

Natural Environment Referral Response - Biodiversity

Application Number:	DA2023/1536
Proposed Development:	Alterations and additions to a Place of Public Worship (Bahai Temple)
Date:	02/05/2024
Responsible Officer	Olivia Ramage
Land to be developed (Address):	Part Lot 52 DP 1152609 , 173 Mona Vale Road INGLESIDE NSW 2101

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

Additional Information Comment 01/05/24:

The amended AIA is noted.

The amended AIA identified 13 trees of which one tree, tree 1, requires removal. No concerns are raised with the removal of tree 1 as it is an exempt species, and no clearing of native vegetation will occur within the Biodiversity Values mapping area, and therefore the NSW Biodiversity Offset Scheme is not triggered.

As recommended in the AIA a Project Arborist must be engaged to supervise works in tree protection zones. Workers also need to be inducted by the head grounds person in regard to the requirements of the protection of Trees 12 & 13, the endangered plant species *Grevillea caleyi*.

Additional Information Comment 26/02/24:

The Arboricultural Impact Assessment (AIA) is noted. The arborist assessed one tree and confirmed the species is not native to NSW. The development application as submitted does not require the removal of native trees or vegetation, including any requirement for clearing from the establishment of the 30 metre bush fire asset protection zones.

However, Council's Landscape Referral has requested that the potential impact to all trees within 5 metres of the works are further assessed, and any revised report will be further assessed by the Biodiversity Referral team.

As highlighted in the original comments, vegetation surrounding the temple is mapped as the endangered ecological community Duffys Forest, and numerous threatened flora species including *Grevillea caleyi* occur within this community. The Arborist report also has noted a *G caleyi* plant close to the proposed works.

In addition, the applicant is to note that the area surrounding the proposed works site is mapped on the NSW Biodiversity Values Map. The Biodiversity Values (BV) Map identifies land with high biodiversity value that is particularly sensitive to impacts from development and clearing. The map forms part of the Biodiversity Offsets Scheme Threshold, which is a trigger for determining whether the Biodiversity Offset Scheme (BOS) applies to a development proposal. If the arborist concludes that the clearing of native vegetation will occur, then the development proposal triggers the BOS and the applicant will be required to engage an Accredited Assessor to prepare a Biodiversity Development Assessment Report (BDAR) which is to be submitted to Council as part of the application. While the application states that the majority of the works will involve removal of the landscaped garden areas, again it is highly recommended that any impacts to the adjoining native vegetation is avoided, otherwise the BOS would be triggered.

Original Comment:

The proposed development has been assessed against the objectives and requirements of Pittwater LEP cl 7.6 Biodiversity and Pittwater 21 DCP Control B4.9 Duffys Forest Endangered Ecological Community.

While the plans indicate removal of one tree, the species has not been determined. I note the request for an arborist report to assess the impacts to trees in close proximity to the proposed works. The vegetation surrounding the temple is also mapped as the endangered ecological community Duffys Forest, and numerous threatened flora species including *Grevillea caleyi* occur within this community. While the majority of the works will remove the landscaped garden areas, any impacts to remnant native vegetation including threatened biodiversity must be avoided and minimised.

Biodiversity Referral can continue their assessment upon receipt of an Arboricultural Impact Assessment.

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.

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

Protection of Habitat Features

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

Details demonstrating compliance are to be provided to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To protect wildlife habitat.

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.

Priority Weed Removal and Management

All Priority weeds (as specified in the Northern Beaches Local Weed Management Plan) within the development footprint are to be removed using an appropriate control method.

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 weeds.

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.