

Natural Environment Referral Response - Biodiversity

Application Number:	DA2022/0084
Date:	08/06/2022
Responsible Officer	Claire Ryan
Land to be developed (Address):	Lot 114 DP 8394 , 73 Marine 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

Revised Comments

As detailed within the Landscape Referral, the amended design including changes to the proposed tree removals and tree retentions has been provided. The proposed conditions identify at least six tree replacements and a tree transplant methodology. While the amended development includes residual impacts that cannot be reasonably avoided, the development is designed, sited and will be managed to minimise that impact, and includes suitable impact mitigation measures.

Original Comments

The proposed development has been assessed against the objectives and controls of P21 DCP B4.22 Preservation of Trees and Bushland Vegetation, and State Environmental Planning Policy (Resilience and Hazards) 2021 cl. 2.10 Development on land within the coastal environment area. The PLEP cl7.6 Biodiversity and P21 DCP B4.6 Wildlife Corridors only apply to the portion of the site zoned C2, and limited works within this area are proposed and a significant impact to biodiversity unlikely.

The development should be designed, sited and managed to avoid adverse impacts on remnant native vegetation, including canopy trees and understorey vegetation, and on remnant native ground cover species. Development must also avoid any impact on trees on public land.

As identified within the Landscape Referral, the driveway results in loss of tree canopy within the road reserve and within the property boundary. The development will result in a net loss of trees and native vegetation, and does not comply with the relevant planning controls. Alternate designs should be considered to retain additional trees. Where the applicant demonstrates that no reasonable alternative design exists and a tree must be removed, suitable compensatory tree planting is required.

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 Certifying Authority prior to issue of Construction Certificate.

Reason: To protect native vegetation.

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

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.