

Natural Environment Referral Response - Biodiversity

Application Number:	DA2022/2277
Proposed Development:	Demolition works and construction of a dwelling house including garage
Date:	28/02/2023
Responsible Officer	Adam Susko
Land to be developed (Address):	Lot 224 DP 15376 , 272 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 proposal seeks approval for demolition works and construction of a dwelling house.

The comments on this referral relate to the following controls and provisions:

- Pittwater LEP 2014 - Clause 7.6 Biodiversity Protection
- Pittwater 21 DCP - Clause B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor

The proposal has been submitted without an arborist report to determine impacts on current canopy trees present at the site. However, the Statement of Environmental Effects has established that all trees within the property are exempt as they are under 5 metres of height. No threatened species are identified on records either on the site or on adjoining lots. Therefore, no objection is raised as long as landscaping includes a range of locally native species in order to comply with PDCP B4.4.

A landscaping plan with a planting schedule has been provided indicating that Council's requirements are to include 50% native species. PDCP controls establish that at least 60% of the plants are to be native. Conditions shall apply to ensure that landscaping complies with PDCP B4.4. Plant species are to be selected from Council's Native Planting Guide - Pittwater Ward which is available on Council's website.

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 Certifier prior to issue of Construction Certificate.

Reason: To protect native vegetation.

Amendment of Landscape Plans

The submitted Landscape Plan is to be amended in accordance with the following:

- Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species listed in *Native Plants for Your Garden* available on the Pittwater Council website). Landscaping is to be outside areas of existing bushland and should not include environmental weeds.

The amended Landscape Plan is to be certified by a qualified landscape architect and provided to the Certifier prior to issue of the Construction Certificate.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Wildlife Protection

If construction activity associated with this development results in injury or displacement 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.

Protection of Habitat Features

All natural landscape features, including any rock outcrops, native vegetation and/or watercourses, are to remain undisturbed during the construction works, except where affected by necessary works detailed on approved plans.

Reason: To protect wildlife habitat.

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

No Weeds Imported On To The Site

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan) are to be imported on to the site prior to or during construction works.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To reduce the risk of site works contributing to spread of Priority and environmental weeds.

Priority Weed Removal and Management

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

Details demonstrating compliance are to be submitted to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To reduce the risk of site works contributing to spread of Priority weeds.