

Natural Environment Referral Response - Biodiversity

Application Number:	DA2025/1316
Proposed Development:	Demolition works and construction of a dwelling house including swimming pool
Date:	24/10/2025
Responsible Officer	Tess Johansson
Land to be developed (Address):	Lot 2 DP 512940 , 132 Avalon Parade AVALON BEACH NSW 2107

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 provisions:

- Pittwater LEP – Clause 7.6 Biodiversity Protection
- Pittwater DCP – Clause B4.6 Wildlife Corridors

According to the Arborist Report (Hugh the Arborist, August 2025), 1 tree (Tree 1, *Melaleuca quinquenervia*) is proposed for removal, which is a prescribed species and will require Council permission for removal. According to the Pittwater DCP Clause B4.6 Wildlife Corridors, any prescribed trees proposed for removal are to be replaced with a locally native canopy species to avoid any loss of canopy. This is therefore conditioned. Locally native canopy species are to be consistent with the relevant Pittwater Ward Tree section of the Native Planting Guide available on Council's website. The Landscape Plan in its current form does not satisfy this requirement.

A Tree Protection Plan has been developed and will be implemented.

The Arborist Report identifies 2 trees (Tree 2 *Corymbia gummifera* and Tree 3 *Eucalyptus punctata*) where the works will enter the tree protection zone (TPZ). The Arborist report has identified these incursions as minor and acceptable and that the trees will remain healthy under the conditions set out in the Tree Protection Plan.

None of the species listed in the Landscape Plan account for legislative requirements that a minimum of 60% locally native vegetation species is required (by proportion of number of plants, excluding hybrid and cultivar species) for any new landscaping. Locally native species are to be consistent with the relevant Pittwater Ward section of the Native Planting Guide available on Council's website. Amendment of the Landscape Plan species list is therefore a condition of approval.

As conditioned and identified by the Landscape Referral Body, the proposed stormwater plan indicating a new stormwater pipe in close proximity to existing native trees (Tree 2 *Corymbia gummifera*, Tree 3 *Eucalyptus punctata* and Tree 4 *Livistona australis*) identified for retention is not supported. This stormwater pipe will detrimentally impact the health of the existing prescribed trees identified for retention. It is therefore a condition of approval that these stormwater plans are amended to align the pipes away from the structural root zone of the existing trees retained. If these trees cannot be retained the Biodiversity Referral Body will be unable to support the development application.

No objections in relation to biodiversity, subject to conditions.

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 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:

- Any new landscaping is to incorporate a minimum 60% locally native vegetation species as a proportion of the total number of plants. Locally native species are to be consistent with the relevant Pittwater Ward section of the Native Planting Guide available on Council's website.
- *Raphiolepis indica* is to be replaced with a suitable native alternative as it is identified as a weed under the Biosecurity Act 2015.
- At least 1 locally native canopy tree is to be planted on the site to replace protected tree approved for removal. Species are to have a minimum mature height of 8.5m and be consistent with the relevant Pittwater Ward Tree section of the Native Planting Guide available on Council's website.

Tree plantings 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.

The Landscape Plan is to be amended by a qualified landscape architect and provided to the 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

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.

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

Protection of Habitat Features

All natural landscape features, including any rock outcrops, native vegetation, soil and/or watercourses, are to remain undisturbed except where affected by necessary works detailed on approved plans.

Reason: To protect wildlife habitat.