

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2021/0240
<b>Date:</b>	14/04/2021
<b>Responsible Officer</b>	Thomas Prosser
<b>Land to be developed (Address):</b>	Lot 1 DP 1257769 , 70 A Kens Road FRENCHS FOREST NSW 2086

### 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 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)** **Warringah Local Environmental Plan (WLEP)** **Warringah Development Control Plan (WDCP)**

- Clause E2 Prescribed Vegetation
- Clause E4 Wildlife Corridors
- Clause E6 Retaining unique environmental features

The application seeks to remove twenty (20) native trees (Hugh the Arborist 2021):

- 1 *Banksia serrata*
- 11 *Allocasuarina littoralis*
- 1 *Eucalyptus haemostoma*
- 3 *Eucalyptus microcorys*
- 1 *Eucalyptus robusta*
- 1 *Corymbia gummifera*
- 1 *Banksia ericifolia*
- 1 *Melaleuca spp.*

12 trees on site are to be retained. The proposal also requires the establishment of an Asset Protection

Zone (APZ) over the remainder of native vegetation within the site (Bushfire Management Consultants 2020).

A site inspection was undertaken by Council's Biodiversity Officer. The site has been subject to historical clearing, and significant disturbance and weed cover was present. As building envelope has been located in the area of disturbance, and avoidance of tree removal through sensitive design appears to have been utilised. 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.

#### **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.

#### **Clearing for Asset Protection Zones**

Clearing of vegetation during works for APZ establishment must only occur within the surveyed and marked APZ boundaries. No clearing is to be undertaken outside of the APZ boundaries.

Written certification of compliance is to be submitted to the Principal Certifying Authority.

Reason: To protect native vegetation and wildlife.

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

#### **Certification of Landscape Plan**

Landscaping is to be implemented in accordance with the approved Landscape Plans (IScape Landscape Architecture 2020) and these conditions of consent.

Details demonstrating compliance are to be prepared by the landscape architect and provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.

**No Weeds Imported On To The Site**

No Priority or environmental weeds 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.

**Priority Weed Removal and Management**

All Priority weeds and *Cotoneaster spp.* within the property are to be removed.

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 weeds.