

Natural Environment Referral Response - Biodiversity

Application Number:	DA2022/1425
Proposed Development:	Demolition works, construction of a dwelling house with partial retention of existing structure and new swimming pool
Date:	26/04/2023
Responsible Officer	Jordan Davies
Land to be developed (Address):	Lot 1 DP 395093 , 132 A Queens Parade East NEWPORT NSW 2106

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

Biodiversity Referral (26 April 2023)

The additional information has been reviewed. The submitted arborist report identifies nine (9) trees for removal, all of which are exempt exotic species. No objection is raised to the removal of these trees from a biodiversity perspective, however further assessment against the requirements of PDCP C1.1 (Landscaping) may be appropriate. Amendments to the submitted landscape plan are required to achieve consistency with PDCP B4.5; this includes removal of Plumeria and Cupaniopsis which are either not native or are on the exempt list.

Biodiversity Referral (16 November 2022)

There is insufficient information to assess the proposal for compliance with the applicable biodiversity control, namely Pittwater DCP Clause B4.5 'Landscape and Flora and Fauna Enhancement Category 3 Land'.

In accordance with PDCP B4.5:

- Development shall retain and enhance habitat for threatened species, endangered populations, endangered ecological communities and locally native species
- Development shall provide flora and fauna habitat by active restoration, regeneration, and/or creation.
- Development shall result in no significant onsite loss of canopy cover or a net loss in native canopy trees.

The submitted plans identify a number of trees proposed for removal, however no arboricultural impact

assessment has been submitted to justify their removal. In addition, no landscape plan has been submitted to demonstrate how trees proposed for removal will be compensated for through new tree planting.

The following information is required to be submitted:

- Arboricultural impact assessment, prepared by a minimum AQF Level 5 arborist, which assess all trees proposed for removal and those within 5m of works, and provides justification for those proposed to be removed.
- Landscape plan which identifies the locations, sizes and species of replacement tree plantings, provided to compensate for prescribed trees proposed for removal. New tree plantings must be locally native (refer to the Native Planting Guide for the Pittwater Ward, available on Council's website).

In addition, it is noted that the Pittwater DCP Clause C1.1 'Landscaping' also applies to the site and that assessment by the Landscape referral body may therefore be 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

Amendment of Landscape Plans

The submitted Landscape Plan is to be amended in accordance with the following:

- Trees 1 (*Plumeria*) and 2 (*Cupaniopsis*) are to be replaced with one or two locally native tree species listed in the Pittwater Ward Native Planting Guide, available on Council's website.

The amended Landscape Plan is to be certified by a qualified landscape architect and provided to the Certifier prior to issue of the Construction Certificate.

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

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.

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.