

COUNCIL REFERENCE: 3A08/1010
CONTACT PERSON: Elizabeth Downing
YOUR REFERENCE: SSD7169

14th March, 2017

Attention Jane Flanagan
Senior Planning Officer
Modification Assessments
Department of Planning and Environment

jane.flanagan@planning.nsw.gov.au

Dear Jane,

**3A Application - 3A08/1010
Lot 3 DP 568613 & Lot 30 DP 1198692 Johnsson Road, & Lot 384 DP 755952
George Evans Rd, MUNDAMIA**

I refer to your email of 21 February 2017 regarding the Biodiversity Offset Strategy dated 17 February 2017 (v1.0)

The following comments are offered for your assistance.

The updated BOS details the impact site and the offset site. The detention basins have been clearly marked as part of the impact site.

The applicant has acknowledged that SCC/OEH will need to be consulted to develop a management plan and cost estimations for the Offset site. Given that the Offset site will end up in Council ownership (covered by a Biobanking agreement) under a VMP, Council will need to be involved in the development and costing of the management regime for this land. There needs to be a condition that gives Council ability to determine the adequacy of the Total Fund Deposit costings and maintenance actions at an appropriate stage. This will involve the applicant providing details about the condition of the land and proposed management actions over a period of no less than 20 years. This would need to occur prior to any CC. In the event of a dispute over costings or actions, the Department will need to provide guidance on how this can be resolved.

We recommend the following conditions with respect to the way that hollow bearing trees are to be removed from the site. These conditions are consistent with Council's requirements.

Conditions for the removal of the hollow bearing tree:

- 1) A suitably qualified environmental consultant or NSW National Parks & Wildlife Service licensed wildlife handler must be on site prior to, and during the removal of the one hollow bearing tree identified on the site plan (ref), to rescue fauna.
- 2) Prior to the removal of the tree, nest boxes must be installed that mimic the size and number of hollows that will be removed. The nest boxes must be installed in accordance with the Bird Australia Information Sheet No.5, Nest Boxes for Natives (attached) prior to the felling of the tree at locations advised by the consultant or licensed wildlife handler.

- 3) The hollows must be checked for resident fauna prior to felling. If nests are present (likely during spring) they must be carefully relocated in nearby nest boxes or as directed by the supervising licensed wildlife handler. The hollow-bearing tree must be gently nudged with felling equipment prior to felling to encourage safe fauna evacuation. The tree must be then felled carefully in sections utilising a “cherry picker” or crane if necessary to allow the rescue of native fauna. Hollow-bearing sections must be carefully lowered to the ground so as not to injure native fauna. Once the tree has been felled the hollows must be inspected for fauna and relocated if possible in an appropriate location determined by the licensed wildlife handler or consultant. If animals are injured then they must be assessed and either taken to a veterinary scientist or euthanized.
- 4) The environmental consultant must provide a written report to Shoalhaven City Council (email to Council’s Threatened Species Officer acceptable) detailing any fauna detected as a result of the clearing works and how they were dealt with. The report is to be submitted within 10 days of the clearing taking place.

Sewage Pump Station

Shoalhaven Water has confirmed that submitted information does show the revised location of the proposed Sewage Pump Station (SPS) to reduce impact on the Nowra Heath Myrtle community. If the revised location is to be pursued, all plans should be updated with location of preferred SPS site (in particular page 69 of the Biodiversity Offset Strategy by SLR dated 17/2/2017 v1.0).

WSUD

The applicant has commented to the effect that the DCP acknowledges and permits drainage works in the public domain. The applicant should be aware that this is an acceptable solution. Other solutions may be considered subject to the performance criteria being satisfied. From Council’s perspective, the concern relates to maintenance and on-going maintenance and costs.

Ground Water Recharging

Having regard to the shallow soils over the site ranging from a maximum of around 1500mm to as shallow as 600mm, the provision of roadways with necessary pavements and underground drainage lines including subsoil drains, significantly disrupts the existing ground water. Trying to recharge the ground water throughout the development area is extremely difficult due to the need to ensure adequate drainage of road pavements and the bedding, haunching and backfill around underground drainage lines cutting off ground water flows.

The development area as designed, will essentially remove the need for any ground water recharge until the perimeter of the development due to dwelling and ancillary buildings, paving, lawns and gardens. Replenishment of the groundwater only becomes necessary at the urban bushland interface and as such this is where the infiltration regime needs to be provided. These areas come into the public domain as either public road or public reserve.

The applicant should carefully consider the overall effect of the developable area and consider where the groundwater needs to be recharged.

If you have any further enquiries about this matter, please contact Elizabeth Downing, on (02) 4429 3317. Please quote Council's reference 3A08/1010.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Cathy Bern', with a stylized flourish extending to the right.

Cathy Bern
Acting Director
Development Services