

Natural Environment Referral Response - Biodiversity

Application Number:	DA2022/0793
Date:	08/06/2022
Responsible Officer	Thomas Prosser
Land to be developed (Address):	Lot 289 DP 16362 , 12 - 14 Rock Bath Road PALM BEACH NSW 2108 Lot 290 DP 16362 , 12 - 14 Rock Bath 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 applicable biodiversity-related controls:

- SEPP (Resilience and Hazards) - Coastal Environment Area
- Pittwater LEP cl 7.6 - Biodiversity Protection
- Pittwater DCP cl B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor

Desktop assessment indicates that the *Banksia integrifolia* proposed for removal previously demonstrated very good vigour and spread prior to significant pruning being undertaken. Such a specimen would have provided good foraging resources for nectivorous birds and other native species transiting through the adjoining coastal biodiversity corridor. As such, a 2:1 replacement ratio for this tree is considered appropriate and will improve the proposal's consistency with the applicable biodiversity controls. The Landscape Plan is to be amended prior to issue of the Construction Certificate.

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 Certifying Authority 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:

- Provision of a minimum of two (2) *Banksia integrifolia* specimens. These specimens must not be cultivars or hybrids.

The amended Landscape Plan is to be certified by a qualified landscape architect as complying with this condition and provided to the Certifying Authority prior to issue of the Construction Certificate.

Reason: To replace native vegetation approved for removal.

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

Protection of Habitat Features

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

Details demonstrating compliance are to be provided to the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To protect wildlife habitat.

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.

Details demonstrating compliance are to be provided the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To preserve wildlife corridors.

Certification of Landscape Plan

Landscaping is to be implemented in accordance with the approved Landscape Plans and these conditions of consent.

Compliance to be certified in writing by the landscape architect and evidence provided to the Certifying Authority prior to issue of the Occupation Certificate.

Reason: To replace native vegetation proposed for removal.

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.

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.

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

Protection of Habitat Features

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

Reason: To protect wildlife habitat.