

Natural Environment Referral Response - Biodiversity

Application Number:	Mod2022/0396
Date:	28/09/2022
Responsible Officer	Maxwell Duncan
Land to be developed (Address):	Lot 2 DP 1282038 , 100 South Creek Road CROMER NSW 2099 Lot 3 DP 1282038 , 10 Inman Road CROMER NSW 2099 Lot 1 DP 1282038 , 4 - 8 Inman Road CROMER NSW 2099

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 application is for modification to development consent DA2019/1346, seeking to remove an additional 3 native trees. The submitted report from Travers is noted, especially their conclusion that additional biodiversity credits would not be generated by the additional impacts, and an amendment to the Biodiversity Development Assessment Report is not required.

This is agreed to by Council under this current modification, however any additional impacts to native vegetation, or prescribed impacts, that may be subject to a future modification must be addressed via and amended BDAR including a revised and updated Biodiversity Credit calculation for Ecosystem credits and Species Credit Species credits. This update, if required, must include the additional area of impact proposed under this current application.

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**

Amendment of Landscape Plans

The latest Landscape Master Plan (Site Image Rev E Architectural Coordination dated 23.05.2022) issued as part of the Construction certificate, is to be amended in accordance with the following:

- Provision of six additional native trees.

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

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

Adherence to Natural Environment Consent Conditions

All biodiversity-related conditions of consent under previous development applications are to be adhered to, including DA 2019/1346, unless amended by these biodiversity-related conditions of consent.

Reason: To protect biodiversity values.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree Hollow Inspection by Ecologist

All tree hollows proposed for clearing are to be inspected by the Project Ecologist prior to removal. Inspection of tree hollows is to be facilitated by a qualified tree climber or arborist with the use of an elevated work platform where necessary.

The Project Ecologist is to provide written certification of compliance to the Principal Certifier prior to commencement of tree removals.

Reason: To protect native wildlife.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Protection of Habitat Features

All natural landscape features, including any rock outcrops, native vegetation, soil and/or watercourses, are to remain undisturbed except where affected by necessary works detailed on approved plans.

Reason: To protect wildlife habitat.