

Natural Environment Referral Response - Biodiversity

Application Number:	DA2021/0052
Date:	19/03/2021
Responsible Officer	Gareth David
Land to be developed (Address):	Lot B DP 396339 , 11 Hilltop Road 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

Council's biodiversity referrals team have assessed the Development Application for compliance against the following applicable biodiversity related provisions:

- Pittwater LEP cl. 7.6 Biodiversity Protection
- Pittwater 21 DCP cl. B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community

As stated within the Statement of Environmental Effects (SEE) submitted with the application, the proposal seeks approval to demolish existing house and self-contained flat to rebuild a new three-level dwelling with a pool and self-contained flat on the ground floor. From review of the Architectural Plans, no prescribed trees are proposed for removal, however some small vegetation under 5m in height is proposed for removal. Due to their size, these trees are considered exempt and do not need Council consent for removal.

Upon review of the Landscape Plan submitted with the application, Council's biodiversity referrals team support the additional planting of two (2) *Corymbia maculata* and two (2) *Elaeocarpus reticulatus* as well as other native species within the site. This additional planting will contribute to the restoration and/or regeneration of Pittwater Spotted Gum Endangered Ecological Community as required under cl. B4.7 of the P21DCP.

Subject to these conditions of consent, Council's biodiversity referral team are satisfied that the proposed development complies with the applicable controls listed above and therefore raise no objections.

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

Certification of Landscape Plan

Landscaping is to be implemented in accordance with the approved Landscape Plans and these conditions of consent.

Details demonstrating compliance are to be prepared 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.

New Vegetation Planting

Planting is to be undertaken in accordance with the approved Landscape Plan.

Tree plantings are to have a minimum mature height of 8.5m and are to be retained for the life of the development and/or for their safe natural life. Trees that die or are removed must be replaced with another locally native canopy tree.

Details demonstrating compliance are to be provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.

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

No Weeds Imported On To The Site

No Priority or environmental weeds (as specified on the NSW WeedWise website) 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.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**Replacement of Canopy Trees**

Tree replacement plantings required under this consent are to be retained for the life of the development and/or for their safe natural life.

Trees that die or are removed must be replaced with another locally native canopy tree.

Reason: To replace locally native trees.