

Natural Environment Referral Response - Biodiversity

Application Number:	DA2019/0236
Responsible Officer	Julie Edwards
Land to be developed (Address):	Lot 42 DP 1009151 , 23 - 27 Calvert Parade NEWPORT NSW 2106

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 has been assessed against Pittwater DCP B4.18. The proposed works are predominantly internal works with minor extensions on the upper ground floor. No native trees are proposed for removal, however there are mature Banksia species at the front of the site within 5m of the proposed works. No Arborist report was provided to support the application. The Statement of Environmental Effects states, "*The proposal includes the removal of approximately 4sqm of vegetation.*" This minor impact is acceptable provided all trees are retained and protected throughout works.

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:

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

Preparation of a Tree Protection Plan

All existing trees within the property are to be retained and protected throughout the construction period.

A Tree Protection Plan is to be prepared by a qualified Arborist (minimum AQF 5), which clearly shows the Tree Protection Zones (TPZ) and Structural Root Zones (SRZ) of all trees within 5m of the works and those adjacent to the construction access. The Arborist is to nominate tree protection measures to be implemented and maintained throughout construction.

Compliance with pre-construction measures is to be certified by the project arborist in writing prior to issue of the Construction Certificate.

Reason: To confirm compliance with tree protection measures in accordance with relevant Natural Environment LEP/DCP controls. (DACNECPCC2)

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 the submitted arborist report/Tree Protection Plan and these conditions of consent are to be implemented at the appropriate stage of development.

Compliance with these measures is to be certified by the project arborist in writing, including photographic evidence, 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. (DACNEEDW1)

Protection of Trees To Be Retained

All existing trees within the property and on adjoining lands (except exempt trees) which are not approved for removal are to be retained. The following general tree protection measures are to be complied with:

- no tree roots greater than 50mm diameter are to be cut from protected trees unless authorised by the project arborist;
- all structures are to bridge tree roots greater than 50mm diameter unless directed otherwise by the project arborist;
- all tree protection measures are to be in accordance with AS4970-2009 'Protection of Trees on Development Sites';
- all tree pruning within the subject site is to be in accordance with AS 4373-2007 'Pruning of Amenity Trees' and AS4970-2009 'Protection of Trees on Development Sites';
- all tree protection measures are to be in place prior to commencement of works.

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

Reason: To protect trees proposed for retention in accordance with controls. (DACNEEDW2)

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

Compliance with Arborist's Recommendations – Post-construction

All tree protection measures to be implemented, as specified in the submitted arborist report/Tree Protection Plan and these conditions of consent are to be implemented at the appropriate stage of development.

Satisfactory establishment/initiation of post-construction measures is to be certified by the consulting arborist 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. (DACNEFPOC1)

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

Reason: Weed management.

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 all other tree issues not related to a development application, applications must be made to Council's Tree Management Officers.

Reason: To protect native vegetation, wildlife and habitats in accordance with relevant Natural Environment LEP/DCP controls. (DACNEGOG1)

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.