

Natural Environment Referral Response - Biodiversity

Application Number:	DA2023/1703
Proposed Development:	Construction of a dwelling house
Date:	30/11/2023
Responsible Officer	Clare Costanzo
Land to be developed (Address):	Lot 1 DP 242262 , 7 Sir Thomas Mitchell Drive DAVIDSON NSW 2085

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 seeks approval for the construction of a dwelling house.

The comments in this referral relate to the following applicable controls and provisions:

- Planning for Bushfire Protection 2019
- Warringah DCP Clause E2 Prescribed Vegetation
- Warringah DCP Clause E6 Retaining unique environmental features

The submitted Bushfire report has awarded a level of risk of BAL 12.5 to the site and recommended that the site be treated as an Asset Protection Zone in perpetuity. No objections are raised as this will not require any removal of vegetation. Current management practices have been found to be compliant with PBP 2019.

An arboricultural impact assessment has been submitted with the application. A total of 66 trees have been assessed and the removal of trees 24, 26, 27, 28, 29, 31, 33, 38, 39 and 40) has been recommended. Of these, T26 and T28 are both prescribed *Livistona australis* palms. No objections are raised as to the removal of tree 28 due to construction encroachments subject to its like for like replacement. This will be conditioned. However, the removal of tree 26 is not supported as it is not directly impacted by the construction, this tree will have to be retained.

The proposed landscape plan will have to be amended in order to remove plants identified as weeds under the Biosecurity Act 2015: *Murraya paniculata* has been identified as having a General Biosecurity duty across NSW.

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 Principal 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:

- Replacement of *Murraya paniculata* with a suitable alternative that does not have a Biosecurity duty on it or is not considered a weed under the Northern Beaches Local Priority Weeds Management Plan.

The Landscape Plan is to be amended by a qualified landscape architect and provided to the Principal 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

Replacement of Canopy Trees

At least 1 locally native canopy trees is 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.