

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	Mod2022/0538
<b>Date:</b>	10/11/2022
<b>Responsible Officer</b>	Olivia Ramage
<b>Land to be developed (Address):</b>	Lot 121 DP 12749 , 57 Robertson Road SCOTLAND ISLAND NSW 2105 Lot LIC 590722 , 57 Robertson Road SCOTLAND ISLAND 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 comments to the modifications on this proposal relate to the following provisions:

- NSW Biodiversity Conservation Act 2016
- SEPP (Resilience and Hazards) 2021
- Pittwater LEP 2014 - cl. 76 Biodiversity Protection
- Pittwater DCP 21 - cl. 4.7 Pittwater Spotted Gum Forest Endangered Ecological Community / cl. 4.15 Saltmarsh Endangered Ecological Community / cl. 4.16 Seagrass Conservation / 4.19 Estuarine Habitat

Portions of the site are identified on the Department of Planning and Environment's Biodiversity Values Map (BV Map). Under the NSW Biodiversity Conservation Act, any removal of native vegetation from within mapped areas will trigger the Biodiversity Offset Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR).

However, the submitted modification plans and documentation indicate that the proposed works are located outside of the BV Map area and therefore will not trigger entry into the BOS. The modification to the original proposal submitted in DA2018/1602 requests the removal of a wire fence section which was to be added to the hardwood fence.

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

#### Fencing for Wildlife Passage

Any new permanent fencing (with the exception of swimming pool fencing) is to be made passable to native fauna through the provision of access gaps or raised fencing to provide appropriate ground clearance. Any access gaps are to be a minimum of 150mm wide x 100mm high at ground level and spaced at a minimum of 6m intervals.

Plans are to be certified as complying with this condition and provided to the Certifier prior to issue of the Construction Certificate.

Reason: To preserve wildlife corridors.

### 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.

#### Protection of Habitat Features

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

Reason: To protect wildlife habitat.

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

#### 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 Certifier prior to issue of any Occupation Certificate.

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

### ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

#### Control of Weeds

All priority weeds (as listed under the Biosecurity Act 2015) are to be removed/controlled within the subject site using an appropriately registered control method. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>). All environmental weeds are to be removed and controlled. Refer to the Northern Beaches Council website

Reason: Weed management.