

Natural Environment Referral Response - Biodiversity

Application Number:	DA2023/0763
Proposed Development:	Alterations and additions to a dwelling house
Date:	26/06/2023
Responsible Officer	Gareth David
Land to be developed (Address):	Lot 5 DP 13686 , 940 Barrenjoey Road PALM BEACH NSW 2108

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 proposal seeks approval for alterations and additions to a single dwelling.

The comments in this referral relate to the following applicable controls and provisions:

- NSW Biodiversity Conservation Act 2016
- NSW Biodiversity Conservation Regulation 2017
- SEPP (Resilience and Hazards) 2021 - Littoral Rainforest and Proximity Area
- Planning for Bushfire Protection 2019
- Pittwater LEP - Clause 7.6 Biodiversity Protection
- Pittwater 21 DCP - Clause B4.2 Flora and Fauna Conservation Category 1 and Wildlife Corridor
- Pittwater 21 DCP - Clause B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor

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). However, the submitted 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.

No tree removal has been identified within the proposal and the submitted Arboricultural Impact assessment has concluded that all trees on site can be retained if adequate tree protection measures are in place before and during works. Furthermore, no landscaping works have been proposed as part of the application.

The Bushfire report submitted with the application has awarded the site a level of risk of "Flame zone" and requested that the property be maintained as an Inner Protection Area. No additional vegetation clearing has been recommended for the establishment of Asset Protection Zones.

The proposed alterations and additions would take place in previously disturbed areas of the site and are unlikely to impact on native flora and fauna.

The 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 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.

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) 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.