

Natural Environment Referral Response - Biodiversity

Application Number:	DA2021/0976
Date:	02/09/2021
Responsible Officer	Julie Edwards
Land to be developed (Address):	Lot A DP 324113 , 184 Whale Beach Road WHALE 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

Additional Biodiversity Comments (2nd September 2021)

A Landscape Plan has been provided as additional information to support the proposal, which identifies that the vegetation proposed for removal is limited to exempt species and therefore does not require Council consent. As no native prescribed trees or vegetation are proposed for removal, nor will the proposal impact on nearby biodiversity values, Council's Biodiversity referrals team are satisfied that the proposal complies with the relevant biodiversity controls, subject to these conditions of consent.

Previous Biodiversity Comments (13th July 2021)

Council's Biodiversity referrals team has assessed the Development Application for compliance against the following applicable biodiversity related controls:

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

The Development Application seeks consent for the construction of of a new swimming pool, associated hard and soft landscaping works and minor alterations and additions to the existing dwelling.

The proposal requires the removal of trees from within the rear yard as demonstrated in the Architectural Plans (Contour Landscape Architecture, June 2021). It is currently unclear whether these trees are prescribed and require consent for removal. I refer to the Landscape Referral requesting specific documentation regarding the removal of trees from within the site.

Upon receipt of additional information included in the Statement of Environmental Effects, Landscape Plan and/or Arboricultural Impact Assessment, assessment of the DA will recommence.

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 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**

Replacement of Canopy Trees

At least one (1) 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 Gardening Guide.

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 in the Northern Beaches Local Weed Management Plan 2021 – 2026) 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

Replacement of Canopy Trees

Tree replacement plantings required under this consent 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.

Reason: To replace locally native trees.