

Natural Environment Referral Response - Biodiversity

Application Number:	DA2021/1130
Date:	23/08/2021
Responsible Officer	Thomas Burns
Land to be developed (Address):	Lot 23 DP 9561 , 1 Tutus Street BALGOWLAH HEIGHTS NSW 2093

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 application seeks approval for the demolition of the existing structures and the construction of a new two and three storey dwelling with attached garage, driveway, swimming pool and associated landscaping.

Council's Natural Environment Unit - Biodiversity referral team have reviewed the application for consistency against the relevant environmental legislation and controls, including:

Biodiversity Conservation Act 2016 (BC Act) **Manly Development Control Plan (MDCP)**

- Clause 3.3.1. a) iv) Landscaping Design

The application seeks approval for the removal of three (3) trees (T.1, 12, 17 ; Hugh the Arborist 2021):

- Tree 1: *Glochidion ferdinandi*,
- Tree 12: *Melia azedarach*,
- Tree 17: *Eucalyptus haemastoma*.

Noting the assessment provided by the submitted Arborist Report and by Council's Landscape Referral Team, Council's Biodiversity Team have no objections to their removal subject to replacement as (1) there are no hollows within the trees, (2) the trees do not form a part of a threatened ecological community (3) Tree 12 is not locally-native. Despite extensive sandstone outcropping within the property, site inspection has revealed that tree replacements will be viable in between outcropping and by suitable species selection.

A historical record of the threatened shrub; *Epacris purpurascens* var. *purpurascens* occurs within the adjoining reserve, but was confirmed as absent within the subject lot on inspection of the site.

High densities of priority and environmental weeds were identified within the site, specifically *Asparagus aethiopicus* and *Bryophyllum delagoense*. These weeds are to be controlled and eradicated to prevent spread into the adjoining reserve in accordance with the landowners obligations under Biosecurity Act 2015 and these conditions of consent.

Subject to conditions the Bushland and Biodiversity referral team find the application to be consistent against relevant environmental controls.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

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 protect native wildlife.

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

Replacement of Canopy Trees

At least 3 locally native canopy trees are to be planted on site to replace protected trees approved for removal. Species are to have a minimum mature height of 8.5m and be consistent with Council's Native Gardening Guide.

Where planting occurs within shallow soil on outcropping plantings such as *Allocasuarina littoralis* and *Angophora hispida* should be selected in preference.

Tree plantings are to be retained for the life of the development and/or for their safe natural life. Trees that die or are removed must be replaced with another locally native canopy tree.

Replacement plantings are to be certified as being completed in accordance with these conditions of consent by a qualified landscape architect, and details submitted to the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To establish appropriate native landscaping.

No Weeds Imported On To The Site

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan 2019 – 2023) are to be imported on to the site prior to or during construction works.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to issue

of any Occupation Certificate.

Reason: To reduce the risk of site works contributing to spread of Priority and environmental weeds.

Priority Weed Removal and Management

All Priority weeds as specified in the Northern Beaches Local Weed Management Plan 2019 – 2023 and the Greater Sydney Regional Strategic Weed Management Plan within the property are to be removed.

https://greater-sydney.nsw.gov.au/__data/assets/pdf_file/0010/722368/Greater-Sydney-Regional-Weed-Mgmt-Plan-FINAL-Sept-2019.pdf

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

Reason: To reduce the risk of site works contributing to spread of Priority weeds.

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

Protection of Habitat Features

All natural landscape features, including any rock outcrops, native vegetation, soil and/or watercourses, are to remain undisturbed except where affected by necessary works detailed on approved plans.

Reason: To protect wildlife habitat.

Replacement of Canopy Trees

Tree replacement plantings required under this consent are to be retained for the life of the development and/or for their safe natural life.

Trees that die or are removed must be replaced with another locally native canopy tree.

Reason: To replace locally native trees.

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 in accordance.