

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2019/0449
<b>Responsible Officer</b>	Kelsey Wilkes
<b>Land to be developed (Address):</b>	Lot 14 DP 12297 , 9 Laurel Road East INGLESIDE 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

#### Revised Comments

The bush fire consultant Building Code & Bushfire Hazard Solutions Pty Limited, in a letter dated 27 June 2019, state that "he APZ's within the site meet the performance criteria of an APZ (IPA) and there is no tree removal necessary to establish the recommended Asset Protection Zones".

This addresses my previous concerns and the development is recommended for approval with conditions as it satisfies the relevant LEP and DCP objectives.

As the development will not result in the modification or removal of native vegetation the DCP control does not apply except for the following conditions,

- removal/ control of noxious and environmental weeds
- the planting two canopy trees or appropriate native vegetation (if currently lacking)
- appropriate management of domestic animals
- protection of vegetation or natural features to be retained for the life of the development

#### Original Comments

The Statement of Environmental Effects and the submitted Plans indicate that no trees or native vegetation will be removed, and this is correct with respect to the shed construction in isolation. However the Bushfire Hazard Assessment and terms of approval from the NSW RFS require that the entire site be managed as an APZ to Inner Protection Area standards.

As the site is mapped as Biodiversity under the PLEP 2014, and P21DCP controls related to Flora & Fauna, Wildlife Corridors, and native vegetation also apply, the impact of vegetation removal and/or

modification must be further assessed. The extent of works required to establish the required APZ should be quantified by the bushfire consultant. Depending on the works required, the impacts to trees, native vegetation and biodiversity values of the locality must be assessed in a flora & fauna assessment and/or Arborist Report prepared by suitably qualified consultants in accordance with P21DCP requirements.

### **Referral Body Recommendation**

Recommended for approval, subject to conditions

### **Recommended Natural Environment Conditions:**

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

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

No weeds are to be imported on to the site.

All invasive and priority weeds on the site are to be removed and managed continuously, in accordance with the Biosecurity Act 2015.

Details demonstrating the removal and management of weeds are to be prepared by the project ecologist in writing and submitted to the Principal Certifying Authority prior to occupation certificate.

**Reason:** Weed management and biosecurity

##### **Tree Planting**

At least two locally native canopy trees are to be planted onsite to replace trees approved for removal. Canopy tree species are to be as per the approved Landscape Plan, consistent with locally native species growing onsite and/or selected from the list pertaining to the vegetation community growing in the locality as per the vegetation mapping and native gardening booklet available on the Northern Beaches Council website. All native trees are to be retained for the life of the development, or for their safe natural life. Trees that die or are removed must be replaced with another locally native canopy tree. Tree replacement plantings are to be certified by the project arborist.

**Reason:** Tree replacement.

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

##### **Retention of Natural Features**

All natural landscape features, including natural rock outcrops, natural vegetation, soil and watercourses, are to remain undisturbed except where affected by necessary works detailed on approved plans.

**Reason:** To ensure the retention of natural features.

##### **Tree Retention**

In accordance with Pittwater 21 DCP Control B4.22 Protection of Trees and Bushland Vegetation, all existing trees as indicated in the Survey Plan shall be retained except where Council's prior written consent has been obtained, for trees that stand within the envelope of approved development areas and removal is approved through an arborist report. For all other tree issues not related to a development application, applications must be made to Council's Tree Management Officers.

**Reason:** To ensure the retention of the Urban Forest/Natural Environment.

**Works to cease if item found**

If any Aboriginal Engravings or Relics are unearthed all work is to cease immediately and the Aboriginal Heritage Office (AHO) and Office of Environment and Heritage (OEH) are to be notified.

**Reason:** To protect Aboriginal Heritage.

**Control of Domestic Animals**

Domestic pet animals are to be kept from entering wildlife habitat areas at all times. Dogs and cats are to be kept in an enclosed area or on a leash such that they cannot enter areas of bushland or foreshore, unrestrained, on the site or on surrounding properties or reserves. Ferrets and rabbits are to be kept in a locked hutch/run at all times.

**Reason:** Wildlife protection