

Natural Environment Referral Response - Biodiversity

Application Number:	DA2019/0140
Responsible Officer	Rhiannon McLardy
Land to be developed (Address):	Lot 1 DP 243271 , 9 Wakooka Avenue ELANORA HEIGHTS 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

The proposal has been assessed against Pittwater DCP B4.11 and B4.22. The site borders bushland to the south. The proposal includes the removal of 4 trees (2 exempt palms (T6 and T7), one dead Melaleuca (T12) and one Syzguim (T20)).

The B4.22 control allows for the removal of a tree where the base of the trunk is within 2m of an existing approved building, without Council consent. The plans show the following trees would be within 2m of the secondary dwelling on completion, and thus in the future, would be exempt from requiring Council approval:

- T4 - Alexander palm - exempt (non local native)
- T5 - Davidsons plum - non local native
- T8 and T9 - Syzgiiums - non local native
- T17 - Native frangipani - non local native
- T19 - Golden Penda - non local native.

The proposal to remove exempt species (T4, T6, T7) and the dead tree (T12) is supported. The remaining trees are non locally native and are not significant canopy trees. Their removal is supported subject to replacement planting of locally native canopy trees (species from the Shale slopes vegetation type) and understorey at least 3m from the proposed secondary dwelling. A Landscape Plan with proposed plantings is not provided. A condition will be imposed.

Referral Body Recommendation

Recommended for approval, subject to conditions

Recommended Natural Environment Conditions:

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

Landscape Plan

Detailed Landscape Plans are to be prepared and certified by a qualified landscape architect, arborist or ecologist and are to include the following:

- the location of existing trees and vegetation to be retained, removed and/or planted. The structural root zone (SRZ) and tree protection zone (TPZ) of all trees to be retained in accordance with the Arborist report prepared by Elke Landscape Architect (dated 30/01/2019).
- A planting schedule including 3 locally native canopy trees (minimum mature height of 8.5m) on site, located at least 3m from any building on site. The planting schedule is to include understorey plants and species from the Shale slopes vegetation type.

The Landscape Plan is to be certified by the Arborist prior to issue of the Construction Certificate.

Reason: To ensure landscaping is consistent with relevant Natural Environment LEP/DCP controls. (DACNECPCC2)

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Arborist Recommendations

The recommendations of the Arborist report (prepared by Elke Landscape Architect, dated 30/01/2019) are to be implemented at the appropriate stage of development. Evidence of compliance with the Arborist recommendations is to be provided by the Arborist to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: Tree protection (DACNEDPC1)

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Arborist recommendations

The recommendations of the Arborist report (prepared by Elke Landscape Architect, dated 30/01/2019) are to be implemented at the appropriate stage of development. Evidence of compliance with the Arborist recommendations is to be provided by the Arborist to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: Tree protection (DACNEEDW1)

Implementation of Landscape Plan

Landscaping is to be implemented in accordance with the approved Landscape Plans and these conditions of consent. The new landscaping is to be certified in accordance with approved Landscape Plans and these conditions of consent by a qualified landscape architect, arborist or ecologist prior to issue of the Occupation Certificate.

Reason: To ensure landscaping is consistent with relevant Natural Environment LEP/DCP controls. (DACNEEDW2)

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

Replacement planting

At least three (3) canopy trees are to be provided on the site, which at maturity will achieve a canopy height greater than 8.5 metres. Species selection is to incorporate locally native species from the Shale Slopes vegetation type. This planting is to be located at least 3m from any building on site, retained over the life of the development and replaced if they should die or be destroyed or removed. Evidence of planting is to be provided to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To ensure the retention of the Urban Forest/Natural Environment. (DACNEFPOC1)

Arborist recommendations

The recommendations of the Arborist report (prepared by Elke Landscape Architect, dated 30/01/2019) are to be implemented at the appropriate stage of development. Evidence of compliance with the Arborist recommendations is to be provided by the Arborist to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: Tree protection (DACNEFPOC2)

Certification of Landscaping Works

Landscaping is to be implemented in accordance with the approved Landscape Plans and these conditions of consent. The new landscaping is to be certified as complete and in accordance with approved Landscape Plans and these conditions of consent by a qualified landscape architect, arborist or ecologist prior to issue of any Occupation Certificate.

Reason: To ensure landscaping is consistent with relevant Natural Environment LEP/DCP controls.

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

Provision of Three Canopy Trees

At least three (3) canopy trees are to be provided on the site, located at least 3m from any building on site, and will achieve a canopy height greater than 8.5 metres at maturity. Species selection is to incorporate locally native species from the Shale Slopes vegetation type. This planting is to be retained over the life of the development and replaced if they should die or be destroyed or removed.

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