

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2024/1171
<b>Proposed Development:</b>	Construction of a single storey building and use of premises as a recreational facility (indoor) and associated signage
<b>Date:</b>	15/10/2024
<b>Responsible Officer</b>	Maxwell Duncan
<b>Land to be developed (Address):</b>	Lot 2742 DP 752038 , 2742 / 9999 Condamine Street MANLY VALE NSW 2093

### 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 provisions:

- Warringah DCP cl. E2 Prescribed Vegetation
- Warringah DCP cl. E6 Retaining Unique Environmental Features
- SEPP (Resilience and Hazards) 2021 cl. 2.10 Development on land within the coastal environment area

A Flora and Fauna Assessment (FFA) Report (Narla Environmental, August 2024) was prepared and submitted with the application. From review of the FFA it appears that one native canopy tree *Melaleuca quinquinervia* will require removal as it is in the footprint of the proposed development. It is noted that an Arboricultural Impact Assessment was not submitted with the application. This equates to 0.01ha of Swamp Oak Floodplain Forest in the NSW North Coast, Sydney Basin and South East Corner Bioregions which is listed as an Endangered Ecological Community under the Biodiversity Conservation Act 2016. A Test of Significance (5-part Test) in accordance with the BC Act was prepared by the Ecologist which concluded that the loss of 0.01ha of EEC from the site will not result in the local occurrence being placed at risk of extinction.

Native landscaping is proposed in the vicinity of the proposed works including 2 x Eucalyptus haemastoma which is considered appropriate for offsetting the loss of canopy as part of the proposed development.

No objections in relation to biodiversity, subject to recommended conditions.

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**

**Compliance with Ecologist's Recommendations – Pre-construction**

All impact mitigation measures specified in the approved Flora and Fauna Assessment Report (Narla Environmental, August 2024) 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.

**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 Certifier prior to issue of Construction Certificate.

Reason: To protect native vegetation.

**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 (Narla Environmental, August 2024) 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**

### **Compliance with Ecologist's Recommendations – Post Construction**

All impact mitigation measures specified in the approved Flora and Fauna Assessment Report (Narla Environmental, August 2024) are to be implemented at the appropriate stage of development.

Written and photographic evidence of compliance is to be prepared by the Project Ecologist and provided to the Principal Certifier prior to issue of any Occupation Certificate.

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

### **Replacement of Canopy Trees**

At least 1 locally native canopy trees are to be planted on the site to replace protected trees approved for removal. Species are to have a minimum mature height of 8.5m and be consistent with the Native Planting Guide available on Council's website.

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 Certifier 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 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.