

Natural Environment Referral Response - Biodiversity

Application Number:	DA2020/1568
Date:	04/02/2021
Responsible Officer	Phil Lane
Land to be developed (Address):	Lot 3 DP 246147 , 24 John Street 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 Bushland and Biodiversity referral team have reviewed the application for consistency against the relevant environmental legislation and controls, including:

Biodiversity Conservation Act 2016 (BC Act)

State Environmental Planning Policy (Coastal Management)

- Proximity to Coastal Wetlands

Pittwater Local Environmental Plan (PLEP)

- 7.6 Biodiversity Protection

Pittwater Development Control Plan (PDCP)

- B4.6 Wildlife Corridors

The application seeks to remove two (2) prescribed trees, of which one is locally-indigenous (*Melaleuca quinquinervia*) and characteristic of the nearby Swamp Sclerophyll Forest - Endangered Ecological Community. *Melaleuca quinquinervia* is also considered an important foraging source for the vulnerable Grey-headed Flying-Fox.

The Bushland and Biodiversity referral team note the submitted Landscape Plan (Volker Klemm 2020) is comprised primarily of native species, which is generally supported by Council, however no replacement plantings for the removed *Melaleuca* are proposed.

Subject to conditions, including additional replacement plantings the Bushland and Biodiversity referral 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 Additional Clearing of Vegetation

Unless otherwise exempt, no vegetation other than Tree 10 and Tree 11 (Graham Brooks 2020) 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 and nearby Coastal Wetlands

Amendment of Landscape Plans

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

- Provision of at least one (1) advanced stock *Melaleuca quinquinervia* in replacement of Tree 11 (Graham Brooks 2020) proposed for removal.

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 and nearby Coastal Wetlands

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Dead or Injured Wildlife

The proponent must inspect the trees proposed for removal (Tree 10 & 11 ; Graham Brooks 2020), for habitat including birds nests and possum dreys. If present, the applicant must contact a registered wildlife rescue organisation for advice.

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.

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 (Graham Brooks 2020) 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.

No Weeds Imported On To The Site

No Priority or environmental weeds 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 into nearby sensitive environmental lands.