

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2024/0774
<b>Proposed Development:</b>	Construction of a dwelling house including swimming pool
<b>Date:</b>	25/09/2024
<b>Responsible Officer</b>	Nick England
<b>Land to be developed (Address):</b>	Lot 1 DP 1086858 , 6 Mitchell 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

#### AMENDED COMMENTS

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

- Coastal Management SEPP Clause 11 Development on land in proximity to littoral rainforest
- Pittwater LEP Clause 7.6 Biodiversity Protection
- Pittwater 21 DCP Clause B4.6 Wildlife Corridors

It should be noted that the Civil Plans submitted with the application include a turning bay that would require the removal of trees 5, 6 and 7, which are all prescribed trees.

Impacts of this turning bay have not been assessed in the submitted Arborist Report and the submitted Flora and Fauna report.

The Biodiversity assessment will recommence after all impacts to the natural environment have been assessed and updated Arborist and Flora and Fauna reports have been submitted with the application.

#### ORIGINAL COMMENTS

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

- Coastal Management SEPP Clause 11 Development on land in proximity to littoral rainforest
- Pittwater LEP Clause 7.6 Biodiversity Protection
- Pittwater 21 DCP Clause B4.6 Wildlife Corridors

The proposal has been submitted with an arboricultural impact statement that has recommended the removal of two exempt trees Tree 8 (*Washingtonia robusta*) and Tree 11 (*Brachichyton acerifolius*). These trees do not require consent for their removal and no objections are raised.

The site is on land identified as proximity area for littoral rainforest and as such the development must not impact on the ecological integrity of the rainforest.

The development is designed, sited and will be managed to avoid any significant adverse environmental impact.

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.