

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2019/0756
<b>Responsible Officer</b>	Ashley Warnest
<b>Land to be developed (Address):</b>	Lot 1 DP 245276 , 36 Little Willandra Road CROMER NSW 2099

### 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

This application was assessed against Warirngah DCP E2 Prescribed vegetation, E4 Wildlife corridor and E6 Retaining unique environmental features.

The proposal is for the construction of a swimming pool in the rear of the yard. The SEE states, "*The above ground swimming pool and elevated deck will have a slight impact to several trees onsite and in the neighbouring council reserve. Attached to this DA is an Arborist report. The conclusion of this report states that the trees are all able to be viably retained and protected.*". The proposal plans do not show removal of any trees within the property.

The submitted Arboricultural Impact Assessment Statement (Ecological Consultants Pty Ltd, 28/06/2019) assesses 4 large trees within adjacent Council property to the east. The proposed pool works will result in minor TPZ encroachments to T1 and T2, both large *Angophora costata*. There will be no impacts to T3 and T4. The report includes tree protection measures to be implemented throughout construction.

The site survey shows many other trees within the property, none of which have been assessed by the Arborist. Any prescribed trees within the property are to be retained and protected during construction and for the life of the development. Any impacts to prescribed trees (including pruning) within the property may require further permits, assessment or consent.

Council's Natural Environment - Biodiversity section supports the application, subject to conditions.

### Referral Body Recommendation

Recommended for approval, subject to conditions

### Recommended Natural Environment Conditions:

DA2019/0756

## CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

### **Compliance with Arborist's Recommendations – Pre-construction**

All pre-construction tree protection measures specified in Section 4 and 5 of the submitted arborist report (Ecological Consultants Pty Ltd, 28/06/2019) and these conditions of consent are to be implemented at the appropriate stage of development.

The Project Arborist is to undertake direct supervision of the installation of all tree protection measures.

In addition, all prescribed trees within the property are to be retained and protected.

Compliance with pre-construction measures is to be certified by the project arborist and details submitted to the Principal Certifying Authority prior to issue of the Construction Certificate.

**Reason: To confirm compliance with tree protection/replacement measures in accordance with relevant Natural Environment LEP/DCP controls.**

### **Engage a Project Arborist**

A Project Arborist with a minimum of AQF Level 5 is to be appointed for the duration of the works. The Project Arborist is to implement pre-construction tree protection measures and direct supervision all works within 5m of significant trees.

Evidence demonstrating Project Arborist engagement is to be provided to the Principal Certifying Authority prior to the issue of Construction Certificate.

**Reason: Tree protection in accordance with relevant Natural Environment LEP/DCP controls**

## CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

### **Compliance with Arborist's Recommendations – During Construction**

All tree protection measures to be implemented during construction, as specified in Section 4 and 5 of the submitted arborist report (Ecological Consultants Pty Ltd, 28/06/2019) and these conditions of consent are to be implemented at the appropriate stage of development.

In addition, all prescribed trees within the property are to be retained and protected.

Compliance with these measures is to be certified by the project arborist in writing, including photographic evidence, and details submitted to the Principal Certifying Authority prior to issue of the Occupation Certificate.

**Reason: To confirm compliance with tree protection/replacement measures in accordance with relevant Natural Environment LEP/DCP controls.**

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

### **Compliance with Arborist's Recommendations – During and Post-construction**

All tree protection measures to be implemented, as specified in Section 4 and 5 of the submitted arborist report (Ecological Consultants Pty Ltd, 28/06/2019) and these conditions of consent are to be implemented at the appropriate stage of development.

The Project Arborist is to certify that all tree within the property and the 4 trees assessed within Council property have been retained and protected throughout construction.

Completion of arborist requirements and satisfactory establishment/initiation of post-construction measures is to be certified by the consulting arborist and details submitted to the Principal Certifying Authority prior to issue of the Occupation Certificate.

**Reason: To confirm compliance with tree protection/replacement measures in accordance with relevant Natural Environment LEP/DCP controls.**

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

### **Control of Weeds**

Prior to the completion of works, all priority weeds (as listed under the Biosecurity Act 2015) are to be removed/controlled within the subject site using an appropriately registered control method. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>). All environmental weeds are to be removed and controlled. Refer to Council website [http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds)

**Reason:** Weed management.

### **No Planting Environmental Weeds**

No environmental weeds are to be planted on the site. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>).

**Reason:** Weed management.

### **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.

### **Dead or Injured Wildlife**

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 mitigate potential impacts to native wildlife resulting from construction activity.

### **Domestic Animals Exclusion**

For the life of the development, cats are to be kept in a cat run and/or inside the dwelling such that they are prevented from entering wildlife habitat areas at all times. Dogs are to be kept in an enclosed area such that they cannot enter areas of bushland, unrestrained, on surrounding properties.

**Reason:** Wildlife protection

### **Fencing for Wildlife Passage**

Any new fencing (with the exception of swimming pool fencing) is to be made passable to native wildlife. Hole dimensions are to be a minimum of 150mm wide x 100mm high at ground level spaced at 6 metre intervals.

**Reason:** Management of wildlife corridors



northern  
beaches  
council