

Natural Environment Referral Response - Biodiversity

Application Number:	DA2021/2490
Date:	27/04/2022
Responsible Officer	Thomas Prosser
Land to be developed (Address):	Lot 2 DP 1214257 , 34 Plateau Road BILGOLA PLATEAU 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

Updated Referral

The submitted Arborist Report details the trees that may potentially be impacted by the proposal, which totals eleven trees. All road reserve verge street trees and neighboring trees within proximity to the works shall be retained and protected and conditions have been imposed by the landscape Referral.

While the proposed development is considered unlikely to have a significant impact to the environment, further consideration of the proposed mitigation measures such as site landscaping works is warranted. In order to satisfy the objectives and requirements of the relevant biodiversity controls, the proposed canopy tree replacements and re-instatement of existing landscaped areas is to consist of at least 60% native species found on the site, or listed in Littoral Rainforest Endangered Ecological Community.

Original Referral Comments

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)

Biodiversity Conservation Regulation 2017

State Environmental Planning Policy (Coastal Management) 2018

- 11 Development on land in proximity to coastal wetlands or littoral rainforest

Pittwater Local Environmental Plan (PLEP)

- 7.6 Biodiversity Protection

Pittwater Development Control Plan (PDCP)

- B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor

The potential impact to prescribed trees and native vegetation within the front setback has been highlighted by others, and an Arborist Report and Landscape Plan requested.

The applicant must address the objectives and requirements of the above controls, including inclusion of any requirements into the requested Landscape Plan. While the Coastal SEPP has been identified in the SEE submitted, the site is mapped as being in proximity to Littoral Rainforest rather than a Coastal Wetland. The SEE is to be amended to reflect this, and provide information in relation to the significance of potential impacts of the proposal.

While the potential impacts to the biodiversity values of the site that may result from the proposed dwelling are generally low, uncertainty remains regarding the driveway crossing. Therefore the proposal will be re-assessed following provision of the additional information contained within the SEE, Arborist and Landscape Plans

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

Fencing for Wildlife Passage

Any new permanent fencing (with the exception of swimming pool fencing) is to be made passable to native fauna through the provision of access gaps or raised fencing to provide appropriate ground clearance. Any access gaps are to be a minimum of 150mm wide x 100mm high at ground level and spaced at a minimum of 6m intervals.

Plans are to be certified as complying with this condition and provided to the Certifying Authority prior to issue of the Construction Certificate.

Reason: To preserve wildlife corridors.

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.

Implementation of Landscaping Works

Landscaping is to be implemented in accordance with these conditions of consent.

Development shall ensure that at least 60% of any new planting incorporates native vegetation as per

species listed ,as being characteristic of the endangered ecological community Littoral Rainforest. Landscaping is to be outside areas of existing bushland and should not include environmental weeds.

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

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 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.

Priority Weed Removal and Management

All Priority weeds as specified in the Northern Beaches Local Weed Management Plan 2019 – 2023) within the development footprint are to be removed.

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 weeds.