

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2021/1673
<b>Date:</b>	07/10/2021
<b>Responsible Officer</b>	Phil Lane
<b>Land to be developed (Address):</b>	Lot 1 DP 392257 , 8 Bungan Head Road 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

The application seeks approval for the to an existing residential dwelling. Alterations include the minor demolition is site structures in order to facilitate additions which are inclusive of a deck extension on both the upper and lower floors, as well as a new entertainment room, outdoor bar, spa and swimming pool. 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 Development Control Plan (PDCP)**

- B4.3 Flora and Fauna Habitat Enhancement Category 2 Land

The submitted Arboricultural Impact Assessment Report (Raintree 2021) notes that no trees are required for removal to facilitate the application, however concludes: *"Overall construction impacts are likely to be high with topography and soil conditions indicating tree vitality would likely be difficult to maintain or improve given extent of works proposed"* with regard to Tree 1 (*Corymbia maculata*) a "High retention-value" tree (Raintree 2021).

Commentary provided by Council's Landscape Referral team is noted and supported. Alternate design options should be explored by the applicant that will not compromise the long-term vitality of Tree 1 in order to satisfy B4.3 of the Pittwater DCP:

- Development shall not result in a significant onsite loss of canopy cover or a net loss in native canopy trees

Subject to the retention and minimisation of TPZ encroachment of Tree 1 (*Corymbia maculata*) Council's 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**

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

**Protection of Habitat Features**

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

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

Reason: To protect wildlife habitat.

**New Vegetation Planting**

Any new landscaping is to incorporate a minimum 60% locally native vegetation species as a proportion of the total number of plants. Locally native species are to be consistent with the relevant section of the Native Gardening Booklet available on Council's website.

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 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.