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ADDENDUM LETTER 1: DA FOR ADDITIONAL SUBDIVISION OF LOT 2, TRENTWOOD PARK, AVALON

Dear Sean,

This letter has been prepared in order to address the preliminary assessment provided by Northern Beaches Council (Council) on 28 August 2019 relating to Development Application (DA) DA2019/0393 for 7 Trentwood Park, Avalon Beach (the 'subject site').

1.1. Background

Cumberland Ecology prepared a Flora and Fauna Assessment (FFA) (Ref. 17043RP1) for Masterplan/Concept Plan within the subject site that proposed to subdivide the lot from one lot to three lots. This DA (Ref. DA2019/0393) was subsequently approved in the Land and Environment Court (LEC).

A DA was then submitted (Ref. DA2019/0393) to further subdivide the newly formed Lot 2 within the subject site, which was supported by a supplementary ecological assessment prepared by Cumberland Ecology (Ref. 19019-Let4). The supplementary ecological assessment assessed the additional impacts of the 1 subdivision of Lot 2 against the entry thresholds of the Biodiversity Offset Scheme (BOS). The supplementary ecological assessment determined that entry into the BOS is not required.

On the 28th August 2019, Council requested additional information in relation to the current DA including an updated ecological assessment that is to include targeted microbat surveys and updated 5-part tests of significance assessing all likely direct and indirect impacts on potentially occurring threatened microchiropteran bats (microbats) listed under the *Biodiversity Conservation Act 2016* (BC Act).

1.2. Response

In our opinion, targeted microbat surveys are not necessary, as the hollow-bearing stag in question (T112) has been approved for removal following adequate assessment in the FFA (Ref. 17043RP1) associated with the original court approved subdivision. This assessment concluded that significant impacts are not anticipated for threatened microbats listed under the BC Act. The additional impacts associated with the current DA involves the loss of an additional seven trees that do not contain suitable roosting habitat features for microbats.

It is acknowledged that numerous records of threatened microbats listed under the BC Act exist within the locality. The majority of the records belong to three species including the Little Bent-winged Bat (*Miniopterus australis*), the Large Bent-winged Bat (*Miniopterus oriana oceanensis*) and the Southern Myotis (*Myotis macropus*). Of these species, the Little Bent-winged Bat and the Large Bent-winged Bat are cave breeding species and subsequently the habitat within the subject site is considered to primarily comprise foraging habitat, although the Little Bent-winged Bat may roost in tree hollows outside of the breeding season. Subsequently, the hollow bearing stag (T112) previously approved for removal is not considered to comprise significant habitat for cave breeding microbat species. The seven additional trees to be removed as a result of the current DA are considered to constitute foraging habitat for cave breeding microbat species.

The Southern Myotis is known to utilise tree hollows for roosting. Whilst there are a number of records of the Southern Myotis within the locality, the hollow-bearing stag within the subject site (T112) is not within 200 m of suitable foraging habitat (3 m wide waterbodies) and is not considered to constitute breeding habitat for the species. Subsequently, the Southern Myotis would not be expected to frequent the subject site. Other tree-hollow roosting and breeding microbat species are known to occur within the locality but have far fewer records (<10 records per species since 1980). Subsequently, these species are considered as unlikely to occur or to have a low likelihood of occurrence within the subject site. Therefore, these microbat species would not be expected to be significantly impacted by the previously approved loss of a single hollow bearing stag (T112), as assessed in the original FFA.

If all microbat species known to the locality were reassessed as likely to occur within the subject site, the conclusions of 5-part tests of significance would remain the same as those provided in the original FFA and the supplementary ecological assessment. The potential habitat within the subject site is considered to predominantly comprise foraging habitat for microbat species considered more likely to frequent the subject site, including the Little Bent-winged Bat and the Large Bent-winged Bat. Microbat species known to occur within the locality would not solely rely on the foraging habitat in question and would only be expected to utilise the potential habitat on an opportunistic basis as part of a larger foraging range. The potential impacts of increased artificial night light would be anticipated to result in insignificant impacts to microbats as the site primarily contains foraging habitat. As discussed in our supplementary ecological assessment, all mitigation measures defined within the original FFA must apply to the current DA. These measures include the installation of two microbat nest boxes within the subject site, which is considered as an appropriate measure to offset the loss of the hollow bearing stag previously approved for removal.

Yours sincerely,

David Robertson

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Director

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