

James Harris
Town Planner
allen price & scarratts pty ltd
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21 February 2022

**Re: Additional Information Request, 48 Campbell Street (Lot 2 // DP 1168922),
Gerringong, NSW**

Dear James

Ecoplanning were engaged by allen price & scarratts pty ltd to prepare an Ecological Constraints Assessment (ECA) for the proposed Planning Proposal to rezone part of 48 Campbell Street Gerringong, to facilitate a future residential development of the site (Ecoplanning 2021).

In a letter dated 21 July 2021 (reference SC3807) Kiama Municipal Council have requested additional information be provided to support the consultation process that follows Gateway Determination (issued on 24 June 2021). The additional information request relates to several elements of the Planning Proposal, including Biodiversity.

This letter has been prepared to address each of the additional information requests that relate to the Flora and Fauna Assessment. Please find attached a table addressing Council's additional information request in **Appendix A**.

Please don't hesitate to contact me should you wish to discuss this further.

Yours sincerely,



Ed Cooper

Senior Ecologist | Operations Manager

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Appendix A Additional Information

Information requested	Information provided
In order to demonstrate consistency with Ministerial Direction 2.1 – Environmental Protection Zones an updated Ecological Constraints Report (i.e. a Flora and Fauna Assessment) is to be submitted. The Assessment needs to:	Additional information is provided in this supplementary report.
recommend the most appropriate zoning for areas of native vegetation,	Figure 5 of the Ecoplanning (2020) Ecological Constraints Assessment (Appendix B) identifies that native vegetation within the subject land is limited to a mature Fig tree, planted native vegetation around the existing dwellings and emergent macrophytes within the creek on the eastern boundary of the site. Fig trees are known to provide foraging resources for birds and mega bats (including the Grey-headed Flying-fox) as well as hollows for microbats. The Kiama Development Control Plan (2012) recognises mature Fig trees as being an important resource and places importance on their retention. It is therefore recommended that the mature Fig tree within the subject site is placed within an area of RE1-Public Recreation so that its biodiversity and amenity value can be protected and enjoyed by residents. The planted native vegetation surrounding the existing dwellings provides some foraging and refuge habitat for native fauna but does not contain any limiting habitat features such as tree hollows. No specific zoning recommendations are made for this planted native vegetation on the basis that it could readily be replaced under an appropriate landscaping strategy. Whilst the creek on the eastern boundary of the site is largely devoid of riparian vegetation, it does contain patches of native emergent macrophytes. Protection and management of riparian vegetation within a Vegetated Riparian Zoner is a requirement of the <i>Water Management Act (2000)</i> for developments on Waterfront Land. It is therefore recommended that a Vegetated Management Zone be established in accordance with the Natural Resource Access Regulator (NRAR) guidelines, and this riparian corridor should be zoned C2 – Environmental Conservation, aside from the road crossing that is already zoned R2 – Low Density Residential (Appendix C).
address any interface issues (e.g. APZ, pathways, service easements, any waterway crossing etc),	A single waterway crossing would be required over the creek on the eastern boundary of the subject site. Whilst the design of this waterway crossing has not yet been undertaken, it will be designed with reference to the NSW Fisheries document <i>Why do fish need to cross the road? Fish passage requirements for waterway crossings</i>

	(Fairfull and Witheridge 2003). Based on the waterway type present, a bridge or culvert structure would be appropriate. The proposed zoning of the Vegetated Riparian Zone (VRZ) would permit environmental facilities such as boardwalks to be incorporated, allowing some community activation of this riparian area. This will be considered further at a future DA stage though it is considered unlikely that such structures would impact the quality and function of the riparian corridor. No other interface issues have been identified.
deal with any potential NRAR aspects/concerns, and	The NRAR guidelines for development on waterfront land require the protection and management of a VRZ for development on Waterfront Land. Development is proposed within the riparian corridor of the waterway on the eastern boundary of the subject land therefore a VRZ must be established. The width of the VRZ is based on stream order (third order in this instance) therefore a 30m buffer (either side from top-of-bank) is required. Encroachments into the outer 15m of this 30m VRZ are acceptable, provided an equal or greater area is provided beyond the 30m buffer as compensation elsewhere. This ability has been utilised in the proposed plan with greater width in the south and an encroachment in the north. The VRZ would be subject to protection and ongoing management, as discussed further below. Much of the proposed development would be located outside of the VRZ, however a road crossing would be required. This road crossing would be designed with reference to the NRAR guideline for crossing design. Roads are permitted within both a VRZ and on land zoned C2 – Environmental Conservation.
address if the proposed zoning is compatible with the functioning of the riparian corridor.	It is proposed that the riparian corridor be zoned C2 – Environmental Conservation. The objectives of the C2 zone are: • To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values. • To prevent development that could destroy, damage or otherwise have an adverse effect on those values. • To ensure adequate environmental buffers are provided, maintained or rehabilitated in the vicinity of high ecological value areas and waterways. Relevant to this Planning Proposal, roads and environmental facilities are permitted within the C2 zone. This zoning is therefore considered appropriate on the basis that it provides for the protection and management of the riparian corridor whilst permitting the works that are proposed to facilitate a future development.

include any commitments for vegetation management. This includes, but is not limited to: • species/habitat value • riparian rehabilitation and management • tenure of the land (i.e. will the land be dedicated to Council via a VPA) and • requirements for any future Vegetation Management Plan (VMP).	The Ecoplanning (2020) ECA identifies the native species and habitat values present within the subject site. Further, it considers the presence or likely occurrence of threatened species that are known or predicted to occur within the locality. The potential impacts of a future development on the species/habitat values present will be considered in greater detail at a future DA stage. It is a requirement that the riparian vegetation within a VRZ be protected and managed under a Vegetation Management Plan, prepared in accordance with NRAR guidelines. A VMP would be prepared in accordance with NRAR guidelines as a part of a future DA. It is understood that the intent is to dedicate the riparian land zoned C2 to Council but this would be subject to future discussions.
The submission of this assessment is required to determine appropriateness of the site for the proposal.	Noted

Appendix B Ecoplanning (2020) Figure



Appendix C Updated Zoning Plan

