

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2019/0261
<b>Responsible Officer</b>	Phil Lane
<b>Land to be developed (Address):</b>	Lot 43 DP 6195 , 33 Hillcrest Avenue MONA VALE NSW 2103

### 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

#### Updated Biodiversity Comments (12 August 2019)

This updated assessment is based on additional information provided in the amended Arborist Report (Waratah Eco Works, July 2019). The report identifies six protected native trees to be removed. In order to achieve consistency with the objectives of Pittwater DCP Clause B4.5 (Landscape and Flora and Fauna Enhancement Category 3 Land), protected native trees approved for removal are to be replaced with at least eight locally native trees. Amendments to the submitted Landscape Plan will be conditioned, including deletion of potential environmental weeds (e.g. *Raphiolepis*).

The existing dwelling and associated structures appear to have been uninhabited for a period of time and may therefore be providing habitat for wildlife (e.g. possums, microbats). A pre-demolition ecologist's survey will therefore be conditioned to prevent death and injury of any wildlife which may be sheltering within the existing structures.

#### Biodiversity Comments (30 May 2019)

The proposed development has been assessed against the following provision:

- PDCP B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land

Compliance with the controls of this provision is dependent upon measures to avoid, minimise and offset impacts to existing native vegetation (predominantly canopy trees at this site). As identified by Council's Senior Landscape Architect, the application does not identify trees proposed for removal nor does it include provisions for appropriate replacement plantings.

In accordance with Landscape comments, the following is required in order to assess compliance with the controls:

An updated Arboricultural Impact Assessment, prepared by a qualified AQF5 arborist. The report must include the following information:

- a discussion of all options relating to tree retention or removal, including construction techniques to minimise impacts upon root systems,
- justification for tree removal,
- if required, a tree construction impact statement and recommendations for construction methodology,
- demonstrate compliance with the relevant Australian Standards.

The arborist is to review architectural and engineering plans submitted for the DA, and is to be aware of any and all earthworks proposed on site.

### **Referral Body Recommendation**

Recommended for approval, subject to conditions

### **Recommended Natural Environment Conditions:**

## **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**

### **Landscaping**

An Amended Landscape Plan is to be submitted that, in addition to any information required to achieve consistency with Pittwater DCP C1.1 (Landscaping), shall meet the following requirements:

- any new native trees to be planted on site are to be selected from the Shale Slopes species list in the Pittwater Native Gardening Guide available on Council's website.
- At least 60% of understory planting is to be selected from the Shale Slopes species list in the Pittwater Native Gardening Guide available on Council's website.

The Amended Landscape Plan shall be issued to the Certifying Authority with a design statement that the above conditions are satisfied in the Amended Landscape Plan.

**Reason:** To achieve consistency with relevant Natural Environment controls.

## **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

### **Pre-clearance Survey Required**

All structures proposed for demolition and removal are to be surveyed for wildlife by a suitably qualified ecologist prior to commencement of demolition works. Any wildlife found within structures proposed for demolition are to be safely relocated by the consulting ecologist to an appropriate site, taking into account habitat requirements, territoriality behaviour and health of the animal to be relocated.

The consulting ecologist is to provide a written statement confirming compliance with the above requirements to the Principal Certifying Authority prior to issue of the Occupation Certificate.

**Reason:** To avoid injury or death of any wildlife sheltering within structures proposed for removal.

## **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.

**Works to cease if item found**

If any Aboriginal Engravings or Relics are unearthed all work is to cease immediately and the Aboriginal Heritage Office (AHO) and Office of Environment and Heritage (OEH) are to be notified.

**Reason:** To protect Aboriginal Heritage.

**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 or ecologist must be contacted for advice.

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

**Fencing for Wildlife Passage**

Any new fencing (with the exception of swimming pool fencing) is to be made passable to native wildlife. Hole dimensions are to be a minimum of 150mm wide x 100mm high at ground level spaced at 6 metre intervals.

**Reason:** Management of wildlife corridors