

Natural Environment Referral Response - Biodiversity

Application Number:	DA2019/0792
Responsible Officer	Georgia Quinn
Land to be developed (Address):	Lot 1 DP 1229229 , 145 A Crescent Road 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 LEP 7.6, DCP B4.4 and B4.22. The provided arborist report (prepared by Growing My Way tree consultancy, dated July 2019) assesses two significant *Syncarpia glomulifra* trees, and concluded both can be retained and protected. Pursuant to B4.4, development shall result in no net loss in native canopy trees. A Landscape Plan (prepared by Andrew Davies, dated 16/07/2018) was provided and proposes planting of non locally native canopy tree species that are not from the Rolling Hills and Lower Slopes vegetation type (as per the Pittwater Native Gardening booklet). Conditions will be imposed to ensure replacement trees are from the Rolling Hills and Lower Slopes vegetation type.

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

Arborist recommendations

All pre-construction tree protection measures specified in the submitted arborist report (prepared by Growing My Way tree consultancy) and these conditions of consent are to be implemented at the appropriate stage of development. Compliance with pre-construction measures is to be certified by the project arborist prior to issue of the Construction Certificate.

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

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Protection of Trees During Works - Certified by Project Arborist

All trees that are specifically nominated to be retained by the Arborist report shall be maintained and protected during any vegetation clearing, demolition, excavation and construction on the site. All tree protection measures are to be in accordance with Australian Standards AS 4970—2009 'Protection of Trees on Development Sites'. A certificate demonstrating compliance must be prepared by the project arborist and submitted to the Principal Certifying Authority prior to commencement of any works on the site.

Reason: To protect native vegetation, wildlife and habitats in accordance with relevant Natural Environment LEP/DCP controls. (DACNEEDW1)

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

New vegetation planting

Landscaping is to incorporate a minimum of 60% locally native vegetation species (as per the Rolling Hills and Lower Slopes vegetation type species listed in the Native Gardening Booklet available on Councils website).

Reason: To maintain native vegetation in accordance with relevant Natural Environment LEP/DCP controls. (DACNEEDW2)

Tree Protection - Arborist Supervision of Works

All tree protection measures as specified in the Arborist report (prepared by Growing My way tree consultancy, dated September 2018) are to be implemented at the appropriate stage of development. Compliance is to be certified by the project arborist prior to issue of the Occupation Certificate.

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

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

Tree protection measures to be Certified as Complete

Prior to the commencement of construction works, all tree protection recommendations in the approved Arborist Report (prepared by Growing My Way tree consultancy) are to be certified by the consulting arborist as being adequate and in accordance with the specifications of AS 4970 ~ 2009 Protection of Trees on Construction Sites. Certification is to be provided to the certifying body prior to the issue of the Occupation Certificate.

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

Tree Planting

At least two (2) trees (25ltr pot size) from the Rolling Hills and Lower Slopes vegetation type in the Pittwater Native Gardening Booklet are to be planted onsite to replace trees approved for removal. All native trees are to be retained for the life of the development, or for their safe natural life. Trees that die or are removed must be replaced with another locally native canopy tree. Tree replacement plantings are to be certified by the project arborist.

Reason: Tree replacement.

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

Tree Retention

In accordance with Pittwater 21 DCP Control B4.22 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 trees that stand within the envelope of approved development areas and removal is approved through an arborist report. For all other tree issues not related to a development application, applications must be made to Council's Tree Management Officers.

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

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 protect native wildlife in accordance with Section 2.1 of the NSW Biodiversity Conservation Act 2016.