

## Natural Environment Referral Response - Biodiversity

<b>Application Number:</b>	DA2021/2472
<b>Date:</b>	05/01/2022
<b>Responsible Officer</b>	Megan Surtees
<b>Land to be developed (Address):</b>	<p>Lot 10 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 11 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 12 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 13 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 14 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 15 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 16 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 18 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 3 DP 1079222 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 1 DP 1079502 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 2 DP 537807 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 1 DP 177459 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 8 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 9 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 19 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 20 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 5 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 6 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 7 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 1 DP 535058 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 1 DP 931708 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 2 DP 928762 , 0 Pittwater Road MANLY NSW 2095</p> <p>Lot 17 DP 1177 , 0 Pittwater Road MANLY NSW 2095</p>

### 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 Biodiversity Referrals Body raises no objections to the proposal, subject to conditions.

The proposal has been assessed against MLEP Clause 6.5 (Terrestrial Biodiversity). The vegetation along the northern and western boundaries of the proposed festival is mapped as Swamp Oak Floodplain Forest (OEH 2016), an Endangered Ecological Community listed under both the NSW

Biodiversity Conservation Act 2016 (BC Act 2016) and the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act 1999). The proposal is for a temporary festival at Keirle Park within modified and managed parkland immediately adjacent a tributary of Burnt Bridge/Manly Creeks and protected riparian vegetation. The event proposal does not include any removal of native vegetation.

Any perimeter fencing adjoining bushland along the northern, western and southern boundaries of the festival site must be a minimum of 5 metres from the dripline (canopy) of existing trees. Subject to recommended conditions, the proposal is unlikely to result in long-term impact to wildlife habitat or terrestrial biodiversity at the site.

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:**

### **DEVELOPMENT CONSENT OPERATIONAL CONDITIONS**

#### **Minimisation of light pollution**

All temporary lighting is to be orientated so that direct illumination of vegetation areas is avoided and light spill minimised. Shielding of lights to reduce unnecessary light spill should be considered.

Photographic evidence of compliance is to be provided to the Principal Certifying Authority.

Reason: To minimise light pollution impacts on nearby wildlife and their habitats.

#### **Perimeter fencing**

Perimeter fencing is to be erected between the festival area and vegetation on the northern, western and southern boundaries of the reserve. The fencing must be a minimum of 5m from the dripline (canopy) of existing trees.

Details demonstrating compliance, including photographic evidence, is to be submitted to the Principal Certifying Authority.

Reason: Protection of native vegetation including threatened ecological communities.

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

#### **Protection of Habitat Features**

All natural landscape features, including any rock outcrops, native vegetation and/or watercourses, are to remain undisturbed.

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

Reason: To protect wildlife habitat.