

# Modification of Development Consent

## Section 4.55 (1A) of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I modify the consent referred to in Schedule 1, subject to the conditions in Schedule 2.

Anthea Sargeant  
**Executive Director**  
**Compliance, Industry and Key Sites**

Sydney

2019

---

### SCHEDULE 1

**Project Approval:** **10\_0205** granted by the Planning Assessment Commission on 3 May 2011.

**For the following:** Residential subdivision at Gwandalan

- 187 new residential lots
- 1 residential lot to retain an existing dwelling
- 1 public open space lot
- associated bulk earthworks
- infrastructure including drainage and utility services
- landscaping works, and
- development of the site into 7 stages

**Proponent:** Lakeside Living Pty Ltd

**Approval Authority:** Minister for Planning and Public Spaces

**The Land:** Lot 3 DP 588206

**Modification:** **10\_0205 MOD 4:** the modification includes:

- amendments to Condition B11 relating to the habitat restoration plan including:
  - changes to the provision of nest boxes
  - inclusion of an ecosystem or species credit requirement in relation to Stage 7.

## SCHEDULE 2

The consent is modified as follows:

- (a) Schedule 2 Part B – Condition B11 is amended by the insertion of the **bold and underlined** words / numbers as follows:

### **B11 Habitat Restoration Plan**

- (2) A Wildlife Management Strategy (WMS) shall be prepared by a suitably qualified and experienced ecologist and submitted to and approved by the Council. The WMS is to show how mitigation against native animal welfare issues will be achieved. The WMS is to include, but not be limited to the following protocols:

- (g) **Stage 1 - 6:** Nest boxes are to be provided on a one for one basis for any natural hollow removed by the development and are to be constructed of appropriate durable materials. Alternatively, natural hollows salvaged from removed trees may be installed on retained trees at a ratio of one salvaged hollow for three removed hollows. All nest boxes are to be erected prior to the issue of a Construction Certificate and at least one month prior to vegetation clearance on the site. All salvaged natural hollows are to be erected within 2 weeks of the host tree being removed, with certification of this requirement provided by the consultant ecologist. The monitoring of nest boxes to determine their usage and to carry out repairs or replacement (as required) every six (6) months for a minimum period of three (3) years following erection. Monitoring reports are to be forwarded to Council after each monitoring event.

- (h) **Stage 7: Within 24 months after the commencement of clearing within Stage 7 or prior to the issue of a subdivision certificate for any lots within Stage 7, whichever occurs first, the Proponent shall provide evidence to the satisfaction of the Secretary of the Department of Planning, Industry and Environment, confirming:**

- 1. it has secured and retired:**
  - i) ecosystem credits of one or more Plant Community Types impacted by the development, or**
  - ii) species credits for hollow dependent fauna impacted by the development,****to the value of no less than \$62,000 (ex GST)**
- 2. the retired credits are located within the Central Coast and/or the Lake Macquarie LGA**
- 3. if ecosystem credits are retired – that the retired ecosystem credits contain hollow-bearing trees**

- (i) **Any natural hollows within Stage 7 that are deemed suitable for reuse by a suitably qualified and experienced ecologist must be provided to Council prior to the commencement of clearing works. Should Council not wish to accept the natural hollows, this must be confirmed in writing and a copy provided to the Department.**

End of modification  
(10\_0205 MOD 4)