

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2021/1527
<b>Date:</b>	27/09/2021
<b>Responsible Officer</b>	Adam Croft
<b>Land to be developed (Address):</b>	Lot 174 DP 873902 , 122 Clontarf Street NORTH BALGOWLAH NSW 2093

### 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 controls:

- Warringah DCP cl. E2 Prescribed Vegetation
- Warringah DCP cl. E5 Native Vegetation
- Warringah DCP cl. E6 Retaining Unique Environmental Features

The Development Application seeks consent for the construction of a new dwelling house within a vacant lot.

An Arboricultural Impact Assessment has been submitted with the application, which recommends the removal of ten (10) native, prescribed trees in order to facilitate the proposed development. Of these prescribed trees, two (2) are noted as having a high retention value; Tree 2 and Tree 11. These trees are to be replaced through replanting of two (2) native canopy trees which is to be incorporated within the Landscape Plan.

The Arborist has identified hollows within Tree 12, and as a result two (2) nest boxes are to be erected in trees proposed for retention within the site to ensure the site continues to provide suitable habitat for native fauna. Tree hollows from within Tree 12 should be salvaged and returned to the site in garden areas to continue providing habitat for fauna.

Subject to conditions, the Biodiversity referrals 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.

**Installation of Nest Boxes**

A minimum of two (2) nest boxes suitable for native fauna species are to be installed in retained trees / throughout the trees within areas of retained native vegetation / on the site.

Nest boxes must be attached in accordance with industry best practice (e.g. expandable tree sensitive methods).

Written certification of compliance is to be prepared by the Project Ecologist and submitted to the Certifying Authority prior to issue of the Construction Certificate.

Reason: To maintain wildlife habitat.

**CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

**Impacts to Protected Native Wildlife**

Habitat for native wildlife including Tree 12 is to be inspected for native wildlife prior to removal. If native wildlife is found within habitat to be removed, a registered wildlife rescue and rehabilitation organisation must be contacted for advice.

Any incidents in which native wildlife are injured or killed as a result of works are to be recorded, in addition to details of any action taken in response.

Written evidence of compliance (including records of inspections and any wildlife incidents) is to be provided to the Principal Certifying Authority.

Reason: To protect native wildlife.

**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.

**Fauna and Tree Hollow Relocation**

The Project Ecologist is to be present to:

- a) relocate any displaced fauna that may be disturbed during any tree clearance and/or construction works; and
- b) direct the project arborist to salvage any tree hollows within the development area and place them within areas of retained native vegetation on the site.

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 (Eco Design, June 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.

**Replacement of Canopy Trees**

At least two (2) locally native canopy trees are to be planted on site to replace protected trees approved for removal. Species are to have a minimum mature height of 8.5m and be consistent with Council's Native Gardening Guide.

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 Certifying Authority 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 2021 – 2026) 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.

**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.