

Natural Environment Referral Response - Biodiversity

Application Number:	DA2023/1228
Proposed Development:	Demolition works and construction of a driveway with associated works.
Date:	08/09/2023
Responsible Officer	Simon Ferguson Tuor
Land to be developed (Address):	Lot 20 DP 1287976 , 232 A Barrenjoey Road NEWPORT NSW 2106 Lot 21 DP 1287976 , 230 Barrenjoey Road NEWPORT NSW 2106 Lot 2 DP 776719 , 228 Barrenjoey 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 proposal has been assessed against the following relevant biodiversity-related provisions:

- SEEP (Resilience and Hazards) - Littoral Rainforest Proximity Area
- Pittwater DCP B4.4 - Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor
- Pittwater DCP B4.17 - Littoral Rainforest Endangered Ecological Community

The submitted arboricultural assessment confirms that eleven prescribed native trees will be removed to facilitate the amended driveway layout, only one of which is assessed as having a high retention value. Retained native trees are to be protected in accordance with the consulting arborist's recommendations and Landscape referral body's conditions. In addition, all recommended mitigation measures outlined in the submitted flora and fauna assessment are to be implemented.

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

Preparation of a Tree Removal Protocol

The Project Ecologist is to prepare a Tree Removal Protocol which includes the provision of (at a minimum):

- a pre-clearance survey of trees and vegetation approved for removal
- direct supervision of tree and vegetation removal
- protocol for rescue of fauna
- protocol for salvaging of log and hollow sections of trees approved for removal
- protocol for relocation of log and hollow sections to a suitable location on site
- procedures for stop work and formal impact assessment in the event that threatened fauna species are found during the pre-clearance survey

The Tree Removal Protocol is to be submitted to the Principal Certifier prior to issue of the Construction Certificate.

Reason: To protect native wildlife.

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.

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

Compliance with Ecologist's Recommendations

All measures specified in Section 5 of the approved Flora and Fauna Assessment Report are to be implemented at the appropriate stage of development.

Written and photographic evidence of compliance is to be prepared by the Project Ecologist and provided to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To confirm compliance with wildlife and habitat protection/replacement measures.

Tree Removal Protocol to be Certified as Completed

The Project Ecologist is to provide written and photographic evidence of implementation and completion of the Tree Removal Protocol to the Principal Certifier prior to issue of Occupation Certificate.

Reason: To protect native wildlife.

Protection of Habitat Features – Certified by Ecologist

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.

Written details demonstrating compliance are to be certified by the Project Ecologist and provided to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To protect wildlife habitat.

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.