

Natural Environment Referral Response - Biodiversity

Application Number:	DA2023/0195
Proposed Development:	Use of premises (Shop 11) as a cafe including fit-out and signage
Date:	12/04/2023
Responsible Officer	Brittany Harrison
Land to be developed (Address):	Lot 1 DP 1170245 , 0 Wharves And Jetties 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 proposal seeks approval for Use of premises (Shop 11) as a cafe including fit-out and signage. The comments on this referral relate to the following applicable controls and provisions:

- SEPP (Resilience and Hazards) 2021 - Chapter 2 Development within the coastal environment
- NSW Biodiversity Conservation Act 2016

The proposed development has been assessed for potential impacts to the endangered population of Little Penguins at Manly. Individual penguins associated with this population have been recorded within the aquatic and terrestrial environment surrounding Manly Wharf. Whilst the proposed use of the existing shop as a cafe will not directly impact upon penguin habitat, night time operations could potentially impact penguins due to noise and light "pollution".

It is recommended the applicants review the National Light Pollution Guidelines for Wildlife available on: <https://www.dcceew.gov.au/environment/biodiversity/publications/national-light-pollution-guidelines-wildlife>.

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:

Nil.