

Natural Environment Referral Response - Biodiversity

Application Number:	DA2024/0175
Proposed Development:	Demolition works and construction of a dwelling house including a spa and landscaping
Date:	14/03/2024
Responsible Officer	Anne-Marie Young
Land to be developed (Address):	Lot 19 DP 9606 , 1808 Pittwater Road BAYVIEW NSW 2104

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

- SEPP (Resilience and Hazards) - Coastal Environment Area
- Pittwater LEP - Clause 7.6 Biodiversity Protection
- Pittwater DCP - Clause B4.7 Pittwater Spotted Gum Forest Endangered Ecological Community

The proposal has been submitted with an arboricultural impact assessment that has recommended the removal of trees 1, 2, 3, 4 and 6 because of direct impacts of the proposed footprint. All of the trees identified for removal are considered native, however trees 2, 3 and 6 are considered exempt species and can be removed without consent. Tree 1 is a native species but is not endemic to NSW, no objections are raised in relation to its removal subject to replacement. Tree 4 is an endemic species but is exempt as it is under 5 metres, no objections are raised in relation to its removal subject to replacement.

The report has also recommended the removal of trees 7, 12, 13, 14, 15 and 16 based as these are exempt species that can be removed without consent. However their removal cannot be granted as they are found in the Council verge, this matter is deferred to the appropriate referral body.

A landscape plan has been prepared and submitted with the application. Amendments will be required to ensure consistency with PLEP 7.6 and PDCEP B4.7 and avoid the inclusion of cultivar (hybrid) species. This will be conditioned.

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.

Amendment of Landscape Plans

The submitted Landscape Plan is to be amended in accordance with the following:

- Species included in the landscape plan are to be selected from the Pittwater Spotted Gum Forest Endangered Ecological Community.

The Landscape Plan is to be amended by a qualified landscape architect and provided to the Principal Certifier prior to issue of the Construction Certificate.

Reason: To maintain and replace habitat on the site.

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.

Priority Weed Removal and Management

All Priority weeds (as specified in the Northern Beaches Local Weed Management Plan) within the development footprint are to be removed using an appropriate control method.

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 weeds.