

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2024/1376
<b>Proposed Development:</b>	Subdivision of one lot into two including demolition works, new driveway and carport
<b>Date:</b>	22/11/2024
<b>Responsible Officer</b>	Dean Pattalis
<b>Land to be developed (Address):</b>	Lot G DP 408223 , 7 Cooleena 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

#### Original Comments

Council's Biodiversity Referrals team have assessed the Development Application for compliance against the following applicable provisions:

- Pittwater LEP 2014 cl. 7.6 Biodiversity Protection
- Pittwater 21 DCP cl. B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor

An Arboricultural Impact Assessment (Advanced Treescape Consulting, August 2024) was submitted with the application which identifies the tree removal required for the proposed subdivision application. The Arborist identified that Tree 4 (*Schinus molle*) and Tree 7 (*Toona ciliata*) require removal from within the current lot. No objection in relation to the removal of these trees subject to replacement at a 1:1 ratio within the site. It is noted that *Schinus molle* is an environmental weed listed under the NSW Biosecurity Act 2015.

The Ecology Report (Kingfisher Urban Ecology and Wetlands, May 2023) is noted, however does not provide an assessment of the current application.

Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species listed in Native Plants for Your Garden available on the Pittwater Council website). Landscaping is to be outside areas of existing bushland and should not include environmental weeds. Landscaping must also include at least 2 native canopy trees to fulfil the replacement planting ratio.

No objection in relation to biodiversity, subject to recommended conditions.

### **Amended Comments**

It is noted that Council's Landscape referrals team have conditioned the retention of Tree 7 (*Toona ciliata*), and as such amendments are made to the biodiversity conditions with regard to tree replacement.

Landscaping is to include at least 1 native canopy tree to fulfil the replacement planting ratio.

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 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 licensed 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.

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

##### **Replacement of Canopy Trees**

At least 1 locally native canopy trees are to be planted on the site to replace protected trees approved for removal. Species are to have a minimum mature height of 8.5m and be consistent with the Native Planting Guide available on Council's website.

Tree plantings 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.

Replacement plantings are to be certified as being completed in accordance with these conditions of consent by a qualified landscape architect, and details submitted to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To establish appropriate native landscaping.

##### **No Weeds Imported On To The Site**

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management

Plan) 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.

## **CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF ANY STRATA SUBDIVISION OR SUBDIVISION 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 Certifier prior to issue of Subdivision Works Certificate.

Reason: To protect native vegetation.