

Natural Environment Referral Response - Biodiversity

Application Number:	DA2023/1549
Proposed Development:	Construction of a dwelling house including cabana
Date:	08/11/2023
Responsible Officer	Anaiis Sarkissian
Land to be developed (Address):	Lot 2568 DP 752038 , 24 Wyatt Avenue BELROSE NSW 2085

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
- Biodiversity Conservation Regulation 2017
- Warringah DCP cl. E2 Prescribed Vegetation
- Warringah DCP cl. E6 Retaining Unique Environmental Features

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 2016 (BC 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) to be prepared by an Accredited Assessor.

The Arboricultural Impact Assessment (Michael Shaw, October 2023) assessed 9 trees within proximity to the proposed development and concluded that Trees 1 and 3 (*Eucalyptus punctata*), Tree 2 (*Archontophoenix alexandrae*) and Tree 5 (group of 9 x *Camellia* sp.) will require removal.

From desktop assessment of aerial imagery (NearMaps [21 October 2023]), it appears that the canopy of Trees 1 and 3 which are both locally native, are located within the BV Map. As such, the applicant is required to engage an Ecologist who is Accredited in application of the Biodiversity Assessment Method to prepare a BDAR. Alternatively, should the applicant wish to seek further information about the BV Map or request a review of the mapping within their property, they can do so following the

below link:

<https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/about-the-biodiversity-offsets-scheme/when-does-bos-apply/biodiversity-values-map/biodiversity-values-map-review>

Alternatively, amendments to the design in order to avoid native tree removal within the BV Map could be considered.

Upon receipt of additional information, Council's Biodiversity referrals team will recommence assessment of the application.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Natural Environment Conditions:

Nil.