

Natural Environment Referral Response - Biodiversity

Application Number:	DA2021/2337
Date:	16/12/2021
Responsible Officer	Clare Costanzo
Land to be developed (Address):	Lot 2 DP 534547 , 8 A Linkmead Avenue CLONTARF NSW 2093

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 application seeks approval for alterations and additions to existing dwelling and construction of a swimming pool. 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) State Environmental Planning Policy (Coastal Management) 2018

- Coastal Environment Area

Manly Local Environmental Plan (MLEP)

- Clause 6.5 (Terrestrial Biodiversity)

Manly Development Control Plan (MDCP)

- Clause 3.3.1. a) iv) Landscaping Design

The application does not require the removal of prescribed trees or vegetation, instead the six (6) exempt trees (by species or within 2m of dwelling) are proposed for removal. These trees (T.3, 4, 5, 6, 7 & 8) are exempt within the Northern Beaches and do not require Council approval to remove.

It is noted that the proposal requires an Asset Protection Zone (APZ) to be established in perpetuity over the site, it is however noted that vegetation within the site is currently in a managed state, as confirmed by the Bush Fire Assessment Report:

- *"The asset protection zone is existing, and no tree removal or vegetation modification is required to establish it. As such there is no impact on the environment of the proposed bushfire protection measures."*

Subject to conditions, no objection is raised against the proposal.

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 Certifying Authority prior to issue of Construction Certificate.

Reason: To protect native vegetation.

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 approved Landscape Plans (Melissa Wilson Landscape Architects 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 (as specified in the Northern Beaches Local Weed Management Plan 2019 – 2023) 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.

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

Protection of Habitat Features

All natural landscape features, including any rock outcrops, native vegetation, soil and/or watercourses, are to remain undisturbed except where affected by necessary works detailed on approved plans.

Reason: To protect wildlife habitat.

Maintenance of Asset Protection Zones

Vegetation clearing for ongoing APZ maintenance must only occur within the surveyed and marked APZ boundaries. No clearing is to be undertaken outside of the APZ boundaries.

Reason: To protect native vegetation and wildlife.