

Natural Environment Referral Response - Biodiversity

Application Number:	DA2019/1104
Responsible Officer	Nick Keeler
Land to be developed (Address):	Lot 45 DP 13457 , 143 Prince Alfred Parade 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

Updated comments 21/11/2019

The applicant has provided an Arboricultural Impact Report (Landscape Matrix Pty Ltd. 19/11/2019) which assesses 5 trees within the vicinity of the works. T1 *Eucalyptus umbra*, T2 *Corymbia maculata*, T3 *Eucalyptus umbra*, T4 *Eucalyptus paniculata*, will incur a major encroachment into the TPZ (>10% of TPZ). T5 is not a prescribed tree. The Arborist has assessed these impacts as being acceptable subject to tree protection measures.

Council's Natural Environment - Biodiversity section raises no objections, subject to conditions.

Original comments 29/10/2019

This application was assessed against Pittwater LEP Clause 7.6 Biodiversity and Pittwater DCP B4.7 Pittwater Spotted Gum EEC. The site is also mapped as Wetland Proximity Area and Littoral Rainforest Proximity Area within the Coastal Management SEPP 2018.

The proposal is for the alterations and additions to the existing dwelling including driveway leveling, a new lift, swimming pool, and landscaping. There are no native trees within the site, however the site survey shows there are four large native trees within neighbouring properties which will be within 5 metres of soil excavation works. Two are in the front yard (one tree is north of the driveway, one is south of the hardstand to be converted to soft landscaping) and two are south of the proposed new level lawn in the rear yard.

The Coastal Management SEPP objectives are addressed in the SEE. The proposal is acceptable subject to neighbouring large native canopy trees not being impacted by the works in accordance with biodiversity controls.

Information required

An Arborist Report is required to be prepared and submitted to support the application in accordance

with the following:

- must identify the location, species, health and size of all trees within 5m of the proposed development (including any trenches for utilities);
- Prepared by a suitably qualified arborist with minimum AQF Level 5;
- Prepared based on the actual plans and documentation submitted in support of the DA;
- Take into account all above- and below-ground works and structures that are ancillary to the development, including any changes in soil/ground level around the base of canopy trees;
- A tree protection and management plan with specific tree protection measures to enable safe retention of all trees proposed for retention, including mapping Tree Protection Zones, Structural Root Zones and any encroachments.

Council Natural Environment - Biodiversity section cannot complete this assessment until further information is provided.

Referral Body Recommendation

Recommended for approval, subject to conditions

Recommended Natural Environment Conditions:

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Compliance with Arborist's Recommendations – Pre-construction

All pre-construction tree protection measures specified in Section 5 of the submitted Arboricultural Impact Report (Landscape Matrix Pty Ltd. 19/11/2019) and these conditions of consent are to be implemented at the appropriate stage of development. Compliance with pre-construction measures is to be certified in writing by the project arborist and provided to the Principal Certifying Authority 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.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Compliance with Arborist's Recommendations – During Construction

All tree protection measures to be implemented during construction, as specified in Section 5 of the submitted Arboricultural Impact Report (Landscape Matrix Pty Ltd. 19/11/2019) and these conditions of consent are to be implemented at the appropriate stage of development. Compliance with these measures is to be certified in writing by the project arborist, including photographic evidence, and submitted to the Principal Certifying Authority prior to issue of the Occupation Certificate.

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

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

Compliance with Arborist's Recommendations – During and Post-construction

All tree protection measures to be implemented following construction, as specified in Section 5 of the submitted Arboricultural Impact Report (Landscape Matrix Pty Ltd. 19/11/2019) and these conditions of

consent, are to be implemented. Written certification of compliance is to be prepared by the project arborist and submitted to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Reason: To confirm compliance with tree protection/replacement measures in accordance 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.

Domestic Animals Exclusion

For the life of the development, cats are to be kept in a cat run and/or inside the dwelling such that they are prevented from entering wildlife habitat areas at all times. Dogs are to be kept in an enclosed area such that they cannot enter areas of bushland, unrestrained, on surrounding properties.

Reason: Wildlife protection