

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2020/1187
<b>Date:</b>	03/02/2021
<b>Responsible Officer</b>	Ashley Warnest
<b>Land to be developed (Address):</b>	Lot 6 DP 263921 , 5 Bushrangers Hill 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

Council's biodiversity referrals team have assessed this development application for compliance against relevant biodiversity legislation, policies and controls, including the following:

- Pittwater 21 DCP cl. B4.3 Flora and Fauna Habitat Enhancement Category 2 Land

The proposed subdivision will require the removal of four (4) prescribed trees to facilitate the proposed building envelopes, including:

- Tree 7: *Eucalyptus paniculata*
- Tree 9: *Eucalyptus punctata*
- Tree 10: *Eucalyptus punctata*
- Tree 12: *Eucalyptus haemastoma*

A past record of a Powerful Owl (*Ninox strenua*) has been recorded within the property in 2011. No suitable breeding habitat for Powerful Owl will be removed.

Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species listed in the Native Plant Species Guide - Pittwater Ward, which is available on the Council website <https://www.northernbeaches.nsw.gov.au/node/34932>). Landscaping is to be outside areas of existing bushland and not include environmental weeds. Furthermore, four (4) replacement trees that provide the same ecological value (*Eucalypt* sp.) are to be planted within the site to compensate for the loss of native canopy within the site.

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**

**Pre-clearance Survey**

A pre-clearance survey is to be undertaken by a qualified Ecologist prior to any tree removals to check for any roosting fauna and/or bird nests within the trees.

Details demonstrating compliance are to be prepared by the Ecologist and submitted to the Certifying Authority prior to issue of Construction Certificate.

Reason: To protect native wildlife.

**CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

**Wildlife Protection and Rehabilitation**

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.

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

**Replacement of Canopy Trees**

At least four (4) 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 Plant Species Guide - Pittwater Ward. Species should be selected based on equivalent ecological value to those proposed for removal.

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 on the NSW WeedWise website) 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.