

Natural Environment Referral Response - Biodiversity

Application Number:	DA2023/1431
Proposed Development:	Alterations and additions to a dwelling house including secondary dwelling
Date:	12/10/2023
Responsible Officer	Stephanie Gelder
Land to be developed (Address):	Lot 2 DP 238659 , 12 Hillslope Road NEWPORT NSW 2106

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 house including secondary dwelling.

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

- NSW Biodiversity Conservation Act 2016
- NSW Biodiversity Regulation 2017
- SEPP (Resilience and Hazards) 2021 - Littoral Rainforest and Proximity Area
- Pittwater LEP - Clause 7.6 Biodiversity Protection
- Pittwater DCP 21 - B4.17 Littoral Rainforest - Endangered Ecological Community

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 will not require any removal of vegetation in the BV Map area and therefore will not trigger entry into the BOS.

An arboricultural impact assessment has been prepared (Growing My Way, September 2023) and assessed the condition of a total of 5 trees and concluded that no trees will need to be removed in order for the proposed works to take place. Tree protection measures have been recommended and will have to be in place before and during works.

The submitted plans show that the proposed works will take place in previously disturbed areas and no removal of vegetation will be required. The proposed alterations and modifications are unlikely to impact upon native flora and fauna. The site is on land identified as proximity area for littoral rainforest and as such the development must not impact on the ecological integrity of the rainforest.

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

Native Landscaping

Any new landscaping is to incorporate a minimum 80% locally native vegetation species as a proportion of the total number of plants. Locally native species are to be consistent with the relevant section of the Native Planting Guide available on Council's website.

Details demonstrating compliance are to be provided to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To ensure compliance with the requirement to retain and protect native planting on the site.

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.