

Natural Environment Referral Response - Biodiversity

Application Number:	DA2022/0189
Date:	01/04/2022
Responsible Officer	Julie Edwards
Land to be developed (Address):	Lot 10 DP 12130 , 15 Ingleside Road INGLESIDE 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

The application seeks approval for the construction of a new dwelling & pool and the establishment of an Asset Protection Zone (APZ) over the entirety of the site in perpetuity.

Council's Natural Environment Unit - Biodiversity referral team have reviewed the application for consistency against the relevant environmental legislation and controls, including:

Biodiversity Conservation Act 2016 (BC Act) **Pittwater Local Environmental Plan (PLEP)**

- 7.6 Biodiversity Protection

Pittwater Development Control Plan (PDCP)

- B4.13 Freshwater Wetlands (non Endangered Ecological Communities)
- B4.14 Development within the vicinity of wetlands
- B4.18 Heathland/Woodland Vegetation

The application requires the removal of two trees, both of which benefit from the 10/50 clearing eligibility, and do not require Council approval.

Generally, no objection is raised to the proposed planting list within the submitted Landscape Plan (Contour 2021), noting the requirements of the Asset Protection Zone, however tree plantings must be locally-indigenous in accordance with B4.18 of the PDCP. Therefore, *Corymbia maculata* is to be replaced with an equivalent non-flammable smooth bark tree (i.e. *Eucalyptus punctata*, *Eucalyptus haemostoma* or *Angophora costata*).

Subject to conditions the Bushland and Biodiversity referral team find the application to be consistent against relevant environmental controls.

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:

- Deletion of *Corymbia maculata*
- Replacement with either *Eucalyptus punctata*, *Eucalyptus haemostoma* or *Angophora costata*

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

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

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.

Clearing for Asset Protection Zones

Clearing of vegetation during works for APZ establishment must only occur within the surveyed and marked APZ boundaries. No clearing is to be undertaken outside of the APZ boundaries.

Written certification of compliance is to be submitted to the Principal Certifying Authority.

Reason: To protect native vegetation and 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 (Contour Landscape Architecture 2021) and these conditions of consent.

Details demonstrating compliance are to be prepared by the landscape architect 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.

Clearing for Asset Protection Zones

Clearing of vegetation for APZ establishment must only occur within the surveyed and marked APZ boundaries. No clearing is to be undertaken outside of the APZ boundaries.

Written certification of compliance is to be submitted to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Reason: To protect native vegetation and wildlife.

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 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

Protection of Habitat Features

All natural landscape features, including any rock outcrops, native vegetation, soil and/or watercourses, are to remain undisturbed except where affected by necessary works detailed on approved plans.

Reason: To protect wildlife habitat.

Maintenance of Asset Protection Zones

Vegetation clearing for ongoing APZ maintenance must only occur within the surveyed and marked APZ boundaries. No clearing is to be undertaken outside of the APZ boundaries.

Reason: To protect native vegetation and wildlife.