

Pilar Aberasturi - RE: MP06_0060 & MP06_0058 MOD 14 - Vincentia Coastal Village, Vincentia [SEC=UNCLASSIFIED]

From: "Masters, Melissa" <Melissa.Masters@environment.gov.au>
To: Pilar Aberasturi <Pilar.Aberasturi@planning.nsw.gov.au>
Date: 6/25/2013 4:00 PM
Subject: RE: MP06_0060 & MP06_0058 MOD 14 - Vincentia Coastal Village, Vincentia [SEC=UNCLASSIFIED]
CC: "Taylor, Mahani" <Mahani.Taylor@environment.gov.au>
Attachments: Approval instrument_2006-2927.pdf; Annexure 2_2006-2927.pdf

Hello Pilar

Apologies for not responding to your request for comment by yesterday.

SEWPaC comments on the proposed modification to the Vincentia Coastal Village and District Centre concept plan are as follows:

Item Number 26 states that: "The Proponent will prepare and implement restoration for the scald area within the Jervis Bay Orchid habitat north of the District Town Centre, in consultation with DEC and relocate the existing Bay and Basin Leisure Centre access as part of the future approval of the village east area. A 25 metres buffer will be provided from the identified Jervis Bay Leek Orchids as shown on Drawing No 104016-71-SK 01_P0 prepared by Forbes Rigby Pty Ltd."

I note that the reference to DEC should perhaps be corrected to OEH?

In addition, in accordance with the EPBC Act conditions of approval (2006/2927), the Proponent must rehabilitate the existing Bay and Basin Leisure Centre access road (in addition to the scald area). Timeframes for the delivery of the new access road and rehabilitation are required prior to approval of the revised EMP under the EPBC Act.

Any management plans (e.g. vegetation, biodiversity, orchid monitoring, fencing, feral animal management, weeds etc) should be developed in consultation with OEH and be consistent with the objectives of plans submitted under the EPBC Act (noting that the revised EMPs under the EPBC Act are yet to be approved, owing to outstanding issues for resolution).

I would also suggest that any upgrade of The Wool Road should include traffic calming measures, as this road dissects an important habitat corridor for the endangered Eastern Bristlebird.

Finally, the Proponent should ensure that the proposed modification is not inconsistent with the approval under the EPBC Act. I have attached a copy of the EPBC approval (including a map of the approved footprint) for your information.

Thank you for the opportunity to comment. Please do not hesitate to contact me if you have any queries.

Regards

Melissa

Melissa Masters

NSW Section | South-Eastern Australia Assessments

Environment Assessment and Compliance Division

Department of Sustainability, Environment, Water, Population & Communities (SEWPaC)

(02) 6274 2871 | melissa.masters@environment.gov.au





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From: Pilar Aberasturi [mailto:Pilar.Aberasturi@planning.nsw.gov.au]
Sent: Tuesday, 25 June 2013 3:00 PM
To: Masters, Melissa
Cc: Mark Schofield
Subject: MP06_0060 & MP06_0058 MOD 14 - Vincentia Coastal Village, Vincentia

Dear Melissa,

Could you please advise if you have any comments / draft conditions to notification of the above modification.

Agency comments were expected yesterday 24 June 2013.

Could you please advise me today.

Thank you

Regards

Ms Pilar Aberasturi

Senior Planner

Metropolitan and Regional Projects South

NSW Department of Planning & Infrastructure | GPO Box 39 | SYDNEY NSW 2001

T (02) 9228 6496 E pilar.aberasturi@planning.nsw.gov.au



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Approved for Future Development!
Subject to Future NSW State Approval

Subject to Future NSW State Approval

STOCKLAND MAP SK12
AND NATIONAL PARK TENURE

SCALE : 1:5,000 AT A3
PROJECTION : UTM AGD66



COMMONWEALTH OF AUSTRALIA

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

DECISION TO APPROVE THE TAKING OF AN ACTION

Pursuant to section 133 of the *Environment Protection and Biodiversity Conservation Act 1999*, I, VICKI JANE MIDDLETON, a delegate for the Minister for the Department of the Environment and Water Resources, approve the taking of the following action:

to construct a residential and commercial development at Vincentia, NSW
(EPBC 2006/2927)

by Stockland Developments Pty Ltd subject to the conditions set out in ANNEXURE 1.

This approval has effect for:

Sections 18 and 18A (Listed threatened species and ecological communities) of the
Environment Protection and Conservation Biodiversity Act 1999.

This approval has effect until 30 June 2032.

Dated this

30th

day of

July

2007

Vicki Middleton

VICKI JANE MIDDLETON

ANNEXURE 1

1. The person taking the action must contain development within the final development footprint, as bounded by the outer edge of the Asset Protection Zones in Annexure 2.
2. The person taking the action must undertake all clearing activities in accordance with staged clearing plan/s, which must be developed in consultation with the NSW Department of Environment and Climate Change (DECC) and the Shoalhaven City Council (SCC). The plan or plans must demonstrate that actions will be undertaken to mitigate erosion and sedimentation impacts on the Environmental Zone (EZ).
- *3. The person taking the action must submit for the Minister's approval a plan or plans to manage the EZ to protect listed threatened species, biodiversity and habitat corridor values in perpetuity. The plan or plans must be developed in consultation with the DECC and SCC and must address:
 - a) Vegetation management, including performance indicators, monitoring requirements and corrective actions;
 - b) Fire management to protect biodiversity values;
 - c) Weed management;
 - d) Feral animal control;
 - e) Fencing of urban interface boundaries, including ongoing maintenance of fencing, at the outer edge of the Asset Protection Zones to prevent unauthorised public access to the EZ, including at interfaces with residential areas, the District Centre, The Wool Road, and the Bay and Basin Leisure Centre;
 - f) Research, monitoring and management of the Jervis Bay Leek Orchid (*Prasophyllum affine*) wasp pollinator and its habitat, including:
 - i. key indicators of vegetation condition,
 - ii. the effects of artificial lighting on the wasp pollinator, and
 - iii. a review of management measures to take account of monitoring and research findings;
 - g) Hydrological requirements for threatened orchids, including measures to:
 - i. monitor the perched water table groundwater levels, and
 - ii. identify and address potential hydrological impacts on the orchids;
 - h) Removal and rehabilitation of the existing access road from The Wool Road to the Bay and Basin Leisure Centre through the EZ, including rehabilitation of the scald area;
 - i) Monitoring of the Eastern Bristlebird (*Dasyornis brachypterus*), Jervis Bay Leek Orchid (*Prasophyllum affine*) and Leafless Tongue Orchid (*Cryptostylis hunteriana*);
 - j) Long-term management responsibility for the EZ; and
 - k) Evidence that sufficient resources will be allocated to implement the ongoing management requirements of the EZ.

The approved plan/s must be implemented.

4. The person taking the action may only clear and commence construction within the area identified as Stage 1, as shown in Annexure 2, until the plan or plans required under paragraph 3 have been approved.
5. The person taking the action must conduct an independent audit of compliance with paragraphs 1, 2 and 3 within 1 year of completion of development of the residential component of the action. The results of the audit must be forwarded to the Minister within 30 business days of completion of the audit.

6. If the person taking the action wishes to carry out any activity other than in accordance with the plan/s required under paragraph 3, the person taking the action must submit for the Minister's approval a request for revision of the plan. If the Minister approves the revised plan/s as submitted, the person taking the action must implement that plan instead of any plan previously approved.
7. If the Minister believes that it is necessary or desirable for the better protection of the environment, the Minister may request the person taking the action to make specific revisions to the plan/s approved under paragraph 3 and to submit the revised plans for the Minister's approval. The person taking the action must comply with any such request. If the Minister approves a revised plan pursuant to this condition, the person taking the action must implement that plan instead of the plan previously approved.
8. If, at any time after 5 years from the date of this approval, the Minister notifies the person taking the action in writing that the Minister is not satisfied that there has been substantial commencement of the Stockland Residential and Commercial development at Vincentia, the action must not thereafter be commenced without written agreement of the Minister.

Definitions

Environmental Zone (EZ) – the area of land defined in Annexure 2, which must be managed in perpetuity to protect listed threatened species, biodiversity and habitat corridor values.

Research – reference to research on the Jervis Bay Leek Orchid (*Prasophyllum affine*) wasp pollinator and its habitat should be a defined post-graduate project to determine whether the action will have a long term impact on the lifecycle of the orchid.