

Natural Environment Referral Response - Biodiversity

Application Number:	DA2024/1708
Proposed Development:	Demolition works and construction of a dwelling house including a swimming pool
Date:	13/01/2025
Responsible Officer	Anais Sarkissian
Land to be developed (Address):	Lot 20 DP 11978 , 2 A Allen Avenue BILGOLA BEACH NSW 2107 Lot A DP 379490 , 2 A Allen Avenue BILGOLA 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

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

- SEPP (Resilience and Hazards) 2021 - Littoral Rainforest and Proximity Area
- Planning for Bushfire Protection 2019
- Biosecurity Act 2015
- Pittwater LEP - Clause 7.6 Biodiversity Protection
- Pittwater DCP - Clause B4.6 Wildlife Corridors

The site is on land identified as proximity area for littoral rainforest and as such the development must not impact on the ecological integrity of the rainforest.

The proposal has been submitted with an arborist report that has recommended the removal of trees 10, 13 and 17 which are all exempt species by species or height. No objections are raised in relation to these removals subject to the appropriate replacements being planted on site.

As the site is identified on the bushfire prone land, a bushfire report has been submitted with the application. The report recommends that the property be treated as an Inner Protection Area and has awarded the site a Bushfire Attack Level of 12.5.

It is acknowledged that the submitted landscape plan increases available landscaping space. However, amendments to the submitted planting schedule will be conditioned to ensure that no weeds

are included in the planting schedule and that compliance with PDCP B4.6 is met. The DCP control requires that at least 60% of the species are locally native, and the Council website includes species list that can be used as a guide. The Landscape Plan is to be amended via condition to satisfy this requirement, as all native cultivars cannot be included in the percentage calculation.

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.

Amendment of Landscape Plans

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

- Removal of any plants identified as weeds under the Biosecurity Act 2015 (i.e. *Murraya paniculata*)
- 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.
- Native cultivars cannot be included in the 60% native vegetation requirements.

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

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.

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.