

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2023/0083
<b>Proposed Development:</b>	Demolition works and construction of a dwelling house including swimming pool and boatshed
<b>Date:</b>	06/03/2023
<b>Responsible Officer</b>	Thomas Prosser
<b>Land to be developed (Address):</b>	Lot 9 DP 17704 , 24 Cabarita Road AVALON BEACH NSW 2107 Lot LIC 396153 , 24 Cabarita 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

The proposal seeks approval for demolition works and construction of a dwelling house including swimming pool and boatshed.

The comments on this referral relate to the following controls and provisions:

- SEPP (Resilience and Hazards) - Chapter 2 Development within the coastal environment
- Pittwater LEP 2014 - Clause 7.6 Biodiversity Protection
- Pittwater 21 DCP - Clause B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community

The proposal has been submitted with an accompanying Arborist Impact Assessment (AIA) that has recommended the removal of trees 1 (*Portulacaria afra*), 2 (*Grevillea robusta*) and 3 (*Olea europaea* spbsp. *cuspidata*) which are exempt under current Northern Beaches Council tree preservation orders. The AIA has also recommended a range of protection measures to be in place to allow retention of trees 4-10 which are located outside of the site. Request for consent might have to be sought and the decision will lie with the assessing officer.

The proposal has also been submitted with a Landscape proposal with a planting schedule that will need to be amended in order to comply with PDCC B4.7 as it includes a range of exotic species that are non-compliant as well as species identified as weeds in the Northern Beaches Council Local Priority Weeds Management Plan.

As per PDCC B.47 "Development shall ensure that at least 80% of any new planting incorporates native

vegetation (as per species found on the site or listed in Pittwater Spotted Gum Endangered Ecological Community)."

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**

#### **Landscape Plan**

A Landscape Plan is to be prepared which includes a minimum of 80% locally native species as a proportion of the total number of plants. Locally native species are to be consistent with Pittwater Spotted Gum Forest Endangered Ecological Community the relevant section of the Native Gardening Booklet available on Council's website.

The Landscape Plan is to be prepared by a suitably qualified landscape architect and provided to the Certifier prior to issue of the Construction Certificate.

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

### **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 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**

#### **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.