

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2021/2239
<b>Date:</b>	05/01/2022
<b>Responsible Officer</b>	Adam Mitchell
<b>Land to be developed (Address):</b>	Lot 170 DP 15376 , 255 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

The following biodiversity controls apply to the subject site:

- Pittwater LEP Clause 7.6 (Biodiversity Protection)
- Pittwater DCP Clause B4.17 (Littoral Rainforest Endangered Ecological Community)

PDCP Clause B4.17 includes a requirement that "development shall ensure that at least 80% of any new planting incorporates native vegetation". It is unclear from the submitted documentation whether the new proposed landscaping will comply with this requirement, however it is noted that the Landscape Referrals Body has requested submission of detailed Landscape Plans as additional information. This would also assist in assessing the proposal's compliance with applicable biodiversity-related controls. As such, the Biodiversity Referrals Body will recommence assessment of the proposal following provision of Landscape Plans which comply with relevant requirements of the applicable biodiversity and landscaping controls.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

### Recommended Natural Environment Conditions:

Nil.