

Natural Environment Referral Response - Biodiversity

Application Number:	Mod2018/0685
Responsible Officer	Adam Croft
Land to be developed (Address):	Lot CP SP 5452 , 13 Stuart Street 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 modification has been assessed against the following provisions:

- NSW *Biodiversity Conservation Act 2016*
- Manly LEP Section 6.5 (Terrestrial Biodiversity)
- Manly DCP Section 5.4.2 (Threatened Species and Critical Habitat)

Whilst the need for the replacement bin store is acknowledged, the Statement of Modification has not demonstrated why the modification requires deletion of the four trees and understorey planting approved in original consent DA0101/2017. The landscape plan submitted in support of the original DA provided for new plantings to compensate for bandicoot habitat approved for removal. Without justification for the deletion of the approved new trees and understorey plantings, further substantial reductions in approved landscaping are not considered appropriate. In order to maintain consistency with relevant Natural Environment controls, an amended landscape plan identifying three Coastal Banksia (*Banksia integrifolia*) specimens (in accordance with provisions of the original landscape plan) is to be prepared and implemented prior to the Occupation Certificate.

Referral Body Recommendation

Recommended for approval, subject to conditions

Recommended Natural Environment Conditions:

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

Amendment of Landscape Plans

The Landscape Plan submitted in support of the modification (Spirit Level Designs, DWG No. L108C,

Revision C, 26 November 2018) is to be amended to include a minimum of three (3) Coastal Banksia (*Banksia integrifolia*) specimens. The specimens are to be of a minimum 140mm pot size. The locations and sizes of new Coastal Banksia plantings are to be shown. The amended Landscape Plan is to be certified by a qualified landscape architect, arborist or ecologist prior to issue of the Occupation Certificate.

Reason: To maintain native vegetation on the site in accordance with Manly DCP Section 6.5 (Terrestrial Biodiversity).

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Landscape Plan to be Implemented

Landscaping is to be implemented in accordance with the certified Landscape Plan, as amended by conditions of consent for this modification. The new landscaping is to be approved as completed in accordance with the Landscape Plan by a qualified landscape architect, arborist or ecologist, prior to issue of the Occupation Certificate. This landscaping is to be maintained for the life of the development.

Reason: To maintain native vegetation on the site in accordance with Manly DCP Section 6.5 (Terrestrial Biodiversity).