

Natural Environment Referral Response - Biodiversity

Application Number:	DA2020/1433
Date:	04/02/2021
Responsible Officer	Maxwell Duncan
Land to be developed (Address):	Lot 1 DP 975012 , 91 Lauderdale Avenue FAIRLIGHT NSW 2094

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

Council's biodiversity referrals team have assessed this development application for compliance against relevant biodiversity legislation, policy and/or planning controls, including the following:

- Manly LEP cl. 6.5 Terrestrial Biodiversity
- Manly DCP cl. 3.3.1 a) iv) Landscape Design in Bandicoot Habitat
- Coastal Management SEPP cl. 13 Development on Land within the Coastal Environment Area

The Arboricultural Impact Assessment which has been provided in the application which notes a total of thirteen trees are located on the existing site. Eleven trees have been recommended to be removed, and two trees to be retained. Of the eleven trees removed, ten trees are exempt species and provide low to very low retention value. The remaining one tree is not an exempt species, however has been recommended to be removed due to it growing out of an existing masonry wall and having a low retention value. The two trees to be retained are located on the eastern and western boundaries of the site. The submitted Arborist Report has identified that two (2) native trees will be planted within the site to compensate for loss of amenity. As such, council are satisfied that the proposed development complies with MLEP cl. 6.5, as the development has been designed and sited to avoid any significant adverse environmental impact.

The submitted Landscape Plan (Sue Barnsley Design 2020) has been prepared in accordance with Council's requirement for the inclusion of native species, which is comprised almost entirely of native species. Whilst the development application is not located in an area identified as Long-nosed Bandicoot habitat, the Landscape Plan proposes that planting of species that provide habitat to Long-nosed Bandicoot including *Dianella* sp. and *Xanthorrhoea* sp. which complies with the requirements of MDCP cl. 3.3.1 a) iv).

As such, Councils biodiversity referrals team are satisfied that the development is in compliance with relevant planning controls and policies.

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 COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Wildlife Protection and Rehabilitation

If construction activity associated with this development results in injury or death of a native mammal, bird, reptile or amphibian, a registered wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To mitigate potential impacts to native wildlife resulting from construction activity.

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

Certification of Landscape Plan

Landscaping is to be implemented in accordance with the approved Landscape Plans (Sue Barnsley Design 2020) and these conditions of consent.

Details demonstrating compliance are to be prepared by the landscape architect and provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.

Replacement of Canopy Trees

At least two (2) locally native canopy trees are to be planted on site to replace protected trees approved for removal. Species are to have a minimum mature height of 8.5m and be consistent with Council's Native Plant Species Guide - Manly Ward, which is available on Council's website.

Tree plantings are to be retained for the life of the development and/or for their safe natural life. Trees that die or are removed must be replaced with another locally native canopy tree.

Replacement plantings are to be certified as being completed in accordance with these conditions of consent by a qualified landscape architect, and details submitted to the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To establish appropriate native landscaping.

No Weeds Imported On To The Site

No Priority or environmental weeds (as specified on the NSW WeedWise website) are to be imported on to the site prior to or during construction works.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to issue

of any Occupation Certificate.

Reason: To reduce the risk of site works contributing to spread of Priority and environmental weeds.