22 July 2025

Project: 49 Blackbutts Road, Frenchs Forest – Native Tree Removal and Biodiversity Offsets Scheme Entry

Gerard Alves
Development Manager
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By email: gerard.alves@sekisuihouse.com.au

Re: Native Tree Removal and Biodiversity Offsets Scheme Entry at 21A Warili Road and 49 Blackbutts Road, Frenchs Forest

Further to our previous Flora and Fauna Assessment (FFA) dated September 2024, Kingfisher Urban Ecology and Wetlands has been engaged to review the extent of native tree removal associated with the development, including proposed tree removal under the current DA modification at 21A Warili Road and 49 Blackbutts Road, Frenchs Forest (the 'site'). This review also assesses the impacts to native vegetation across the site against the relevant entry thresholds that may trigger the Biodiversity Offsets Scheme (BOS).

The FFA identified the site as supporting a mixed native and exotic canopy, with no native midstorey or ground layer present. Accordingly, this review considers only the removal of native canopy trees.

1. Current DA

The current DA modification for the site requires the additional removal of the following trees:

T57, T59, T83, T84, T85, T86, T88, T89, T91, T96, T97, T98, T99, T100, T103, T104, T105, and T106.

These removals are required due to the following engineering constraints, as identified by Enspire Solutions in their letter to Northern Beaches Council dated 16 July 2025:

- **Drainage**: The proposed drainage line servicing Lots 5-13 has been located on the low side to effectively capture overland flows. In order to extend this network with compliant cover levels, additional fill is required. This fill encroaches into the Tree Protection Zone (TPZ) and cannot be avoided without impacting the functionality of the drainage system.
- **Earthworks & Retaining Walls**: Earthworks have been designed to prevent creation of low points across the lots and to establish suitable building platforms. The proposed retaining walls must be constructed at this stage to ensure integration between lots and alignment with future dwellings. These works have been coordinated with the proposed house floor levels submitted under individual housing DAs.

2. Tree Removal

Table 1 details the trees approved for removal by Northern Beaches Council to date in relation to DA2024/0081, DA2024/0491 and Mod 2025/0258.

Table 1. Trees approved for removal.

DA number	Details
DA2024/0081 – Demolition of all existing structures on site	Trees approved for removal: 10 – *Corymbia gummifera* 23 – *Corymbia gummifera* 28 – *Eucalyptus botryoides* 64 – *Callistemon viminalis* 101 – *Callicoma serratifolia* 114 – *Syzygium australe*
DA2024/0492 – Subdivision – Neighbourhood title subdivision comprising of 13 lots and new road access	Additional trees approved for removal: 7, 71, 72, 74 – *Corymbia maculata* 81, 120 (group of 8) – *Callistemon viminalis* 75 – *Livistona australis* 77 – *Banksia integrifolia* 79 – *Backhousia citridora* 121 – *Acacia decurrens*
Mod2025/0258 – Modification of Development Consent DA2024/0492 granted for Neighbourhood title subdivision comprising of 13 lots and new road access	Additional trees approved to be removed: 67 – *Corymbia maculata*
Total number of native trees approved for removal	**17 trees**

Additionally, the following trees were removed under an exemption.

- 103 – *Acmena smithii*
- 104 – *Acmena smithii*
- 105 – *Acmena smithii*
- 106 – *Acmena smithii*

Table 2 details the trees proposed for removal under the current DA modification.

Table 2. Trees proposed for removal.

DA number	Details
Current DA modification	Trees proposed for removal: 57 – *Auracaria heterophylla* 59 – *Eucalyptus botryoides* 83 – *Eucalyptus botryoides* 84 – *Eucalyptus botryoides* 85 – *Callicoma serratifolia* 86 – *Eucalyptus botryoides* 88 – *Callicoma serratifolia* 89 – *Callistemon viminalis* 91 – *Callistemon viminalis* 96 – *Eucalyptus pilularis* 97 – *Acacia* sp. 98 – *Callicoma serratifolia* 99 – *Livistona australis* 100 – *Eucalyptus botryoides*
Total number of native trees proposed for removal	**14 trees**
Total number of native trees cleared from the site	**35 trees**

3. Canopy Area Calculation

Table 3 identifies the canopy area (in square metres) for the 35 native trees approved and proposed for removal at the site, as provided by the Arborist (The Tree Guardian, 21/07/2025). Trees proposed for removal are shown in bold in the table.

Table 3. Tree canopy area calculation.

Tree no.	Species name	Height (m)	Spread (m)	Canopy area (m^2)
7	*Corymbia maculata*	9	4	12.566
10	*Corymbia gummifera*	18	9	63.617
23	*Corymbia gummifera*	5	2	3.142
28	*Eucalyptus botryoides*	16	11	95.033
57	***Auracaria heterophylla***	**5**	**3**	**7.069**
59	***Eucalyptus botryoides***	**15**	**14**	**153.94**
64	*Callistemon viminalis*	5	3	7.069
67	*Corymbia maculata*	14	7	38.485
71	*Corymbia maculata*	18	9	63.617
72	*Corymbia maculata*	7	2	3.142
74	*Corymbia maculata*	11	4	12.566
75	*Livistona australis*	11	4	12.566
77	*Banksia integrifolia*	7	3	7.069
79	*Backhousia citridora*	5	2	3.142
81	*Callistemon viminalis*	5	3	7.069
83	***Eucalyptus botryoides***	**25**	**25**	**490.87**
84	***Eucalyptus botryoides***	**15**	**12**	**113.1**
85	***Callicoma serratifolia***	**7**	**4**	**12.566**
86	***Eucalyptus botryoides***	**12**	**10**	**78.54**
88	***Callicoma serratifolia***	**6**	**6**	**28.274**
89	***Callistemon viminalis***	**5**	**4**	**12.566**
91	***Callistemon viminalis***	**5**	**4**	**12.566**
96	***Eucalyptus pilularis***	**18**	**11**	**95.033**

Tree no.	Species name	Height (m)	Spread (m)	Canopy area (m^2)
97	***Acacia* sp.**	**5**	**3**	**7.069**
98	***Callicoma serratifolia***	**6**	**3**	**7.069**
99	***Livistona australis***	**5**	**3**	**7.069**
100	***Eucalyptus botryoides***	**16**	**7**	**38.485**
101	***Callicoma serratifolia***	**5**	**3**	**7.069**
103	*Acmena smithii*	10	5	19.635
104	*Acmena smithii*	9	4	12.566
105	*Acmena smithii*	10	5	19.635
106	*Acmena smithii*	8	4	12.566
114	*Syzygium australe*	5	3	7.069
120	*Callistemon viminalis*	3-5	2-4	56.552
121	*Acacia decurrens*	5	3	7.069
Total native canopy area to be cleared from the site (m^2)				1535.46

4. Biodiversity Offsets Scheme

The BOS applies to a range of developments, land clearing and activities that meet certain thresholds, including local development assessed under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) that either:

- exceeds the BOS thresholds or
- is likely to have a significant impact according to the test of significance (in section 7.3 of the *Biodiversity Conservation Act 2016* (NSW)) or
- is proposed in an Area of Outstanding Biodiversity Value.

A Biodiversity Development Assessment Report (BDAR) is required to accompany a development application if the proposed development triggers the thresholds for the BOS.

Biodiversity Offsets Scheme thresholds

The BOS thresholds must be applied to local development assessed under Part 4 of the EP&A Act.

There are two BOS thresholds:

- the Biodiversity Values Map
- an area clearing threshold.

If a proposal exceeds either threshold, the scheme applies.

Biodiversity Values Map

Clearing of any native vegetation on land mapped on the Biodiversity Values Map will trigger the requirement to prepare a BDAR. The site is not located on the Biodiversity Values Map (**Figure 1**).

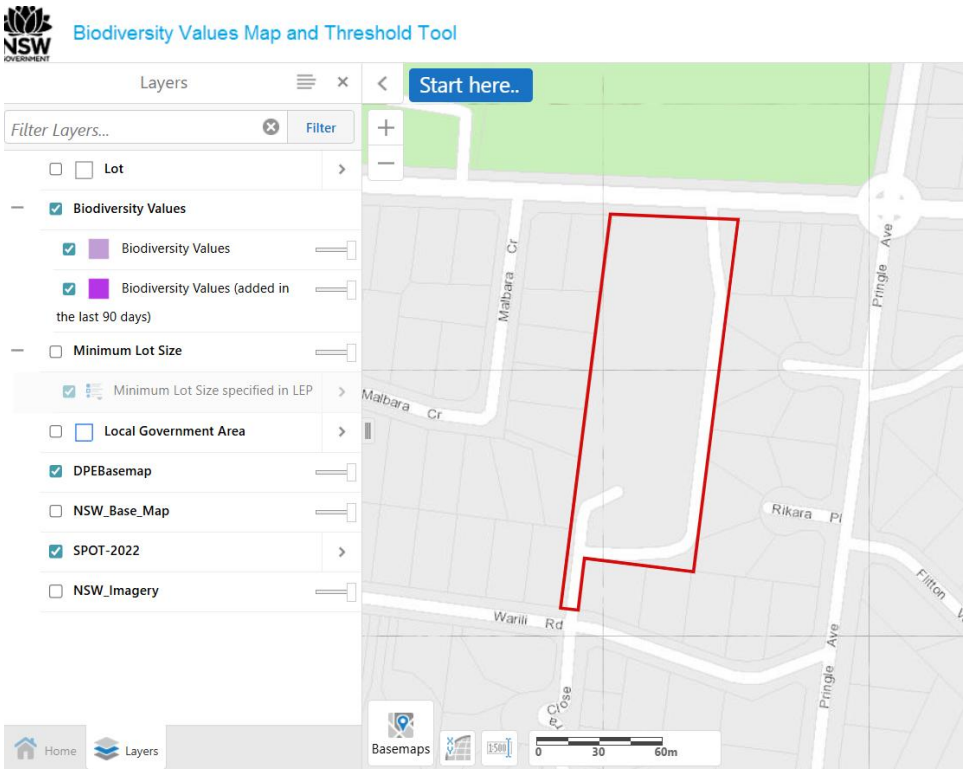

Figure 1. Biodiversity Values Map

Source: Biodiversity Values Map and Threshold Tool (accessed 22/07/2025).

Area Clearing Threshold

The area clearing threshold is one of the tests used to determine whether a BDAR must accompany a development application. The area clearing thresholds are set out in clause 7.2(1) of the *Biodiversity Conservation Regulation 2017* (BC Regulation), as shown in **Table 4**.

The minimum lot size for the subject land is 600 m². The BOS applies to this proposal as the area of impact to native vegetation (1535.46 m²) exceeds the relevant clearing threshold of 0.25 hectares.

Table 4. Area clearing threshold.

Minimum lot size associated with the property	Threshold for clearing above which a BDAR is required
Less than 1 hectare	0.25 hectares or more
1 hectare to less than 40 hectares	0.5 hectares or more
40 hectares to less than 1000 hectares	1 hectare or more
1000 hectares or more	2 hectares or more

Test of Significance

A test of significance was conducted as part of the FFA and concluded that the proposal will not have a significant impact on threatened species or ecological communities under the test of significance in section 7.3 of the BC Act.

Area of Outstanding Biodiversity Value

A review of the Areas of Outstanding Biodiversity Value register indicates that the site is not located within an area of outstanding biodiversity value.

5. Tree Retention

The development across the site has been designed to retain the following native trees:

T2, T4, T5, T6, T8, T9, T11, T12, T13, T14, T15, T16, T17, T18 (group of 3 trees), T19, T20, T21 (group of 6 trees), T22, T24, T25, T27, T29, T30, T31, T32 (group of 3 trees), T38, T39, T41 (group of 18 trees), T42, T43, T44, T45, T46, T47, T48, T49, T50, T52 (group of 7 trees), T53, T54, T55, T58, T61, T65, T66, T70 (group of 2 trees), T80, T89, T90 (group of 2 trees), T94 (group of 2 trees), T102, T107, T108, T109, T110, T116, T119, T123, T140, T142, T143, T144, T147, T149.

A total of **64 trees** are retained, including the groups of multiple trees listed.

Should you have any questions regarding this review, please do not hesitate to contact me.

Kind regards,

Brooke Thompson
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BAM Accredited Assessor BAAS24037
Kingfisher Urban Ecology and Wetlands
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Department of Climate Change, Energy, the Environment and Water

Scientific Licence

Biodiversity Conservation Act 2016

Name and postal address of principal licensee	Nominated premises (where appropriate)
Ms Geraldine Dalby-Ball Kingfisher Urban Ecology and Wetlands 30 Palmgrove Rd AVALON BEACH NSW 2107	

Your licence number is: SL101387

This licence is valid from: 23 January 2025

This licence will expire on: 28 February 2027

Additional authorisations:

Project Title: Flora and Fauna Surveys in NSW

This class of biodiversity conservation licence granted under Part 2 of the *Biodiversity Conservation Act 2016* authorises the following activities: Harm, by means of capture, deal in (possess), and liberate protected and threatened animals for survey purposes; Pick and deal in (possess) protected and threatened plants for identification purposes.

This licence authorises the principal licensee and any associates named in **Attachment A** to conduct those activities authorised above, to those species, communities or materials listed in **Attachment B**, at the locations specified in **Attachment C** of this licence.

This licence also authorises the principal licensee to conduct research on National Park estate under clause 26 of the National Parks and Wildlife Regulation 2019 (NPW Reg), where this forms part of a project approved by a delegated officer of the *Biodiversity Conservation Act 2016*.

This licence is granted subject to the provisions of *Biodiversity Conservation Act 2016*, Biodiversity Conservation Regulation 2017, the general conditions listed below, any special conditions as may be notified in writing to the licensee by the Environment Agency Head of the Department of Climate Change, Energy, the Environment and Water (the Department) or a 'delegated officer' of the *Biodiversity Conservation Act 2016* and the Department's "Scientific Licensing Policy".

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Signature of Delegated Officer

Date: 23 January 2025

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Animal Research Establishment

NSW GOVERNMENT Department of Primary Industries
Biosecurity & Food Safety

Animal Research Establishment

Accreditation No. **53655**

Start date: 15 March 2023
Expiry date: 14 March 2026

Accreditation holder: Ecological Consultants Australia Pty Ltd

Address: 30 Palmgrove Rd
AVALON BEACH NSW 2107