

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2022/2081
<b>Proposed Development:</b>	Change of use and construction of a golf club house and associated facilities
<b>Date:</b>	01/05/2023
<b>Responsible Officer</b>	Maxwell Duncan
<b>Land to be developed (Address):</b>	Lot 2742 DP 752038 , 292 Condamine Street NORTH MANLY NSW 2100 Lot 2742 DP 752038 , 292 Condamine Street NORTH MANLY 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 proposal seeks approval for the change of use and construction of a golf club house and associated facilities.

The comments in this referral relate to the following applicable controls:

- NSW Biodiversity Conservation Act 2016 (BC Act)
- NSW Biodiversity Conservation Regulation 2017 (BC Reg)
- Warringah DCP - Clause E2 Prescribed Vegetation
- Warringah DCP - Clause E6 Retaining unique environmental features

The proposal has been submitted with the following documents relevant to the Biodiversity referral assessment:

- Flora and Fauna Constraints Assessment Report (Narla Environmental, February 2021)
- Arboricultural Impact Assessment (Aura Tree Services, August 2022)
- Landscape Plan (Serenescape Landscape Designs, November 2022)

Comments in relation to the submitted biodiversity documentation are as follows:

- The Flora and Fauna Constraints Assessment Report (FFCAR) provides an overview of ecological constraints on site. These include a section of Estuarine Swamp Oak Forest

Endangered Ecological Community (EEC) declared under the BC Act and Commonwealth Environment Protection and Biodiversity Conservation Act 1999. The report has also identified the presence of 2 specimens of *Callistemon linearifolius* within the site. In addition, the vulnerable Eastern Osprey has been recorded within the development footprint and adjoining land. However, the report does not provide threatened species tests of significance for these threatened entities. In accordance with NSW and Commonwealth biodiversity legislation, tests of significance are required to be undertaken for any threatened entities likely to be impacted by a development.

- The FFCAR has not quantified the area of native vegetation to be cleared, nor has it assessed whether the Biodiversity Offsets Scheme applies.
- The arboricultural impact assessment (AIA) has concluded that a total of 33 prescribed trees would have to be removed to accommodate the proposed footprint in its current form. However, no accurate location of the trees has been indicated on the survey plans. Please refer to the landscape referral response for additional detail.
- The landscape proposal includes a total of 26 replacement canopy "trees" following the recommendations established in the FFA. However, additional canopy replacements need to be provided to avoid a net canopy loss.

Assessment of the proposal against applicable biodiversity provisions will recommence upon receipt of information addressing these concerns.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

**Recommended Natural Environment Conditions:**

Nil.