

Natural Environment Referral Response - Biodiversity

Application Number:	DA2020/1583
Date:	03/02/2021
Responsible Officer	Kent Bull
Land to be developed (Address):	Lot 122 DP 17189 , 1 Whale Beach 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

Council's biodiversity referrals team have assessed this development application for compliance against the following relevant provisions:

- Pittwater LEP Clause 7.6 Biodiversity Protection
- Pittwater 21 DCP Clause B4.6 Wildlife Corridors
- Coastal Management SEPP Clause 11 Development on land in proximity to coastal wetlands

Three (3) prescribed trees are proposed for removal in accordance with the submitted Arborist Report (Treeism Arboricultural Services 2020), including the following:

- Tree 7 - *Syzygium smithii* (Common Lilly Pilly)
- Tree 9 - *Eucalyptus botryoides* (Bangalay)
- Tree 13 - *Eucalyptus punctata* (Grey Gum)

The removal of the three (3) prescribed trees will not constitute a significant loss of canopy cover or a net loss in native canopy trees, as six (6) prescribed canopy trees will remain within the site.

The submitted Landscape Plan (Discount Landscape Plans 2020) has prescribed that one (1) *Angophora costata* will be planted as a replacement canopy tree. An additional native canopy tree is also to be included in the Landscape Plan to compensate for the loss of prescribed canopy trees within the site. Replacement trees are to be of equivalent ecological value (i.e. *Eucalypt* species) selected from the Native Plant Species Guide - Pittwater Ward, which is available on the Council website <https://www.northernbeaches.nsw.gov.au/node/34932>).

The proposed application will not cause a significant impact on the biophysical, hydrological or ecological integrity of the proximal coastal wetland; or the quantity and quality of surface and ground water flows to and from the proximal coastal wetland, and as such, complies with cl. 11 of the Coastal Management SEPP.

On internal review, Councils biodiversity referrals team are satisfied that the proposed development is in compliance with the relevant provisions subject to these conditions of consent.

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 to include an additional native canopy tree to compensate for the loss of canopy trees within the site. All replacement trees are to be *Eucalypt* species selected from the Native Plant Species Guide - Pittwater Ward, which is available on the Council website <https://www.northernbeaches.nsw.gov.au/node/34932>).

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 TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Wildlife Protection and Rehabilitation

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 mitigate potential impacts to native wildlife resulting from construction activity.

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 amended Landscape Plan as per 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 Plant Species Guide - Pittwater Ward.

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 on the NSW WeedWise website) 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.