

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2018/1654
<b>Responsible Officer</b>	Daniel Milliken
<b>Land to be developed (Address):</b>	Lot 3 DP 805710 , 181 Forest Way BELROSE NSW 2085

### 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

#### Updated comments 03/02/2020

The applicant has provided the following amended and additional information:

- Amended plans (Morrison Design Partnership, Rev J, 18/11/2019)
- Letter "Response to Council Comments – Belrose Manor Development, 181 Forest Way Belrose" (Cumberland Ecology 19 November 2019)
- Biodiversity Development Assessment Report (Cumberland Ecology 19 November 2019)
- Biodiversity Management Plan (Cumberland Ecology 26 November 2019)
- Bushfire Protection Assessment Addendum (Travers Bushfire and Ecology, November 2019)

The applicant has provided a Biodiversity Development Assessment Report (BDAR) written by an Accredited Assessor which meets the minimum standards set out in the BAM (OEH 2017) and associated Operational Manuals.

In accordance with the BAM and the Warringah LEP, the amended proposal has avoided impacts including:

- No likely impacts to Duffys Forest EEC, which is now excluded from the APZ, will not be fragmented from other areas of vegetation by a fence and will be rehabilitated in accordance with the submitted Biodiversity Management Plan. Council's Natural Environment Unit is satisfied with this outcome.
- No impacts to existing *Grevillea cylei* individuals on adjacent land by clarifying no works are required within the unformed road reserve along the northern boundary. The road reserve is only permitted to be access by the RFS during an emergency. The bushfire consultant confirmed that current conditions are sufficient for truck access and the proposal includes the installation of a locked gate which will only been accessed by RFS in an emergency. Council's Natural Environment Unit is satisfied with this outcome.

Additionally, impacts have been minimised through:

- The APZ requirements have been amended to allow for the selective retention of large "clumps" of native vegetation within the IPA and OPA is retain some fauna habitat complexity. Council's Natural Environment Unit is satisfied with this outcome.
- The APZ will be managed in the long-term in accordance with the Biodiversity Management Plan (Cumberland Ecology 26 November 2019)

Finally, residual impacts of the development will be offset through the retiring of 15 ecosystem credits within the Biodiversity Offset Scheme. In addition, the Ecologist has been precautionary by assuming presence of threatened species due to temporal limitations of threatened fauna survey which results in the requirement to retire 18 Eastern Pygmy Possum credits and 13 Red-crowned Toadlet species credits.

Council's Natural Environment - Biodiversity section raises no objections to the proposal, subject to conditions.

### **General Comments 13/12/2018**

This proposal was assessed against Clause 56 and 58 within WLEP2000, as well as the environmental assessment requirements under the NSW *Environmental Protection & Assessment Act 1979* and NSW *Biodiversity Conservation Act 2016* (NSW BC Act 2016).

Council's Natural Environment – Biodiversity section does not support the application. The proposal in its current form is considered to be inconsistent with legislation listed above and the supporting documents also have insufficient information regarding the total extent of "clearing of native vegetation" and all impacts have not been assessed. The meaning of "native vegetation" and "clearing" are defined within the *Local Land Services Act 2013*, within Part 5A s. 60B and 60C respectively.

The native vegetation of the site contains a mixture of remnant and regrowth native vegetation (following past clearing), including Duffys Forest EEC, and cascading sandstone cliffs and outcrops. Land immediately north of the site contains Duffys Forest Ecological Community in the Sydney Basin Bioregion, an Endangered Ecological Community under the *BC Act 2016*, as well as *Grevillea caleyi*, listed as Critically Endangered under the *BC Act 2016* and *EPBC Act 1999*.

The proposal includes the removal of at least 45 trees within the immediate development footprint, and additional unquantified clearing and ongoing modification of native vegetation for the required APZ, as well as potential indirect impacts to distinctive environmental features on the site and surrounding land. As such, the proposal is considered inconsistent with Clauses 56 and 58 of the WLEP2000.

Under the *BC Act 2016*, the flora and fauna assessment (Cumberland Ecology 2018) does not assess the all direct impacts of works where threatened entities *Grevillea caleyi* individuals and Duffys Forest EEC are known to occur. There is insufficient information regarding extent of clearing of native vegetation and assessment of these direct and indirect impacts. The report also only assesses the proposed building footprint. Generally, the construction footprint will be larger, requiring further vegetation clearing. The vegetation clearing and modification required for APZ establishment and emergency vehicle access is also not assessed.

Specifically, the Flora and Fauna Assessment report (Cumberland Ecology 2018) submitted does not include all impacts to native vegetation which must include, but not limited to, an assessment of:

- the direct impact of all native vegetation to be cleared including; the development and

construction footprint, additional clearing footprint for the installation of emergency vehicle access, perimeter fencing, construction of the bioretention basin, bioretention trench and associated structures, and APZ establishment, and;

- the indirect impacts associated ongoing removal of native vegetation on the whole property for APZ maintenance.

It is estimated that if the total native vegetation clearing impacts were included in the impact assessment, a Biodiversity Development Assessment Report (BDAR) would be triggered under the *Biodiversity Conservation Act 2016*, based on the 0.5 ha threshold for this property.

### **Detailed comments 13/12/2018**

Previous DA2017/0697 was recommended for refusal based on potential impacts to known individuals of *Grevillea caleyi* (Critically Endangered under the *BC Act 2016* and *EPBC Act 1999*) within the road reserve immediately north of the property. As stated by Council in PLM2016/0097, Council's Natural Environment Unit does not support the use or expansion of the unformed road reserve to the north of the property; this includes use as temporary or permanent access to the site or as a storage area. It is strongly advised that the applicant avoids these areas entirely.

Council's Natural Environment Unit notes that within this DA2018/1654 the proposed main access has now been relocated as recommended, however a turning circle for emergency vehicles is still proposed in the north-western corner of the property, accessed directly from the unformed road reserve. This is contrary to previous advice, and is not supported by Council. The unformed road reserve would require works including an upgrade and road widening to comply with Planning for Bushfire Protection (2006) as required the RFS referral. The construction and operation impacts to the threatened entities have not been assessed.

Any future development applications must avoid access via the unformed road reserve completely.

### **Assessment against WLEP 2000 13/12/2018**

#### *Clause 56 Retaining distinctive environmental features on sites*

This clause states that the development is to be designed to retain and complement any distinctive environmental features of its site and on adjoining nearby land.

This proposal is not consistent with Clause 56 as the whole of the property is proposed to be managed as an APZ, which is approximately 1 ha of native vegetation including 0.08 ha of Duffys Forest EEC, and will also impact on distinctive environmental features such as cliffs and exposed bedrock. Trees to be removed as part of the APZ have not been included within the Flora and Fauna Impact Assessment, and all trees on the property have not been assessed in the Arboricultural Impact Assessment Report.

Based on the scale of impacts proposed, the proposal is considered to be inconsistent with Clause 56 WLEP 2000. It is recommended that the position and design of any future development applications demonstrate that the environmental features of the site and adjoining land have been retained and that impacts have been avoided and minimised.

#### *Clause 58 Protection of existing flora*

This development is not sited and designed to minimise the impact on remnant indigenous flora. As stated above, the whole of the property will be managed as an APZ, which will result in the ongoing modification of approximately 1 ha of native vegetation including 0.08ha of Duffys Forest EEC. Trees to be removed as part of the APZ have not been included within the Flora and Fauna Impact Assessment, and all trees on the property have not been assessed in the Arboricultural Impact Assessment Report.

In addition, there are known individuals of *Grevillea caleyi*, listed as Critically Endangered under the *BC Act 2016* and *EPBC Act 1999*, within the unnamed road reserve immediately to the north of the site. Despite previous Council advice to avoid this area completely, the current proposal includes the emergency vehicle access in the north western corner. The proposal also includes a 2.2m colour bond fence along the northern boundary which will fragment the patch of Duffys Forest EEC onsite, as well as potentially indirectly impact on *Grevillea caleyi* and its habitat.

Based on the scale of impacts proposed, the proposal is considered to be inconsistent with Clause 58 WLEP 2000.

### **Assessment against the NSW BC Act 2016 13/12/2018**

It is Council's understanding that a BDAR is required for the application on the basis of the clearing threshold (estimated over 0.5ha of native vegetation clearing including within the proposed APZ). As there is no minimum lot size under the WLEP 2000, the actual lot size must be used when applying the area trigger.

The Flora and Fauna Assessment report assesses the removal of 0.32 ha of native vegetation (all vegetation except areas mapped as "Exotic Grassland – Mown Lawn"). This area calculation only includes the direct removal of native vegetation within the immediate development footprint. The impacts of the APZ have not been measured quantitatively; however the report notes that,

*"In addition to the 0.001 ha impact, additional scattered DFEC canopy trees (up to the northern boundary of the subject land) may be cleared for the purpose of establishing the APZs."*

And,

*"the area calculation for DFEC only estimates the current proposed development impact. As such, Cumberland Ecology cannot estimate the additional trees that require clearing and/or trimming for the purpose of APZs."*

These statements conflict with the Bushfire Protection Assessment Addendum (Travers, August 2018), which requires "*Native trees and shrubs should be retained as clumps in landscape beds and should not exceed a covering of more than 20% of the IPA*", and also the Arboricultural Impact Assessment Report (Sturt Noble Arboriculture, August 2018) which identifies at least two (2) trees, *Corymbia gummifera* and *Eucalyptus sieberi*, to be removed within Duffys Forest EEC.

The site's current native vegetation is in a state of regrowth following clearing in 2014. Cumberland Ecology has mapped approximately 0.62 ha of native vegetation within the IPA. It is estimated that the total clearing area of native vegetation for the APZ (to comply with the Bushfire Protection Assessment Addendum) would be approximately 0.5 ha, which includes additional ongoing modification of Duffys Forest EEC not currently assessed. This impact combined with the direct removal of native vegetation for the proposal footprint, would exceed the clearing threshold for entry into the Biodiversity Offsets Scheme.

The 2.2m high colour bond fence which is proposed along the northern boundary of the property, is likely to impact Duffys Forest EEC during construction and operation, and result in physical fragmentation from other areas of Duffys Forest EEC within the road reserve. It is also noted that OEH's Threatened Biodiversity Database notes that "no slashing, trittering or tree removal" is recommended for manual hazard reduction.

Therefore, Council strongly recommends discussions between the applicants' experts, to firstly quantify APZ impacts in terms of individual trees and shrubs, and area of understorey modification, and these impacts, as well as all other direct and indirect impacts, are to be addressed within a BDAR. Any future development application must include an Arboricultural Impact Assessment Report that assesses all trees on the property, and a formal BDAR and offset calculation (if required). Please note that any likely impacts to Duffys Forest EEC or *Grevillea caleyi*, must be addressed as per SAI requirements.

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 submitted Landscape Plan is to be amended in accordance with the following:

- Deletion of any Priority or environmental weeds identified in the Northern Beaches Council Local Priority Weed Management Plan and any Grevillea species
- Replacement with locally native species from Table B.1 Species planting list within the Biodiversity Management Plan (Cumberland Ecology 26 November 2019)

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

Reason: To ensure landscaping is consistent with relevant Natural Environment LEP/DCP controls.

**Engage a Project Ecologist**

A Project Ecologist is to be employed for the duration of the approved works, and for a 5-year period post construction, to ensure all bushland biodiversity protection measures are carried out according to the conditions of consent and the following approved reports and plans:

- Biodiversity Development Assessment Report (Cumberland Ecology 19 November 2019)
- Biodiversity Management Plan (Cumberland Ecology 26 November 2019)

The Project Ecologist must be an accredited assessor under the NSW Biodiversity Conservation Act 2016.

The project ecologist is to provide an engagement letter, which is to be submitted to and certified by the Principal Certifying Authority Prior to issue of Construction Certificate.

The Project Ecologist must also provide details and certify engagement of a bush regeneration company to complete on-ground works.

Reason: To protect native vegetation and wildlife in accordance with relevant Natural Environment LEP/DCP controls.

**Notification of determination to which the Biodiversity Offset Scheme applies**

The applicant or Project Ecologist, on behalf of the applicant, is to provide the Department of Planning, Infrastructure and Environment (DPIE) with a notification of determination within 40 days from the date of consent. The notification of determination is to be made by completing the Notification of Determination form found at (refer to attachment at appendix of consent or to Web link

[www.environment.nsw.gov.au/resources/biodiversity/biodiversity-offsets-scheme-notification-of-determination-190522.docx](http://www.environment.nsw.gov.au/resources/biodiversity/biodiversity-offsets-scheme-notification-of-determination-190522.docx)) and submission via email to [bam.support@environment.nsw.gov.au](mailto:bam.support@environment.nsw.gov.au).

Council and the Principal Certifying Authority must be copied into the notification email to confirm compliance. The reference number must also be submitted to Council.

Reason: to ensure the NSW Department of Planning, Industry and Environment are notified of determinations where the Biodiversity Offsets Scheme is entered into and Council are notified for compliance.

### **Like for like credit retirement conditions - Ecosystem credit retirement conditions**

Prior to issue of the relevant construction certificate the class and number of ecosystem credits in Table 1 must be retired to offset the impacts of the development as identified in the submitted Biodiversity Development Assessment Report (Cumberland Ecology 19 November 2019).

The requirement to retire credits outlined in Table 1 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator.

Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of Table 1 requirements must be provided to the Manager Bushland and Biodiversity of Northern Beaches Council prior to release of construction certification.

**Table 1 Ecosystem credits required to be retired – like for like**

<b>Impacted Plant Community Type</b>	<b>TEC</b>	<b>Number of ecosystem credits</b>	<b>Containing HBT</b>	<b>IBRA sub-region</b>	<b>Plant community type(s) that can be used to offset the impacts from development</b>
882-Hairpin Banksia - Slender Tea-tree heath on coastal sandstone plateaux, Sydney Basin Bioregion	Not a TEC	11	Yes	Pittwater, Cumberland, Sydney Cataract,  Wyang and Yengo.  or  Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	Sydney Coastal Heaths This includes PCT's: 772, 881, 882, 1134, 1143, 1641, 1822, 1823, 1824, 1826  And in any of below trading groups:  Sydney Coastal Heaths - < 50% cleared group (including Tier 7 or higher).
1250-Sydney Peppermint - Smooth-barked Apple	Not a TEC	2	Yes	Pittwater, Cumberland, Sydney Cataract,	Sydney Coastal Dry Sclerophyll Forests This includes PCT's: 1083, 1138, 1156, 1181,



- Red Bloodwood shrubby open forest on slopes of moist sandstone gullies, eastern Sydney Basin Bioregion				Wyong and Yengo.  or  Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	1183, 1250, 1253, 1619, 1620, 1621, 1623, 1624, 1625, 1627, 1632, 1636, 1638, 1642, 1643, 1681, 1776, 1777, 1778, 1780, 1782, 1783, 1785, 1786, 1787 And in any of below trading groups: Sydney Coastal Dry Sclerophyll Forests - < 50% cleared group (including Tier 7 or higher).
1783-Red Bloodwood - Scribbly Gum / Old-man Banksia open forest on sandstone ridges of northern Sydney and the Central Coast	Not a TEC	2	Yes	Pittwater, Cumberland, Sydney Cataract,  Wyong and Yengo.  or  Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	Sydney Coastal Dry Sclerophyll Forests This includes PCT's: 1083, 1138, 1156, 1181, 1183, 1250, 1253, 1619, 1620, 1621, 1623, 1624, 1625, 1627, 1632, 1636, 1638, 1642, 1643, 1681, 1776, 1777, 1778, 1780, 1782, 1783, 1785, 1786, 1787 And in any of below trading groups: Sydney Coastal Dry Sclerophyll Forests - < 50% cleared group (including Tier 7 or higher).

**Reason:** To offset the residual biodiversity impacts of the development in accordance with the NSW Biodiversity Offset Scheme.

**Variation rule credit retirement conditions - Ecosystem credit retirement conditions**

Prior to issue of the relevant construction certificate the class and number of species credits in Table 2 must be retired to offset the impacts of development as identified in the submitted Biodiversity Development Assessment Report (Cumberland Ecology 19 November 2019).

Evidence of the retirement of credits in satisfaction of Table 2 requirements is to be provided to the Manager Bushland and Biodiversity of Northern Beaches Council prior to release of construction certification.

**Table 2 Ecosystem credits required to be retired – variation rules**

Impacted Plant Community Type	Number of ecosystem credits	Containing HBT	IBRA sub-region and / or region	Plant community type (s) that can be used to offset
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				the impacts from development - variation
882-Hairpin Banksia - Slender Tea-tree heath on coastal sandstone plateaux, Sydney Basin Bioregion	11	Yes (including artificial)	IBRA Region: Sydney Basin,  or  Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	Heathlands Tier 7 or higher
1250-Sydney Peppermint - Smooth-barked Apple - Red Bloodwood shrubby open forest on slopes of moist sandstone gullies, eastern Sydney Basin Bioregion	2	Yes (including artificial)	IBRA Region: Sydney Basin,  or  Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	Dry Sclerophyll Forests (Shrubby subformation) Tier 7 or higher
1783-Red Bloodwood - Scribbly Gum / Old-man Banksia open forest on sandstone ridges of northern Sydney and the Central Coast	2	Yes (including artificial)	IBRA Region: Sydney Basin,  or  Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	Dry Sclerophyll Forests (Shrubby subformation) Tier 7 or higher

**Reason:** To offset the residual biodiversity impacts of the development in accordance with the NSW Biodiversity Offset Scheme.

**Like for like credit retirement conditions - Species credit retirement conditions**

Prior to issue of the relevant construction certificate the class and number of species credits in Table 3 must be retired to offset the impacts of development as identified in the submitted Biodiversity



Development Assessment Report (Cumberland Ecology 19 November 2019).

The requirement to retire credits outlined in Table 3 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator.

Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of Table 3 requirements must be provided to the Manager Bushland and Biodiversity of Northern Beaches Council prior to release of construction certification.

**Table 3 Species credits required to be retired – like for like**

Impacted species credit species	Number of species credits	IBRA region
<i>Cercartetus nanus</i> / Eastern Pygmy-possum	18	Sydney Basin
<i>Pseudophryne australis</i> / Red-crowned Toadlet	13	Sydney Basin

**Reason:** To offset the residual biodiversity impacts of the development in accordance with the NSW Biodiversity Offset Scheme.

**Variation rule credit retirement conditions - Species credit retirement conditions**

Prior to issue of the relevant construction certificate the class and number of species credits in Table 4 must be retired to offset the impacts of development as identified in the submitted Biodiversity Development Assessment Report (Cumberland Ecology 19 November 2019).

Evidence of the retirement of credits in satisfaction of Table 4 requirements is to be provided to the Manager Bushland and Biodiversity of Northern Beaches Council prior to release of construction certification.

**Table 4 Species credits required to be retired – variation rules**

Impacted species credit species	Number of species credits	IBRA sub-region	Approved variation species credit species that can be used to offset the impacts from development
<i>Cercartetus nanus</i> / Eastern Pygmy-possum	18	Pittwater, Cumberland, Sydney Cataract, Wyong and Yengo.	Vulnerable arboreal marsupial species
<i>Pseudophryne australis</i> / Red-crowned Toadlet	13	or Any IBRA subregion that is within 100 kilometers of	Vulnerable amphibian species

the outer  
edge of the  
impacted site.

**Reason:** To offset the residual biodiversity impacts of the development in accordance with the NSW Biodiversity Offset Scheme.

## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

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

All pre-construction biodiversity-related measures specified in the approved Biodiversity Development Assessment Report (Cumberland Ecology 19 November 2019), Biodiversity Management Plan (Cumberland Ecology 26 November 2019) and these conditions of consent are to be implemented at the appropriate stage of the development. Compliance with pre-construction measures are to be certified by the Project Ecologist prior to issue of the Construction Certificate.

**Reason:** To confirm compliance with wildlife and habitat protection/replacement measures in accordance with relevant Natural Environment LEP/DCP controls.

## CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

### Compliance with Ecologist's Recommendations – During Construction

All biodiversity-related measures are to be implemented during construction in accordance with the approved Biodiversity Development Assessment Report (Cumberland Ecology 19 November 2019), Biodiversity Management Plan (Cumberland Ecology 26 November 2019) and these conditions of consent.

Compliance with these measures is to be certified by the Project Ecologist in writing to the Principal Certifying Authority prior to issue of the Occupation Certificate.

**Reason:** To confirm compliance with wildlife and habitat protection/replacement measures in accordance with relevant Natural Environment LEP/DCP controls.

### Dead or Injured Wildlife

If construction activity associated with this development results in injury or death of a native mammal, bird, reptile or amphibian, a registered wildlife rescue and rehabilitation organisation must be contacted for advice.

**Reason:** To protect native wildlife in accordance with Section 2.1 of the NSW Biodiversity Conservation Act 2016.

### Implementation of Landscape Plan

Landscaping is to be implemented in accordance with the approved Landscape Plans as amended by these conditions of consent. The new landscaping is to be certified in accordance with approved Landscape Plans and these conditions of consent by a qualified landscape architect, arborist or ecologist and submitted to the Principal Certifying Authority prior to issue of the Occupation Certificate.

**Reason:** To ensure landscaping is consistent with relevant Natural Environment LEP/DCP controls.

## CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE

## OCCUPATION CERTIFICATE

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

All biodiversity-related measures are to be implemented at the appropriate stage of development in accordance with the approved Biodiversity Development Assessment Report (Cumberland Ecology 19 November 2019), Biodiversity Management Plan (Cumberland Ecology 26 November 2019) and these conditions of consent.

Satisfactory establishment/initiation of post-construction measures is to be certified by the Project Ecologist prior to issue of any Occupation Certificate.

Reason: To confirm compliance with wildlife and habitat protection/replacement measures in accordance with relevant Natural Environment LEP/DCP controls.

### **Fencing for Wildlife Passage**

Prior to the issue of any Occupation Certificate, the project ecologist is to provide certification to the Principal Certifying Authority that the installed fencing (with the exception of swimming pool fencing) is passable to native wildlife as specified in this consent.

Reason: To preserve wildlife corridors in accordance with relevant Natural Environment LEP/DCP controls.

### **Certification of Landscape Plan**

Landscaping is to be implemented in accordance with the approved Landscape Plans as amended by these conditions of consent. The new landscaping is to be certified as complete and in accordance with approved Landscape Plans and these conditions of consent by a qualified landscape architect, arborist or ecologist prior to issue of any Occupation Certificate.

Reason: To ensure landscaping is consistent with relevant Natural Environment LEP/DCP controls.

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

### **Control of Weeds**

Prior to the completion of works, all priority weeds (as listed under the Biosecurity Act 2015) are to be removed/controlled within the subject site using an appropriately registered control method. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>). All environmental weeds are to be removed and controlled. Refer to Council website [http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds)

Reason: Weed management.

### **Compliance with Biodiversity Management Plan – 5 years post construction**

All biodiversity-related measures are to be implemented for 5 years post construction as specified in the approved Biodiversity Development Assessment Report (Cumberland Ecology 19 November 2019), Biodiversity Management Plan (Cumberland Ecology 26 November 2019) and these conditions of consent.

This must be undertaken under the direction of the Project Ecologist, including monitoring. Monitoring reports demonstrating compliance with KPIs, including photographic evidence, are to be prepared by the Project Ecologist and submitted to Council in accordance with the BMP, i.e. every 6-months for 5 years post-construction, with the final report provided at the end of Year 5.

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

accordance with relevant Natural Environment LEP/DCP controls.

**Retention of Natural Features**

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

**Reason:** To ensure the retention of natural features.

**No Planting Environmental Weeds**

No environmental weeds are to be planted on the site. Information on weeds of the Northern Beaches can be found at the NSW WeedWise website (<http://weeds.dpi.nsw.gov.au/>).

**Reason:** Weed management.

**Control of Domestic Animals**

Domestic pet animals are to be kept from entering wildlife habitat areas at all times. Dogs and cats are to be kept in an enclosed area or on a leash such that they cannot enter areas of bushland or Asset Protection Zone, unrestrained, on the site or on surrounding properties or reserves.

**Reason:** Wildlife protection