

Natural Environment Referral Response - Biodiversity

Application Number:	Mod2022/0471
Proposed Development:	Modification of Development Consent DA2019/0154 granted for demolition works and construction of a seniors housing development
Date:	20/03/2023
Responsible Officer	Gareth David
Land to be developed (Address):	Lot 1 DP 373531 , 1955 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 modifications to this proposal have been assessed against the following provisions:

- SEPP (Resilience and Hazards) 2014 - Coastal Wetland Proximity Area
- Pittwater LEP 2014 - cl. 7.6 Biodiversity Protection
- Pittwater 21 DCP - cl. B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land

A total of 9 modifications have been submitted in the master plans as well as an additional arborist report where Tree #3 (as per Arborist report submitted with DA2019/0154), now Tree #1, a mature *Corymbia maculata* with a high landscape value is the subject of discussion due to impacts stemming from the proposed modifications. The arborist report also alludes to the presence of multiple habitat hollows that could currently be in use by arboreal mammals and birds. Therefore, and as per the Landscape Referral Response, until further documentation has been submitted demonstrating the exhaustion of alternatives to avoid removal of Tree #1, assessment against the relevant biodiversity controls cannot be finalised.

AMENDED COMMENTS 20/03/2023

The response to the Landscape Referral Response has been noted as well as the proposed replacements for the loss of the canopy tree due to the requirement of the new hydrant. However, due to the presence of hollows and age of the tree conditions will apply to ensure compliance with PDCP B4.5.

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 COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Impacts to Protected Native Wildlife

Habitat for native wildlife including Tree 1 (*Corymbia maculata*) is to be inspected for native wildlife prior to removal. If native wildlife is found within habitat to be removed, a registered wildlife rescue and rehabilitation organisation must be contacted for advice.

Any incidents in which native wildlife are injured or killed as a result of works are to be recorded, in addition to details of any action taken in response.

Written evidence of compliance (including records of inspections and any wildlife incidents) is to be provided to the Principal Certifier.

Reason: To protect native wildlife.

Wildlife Protection

If construction activity associated with this development results in injury or displacement of a native mammal, bird, reptile or amphibian, a registered 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.

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.

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.

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

Replacement of Canopy Trees

Tree replacement plantings required under this consent are to be retained for the life of the development and/or for their safe natural life.

Trees that die or are removed must be replaced with another locally native canopy tree.

Reason: To replace locally native trees.