

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2020/0096
<b>Date:</b>	10/07/2020
<b>Responsible Officer</b>	Adam Croft
<b>Land to be developed (Address):</b>	Lot 4 DP 14048 , 26 Ralston Road PALM BEACH NSW 2108 Lot 5 DP 14048 , 26 Ralston 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

The amended design retains the trees on the site and therefore satisfies the biodiversity planning controls. Impact mitigation measures contained within the Flora and Fauna Report have been included within the recommended consent conditions. Tree protection and landscaping has been addressed in Council's Landscape referral. The proposed development is unlikely to result in a significant impact to native vegetation, fauna and their habitats, and a Biodiversity Development Assessment Report is not required.

#### Original Comments

The application has been assessed against Pittwater LEP 2014 Clause 7.6 Biodiversity and P21 DCP B4.6 Wildlife corridors.

The proposed dwellings are located generally within the area currently occupied by the existing structure, which is supported by biodiversity. However, the removal of the five high retention trees as detailed within the Arborist Report is not supported, and does not demonstrate compliance with natural environment controls. The extent of tree removals is inconsistent between the Plans and supporting information submitted, and the full impact of the development has not been assessed as part of the Flora and Fauna Report.

The proposed driveways, garages and pools cannot be supported as they have not been designed, sited and managed to avoid or minimise any adverse environmental impact.

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**

**Compliance with Ecologist's Recommendations – Pre-construction**

All pre-construction biodiversity-related measures specified in the approved Flora and Fauna Assessment Report (GIS Environmental Consultants 20th December 2019), and these conditions of consent are to be implemented at the appropriate stage of the development. Compliance with pre-construction measures are to be certified by the Project Ecologist prior to issue of the Construction Certificate.

Reason: To confirm compliance with wildlife and habitat protection/replacement measures in accordance with relevant Natural Environment LEP/DCP controls.

**CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

**Compliance with Ecologist's Recommendations – During Construction**

All biodiversity-related measures are to be implemented during construction in accordance with the approved Flora and Fauna Assessment Report (GIS Environmental Consultants 20th December 2019), and these conditions of consent. Compliance with these measures is to be certified by the Project Ecologist in writing to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Reason: To confirm compliance with wildlife and habitat protection/replacement measures in accordance with relevant Natural Environment LEP/DCP controls.

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

**Compliance with Ecologist's Recommendations – Ongoing**

All ongoing biodiversity-related measures are to be implemented in accordance with the approved Flora and Fauna Assessment Report (GIS Environmental Consultants 20th December 2019) and these conditions of consent.

Reason: To confirm compliance with wildlife and habitat protection/replacement measures in accordance with relevant Natural Environment LEP/DCP controls

**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.