

Natural Environment Referral Response - Biodiversity

Application Number:	DA2024/0784
Proposed Development:	Alterations and additions to a dwelling house including a carport
Date:	15/07/2024
Responsible Officer	Brittany Harrison
Land to be developed (Address):	Lot 7 DP 21259 , 52 Elvina Avenue AVALON 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 proposal is assessed against the following:

- NSW Biodiversity Conservation Act 2016
- Pittwater LEP Clause 7.6 - Biodiversity Protection
- Pittwater DCP Clause B4.7 - Pittwater Spotted Gum Forest Endangered Ecological Community

Portions of the subject site are identified on the NSW Biodiversity Values Map (BV Map) where Pittwater Spotted Gum Forest EEC occurs. Any development which results in impacts to native vegetation within the BV Map area will trigger entry into the NSW Biodiversity Offsets Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR). One tree (Tree 11) is proposed for removal, however as this tree is outside of the BV Map area and is exempt by proximity to an approved dwelling, the Biodiversity referrals body raises no objections to its removal. All other trees on site are to be retained and protected throughout construction, as per the mitigation measures of the submitted arboricultural report and Landscape referral.

Furthermore, the submitted bushfire report states that: "An APZ is not required as the nearest bushfire hazard is located more than 100m from the subject land. Additional APZ establishment is not required for the proposal". Therefore there will be no additional vegetation impacts arising from any new APZ establishment.

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.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Pre-clearance Survey

Any habitat for native wildlife (including tree hollows) approved for removal is to be inspected for native wildlife prior to its removal. If native wildlife is found within habitat to be removed, a licensed wildlife rescue and rehabilitation organisation must be contacted for advice.

Any incidents in which native wildlife are injured or killed as a result of works are to be recorded, in addition to details of any action taken in response.

Written evidence of compliance (including records of inspections and any wildlife incidents) is to be provided to the Principal Certifier prior to any Occupation Certificate.

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 Spotted Gum

At least one Spotted Gum (*Corymbia maculata*) is to be planted on site to replace the tree approved for removal. This planting is to be protected and retained for the life of the development and/or for the tree's safe natural life. If the tree dies or is removed, it must be replaced with another specimen of the same species.

Evidence of compliance is to be provided to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To replace tree/s approved for removal

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.