

Natural Environment Referral Response - Biodiversity

Application Number:	DA2024/0891
Proposed Development:	Demolition work and construction of a dwelling house with a swimming pool, including associated site works.
Date:	29/07/2024
Responsible Officer	Brittany Harrison
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 comments on this referral relate to the following applicable controls and provisions:

- State Environmental Planning Policy (Resilience and Hazards) 2021 - Coastal Environment Area
- Pittwater LEP 2014 - Clause 7.6 - Biodiversity Protection
- Pittwater 21 DCP - Clause B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor

The proposal would take place in a heavily disturbed site and would require the removal of all vegetation on site. An Ecological Impact Assessment (Land Eco Consulting, May 2024) has been prepared and submitted with the application. The report establishes that parts of the subject site are located within the Department of Climate Change, Energy, the Environment and Water (DCCEEW) Biodiversity Values Map (BV Map) when in fact the trigger for the subject land would be the area clearing threshold. The subject site is not currently mapped in the BV Map. The assessment concludes that no significant impacts would take place and that the proposal does not trigger entry into the Biodiversity Offsets Scheme. No objections are raised in relation to this conclusion. However, high priority weeds have been found on site and conditions will be recommended to ensure their removal and ensure that active management is in place.

Furthermore, the proposal has been submitted with a Landscape proposal (Aspect Designs,

November 2023) which is found to be consistent with applicable controls and provisions and includes two replacement *Banksia integrifolia* as well as an additional two trees including a *Leptospermum laevigatum* and a *Backhousia myrtifolia*. Additionally, native shrubs and groundcovers are consistent with the vegetation present in the area.

The development is designed, sited and will be managed to avoid any significant 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 COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Compliance with Ecologist's Recommendations – During Construction

All impact mitigation measures specified in the approved Flora and Fauna Assessment Report/Biodiversity Development Assessment Report are to be implemented at the appropriate stage of development.

Compliance with these measures is to be certified by the Project Ecologist in writing to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To confirm compliance with wildlife and habitat protection/replacement measures.

Wildlife Protection

If construction activity associated with this development results in injury or displacement of a native mammal, bird, reptile or amphibian, a licensed wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To protect native wildlife.

Protection of Habitat Features

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

Reason: To protect wildlife habitat.

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

Native Landscaping

Any new landscaping is to incorporate a minimum 80% locally native vegetation species as a proportion of the total number of plants. Locally native species are to be consistent with the relevant section of the Native Planting Guide available on Council's website.

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

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

No Weeds Imported On To The Site

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan) are to be imported on to the site prior to or during construction works.

Details demonstrating compliance are to be submitted to the Principal Certifier 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) within the development footprint are to be removed using an appropriate control method.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To reduce the risk of site works contributing to spread of Priority weeds.

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

Control of Domestic Dogs/Cats

Domestic dogs and cats are to be kept from entering wildlife habitat areas at all times.

Dogs and cats are to be kept in an enclosed area and/or inside the dwelling, or on a leash such that they cannot enter areas of wildlife habitat, bushland or foreshore unrestrained, on the site or on surrounding properties or reserves.

Reason: To protect native wildlife and habitat.