

Natural Environment Referral Response - Biodiversity

Application Number:	DA2021/0081
Date:	26/02/2021
Responsible Officer	Jordan Davies
Land to be developed (Address):	Lot 211 DP 15376 , 246 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

Council's Biodiversity referrals team have assessed the Development Application for compliance against the following applicable biodiversity provisions:

- Pittwater LEP Clause 7.6 Biodiversity Protection
- Pittwater 21 DCP Clause B4.4 Flora and Fauna Habitat Enhancement Category 2 and Wildlife Corridor

The proposed development is for the demolition of the existing dwelling and the construction of a new dwelling with a detached garage. An in-ground concrete swimming pool with an infinity edge is proposed in the front yard of the property (Statement of Environmental Effects; Grant Seghers Design 2021). Vegetation proposed for removal at the front of the site appears to be comprised largely of mixed exotic and native landscaping and/or exempt trees. No vegetation removal is proposed for the rear of the site.

The submitted Landscape Plan (Grant Seghers Design 2021) has provided adequate species for the replacement of the two trees within the front yard which are proposed for removal. The planting of one (1) *Phoenix dactylifera* and one (1) *Washingtonia robusta* is not supported as these species are classified as exempt species. The proposed species are to be revised, and should be replaced with suitable tree species selected from Council's Native Plant Species Guide - Pittwater Ward, which is available on Council's website.

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:

- The planting of one (1) *Phoenix dactylifera* and one (1) *Washingtonia robusta* is not supported as these species are classified as exempt species. The proposed species are to be revised, and should be replaced with suitable tree species selected from Councils Native Plant Species Guide - Pittwater Ward, which is available on Councils website.

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

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

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.

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

Certification of Landscape Plan

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

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

Reason: To ensure compliance with the requirement to retain and protect significant planting on the

site.

Replacement of Canopy Trees

At least two (2) locally native canopy trees are to be planted on site to replace protected trees approved for removal, which is outlined within the submitted Landscape Plan. Species are to have a minimum mature height of 8.5m and be consistent with Council's Native Gardening Guide.

Tree plantings are to be retained for the life of the development and/or for their safe natural life. Trees that die or are removed must be replaced with another locally native canopy tree.

Replacement plantings are to be certified as being completed in accordance with these conditions of consent by a qualified landscape architect, and details submitted to the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To establish appropriate native landscaping.

No Weeds Imported On To The Site

No Priority or environmental weeds (as specified on the NSW WeedWise website) 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.