with the Development Application which identifies that two (2) prescribed trees require

removal; Tree 8 (*Eucalyptus paniculata*) and Tree 9 (*Corymbia maculata*). As the proposal originally lodged included removal of native vegetation within the BV mapped area, the applicant would have been required to engage an Accredited Assessor to prepare a Biodiversity Development Assessment Report (BDAR) in accordance with the Biodiversity Assessment Method (BAM) 2020.

Subsequently the Plans (Andy Lehman Design Issue B dated 7 June 2021) have been amended to retain the existing vehicle crossover and driveway, thereby allowing for the retention of the two trees. The development is now proposed in the area of least impact on PSGF and or core bushland and where there will be no significant net loss of PSGF vegetation. Therefore the proposed development is designed, sited and will be managed to avoid any significant adverse environmental impact.

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 WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

New Vegetation Planting

Landscaping is to incorporate a minimum 80% of any new planting is native vegetation as per species found on the site or listed in Pittwater Spotted Gum Endangered Ecological Community.

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

Reason: To ensure compliance with the requirement to retain and protect native planting on the site.

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.