

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2024/0660
<b>Proposed Development:</b>	Alterations and additions to a dwelling house
<b>Date:</b>	25/06/2024
<b>Responsible Officer</b>	Nick England
<b>Land to be developed (Address):</b>	Lot 7 DP 17704 , 20 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 comments in this referral relate to the following applicable controls and provisions:

- NSW Biodiversity Conservation Act 2016
- SEPP (Resilience and Hazards) 2021 - Coastal Environment Area
- Pittwater LEP - Clause 7.6 Biodiversity Protection
- Pittwater DCP - Clause B4.7 Pittwater Spotted Gum Forest Endangered Ecological Community

The proposal has been submitted with an arboricultural impact assessment that has recommended the removal of two prescribed trees identified as Tree 5 (Coastal banksia - *Banksia integrifolia*) and Tree 6 (Tick bush - *Kunzea* spp.). No objections are raised subject to the inclusion of appropriate replacements in the submitted landscape plan.

Furthermore, a Landscape plan has been submitted with the application. However, amendments will be conditioned as the planting schedule has failed to comply with the requirements highlighted in the Pre-Lodgment Meeting advice in relation to DCP B4.7 where at least 80% of any new plantings must incorporate native vegetation listed in the Pittwater Spotted Gum Endangered Ecological Community. Additionally, any exempt species (i.e *Lagerstroemia indica*, *Brachychiton acerifolius*, and plants identified as weeds (i.e *Olea europea*) will need to be replaced with locally native alternatives.

Impacts to the marine environment will need to be assessed by the appropriate referral body.

The development is designed, sited and will be managed to avoid any significant adverse environmental impact.

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 Certifier prior to issue of Construction Certificate.

Reason: To protect native vegetation.

**Amendment of Landscape Plans**

The submitted Landscape Plan is to be amended in accordance with the following:

- 80% of any new planting incorporates native vegetation (as per species found on the site or listed in Pittwater Spotted Gum Endangered Ecological Community).
- Removal of all exempt species as identified on Council's website and replacement with a suitable locally native alternative:  
<https://www.northernbeaches.nsw.gov.au/environment/trees/exempt-tree-species-list>

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

Reason: To maintain and replace habitat 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 licensed wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To protect native wildlife.

**Protection of Habitat Features**

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

Reason: To protect wildlife habitat.

## **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.

## **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.

### **Control of Domestic Dogs/Cats**

Domestic dogs and cats are to be kept from entering wildlife habitat areas at all times.

Dogs and cats are to be kept in an enclosed area and/or inside the dwelling, or on a leash such that they cannot enter areas of wildlife habitat, bushland or foreshore unrestrained, on the site or on surrounding properties or reserves.

Reason: To protect native wildlife and habitat.