

Natural Environment Referral Response - Biodiversity

Application Number:	Mod2024/0441
Proposed Development:	Modification of Development Consent DA2023/1448 granted for Alterations and additions to a dwelling house and associated works
Date:	11/09/2024
Responsible Officer	Claire Ryan
Land to be developed (Address):	Lot 25 DP 8075 , 38 Bower 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 comments in this referral relate to the following applicable controls and provisions:

- SEPP (Resilience and Hazards) 2021 - Coastal Environment Area
- 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.iv) (Landscaping in Bandicoot Habitat).

The property is located within known habitat for the endangered population of Long-nosed Bandicoots at North Head; as such, the development is to be accompanied by a 'test of significance' prepared in accordance with Section 7.3 of the BC Act. Given that the proposed modifications are largely within the existing footprint, Council's Biodiversity referral body have conducted a threatened species test of significance and are satisfied that the proposed development will not represent a significant impact, subject to recommended conditions to maintain bandicoot access and mitigate construction-related impacts.

The proposed modifications would take place in previously disturbed areas. However, transplantation of two existing trees is also being proposed. As transplantation cannot be guaranteed to be successful a like for like tree replacement for Tree 7 (*Dicksonia antarctica*) will be conditioned.

The development is designed, sited and will be managed to avoid any significant adverse environmental impact.

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

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

If an uninjured Long-nosed Bandicoot enters the worksite or is found during a survey of holes/stockpiles, works must cease until the Bandicoot has safely vacated the worksite. Any injured or dead Long-nosed Bandicoots found within the worksite must be reported to the National Parks & Wildlife Service (NPWS). For assistance to relocate a Bandicoot from the worksite, or to report a dead or injured Bandicoot, please contact:

- National Parks & Wildlife Service – Duty Officer (9457 9577)

Reason: To protect native wildlife.

Bandicoot conservation measures - site inductions

All workers are to be given an induction on bandicoot conservation measures prior to commencement of their duties on site.

The site induction is to include information about:

- how to identify a bandicoot
- the conservation significance of the endangered bandicoot population
- measures in place to be implemented for their protection
- who to contact should a bandicoot be identified on site and relevant contact details.

Written confirmation of this induction is to be signed by all workers and provided to the Principal Certifying Authority prior to issue of any Occupation Certificate.

Reason: To protect Long-nosed Bandicoots which may be utilising the site.

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

Replacement of Canopy Trees

At least 1 locally native canopy trees are to be planted on the site to replace protected trees approved for removal. Species are to have a minimum mature height of 8.5m and be consistent with the Native Planting Guide 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 Certifier prior to issue of any Occupation Certificate.

Reason: To establish appropriate native landscaping.