

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2021/2672
<b>Date:</b>	23/02/2022
<b>Responsible Officer</b>	Clare Costanzo
<b>Land to be developed (Address):</b>	Lot 8 DP 16692 , 115 Narrabeen Park Parade MONA VALE NSW 2103

### 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

#### Revised Comments

I note the revised Landscape Plan submitted (Serenescapes Rev C 11 Feb 2022). The increase in number of planting zones, and changes to plant species is noted, and generally satisfies the relevant planning controls. A condition of consent is provided to remove one species, change one littoral rainforest species that is characteristic of the north coast, and replace some other species, that are part of a plant genus that can become garden escapes and environmental weeds.

#### Original 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)

State Environmental Planning Policy (Coastal Management) 2018

- Coastal Environment Area & Development on land in proximity to coastal wetlands or littoral rainforest

Pittwater Local Environmental Plan (PLEP)

- 7.6 Biodiversity Protection

Pittwater Development Control Plan (PDCP)

- B4.11 Land Adjoining Bushland and B4.17 Littoral Rainforest - Endangered Ecological Community

An approximately 10metre wide strip of the eastern boundary of the site is mapped under the Biodiversity layer of the PLEP, as well as the above P21 DCP clauses. On review of recent NearMap imagery, it is evident that the rear yard has been subject to disturbance including the removal of vegetation. It is unclear if the vegetation in question was native or exotic species, or whether it included species characteristic of the endangered ecological community Littoral Rainforest.

Based on this uncertainty and the inclusion of extensive landscaping, the development is acceptable and can generally satisfy the controls. The proposed boundary wall and other hard landscapes elements within the rear eastern part of the site mapped as Littoral Rainforest can be retained as part of the development subject to the recommendations below.

Amendments to the submitted Landscape Plan are required in order to comply with the LEP and DCP controls, and to ensure that any potential impacts to the environment, including the adjoining Council bushland reserve, are avoided and minimised. The proposed Zone B Plant Schedule detailed within the Landscape Plan (Serenescapes December 2021) is to be amended to include at least 80% of any new planting incorporates native vegetation (as per species found for the Pittwater Ward available on the Council website). Further, the rear eastern portion of the site for a distance of 10 metres from the property boundary is to include at least 80% native vegetation species characteristic of the Littoral Rainforest Endangered Ecological Community listed by the NSW Scientific Committee. The revised Landscape Plan is to be submitted to Council for review.

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 is to be amended in accordance with the following:

- Deletion of plants within the Genus Echium and Asparagus from Zones C and D.
- Replacement of the above plants with species that are native to the local area and/or naturally occurring vegetation community
- Provision of additional local Littoral Rainforest species within Zone D to replace the Cordyline genus, as this is noted by the NSW Scientific Committee as characteristic of the NSW north coast community.

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 approved Landscape Plans (as amended) 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.

**Priority Weed Removal and Management**

All Priority weeds as specified in the Northern Beaches Local Weed Management Plan 2019 – 2023) within the development footprint are to be removed.

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 weeds.

**ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES****Control of Domestic Dogs/Cats**

Domestic dogs and cats are to be kept from entering wildlife habitat areas at all times.

Dogs and cats are to be kept in an enclosed area and/or inside the dwelling, or on a leash such that they cannot enter areas of wildlife habitat, bushland or foreshore unrestrained, on the site or on surrounding properties or reserves.

Reason: To protect native wildlife in accordance.