

Natural Environment Referral Response - Biodiversity

Application Number:	DA2019/0887
Responsible Officer	Anne-Marie Young
Land to be developed (Address):	Lot 25 DP 5464 , 2 Macpherson Street WARRIEWOOD NSW 2102

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 Natural Environment - Biodiversity section cannot complete this assessment until further information is provided.

This application was assessed against Pittwater LEP Clause 7.6 Biodiversity and Pittwater DCP 4.15. The site is also mapped within the Coastal Management SEPP as Coastal Wetlands and Coastal Wetlands Proximity Area. There is a small portion of vegetation within the northwestern corner that is mapped as having "Biodiversity Value" within the Biodiversity Values Map prescribed by the NSW Biodiversity Conservation Act 2016.

The proposal is for a 24-lot Community title subdivision including bush regeneration and landscaping works. The site has a court-approved DA (N0398/17) which includes civil works on the site (access road and stormwater infrastructure WSUDs).

The submitted **Threatened Species Assessment Report** (Conacher Consulting August 2019) assesses the impacts of the proposal on threatened entities. Figures 1.1 and 2.1 show an area in pink titled "Vegetation Removal Area" which includes areas mapped as "Native Vegetation". These figures are significantly different from Figure 2.1 within the Conacher Consulting July 2017 version of the report. This earlier version is consistent with the Riparian Corridor Vegetation Management Plan. Further clarification for changes in these figures is required. Ideally, these figures will be updated to be consistent with the Figure 2.1 within the Flora and Fauna Assessment Report (Conacher Consulting July 2017). The area of Swamp Oak Floodplain Forest EEC to be impacted has changed between the July 2017 and August 2019 impact assessment reports with no justification, although the subdivision works are enclosed by approved civil works. A comparison table below (Table 1) includes area calculations provided in both Assessment of Significance for SOFF EEC. This report satisfies impact assessment requirements subject to justification of these figures.

Table 1. SOFF EEC impact calculations

Report	Total SOFF EEC	Removal Area	Modification Area (APZ)	Total Disturbance Area	SOFF EEC to be retained
July 2017	0.4 ha	0.15 ha	0.11 ha	Not reported	0.14 ha
August 2019	0.21 ha	0.12 ha	0.05 ha	0.17 ha	0.04 ha

The submitted **Riparian Corridor Vegetation Management Plan** (Conacher Consulting August 2019) provides management actions for the 25m "Outer Riparian Corridor". This report is to be updated to include:

- Bush regeneration works for a minimum of 5 years post-construction
- The works program must be amended to include Key Performance Indicators for each management action / task. For example: By the end of the second year of the project a ratio of weed density/endemic native plant density not exceeding 5% weed density and not less than 95% native plant cover must be achieved.
- Addition of a table titled "Schedule of Management Costs" which provides the costs of all management actions, including quantity of plants (itemised by stratum) and bush regeneration staffing costs.
- A table of suitable species for replanting is to be included which is consistent with the ecological communities found onsite and surrounding land, (including the EECs). This is included in the previous report.

The submitted **Landscape Plan** (Meriton, 21/09/2018) references a "Landscape Early Works Package" within the area subject to restoration and rehabilitation in accordance with the Riparian Corridor Vegetation Management Plan (Conacher Consulting August 2019). This plan is to be updated to show and label the Riparian Zone Offset Area (proposed lot 24). The "Landscape Early works Package" is to be submitted which shows proposed landscaping works within proposed Lot 1, which act to provide a buffer to riparian vegetation.

Required information: Updated plans / reports which clarify impacts and management tasks as detailed above.

Referral Body Recommendation

Recommended for refusal

Recommended Natural Environment Conditions:

Nil.