

Natural Environment Referral Response - Biodiversity

Application Number:	DA2020/1761
Date:	23/04/2021
Responsible Officer	Jordan Davies
Land to be developed (Address):	Lot 28 DP 228119 , 287 Hudson Parade CLAREVILLE 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

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)
Pittwater Local Environmental Plan (PLEP)

- 7.6 Biodiversity Protection

Pittwater Development Control Plan (PDCP)

- B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community.

Updated Recommendation

Natural Environment - Biodiversity notes the submitted Landscape Plan (Alex Woodside 2021) and amended Arborist Report (Bradshaw 2021).

The application seeks to remove 5 trees, including four (4) prescribed trees (1 *Corymbia maculata*, 1 *Angophora costata*, 1 *Ceratopetalum gummiferum* and 1 *Banksia serrata*), to be replaced in accordance with the Landscape Plan (Alex Woodside 2021) which includes a minimum of replacement 6 trees. The provision of these replacement plantings ensures consistency with B4.7 of the Pittwater DCP.

Subject to conditions the Natural Environment Unit - Biodiversity referral team find the application to be consistent against relevant environmental controls.

Original Recommendation - 22/02/2021

The Natural Environment Unit - Biodiversity are unclear on the extent of tree removal required. The submitted Arborist Report (Bradshaw 2020) specifies 3 trees to be removed, while the Master Plan (H & C Design 2020) designates 5 trees for removal. The Master Plan should be amended to show the retention of trees 4 & 5 or the Arborist Report must be updated accordingly.

Additionally both the Statement of Environmental Effects (Vaughan Milligan 2020) and the Arborist Report (Bradshaw 2020) both identify opportunity for replacement planting to meet the objectives of PLEP 7.6 and PDCP B4.7, however no Landscape Plan has been sighted within the application that demonstrates appropriate locations for replacement plantings. The submitted Landscape Plan must also demonstrate compliance with the objectives of PDCP B4.7, including:

- Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species found on the site or listed in Pittwater Spotted Gum Endangered Ecological Community).
- Development shall result in no significant onsite loss of canopy cover or a net loss in native canopy trees.

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

Amendment of Landscape Plans

The submitted Landscape Plan (Alex Woodside 2021) is to be amended in accordance with the following:

- Deletion of *Corymbia citriodora* (Lemon-scented Gum) and replacement with *Corymbia maculata* (Spotted Gum)
- Provision of at least two *Corymbia maculata* (Spotted Gum), and one *Angophora costata* (Sydney Red Gum)

The amended Landscape Plan is to be certified by a qualified landscape architect and provided to the Certifying Authority prior to issue of the Construction Certificate.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.

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

Certification of Landscape Plan

Landscaping is to be implemented in accordance with the amended Landscape Plans (Alex Woodside 2021) and these conditions of consent.

Details demonstrating compliance are to be prepared by the landscape architect and provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.

No Weeds Imported On To The Site

No Priority or environmental weeds 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.