

Natural Environment Referral Response - Biodiversity

Application Number:	DA2020/0949
Date:	24/11/2020
Responsible Officer	Jordan Davies
Land to be developed (Address):	Lot 3 DP 231634 , 15 Burrendong Place 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

The proposal has been assessed against the following controls:

- Pittwater LEP 7.6, Biodiversity
- Pittwater DCP B4.6 Wildlife Corridors

The proposed development requires the removal of trees that make up components of the wildlife corridor. All references to tree identification are from the supplied arborist report titled "Arboricultural Impact Assessment & Tree Protection Plan" prepared by The Ents Tree Consultancy. The removal of various palms identified as T10, T11, T12, T13 and T14 is appropriate as they are exempt species. The removal of Tree 17, a Cheese tree (*Glochidion ferdinandi*), and Tree 18, is a Stringybark (*Eucalyptus globoidea*), can not be supported they are identified as high value and create a core component of connectivity through the property and contribute to the greater wildlife corridor. Therefore the Tree 17 and 18 will be conditioned for retention to comply with the relevant biodiversity controls.

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

Retention of Trees

The "Arboricultural Impact Assessment & Tree Protection Plan" prepared by The Ents Tree Consultancy recommends the retention of Trees 1-9, 14-16, and 19 are to be retained, further to this tree 17 and 18 must be retained and protected with appropriate tree protection methods certified by the consulting arborist during construction.

Reason: Bushland retention and wildlife corridor connectivity

Arborist Recommendations to be Implemented

As there are existing trees to be retained within 5 metres of proposed development works, all recommendations as outlined in the supplied arborist report by The Ents Tree Consultancy, dated 30/04/2020 are required to be complied with before and throughout the development period, particularly with regard to the following:

- a) Works, erection/demolition of structures, excavation or changes to soil levels within 5 metres of existing trees are not permitted unless part of the development as approved, and the storage of spoil, building materials, soil or the driving and parking of any vehicle or machinery within 5 metres of the trunk of a tree to be retained is not permitted;
- b) Where specified, tree guards are to be provided to all trees as indicated in the report, and are to be installed prior to the commencement of any work on the site. Tree guard materials and dimensions are specified in the arborist report;
- c) All works within 5 metres of existing trees including demolition, excavation, civil works, fencing and the like must be carried out by hand and under the supervision of an experienced and suitably qualified arborist. In the event that major structural or feeder roots are encountered, the arborist is to advise the builder to carry out appropriate action to ensure the retention of the tree.
- d) Signage is to be erected advising all contractors and visitors to the site that no works or storage is to take place within the calculated Tree Protection Zone (TPZ) of existing trees.

Any changes or alterations made to the tree management recommendations as outlined by the arborist report due to the discovery of new structural roots or underground services during development works must be reported to the Principal Certifying Authority prior to works recommencing.

Reason: To ensure the retention of the Urban Forest/Natural Environment and remain consistent with approved reports.

Tree Protection Zone Fencing to be Certified

Prior to the commencement of construction works, all tree protection recommendations in particular the establishment of tree protection zone fencing as specified in the approved Arborist Report by The Ents Tree Consultancy, dated 30/04/2020, are to be certified by the consulting arborist as being adequate and in accordance with the specifications of AS 4970 ~ 2009 Protection of Trees on Construction Sites.

Certification is to be provided to the certifying body prior to the issue of the Occupation Certificate.

Reason: To protect and retain trees proposed for retention.

Work Within the calculated Tree Protection Zone (TPZ) - Hand Digging

When working within the drip line of the trees, hand digging is to occur in sensitive areas. Liaison on a daily basis is to be maintained during the excavation works between the Builder and Arborist. No filling or compaction shall occur over tree roots within 5m of the tree stem or the calculated TPZ. Root protection/ compaction mitigation in the form of planks or metal decking supported clear of the ground

fixed to scaffolding is to be installed as required.

Reason: To protect and retain trees proposed for retention.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Tree protection measures to be Certified as Complete

Prior to the commencement of construction works, all tree protection recommendations in particular the establishment of tree protection zone fencing as specified in the approved Arborist Report "Arboricultural Impact Assessment & Tree Protection Plan" prepared by The Ents Tree Consultancy, and further to the report the retention of Tree 17 and Tree 18, are to be certified by the consulting arborist as being adequate and in accordance with the specifications of AS 4970 ~ 2009 Protection of Trees on Construction Sites. Certification is to be provided to the certifying body prior to the issue of the Occupation Certificate.

Reason: To ensure the retention of the Urban Forest/Natural Environment.

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

No Planting Environmental Weeds

No environmental weeds are to be planted on the site. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>).

Reason: Weed management.

Dead or Injured Wildlife

If construction activity associated with this development results in injury or death of a native mammal, bird, reptile or amphibian, a registered wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To mitigate potential impacts to native wildlife resulting from construction activity.