

Natural Environment Referral Response - Biodiversity

Application Number:	DA2022/0509
Date:	19/05/2022
Responsible Officer	Clare Costanzo
Land to be developed (Address):	Lot 25 DP 1105469 , 25 Montpelier Place MANLY NSW 2095

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 following applicable biodiversity-related provisions:

- NSW Biodiversity Conservation Act 2016
- Manly LEP Clause 6.5 Terrestrial Biodiversity
- Manly DCP Clause 5.4.2 Threatened Species and Critical Habitat Lands
- Manly DCP Clause 3.3.1 Landscaping Design

The subject site is within declared habitat for the endangered population of Long-nosed Bandicoots at North Head. As such, a threatened species test of significance ('five part test') for the endangered population is required to be submitted with the DA. An ecological impact assessment has been submitted with the DA and includes the requisite five part test prepared by a suitably qualified ecologist. The assessment concludes that the proposal will not result in a significant impact to the endangered bandicoot population. Given that the proposed works are limited to the existing development footprint and will not require impact to native vegetation or other habitat, this conclusion is supported.

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

Compliance with Ecologist's Recommendations – Pre-construction

Any pre-construction biodiversity-related measures specified in Section 7 of the submitted Terrestrial Biodiversity Report (GIS Environmental Consultants, 14 October 2021) and these conditions of consent must be implemented at the appropriate stage of the development. Compliance with pre-construction measures is to be certified by the Project Ecologist and provided to the Certifying Authority prior to issue of the Construction Certificate.

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

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Compliance with Ecologist Recommendations - During Construction and Demolition

Any biodiversity-related measures specified in Section 7 of the submitted Terrestrial Biodiversity Report (GIS Environmental Consultants, 14 October 2021) that are to be implemented during construction and demolition must be undertaken at the appropriate stage of the development. Compliance is to be certified by the Project Ecologist and provided to the Certifying Authority prior to issue of the Occupation Certificate.

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

Wildlife Protection

If construction activity associated with this development results in injury or displacement 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.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Protection of Habitat Features – Certified by Ecologist

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

Written details demonstrating compliance are to be certified by the Project Ecologist and provided to the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To protect wildlife habitat.

Fencing for Wildlife Passage

Any new permanent fencing (with the exception of swimming pool fencing) is to be made passable to native fauna through the provision of access gaps or raised fencing to provide appropriate ground clearance. Any access gaps are to be a minimum of 150mm wide x 100mm high at ground level and spaced at a minimum of 6m intervals.

Details demonstrating compliance are to be provided the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To preserve wildlife corridors.