

Natural Environment Referral Response - Biodiversity

Application Number:	DA2021/1069
Date:	03/08/2021
Responsible Officer	Jordan Davies
Land to be developed (Address):	Lot 142 DP 13760 , 172 A Hudson Parade CLAREVILLE 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

A condition assessment of the seawall was undertaken for Council in May 2018 and it was concluded that the existing seawall's condition represented an extreme risk to safety. As such, remediation or replacement of the seawall was required to remove the safety risk to the public and to restore its function as a retaining wall and for coastal protection. Prior to any remediation or replacement works being undertaken, the seawall collapsed during February 2020. Following the collapse, Council undertook works to stabilise temporarily the slope that had previously been retained by the collapsed seawall. A new permanent seawall is therefore required for the site.

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

Pittwater Local Environmental Plan (PLEP)

- 7.6 Biodiversity Protection

Council's Natural Environment Unit - Biodiversity referral team raise no objection to the works. The proposal is consistent with the objectives and controls listed in cl.7.6 of the PDCP and cl.13 of the Coastal Management SEPP.

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 *Corymbia gummifera*
- Replacement with *Corymbia maculata*

Only species diagnostic of the Pittwater Spotted Gum Forest - Endangered Ecological Community are to be used for landscaping purposes:

<https://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species/nsw-threatened-species-scientific-committee/determinations/final-determinations/1996-1999/pittwater-spotted-gum-forest-endangered-ecological-community-listing#:~:text=The%20Scientific%20Committee%2C%20established%20by,Schedule%201%20of%20the%20Act.>

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 (Scape Design 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.