

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2024/0186
<b>Proposed Development:</b>	Construction of a dwelling house and associated driveway works
<b>Date:</b>	08/04/2024
<b>Responsible Officer</b>	Olivia Ramage
<b>Land to be developed (Address):</b>	Lot 25 DP 7593 , 34 Alleyne Avenue NORTH NARRABEEN NSW 2101

### 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:

- SEPP (Resilience and Hazards) 2021 - Coastal Environment Area
- Pittwater LEP - Clause 7.6 Biodiversity Protection
- Pittwater DCP - Clause B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor

The proposal has been submitted with an Arboricultural Impact Assessment (Arbor Express, July 2023) that has assessed the condition of 16 Trees and recommended the removal of all trees with the exception of Tree 14. The following is to be considered:

- Prescribed (protected) trees that are not directly impacted by the proposed works should be treated as a constraint and retained. Separate tree applications will have to be submitted to remove trees 2, 5, 6 and 10.
- Trees on the road reserve should be treated as constraints and the proposal should demonstrate that attempts to retain trees outside of the property boundary have been made. This matter is deferred to the appropriate referral team.
- As per the Landscape Referral, the removal of Tree 4 cannot be supported. If the tree is to be removed a letter of consent should be submitted with the application. This matter shall be determined by the assessing Planning officer.
- The removal of trees 7, 8, 9, 12, 13 can be supported as these are exempt species and their removal does not require Council's consent.

The submitted master plans show that only trees 7, 8, 9, 10 and 11 are to be removed. No objections are raised as to the removal of trees 10 and 11 subject to tree replacements being considered. The submitted landscape plan has considered a single tree replacement and therefore, an additional tree replacement will be conditioned to meet PDGP B4.4 requirements.

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.

**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**

**Native Landscaping**

Any new landscaping is to incorporate a minimum 60% locally native vegetation species as a

proportion of the total number of plants. Locally native species are to be consistent with the relevant section of the Native Planting Guide available on Council's website.

Details demonstrating compliance are to be provided to the Principal Certifier prior to issue of any Occupation Certificate.

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

### **Replacement of Canopy Trees**

At least 2 locally native canopy trees are to be planted on the site to replace protected trees approved for removal. Species are to have a minimum mature height of 8.5m and be consistent with the Native Planting Guide available on Council's website.

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 Certifier 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 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.

### **Priority Weed Removal and Management**

All Priority weeds (as specified in the Northern Beaches Local Weed Management Plan) within the development footprint are to be removed using an appropriate control method.

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 weeds.

## **ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**

### **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.