

Natural Environment Referral Response - Biodiversity

Application Number:	Mod2024/0033
Proposed Development:	Modification of Development Consent DA2022/0714 granted for Construction of a swimming pool
Date:	14/02/2024
Responsible Officer	Thomas Prosser
Land to be developed (Address):	Lot B DP 396785 , 201 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

The comments in this referral relate to the following applicable controls and provisions:

- Pittwater LEP 2014 - Clause 7.6 Biodiversity Protection
- Pittwater 21 DCP - Clause B4.6 Wildlife Corridors

The proposed modifications include the removal of an additional unidentified tree. A desktop survey has revealed a number of prescribed trees on site and it has to be assumed that the tree proposed for removal is a native which will have to be replaced.

The submitted landscape plan includes a number of trees including 1 *Banksia integrifolia* and 38 *Waterhousea floribunda* as well as a range of native bushes and groundcovers. Amendments will be required to the landscape plan to ensure compliance with PDCC B4.6: "Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species listed in *Native Plants for Your Garden* available on the Pittwater Council website). Landscaping is to be outside areas of existing bushland and not include environmental weeds."

Waterhousea floribunda is considered a native however it is not locally native and similar locally native species can be used for the purpose of establishing a native screen (i.e *Acmena smithii* - Common lilly pilly).

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 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 Principal Certifier 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:

- Development shall ensure that at least 60% of any new planting incorporates native vegetation (as per species listed in *Native Plants for Your Garden* available on the Pittwater Council website). Landscaping is to be outside areas of existing bushland and not include environmental weeds.

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

Reason: To maintain and replace habitat on the site.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

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

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.