

Natural Environment Referral Response - Biodiversity

Application Number:	DA2020/0246
Date:	14/08/2020
Responsible Officer	Tony Collier
Land to be developed (Address):	Lot 132 DP 24360 , 132 Elanora Road ELANORA HEIGHTS NSW 2101 Lot 133 DP 24360 , 130 Elanora Road ELANORA HEIGHTS NSW 2101

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 Referral (14 August 2020)

This updated referral comment is based on amended plans and additional information received by the Biodiversity Referral Body on 14 August 2020. The amended proposal appears to be consistent with the extent of tree removal previously proposed. Therefore, no further biodiversity comments or conditions are required.

Biodiversity Referral

The proposed development has been assessed against the objectives of Pittwater DCP Clause B4.5 (Landscape and Flora and Fauna Enhancement Category 3 Land). Compliance with this control is contingent upon measures to retain protected native trees. It is noted that Council's Landscape Referral Body have recommended conditions of consent relating to tree protection, including reference to provisions for appropriate replacement planting at the dwelling DA stage. Subject to application of these conditions, it is considered that the proposal is generally consistent with the control.

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 SUBDIVISION WORKS

CERTIFICATE

No Clearing of Vegetation

Unless otherwise exempt, no vegetation is to be cleared prior to issue of a Subdivision Works Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to issue of Subdivision Works Certificate.

Reason: To protect native vegetation in accordance with relevant Natural Environment LEP/DCP controls.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Impacts to Protected Native Wildlife

Trees approved for removal are to be inspected for native wildlife by a qualified ecologist prior to any tree works. If native wildlife is found within trees to be removed, the ecologist is to safely relocate the animal to an appropriate location and/or registered wildlife rescue and rehabilitation organisation. Any incidents in which native wildlife are relocated, injured or killed as a result of works are to be recorded, in addition to details of any action taken in response. Written evidence of compliance (including records of inspections and any wildlife incidents) is to be prepared by the project ecologist and provided to the Principal Certifying Authority prior to issue of the Subdivision Certificate.

Reason: To protect native wildlife in accordance with Section 2.1 of the NSW Biodiversity Conservation Act 2016.

CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF ANY STRATA SUBDIVISION OR SUBDIVISION CERTIFICATE

Install nest boxes

A minimum of one nest box per new lot is to be installed in retained trees. Nest box design (i.e. target species) is to be in accordance with recommendations of a qualified ecologist. Nest boxes must be constructed, designed and attached in accordance with industry best practice (e.g. expandable tree sensitive methods). Written certification of compliance is to be prepared by the Project Ecologist and submitted to the Certifying Authority prior to issue of the Subdivision Certificate.

Reason: To maintain wildlife habitat in accordance with relevant Natural Environment LEP/DCP controls.