

Natural Environment Referral Response - Biodiversity

Application Number:	DA2022/1697
Date:	14/11/2022
Responsible Officer	Brittany Harrison
Land to be developed (Address):	Lot 4 DP 830414 , 197 McCarrs Creek 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 proposal has been assessed against the following provisions:

- SEPP (Resilience and Hazards) 2021 s 2.8 Littoral rainforest proximity area
- Pittwater LEP 2014 - cl. 7.6 Biodiversity protection
- Pittwater 21 DCP - cl. B4.18 Heathland/Woodland vegetation

The proposal seeks consent for alterations to a dwelling including a new swimming pool. The arboricultural report provided with the application concludes that if the proposed development were to proceed three trees (15, 21 and 24) will suffer minor encroachments into the Tree Protection Zone (TPZ) and one tree (16) will have major TPZ encroachment. The report recommends the removal of trees 11 (dead), 21 (poor structure and low retention rating) and 22 (within building footprint). Tree 22 has also been deemed to have a medium retention value.

As specified in the Landscape Referral Response (27/10/2022) tree 22 could be retained with modifications to the design. It is recommended that the applicant consider minor design modifications to enable retention of tree 22, or alternatively provide further information on why removal of tree 22 is unavoidable.

The proposal is therefore unsupported.

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****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.

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 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 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**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.