

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	Mod2021/0311
<b>Date:</b>	22/06/2021
<b>Responsible Officer</b>	Thomas Burns
<b>Land to be developed (Address):</b>	Lot 51 DP 1043879 , 3 Bakers Road CHURCH POINT NSW 2105

### 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 application seeks approval for changes to the form of the approved additions, together with the deletion of some aspects of the approved works.

Council's Natural Environment Unit - Biodiversity referral team have reviewed the application for consistency against the relevant environmental legislation and controls, including:

#### **Biodiversity Conservation Act 2016 (BC Act) Pittwater Development Control Plan (PDCP)**

- B4.3 Flora and Fauna Habitat Enhancement Category 2 Land

The proposed works appear to enter within the Tree Protection Zone (TPZ) of a 12m *Syzygium spp.* prescribed species within the front of the property. As no Arboricultural Impact Assessment has been submitted with the Mod, it is assumed that the this tree is to be retained. If this tree cannot be retained, or is required to be removed as result of damage caused during construction it must be replaced with a suitable replacement species.

Subject to conditions the Bushland and Biodiversity referral team find the application to be consistent against relevant environmental 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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

**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 protect native wildlife.

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

**Replacement of Canopy Trees**

The proposed works appear to enter within the Tree Protection Zone (TPZ) of a 12m *Syzygium* spp. prescribed species within the front of the property. If this tree cannot be retained, or is required to be removed as result of damage caused during construction it must be replaced with a suitable replacement species. Species are to have a minimum mature height of 8.5m and be consistent with Council's Native Gardening Guide.

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.

Replacement plantings are to be certified as being completed in accordance with these conditions of consent by a qualified landscape architect, and details submitted to the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To establish appropriate native landscaping.

**No Weeds Imported On To The Site**

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan 2019 – 2023) are to be imported on to the site prior to or during construction works.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority 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**

**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.