

Natural Environment Referral Response - Biodiversity

Application Number:	DA2024/0762
Proposed Development:	Construction of a telecommunication structure and associated works including tree removal
Date:	08/07/2024
Responsible Officer	Dean Pattalis
Land to be developed (Address):	Lot 1 DP 205815 , 1 / 0 Oxford Falls Road OXFORD FALLS NSW 2100 Lot 2 DP 205815 , 1 / 0 Oxford Falls Road OXFORD FALLS NSW 2100 Lot 3 DP 205815 , 1 / 0 Oxford Falls Road OXFORD FALLS NSW 2100 Lot 4 DP 205815 , 1 / 0 Oxford Falls Road OXFORD FALLS NSW 2100 Lot 982 DP 752038 , 1 / 0 Oxford Falls Road OXFORD FALLS NSW 2100

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:

- NSW Biodiversity Conservation Act 2016
- Planning for Bushfire Protection 2019
- WLEP 2000 - Clause 56 - Retaining distinctive environmental features on sites
- WLEP 2000 - Clause 58 - Protection of existing flora

Portions of the site are identified on the Department of Climate Change, Energy, the Environment and Water (DCCEE) Biodiversity Values Map (BV Map). Under the NSW Biodiversity Conservation Act 2016, any removal of native vegetation from within mapped areas will trigger the Biodiversity Offsets Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR). However, the submitted plans and documentation indicate that the proposed works are located outside of the BV Map area and therefore will not trigger entry into the BOS.

The proposal has been submitted with a Bushfire report that has recommended that all existing maintained grounds continue to be treated as an Inner Protection Area. No objections are raised as no vegetation pruning or management is required for the establishment of asset protection zones.

An arborist report has been submitted with the application and recommended the removal of a single tree identified as Tree 3 (*Allocasuarina littoralis*) as it is found within the proposed footprint. No objections are raised in relation to this removal.

The removal of the tree can be supported on the grounds that environmental impact will be minimised by allowing compliance with bushfire requirements by locating the new satellite dish in the proposed location.

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 Certifier prior to issue of Construction Certificate.

Reason: To protect native vegetation.

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.