

Natural Environment Referral Response - Biodiversity

Application Number:	DA2023/1107
Proposed Development:	Change of use and alterations and additions to Office C for the purpose of a child care centre and landscaping
Date:	21/09/2023
Responsible Officer	Nick Keeler
Land to be developed (Address):	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 proposed development has been assessed against the requirements of the NSW Biodiversity Conservation Act 2016, the associated 2017 Regulation, and Warringah DCP Control E1 Preservation of Trees or Bushland Vegetation.

The Statement of Environmental Effects states that 10 trees will be removed which does not correlate with the submitted Plans and Arborist Report. In addition, the SEE states that the trees are not important from a biodiversity perspective, and this is also incorrect. The impacts to trees and native vegetation was assessed via a Biodiversity Development Assessment Report submitted as part of DA2019/1446, and the majority of the trees were to be retained. The DA was approved as it achieved a no net loss standard via offsetting the unavoidable impacts offset under the Biodiversity Offsets Scheme, the protection and retention of trees, and additional environmental management and mitigation measures including landscaping.

The Arborist recommends a range of remediation actions to several trees, so that rather than removal the trees can be retained. This includes trees 65, 67, 69, 71, 77 and 78, and the suggested works and retentions are to be detailed in the SEE and Plans. The Arborist is to also provide additional justification for the removal of trees 72 and 73.

Where the applicant demonstrates that no reasonable alternative design exists and a tree must be removed, suitable compensatory tree planting is required, such as Tree 67 and tree 76. Details including proposed species and the location of replacement planting are to be provided, with reference to tree species the Landscape Plans approved under DA2019/1446

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.