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**RE: DA2017/1274 - 52 Cabbage Tree Road BAYVIEW NSW 2104**

BirdLife Australia's Powerful Owl Project wishes to raise objection to the proposed development of 95 units on the Bayview Golf Course (BGC), 1825 Pittwater Road & 52 Cabbage Tree Road. This site sits between two active breeding territories of the threatened bird species, the Powerful Owl (*Ninox strenua*). The pairs holding the two territories encompassing the golf course to the north and south have produced sixteen known chicks in the breeding seasons between 2009 and 2017, and as such contribute significantly to the total population of Powerful Owls in the Northern Beaches of Sydney, and as a whole. The proposed development poses significant threat to the retention of these breeding Powerful Owls particularly by forcing abandonment of habitual core territory through disturbance associated with the proposed 18 months of building works. Further, tree removal proposed by this development directly fragments the existing wildlife corridor, reducing dispersal ability of young birds, and reducing prey availability. Any reduction in prey availability is particularly important for the Powerful Owls in the area, as in addition to the permanent breeding pairs, a single younger bird is resident on site in the forested area 200m from the development envelope. Without adequate prey resources this territory cannot continue to support five adult owls and their future chicks. The report by Anne Clements and Associates 2017 specifically states the aim of the development as "increasing the flora and fauna connectivity consistent with Pittwater 21 Development Control Plan (DCP)". The report also specifically recognises the likelihood of the vulnerable Powerful Owls using the development envelope. Allowing any development which removes trees and reduces the wildlife, directly countermands the stated mandate of the Pittwater 21 DCP. The BGC does not "increase the environmental sustainability of the BGC land" by removing over 200 trees in significant wildlife corridor. Instead this development will directly reduce biodiversity on the proposed development site. This site has contributed significantly to the estimated population of 2000 individual Powerful Owls remaining (DEC NSW 2006), and deserves to be protected.

**Tree Hollows**

The fauna assessment of the BGC development site by Footprint Green 2017 identifies the presence of newly fledged Powerful Owl chicks on site and potentially breeding on the golf course, and recommends "it is important to protect the vegetation (and hollow bearing trees) to the north-west and west of the proposed village site". However, the report contradicts this statement by recommending the removal of six out of seven hollow-bearing trees within the building envelope. Given the necessity for tree hollows for Powerful Owl breeding and for successful breeding of owl prey, the proposed targeted removal of an essential feature of owl habitat has

the potential to negatively affect the Powerful Owls Footprint Green 2017 specifically note as being resident on site. Unless long-term calculations of owl foraging habitat area and prey density are carried out, we can assume that tree removals within core territory will be likely to reduce the available foraging habitat for the resident pair of Powerful Owls, and potentially force abandonment of the territory.

### Roost Trees

Given the very small size of the riparian vegetation strip within the site, and the absolute dependence of Powerful Owls on roost trees, any removal of/disturbance to riparian vegetation will compromise the persistence of owls on site by changing the ecological function of the riparian vegetation for roosting Powerful Owls. The narrowness of the retained riparian zone will not support the microclimate Powerful Owls need, due to significant edge effects, particularly, heat incursion, and so will be unlikely to allow the persistence of roosting owls. Due to the small size of this patch all vegetation within the site is of high importance for of Powerful Owls, as a roosting location, a jumping off point for foraging in the suburbs outside of this urban green patch, and a stepping stone to more connected forested lands North and West of the habitat patch and to the mangroves, which represent an important foraging area. Signs of Powerful Owl roosting have been documented in over half of the creek line directly adjacent to and within the potential building envelope in 2017. Roosting locations are significantly under protected in the urban environment, even though owls use these areas for 8-9 months of the year. The Powerful Owl Project finds the potential development envelope does not retain large enough areas of vegetated creek line to support owl roosting.

It is also important to acknowledge that there is no provision for habitat replacement/rebuilding of removed trees for any of the threatened bat species identified on site. Only a recommendation that the trees to be removed be checked for bats prior to removal.

### Projected Habitat Destruction

The threshold guidelines for development within and around Powerful Owl territories are outlined below, and more information can be found in 'Land Manager Guidelines for Powerful Owl Conservation in Urban Sydney, Dr David Bain, BirdLife Australia' (requests for this document can be made to BirdLife Australia).

- For foraging, Powerful Owls require forest, woodland and complex urban vegetation suitable for arboreal prey species. Habitat patches greater than 1 ha where patch is any contiguous area of foraging vegetation separated by gaps less than about 50 m.
- Includes: all treed vegetation with > 10 habitat trees (any hollow size) per hectare or > 3 trees over 70 cm DBH per hectare; complex urban vegetation (including planted vegetation) with dense vegetation of mid-storey and/or canopy, including parks and residential backyards suitable for movement of urban adapted arboreal fauna (e.g. Common Ringtail Possum).
- Retain a minimum 450 ha in a maximum of 4 patches within the territory (2 km radius around a nest site or roosting site). Proposals to remove > 1 ha of foraging habitat within 2 km of a nest site (including staged proposals), where the remaining habitat in this area is below the minimum 450 ha vegetation retention threshold, need to be carefully considered and justified with regard to significance assessment (Section 5A, Environmental Planning and Assessment Act 1979).

Other impacts on the local population of Powerful Owls, including the nearby breeding pair, include:

- Loss of native plants. Only local providence native plants should be used for landscaping. This will go some way to help minimise the impacts to threatened species by replacing where possible the native vegetation, habitat and potential food resources removed.
- Loss of hollow-bearing trees. Retention of hollow-bearing trees is essential. These are critical habitat components for a healthy prey population and hence a healthy Powerful Owl population.

The BGC land is mapped as Biodiversity land as discussed in paragraph 7.6 of Pittwater LEP. This document states that the consent authority must consider: (a) whether the development is likely to have: a any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and b any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and c any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land. If the development continues as proposed it is likely to adversely impact on the fauna on the land, resulting in the loss of two significant and productive breeding pairs of Powerful Owls, and an invaluable stepping stone for dispersing fauna from the Northern Beaches peninsula. This development will negatively affect the ecological function of an important green space for urban wildlife.