

## SUMMARY OF SUBMISSIONS

DA/1733/2007

<b>Document No</b>	<b>Issue</b>	<b>Comment</b>
D01058798 D01058839 D01058871 D01059316 D01076812 D01084402 D01088946 D01203843 D01204048 D01214140	Impact of the proposal on the Wadalba Wildlife Corridor	The proposed development does not encroach upon the Wadalba Wildlife Corridor. The boundaries of the corridor have been established in the Wadalba Wildlife Corridor Management Plan and Council's DCP Chapter 49. The area of the subject lot planned for residential development has been appropriately zoned for residential use since 2000. As part of this proposal 3.62 Ha of the subject lot zoned 7(a) Conservation land will be dedicated to Council to form part of the Wadalba Wildlife Corridor.
D01059316 D01076812 D01084402 D01203843 D01214140 D01086593	Impact of proposal on the Wadalba Hill	When the land in the locality was zoned for residential use in 2000, the suitability of this land for residential and conservation purposes was considered. A significant portion of the zone boundary that separates the conservation and residential zonings can be identified by a sharp change in grade. This boundary was once again examined in the preparation of the Wadalba Wildlife Corridor Management Plan. The area proposed for residential development follows the existing subdivision pattern and is located below the ridgeline of Wadalba Hill.
D01076812	Council and other Government Bodies should purchase the land for conservation purposes.	Funding is not available for such a purchase through the planning process. Council has managed to retain a significant proportion of land in the area for conservation purposes.
D01203843 D01084402 D01086593 D01076812	Increase/issues with human interaction with Wildlife Corridor.	The appropriate use of the wildlife corridor is to be encouraged. Specific conditions of consent are applied to developments in the area of the corridor to ensure developers and future owners will not have an unacceptable detrimental effect on the corridor.

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D01076812 D01088946	Potential Impact on threatened species	<p>As required under Part 5A of the EP&amp;A Act, the applicant has considered the effect on threatened species, populations or ecological communities, or their habitats. 7 Part tests were conducted for all threatened species that may use the site as part of their habitat.</p> <p>A number of trees both within the residential zoned area and outside of it contains trees which would be suitable nesting trees for potential owls and masked owls. Non of the trees within the residential zoned area were considered likely to be permanent roosting/breeding trees by Conacher Travis as they showed no evidence of recent use. The Flora and Fauna Statement and Vegetation Plan contains recommendations which are to be included as conditions of consent to mitigate any impacts associated with the development.</p>
D01076812 D01088946	Impact on Threatened Orchid Species	<p>At the time the application was lodged, Council was aware that certain orchid species could potentially be listed in The TSC in the imminent future. During the assessment process the Wyong Sun Orchid (<i>Thelymitra sp. Adorata</i>) was listed as a critically endangered species. Following confirmation from DECC that the Deemed Concurrence for the Wadalba Corridor only applied to threatened species and their habitats at the time DECC Concurrence was granted, the applicant was requested to conduct a survey for this species and to provide a 7 part test for the orchid species. The 7 part test indicated that the species does not exist on the subject site. This information was reviewed by an independent ecologist confirming these findings.</p>
D01058798 D01058839 D01058871 D01083918	Need for an updated aboriginal archaeological study	<p>The application was supported with a study of the site by the Darkinjung Aboriginal Land Council. The study indicated that there were no aboriginal cultural heritage constraints to development in this area. This report is consistent with the study conducted by consultants at the time of the rezoning of the land in 2000. Following consultation with DECC a further study of the site and surrounding sites was undertaken by independent consultants during the assessment process. The conclusions of this report are consistent with those listed above.</p>

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D01083918	Notification process – timing and extent of notification by letter	As the application was lodged on 12 December 2007, the notification period was extended from the usual two weeks to four weeks until 18 January 2008. Notification by letter and in the local press was consistent with Council Policy and consistent with the process in respect of similar subdivision applications in the past. Council has received and considered all objections lodged during the assessment process, even those lodged after the formal notification period had closed.
D01083918 D01058798 D01058839 D01058871	Increase in traffic and noise in the Wadalba area	The road design is generally consistent with the requirements of the endorsed DCP for the area and Council standards. The subdivision does not provide for any increase in through traffic, servicing local residents only.
D01083918	Reduction of greenspace in the area.	The proposal is consistent with the pre-existing zoning of the land for residential use which came into force in the year 2000. The Wadalba Wildlife Corridor Agreement ensures that significant areas of green space are maintained in the locality.
D01088946	Deemed Concurrence Only applies to 2(e) section of site.	The Deemed Concurrence covers all land affected by this application.

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D01088946	<p>Under the Deemed Concurrence 7 part tests are still required. Therefore a Species Impact Statement (SIS) should be provided with the application.</p>	<p>The deemed concurrence allows Council to assume DECC's concurrence if any impacts deemed to have a significant impact under 5A of the EP&amp;A Act. The usual procedure in the assessment of development applications where there are environmental concerns is that Council determines from the information submitted if there is likely to be a "significant" impact, as determined under Section 5A. Where it is considered that there is potentially a significant impact an SIS is required. Should an SIS be required, the proponent would be required to approach DECC to obtain the director General's requirements with regard to the issues to be assessed in the SIS.</p> <p>The original intent of creating the Wildlife Corridor and Management Plan and expanding the size of the original wildlife corridor was to reduce the likelihood of "significant" impacts occurring on threatened species, populations or ecological communities or their habitats. If there is no significant effect an SIS is not required.</p> <p>Council has reviewed the 7 Part Tests provided and is satisfied that any impact on Threatened Species can be mitigated through conditions of consent.</p>