

Natural Environment Referral Response - Biodiversity

Application Number:	DA2019/0534
Responsible Officer	Penny Wood
Land to be developed (Address):	Lot 179 DP 15376 , 271 Whale Beach Road WHALE BEACH 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

This application was assessed against Pittwater DCP B4.3 Flora and fauna habitat enhancement category 2 and wildlife corridors.

The proposal is for a new pool and inclinor. No native trees are proposed to be removed. Trees within neighbouring property within 5m of the works are required to be protected throughout construction in accordance with AS4970-2009 Protection of trees of development sites.

It is unclear if any native vegetation is to be removed. The submitted Landscape Plan (iScape Landscape Architecture, May 2019) states that between Whale Beach and the proposed pool, "*All weeds to be removed from existing vegetation and made good after construction is complete.*" Weed removal is to be undertaken in a staged approach and the area replanted with local native species, to ensure no increased sediment and erosion issues. The landscape plan lists suitable locally native species for replanting. Further down the slope, closer to the sand dunes, *Spinifex sericeus* can also be planted.

Council's Natural Environment - Biodiversity section supports the application, subject to conditions.

Referral Body Recommendation

Recommended for approval, subject to conditions

Recommended Natural Environment Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Amendment of Landscape Plans

The submitted Landscape Plan is to be amended in accordance with the following:

- Update the planting schedule to include planting within the area south of the proposed pool. The planting schedule is to specify details including stratum, species/common names, quantities, pot sizes and staking details, and have a minimum of 1 tree per sqm or 2 shrubs per sqm or 3 ground covers per sqm.
- Indicate staged removal of weeds by trained bush regenerators and replanting with native species.

The amended Landscape Plan is to be certified by a qualified landscape architect, arborist or ecologist prior to issue of the Construction Certificate.

Reason: To ensure landscaping is consistent with relevant Natural Environment LEP/DCP controls.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Control of weeds

During the life of the development, gradual and strategic control of all priority weeds, including Lantana (*Lantana camara*), Asparagus fern (*Asparagus aethiopicus*) and Morning glory (*Ipomoea indica*) is to be undertaken to address the weed infestation on site and reduce their spread to adjacent protected natural reserves including the sand dunes of Whale Beach. No heavy machinery is to be used.

Manual control is to be employed to ensure no damage or destruction occurs within the protected coastal heath/dune vegetation.

Revegetation with endemic native coastal tubestock species is to be undertaken in accordance with the approved landscape plan and these consent conditions. It is highly recommended that you engage a qualified bushland regeneration company to undertake the aforementioned restoration work.

Reason: To manage the spread of environmental weeds in accordance with relevant Natural Environment LEP/DCP controls.

Implementation of Landscape Plan

Landscaping is to be implemented in accordance with the approved Landscape Plans (iScape Landscape Architecture, May 2019) and these conditions of consent. The new landscaping is to be certified in accordance with approved Landscape Plans and these conditions of consent by a qualified landscape architect, arborist or ecologist prior to issue of the Occupation Certificate.

Reason: To ensure landscaping is consistent with relevant Natural Environment LEP/DCP controls.

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

Control of Weeds

Prior to the completion of works, all priority weeds (as listed under the Biosecurity Act 2015) are to be removed/controlled within the subject site using an appropriately registered control method. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website

(<http://weeds.dpi.nsw.gov.au/>). All environmental weeds are to be removed and controlled. Refer to Council website http://www.pittwater.nsw.gov.au/environment/noxious_weeds

Reason: Weed management.

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.

Works to cease if item found

If any Aboriginal Engravings or Relics are unearthed all work is to cease immediately and the Aboriginal Heritage Office (AHO) and Office of Environment and Heritage (OEH) are to be notified.

Reason: To protect Aboriginal Heritage.

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.

Domestic Animals Exclusion

For the life of the development, cats are to be kept in a cat run and/or inside the dwelling such that they are prevented from entering wildlife habitat areas at all times. Dogs are to be kept in an enclosed area such that they cannot enter areas of bushland, unrestrained, on surrounding properties.

Reason: Wildlife protection