

Natural Environment Referral Response - Biodiversity

Application Number:	DA2023/1206
Proposed Development:	Alterations and additions to a dwelling house including secondary dwelling
Date:	18/09/2023
Responsible Officer	Brittany Harrison
Land to be developed (Address):	Lot 8 DP 232257 , 6 Net Road 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 provisions:

- Biodiversity Conservation Act 2016
- Biodiversity Conservation Regulation 2017
- Planning for Bushfire Protection 2019
- State Environmental Planning Policy (Resilience and Hazards) 2021 cl. 2.8 Development on land in proximity to coastal wetlands or littoral rainforest
- Pittwater LEP 2014 cl. 7.6 Biodiversity Protection
- Pittwater 21 DCP cl. B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community

The Development Application seeks consent for Alterations and additions to a dwelling house including secondary dwelling.

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 Offsets Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR).

The Arboricultural Impact Assessment (Treeism Arboricultural Services, May 2023) submitted with the application has confirmed that all prescribed trees within the lot will be retained and protected.

The Bushfire Report (Bushfire Consultancy Australia, April 2023) has confirmed that defensible space

is provided on all sides of the building and that an APZ is provided and maintained for the life of the building.

The Landscape Plan (Volker Klemm Landscape Design July 2023) is noted and supported.

As no native vegetation is required for removal, the BOS is not triggered and a BDAR is not required to be submitted with the application. However, it should be noted that any future impact to native vegetation within the BV Map, including any future clearing for the APZ, may require a BDAR under the BC Act 2016.

No objections in relation to Biodiversity, subject to these comments and 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 Principal 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

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.

No Impacts to native vegetation within Biodiversity Values Map

Impacts to any native vegetation within the area mapped as Biodiversity Values Map will require an application for development consent which must be accompanied by a Biodiversity Development Assessment Report prepared by an ecologist accredited in application of the NSW Biodiversity Assessment Method, unless otherwise approved under an existing development consent, Local Land Services Native Vegetation Panel permit, or Threatened Species License.

Compliance is to be confirmed in writing by the Project Ecologist and provided to the Certifier prior to issue of any Occupation Certificate.

Reason: To ensure compliance with the Biodiversity Values Map threshold of the NSW Biodiversity Offsets Scheme

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

Protection of Habitat Features

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

Reason: To protect wildlife habitat.

No Impacts to native vegetation within Biodiversity Values Map

Impacts to any native vegetation within the area mapped as Biodiversity Values Map will require an application for development consent which must be accompanied by a Biodiversity Development Assessment Report prepared by an ecologist accredited in application of the NSW Biodiversity Assessment Method, unless otherwise approved under an existing development consent, Local Land Services Native Vegetation Panel permit, or Threatened Species License.

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Reason: To ensure compliance with the Biodiversity Values Map threshold of the NSW Biodiversity Offsets Scheme