



**REVIEW OF ECOLOGICAL
AND ENVIRONMENTAL CONDITIONS**

RESIDENTIAL CARE FACILITY

**45 HILLVIEW STREET
WOY WOY**

**FEBRUARY 2019
REF:9030/2**

**REVIEW OF ECOLOGICAL
AND ENVIRONMENTAL CONDITIONS**

RESIDENTIAL CARE FACILITY

**45 HILLVIEW STREET
WOY WOY**

FEBRUARY 2019

Conacher Consulting Pty Ltd

Environmental and Land Management Consultants

PO Box 4082, East Gosford NSW
Phone: 02 4324 7888
conacherconsulting@gmail.com

This document is copyright ©
Conacher Consulting P.L. ABN 62 166 920 869

1. INTRODUCTION

The following information is provided to address the request of the Joint Regional Panel to provide confirmation that the development consent conditions relating to the implementation of the Bushland Conservation Area have either been met or are adequately covered in the proposed Consent Conditions for the current development application.

Some background to the environmental conditions and bushland restoration works that have been undertaken in relation to the site is provided below.

A Species Impact Statement prepared for the site by Ecological Surveys and Management (Robert Payne, 2005) recommended:

- i. Implementation of a Bushland Plan of Management for areas of the site which are to be included in a Bushland Conservation Area;
- ii. Contribution of \$225,000.00 in funds to Council's Environmental Trust Account for use in the rehabilitation and management of locally occurring remnants of Umina Coastal Sandplain Woodland endangered ecological community
- iii. That the Bushland Conservation Area be included in a conservation covenant (restriction on the use of land) under Section 88b of the Conveyancing Act.

Consequently a Bushland Plan of Management (BPM) was prepared by Anne Clements & Associates (2007) to address the matters identified in the SIS.

The original consent conditions (DA 30219/2006) incorporated these recommendations and identified the relevance of the BPM. Subsequently the following actions were implemented:

1. The requirements for the implementation of the Bushland Plan of Management (BPM) were incorporated into the consent conditions (no. 67) and the BPM implementation commenced
2. \$225,000.00 was paid to Council's Environmental Trust Account, as per consent condition number 83.
3. A positive covenant was placed on the bushland conservation area with a requirement to manage the area in accordance with the BPM prepared by Anne Clements & Associates (15 June 2007)

2. DEVELOPMENT APPLICATION CONDITIONS

A draft set of development consent conditions for the current proposal for an aged care facility on the site (DA53784/2018) have been prepared by Council

A summary of the relevant consent conditions (both existing and proposed) in relation to environmental and ecological matters is provided in Table 1.

Comments in relation to the identification of these consent matters in the Bushland Plan of Management are provided in Column 4 of Table 1.

A review of the Bushland Plan of Management, previous and proposed consent conditions and bushland rehabilitation works undertaken for the implementation of the initial stages of the Bushland Plan of Management has confirmed that all of the relevant initial DA consent conditions have been addressed within the proposed consent conditions and / or are still incorporated into the Bushland Plan of Management for ongoing implementation.

TABLE 1 COMPARISON SUMMARY OF CONSENT REQUIREMENTS			
MATTERS COVERED IN CONSENT	INITIAL DA CONDITIONS DA 30219/2006	PROPOSED CONDITIONS DA 53784/2018	SUMMARY COMMENTS
a. Site Clearing	1	2.12	Bushland Plan Of Management S4.2.1.1 & Consent Conditions
b. Tree Management	9, 71	2.12, 2.14, 3.11, 6.8	Bushland Plan Of Management S4.2.1.1 & Consent Conditions
c. Aboriginal Artefacts	10	4.3	Covered by Consent Conditions
d. Erosion/Sediment Control	42, 76	2.7d, 2.7e, 2.11, 2.16, 3.8, 4.4, 4.22, 6.6, 6.7	Bushland Plan Of Management S4.2.1.3 & Consent Conditions
e. Nutrient Control	45	2.7e, 6.4	Bushland Plan Of Management S3.1 & Consent Conditions
f. Access to Bushland	64	3.10	Bushland Plan Of Management S3.1 & Consent Conditions
g. Bushland Management Plan	67	2.13, 4.17, 5.6, 6.2	Bushland Plan of Management prepared by Anne Clements & Associates 15 June 2007
h. Temporary Chain wire Fence	61, 68	3.5, 3.9, 4.18	Bushland Plan Of Management S4.2.1.4 & Consent Conditions
i. Temporary Protection Signs	65, 69	2.11, 2.12	Covered by Consent Conditions
j. Site Inspection/Reporting	70	2.14, 5.4, 5.5, 5.6	Bushland Plan Of Management S4.2.3 & Consent Conditions
k. Tree removal/Management	71	3.11, 2.14, 4.15	Covered by Consent Conditions
l. Tree Hollow Removal	72, 73	2.14, 4.12	Covered by Consent Conditions
m. Certification Reports to Council	70, 74, 77	2.14, 5.4, 5.5, 5.6	Bushland Plan Of Management S4.2.3 & Consent Conditions
n. Site Landscaping	-	2.15, 4.19, 5.3	Bushland Plan Of Management S4.2.1.7 Landscape Plan by Conus Landscape Architecture
o. SIS Ameliorative Measures	80	SIS not required	Bushland Plan Of Management S1 & Consent Conditions
p. Conservation Covenant on Title	66, 82	Implemented	Covenant on title of Lot 20
q. \$225,000 Conservation Levy to Council	83	Payment made under previous DA	\$225,000 paid to Council for offsite biodiversity management

3. DELETION OF PROPOSED BOARDWALK

The current development application included a proposal to construct a raised boardwalk through parts of the Bushland Conservation Area. It is noted that this component of the application has now been deleted from the development proposal. This raised boardwalk was not a structure required for the ongoing implementation of management actions identified in the Bushland Plan of Management. The access restrictions to the Bushland Conservation Area, as described in the Bushland Plan of Management, are to remain in place during the ongoing management of this Bushland Conservation Area.

4. MANAGEMENT OF POTENTIAL ACID SULPHATE SOILS

An Acid Sulphate Soil Management Plan has been prepared for the proposed development (Douglas Partners, 2019). Details on the treatment and management of potential acid sulphate soils occurring at depths of below 1.5 metres below the current surface level are described in Section 5. It is noted that the storage and treatment of any excavated potential acid sulphate soil is to be undertaken in a manner where the excavated soil is retained under a waterproof cover and that no runoff from the stockpiled material is to be allowed to enter the vegetation conservation area.

5. CONCLUDING COMMENTS

The bushland conservation area within the site has continued to be managed in accordance with the implementation requirements of the Bushland Plan of Management (Ann Clements & Associates, 2007) and as required in relevant consent conditions for the previous DA 30219/2006.

The following consent conditions for DA 30219/2006 have been complied with:

- No. 80 Implementation of Species Impact Statement (SIS) ameliorative measures;
- No. 82 Restriction of use of land under Section 88b of the Conveyancing Act;
- No. 83 Payment of \$225,000.00 towards Council's Environmental Trust Account.

The removal of the proposal to construct a raised boardwalk in the Bushland Conservation Area will not negatively impact on the long term management / access requirements for this area.

The current proposed consent conditions, in association with the ongoing bushland rehabilitation and management requirements identified in the Bushland Plan of Management, will ensure that the obligations for bushland management and conservation will continue to be met for this particular site under the proposed development and conservation proposal.

Report and Comments provided by:

PHILLIP ANTHONY CONACHER B.Sc.(Hons), Dip.Urb Reg Planning, M.Nat.Res.
PROJECT DIRECTOR
Conacher Consulting