

Natural Environment Referral Response - Biodiversity

Application Number:	DA2020/0639
Date:	04/09/2020
Responsible Officer	Kelsey Wilkes
Land to be developed (Address):	Lot 2 DP 838513 , 790 A Barrenjoey 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

The proposed development has been assessed against the following controls:

- NSW Biodiversity Conservation Act 2016
- Pittwater LEP Clause 7.6 (Biodiversity Protection)
- Pittwater DCP Clause B4.7 (Pittwater Spotted Gum Forest Endangered Ecological Community)

The subject site is mapped as containing Pittwater Spotted Gum Endangered Ecological Community (EEC) under the Department of Planning, Industry and Environment's (DPIE) 'Native Vegetation of the Sydney Metropolitan Area' mapping. As such, a 'threatened species test of significance' and ecological report (Kingfisher Urban Ecology and Wetlands, June 2020) has been submitted with the DA, in addition to an arboricultural assessment (Complete Arborcare, June 2020) and Landscape Plan. The ecological assessment also includes tests of significance for microbats and Powerful Owl.

The submitted Landscape Plan and recommendations of the ecological assessment are supported. It is considered that, subject to implementation of recommended mitigation measures including implementation of the approved Landscape Plan and tree protection conditions applied by Council's Landscape referral body, the proposal complies with the controls.

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 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 ecological report 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.

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

Compliance with Ecologist's Recommendations – Post Construction

All biodiversity-related measures are to be implemented at the appropriate stage of development in accordance with the approved ecological report and these conditions of consent.

Satisfactory establishment/initiation of post-construction measures is to be certified by the Project Ecologist prior to issue of any 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 ecological report 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.

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.

Fencing for Wildlife Passage

Any new fencing (with the exception of swimming pool fencing) is to be made passable to native wildlife. Hole dimensions are to be a minimum of 150mm wide x 100mm high at ground level spaced at 6 metre intervals.

Reason: Management of wildlife corridors