

Natural Environment Referral Response - Biodiversity

Application Number:	DA2024/1160
Proposed Development:	Alterations and additions to a dwelling house including a detached garage and home office
Date:	10/01/2025
Responsible Officer	Brittany Harrison
Land to be developed (Address):	Lot 72 DP 11462 , 19 Dress Circle Road 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

AMENDED COMMENTS

An updated arboricultural impact assessment has been submitted with the application and trees 3, 17, 31 and 32 are proposed for removal. No objections are raised subject to suitable replacements being planted for compliance with PDCP B4.7 which establishes that no net canopy loss should result from development. Tree 32 is found outside of the property boundary and its removal is deferred to the appropriate referral team.

The proposal is unlikely to have an impact on native fauna and the Pittwater Spotted Gum Forest Community. The development is designed, sited and will be managed to avoid any significant adverse environmental impact.

ORIGINAL COMMENTS

The comments in this referral relate to the following applicable controls and provisions:

- SEPP (Resilience and Hazards) 2021 - Littoral Rainforest and Proximity Area
- Pittwater LEP Clause 7.6 Biodiversity Protection
- Pittwater DCP Clause B4.7 Pittwater Spotted Gum Forest Endangered Ecological Community

Portions of the site are identified on the Department of Climate Change, Energy, the Environment and Water (DCCEEW) Biodiversity Values Map (BV Map). Under the NSW Biodiversity Conservation Act 2016, any removal of native vegetation from within mapped areas will trigger the Biodiversity Offsets Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR).

It should be noted that the submitted Statement of Environmental Effects has indicated that the proposal will not require any removal of trees to take place yet trees identified as T03, T31 and T32 are proposed for removal in the submitted Master Plans. No objections are raised in relation to the removal of trees T31 and T32 as these are exempt species.

However, the proposal has been submitted with a Preliminary Arboricultural Assessment Report that has categorised the trees based on their retention value but has not assessed impacts to trees from the proposed development.

A full Arboricultural Impact Assessment, an updated Statement of Environmental Effects and plans consistent with each other indicating which trees will be removed due to the proposed development will have to be submitted with the application for the Biodiversity Referral to be completed.

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

Wildlife Protection

If construction activity associated with this development results in injury or displacement of a native mammal, bird, reptile or amphibian, a licensed wildlife rescue and rehabilitation organisation must be contacted for advice.

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 of Canopy Trees

At least 2 locally native canopy trees are to be planted on the site to replace trees approved for removal. Species are to have a minimum mature height of 8.5m and be consistent with the Pittwater Spotted Gum Forest Endangered Ecological Community.

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 Certifier 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) 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.

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

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 and habitat.