

Natural Environment Referral Response - Biodiversity

Application Number:	DA2020/0028
Date:	17/06/2020
Responsible Officer	Phil Lane
Land to be developed (Address):	Lot 22 DP 11552 , 9 Ocean Road PALM BEACH NSW 2108

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 removal of terraced areas from the upper rear portion of the property. As per the original comments, this area is mapped as part of the Littoral Rainforest Endangered Ecological Community, and B4.17 Littoral Rainforest - Endangered Ecological Community of P21 DCP 2014 applies. The amended design will allow for additional weed control and native landscaping that is sympathetic to the presence of a degraded remnant of the EEC. The original conditions have been amended with respect to the design changes, the presence of the endangered ecological community and the applicable planning controls. The proposed mitigation measures will ensure that the proposed development shall retain, enhance and regenerate areas of Littoral Rainforest and its habitat.

Original Comments

The rear of the property contains a modified landscape on a steeply sloping site with a high proportion of exotic and weedy shrubs. The proposed works involve demolition of the existing dwelling and construction of a new dwelling in an extended footprint with substantial excavation and terracing of the site. An arborist report (Growing My Way Sept 2019) assesses five (5) trees on the site and adjoining property, of which two (2) are exotic and/or exempt species. One native tree Coastal Banksia is within the footprint and will be removed. Some larger native and exotic species are located further up slope and will be retained, with weed removal also proposed.

The site is mapped within the Pittwater LEP Biodiversity area, and also the P21 DCP Littoral Rainforest area. As stated above, the site is highly disturbed and impacted by vegetation clearance and weed growth. Additional weed removal and native landscaping will be conditioned to improve the local environment of the upper rear portion of the yard. In summary, the development is designed, sited and will be managed to minimise that impact

The landscape plan (Melissa Wilson Landscape Architects Drawing No. LS-01 Rev D 20th Sept 2019) is to be amended so that the plant schedules for the top two terrace levels (above the vegetable garden) are 80% locally native and characteristic species of the of Littoral Rainforest vegetation community,

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

Amend Landscape Drawings – Littoral Rainforest Vegetation Community

The landscape plan (Melissa Wilson Landscape Architects Drawing No. LS-01 Rev D 20th Sept 2019) is to be amended so that the plant schedules for the rear portion of the site (above the retaining walls) are 80% locally native and characteristic species of the of Littoral Rainforest vegetation community. The Landscape Plan is also to list the weed species located on the site, and note that the weed species will be continuously controlled and managed using best practice weed management techniques.

Plans are to be amended and submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To improve potential flora and fauna habitat at the site and/or to offset reductions in potential fauna habitat as a result of the development.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Weed Removal and Management

No weeds are to be imported on to the site.

All invasive and priority weeds on the site are to be removed and managed continuously, in accordance with the Biosecurity Act 2015. This includes the rear portion of the site (above the retaining walls) where weed management and native landscaping is to focus on the retention, enhancement and regeneration of areas of Littoral Rainforest and its habitat.

Details demonstrating the removal and management of weeds are to be prepared by the Landscape Architect in writing and submitted to the Principal Certifying Authority prior to occupation certificate.

Reason: Weed management and biosecurity

Tree Planting

At least two locally native canopy trees are to be planted onsite to replace trees approved for removal. Canopy tree species are to be as per the approved Landscape Plan, consistent with locally native species growing onsite and/or selected from the list pertaining to the vegetation community growing in the locality as per the vegetation mapping and native gardening booklet available on the Northern Beaches Council website. All native trees are to be retained for the life of the development, or for their safe natural life. Trees that die or are removed must be replaced with another locally native canopy tree. Tree replacement plantings are to be certified by the project arborist.

Reason: Tree replacement.

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

Control of Weeds

Prior to the completion of works, all priority weeds (as listed under the Biosecurity Act 2015) are to be removed/controlled within the subject site using an appropriately registered control method. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>). All environmental weeds are to be removed and controlled. Refer to Council website http://www.pittwater.nsw.gov.au/environment/noxious_weeds

Reason: Weed management.

No Planting Environmental Weeds

No environmental weeds are to be planted on the site. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>).

Reason: Weed management.

Works to cease if item found

If any Aboriginal Engravings or Relics are unearthed all work is to cease immediately and the Aboriginal Heritage Office (AHO) and Office of Environment and Heritage (OEH) are to be notified.

Reason: To protect Aboriginal Heritage.

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 mitigate potential impacts to native wildlife resulting from construction activity.