



## **EPBC (2022/09220) Annual Compliance Report**

Caravan and Lifestyle Living, 126 Dora St

Prepared for

**Sungenia Landco Management Pty Limited**

August 2025

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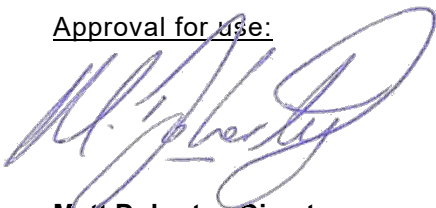
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Approval for use:



**Matt Doherty - Director**

12 August 2025

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## GLOSSARY OF TERMS AND ABBREVIATIONS

Term/ Abbreviation	Meaning
Department	Commonwealth Department of Climate Change, Energy, the Environment and Water, or the Australian Government Department responsible for the Environment Protection and Biodiversity Conservation Act 1999.
DoE	Commonwealth Department of the Environment
EP&A Act	NSW Environmental Planning and Assessment Act 1979
EPBC Act	Commonwealth Environment Protection and Biodiversity Conservation Act 1999
ha	hectare
LGA	Local Government Area
Minister	Minister for the Environment, or the Minister administering the Environment Protection and Biodiversity Conservation Act 1999, and includes a delegate of the Minister
NPWS	NSW National Parks and Wildlife Service
NSW DPHI	NSW Department of Planning, Housing and Infrastructure
NSW DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water
OEH	NSW Office of Environment and Heritage

# 1 Introduction

MJD Environmental has been commissioned by Sungenia Landco Management Pty Limited to prepare an annual compliance report for the 2024-25 period detailing the measures undertaken to address approval conditions granted under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) for a Caravan Park and Lifestyle Living development (EPBC No. 2022/09220) on the 24 April 2023.

This report includes an overview of all works undertaken to comply with conditions to date. This report also includes an assessment of the status of implementation of Plans prepared in compliance with conditions to date (refer to **Sections 5 and 6**).

Additionally, this report includes a Non-Compliance Management Plan, which was issued to the Department on 28 July 2025.

## 1.1 Conditions attached to the approval (EPBC 2022/09220)

### 1.1.1 Part A – Conditions specific to the Action

- 1) The approval holder must not **clear**:
  - a. outside the **action area**
  - b. more than 18.34 hectares of **Charmhaven apple habitat**
  - c. within the **Charmhaven apple retained area**. Offsets
- 2) To offset the impacts of the Action to the **Charmhaven apple**, the approval holder must **retire biodiversity credits** in accordance with the **Council Development Application Notices of Determination**.

### Vegetation and Fauna Management Plan

- 3) To mitigate impacts to **protected matters**, the approval holder must implement the **Vegetation and Fauna Management Plans (VFMPs)** prior to commencement of the Action and continuing until at least the expiry date of this approval.

### Erosion Management Plan

- 4) To mitigate impacts to **protected matters** from soil, earth and sediment mobilisation and deposition, the approval holder must implement the **Erosion Management Plan (EMP)** prior to commencement of the Action and continuing until at least the expiry date of this approval.

## SUBMISSION AND PUBLICATION OF PLANS

- 5) The approval holder must submit all **plans** required by these conditions electronically to the **department**
- 6) Unless otherwise agreed to in writing by the **Minister**, the approval holder must publish each **plan** on the **website** within 15 **business days** of the date:
  - a. of this approval.
  - b. any revised version of a **plan** is approved by **Council**.
- 7) The approval holder must keep all published **plans** required by these conditions on the **website** until the expiry date of this approval.
- 8) The approval holder is required to exclude or redact **Sensitive ecological data** from **plans** published on the **website** or otherwise provided to a member of the public. If **Sensitive ecological data** is excluded or redacted from a **plan**, the approval holder must notify the **department** in writing what exclusions and redactions have been made in the version published on the **website**.

### 1.1.2 Part B – Administrative conditions

#### NOTIFICATION OF DATE OF COMMENCEMENT OF THE ACTION

- 9) The approval holder must notify the **department** electronically of the date of commencement of the Action, within 5 **business days** following commencement of the Action.
- 10) If the commencement of the Action does not occur within 5 years from the date of this approval, then the approval holder must not **commence the action** without the prior written agreement of the **Minister**.

#### COMPLIANCE RECORDS

- 11) The approval holder must maintain accurate and complete **compliance records**.
- 12) If the **department** makes a request in writing, the approval holder must provide electronic copies of **compliance records** to the **department** within the timeframe specified in the request.

Note: **Compliance records** may be subject to audit by the **department**, or by an **independent auditor** in accordance with section 458 of the **EPBC Act**, and/or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the **department's website** or through the general media.

- 13) The approval holder must ensure that any **monitoring data** (including **Sensitive ecological data**), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Guidelines for biological survey and mapped data, Commonwealth of Australia 2018, or as otherwise specified by the **Minister** in writing.
- 14) The approval holder must ensure that any **monitoring data** (including **Sensitive ecological data**), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Guide to providing maps and boundary data for **EPBC Act** projects, Commonwealth of Australia 2021, or as otherwise specified by the **Minister** in writing.
- 15) The approval holder must submit all **monitoring data** (including **Sensitive ecological data**), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the **department** within each 12-month period following the date of this approval, or as otherwise agreed to in writing by the **Minister**.

#### ANNUAL COMPLIANCE REPORTING

- 16) The approval holder must prepare a **compliance report** for each 12-month period following the date of this approval, or as otherwise agreed to in writing by the **Minister**.
- 17) Each **compliance report** must be consistent with the Annual **Compliance report** Guidelines, Commonwealth of Australia 2014.
- 18) Each **compliance report** must include:
  - a. Accurate and complete details of compliance and any non-compliance with the conditions and the **plans**, and any **incidents**.
  - b. One or more **shapefile** showing all **clearing** of any **protected matters**, and/or their habitat, undertaken within the 12-month period at the end of which that **compliance report** is prepared.
  - c. A schedule of all **plans** in existence in relation to these conditions and accurate and complete details of how each **plan** is being implemented.
- 19) The approval holder must:
  - a. Publish each **compliance report** on the **website** within 60 **business days** following the end of the 12-month period for which that **compliance report** is required.
  - b. Notify the **department** electronically, within 5 **business days** of the date of publication that a **compliance report** has been published on the **website**.
  - c. Provide the weblink for the **compliance report** in the notification to the **department**.

- d. Keep all published **compliance reports** required by these conditions on the **website** until the expiry date of this approval.
- e. Exclude or redact **Sensitive ecological data** from **compliance reports** published on the **website** or otherwise provided to a member of the public.
- f. If **Sensitive ecological data** is excluded or redacted from the published version, submit the full **compliance report** to the **department** within 5 **business days** of its publication on the **website** and notify the **department** in writing what exclusions and redactions have been made in the version published on the **website**.

**Note:** **Compliance reports** may be published on the **department's website**.

## **REPORTING NON-COMPLIANCE**

- 20) The approval holder must notify the **department** electronically, within 2 **business days** of becoming aware of any **incident** and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a **plan**.
- 21) The approval holder must specify in the notification:
  - a. Any condition or commitment made in a **plan** which has been or may have been breached.
  - b. A short description of the **incident** and/or potential non-compliance and/or actual non-compliance.
  - c. The location (including co-ordinates), date, and time of the **incident** and/or potential non-compliance and/or actual non-compliance.

**Note:** If the exact information cannot be provided, the approval holder must provide the best information available.

- 22) The approval holder must provide to the **department** in writing, within 12 **business days** of becoming aware of any **incident** and/or potential non-compliance and/or actual non-compliance, the details of that **incident** and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a **plan**. The approval holder must specify:
  - a. Any corrective action or investigation which the approval holder has already taken.
  - b. The potential impacts of the **incident** and/or non-compliance.
  - c. The method and timing of any corrective action that will be undertaken by the approval holder.

## **INDEPENDENT AUDIT**

- 23) The approval holder must ensure that an **independent audit** of compliance with the conditions is conducted for every five-year period following the commencement of the Action until this approval expires, unless otherwise specified in writing by the **Minister**.
- 24) For each **independent audit**, the approval holder must:
  - a. Provide the name and qualifications of the nominated **independent auditor**, the draft audit criteria, and proposed timeframe for submitting the **audit report** to the **department** prior to commencing the **independent audit**.
  - b. Only commence the **independent audit** once the nominated **independent auditor**, audit criteria and timeframe for submitting the **audit report** have been approved in writing by the **department**.
  - c. Submit the **audit report** to the **department** for approval within the timeframe specified and approved in writing by the **department**.
  - d. Publish each **audit report** on the **website** within 15 **business days** of the date of the **department's** approval of the **audit report**.
  - e. Keep every **audit report** published on the **website** until this approval expires.

- 25) Each **audit report** must report for the five-year period preceding that **audit report**.
- 26) Each **audit report** must be completed to the satisfaction of the **Minister** and be consistent with the Environment Protection and Biodiversity Conservation Act 1999 **Independent audit** and **Audit report** Guidelines, Commonwealth of Australia 2019.

### COMPLETION OF THE ACTION

- 27) The approval holder must notify the **department** electronically 60 **business days** prior to the expiry date of this approval, that the approval is due to expire.
- 28) Within 20 **business days** after the **completion of the action**, and, in any event, before this approval expires, the approval holder must notify the **department** electronically of the date of **completion of the action** and provide **completion data**.

### 1.1.3 Part C – Definitions

In these conditions any bolded use of a word or term refers to the below definition of that word or term:

**Action area** means the location of the Action, represented in the map at Attachment A by the zone enclosed within the red lines designated 'Subject Site'.

**Audit report** means a written report of compliance and fulfilment of the conditions attached to this approval, objectively evaluated against the audit criteria approved by the **department**.

**Biodiversity credits** means biodiversity credits in accordance with the Biodiversity Offsets Scheme under the *Biodiversity Conservation Act 2016* (NSW).

**Business day** means a day that is not a Saturday, a Sunday, or a public holiday in NSW.

**Charmhaven Apple** means the **EPBC Act** listed threatened species *Angophora inopina*.

**Charmhaven Apple habitat** means the habitat for the **Charmhaven Apple** represented in the map at Attachment B by the purple circle markers designated '*Angophora inopina*' within the **Action area**.

**Charmhaven Apple retained area** means the area containing **Charmhaven Apple** individuals represented in Attachments A and B by the zones shaded blue designated 'Retained Area' within the **Action area**.

**Clear, cleared or clearing** means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting, or burning of vegetation, but does not include control of weeds (including Weeds of National Significance and weeds listed under the *Biodiversity Conservation Act 2016* (NSW)).

**Commence the Action or Commencement of the Action** means the first instance of any activity associated with the Action including **clearing, construction**, and/or management activities within the **Action area**. This does not include minor physical disturbance necessary to:

undertake pre-clearance surveys or monitoring programs.

install signage and /or temporary fencing to prevent unapproved use of the **Action area**, so long as the signage and/or temporary fencing is located where it does not **harm** any **protected matter**.  
protect environmental and property assets from fire, weeds, and feral animals, including use of existing surface access tracks.

install temporary site facilities for persons undertaking pre-commencement activities so long as these facilities are located where it does not **harm** any **protected matter**.

**Completion data** means an environmental report and spatial data clearly detailing how the conditions of this approval have been met. The **department's** chosen format for spatial data is a **shapefile**.

**Completion of the Action** means the date on which all activities associated with this approval have permanently ceased and/or been completed.

**Compliance records** means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the approval holder's possession, or that are within the approval holder's power to obtain lawfully.

**Compliance report** means a written report of compliance with, and fulfilment of, the conditions attached to the approval.

**Construction** means the erection of a building or structure that is, or is to be, fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; any work which involves breaking of the ground (including pile driving) or bulk earthworks; the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of temporary fences and signage.

**Council** means Lake Macquarie City Council.

**Council Development Application Notices of Determination** means

the *Lake Macquarie City Council Development Application Notice of Determination* for Caravan Park & Camping Ground, Lot 2 DP 1047043, 118A Dora Street, Morisset NSW 2264. Issued under Sections 4.16, 4.17 & 4.18 (1)(a) of the *Environmental Planning and Assessment Act 1979* (NSW), for DA/1286/2019. Approved granted on 14 August 2020,

the *Lake Macquarie City Council Application to Modify Development Consent Notice of Determination* for Caravan Park and Camping Ground – Amendment, Lot 2 DP 1265834, Lot 1 DP 1265834, Lot 3 DP 1265834, and Lot 558 DP 755242, 27 Wyee Road, Morisset NSW 2264,

126 Dora Street, Morisset NSW 2264, 380 Dora Street, Morisset NSW 2264, and 118C Dora Street, Morisset NSW 2264. Pursuant to Section 4.55 of the *Environmental Planning and Assessment Act 1979* and Clause 122 of the *Environmental Planning and Assessment Regulation 2000*, for DA/1286/2019/A. Amended approval granted on 30 May 2022, and

the *Lake Macquarie City Council Development Application Notice of Determination* for Caravan Park, Lot 2 DP 1047043, 118A Dora Street, Morisset NSW 2264. Issued under Sections 4.16, 4.17 & 4.18 (1)(a) of the *Environmental Planning and Assessment Act 1979*, for DA/1288/2019. Approval granted 14 August 2020.

**Department** means the Australian Government agency responsible for administering the **EPBC Act**.

**EPBC Act** means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

**Erosion Management Plan** or **EMP** means the Erosion and Sediment Control Plan (or Soil and Water Management Plan) approved by **Council** in accordance with the **Council Development Application Notices of Determination**, or the most current subsequent revised version approved by **Council** in writing.

**Harm** means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.

**Incident** means any event which has the potential to, or does, impact on any **protected matter**.

**Independent** means a person or firm who does not have any individual, financial\*, employment\* or family affiliation or any conflicting interests with the project, the approval holder or the approval holder's staff, representatives, or associated persons.

\*Other than for the purpose of undertaking the role for which an independent person is required

**Independent audit** means an audit conducted by an **independent** and **suitably qualified person** as detailed in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019.

**Minister** means the Australian Government Minister administering the **EPBC Act**, including any delegate thereof.

**Monitoring data** means the data required to be recorded under the conditions of this approval.

**New or increased impact** means any direct or indirect increase in the impacts of an Action, an increase to the likelihood of an impact occurring, a reduction to the monitoring or mitigation measures for a **protected matter**, and/or a change to the nature or management of an environmental offset as outlined in the *Guidance on 'new or increased impact' relating to changes to approved management plans under EPBC Act environmental approvals*, Commonwealth of Australia 2017.

**Plan** means any action management plan or strategy that the approval holder is required by these conditions to implement.

**Protected matter** means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

**Retire** means retirement of **biodiversity credits** in accordance with the Biodiversity Offset Scheme under the *Biodiversity Conservation Act 2016* (NSW), such that the **biodiversity credits** can no longer be bought or sold.

**Sensitive ecological data** means data as defined in the *Sensitive Ecological Data – Access and Management Policy V1.0*, Commonwealth of Australia 2016.

**Shapefile(s)** means location and attribute information about the Action provided in an Esri

shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

**Suitably qualified person** means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.

**Vegetation and Fauna Management Plans or VFMPs** means:

the *Vegetation & Fauna Management Plan Part Lots 1, 2 and 3 DP 1265834 and Part Lot 558 DP 755242, Morisset*, version 4, dated 23 June 2022 (Appendix M of the Preliminary Documentation), and

the *Vegetation & Fauna Management Plan Lots 3,4 and 5 in DP 1265834, Morisset*, version 3, dated 17 January 2022 (Appendix L of the Preliminary Documentation), or

or the most current subsequent revised version of these documents approved by **Council** in writing.

**Website** means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

## 2 EPBC Approval 2022/09220 Condition Tracking (at reporting date)

The current status of each condition of approval is detailed in the following sections.

### 2.1 Condition 1

*The approval holder must not clear:*

#### 2.1.1 Condition 1a

*outside the action area*

No clearing has occurred outside of the action area.

#### 2.1.2 Condition 1b

*more than 18.34 hectares of Charmhaven Apple habitat*

##### **Non-Compliant**

Clearing outside of the Development Area occurred, encroaching into the Charmhaven Apple Retained Area, resulting in approximately 0.14 hectares (1375 m<sup>2</sup>) of unapproved vegetation removal that constituted Charmhaven Apple habitat.

A Non-Compliance Management Plan (NCMP) has been prepared to address non-compliance with the Conditions of Approval (see **Chapter 4**). The NCMP will be addressed in all future annual compliance reports until the expiry of the approval, or until such time as the non-compliance is resolved.

#### 2.1.3 Condition 1c

*within the Charmhaven Apple retained area.*

##### **Non-Compliant**

Clearing outside of the Development Area occurred, encroaching into the Charmhaven Apple Retained Area. Approximately 0.14 hectares (1375 m<sup>2</sup>) of unapproved vegetation removal occurred in the Charmhaven Apple Retained Area.

A Non-Compliance Management Plan (NCMP) has been prepared to address non-compliance with the Conditions of Approval (see **Chapter 4**). The NCMP will be addressed in all future annual compliance reports until the expiry of the approval.

### 2.2 Condition 2

*To offset the impacts of the Action to the Charmhaven Apple, the approval holder must retire biodiversity credits in accordance with the Council Development Application Notices of Determination.*

Complete – All associated Biodiversity Credits were retired via a contribution to the Biodiversity Conservation Fund (BCF) on 16 September 2022. **Attachment 1** “Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation (BCT Reference BCF383).PDF”

## 2.3 Condition 3

*To mitigate impacts to protected matters, the approval holder must implement the Vegetation and Fauna Management Plans (VFMPs) prior to commencement of the Action and continuing until at least the expiry date of this approval.*

The implementation of VFMPs for the Project has commenced. Active Management of all areas in the North DA is ongoing in association with the timing prescribed in the VFMP.

The VFMP for DA South is triggered into Active Management by the issue of a Construction Certificate (not issued at the time of writing) by the determining authority (LMCC). This DA area is being monitored in the interim, and reactive works will be carried out to ensure the site remains in a stable condition while the proposal progresses.

## 2.4 Condition 4

*To mitigate impacts to protected matters from soil, earth and sediment mobilisation and deposition, the approval holder must implement the Erosion Management Plan (EMP) prior to commencement of the Action and continuing until at least the expiry date of this approval.*

In consultation with project engineers the Approval Holder is satisfied that the EMP for the Project has been implemented and adhered to by the contractor.

## 2.5 Condition 5

*The approval holder must submit all plans required by these conditions electronically to the department.*

All plans have been submitted to the Department. **Attachment 2** "RE\_ EPBC (2022\_09220) Caravan and Lifestyle Living\_ Morisset NSW - Condition 3 Morisset North \_SEC\_UNOFFICIAL\_MJD confirmation of upload of documents.MSG"

## 2.6 Condition 6

*Unless otherwise agreed to in writing by the Minister, the approval holder must publish each plan on the website within 15 business days of the date:*

### 2.6.1 Condition 6a

*of this approval.*

All plans have been published by the approval holder and are available at <https://www.ingeniacommunities.com.au/morisset-epbc/>

We note the plans have been published within 15 business days of the EPBC approval. **Attachment 3** "RE\_ EPBC (2022\_09220) Caravan and Lifestyle Living\_ Morisset NSW - Condition 6 \_SEC\_UNOFFICIAL\_Approval.MSG"

### 2.6.2 Condition 6b

*any revised version of a plan is approved by Council.*

This condition is noted. No revisions to plans have been lodged or approved.

## **2.7 Condition 7**

*The approval holder must keep all published plans required by these conditions on the website until the expiry date of this approval.*

This condition is noted. The website is stable and accessible at time of writing.

## **2.8 Condition 8**

*The approval holder is required to exclude or redact sensitive ecological data from plans published on the website or otherwise provided to a member of the public. If sensitive ecological data is excluded or redacted from a plan, the approval holder must notify the department in writing what exclusions and redactions have been made in the version published on the website.*

This condition is noted, and all compliance and monitoring data will be reviewed for sensitivity in compliance with *Australian Government Department of Climate Change, Energy, the Environment and Water Policy on accessing and sharing biodiversity data* (February 2024), which in 2024 superseded the *Australian Government Department of the Environment (2016) Sensitive Ecological Data Access and Management Policy* (January 2016).

## **2.9 Condition 9**

*The approval holder must notify the department electronically of the date of commencement of the Action, within 5 business days following commencement of the Action.*

The action commenced on 17 May 2023, and the Department was notified in writing on the 19 May 2023. Confirmation via letter from the Department of receipt of notification was received on 26 May 2023. **Attachment 4** “EPBC 2022-09220 Letter of Commencement of the Action – Caravan Park and Lifestyle Living, 126 Dora Street.PDF”

## **2.10 Condition 10**

*If the commencement of the Action does not occur within 5 years from the date of this approval, then the approval holder must not commence the Action without the prior written agreement of the Minister.*

The action commenced on 17 May 2023, as such this condition is satisfied (see **Condition 9**, above).

## **2.11 Condition 11**

*The approval holder must maintain accurate and complete compliance records.*

This condition is noted, and the approval holder will maintain accurate and complete records of all compliances undertaken in relation to the Approval Conditions.

## **2.12 Condition 12**

*If the department makes a request in writing, the approval holder must provide electronic copies of compliance records to the department within the timeframe specified in the request.*

Noted (reactive requirement) – no requests have been received to date (at time of writing).

## **2.13 Condition 13**

*The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under the conditions of this approval are*

*prepared in accordance with the Guidelines for biological survey and mapped data, Commonwealth of Australia 2018, or as otherwise specified by the Minister in writing.*

This condition is noted, and all compliance and monitoring data will be prepared in accordance with the *Guidelines for biological survey and mapped data, Commonwealth of Australia 2018*.

## **2.14 Condition 14**

*The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Guide to providing maps and boundary data for EPBC Act projects, Commonwealth of Australia 2021, or as otherwise specified by the Minister in writing.*

This condition is noted, and all compliance and monitoring data will be prepared in accordance with the *Guide to providing maps and boundary data for EPBC Act projects, Commonwealth of Australia 2021*.

## **2.15 Condition 15**

*The approval holder must submit all monitoring data (including sensitive ecological data), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the department within each 12-month period following the date of this approval, or as otherwise agreed to in writing by the Minister.*

This condition is noted, and all monitoring data et al. for each 12-month period will be submitted to the Department electronically.

## **2.16 Condition 16**

*The approval holder must prepare a compliance report for each 12-month period following the date of this approval, or as otherwise agreed to in writing by the Minister.*

### **Non-Compliant**

The Approval Holder notified the Department electronically on 7 July 2025 of potential non-compliance. See also **Subsection 2.22 Condition 22**.

A Non-Compliance Management Plan (NCMP) has been prepared to address non-compliance with the Conditions of Approval (see **Chapter 4**). The NCMP will be addressed in all future annual compliance reports until the expiry of the approval, or until such time as the non-compliance is resolved.

## **2.17 Condition 17**

*Each compliance report must be consistent with the Annual Compliance Report Guidelines, Commonwealth of Australia 2014.*

This condition is noted, and all compliance reports will be prepared in accordance with the *Annual Compliance Report Guidelines, Commonwealth of Australia 2014*.

## **2.18 Condition 18**

*Each compliance report must include:*

### **2.18.1 Condition 18a**

*Accurate and complete details of compliance and any non-compliance with the conditions and the plans, and any incidents.*

This condition is noted, and compliance reports will address compliance and non-compliance with conditions and commitments made in a Plan, and any incidents.

A Non-Compliance Management Plan (NCMP) has been prepared to address non-compliance with the Conditions of Approval (see **Chapter 4**). The NCMP will be addressed in all future annual compliance reports until the expiry of the approval, or until such time as the non-compliance is resolved.

### **2.18.2 Condition 18b**

*One or more shapefile showing all clearing of any protected matters, and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared.*

This condition is noted, and compliance reports will show all clearing and have an associated shapefile supplied to the Department.

### **2.18.3 Condition 18c**

*A schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.*

This condition is noted, and compliance reports will tabulate compliance with relevant implementation obligations defined under approved plans.

## **2.19 Condition 19**

*The approval holder must:*

### **2.19.1 Condition 19a**

*Publish each compliance report on the website within 60 business days following the end of the 12-month period for which that compliance report is required.*

This condition is noted, and each compliance report that is prepared for the project will be published on the website. The website is stable and accessible at time of writing.

See **2.16 Condition 16**

### **2.19.2 Condition 19b**

*Notify the department electronically, within 5 business days of the date of publication that a compliance report has been published on the website.*

This condition is noted, and the Department will be notified within 5 business days of the publication of all compliance reports.

### **2.19.3 Condition 19c**

*Provide the weblink for the compliance report in the notification to the department.*

This condition is noted, and the Department will be provided with a weblink to the published compliance reports. The weblink will be provided in the notification. The website is stable and accessible at time of writing.

### **2.19.4 Condition 19d**

*Keep all published compliance reports required by these conditions on the website until the expiry date of this approval.*

This condition is noted, and all compliance reports will be maintained and accessible for the duration of the Approval. The website is stable and accessible at time of writing.

### **2.19.5 Condition 19e**

*Exclude or redact sensitive ecological data from compliance reports published on the website or otherwise provided to a member of the public.*

This condition is noted, and all compliance and monitoring data will be reviewed for sensitivity in compliance with *Australian Government Department of Climate Change, Energy, the Environment and Water Policy on accessing and sharing biodiversity data* (February 2024), which in 2024 superseded the *Australian Government Department of the Environment (2016) Sensitive Ecological Data Access and Management Policy* (January 2016).

### **2.19.6 Condition 19f**

*If sensitive ecological data is excluded or redacted from the published version, submit the full compliance report to the department within 5 business days of its publication on the website and notify the department in writing what exclusions and redactions have been made in the version published on the website.*

This condition is noted. The Department will be provided with as-held sensitive data and notified of information denatured for public access.

## **2.20 Condition 20**

*The approval holder must notify the department electronically, within 2 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a plan.*

The Approval Holder notified the Department electronically on 7 July 2025 of potential non-compliance. **Attachment 5** "Potential Non-Compliance Notification EPBC 2022\_09220\_Condition 20 notification.MSG"

## **2.21 Condition 21**

*The approval holder must specify in the notification:*

### **2.21.1 Condition 21a**

*Any condition or commitment made in a plan which has been or may have been breached.*

The Approval Holder notified the Department electronically on 7 July 2025 of potential non-compliance (see **Condition 20**, above).

### **2.21.2 Condition 21b**

*A short description of the incident and/or potential non-compliance and/or actual non-compliance.*

The Approval Holder notified the Department electronically on 7 July 2025 of potential non-compliance (see **Condition 20**, above).

### **2.21.3 Condition 21c**

*The location (including co-ordinates), date, and time of the incident and/or potential non-compliance and/or actual non-compliance.*

The Approval Holder notified the Department electronically on 7 July 2025 of potential non-compliance (see **Condition 20**, above).

## **2.22 Condition 22**

*The approval holder must provide to the department in writing, within 12 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance, the details of that incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a plan. The approval holder must specify:*

The Approval Holder notified the Department electronically on 7 July 2025 of potential non-compliance.

A NCMP was issued to the Department on 28 July 2025, as the means of providing the required details under this Condition (see **Chapter 4**).

### **2.22.1 Condition 22a**

*Any corrective action or investigation which the approval holder has already taken.*

See **Subsection 2.22 Condition 22**

### **2.22.2 Condition 22b**

*The potential impacts of the incident and/or non-compliance.*

See **Subsection 2.22 Condition 22**.

### **2.22.3 Condition 22c**

*The method and timing of any corrective action that will be undertaken by the approval holder.*

See **Subsection 2.22 Condition 22**.

## **2.23 Condition 23**

*The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every five-year period following the commencement of the Action until this approval expires, unless otherwise specified in writing by the Minister.*

Noted (future requirement) – see below.

## **2.24 Condition 24**

*For each independent audit, the approval holder must:*

### **2.24.1 Condition 24a**

*Provide the name and qualifications of the nominated independent auditor, the draft audit criteria, and proposed timeframe for submitting the audit report to the department prior to commencing the independent audit.*

Noted (future requirement) – the nomination of an independent auditor, draft audit criteria and proposed timeframe will be provided to the department prior to August 13 2028.

### **2.24.2 Condition 24b**

*Only commence the independent audit once the nominated independent auditor, audit criteria and timeframe for submitting the audit report have been approved in writing by the department.*

Noted (reactive requirement) – the Approval Holder will liaise with the Department following nomination of an independent auditor per **Condition 24a**.

### **2.24.3 Condition 24c**

*Submit the audit report to the department for approval within the timeframe specified and approved in writing by the department.*

Noted (future requirement) – the Approval Holder will submit the audit report to the Department in the approved timeline as determined in compliance with **Condition 24a** and **Condition 24b**.

### **2.24.4 Condition 24d**

*Publish each audit report on the website within 15 business days of the date of the department's approval of the audit report.*

Noted (future requirement) – the Approval Holder will publish the audit report as above.

### **2.24.5 Condition 24e**

*Keep every audit report published on the website until this approval expires.*

Noted (future requirement) – the Approval Holder will maintain published audit reports as above.

## **2.25 Condition 25**

*Each audit report must report for the five-year period preceding that audit report.*

Noted (future requirement).

## **2.26 Condition 26**

*Each audit report must be completed to the satisfaction of the Minister and be consistent with the Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines, Commonwealth of Australia 2019.*

Noted (future requirement).

## **2.27 Condition 27**

*The approval holder must notify the department electronically 60 business days prior to the expiry date of this approval, that the approval is due to expire.*

Noted (future requirement).

## **2.28 Condition 28**

*Within 20 business days after the completion of the Action, and, in any event, before this approval expires, the approval holder must notify the department electronically of the date of completion of the Action and provide completion data.*

Noted (future requirement).

### 3 Management Plans

The EPBC approval requires the preparation, approval and implementation of two management plans as follows:

- 1) Condition 3 – Vegetation and Fauna Management Plans (VFMP)
  - a. DA/1286/2019/A – 20117 MHE 2 DA1286 VFMP Final V4 23-6-2022
  - b. DA/1288/2019 – 20117 MHE 1 DA1288 VFMP Final V4 20230906
- 2) Condition 4 – Erosion Management Plan (EMP)
  - a. DA/1286/2019/A and DA/1288/2019 – Erosion Management Plan Ingenia Caravan Park Morisset - ADW Johnson, April 2023

The current status of required actions as listed within the VFMPs (one plan for each DA, 'north' and 'south') and ESCP is provided in Sections **5** and **6** respectively. Supporting documentation follows in **Attachments 1-20**.

A Non-Compliance Management Plan (NCMP) has been prepared to address non-compliance with the Conditions of Approval (see **Chapter 4**). The NCMP will be addressed in all future annual compliance reports until the expiry of the approval.

## 4 Non-Compliance Management Plan

The approval holder became aware on 3 July 2025 of non-compliances in relation to EPBC Approval 2022-09220. The relevant conditions, non-compliances and proposed corrective measures are outlined below. The NCMP was issued to the Department on 28 July 2025.

The following plan outlines preliminary outcomes from the investigation, potential impacts to MNES, proposed corrective and reparative actions and their proposed timing, and the outcomes of the notification of and correspondence with the Local Consent Authority (Lake Macquarie City Council) regarding non-compliance.

### 4.1 Condition 1

The approval holder must not clear:

- b. outside the action area (compliant, see **Condition 1a**)
- c. more than 18.34 hectares of Charmhaven Apple habitat
- d. within the Charmhaven Apple retained area.

#### 4.1.1 Non-Compliance

The approval holder or their agents or subcontractors caused the clearing of native vegetation outside of the approved development site, in the area known as the Charmhaven Apple Retained Area, and in so doing exceeded the approved area of clearing, in the order of approximately 0.14 hectares.

#### 4.1.2 Nature and Extent

The encroachment involved the exceedance of the western boundary of the development (DA/1288/2019) by approximately 5 metres, over a distance of approximately 275 metres of the boundary adjacent to Wyee Road, Morisset (see **Attachment 6, Attachment 7, Attachment 8**).

The encroachment appears to have resulted from a boundary survey error, incorrectly demarcating the limit of clearing for the vegetation clearing contractor. The boundary survey error appears to have resulted from incomplete handover of data when the development engineering engagement was terminated. Survey subsequently appears to have been carried out based on inappropriate data which was not supplied nor suitably informed by consultation with engaged or previously engaged development engineers.

The general location of the exceedance of the Clearing Limit is given by Coordinates in GDA2020 / MGA Zone 56 of:

- Easting 357884.41, Northing 6333393.57 in the south, and;
- Easting 357809.78, Northing 6333656.24 in the north;

The encroachment occurred during the removal of vegetation from the approved area of the development, at a time between 30 September 2023 and 6 March 2024

All estimates on the extent of the encroachment at the time of writing are based on a review of available high-resolution aerial imagery supplied by NearMap Australia Pty Ltd.

Further survey to clarify the extent of encroachment and to correct boundary markings is being arranged by the approval holder at the time of writing.

Engagement with LMCC has been undertaken to review the below **Corrective and Reparative Actions and Timing**. Correspondence is **Attachment 9**.

### 4.1.3 Impacts to MNES

The project was assessed as a controlled action by Preliminary Documentation, which assessed potential impacts on the following entities:

- BC Act and EPBC Act listed Vulnerable *Angophora inopina* (Charmhaven Apple),
- BC Act and EPBC Act listed Vulnerable *Pteropus poliocephalus* (Grey-headed Flying-fox), and
- BC Act and EPBC Act listed Endangered *Phascolarctos cinereus* (Koala).

The preliminary documentation assessment determined that the action would not result in a significant impact to an entity, either directly or indirectly as a result of residual impacts.

The assessment of impacts under the NSW Biodiversity Offsets Scheme for DA/1288/2019 utilised a Biodiversity Development Assessment Report that assessed the loss of 16.64 hectares of native vegetation which also constituted habitat for threatened species. This Report informed the assessment of the controlled action by Preliminary Documentation.

The non-compliant encroachment into retained native vegetation, which forms habitat or potential habitat for threatened species assessed, constitutes less than 1% of the assessed impacts associated with the development. This increase in impact is unlikely to have a significant impact on any of the threatened species assessed. Nonetheless, steps are proposed to rectify the non-compliance and rehabilitate the damaged retention area using best-practice management.

### 4.1.4 Corrective and Reparative Actions and Timing

Action	Timing
Updated survey to determine correct development and retention boundaries, and guide application of rehabilitation techniques suitable to the interface between development and natural areas.	Immediate. The re-installation of survey markers has commenced and extent will inform the below actions. When the extent is established accurately, the Department will be notified.
Weed control using best-practice management and targeting high-threat or transformer weeds occurring in or adjacent to the retained area.	*Weed control will be carried out prior to September 2025 to reduce opportunity for exotic species to set seed. Weed control will be ongoing for the duration of the VFMP.
Weed control of the remainder of the development site to prevent indirect impacts to retained swamp forest area in the north.	*Weed control will be carried out prior to September 2025 to reduce opportunity for exotic species to set seed. Weed control will be carried out until commencement of construction.
Utilisation of site resources including native topsoil and native hardwood mulch to expedite the recovery of the retained area subject to encroachment.	*Topsoil translocation will be carried out as soon as practical, but must follow primary weed control to reduce weed pressure in the retention area. Anticipated Spring 2025. Mulch will be utilised selectively to provide erosion resistance and soil structure to receiver areas.
Planting of suitable canopy species in the retained area subject to encroachment in consultation with LMCC to provide security of connectivity through the landscape for fauna.	*Planting will be carried out as soon as practical, but must follow primary weed control and the transfer of topsoil and/or mulch, with a settling period of at least 4 weeks following translocation (or 6 weeks if no substantial rainfall occurs in 4 weeks).
Expedite the implementation of vegetation management actions yet to be triggered under the implementation of the VFMP, including photo monitoring of the retained area subject to encroachment.	*Monitoring will be immediate and ongoing, with photo points established at engagement of bush regeneration contractor. *A restoration contractor has confirmed capacity for engagement – see <b>Attachment 10</b>
Exploration of options to expedite approved components of development plans to reduce future impacts on the interface with the retained area (e.g., fencing).	No confirmed timing. Options will be explored in consultation with LMCC to determine practicality and permissibility.

## **4.2 Condition 16**

*The approval holder must prepare a compliance report for each 12-month period following the date of this approval, or as otherwise agreed to in writing by the Minister.*

### **4.2.1 Non-Compliance**

The approval holder became aware on 3 July 2025 that a compliance report was required to be prepared for the 12 month period ending 17 May 2024, and that this compliance report had not been prepared. The Annual Compliance Report was due to the Department (per instruction from the Minister) by 13 August 2024.

### **4.2.2 Nature and Extent**

The content, structure and publication of the Annual Compliance Report (ACR) required by Condition 16 are further Conditioned in the Approval. Delays in completing the ACR affected the department's and the public's ability to oversee the project's compliance and progress against the approval conditions. Additionally, the approval holder's project management challenges, which led to the delay in completing and publishing the ACR, might have also contributed to other compliance issues, particularly the encroachment of clearing activities into the Retained Area.

Non-compliance with **Condition 16**, treated here as the superordinate condition relating to compliance reporting, is in conflict with several other conditions prescribing the contents, publication and timing of compliance reporting. The subordinate conditions in conflict are Conditions 15, 18, and 19. Assessment and management of non-compliance with Condition 16 are considered adequate to manage the conflict created with subordinate conditions.

### **4.2.3 Impacts to MNES**

This non-compliance is administrative, and impacts to MNES are not applicable.

### **4.2.4 Corrective and Reparative Actions and Timing**

The approval holder has engaged MJD Environmental to assess the project for its compliance at the time that the 2023-2024 ACR was due to be delivered to the Department, and to produce and issue to the Department a retrospective ACR for that period. MJD Environmental are also preparing an ACR for the 2024-2025 period, which will be issued to the Department no later than 13 August 2025.

MJD Environmental have been further engaged to prepare a Non-Compliance Management Plan (NCMP – this document) to assess the nature and extent of non-compliances and provide a structured plan for corrective and reparative actions. The NCMP will be addressed in all future Annual Compliance Reports until the expiry of the approval.

## 5 VFMP Status

**Table 1 DA North (DA/1286/2019)**

DA North (DA1286)			
Item	Timing / Trigger	Status	Progress Commentary
<b>Site Establishment – Notify Council</b>	Prior to commencement	<b>Complete</b>	Council were notified of the intention to commence subdivision works, in accordance with Section 6.12(2) of the <i>Environmental Planning and Assessment Act 1979</i> on 25 May 2023. See LMCC correspondence record <b>Attachment 12</b>
<b>Fencing – temporary</b> Install temporary boundary fencing and signage around conservation lands as per Section 4.7 and Plate 1	Prior to commencement	<b>Complete</b>	An ecologist from MJD Environmental attended pre-start contractor meeting on 17 May 2023. An environmental induction was undertaken, and No-Go Zone flag bunting and signage of the works area was sighted. A compliance was issued <b>Attachment 13</b>
<b>Fencing – permanent</b> Install permanent fence and signage as per Section 4.7	Operational	<b>Pending</b>	Pending completion of construction works.
<b>Baseline Monitoring and Pre-clearance Surveys</b> Undertake pre-clearance and baseline monitoring surveys including establishment of photo points as per Section 4.1. Baseline report to be produced for Council.	Prior to commencement	<b>Complete</b>	Pre-clearance works including habitat tree markup and stag-watching of habitat trees were carried out on 11-13 April 2023 (HBT mark-up), 26 April 2023 (HBT mark-up and stag-watch), 22-26 May 2023 (stag-watch), and 29-31 May 2023 (stag-watch). A compliance letter was issued <b>Attachment 14</b> .
<b>Weed Management &amp; Site Maintenance – Primary</b> Primary Weed Management - Removal of WoNS, Biosecurity Act Weeds, transformer weeds (HTE) and woody weeds in accordance with Sections 4.4 & 4.8.	Ongoing	<b>Complete</b>	Litoria ERS were engaged by the approval holder to carry out VFMP works as per the approved plan in July 2023. Site inspections have indicated that primary weed control has been effective.
<b>Weed Management &amp; Site Maintenance – follow up</b> Undertake follow up weed control in all areas. Apply manual hand removal and/or cut and paint method, spot spray as appropriate in accordance with Sections 4.4 & 4.8.	Ongoing	<b>Ongoing</b>	Litoria ERS were engaged by the approval holder to carry out VFMP works as per the approved plan in July 2023. Site inspections indicate that the rehabilitation of the site is tracking well. Opportunities to recover donor soil from development site locations is being investigated to improve outcomes in areas with disturbed soil profile.
<b>Weed Management &amp; Site Maintenance – sweeps for rubbish removal</b>	Ongoing	<b>Ongoing</b>	Litoria ERS were engaged by the approval holder to carry out VFMP works as per the approved plan in July 2023.

DA North (DA1286)			
Item	Timing / Trigger	Status	Progress Commentary
<b>Rehabilitation – site inspection</b> in accordance with Sections 4.1 & 4.4	Bi-annual	<b>Ongoing</b>	Progress of VFMP works was monitored by MJD Environmental Ecologists on 26 June 2023, 5 September 2023, 8 November 2023, 29 May 2024, 1 October 2024, and 19 June 2025.
<b>Habitat Augmentation – Squirrel Glider corridor gap analysis</b>	1 month post clearing complete	<b>Complete</b>	A squirrel glider gap analysis was undertaken in May 2023. A compliance letter was issued <b>Attachment 15</b>
<b>Habitat Augmentation – Squirrel Glider Pole installation</b>	3 months post clearing commencement	<b>Complete</b>	Squirrel Glider Poles were installed at the development entryway in January 2025. Installation of poles prior was not possible, as poles were required on land that had approved construction plans for significant level change. Until these civil works were complete and stable, excavation for installation of poles per the standards set out by <i>Ausgrid NS220 Overhead Design Manual - 9.2 Pole Data</i> was not feasible.
<b>Habitat Augmentation – Nest box installation</b>	Prior to clearing	<b>Complete</b>	Nest boxes were installed on 10 March 2022. A compliance letter was issued <b>Attachment 16</b>
<b>Habitat Augmentation – Artificial Hollow installation</b>	Operational	<b>NA</b>	Nest boxes were installed prior to commencement in compliance with the total requirement for supplementary habitat conditioned in the consent. Artificial hollows were not required.
<b>Habitat Augmentation – Artificial Habitat / Nest Box Plan</b>	Operational	<b>Complete</b>	A plan of Nest box locations was included in the compliance letter for the installation of the nest boxes (see above).
<b>Ongoing Monitoring – Bi-annual monitoring</b> of all vegetation management and habitat augmentation actions for 5 years after implementation of VFMP in accordance with Sections 4 & 5	Begin 6 months post Construction Certificate	<b>Ongoing</b>	Progress of VFMP works was monitored by MJD Environmental Ecologists on 26 June 2023, 5 September 2023, 8 November 2023, 29 May 2024, 1 October 2024, and 19 June 2025. An Annual Report was prepared in November 2023 to address progress since the date of the approval of the VFMP by DPE Water as required by the Controlled Activity Approval <b>Attachment 17</b>
<b>Squirrel Glider Pole monitoring</b>	Annually (for 10 years)	<b>Ongoing</b>	Poles installed at entryway are due for annual monitoring beginning January 2026.
<b>Maintenance reports</b> of vegetation management works for 5 years after completion of monitoring reports in accordance with Section 5	Annual (for 5 years)	<b>Ongoing</b>	Litoria ERS were engaged by the approval holder to carry out VFMP works as per the approved plan in July 2023. Reports provided in accordance with that engagement are <b>Attachment 18</b>
<b>Baseline Aquatic habitat Monitoring</b> in accordance with Section 4.3 (VMA1)	Prior to commencement	<b>Complete</b>	Water quality tests were conducted by VGT on behalf of Robsons Civil on 19 July 2023, prior to works adjacent to aquatic habitat. The results were assessed by MJD Environmental and a compliance letter was issued <b>Attachment 19</b>

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DA North (DA1286)			
Item	Timing / Trigger	Status	Progress Commentary
<b>Aquatic Weed Control</b> Primary Treatment of Aquatic Weeds in accordance with Sections 4.4 & 4.8 (VMA1)	Operational	<b>Complete</b>	Primary aquatic weed control works were carried out by Australian Catchment Management in February 2023 (by vessel), and Toolijooa Environmental Restoration (by hand/vehicle) in April 2023.
<b>Revegetation</b> – Installation of locally indigenous canopy species for habitat connectivity as per Sections 4.4.2 & 4.9 (VMA3)	Operational	<b>Complete</b>	Litoria ERS were engaged by the approval holder to carry out VFMP works as per the approved plan in July 2023. Site inspections indicate that survival of installed plantings is above the benchmark of 80% set in the VFMP.
<b>Hollow bearing tree removal supervision</b> in accordance with Section 4.1 (VMA4)	Operational	<b>Complete</b>	Clearance supervision was provided on 29 May 2023, 2 & 6 June 2023. A compliance letter was issued <b>Attachment 20</b>

**Table 2 – DA South (DA/1288/2019)**

**NB** The VFMP is to be implemented in perpetuity from the time of receiving the construction certificate. At the time of writing, the construction certificate for the relevant development application has not been issued. The land subject to this DA is being monitored and works requiring reactive management will be addressed as needed.

DA South (DA1288)			
Item	Timing / Trigger	Status	Progress Commentary
<b>Site Establishment – Notify Council</b>	Prior to commencement	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Fencing – temporary</b> Install temporary boundary fencing and signage around conservation lands as per Section 4.7 and Plate 1	Prior to commencement	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Fencing – permanent</b> Install permanent fence and signage as per Section 4.7	Operational	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Baseline Monitoring and Pre-clearance Surveys</b> Undertake pre-clearance and baseline monitoring surveys including establishment of photo points as per Section 4.1. Baseline report to be produced for Council.	Prior to commencement	<b>Pending</b>	Pre-clearance works including habitat tree markup were carried out on 4 October 2023, Commencement of VFMP Pending issue of Construction Certificate
<b>Weed Management &amp; Site Maintenance – Primary</b> Primary Weed Management - Removal of WoNS, Biosecurity Act Weeds, transformer weeds (HTE) and woody weeds in accordance with Sections 4.4 & 4.8.	Ongoing	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Weed Management &amp; Site Maintenance – follow up</b> Undertake follow up weed control in all areas. Apply manual hand removal and/or cut and paint method, spot spray as appropriate in accordance with Sections 4.4 & 4.8.	Ongoing	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Weed Management &amp; Site Maintenance – sweeps for rubbish removal</b>	Ongoing	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Rehabilitation – site inspection in accordance with Sections 4.1 &amp; 4.4</b>	Bi-annual	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate

DA South (DA1288)			
Item	Timing / Trigger	Status	Progress Commentary
<b>Habitat Augmentation – Squirrel Glider Pole installation</b>	3 months post clearing commencement	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Habitat Augmentation – Nest box installation</b>	Prior to clearing	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Habitat Augmentation – Artificial Hollow installation</b>	Operational	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Habitat Augmentation – Artificial Habitat / Nest Box Plan</b>	Operational	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Ongoing Monitoring</b> – Bi-annual monitoring of all vegetation management and habitat augmentation actions for 5 years after implementation of VFMP in accordance with Sections 4 & 5	Begin 6 months post Construction Certificate	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Squirrel Glider Pole monitoring</b>	Annually (for 10 years)	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Maintenance reports</b> of vegetation management works for 5 years after completion of monitoring reports in accordance with Section 5	Annual (for 5 years)	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Baseline Aquatic habitat Monitoring</b> in accordance with Section 4.3.2 (VMA1-2)	Prior to commencement	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Aquatic Weed Control</b> Primary Treatment of Aquatic Weeds in accordance with Sections 4.4 & 4.8 (VMA1-2)	Operational	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Revegetation</b> – Installation of <i>Eucalyptus robusta</i> for habitat connectivity as per approved Landscape Plans (VMA3)	Operational	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Revegetation</b> – Installation of locally indigenous canopy species for habitat connectivity as per Sections 4.4.4 & 4.9 (VMA4)	Operational	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>Hollow bearing tree removal supervision in accordance with Section 4.1 (VMA5)</b>	Operational	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate

DA South (DA1288)			
Item	Timing / Trigger	Status	Progress Commentary
<b>VMA6 – Topsoil</b> to be salvaged from Swamp Mahogany Forest vegetation to be cleared as per Section 4.4.6	Operational	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>VMA6 – Erosion protection</b> installed (coir logs or similar) around construction areas in accordance with approved Erosion and sedimentation plan	Operational	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>VMA6 – Weed control</b> of disturbed areas of PCT 1718 lands	Operational	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>VMA6 – Top soil</b> is to be reinstated throughout impacted areas of the VMA	Operational	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>VMA6 Revegetation – Native Mulch*</b> (derived from site) is to be installed following 6 or 12 month review of natural regeneration if native cover or trajectory less than 50%	Operational	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>VMA6 Revegetation – Revegetation*</b> (if required) as per Section 4.4.6	Operational	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate
<b>VMA6 (6a) – edge plantings</b> as per Section 4.4.6	Operational	<b>Pending</b>	Commencement of VFMP Pending issue of Construction Certificate

## 6 Erosion and Sediment Control Compliance

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**Re: Erosion and Sediment  
Control Compliance**

Level 1, 215 Pacific Highway  
Charlestown NSW 2290  
02 4943 1777  
newcastle@northrop.com.au  
ABN 81 094 433 100

Nathan Holloway  
Ingenia  
10, 20 Bond Street  
Sydney, NSW, 2000

17 July 2025

Archers Run, Ingenia, Morisset Stage 3-6  
NL231863

Dear Nathan,

Periodic site inspections have been conducted, generally on a monthly basis, from January 2024 to the present (17<sup>th</sup> July 2025) at Ingenia Communities Archers Run, Stages 3–6, located on Wyee Road, Morisset (Lot 13 DP 1305173).

The overall philosophy behind the erosion and sediment control (ESC) measures was observed to be in place, with the strategy systematically adjusted to reflect construction sequencing and development progress - an approach typical for a site of this nature and scale. The fundamental components of the approved ESC strategy were consistently implemented. The approved Table of Commitments is included in Appendix A, and the Erosion and Sediment Control Plan (ESCP) issued for the Construction Certificate (CC) is also attached in Appendix B.

The civil contractor has maintained appropriate records during rainfall events and updated ESC strategies as the development progressed; these records can be provided upon request.

Based on the periodic inspections, supported by photographic evidence and survey confirmation of adjusted land topography, stockpiles, and sediment basins, I am satisfied that the ESC measures outlined in the approved ESCP have been adequately implemented.

Yours sincerely,



**Ryan Diercke**  
Senior Civil Engineer  
BEng (Civil) (Hons) MIEAust CPEng NER (Civil)

## Appendix A – Table of Commitments

**1.1 TABLE OF COMMITMENTS**

Ref	Cond.	Condition Requirement	Plan reference	Demonstration of how the plan addresses condition requirements and commitments made in the plan to address condition requirements
1	4(c)	Commitments capable of ensuring that the environmental objectives are achieved,	239938(1)-CENG-807	Water Quality objectives are mandated in erosion and sediment control notes Condition No 59.
2	4(d)	Avoidance measures for all avoidable erosion, sedimentation, and associated hydrological impacts to protected matters as a result of taking the Action, and the timing of those measures	239938(1)-CENG-806	Conditions 7-18 outlines the procedural requirement of the implementation of the ESCP, including timing of the measures.
3	4(e)	Measures to mitigate/repair all unavoidable potential erosion, sedimentation, and associated hydrological impacts to protected matters as a result of taking the Action, and the timing of those measures	239938(1)-CENG-806	Condition 37 requires the stormwater runoff from upstream to avoid additional impacts.  Timing of reestablishment of ground is included in the requirements, as well as guidance to prepare for rainfall events.
4	4(f)	A monitoring program, which must include: 1) Measurable performance indicators, 2) Trigger values for corrective actions, 3) The timing and frequency of monitoring, ensuring monitoring is capable of detecting trigger values and changes in the performance indicators, and 4) Proposed corrective actions if trigger values are reached.	Section 2.3 of this report & 239938(1)-CENG-806	5) Condition No 59; 6) Section 2.4 of this report requires the corrective action when water quality within sediment basin reaches a trigger; 7) Weekly inspections are required; and 8) Section 2.4 of this report requires the corrective action when water quality within sediment basin reaches a trigger.
5	4(h)	Reporting and review mechanisms to demonstrate compliance with the commitments made in the plan	Section 2.3 of this report	The reporting mechanism is outlined in the monitoring frequency.

**Re: Erosion and Sediment  
Control Compliance**

Nathan Holloway  
Ingenia  
10, 20 Bond Street  
Sydney, NSW, 2000

11 August 2025

Archers Run, Ingenia, Morisset Stage 3-6  
NL231863

Dear Nathan,

Periodic site inspections have been conducted, generally on a monthly basis, from January 2024 to the present (17<sup>th</sup> July 2025) at Ingenia Communities Archers Run, Stages 3–6, located on Wyee Road, Morisset (Lot 13 DP 1305173).

The overall philosophy behind the erosion and sediment control (ESC) measures was observed to be in place, with the strategy systematically adjusted to reflect construction sequencing and development progress - an approach typical for a site of this nature and scale. The fundamental components of the approved ESC strategy were consistently implemented. The approved Table of Commitments is included in Appendix A, and the Erosion and Sediment Control Plan (ESCP) issued for the Construction Certificate (CC) is also attached in Appendix B.

Additionally, in the interim, vegetation clearing on the southern portion of the site has been managed through a series of mulch berms and cut-off swales that direct runoff to the existing polishing pond on the southern edge of the lake.

The civil contractor has maintained appropriate records during rainfall events and updated ESC strategies as the development progressed; these records can be provided upon request.

Based on the periodic inspections, supported by photographic evidence and survey confirmation of adjusted land topography, stockpiles, and sediment basins, I am satisfied that the ESC measures outlined in the approved ESCP have been adequately implemented.

Yours sincerely,



**Ryan Diercke**  
Senior Civil Engineer  
BEng (Civil) (Hons) MIEAust CPEng NER (Civil)

## Appendix A – Table of Commitments

**1.1 TABLE OF COMMITMENTS**

Ref	Cond.	Condition Requirement	Plan reference	Demonstration of how the plan addresses condition requirements and commitments made in the plan to address condition requirements
1	4(c)	Commitments capable of ensuring that the environmental objectives are achieved,	239938(1)-CENG-807	Water Quality objectives are mandated in erosion and sediment control notes Condition No 59.
2	4(d)	Avoidance measures for all avoidable erosion, sedimentation, and associated hydrological impacts to protected matters as a result of taking the Action, and the timing of those measures	239938(1)-CENG-806	Conditions 7-18 outlines the procedural requirement of the implementation of the ESCP, including timing of the measures.
3	4(e)	Measures to mitigate/repair all unavoidable potential erosion, sedimentation, and associated hydrological impacts to protected matters as a result of taking the Action, and the timing of those measures	239938(1)-CENG-806	Condition 37 requires the stormwater runoff from upstream to avoid additional impacts.  Timing of reestablishment of ground is included in the requirements, as well as guidance to prepare for rainfall events.
4	4(f)	A monitoring program, which must include: 1) Measurable performance indicators, 2) Trigger values for corrective actions, 3) The timing and frequency of monitoring, ensuring monitoring is capable of detecting trigger values and changes in the performance indicators, and 4) Proposed corrective actions if trigger values are reached.	Section 2.3 of this report & 239938(1)-CENG-806	5) Condition No 59; 6) Section 2.4 of this report requires the corrective action when water quality within sediment basin reaches a trigger; 7) Weekly inspections are required; and 8) Section 2.4 of this report requires the corrective action when water quality within sediment basin reaches a trigger.
5	4(h)	Reporting and review mechanisms to demonstrate compliance with the commitments made in the plan	Section 2.3 of this report	The reporting mechanism is outlined in the monitoring frequency.

## 7 Attachments

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## Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation

Pursuant to section 6.33 of the *Biodiversity Conservation Act 2016*, the NSW Biodiversity Conservation Trust confirms that the following payments have been made into the Biodiversity Conservation Fund under section 6.30(1) of the Act to satisfy an obligation to retire biodiversity credits.

Payment made by:	Morisset Land Fund Pty Ltd					
Date received:	16 September 2022					
NSW statutory obligation reference <sup>1</sup>	DA/1286/2019/A & DA/1288/2019					
Commonwealth EPBC Act controlled action reference (if applicable) <sup>2</sup>	N/A					
BCT Reference	BCF383					
Biodiversity credit retirement obligations satisfied by payment to the Biodiversity Conservation Fund:						
Biodiversity credit type (Credit ID and name)	Offset trading group	EPBC Act Controlled Action offset obligation (Y / N)	Number of credits	Cost per credit  (Exc. GST)	Total payment per credit type  (Exc. GST)	
1636 - Scribbly Gum - Red Bloodwood - Angophora inopina heathy woodland on lowlands of the Central Coast	Sydney Coastal Dry Sclerophyll Forests ≥50% and <70% cleared	N	611	\$7,369.84	\$4,502,970.69	
1718 - Swamp Mahogany - Flax-leaved Paperbark swamp forest on coastal lowlands of the Central Coast	Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions	N	26	\$4,005.11	\$104,132.77	
10053 - <i>Angophora inopina</i> (Charmhaven Apple)	<i>Angophora inopina</i> (Charmhaven Apple)	N	643	\$184.41	\$118,574.93	
10799 - <i>Tetratheca juncea</i> (Black-eyed Susan)	<i>Tetratheca juncea</i> (Black-eyed Susan)	N	478	\$271.46	\$129,759.13	
10183 - <i>Crinia tinnula</i> (Wallum Froglet)	<i>Crinia tinnula</i> (Wallum Froglet)	N	20	\$677.71	\$13,554.10	
10455 - <i>Lathamus discolor</i> (Swift Parrot)	<i>Lathamus discolor</i> (Swift Parrot)	N	1044	\$454.10	\$474,083.32	
10549 - <i>Myotis macropus</i> (Southern Myotis)	<i>Myotis macropus</i> (Southern Myotis)	N	272	\$974.69	\$265,114.87	
10604 - <i>Petaurus norfolcensis</i> (Squirrel Glider)	<i>Petaurus norfolcensis</i> (Squirrel Glider)	N	726	\$677.71	\$492,013.94	
Total (Exc. GST)					\$6,100,203.75	
GST					\$ 610,020.38	
Total (Inc. GST)					\$6,710,224.13	

20/09/2022

Emily McCosker  
Director Strategy & Finance

<sup>1</sup>This refers to either; a development application number for a development consent under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), a State significant infrastructure approval under the previous Part 5.1 (now Part 5, Division 5.2) of the EP&A Act, a decision of a determining authority to carry out or approve the carrying out of an activity under Part 5 of the EP&A Act, or a biobank statement number or biodiversity certification number.

<sup>2</sup> This refers to a controlled action under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* for which a biodiversity offset obligation has been met through payment into the BCF.

## Chris Spraggon

---

**From:** Matt Doherty  
**Sent:** Thursday, 4 May 2023 1:40 PM  
**To:** EPBC Monitoring  
**Cc:** Coral Pearce; Kegan Lacey; Michael Rabey; Nathan Holloway; Reid, Rebecca  
**Subject:** RE: EPBC (2022/09220) Caravan and Lifestyle Living, Morisset NSW - Condition 3 Morisset North [SEC=UNOFFICIAL]

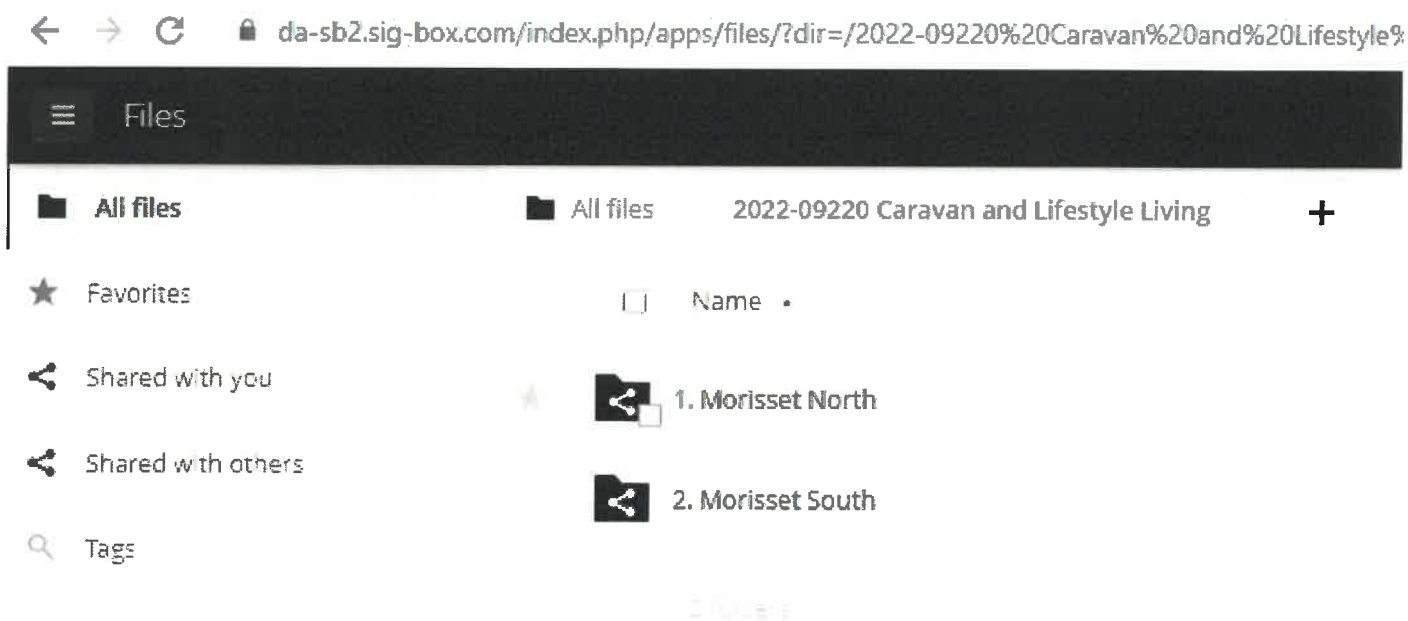
Hannah

Further to my email below, please be advised that I have uploaded all plans that were emailed through to the SIGBOX link.

For our records can you please confirm receipt of the documents and secondly that this satisfies the requirements of Condition 3 and Condition 4 where the applicant is to supply the plans prior to commencement of the action.

Cheers

Matt



---

Matt Doherty  
Director

---

Accredited BAM Assessor # BAAS17044  
Accredited Biobank Assessor # 236  
ECA NSW – Practicing Ecological Consultant



115 Broadmeadow Road, Broadmeadow  
PO Box 360, Waratah NSW 2298  
P: 4054 9539  
M: 0416 208 684  
E: [Matt.Doherty@mjdenvironmental.com.au](mailto:Matt.Doherty@mjdenvironmental.com.au)

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**From:** Matt Doherty

**Sent:** Thursday, May 4, 2023 1:34 PM

**To:** EPBC Monitoring <[epbcmonitoring@dcceew.gov.au](mailto:epbcmonitoring@dcceew.gov.au)>

**Cc:** Coral Pearce <[coral.pearce@mjdenvironmental.com.au](mailto:coral.pearce@mjdenvironmental.com.au)>; Kegan Lacey <[klacey@ingeniacommunities.com.au](mailto:klacey@ingeniacommunities.com.au)>; Michael Rabey <[MRabey@ingeniacommunities.com.au](mailto:MRabey@ingeniacommunities.com.au)>; Nathan Holloway <[NHolloway@ingeniacommunities.com.au](mailto:NHolloway@ingeniacommunities.com.au)>; Reid, Rebecca <[Rebecca.Reid@dcceew.gov.au](mailto:Rebecca.Reid@dcceew.gov.au)>

**Subject:** RE: EPBC (2022/09220) Caravan and Lifestyle Living, Morisset NSW - Condition 3 Morisset North  
[SEC=UNOFFICIAL]

Hi Hannah

Thanks, I received an email from Olivia Moore with a link.

Would you like me to upload all the plans via this link?

Secondly has this EPBC approval been assigned to an officer in post approvals and can you please advise who this is?

Many thanks.

Cheers

Matt

---

**Matt Doherty**

Director

Accredited BAM Assessor # BAAS17044

Accredited Biobank Assessor # 236

ECA NSW – Practicing Ecological Consultant



115 Broadmeadow Road, Broadmeadow  
PO Box 360, Waratah NSW 2298  
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**From:** EPBC Monitoring <[epbcmonitoring@dcceew.gov.au](mailto:epbcmonitoring@dcceew.gov.au)>  
**Sent:** Thursday, May 4, 2023 1:20 PM  
**To:** Matt Doherty <[Matt.Doherty@mjdenvironmental.com.au](mailto:Matt.Doherty@mjdenvironmental.com.au)>  
**Cc:** Coral Pearce <[coral.pearce@mjdenvironmental.com.au](mailto:coral.pearce@mjdenvironmental.com.au)>; Kegan Lacey <[klacey@ingeniacommunities.com.au](mailto:klacey@ingeniacommunities.com.au)>; Michael Rabey <[MRabey@ingeniacommunities.com.au](mailto:MRabey@ingeniacommunities.com.au)>; Nathan Holloway <[NHolloway@ingeniacommunities.com.au](mailto:NHolloway@ingeniacommunities.com.au)>; Reid, Rebecca <[Rebecca.Reid@dcceew.gov.au](mailto:Rebecca.Reid@dcceew.gov.au)>; EPBC Monitoring <[epbcmonitoring@dcceew.gov.au](mailto:epbcmonitoring@dcceew.gov.au)>  
**Subject:** RE: EPBC (2022/09220) Caravan and Lifestyle Living, Morisset NSW - Condition 3 Morisset North [SEC=UNOFFICIAL]

Hi Matt,

Thank you for your email.

Unfortunately, I cannot open the below link due to IT security reasons. Can you please send the Management Plan using the departments filesharing platform – SIGBOX. You will receive a separate email with the link to upload your file.

Much appreciated,


Hannah Brugman  
Administration Officer  
Environmental Audit Section | Compliance and Enforcement Branch | Environmental Permitting and Compliance Division  
Department of Climate Change, Energy, the Environment and Water  
Ngunnawal and Ngambri Country, John Gorton Building, King Edward Terrace, Parkes ACT 2600 Australia  
DCCEEW.gov.au ABN 63 573 932 849

#### Acknowledgement of Country

Our department recognises the First Peoples of this nation and their ongoing connection to culture and country. We acknowledge First Nations Peoples as the Traditional Owners, Custodians and Lore Keepers of the world's oldest living culture and pay respects to their Elders past and present.

**From:** Matt Doherty <[Matt.Doherty@mjdenvironmental.com.au](mailto:Matt.Doherty@mjdenvironmental.com.au)>  
**Sent:** Tuesday, 2 May 2023 4:50 PM  
**To:** EPBC Monitoring <[epbcmonitoring@dcceew.gov.au](mailto:epbcmonitoring@dcceew.gov.au)>; Post Approval <[PostApproval@dcceew.gov.au](mailto:PostApproval@dcceew.gov.au)>  
**Cc:** Coral Pearce <[coral.pearce@mjdenvironmental.com.au](mailto:coral.pearce@mjdenvironmental.com.au)>; Kegan Lacey <[klacey@ingeniacommunities.com.au](mailto:klacey@ingeniacommunities.com.au)>; Michael Rabey <[MRabey@ingeniacommunities.com.au](mailto:MRabey@ingeniacommunities.com.au)>; Nathan Holloway <[NHolloway@ingeniacommunities.com.au](mailto:NHolloway@ingeniacommunities.com.au)>; Reid, Rebecca <[Rebecca.Reid@dcceew.gov.au](mailto:Rebecca.Reid@dcceew.gov.au)>  
**Subject:** EPBC (2022/09220) Caravan and Lifestyle Living, Morisset NSW - Condition 3 Morisset North [SEC=UNOFFICIAL]

Hi there

In regards to Condition 3 of EPBC approval 2022/09220, please use the following link to download Vegetation and Fauna Management Plan for Morisset North -  [20117 MHE North DA1286 VFMP Final V4 23-6-2022 reduced.pdf](#)

Can you please confirm receipt and download of this plan.

If you have any queries, please don't hesitate to contact me.

Cheers

Matt

---

**Matt Doherty**

Director

Accredited BAM Assessor # BAAS17044

Accredited Biobank Assessor # 236

ECA NSW – Practicing Ecological Consultant



115 Broadmeadow Road, Broadmeadow

PO Box 360, Waratah NSW 2298

P: 4054 9539

M: 0416 208 684

E: [Matt.Doherty@mjdenvironmental.com.au](mailto:Matt.Doherty@mjdenvironmental.com.au)

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**From:** EPBC Monitoring <epbcmonitoring@dcceew.gov.au>  
**Sent:** Monday, 8 May 2023 11:08 AM  
**To:** Matt Doherty  
**Cc:** Coral Pearce; Kegan Lacey; Michael Rabey; Nathan Holloway; Reid, Rebecca; EPBC Monitoring  
**Subject:** RE: EPBC (2022/09220) Caravan and Lifestyle Living, Morisset NSW - Condition 6 [SEC=UNOFFICIAL]

Dear Matt,

Thank you for notifying the department of the Management Plan website publications for EPBC 2022/09220.

The department acknowledges receipt of this notification, and it will be reviewed accordingly.

For further information please do not hesitate to contact the EPBC Monitoring Mailbox.

Kind regards

Hannah Brugman  
Administration Officer  
Environmental Audit Section | Compliance and Enforcement Branch | Environmental Permitting and Compliance Division  
Department of Climate Change, Energy, the Environment and Water  
Ngunnawal and Ngambri Country, John Gorton Building, King Edward Terrace, Parkes ACT 2600 Australia  
DCCEEW.gov.au ABN 63 573 932 849

**Acknowledgement of Country**

Our department recognises the First Peoples of this nation and their ongoing connection to culture and country. We acknowledge First Nations Peoples as the Traditional Owners, Custodians and Lore Keepers of the world's oldest living culture and pay respects to their Elders past and present.

**From:** Matt Doherty <Matt.Doherty@mjdenvironmental.com.au>  
**Sent:** Thursday, 4 May 2023 3:39 PM  
**To:** EPBC Monitoring <epbcmonitoring@dcceew.gov.au>; Post Approval <PostApproval@dcceew.gov.au>  
**Cc:** Coral Pearce <coral.pearce@mjdenvironmental.com.au>; Kegan Lacey <klacey@ingeniacommunities.com.au>; Michael Rabey <MRabey@ingeniacommunities.com.au>; Nathan Holloway <NHolloway@ingeniacommunities.com.au>; Reid, Rebecca <Rebecca.Reid@dcceew.gov.au>  
**Subject:** EPBC (2022/09220) Caravan and Lifestyle Living, Morisset NSW - Condition 6 [SEC=UNOFFICIAL]

Hi there

In regards to Condition 6 of EPBC approval 2022/09220, all plans have been published by the approval holder and are available at <https://www.ingeniacommunities.com.au/morisset-epbc/>.

We note the plans have been published within 15 business days of the EPBC approval.

Can you please confirm receipt of this advice.

If you have any queries, please don't hesitate to contact me.

Cheers

Matt

---

**Matt Doherty**

Director

Accredited BAM Assessor # BAAS17044

Accredited Biobank Assessor # 236

ECA NSW – Practicing Ecological Consultant



115 Broadmeadow Road, Broadmeadow

PO Box 360, Waratah NSW 2298

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E: [Matt.Doherty@mjdenvironmental.com.au](mailto:Matt.Doherty@mjdenvironmental.com.au)

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Australian Government

Department of Climate Change, Energy,  
the Environment and Water

Ref: EPBC 2022/09220

Email: [EPBCmonitoring@dcceew.gov.au](mailto:EPBCmonitoring@dcceew.gov.au)

Matt Doherty  
Director  
MJD Environmental  
115 Broadmeadow Road  
BROADMEADOW NSW 2298

Dear Matt,

**Commencement of the Action -  
Caravan Park and Lifestyle Living, 126 Dora Street, Morisset, NSW, EPBC 2022/09220**

I refer to your email on 19 May 2023 on behalf of Sungenia Landco Management Pty Limited notifying the Department of Climate Change, Energy, the Environment and Water (the department) of commencement of the action for the Caravan Park and Lifestyle Living, 126 Dora Street, Morisset, NSW project in accordance with condition 9 of the *Environment Protection and Biodiversity Conservation Act 1999* (the Act) EPBC 2022/09220 approval.

I note that the action commenced on 17 May 2023.

**Annual Compliance Reporting**

The approval holder must prepare a compliance report for each 12-month period following the date of the approval, or as otherwise agreed to in writing by the Minister. The approval holder must continue to publish each report and notify the department of publication until the expiry of the approval on **30 April 2038**. The reports must be published within 60 business days of every 12 month anniversary of the approval. Documentary evidence of publication must be provided to the department within 5 business days the report is published. For additional information please refer to the conditions 16 to 19 of this approval.

Please notify the department of publication of the reports by email, including the link to where the report is publicly available, to [EPBCmonitoring@dcceew.gov.au](mailto:EPBCmonitoring@dcceew.gov.au). Please note the first Annual Compliance Report is due to the department by **13 August 2024**.

When preparing the report please refer to the department's Annual Compliance Report Guidelines available on the department's website at <http://www.environment.gov.au/epbc/publications/annual-compliance-report-guidelines>

Please note that the conditions of approval require the approval holder to maintain accurate records of all activities associated with, or relevant to, the approval conditions so that they can be made available to the department on request. These documents may be subject to audit and be used to verify compliance. Summaries of audits may be published by the department.

More information about the department's Monitoring and Audit program is available on the department's website at <http://www.environment.gov.au/epbc/compliance-and-enforcement/auditing>.

Section 142 of the Act requires an approval holder to comply with conditions attached to an approval. Penalties may apply to approval holders who contravene conditions.

If you would like to discuss this matter further, please contact Hannah Brugman at [EPBCmonitoring@dcceew.gov.au](mailto:EPBCmonitoring@dcceew.gov.au).

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'Th' for Thomas Long.

Thomas Long  
Assistant Director  
Environmental Audit Section

26 May 2023

**From:** Nathan Holloway <NHolloway@ingeniacommunities.com.au>  
**Sent:** Monday, 7 July 2025 5:33 PM  
**To:** epbcmonitoring@dcceew.gov.au  
**Cc:** Matt Doherty; Chris Spraggon  
**Subject:** Potential Non-Compliance Notification EPBC 2022/09220

To Whom it May Concern,

On the 3 July 2025, Sungenia Landco Management Pty Limited (the Approval Holder – ‘Sungenia’) conducted an Engagement Meeting with a biodiversity consultant (MJD Environmental) for environmental management works at Caravan Park and Lifestyle Living, 126 Dora Street, Morisset, NSW (EPBC Approval 2022/09220).

In the course of the meeting, Sungenia were made aware by MJD Environmental of potential Non-Compliance with obligations Conditioned under the Approval.

These potential Non-Compliances relate to exceedance of the Clearing Limits prescribed in Condition 1 based on aerial review, and failure to publish an Annual Compliance Report for the first 12 months following Approval prescribed in Condition 16, the content and structure of which is further Conditioned in the Approval.

At the time of writing, the following details are known to Sungenia:

1. The general location of the exceedance of the Clearing Limit is given by Coordinates in GDA2020 / MGA Zone 56 of:
  - a. Easting 357884.41, Northing 6333393.57 in the south, and;
  - b. Easting 357809.78, Northing 6333656.24 in the north;and consists generally of a boundary survey error with an estimated scale of approximately 5 metres over approximately 275 metres according to aerial imagery review.
2. The exceedance of the Clearing Limit occurred at a time between 30 September 2023 and 6 March 2024
3. The Annual Compliance Report was required to be prepared and published by 13 August 2024.

Sungenia are investigating the nature and extent of these Potential Non-Compliances, as well as the cause. Sungenia or their representative will liaise further with the Department in writing as per prescribed timeframes in Condition 22 to expand on potential impacts to MNES, proposed corrective and reparative actions and their proposed timing, and the outcomes of the notification of and correspondence with the Local Consent Authority (Lake Macquarie City Council) regarding these Potential Non-Compliances.



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**Nathan Holloway**  
**Development Manager**

**M 0412528639**

[NHolloway@ingeniacommunities.com.au](mailto:NHolloway@ingeniacommunities.com.au)

Level 10 - 20 Bond Street Sydney NSW 2000

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ATTACHMENT 1: APPROVED  
CLEARING EXTENT, PRE-  
CLEARING

Legend

-  BDAR CLEARING FULL APPROVED
-  BDAR CLEARING PART APPROVED
-  Lot



Metres  
1:800



Aerial: Nearmap (2025) | Data: MJD Environmental, NSW Spatial Services (2025) | Datum/Projection: GDA2020 / MGA zone 56 | Date: 2025-07-04 | Version: 1 | Z:\20117 - MHE2, Morisset\QGZ\20117\_EPBC\_20250618.qgz | This plan should not be relied upon for critical design dimensions.



ATTACHMENT 2: APPROVED  
CLEARING EXTENT, POST-  
CLEARING

Legend

- BDAR CLEARING FULL APPROVED
- BDAR CLEARING PART APPROVED
- Lot



Metres  
1:800






Aerial: Nearmap (2025) | Data: MJD Environmental, NSW Spatial Services (2025) | Datum/Projection: GDA2020 / MGA zone 56 | Date: 2025-07-04 | Version: 1 | Z:\20117 - MHE2, Morisset\QGZ\20117\_EPBC\_20250618.qgz | This plan should not be relied upon for critical design dimensions.



ATTACHMENT 3: APPROVED  
CLEARING EXTENT, CURRENT

Legend

-  BDAR CLEARING FULL APPROVED
-  BDAR CLEARING PART APPROVED
-  Lot



Metres  
1:800



Aerial: Nearmap (2025) | Data: MJD Environmental, NSW Spatial Services (2025) | Datum/Projection: GDA2020 / MGA zone 56 | Date: 2025-07-04 | Version: 1 | Z:\20117 - MHE2, Morisset\QGZ\20117\_EPBC\_20250618.qgz | This plan should not be relied upon for critical design dimensions.

## Chris Spraggon

---

**From:** Warren Botes <wbotes@lakemac.nsw.gov.au>  
**Sent:** Tuesday, 15 July 2025 11:10 AM  
**To:** Chris Spraggon  
**Cc:** Matt Doherty; Nathan Holloway  
**Subject:** RE: 20117 MHE1 DA/1288/2019 - Non-compliance (clearing encroachment)

Hi Chris,

Thanks for this.

I am in support of the approach proposed in the supplied Non-compliance management plan. In particular, the use of locally sourced native top soil with tree replacement planting is supported.

Regards,

**Warren Botes**

Development Planner Flora and Fauna



**T** +61 2 4921 0583 **M** +61 419 683 145

**E** wbotes@lakemac.nsw.gov.au

lakemac.com.au



*Dhumaan ngayin Awabakurlangu kirraanan barayidin*

We acknowledge and respect the Awabakal people who have cared for and nurtured this country.



**From:** Chris Spraggon <chris.spraggon@mjdenvironmental.com.au>  
**Sent:** Friday, 11 July 2025 4:14 PM  
**To:** Warren Botes <wbotes@lakemac.nsw.gov.au>  
**Cc:** Matt Doherty <Matt.Doherty@mjdenvironmental.com.au>; Nathan Holloway <NHolloway@ingeniacommunities.com.au>  
**Subject:** 20117 MHE1 DA/1288/2019 - Non-compliance (clearing encroachment)

Hi Warren,

Thanks for your time on the phone. As discussed, a boundary survey error has resulted in over-clearing at DA/1288/2019. The overclearing is approximately 0.14 hectares – an error of approximately 5m over approximately 275m of the western development boundary adjacent to Wyee Rd.

Please see attached a draft non-compliance management plan to guide the recovery of this area. Please note, this document is in draft for issue to Commonwealth DCCEEW under the EPBC Act, and is not for publication prior to finalisation.

We would value your initial thoughts on approach. We are hoping to have confirmation of engagement early next week of the same bush regeneration contractor carrying out VFMP works for DA 1286 (Litoria ERS).

Kind Regards,

---

**Chris Spraggon (he/him)**

Senior Ecologist

Accredited BAM Assessor BAAS25009

**My workdays:**

Mon	Tue	Wed	Thu	Fri
X	✓	✓	✓	✓

115 Broadmeadow Rd, Broadmeadow

PO Box 360, Waratah NSW 2298

M: 0437167481

Ph: 0240549539

E: [Chris.Spraggon@mjdenvironmental.com.au](mailto:Chris.Spraggon@mjdenvironmental.com.au)



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## Chris Spraggon

---

**From:** Nathan Holloway <NHolloway@ingeniacommunities.com.au>  
**Sent:** Thursday, 17 July 2025 6:43 AM  
**To:** Chris Spraggon  
**Subject:** Fw: Archer's Run - South

Hi Chris,

see below from Aaron

Get [Outlook for iOS](#)



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**Nathan Holloway**  
**Development Manager**

**M 0412528639**

[NHolloway@ingeniacommunities.com.au](mailto:NHolloway@ingeniacommunities.com.au)

Level 10 - 20 Bond Street Sydney NSW 2000

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---

**From:** Aaron Crotty <aaron.crotty@litoriaers.com>  
**Sent:** Thursday, July 17, 2025 06:23  
**To:** Nathan Holloway <NHolloway@ingeniacommunities.com.au>  
**Subject:** Re: FW: Archer's Run - South

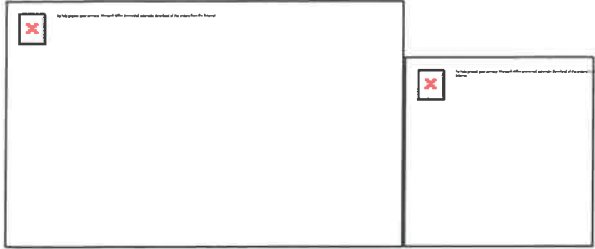
Hi Nathan,

Yes we can help with this. I'll take a closer look next week and assess when we can do the work. Ill get back to you with an estimate of cost soon.

Thanks

Aaron Crotty

Managing Director  
0413 823 114



On Wed, Jul 16, 2025 at 2:00 PM Nathan Holloway <[NHolloway@ingeniacommunities.com.au](mailto:NHolloway@ingeniacommunities.com.au)> wrote:

Hi Aaron,

Just following up on the below mate



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**Nathan Holloway  
Development Manager**

M 0412528639


[NHolloway@ingeniacommunities.com.au](mailto:NHolloway@ingeniacommunities.com.au)

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**Nathan Holloway**  
**Development Manager**

**M** 0412528639

NHolloway@ingeniacommunities.com.au

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---

**From:** Nathan Holloway <[NHolloway@ingeniacommunities.com.au](mailto:NHolloway@ingeniacommunities.com.au)>

**Sent:** Friday, 11 July 2025 11:58 AM

**To:** Aaron Crotty <[aaron.crotty@litoriaers.com](mailto:aaron.crotty@litoriaers.com)>

**Cc:** Chris Spraggon <[chris.spraggon@mjdenvironmental.com.au](mailto:chris.spraggon@mjdenvironmental.com.au)>

**Subject:** Archer's Run - South

Hi Aaron,

Thanks for your time just before on the phone

As discussed, please see below

I have ccd Chris in from MJD who can assist with scope

1. We are just working through the compliance report with MJD and it looks as though we need are going to need some topsoil translocation done in the south due to some minor over clearing. We are looking at about 70 cubes in total mainly along the corridor along Wyee Road. Is this something Litoria would be able to look at for us?

2. We are also keen to undertake some light weed management on the south

We are hoping you could review and advise by next Thursday if your able to assist with the above



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**Nathan Holloway**  
**Development Manager**

**M 0412528639**


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## Chris Spraggon

---

**From:** Nathan Holloway <NHolloway@ingeniacommunities.com.au>  
**Sent:** Monday, 28 July 2025 9:20 PM  
**To:** epbcmonitoring@dcceew.gov.au  
**Cc:** Matt Doherty; Chris Spraggon  
**Subject:** RE: Potential Non-Compliance Notification EPBC 2022/09220  
**Attachments:** 20117 EPBC 2022-09220 Non-compliance Management Plan FINAL 20250718.pdf

To Whom it May Concern,

Please see attached Management Plan associated with the below notification

Regards,



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**Nathan Holloway**  
**Development Manager**  
**M 0412528639**  
[NHolloway@ingeniacommunities.com.au](mailto:NHolloway@ingeniacommunities.com.au)  
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**From:** Nathan Holloway <NHolloway@ingeniacommunities.com.au>  
**Sent:** Monday, 7 July 2025 5:33 PM  
**To:** epbcmonitoring@dcceew.gov.au  
**Cc:** Matt Doherty <matt.doherty@mjdenvironmental.com.au>; Chris Spraggon <chris.spraggon@mjdenvironmental.com.au>  
**Subject:** Potential Non-Compliance Notification EPBC 2022/09220

To Whom it May Concern,

On the 3 July 2025, Sungenia Landco Management Pty Limited (the Approval Holder – 'Sungenia') conducted an Engagement Meeting with a biodiversity consultant (MJD Environmental) for environmental management works at Caravan Park and Lifestyle Living, 126 Dora Street, Morisset, NSW (EPBC Approval 2022/09220).

In the course of the meeting, Sungenia were made aware by MJD Environmental of potential Non-Compliance with obligations Conditioned under the Approval.

These potential Non-Compliances relate to exceedance of the Clearing Limits prescribed in Condition 1 based on aerial review, and failure to publish an Annual Compliance Report for the first 12 months following Approval prescribed in Condition 16, the content and structure of which is further Conditioned in the Approval.

At the time of writing, the following details are known to Sungenia:

1. The general location of the exceedance of the Clearing Limit is given by Coordinates in GDA2020 / MGA Zone 56 of:
  - a. Easting 357884.41, Northing 6333393.57 in the south, and;
  - b. Easting 357809.78, Northing 6333656.24 in the north;and consists generally of a boundary survey error with an estimated scale of approximately 5 metres over approximately 275 metres according to aerial imagery review.
2. The exceedance of the Clearing Limit occurred at a time between 30 September 2023 and 6 March 2024
3. The Annual Compliance Report was required to be prepared and published by 13 August 2024.

Sungenia are investigating the nature and extent of these Potential Non-Compliances, as well as the cause. Sungenia or their representative will liaise further with the Department in writing as per prescribed timeframes in Condition 22 to expand on potential impacts to MNES, proposed corrective and reparative actions and their proposed timing, and the outcomes of the notification of and correspondence with the Local Consent Authority (Lake Macquarie City Council) regarding these Potential Non-Compliances.




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**Nathan Holloway**  
**Development Manager**  
M 0412528639  
[NHolloway@ingeniacommunities.com.au](mailto:NHolloway@ingeniacommunities.com.au)  
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**From:** "NSW Planning" <planning.apps@planning.nsw.gov.au>

**Date received:** 25/05/2023 9:14:44 AM

**To:** dacportalnotifications@lakemac.nsw.gov.au, alan@hunterpca.com.au

**Subject:** CFT-326823 for 27 WYEE ROAD MORISSET 2264: Notice of intention to commence erection of building or subdivision work

**Attachments:** [webwbPost\\_ConsentCorrHeaderAug22.PNG](#)

The applicant for PC Appointment CFT-326823 at 27 WYEE ROAD MORISSET :  
name:M



The applicant for PC Appointment CFT-326823 at 27 WYEE ROAD MORISSET 2264 notified their intention to commence subdivision works, in accordance with Section 6.12 of the *Environmental Planning and Assessment Act 1979*.

The details of this application are:

- Applicant name:Mr Kegan Lacey
- Applicant address: 88 Cumberland street, the rocks
- Related development consent: Development Application (DA)
- Related development consent reference number: DA1286/2019/A
- Related development consent determination date: 30/05/22
- Construction Certificate reference number: CFT-307590
- Date Construction Certificate issued: 18/05/23

The description of the work to be carried out is: Earthworks / change in levels.  
The applicant has advised that the work is intended to commence on 29/05/23.

Please log into the NSW Planning Portal to view details.

[Log in](#)

This email has been automatically sent through the NSW Planning Portal. Please do not respond to this message.

For more information or assistance, please visit the [NSW Planning Portal](#) and view our [Frequently Asked Questions](#) or [Quick Reference Guides](#). Alternatively, you can call our helpline on 1300 305 695.

width=1

**Our Ref:** 20117 Pre-Start Induction and Site Establishment Compliance, MHE North Morisset  
**Via:** email

**Date:** 17<sup>th</sup> May 2023

Attn: Kegan Lacy  
Ingenia Communities  
4495 Nelson Bay Rd, Anna Bay NSW 2316

Dear Kegan

**RE: PRE-START INDUCTION AND SITE ESTABLISHMENT COMPLIANCE – MHE 2, MORISSET**

MJD Environmental was engaged by Ingenia Communities to provide an ecology focussed pre-start compliance prior to vegetation works within areas to be cleared in MHE North as part of a caravan park and camping ground development (DA/1286/2019).

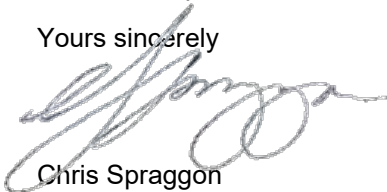
A pre-start induction meeting was held on 17<sup>th</sup> May 2023, attended by representatives from Ingenia Communities (proponent), Robsons Civil (contractor) and Blax Trees (vegetation contractor). All attendees were inducted on the contents and requirements of the approved Vegetation and Fauna Management Plan (VFMP) (V4 June 2022), with particular focus on the fauna protection measures afforded by the staged clearing procedures. Those present signed an induction register, **Attachment 1**.

An assessment was also undertaken of the No-Go Zone flag bunting and signage, which was found to be compliant with the VFMP (see photos, in **Attachment 2**).

The high visibility spray and flagging tape around habitat trees (as per previous compliance) was in good condition and appropriate to begin works.

We trust this is sufficient for your purposes, however, should you require any further information or clarification, please do not hesitate to contact the writer.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Chris Spraggon', is written over a light blue circular background.









Chris Spraggon  
Senior Ecologist  
MJD Environmental

**Encl:** Attachment 1 – Pre-Start Induction Register  
Attachment 2 – Site Establishment Photos

## Environmental Induction Record: 20117 – MHE Morisset Induction

Site personnel please sign this record to acknowledge receiving an environmental induction prior to commencement of works – Clearing and construction works.

By signing you accept that all works must be completed in accordance with the overarching environmental approvals for the project as explained during the induction briefing.

Company	Name	Signature	Date
Robson Civil Project	A. Newbery		17/5/23
Robson	Daniel Bosley		17/5/23
Robson	Cameron Morgan		17/5/23
Robson	CARL ASHMAN		17/5/23
Robson	Julian Gunasinghe		17/5/23
ALCP	Danay Smith		17/5/23
BLAX	Alex Schiller		17/5
INVENIA	Kieran Lacey		17/5/2023
Logena	Natha Holloway		17/05/2023

**Attachment 2 – Site Photos**







**Our Ref:** 20117 Ecological Clearance Compliance Letter MHE North Morisset 08-06-2023  
**Via:** email

**Date:** 8 June 2023

Attn: Kegan Lacy  
Ingenia Communities  
4495 Nelson Bay Rd, Anna Bay 2316

Dear Kegan,

**RE: ECOLOGICAL CLEARANCE COMPLIANCE – MHE NORTH, MORISSET**

MJD Environmental was engaged by Ingenia Communities to provide ecological clearance supervision for tree removal works associated with the subdivision for DA/1286/2019/A.

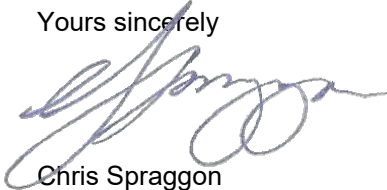
Preclearance surveys of the area were undertaken on the 11<sup>th</sup> – 13<sup>th</sup> April 2023 by MJD Ecologists Nixon Jowett and Ali Jeffery. Each hollow bearing tree was spray painted with 3 pink 'H's' around the trunk and marked with pink tape during the preclearance survey. A total of 92 hollow bearing trees were recorded. Ecological pre-clearance survey was undertaken in accordance with LMCC notice of determination (DA/1286/2019/A) Condition 68 *Hollow Bearing Tree Removal*. One HBT fell following bad weather. This tree was inspected and found unoccupied, and remained in situ as per procedure.

Following preclearance survey, each of the 90 hollow bearing trees were stag-watched in the week prior to clearance by MJD Ecologists to determine occupancy. The watches were carried out from half an hour before sunset to an hour after dusk. This was undertaken between the 22<sup>nd</sup> May 2023 and the 31<sup>st</sup> May 2023. Each tree was then marked with blue tape to signify it had been watched. The habitat features of occupied trees were assigned to an arborist for removal.

Ecological supervision was provided on Monday 29<sup>th</sup> May 2023, 2<sup>nd</sup> and 6<sup>th</sup> June 2023. On the 29<sup>th</sup> Of May 60 trees were supervised and cleared. The hollow bearing features of 5 trees were removed by an arborist. A hollow on one tree contained 2 Rainbow Lorikeet eggs. A hollow on a separate tree contained 1 Rainbow Lorikeet egg. These were the only occupancies encountered by the arborist. The Lorikeet eggs could not be taken in by any carers and were destroyed. All other trees were knocked twice prior to soft felling with an excavator. All hollows were inspected thoroughly with a torch to assess occupation. No current occupancy was detected during these assessments. On the 2<sup>nd</sup> of June 2023, 29 trees were supervised, one rainbow lorikeet egg was observed however smashed upon tree being felled. One ring-tailed possum was observed however the tree was left to be felled by a climbing arborist. On the 6<sup>th</sup> June 2023, the climbing arborist removed the hollows occupied by the ring-tailed possum. The ring-tailed possum was captured safely and uninjured. It was relocated to the C2 Conservation area to the south of the site. Felled hollow bearing trees were left in situ, for at least one night after falling.

We trust this is sufficient for your purposes, however, should you require any further information or clarification, please do not hesitate to contact Nixon Jowett (Field Ecologist) or the writer.

Yours sincerely



Chris Spraggon  
Senior Ecologist  
MJD Environmental

0416 208 684

matt.doherty@mjdenvironmental.com.au

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**Our Ref:** 20117 Squirrel Glider Habitat Assessment Compliance Letter MHE 2 (North) DA1286-2019, Morisset  
**Via:** email

**Date:** 17<sup>th</sup> May 2023

Attn: Kegan Lacy  
Ingenia Communities  
4495 Nelson Bay Rd, Anna Bay NSW 2316

Dear Kegan

**RE: 20117 SQUIRREL GLIDER HABITAT ASSESSMENT COMPLIANCE LETTER MHE 2 (NORTH) DA1286-2019, MORISSET**

MJD Environmental was engaged by Ingenia Communities to provide an assessment of the connectivity of habitat for the threatened Squirrel Glider (*Petaurus norfolcensis* – BC Act Vulnerable) between the development site and adjoining lands at MHE North as part of a caravan park and camping ground development (DA/1286/2019). The assessment is to determine if Squirrel Gliders can continue to move through the area without going to ground, using the principles in Council's Squirrel Glider Planning and Management Guidelines.

A primary conservation corridor for fauna movement is to be established under the approved VFMP to maintain access in a north-south direction adjacent to Wyee Road. Movement for fauna must be retained

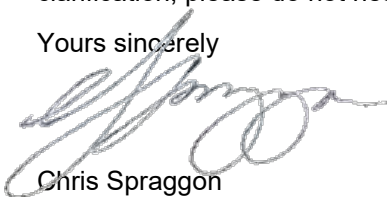
Three breaks in the vegetation occur as a result of the works associated with the development:

- associated with Hunter Water clearance of vegetation for infrastructure installation – not hostile.
- associated with the southern entry to the development as per approved plans – **hostile**.
- associated with the roundabout for the northern entry to the development as per approved plans – **hostile**.

Two connections are considered hostile and will require the installation of Glider Poles as per approved VFMP. A plan for the inclusion of Glider poles will be developed in consultation with councils DPFF as per conditions of consent.

We trust this is sufficient for your purposes, however, should you require any further information or clarification, please do not hesitate to contact the writer.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chris Spraggon', is written over the 'Yours sincerely' text.

Chris Spraggon  
Senior Ecologist  
MJD Environmental

**Encl:** Attachment 1 – Gap analysis

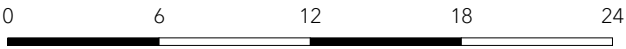


MORISSET GOLF COURSEMORISSET GOLF COURSE

GLIDER POLE LOCATIONS

Legend

- Study Area
- DA/1286/2019 Approved Layout
- 25.2 m Buffer
- Proposed Glider Pole Location



Metres  
1:300



Aerial: Nearmap (2023) | Data: MJD Environmental, ADW Johnson, NSW Spatial Services (2023) | Datum/Projection: GDA2020 / MGA zone 56 | Date: 19/10/2023 | Version: 1 | Z:\20117 - MHE2, Morisset | This plan should not be relied upon for critical design dimension.

**Our Ref:** 20117 Nest Box Installation Compliance – MHE North Site, Morisset 8-6-2022  
**Via:** email

**Date:** 8 June 2022

Attn: Ashleigh McTackett  
Development Assessment and Certification  
Box 1906 Hunter Regional Mail Centre  
NSW 2310

Dear Ashleigh,

**RE: NEST BOX INSTALLATION COMPLIANCE – MHE NORTH SITE, MORISSET (DA/1286/2019/A)**

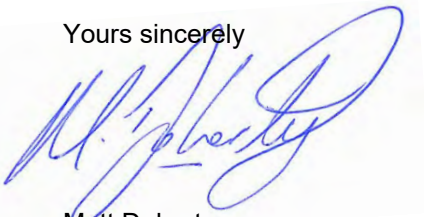
MJD Environmental has been engaged by Ingenia Communities to provide ecological site works in accordance with the Development Approval (DA/1286/2019/A) at 27 Wyee Road, 2264, 126 Dora Street, 380 Dora Street, 118C Dora Street Morisset, hereafter referred to as 'Site'.

This compliance details the results of a hollow bearing tree survey and installation of nest boxes within retained areas on the former Morisset Golf Course, specifically within the Swamp Forest in accordance with Conditions 25 and 44 of the Conditions of Consent for the DA stated above. The nest boxes have been installed in accordance with the Vegetation and Fauna Management Plan (VFMP) produced by MJD Environmental (2022).

A total of 4 (4) nest boxes were installed. Completion for installation of all nest boxes concluded on the 10<sup>th</sup> of March 2022 and therefore sets the two week waiting period prior to clearing. Nest box installation locations (Attachment 1) along with an attributes table (Attachment 2) have been attached to this advice.

We trust this is sufficient for your purposes, however, should you require any further information or clarification, please do not hesitate to contact Ross Duncan (Senior Environmental Consultant) or the writer.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Matt Doherty', is written over a light blue rectangular background.

Matt Doherty  
Director  
MJD Environmental

**Encl:** Attachment 1 – Nestbox Location Map  
Attachment 2 – Nestbox Attribute Table

0416 208 684

[matt.doherty@mjdenvironmental.com.au](mailto:matt.doherty@mjdenvironmental.com.au)





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MORISSET GOLF COURSE  
ATTACHMENT 1: NEST BOX  
LOCATIONS

Legend

-  Nest Box
-  Subject Site
-  Study Area
-  Cadastral Boundaries



0 30 60 120  
Meters  
1:1,900



Aerial: NearMap (2021) | Data: MJD Environmental (2022), ADW Johnson (2022), Kleinfelder (2019), NSW Spatial Services (2020) | Datum/Projection: GDA 1994 MGA Zone 56 | Date: 14/06/2022 | Version 1 | Z:\20117 - MHE2, Morisset\20117\_DA1286\_20220113.mxd | This plan should not be relied upon for critical design dimensions.

## Attachment 2 – Nestbox Attribute Table

NB#	Box Type	Installation Date	Tree Species	Tree DBH (cm)	Box Height (m)	Aspect	Latitude	Longitude
5	Sugar/squirrel, front entry	10/03/2022	<i>E.haemastoma</i>	80	5	SE	-33.12497647	151.4755607
19	Sugar/squirrel, rear entry	17/02/2022	<i>E.haemastoma</i>	80	6	SE	-33.12476701	151.4754565
26	Sugar/squirrel, rear entry	17/02/2022	<i>E.robusta</i>	40	6	SE	-33.12562116	151.4754239
30	Sugar/squirrel, front entry	17/02/2022	<i>E.haemastoma</i>	60	6	SE	-33.12525136	151.4754441



## **MHE North CAA Annual Report – VFMP**

Part Lots 1, 2 and 3 DP 1265834 and Part Lot 558 DP 755242, Morisset

Prepared for

**NSW Department of Planning and Environment—Water**

Final V1 / November 2023

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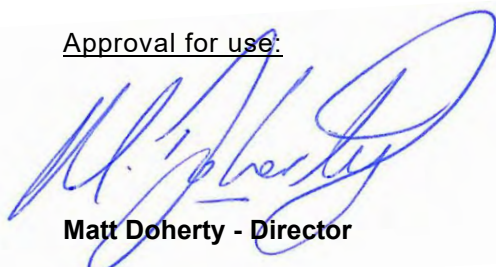
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## DOCUMENT STATUS

Project Particulars			
Project Name	20117 MHE North CAA Annual Report - VFMP		
Job Number	20117		
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Status	Final		
Version	Date	Prepared by	Details
V1	7-11-2023	CS/LP/MD	Final for submission

Approval for use:



**Matt Doherty - Director**

7 November 2023

## Disclaimer

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Appendix E	Nest box monitoring letter
Appendix F	Clearance compliance letter

## GLOSSARY OF TERMS AND ABBREVIATIONS

Term/ Abbreviation	Meaning
APZ	Asset Protection Zone
BC Act	Biodiversity Conservation Act 2016
Bio Act	Biosecurity Act 2015
Council	Lake Macquarie City Council
DoEE	Commonwealth Department of the Environment and Energy
DPI NRAR	NSW Department of Primary Industries – Natural Resource Access Regulator (Former DPI – Water / NSW Office of Water)
ECA	Environmental Conservation Area
EEC	Endangered Ecological Community
EPA Act	NSW Environmental Planning and Assessment Act 1979
EPBC Act	Commonwealth Environment Protection and Biodiversity Conservation Act 1999
ha	Hectare
KPI	Key Performance Indicator
LGA	Local Government Area
LMCC	Lake Macquarie City Council
Native Vegetation	Native vegetation includes all the vegetation that is indigenous to Australia, covering individuals as well as communities that existed prior to European Settlement.
OEH	NSW Office of Environment and Heritage
Provenance	Refers to seed collected from natural populations growing in the same vegetation community and position in the landscape within a reasonable (closest possible) distance of the area being restored.
RaMP	Rehabilitation and Maintenance Plan
Rehabilitation	Any attempt to restore elements of structure or function to an ecological system without necessarily attempting complete restoration to any specific prior condition.
Regeneration	Describes the restoration of natural ecosystems through the natural cyclic processes of renewal and self-maintenance of species and their populations.
Restoration	Re-establish exactly the original native plant community.
Revegetation	Replanting of native vegetation.
Site	The area subject to the proposed development and surrounding non-developed areas
VMA	Vegetation Management Area
VFMP	Vegetation Management Plan
VPA	Voluntary Planning Agreement
Weed	Non-native plant species that have moved into areas of native vegetation.
WM Act	NSW Water Management Act 2000
WoNS	Weeds of National Significance

# 1 Introduction

MJD Environmental has been engaged by Ingenia Communities, to prepare a Vegetation & Fauna Management Plan (VFMP) for the rehabilitation and management of Retained Vegetation and Habitat on Lot 2 in DP 1265834 and Part Lot 558 DP 755242, under the development application DA/1286/2019/A, hereafter referred to as the 'subject site' (site).

The subject site is located in Morisset and is generally situated south of Dora Street, west of Wyee Rd, and east of the Newcastle Central Coast Rail line (Refer to **Figure 1**). The site is situated on the former Morisset Country Club Golf Course.

The VFMP was submitted to the NSW Department of Planning and Environment – Water, as part of assessment for controlled activity approval (CAA). Approval was conferred on 4<sup>th</sup> November 2022.

This annual report has been produced as a condition of that approval.

## 1.1 Aims

The aim of this annual report is to:

- Summarise the implementation of measures to protect waterfront land over the 12 months since approval.
- Detail measurable outcomes where practical for the ongoing reporting over the approved controlled activity maintenance period (two (2) years).

## 1.2 Site Particulars

<b>Locality</b>	The subject site is situated in Morisset, NSW
<b>Land Title</b>	Lots 1 & 2 in DP 1265834 and Part Lot 558 DP 755242
<b>LGA</b>	Lake Macquarie City Council
<b>Developer</b>	Ingenia Communities Pty Ltd

## 1.3 Definitions

Several terms and abbreviations are used throughout this VFMP. Reference to and familiarisation with the glossary at the front of this report is important to define terms and to avoid any incongruities during VFMP implementation.

## 1.4 Role & Responsibilities

The key stakeholders associated with this VFMP are:

- The person/ firm preparing the VFMP – MJD Environmental
- The proponent – Ingenia Communities Pty Ltd
- The contractor(s) who will be responsible for VFMP implementation – Civil Contractor, Vegetation Contractor, Ecologist (fauna),
- The person/ firm who will undertake inspections and compliance of VFMP implementation by the vegetation contractor(s) on behalf of the proponent and prepare a brief statement of outcomes – Consultant & Council

## **1.5 Legislation, Guidelines & Approvals**

### ***Guidelines***



This VFMP is informed by LMCC Vegetation Management Plan Guideline (2013), LMCC Draft Natural Areas Management Guidelines (2019), LMCC Flora & Fauna Survey Guideline (2012).

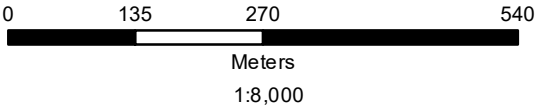
### ***Legislation***

Key legislation generally relating to this VFMP and the site project approvals include the following:

- Commonwealth Environment Protection and Biodiversity Conservation Act 1997
- Biodiversity Conservation Act 2016
- Biosecurity Act 2015
- NSW Environmental Planning and Assessment Act 1979
- NSW Water Management Act 2000

MORISSET GOLF COURSE  
FIGURE 1: SITE LOCATION

- Legend**
-  Subject Site
  -  Cadastral Boundaries



Aerial: NearMap (2021) | Data: MJD Environmental (2022), ADW Johnson (2022), Kleinfelder (2019), NSW Spatial Services (2020) | Datum/Projection: GDA 1994 MGA Zone 56 | Date: 9/03/2022 | Version 1 | Z:\20117 - MHE2, Morisset\20117\_DA1286\_20220113.mxd | This plan should not be relied upon for critical design dimensions.

## 2 Water Management Act

The subject site is affected by waterfront land, being within 40m of a mapped watercourse. The development of waterfront land requires Controlled Activity Approval by the NSW Natural Resources Access regulator (NRAR). Two 1<sup>st</sup> order streams (under the Strahler System of classification) pass under Wyee Rd at two culverts, forming a junction near the southwestern boundary of the subject site and running as a 2<sup>nd</sup> order watercourse coarsely in line with said boundary to the large dam. The waterline discharges from the dam under the rail line in the east. Under the Water Management Act, 1<sup>st</sup> order watercourses require a 10m Vegetated Riparian Zone (VRZ) either side of the highest bank of the channel (2 x 10m + channel width riparian corridor), and 2<sup>nd</sup> order watercourses require a 20m VRZ (2 x 20m + channel width corridor). NRAR General Terms of Approval require a VMP over the riparian corridor, which will not be directly addressed in this VFMP. The Water Management Act outcome is detailed in **Figure 2**.

In compliance with condition TC-C012 A:

*The approval holder must provide a report to the Department of Planning and Environment—Water, on the implementation of each of the following plan(s):*

*i. Vegetation Management Plan;*

*every twelve (12) months up to the end of the maintenance period, and at the completion of the controlled activity authorised by this approval.*

*B. Each report must:*

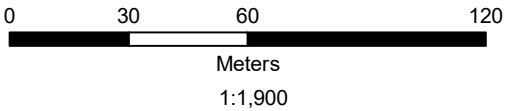
*i. address the requirements set out in each plan, and*

*ii. be prepared by a suitably qualified person.*

This annual report has been prepared by Chris Spraggon, Senior Ecologist

MORISSET GOLF COURSE  
**FIGURE 2: WATER  
MANAGEMENT ACT  
OUTCOME**

- Legend**
- Proposed Layout
  - Subject Site
  - Cadastral Boundaries
  - Riparian Zone
  - Waterfront Land



Aerial: NearMap (2021) | Data: MJD Environmental (2022), ADW Johnson (2022), Kleinfelder (2019), NSW Spatial Services (2020) | Datum/Projection: GDA 1994 MGA Zone 56 | Date: 9/03/2022 | Version 1 | Z:\20117 - MHE2, Morisset\20117\_DA1286\_20220113.mxd | This plan should not be relied upon for critical design dimensions.

### 3 Landscape and Ecological Context

A site inspection was carried out by MJD Environmental in November 2021 to gain an understanding of the sites ecological setting and vegetation mapping for consideration in preparation of the VFMP.

The inspections considered:

- The vegetation present within the conservation site;
- Weed species present;
- Site resilience;
- Management Zones;
- Management Issues; and
- Presences/absences of threatened species.

A desktop assessment of the existing vegetation mapping for the area using LMCC Vegetation Community & Plant Community Types Map coupled with previous site mapping undertaken by Kleinfelder for associated BDARs, describes vegetation within the site as PCT 1636 Scribbly Gum - Red Bloodwood - Angophora inopina heathy woodland (LMCC Map Unit 31 - Coastal Plains Scribbly Gum Woodland), and PCT 1718 (LMCC MU 37 - Swamp Mahogany - Paperbark Forest). The latter vegetation community is commensurate with listed Endangered Ecological Community (EEC) *Swamp Sclerophyll Forest on Coastal Floodplains* under the Biodiversity Conservation Act (2016) (Refer to **Figure 3**).

**Table 1 Vegetation Communities and associated EECs**

Plant Community Type (PCT) (BAM 2015)	Vegetation Community (Bell & Driscoll 2016)	Threatened Ecological Community
1636 - Scribbly Gum - Red Bloodwood - Angophora inopina heathy woodland on lowlands of the Central Coast	MU 31 - Coastal Plains Scribbly Gum Woodland	No
1718 - Swamp Mahogany - Flax-leaved Paperbark swamp forest on coastal lowlands of the Central Coast	MU 37 - Swamp Mahogany - Paperbark Forest	Yes, commensurate with BC Act listed EEC <i>Swamp Sclerophyll Forest on Coastal Floodplains</i>

The surrounding environment is defined by the RE2 Private Recreation zoned former Morisset Country Club golf course, with scattered stands of native and exotic canopy, boundary corridors of mostly native canopy, and broad areas of previously managed turf which has devolved into pasture grasses and annual weeds. To the west runs Wyee Rd and to the east the Central Coast & Newcastle Rail line. A riparian corridor runs through the southwestern portion of the site following the southern boundary and ending at the large dam, with generally good condition native vegetation in wooded areas. The eastern portion of the riparian corridor hosts several species of aquatic weeds. The former golf course is primarily located to the north of the development, with a smaller area of RE2 land with forest and fairways to the south (subject to a DA). Further to the south of the RE2 land is an E2 zoned woodland remnant.

The site includes areas of moderate to high quality bushland which have been assessed as providing potential habitat for threatened fauna and flora, and maintaining the connectivity of these areas with larger tracts of vegetation throughout the locality is addressed herein, as well as procedures for minimising impact on fauna through staged removal of vegetation and methods to suppress weeds which may threaten retained vegetation. The vegetation communities present on the site are summarised in **Table 2** and detailed below.

### Coastal Plains Scribbly Gum Woodland (MU 31 – PCT 1636)

This area occurs through the subject site as varying condition patches between the fairways. The native component of the vegetation throughout the former golf course most closely aligns with this community, albeit lacking native understorey in places. The vegetation within the development site is a series of patches of this community, in varying condition and crossed with cleared fairways. In the highest quality patches, all structural layers are present and weed infestation is minimal except for near patch edges. The native canopy is dominated by *Eucalyptus haemastoma* and *E. capitellata*, with *E. robusta* and *Melaleuca quinquenervia* also occurring, identified in the BDAR as planted. In the remnant forest of the development *Angophora inopina* is occasionally present as sub-canopy. Shrubs are only present in remnant patches where they are diverse, including *Petrophile pulchella*, *Lambertia formosa*, *Leptospermum trinervium*, *Hakea dactyloides*, *Leptospermum polygalifolium* subsp. *polygalifolium*, *Grevillea sericea* *Platysace linearifolia*, *Leucopogon microphyllus*, and *Epacris pulchella*. The understorey is dominated by *Entolasia stricta*, *Xanthorrhoea laterale*, *Ptilothrix deusta*, *Lepidosperma laterale*, *Cyathochaeta diandra*, *Aristida warburgii* and *Lepyrodia scariosa*, *Gompholobium pinnatum*, and *Pteridium esculentum*.

Weeds in this zone are generally absent from good condition patches. In the canopy-only patches, ground cover is dominated by exotics *Axonopus fissifolius*, *Cynodon dactylon*, *Juncus capillaceus*, *Stenotaphrum secundatum*, *Sporobolus africanus*, and *Taraxacum officinale*. In the boundary area with Wyee Rd, weeds additionally include *Lantana camara*, *Richardia brasiliensis*, and *Paspalum dilatatum*.

### Swamp Mahogany Paperbark Forest (MU 37 – PCT 1718)

This community occurs in the riparian corridor running west-east in the southwest of the development, in association with the junction of two 1<sup>st</sup> order streams into a 2<sup>nd</sup> order stream (under the Strahler classification) that feeds into the large dam. The watercourse follows the southern boundary of the development before exiting the subject site near the dam. The vegetation that makes up the community is in generally good condition with a limited number of high threat weeds with an established presence, generally nearer the edges. The canopy is dominated by *Eucalyptus robusta* and *E. resinifera* with a sub-canopy of *Melaleuca sieberi*, *M. nodosa* and *M. linariifolia*. The sub-canopy is very dense, and shrubs occurring below it at low densities include *Pulteneae villosa*, *Melaleuca thymifolia* and *Leptospermum juniperinum*. The ground layer is dominated by *Gahnia clarkei* throughout, with accompaniment dependent on degree and frequency of inundation. In lower areas, *Schoenus brevifolius*, *Baumea rubiginosa*, *Empodisma minus* and *Hemarthria uncinata* co-occur, and on higher ground *Entolasia marginata*, *Ischaemum australe*, *Imperata cylindrica*, *Hydrocotyle sibthorpioides*, *Gleichenia dicarpa* and *Centella asiatica* are representative.

Exotic species generally occur on edges with some core infestations, and include *Ageratina adenophora*, *Rubus fruticosus* sp. agg., *Ambrosia tenuifolia*, *Lantana camara*, *Paspalum dilatatum*, *Pinus radiata* and *Bidens pilosa*. The eastern extent of the riparian corridor, which is often inundated, hosts High Threat Exotic aquatic weeds *Eichhornia crassipes* (Water Hyacinth - WONS) and *Ludwigia peruviana* (Water Primrose).

### Cleared Land

This occurred on former fairways in the site, and around the dam. Dominated by turf and pasture species including *Cynodon dactylon*, *Paspalum dilatatum* and *Cenchrus clandestinus* in addition to annual weeds, with some native groundcovers.

Clearing of the development site has removed the majority of this land.

### Pine Forest

There was a small area of *Pinus radiata* forest on the eastern edge of the site.

Clearing of the development site has removed the majority of this vegetation.

MORISSET GOLF COURSE  
**FIGURE 3: PLANT  
COMMUNITY TYPES AND  
THREATENED ECOLOGICAL  
COMMUNITIES**

**Legend**

— Proposed Layout

▭ Subject Site

▭ Cadastral Boundaries

**Threatened Ecological Communities**

▨ Swamp Sclerophyll Forest on Coastal Floodplains

**Plant Community Types**

■ Cleared

■ Dams

■ Non-Native Vegetation

PCT 1636: Scribbly Gum - Red  
Bloodwood - *Angophora inopina*  
heathy woodland on lowlands of the  
Central Coast

PCT 1718: Swamp Mahogany -  
Flax-leaved Paperbark swamp  
forest on coastal lowlands of the  
Central Coast



0 30 60 120  
Meters  
1:1,900

**MJD**Environmental

Aerial: NearMap (2021) | Data: MJD Environmental (2022), ADW  
Johnson (2022), Kleinfelder (2019), NSW Spatial Services  
(2020) | Datum/Projection: GDA 1994 MGA Zone 56 | Date:  
9/03/2022 | Version 1 | Z:\20117 - MHE2,  
Morisset\20117\_DA1286\_20220113.mxd | This plan should not  
be relied upon for critical design dimensions.

## 4 Management Actions

### 4.1 Vegetation Management Areas & Actions

To assist required management prior to works, during operations and following construction, the site will be categorised into separate Vegetation Management Areas (VMAs) for both managed clearance and retained habitat management, that will allow for easy identification of areas and the required management actions and works proposed (Refer to **Figure 4**).

#### 4.1.1 VMA 1 – Core Swamp Forest (1.18 ha)

This VMA includes the retained vegetation mapped as Swamp Mahogany Forest southwest of the development footprint. This vegetation is in good condition, with weeds penetrating on edges and in scattered infestations. Exotic species recorded in association with VMA1 include *Eichhornia crassipes* (Water Hyacinth), *Ludwigia peruviana* (Water Primrose), *Rubus fruticosus* agg. (Blackberry Complex), *Ageratina adenophora* (Crofton Weed), *Paspalum dilatatum*, and *Senna pendula* var. *glabrata* (Cassia).

Rehabilitation works proposed within VMA 1:

- Weed control is to be carried out using methods such as hand removal, frill/drill and fill, and cut and paint to minimise harm to native plants and encourage natural regeneration. Spot spraying is not to be used for primary weed control, but may be used for follow-up e.g. for Crofton Weed regrowth. All weeds identified above are to be continually suppressed with the aim of eradication. Any new weed species identified must be included in contractor reports and monitoring reports to Council and must be suppressed. Sweeps through the native vegetation of this VMA are to be undertaken at least 4 times per year after systematic primary control of weeds (Refer **Section Error! Reference source not found.**).

The following weeds are a particular threat to riparian areas:

- Water Hyacinth (*Eichhornia crassipes*) must be continuously suppressed in all areas using integrated weed management, including physical removal, biological control and chemical control as per DPI guidelines.
- Ludwigia (*Ludwigia peruviana*) must be continuously suppressed in all areas using physical removal and chemical control as per DPI guidelines.
- Ongoing weed control is to be maintained in perpetuity.
- The annual monitoring of weed control works will determine the requirements associated with the restoration of native vegetation in this VMA. Natural regeneration in the VMA should be achievable as the bushland is in good condition with diverse groundcovers and good leaf litter. Brush matting is to be used at appropriate times of year to help shrubs and groundcovers colonise areas with reduced cover following weed removal.

#### 4.1.2 VMA 2 – Retained Woodland (0.96 ha)

This VMA includes the retained vegetation mapped as Scribbly Gum Woodland southwest of the development footprint. This vegetation is in good condition, with weeds penetrating on edges and in scattered infestations. Exotic species recorded in association with VMA2 include *Ageratina adenophora* (Crofton Weed), *Rubus fruticosus* agg. (Blackberry Complex), and *Paspalum dilatatum*.

Rehabilitation works proposed within VMA 1:

- Weed control is to be carried out using methods such as hand removal, frill/drill and fill, and cut and paint to minimise harm to native plants and encourage natural regeneration. Spot spraying is not to be used for primary weed control, but may be used for follow-up e.g. for Crofton Weed regrowth. All weeds identified above are to be continually suppressed with the aim of eradication. Any new weed species identified must be included in contractor reports and monitoring reports to Council and must

be suppressed. Sweeps through the native vegetation of this VMA are to be undertaken at least 4 times per year after systematic primary control of weeds (Refer **Section Error! Reference source not found.**).

- Ongoing weed control is to be maintained in perpetuity.
- The annual monitoring of weed control works will determine the requirements associated with the restoration of native vegetation in this VMA. Natural regeneration in the VMA should be achievable as the bushland is in good condition with diverse groundcovers and good leaf litter. Brush matting is to be used at appropriate times of year to help shrubs and groundcovers colonise areas with reduced cover following weed removal.

#### 4.1.3 VMA 3 – Wyee Rd Habitat Linking Corridor (0.94 ha)

This VMA includes the boundary vegetation to the west of the development footprint adjacent to Wyee Rd, connecting vegetation at the south of the site in the riparian zone to vegetation in the north, up the boundary of the former golf course and north to Mandalong Rd and future connections across the former golf course. Weeds occurring in this zone include *Lantana camara* and pasture associated exotic forbs and grasses.

- Weed control is to be carried out using methods such as hand removal, frill/drill and fill, and cut and paint and spot spray to minimise harm to native plants and encourage natural regeneration (Refer **Section Error! Reference source not found.**).
- Revegetation of canopy is to be undertaken with *Angophora inopina* and other diagnostic canopy species from PCT 1636 if required to ensure sufficient habitat linkage for Squirrel Gliders (refer **Section Error! Reference source not found.**)
- Squirrel Glider poles may require installation as per **Section Error! Reference source not found.** to maintain connectivity while canopy establishes
- Tree guards may be required to be installed at the time of planting to protect against grazing animals, frost and help with moisture retention.
- Ongoing weed control is to be maintained in perpetuity.

#### 4.1.4 VMA 4 – Development Clearing Area (13.67 ha)

- Pre-clearance survey of all clearing areas is to be conducted by the Project Ecologist prior to works (refer **Section Error! Reference source not found.**).
- Protection of retained trees and native vegetation within the development footprint must be installed in compliance with consent conditions.
- Vegetation clearance must be undertaken in a staged approach according to **Section Error! Reference source not found.** and the conditions of consent.
- Weed control is to be carried out using methods such as blanket spraying (with glyphosate) to continuously suppress weeds infesting borders of construction areas which may threaten retained native vegetation. Avoid off target damage to nearby native vegetation. Following dieback, debris should be slashed to encourage weed seedbank to emerge prior to follow up blanket spraying (Refer **Section Error! Reference source not found.**).
- Ongoing weed control is to be maintained until landscaping is completed.
- Landscaping and revegetation in this VMA in accordance with approved Landscape Plans (**Error! Reference source not found.**).

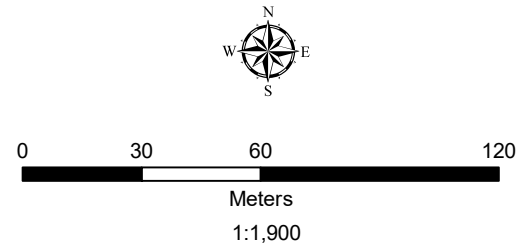
MORISSET GOLF COURSE  
**FIGURE 4: VEGETATION  
MANAGEMENT AREAS AND  
PHOTO MONITORING POINTS**

**Legend**

- Photo Points
- Proposed Layout
- Subject Site
- Cadastral Boundaries
- Waterfront Land

**Vegetation Management Areas**

- VMA1
- VMA2
- VMA3
- VMA4

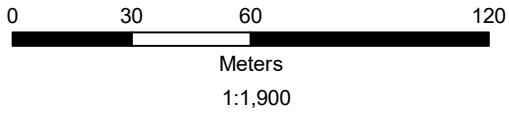


Aerial: NearMap (2021) | Data: MJD Environmental (2022), ADW Johnson (2022), Kleinfelder (2019), NSW Spatial Services (2020) | Datum/Projection: GDA 1994 MGA Zone 56 | Date: 8/06/2022 | Version 1 | Z:\20117 - MHE2, Morisset\20117\_DA1286\_20220113.mxd | This plan should not be relied upon for critical design dimensions.



MORISSET GOLF COURSE  
**FIGURE 5: WEED DENSITY  
(NATIONAL TRUST METHOD)**

- Legend**
- Proposed Layout
  - Subject Site
  - Cadastral Boundaries
  - Waterfront Land
- Weed Density**
- Good
  - Fair



Aerial: NearMap (2021) | Data: MJD Environmental (2022), ADW Johnson (2022), Kleinfelder (2019), NSW Spatial Services (2020) | Datum/Projection: GDA 1994 MGA Zone 56 | Date: 8/06/2022 | Version 1 | Z:\20117 - MHE2, Morisset\20117\_DA1286\_20220113.mxd | This plan should not be relied upon for critical design dimensions.



**Table 2 Management Actions & Schedule**

Action	Responsibility	KPI	Timing	Comment on Implementation
<b>VMA - All</b>				
<b>Site Establishment</b>				
Notify Council	Proponent	Give Council at least 48 hrs notice of commencement of VFMP works	Prior to commencement of VFMP works	Notification was provided to council by the proponent.
<b>Fencing</b>				
Install temporary boundary fencing and signage around conservation lands as per <b>Section</b> Error! Reference source not found. and <b>Plate 1</b>	Civil works contractor	Prevent unnecessary impact from site works within the neighbouring lands	Prior to commencement of VFMP works	Fencing was installed prior to works by the civil contractor, and inspected and complied by the Project Ecologist. A compliance letter is <b>Appendix A</b> .
Install permanent fence and signage as per <b>Section</b> Error! Reference source not found.	Civil Works Contractor	Install permanent perimeter fence to prevent dumping and unauthorised access	Following completion of construction works	Pending completion of construction works
<b>Baseline Monitoring &amp; Pre-clearance Survey</b>				
Undertake pre-clearance and baseline monitoring surveys including establishment of	Project Ecologist	Baseline results delivered to Council's	Prior to commencement of development works	Pre-clearance surveys were carried out by the Project Ecologist prior to commencement of works. A compliance letter is <b>Appendix B</b> .

Action	Responsibility	KPI	Timing	Comment on Implementation
photo points as per <b>Section</b> Error! Reference source not found.. Baseline report to be produced for Council.		Development Planner Flora and Fauna within 1 month of commencement of VFMP works		
<b>Weed Management &amp; Site Maintenance</b>				
Primary Weed Management - Removal of WoNS, Biosecurity Act Weeds, transformer weeds (HTE) and woody weeds in accordance with <b>Sections 4.1</b> & Error! Reference source not found..	Vegetation Management Contractor	Target weed species cover to be reduced and maintained at less than 5% cover in retained vegetation and less than 5% cover for edges of development site to encourage natural regeneration and maintain healthy coverage. Avoid off target damage.	During periods of active growth and/or on a minimum quarterly interval pending growth of weeds	Vegetation management contractor was engaged in July 2023 and commenced works in August 2023. Works Reports are provided to the Proponent.
Undertake follow up weed control in all areas. Apply manual hand removal and/or cut and paint method, spot spray as appropriate in accordance with <b>Sections 4.1</b> & Error! Reference source not found..	Vegetation Management Contractor	Target weed species cover to be reduced and maintained at less than 5% cover to allow continued natural regeneration and maintain healthy native coverage capable of suppressing weed ingress.	Minimum of quarterly visits, to be maintained in perpetuity	Vegetation management contractor was engaged in July 2023 and commenced works in August 2023. Works Reports are provided to the Proponent.

Action	Responsibility	KPI	Timing	Comment on Implementation
Sweeps for weeds and rubbish removal	Vegetation Management Contractor	Remove all rubbish and any weeds that can be manually removed.	During site works for weed management	Vegetation management contractor was engaged in July 2023 and commenced works in August 2023. Works Reports are provided to the Proponent.
<b>Rehabilitation</b>				
Site inspection in accordance with <b>Sections Error! Reference source not found. &amp; 4.4</b>	Project Ecologist	Inspect rate of natural regeneration of native plants. Record observations (< or > 50% native cover) and weed density and cover against weed control KPIs	Prior to VFMP works, then bi-annually for 5 years	<p>Inspection of the habitat corridor were undertaken by the Project Ecologist and the Vegetation Management Contractor prior to implementation of Vegetation Management works. Projected foliage cover of native vegetation was found to be over 50% on average for all of the relevant VMA, and for much of the VMA native vegetation comprised the majority of cover.</p> <p>Revegetation within those parts of the habitat corridor is not proposed.</p> <p>Areas of the habitat corridor that have been disturbed as a result of approved development works will be rehabilitated as per the VFMP when civil access is concluded. This is to involve a range of techniques up to and including revegetation, utilising soil translocation where practical.</p>
<b>Habitat Augmentation</b>				
Squirrel Glider corridor gap analysis	Project Ecologist	Corridor gap analysis	To be completed within one month of cessation of clearing	<p>Gap analysis was completed by the Project Ecologist and the Proponent advised of the pole count and height requirements to sustain connectivity.</p> <p>Pole installation will be carried out as part of the civil construction works.</p>
Squirrel glider pole installation	Project Ecologist / Civil Contractor	Glider poles installed according to plan developed with Councils Development	Poles shall be installed within three months of vegetation clearing commencing	Pole installation will be carried out as part of the civil construction works.

Action	Responsibility	KPI	Timing	Comment on Implementation
		Planner Flora and Fauna		
Nest Box Installation	Project Ecologist	6 temporary nest boxes installed	Prior to habitat tree felling	Nest boxes were installed throughout the habitat corridor in March 2022. A compliance letter is <b>Appendix C</b> . The total requirement for nest boxes was spread at a set density over the habitat corridor as it abuts 3x DAs over the golf course and the number installed (four (4)) reflects the length of habitat corridor abutting this DA.
Artificial Hollow Installation	Civil Contractor	Nest boxes installed in retained or adjacent vegetation to make a total of 12 artificial hollows / nest boxes	Operational, beginning after habitat tree clearing	Nest boxes are considered by the consent authority to satisfy the requirements for compensatory habitat. With reference to this and the above, see LMCC Referral Response in <b>Appendix D</b> .
Artificial Habitat / Nest Box Plan	Project Ecologist	Plan provided to Council showing locations and types of augmented habitat	Operational, following salvaged hollow installation	See <b>Appendix C</b> .

#### Ongoing Monitoring

Bi-annual monitoring of all vegetation management and habitat augmentation actions for 5 years after implementation of VFMP in accordance with <b>Sections 4 &amp; 5</b>	Project Ecologist	Monitoring initially undertaken 6 months after issue of Construction Certificate and thereafter 6 months from approval of reviewed monitoring reports. Monitoring report delivered to	Operational, beginning 6 months after issue of Construction Certificate	Implementation of vegetation management works in August 2023, therefore monitoring scheduled for February 2024 to assess condition. Issue of CC not concurrent with engagement of contractor.  Nestbox monitoring to be completed annually by condition of consent 122. Nest box monitoring letter is <b>Appendix E</b> .
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Action	Responsibility	KPI	Timing	Comment on Implementation
		Council's Development Planner Flora and Fauna within 1 month of monitoring.		
Squirrel Glider Pole Monitoring	Project Ecologist	Annual Monitoring statement supplied to Council	Annually for 10 years	Pending install of Squirrel Glider Poles as part of civil construction works.
Maintenance reports of vegetation management works for 5 years after completion of monitoring reports in accordance with <b>Section 5</b>	Vegetation Management Contractor	Annual report delivered to Council's Development Planner Flora and Fauna within 1 month of completion of annual works.	Operational, beginning 5 years after VFMP implementation	Vegetation management contractor was engaged in July 2023 and commenced works in August 2023. Works Reports are provided to the Proponent.

## VMA 1

### Baseline Survey

Aquatic Habitat Monitoring in accordance with <b>Section Error!</b> Reference source not found.	Project Ecologist	Pre-works report of aquatic habitat variables delivered to Council within 1 month of commencement of VFMP works	Prior to commencement of works	Monitoring was undertaken prior to dam works. Compliance letter is <b>Appendix F</b> .
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Action	Responsibility	KPI	Timing	Comment on Implementation
<b>Weed Management &amp; Site Maintenance</b>				
Primary Weed Management – Primary Treatment of Aquatic Weeds in accordance with <b>Sections 4.1</b> & Error! Reference source not found..	Vegetation Management Contractor	Continual integrated suppression of high threat aquatic weeds – no infestation of new areas	During periods of active growth and/or on a minimum quarterly interval pending growth of weeds	Vegetation management contractor was engaged in July 2023 and commenced works in August 2023. Works Reports are provided to the Proponent.
<b>VMA 3</b>				
<b>Baseline Survey</b>				
Squirrel Glider Habitat Connectivity Assessment in accordance with <b>Sections</b> Error! Reference source not found. & Error! Reference source not found.	Project Ecologist	Pre-works assessment of existing vegetation connections for Squirrel Glider movement through the site delivered to Council within 1 month of commencement of VFMP works	Prior to commencement of works	Prior to commencement of works, no barriers existed to movement of squirrel glider through VMA3.

Action	Responsibility	KPI	Timing	Comment on Implementation
<b>Revegetation</b>				
Installation of locally indigenous canopy species for habitat connectivity as per <b>Sections 4.1.2 &amp; Error!</b> Reference source not found.	Vegetation Management Contractor	100% survival of habitat linking canopy species; habitat connection maintained as per approved plan	Initially and throughout VFMP Implementation and in perpetuity	<p>Vegetation management contractor was engaged in July 2023 and commenced works in August 2023. Works Reports are provided to the Proponent.</p> <p>Inspection of the habitat corridor were undertaken by the Project Ecologist and the Vegetation Management Contractor prior to implementation of Vegetation Management works. Projected foliage cover of native vegetation was found to be over 50% on average for all of the relevant VMA, and for much of the VMA native vegetation comprised the majority of cover.</p> <p>Revegetation within those parts of the habitat corridor is not proposed.</p>
<b>VMA 4</b>				
<b>Baseline Monitoring &amp; Pre-clearance Survey</b>				
Undertake Pre-clearance surveys including habitat tree mark-up, including potential habitat linking matrix in accordance with <b>Section Error!</b> Reference source not found.	Project Ecologist	Compliance supplied to Proponent including GPS points of hollow bearing trees and map	Prior to commencement of works	Pre-clearance surveys were undertaken. Compliance letter is <b>Appendix B</b> .

Action	Responsibility	KPI	Timing	Comment on Implementation
<b>Operational</b>				
Hollow bearing tree removal supervision in accordance with <b>Section</b> Error! Reference source not found.	Project Ecologist	Compliance supplied to Proponent including GPS points of hollow bearing trees and map, and any fauna species encountered during clearance.	During clearing work	Hollow bearing tree removal supervision was provided in May and June 2023. Compliance letter is <b>Appendix F</b> .
<b>Weed Management &amp; Site Maintenance</b>				
Undertake weed control in all areas. Apply high volume spray	Vegetation Management Contractor	Target weed species cover to be reduced and maintained at less than 5% cover to prevent weed ingress into adjacent retained vegetation	Operational, during construction	Vegetation management contractor was engaged in July 2023 and commenced works in August 2023. Works Reports are provided to the Proponent.

## Appendix A      Site demarcation compliance letter

**Our Ref:** 20117 Pre-Start Induction and Site Establishment Compliance, MHE North Morisset  
**Via:** email

**Date:** 17<sup>th</sup> May 2023

Attn: Kegan Lacy  
Ingenia Communities  
4495 Nelson Bay Rd, Anna Bay NSW 2316

Dear Kegan

**RE: PRE-START INDUCTION AND SITE ESTABLISHMENT COMPLIANCE – MHE 2, MORISSET**

MJD Environmental was engaged by Ingenia Communities to provide an ecology focussed pre-start compliance prior to vegetation works within areas to be cleared in MHE North as part of a caravan park and camping ground development (DA/1286/2019).

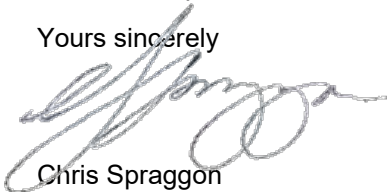
A pre-start induction meeting was held on 17<sup>th</sup> May 2023, attended by representatives from Ingenia Communities (proponent), Robsons Civil (contractor) and Blax Trees (vegetation contractor). All attendees were inducted on the contents and requirements of the approved Vegetation and Fauna Management Plan (VFMP) (V4 June 2022), with particular focus on the fauna protection measures afforded by the staged clearing procedures. Those present signed an induction register, **Attachment 1**.

An assessment was also undertaken of the No-Go Zone flag bunting and signage, which was found to be compliant with the VFMP (see photos, in **Attachment 2**).

The high visibility spray and flagging tape around habitat trees (as per previous compliance) was in good condition and appropriate to begin works.

We trust this is sufficient for your purposes, however, should you require any further information or clarification, please do not hesitate to contact the writer.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Chris Spraggon', is written over a light blue circular background element.










Chris Spraggon  
Senior Ecologist  
MJD Environmental

**Encl:** Attachment 1 – Pre-Start Induction Register  
Attachment 2 – Site Establishment Photos

## Environmental Induction Record: 20117 – MHE Morisset Induction

Site personnel please sign this record to acknowledge receiving an environmental induction prior to commencement of works – Clearing and construction works.

By signing you accept that all works must be completed in accordance with the overarching environmental approvals for the project as explained during the induction briefing.

Company	Name	Signature	Date
Robson Civil Project	A. Newberry		17/5/23
Robson	Daniel Bosley		17/5/23
Robson	Cameron Morgan		17/5/23
Robson	CARL ASHMAN		17/5/23
Robson	Julian Gunasinghe		17/5/23
ALCP	Danay Smith		17/5/23
BLAX	Alex Schiller		17/5
INVENIA	Kieran Lacey		17/5/2023
Logena	Natha Holloway		17/05/2023

**Attachment 2 – Site Photos**







## Appendix B

## Pre-clearance compliance letter

**Our Ref:** 20117 Dam Dewatering Compliance Letter MHE South 4-08-2023  
**Via:** email

**Date:** 4<sup>th</sup> August 2023

Attn: Nathan Holloway  
Ingenia Communities  
4495 Nelson Bay Rd, Anna Bay NSW 2316

Dear Kegan,

**RE: DAM DEWATERING INITIAL SURVEY – MHE 1, MORISSET**

MJD Environmental was engaged by Ingenia Communities to provide a nocturnal survey as part of the dam dewatering works within MHE South as part of a caravan park and camping ground development.

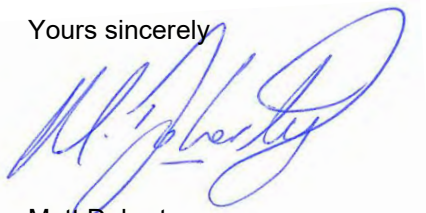
An initial nocturnal survey was undertaken as the dam reached 30% capacity in accordance with the Vegetation and Fauna Management Plan, pursuant to the Conditions of Consent. In particular, Condition 24, Stage 1 (DA/1288/2019). The Management Plan is prepared in response to the Major Development Approval Conditions for Development Application No: DA/1288/2019.

The nocturnal survey was undertaken on the 3<sup>rd</sup> of August 2023 by an Ecologist to ensure that any resident fauna is safely removed and relocated to appropriate habitat nearby during the dewatering process. No aquatic fauna was present during the survey.

Surveys will continue to be conducted as the dam levels falls to look for displaced fauna, or fauna showing signs of distress or attempting to self-relocate as water levels drop. As the dam had a very significant full capacity (estimated approx. 50ML), a substantial water body remains and capture and relocation of fauna may not be practical even at the lowest required extent of water.

We trust this is sufficient for your purposes, however, should you require any further information or clarification, please do not hesitate to contact Stephanie Sheehy (Field Ecologist) or the undersigned.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M. Doherty', is written over a light blue circular background.

Matt Doherty  
Director  
MJD Environmental

**Our Ref:** 20117 Ecological Pre-clearance Compliance Letter MHE 1, Morisset  
**Via:** email

**Date:** 5 October 2023

Attn: Nathan Holloway  
Ingenia Communities  
4495 Nelson Bay Rd, Anna Bay NSW 2316

Dear Nathan,

**RE: 20117 ECOLOGICAL PRE-CLEARANCE COMPLIANCE LETTER MHE 1, MORISSET**

MJD Environmental was engaged by Ingenia Communities to provide an ecological pre-clearance survey within areas to be cleared in MHE South as part of a caravan park and camping ground development.

Pre-clearance survey was undertaken in accordance with the Vegetation and Fauna Management Plan, pursuant to the Conditions of Consent. In particular, Condition 81, Stage 1 (DA/1288/2019). The Management Plan is prepared in response to the Major Development Approval Conditions for Development Application No: DA/1288/2019.

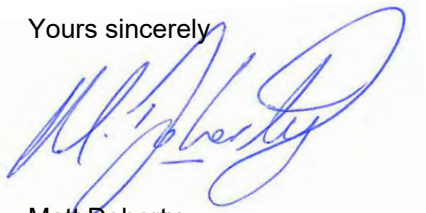
The pre-clearance survey was undertaken on the 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> of April 2023 by two MJD Environmental ecologists to survey for habitat trees to be removed within the development footprint. Each habitat tree identified to be removed was flagged with fluoro-pink flagging tape, marked with three large 'H' in high-visibility pink spray paint (if tree trunk girth allowed) and recorded on a handheld GPS to allow for easy identification during vegetation removal works.

A follow-up survey was completed on 15<sup>th</sup> September 2023 by two ecologists to refresh all markings and ensure clear demarcation of habitat vegetation in preparation for commencement of staged vegetation clearing. A plan showing the flagged habitat trees has been provided as **Attachment 1**.

Amendments were made to the mapping in response to LMCC request for a corridor matrix connecting isolated habitat trees in the east of the site to the retained vegetation to the south. This matrix of trees has been identified and physically marked as per habitat trees, using 'M' around the trunk in place of 'H'. Markup was carried out on 4<sup>th</sup> October 2023. Connectivity was assessed by GIS and the maximum separation of trees in the east reduced to match the west. The western connectivity was given to be acceptable by council.

We trust this is sufficient for your purposes, however, should you require any further information or clarification, please do not hesitate to contact Chris Spraggon (Senior Ecologist) or the writer.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M. Doherty', is written over a light blue rectangular background.

Matt Doherty  
Director  
MJD Environmental

**Encl:** Attachment 1 – Pre-Clearance Survey results

02 4054 9539

info@mjdenvironmental.com.au

PO Box 360 Waratah NSW 2298

MJDenvironmental.com.au



# ATTACHMENT 1: HABITAT TREES AND CORRIDOR MATRIX

## Legend

- Approved Layout
- ▲ Habitat Tree
- Corridor Matrix Tree Markup



0 40 80 120 160

Metres  
1:2000



Aerial: Nearmap (2023) | Data: MJD Environmental, NSW Spatial Services (2023) | Datum/Projection: GDA94 / MGA zone 56 | Date: 04/10/2023 | Version: 2 | Z:\19051 - Morisset Golf Course | This plan should not be relied upon for critical design dimension.

**Our Ref:** 20117 Aquatic Habitat Pre-start Assessment MHE 2 (North) DA1286-2019, Morisset  
**Via:** email

**Date:** 20 September 2023

Attn: Nathan Holloway  
Ingenia Communities  
4495 Nelson Bay Rd, Anna Bay NSW 2316

Dear Nathan,

**RE: 20117 AQUATIC HABITAT PRE-START ASSESSMENT MHE 2 (NORTH) DA1286-2019, MORISSET**

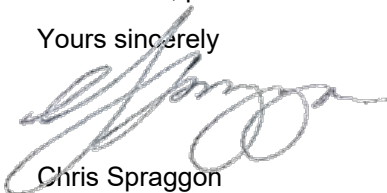
MJD Environmental was engaged by Ingenia Communities to produce and implement a Vegetation and Fauna Management Plan in accordance with conditions of consent for DA1286/2019. These conditions included monitoring of aquatic habitat conditions prior to works associated with dams on site. Tests were undertaken by VGT on behalf of Robsons Civil prior to works on 19<sup>th</sup> July 2023. The results of the testing are **Attachment 1**, and demonstrate no exceedance of any relevant guidelines.

These measures will be used to benchmark conditions following the completion of works. It is anticipated that measures will diverge significantly following works, and gradually return to near baseline levels over time.

Assessment of invertebrates and tadpoles have been incidentally recorded during MJD Environmental survey works on the site, however given the time of year (winter), the absence of results is not considered to represent a baseline.

We trust this is sufficient for your purposes, however, should you require any further information or clarification, please do not hesitate to contact the writer.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Chris Spraggon', is written over a light blue circular background.

Chris Spraggon  
Senior Ecologist  
MJD Environmental

**Encl:** Attachment 1 – Water Quality Test Results

02 4054 9539

info@mjdenvironmental.com.au

PO Box 360 Waratah NSW 2298

MJDenvironmental.com.au



## Report Number: 14891

Date Issued: 19/07/2023

Revision Number: 00

**Site/Job: Morriset Caravan Park**

Client: Robson Civil (Hunter Valley)

Address: Unit 9, 17 Babilla Cl  
Beresfield NSW 2322

Contact: Andrew Newberry

The following sample(s) were received on 19/07/2023 12:59

Client Sample Reference	Date Sampled	Sampled by	Lab ID	Matrix	Client Comments
Existing Dam	19/07/2023	Client	14891/1	Water	

The sample(s) have been tested as received and results relate specifically to the samples tested.

The following reports are included:

- Test Report: Results apply to the sample(s) as submitted.
- Chain of Custody (if available)



Anthony Crane  
Laboratory Manager

Authorised by:

Results have been approved and report finalised on 19/07/2023.

## Test Report Number: 14891

Date Issued: 19/07/2023

Revision No: 00

### Results

Physicals		Lab ID Sample Date Sample ID	14891/1 19/07/2023 Existing Dam
	Method	Units	
<b>Date Tested</b>	--	--	18/07/2023
Temperature	Temp	°C	20.5
pH	APHA 4500-H B	pH Units	6.8
Electrical Conductivity	APHA 2510 B	µS/cm	245
Turbidity	APHA 2130 B	NTU	3.7

Solids		Lab ID Sample Date Sample ID	14891/1 19/07/2023 Existing Dam
	Method	Units	
<b>Date Tested</b>	--	--	19/07/2023
Total Suspended Solids	AS3550.4	mg/L	6

## Report Comments:

# Where present, indicates NATA accreditation does not cover the performance of this service.

Results in **bold** indicate an exceedance of the relevant guideline.

When considering the pass or fail of tests the measurement of uncertainty of each parameter must be considered.

<https://www.vgt.com.au/measurement-uncertainty>

[NT]: Not tested

Location Analysed : 4/30 Glenwood Dr Thornton NSW 2322.

Holding times for some or all of the tests listed below are outside the period recommended in the method: pH (0.25 hrs), TSS, Turbidity (24 hrs).

This may be important to the interpretation of the results.

## Appendix C      Nest box compliance letter

**Our Ref:** 20117 Nest Box Installation Compliance – MHE North Site, Morisset 8-6-2022  
**Via:** email

**Date:** 8 June 2022

Attn: Ashleigh McTackett  
Development Assessment and Certification  
Box 1906 Hunter Regional Mail Centre  
NSW 2310

Dear Ashleigh,

**RE: NEST BOX INSTALLATION COMPLIANCE – MHE NORTH SITE, MORISSET (DA/1286/2019/A)**

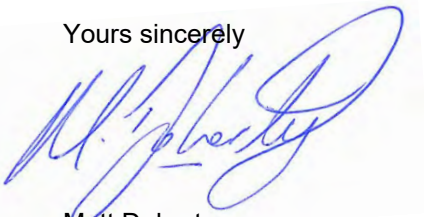
MJD Environmental has been engaged by Ingenia Communities to provide ecological site works in accordance with the Development Approval (DA/1286/2019/A) at 27 Wyee Road, 2264, 126 Dora Street, 380 Dora Street, 118C Dora Street Morisset, hereafter referred to as 'Site'.

This compliance details the results of a hollow bearing tree survey and installation of nest boxes within retained areas on the former Morisset Golf Course, specifically within the Swamp Forest in accordance with Conditions 25 and 44 of the Conditions of Consent for the DA stated above. The nest boxes have been installed in accordance with the Vegetation and Fauna Management Plan (VFMP) produced by MJD Environmental (2022).

A total of 4 (4) nest boxes were installed. Completion for installation of all nest boxes concluded on the 10<sup>th</sup> of March 2022 and therefore sets the two week waiting period prior to clearing. Nest box installation locations (Attachment 1) along with an attributes table (Attachment 2) have been attached to this advice.

We trust this is sufficient for your purposes, however, should you require any further information or clarification, please do not hesitate to contact Ross Duncan (Senior Environmental Consultant) or the writer.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Matt Doherty', is written over a light blue rectangular background.

Matt Doherty  
Director  
MJD Environmental

**Encl:** Attachment 1 – Nestbox Location Map  
Attachment 2 – Nestbox Attribute Table

0416 208 684

matt.doherty@mjdenvironmental.com.au





PO Box 360 Waratah NSW 2298

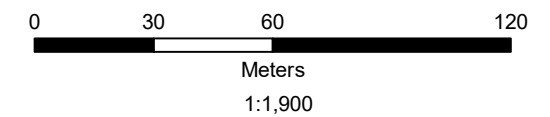
MJDenvironmental.com.au



MORISSET GOLF COURSE  
ATTACHMENT 1: NEST BOX  
LOCATIONS

Legend

-  Nest Box
-  Subject Site
-  Study Area
-  Cadastral Boundaries



Aerial: NearMap (2021) | Data: MJD Environmental (2022), ADW Johnson (2022), Kleinfelder (2019), NSW Spatial Services (2020) | Datum/Projection: GDA 1994 MGA Zone 56 | Date: 14/06/2022 | Version 1 | Z:\20117 - MHE2, Morisset\20117\_DA1286\_20220113.mxd | This plan should not be relied upon for critical design dimensions.

## Attachment 2 – Nestbox Attribute Table

NB#	Box Type	Installation Date	Tree Species	Tree DBH (cm)	Box Height (m)	Aspect	Latitude	Longitude
5	Sugar/squirrel, front entry	10/03/2022	<i>E.haemastoma</i>	80	5	SE	-33.12497647	151.4755607
19	Sugar/squirrel, rear entry	17/02/2022	<i>E.haemastoma</i>	80	6	SE	-33.12476701	151.4754565
26	Sugar/squirrel, rear entry	17/02/2022	<i>E.robusta</i>	40	6	SE	-33.12562116	151.4754239
30	Sugar/squirrel, front entry	17/02/2022	<i>E.haemastoma</i>	60	6	SE	-33.12525136	151.4754441

## Appendix D      LMCC Referral Response

# Referral Response

## Development – Flora/Fauna



**Application Number:** DA/1286/2019/A

**Date:** 23-Jun-2022

**Location:** LOT 2 DP 1265834, LOT 1 DP 1265834, LOT 3 DP 1265834, LOT 558 DP 755242 27 WYEE ROAD, MORISSET NSW 2264, 126 DORA STREET, MORISSET NSW 2264, 380 DORA STREET, MORISSET NSW 2264, 118C DORA STREET, MORISSET NSW 2264

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**Note: The information provided with the below referral response is intended for Council's internal communication purposes only.**

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### Comments

The Nest Box Installation report prepared by MJD Environmental (D10713238) has appropriately addressed the requirements relating to nest box installation as per Condition 25 '*Vegetation Management Plan and Implementation*' and Condition 44 '*Nest Box Installation*' under the conditions of consent (D10690604) under DA/1286/2019/a.

The Vegetation and Fauna management Plan (VFMP) (D10722595) prepared by MJD Environmental (version 4, dated June 2022) meets the requirements of Condition 25 '*Vegetation Management Plan and Implementation*' under the conditions of consent (D10690604) under DA/1286/2019/a.

It is noted that credit obligations as per Condition 50 '*Biodiversity Credit Retirement*' have not yet been satisfied. In accordance with Condition 50 '*Biodiversity Credit Retirement*', evidence of the retirement of credits, or payment to the Biodiversity Conservation Fund must be provided to Council's Development Planner Flora and Fauna prior to any commencement of works.'

Should you require any information please contact me on extension ext. 1219.

**Ashleigh McTackett**  
**Development Assessment and Certification**

## Appendix E      Nest box monitoring letter

**Our Ref:** 20117 Nest Box Monitoring Event #1 – MHE North Site, Morisset  
**Via:** email

**Date:** 31<sup>st</sup> March 2023

Attn: Ashleigh McTackett  
Development Assessment and Certification  
Box 1906 Hunter Regional Mail Centre  
NSW 2310

Dear Ashleigh,

**RE: NEST BOX MONITORING EVENT #1 MHE NORTH SITE, MORISSET (DA/1288/2019)**

MJD Environmental Pty Limited was engaged by Ingenia Communities to monitor nest boxes installed in accordance with the Development Approval (DA/1286/2019/A) at Dora Street, Morisset.

Nest box installation and monitoring was undertaken in accordance with Condition 103 of the Conditions of Consent for the DA stated above along with the Vegetation and Fauna Management Plan (VFMP) produced by MJD Environmental (2022).

Details of nest box monitoring and attributes of the tree in which the box was installed are provided in **Attachment 1. Attachment 2** provides a location map of the nest boxes installed.

The nest boxes were monitored by two ecologists on the 29<sup>th</sup> of March 2023. Weather during monitoring was sunny with no rain occurring while on site conducting the monitoring.

These works have provided detail of the utilisation and occupancy of the four nest boxes. No boxes contained any animals currently occupying them, however two contained evidence of utilisation.

Signs of utilisation can consist of leaf litter and twigs, scat and eggs / egg fragments found in nest boxes, which could potentially indicate utilisation by small mammals or nesting birds.

Ongoing monitoring of installed nest boxes will be carried out on an annual basis in accordance with the approval. Fauna utilisation will be recorded along with any nest box maintenance and/or replacement. The next monitoring event is scheduled for April 2024.

We trust this is sufficient for your purposes, however should you require any further information or clarification, please do not hesitate to contact Max Manion-Sharrock (Ecologist) or the writer.

Yours sincerely

Ross Duncan  
Senior Environmental Consultant  
MJD Environmental





**Encl:** **Attachment 1** – Nest Box Monitoring Table  
**Attachment 2** – Nest Box Installation Location

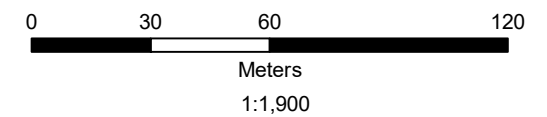
# Attachment 1 – Nest Box Attribute Table

NB#	Box Type	Installation Date	Tree Species	Tree DBH (cm)	Box Height (m)	Aspect	Latitude	Longitude	Signs of Prior Occupancy	Currently Occupied	Comments
5	Crimson Rosella	10/03/2022	E.haemastoma	80	5	SE	-33.12497563	151.4755795	No	No	No evidence of prior occupancy
19	Sugar/squirrel, rear entry	17/02/2022	E.haemastoma	80	6	SE	-33.12478919	151.4754555	No	No	No evidence of prior occupancy
26	Sugar/squirrel, rear entry	17/02/2022	E.robusta	40	6	SE	-33.12561302	151.4754203	Yes	No	Loose leaves
30	Crimson Rosella	17/02/2022	E.haemastoma	60	6	SE	-33.1252515	151.4754441	Yes	No	Loose leaves

MORISSET GOLF COURSE  
ATTACHMENT 2: NEST BOX  
LOCATIONS

Legend

-  Nest Box
-  Subject Site
-  Study Area
-  Cadastral Boundaries



Aerial: NearMap (2021) | Data: MJD Environmental (2022), ADW Johnson (2022), Kleinfelder (2019), NSW Spatial Services (2020) | Datum/Projection: GDA 1994 MGA Zone 56 | Date: 14/06/2022 | Version 1 | Z:\20117 - MHE2, Morisset\20117\_DA1286\_20220113.mxd | This plan should not be relied upon for critical design dimensions.

**Our Ref:** 20117 Nest Box Monitoring Event #1 – MHE South Site, Morisset  
**Via:** email

**Date:** 31<sup>st</sup> March 2023

Attn: Ashleigh McTackett  
Development Assessment and Certification  
Box 1906 Hunter Regional Mail Centre  
NSW 2310

Dear Ashleigh,

**RE: NEST BOX MONITORING EVENT #1 MHE SOUTH SITE, MORISSET (DA/1288/2019)**

MJD Environmental Pty Limited was engaged by Ingenia Communities to monitor nest boxes installed in accordance with the Development Approval (DA/1288/2019) at Dora Street, Morisset.

Nest box installation and monitoring was undertaken in accordance with Condition 122 of the Conditions of Consent for the DA stated above along with the Vegetation and Fauna Management Plan (VFMP) produced by MJD Environmental (2022).

Details of nest box monitoring and attributes of the tree in which the box was installed are provided in **Attachment 1. Attachment 2** provides a location map of the nest boxes installed.

The nest boxes were monitored by two ecologists on the 29<sup>th</sup> of March 2023. Weather during monitoring was sunny with no rain occurring while on site conducting the monitoring.

These works have provided detail of the utilisation and occupancy of the 6 nest boxes. No boxes contained evidence of utilisation.

Signs of utilisation can consist of leaf litter and twigs, scat and eggs / egg fragments found in nest boxes, which could potentially indicate utilisation by small mammals or nesting birds.

Ongoing monitoring of installed nest boxes will be carried out on an annual basis in accordance with the approval. Fauna utilisation will be recorded along with any nest box maintenance and/or replacement. The next monitoring event is scheduled for April 2024.

We trust this is sufficient for your purposes, however should you require any further information or clarification, please do not hesitate to contact Max Manion-Sharrock (Ecologist) or the writer.

Yours sincerely

Ross Duncan  
Senior Environmental Consultant  
MJD Environmental





**Encl:** **Attachment 1** – Nest Box Monitoring Table  
**Attachment 2** – Nest Box Installation Location

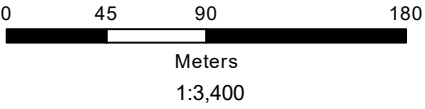
# Attachment 1 – Nest Box Attribute Table

NB#	Box Type	Installation Date	Tree Species	Tree DBH (cm)	Box Height (m)	Aspect	Latitude	Longitude	Signs of Prior Occupancy	Currently Occupied	Comments
4	Sugar/squirrel, rear entry	11/03/2022	<i>A. costata</i>	45	6	SE	-33.12690518	151.475782	No	No	No evidence of prior occupancy
6	Sugar/squirrel, front entry	11/03/2022	<i>A. costata</i>	30	5	SE	-33.12761022	151.4759644	No	No	No evidence of prior occupancy
21	Sugar/squirrel, front entry	11/03/2022	<i>E. acmenoides</i>	55	5	E	-33.12665276	151.4756365	No	No	No evidence of prior occupancy
32	Sugar/squirrel, rear entry	11/03/2022	<i>A. costata</i>	70	4	SE	-33.12731428	151.4759121	No	No	No evidence of prior occupancy
33	Sugar/squirrel, rear entry	11/03/2022	<i>A. costata</i>	40	5	SE	-33.12817936	151.4762001	No	No	No evidence of prior occupancy
35	Sugar/squirrel, rear entry	11/03/2022	<i>A. costata</i>	40	6	SE	-33.12786011	151.4760965	No	No	No evidence of prior occupancy



MORISSET GOLF COURSE  
ATTACHMENT 2: NEST BOX LOCATIONS

- Legend**
-  Nest Box
  -  Subject Site
  -  Study Area
  -  Cadastral Boundaries



Aerial: NearMap (2022) | Data: MJD Environmental (2022), Kleinfelder (2019), NSW Spatial Services (2020) | Datum/Projection: GDA 1994 MGA Zone 56 | Date: 14/06/2022 | Version 1 | Z:\20117 - MHE2, Morisset20117\_DA1288\_2021216.mxd | This plan should not be relied upon for critical design dimensions.

## Appendix F Clearance compliance letter

**Our Ref:** 20117 Ecological Clearance Compliance Letter MHE North Morisset 08-06-2023  
**Via:** email

**Date:** 8 June 2023

Attn: Kegan Lacy  
Ingenia Communities  
4495 Nelson Bay Rd, Anna Bay 2316

Dear Kegan,

**RE: ECOLOGICAL CLEARANCE COMPLIANCE – MHE NORTH, MORISSET**

MJD Environmental was engaged by Ingenia Communities to provide ecological clearance supervision for tree removal works associated with the subdivision for DA/1286/2019/A.

Prior to commencement of works, an MJD Ecologist inducted the civil contractor, vegetation subcontractor and proponent representatives into the approved process for the ecological management of vegetation removal on the site, including the staged tree clearing process.

Prior to commencement of any vegetation removal, preclearance surveys of the area were undertaken on the 11<sup>th</sup> – 13<sup>th</sup> April 2023 by MJD Ecologists. Each habitat tree was spray painted with 3 pink 'H's' around the trunk and marked with pink tape during the preclearance survey, and GPS points taken. A total of 92 hollow bearing trees were recorded. Ecological pre-clearance survey was undertaken in accordance with LMCC notice of determination (DA/1286/2019/A) Condition 68 *Hollow Bearing Tree Removal*. One HBT fell following bad weather. This tree was inspected and found unoccupied, and remained in situ as per procedure.

Following pre-clearance survey, non-habitat vegetation was removed and processed while retaining habitat vegetation. Habitat vegetation was left standing for at least 24 hours following non-habitat vegetation removal.

Prior to removal, each of the 90 hollow bearing trees were stag-watched in the week prior to clearance by MJD Ecologists to determine occupancy. The watches were carried out from half an hour before sunset to an hour after dusk. This was undertaken between the 22<sup>nd</sup> May 2023 and the 31<sup>st</sup> May 2023. Each tree was then marked with blue tape to signify it had been watched. The habitat features of occupied trees were assigned to an arborist for removal.

Ecological clearance supervision was provided on Monday 29<sup>th</sup> May 2023, 2<sup>nd</sup> and 6<sup>th</sup> June 2023.

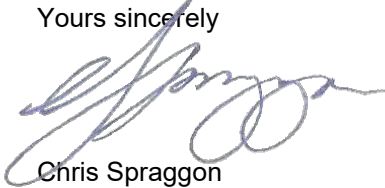
On the 29<sup>th</sup> May, 60 trees were supervised and cleared. The hollow bearing features of 5 trees were removed by an arborist. A hollow on one tree contained 2 Rainbow Lorikeet eggs. A hollow on a separate tree contained 1 Rainbow Lorikeet egg. These were the only occupancies encountered by the arborist. The Lorikeet eggs could not be taken in by any carers and were destroyed. All other trees were knocked twice prior to soft felling with an excavator. All hollows were inspected thoroughly with a torch to assess occupation. No current occupancy was detected during these assessments.

On the 2<sup>nd</sup> June, 29 trees were supervised. One rainbow lorikeet egg was observed however smashed upon tree being felled. One ring-tailed possum was observed however the tree was left to be felled by a climbing arborist.

On the 6<sup>th</sup> June 2023, the climbing arborist removed the hollows occupied by the ring-tailed possum. The ring-tailed possum was captured safely and uninjured. It was relocated to the C2 Conservation area to the south of the site. Felled hollow bearing trees were left in situ, for at least one night after falling.

We trust this is sufficient for your purposes, however, should you require any further information or clarification, please do not hesitate to contact Nixon Jowett (Field Ecologist) or the writer.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Chris Spraggon'.

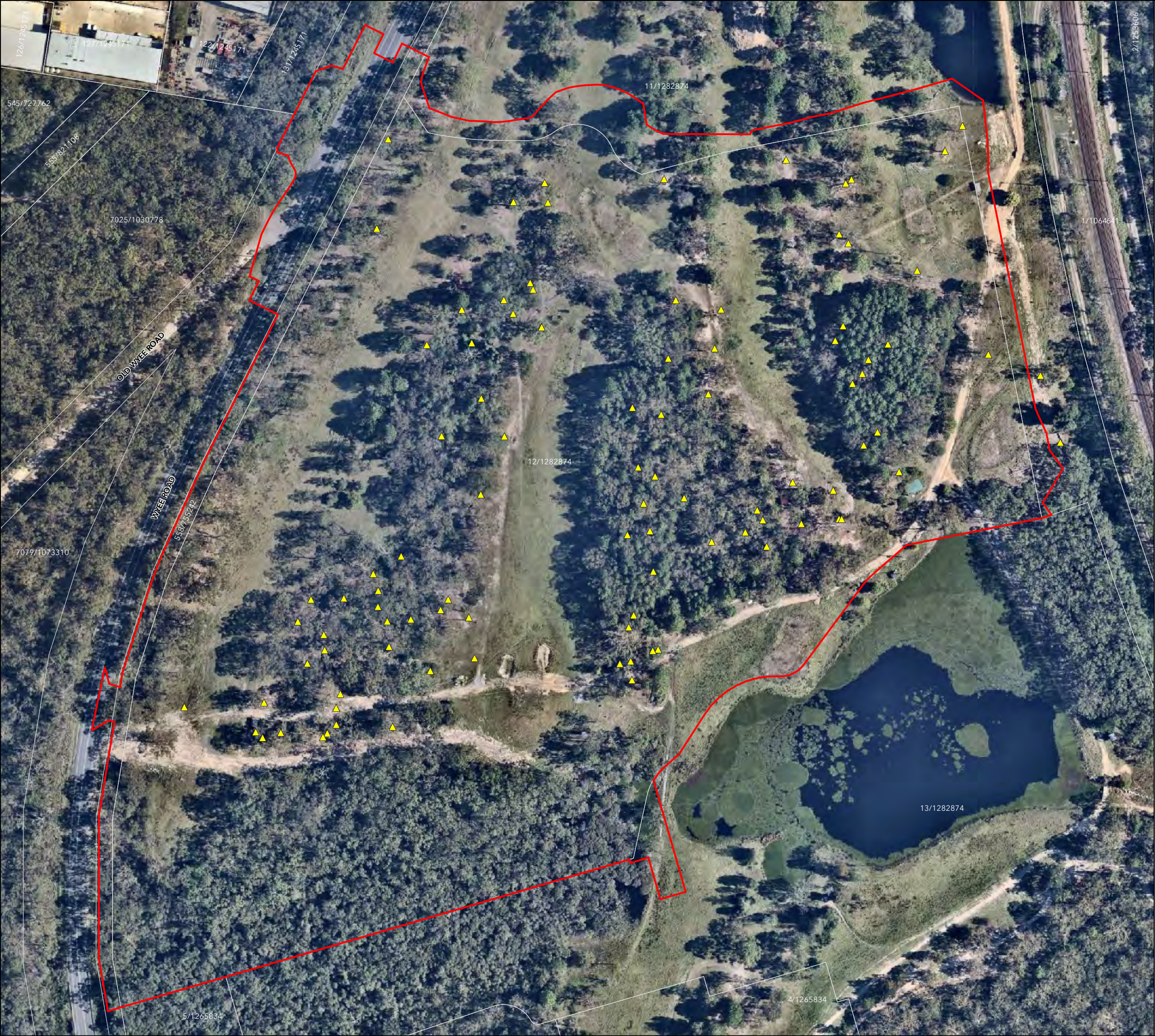
Chris Spraggon  
Senior Ecologist  
MJD Environmental

**Encl: Attachment 1 – Habitat Tree Map**

ATTACHMENT 1:  
HABITAT TREES

Legend

- Site Boundary
- Cadastral Boundary
- Habitat Tree



Metres  
1:1924



Aerial: Maxar Vivid (2021) | Data: MJD Environmental (2023),  
NSW Spatial Services (2022) | Datum/Projection: GDA94 / MGA  
zone 56 | Date: 21/04/2023 | Version: 1 | Q:\Project  
Folders\20117 - MHE 2, Morisset | This plan should not be relied  
upon for critical design dimension.

**Date report prepared:** 5/9/2024

**Prepared by:** Aaron Crotty

**Project Name:** VMP Bush Regeneration and Revegetation – MHE North

**Project number:** NA

**Zone or area worked:** See map

**Date(s) onsite:** 3<sup>rd</sup>, 17<sup>th</sup> August, 1<sup>st</sup>, 5<sup>th</sup> September, 9<sup>th</sup> November 2023, 23<sup>rd</sup> January 2024, 29<sup>th</sup> July

**Site Supervisor:** Shanae Hajdu

### Details of Activities:

Primary bush regeneration sweeps were undertaken in August and September across the bushland and riparian sections of the corridor. This mostly involved manual removal and cut and paint of Lantana, Privet, Camphor and Pine trees. Some of the larger Pine trees and Camphor were frilled and filled with herbicide and left in situ. Other dominant weeds treated include the manual removal of Crofton weed and Coolatai grass. Whiskey grass, Blackberry and Paspalum was sprayed. All woody weed material was left in situ for fauna habitat. Water Hyacinth was manually removed and piled on high ground. A sediment fence was installed at the lowest end of the site to prevent the Water Hyacinth from moving upstream from the pond when water levels are high.

Follow up bush regeneration session was completed in November, January and July maintaining weed density to <5%. Follow up weeding mostly involved manual removal of Crofton weed, spraying of blackberry and pine trees with nest boxes were treated after checking with MJD. Seed and fruit has been spread as it became available throughout the areas lacking native vegetation cover. Rubbish was removed by hand from the VMP area.

### Further Work/ Recommendations:

- Routine follow up bush regeneration to maintain low weed cover. Next weed sweeps will be scheduled in October 2024, January, April, July 2025.
- Monitoring of regeneration rates was undertaken over year one and there has been a notable increase in the amount of native seedlings and ground cover. This may be due to the seed spreading undertaken throughout the year and or the reduction in the amount of Kangaroos accessing the area. Monitoring of native vegetation regeneration will continue along the Wyee road section to determine if VMP KPI's are being achieved, however for the most part it is already sufficient. If not revegetation will be required.
- There is a 790m<sup>2</sup> section in the north of the site near the Wyee Rd entrance which is not meeting the VMP vegetation cover requirements. This should be planted, watered and maintained. Mulching is recommended in bare areas and could be taken from the mulch bund nearby which is now redundant since it isn't required to stop sediment leaving the site from the deeper ground below. Plants should be spaced off existing plants. The native ground cover covers approximately 25% of the area. The amount of plants required based on the VMP densities and spaced off existing plants is
  - 70 Canopy 1/10m<sup>2</sup> (tree guarded)



- 150 sub canopy 1/5 m<sup>2</sup> (tree guarded)
- 350 Shrubs 1/2m<sup>2</sup> (tree guarded)
- 2300 groundcover 4/1m<sup>2</sup>

**Total 2870**

This will be a variation as it was left out of the quote as a wait and see if required item.

- Rubbish will continue to be removed.

**Weed List**

Species	Common Name	Spray	Hand weed	Frill & paint	Cut & paint	Scrape & paint
<i>Ageratina adenophora</i>	Crofton weed	✓	✓			
<i>Andropogon virginicus</i>	Whiskey grass	✓	✓			
<i>Axonopus fissifolius</i>	Carpet grass	✓	✓			
<i>Chloris gayana</i>	Rhodes grass	✓	✓			
<i>Cinnamomum camphora</i>	Camphor laurel			✓		✓
<i>Eichhornia crassipes</i>	Water Hyacinth		✓			
<i>Hyparrhenia hirta</i>	Coolatai grass	✓	✓			
<i>Lantana camara</i>	Lantana		✓		✓	
<i>Ligustrum sinense</i>	Small leaf privet		✓	✓	✓	
<i>Paspalum dilatatum</i>	Dallis grass	✓				
<i>Paspalum urvillei</i>	Giant Paspalum	✓				
<i>Phytolacca octandra</i>	Ink weed	✓	✓			
<i>Pinus sp</i>	Pine tree		✓	✓	✓	
<i>Rubus fruticosus</i>	Blackberry	✓				
<i>Senna pendula</i>	Easter Cassia		✓		✓	
<i>Setaria sp</i>	Pigeon grass	✓	✓			
<i>Solanum mauritianum</i>	Wild Tobacco		✓		✓	
<i>Verbena bonariensis</i>	Purple top	✓	✓			
<i>Watsonia meriana</i> <i>var. bulbifera</i>	Watsonia	✓				

**Fauna List**

Wood duck	Grey Butcherbird	Brown thornbill
Lewins honeyeater	Eastern Brown Snake	Pied Butcherbird
Red bellied black snake	Eastern water dragon	Noisy miner
Kookaburra	Eastern Rosella	Fox
Eastern grey kangaroo	Yellow tailed black cockatoo	Yellow whip snake
Eastern long necked turtle		



Figure 1 – Project area and photo point locations



PP1 – Start of project



PP1 – 12 Months



PP2 – Start of project



PP2 – 12 Months



PP3 – Start of project



PP3 – 12 Months



PP4 – Start of project



PP4 – 12 Months



PP5 – Start of project



PP5 – 12 months



PP6 – Start of project



PP6 – 12 months



PP7 – Start of project



PP7 – 6 Months (12 month photo missed)



PP8 – Start of project



PP8 – 12 Months



PP9 - Start of project



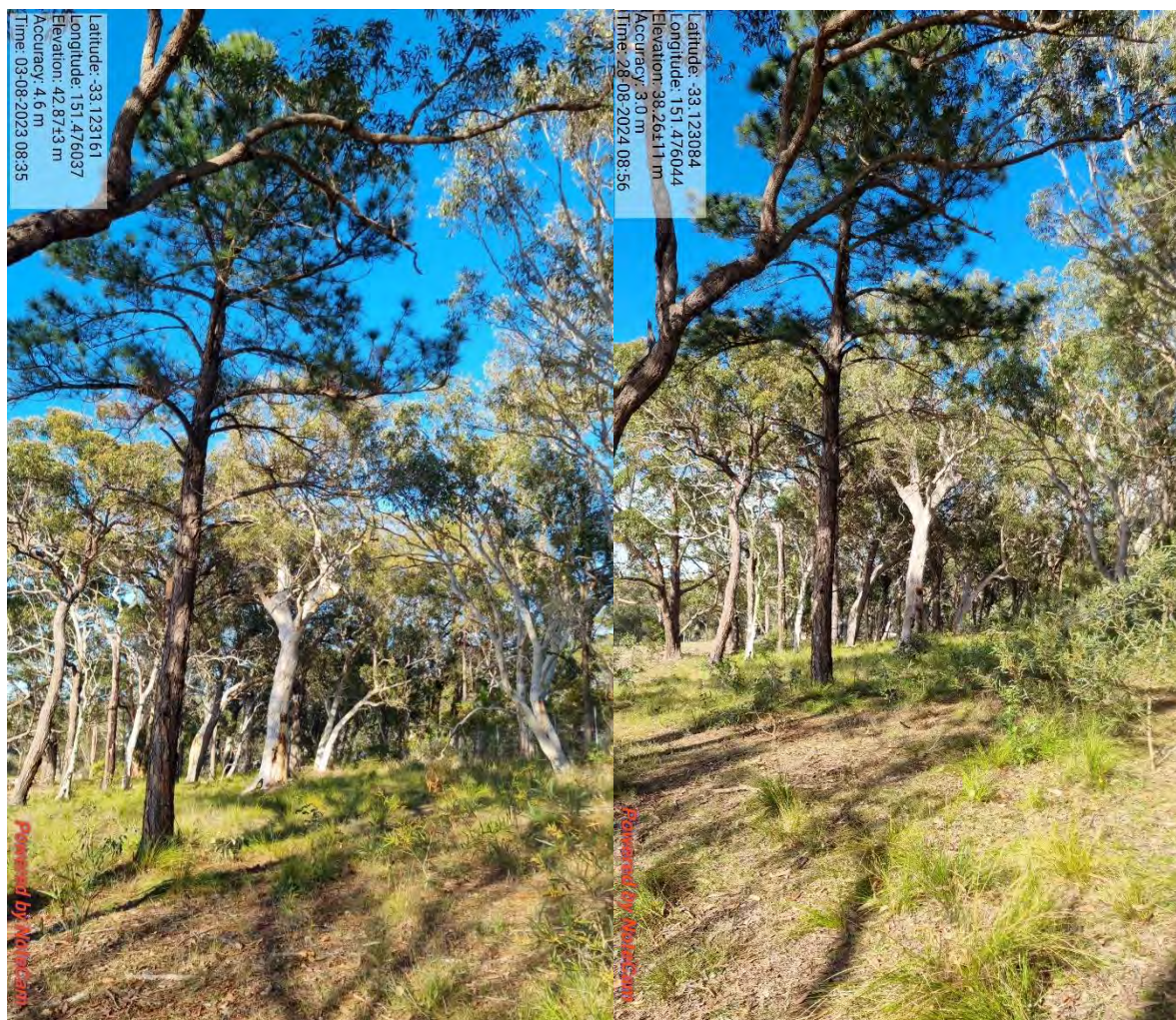
PP9 – 12 Months



PP10 - Start of project



PP10 – 12 Months



PP11 - Start of project

PP11 – 12 Months (herbicide still taking effect)



PP12 - Start of project



PP12 – 12 Months



PP13 - Start of project



PP13 – 12 months

**Date report prepared:** 18/4/2024

**Prepared by:** Aaron Crotty

**Project Name:** VMP Bush Regeneration and Revegetation – MHE North

**Project number:** NA

**Zone or area worked:** See map

**Date(s) onsite:** 3<sup>rd</sup>, 17<sup>th</sup> August, 1<sup>st</sup>, 5<sup>th</sup> September, 9<sup>th</sup> November 2023, 23<sup>rd</sup> January 2024

**Site Supervisor:** Shanae Hajdu

#### **Details of Activities:**

Primary bush regeneration sweeps were undertaken in August and September across the bushland and riparian sections of the corridor. This mostly involved manual removal and cut and paint of Lantana, Privet, Camphor and Pine trees. Some of the larger Pine trees and Camphor were frilled and filled with herbicide and left in situ. Other dominant weeds treated include the manual removal of Crofton weed and Coolatai grass. Whiskey grass, Blackberry and Paspalum was sprayed. All woody weed material was left in situ for fauna habitat. Water Hyacinth was manually removed and piled on high ground. A sediment fence was installed at the lowest end of the site to prevent the Water Hyacinth from moving upstream from the pond when water levels are high. Follow up bush regeneration session was completed in November and January, reducing weed density to <5%. Rubbish was removed by hand from the VMP area.

The threatened species *Thelymitra adorata* was thought to of been found near photo points 7-9 and work in the area was avoided while flowering and seeding After closer inspection from the MJD ecologist it was determined that it wasn't *T. adorata*



#### **Further Work/ Recommendations:**

- Routine follow up bush regeneration to maintain low weed cover. Another visit is to be scheduled in April or May 2024.
- A few pine trees that couldn't be accessed previously will be treated in the northern part of the site.
- Monitoring of native vegetation regeneration along the Wyee road section to determine if VMP KPI's are being achieved. If not revegetation will be required.
- Rubbish will be removed from site next opportunity.

## Weed List

Species	Common Name	Spray	Hand weed	Frill & paint	Cut & paint	Scrape & paint
<i>Ageratina adenophora</i>	Crofton weed	✓	✓			
<i>Andropogon virginicus</i>	Whiskey grass	✓	✓			
<i>Axonopus fissifolius</i>	Carpet grass	✓	✓			
<i>Cinnamomum camphora</i>	Camphor laurel			✓		✓
<i>Eichhornia crassipes</i>	Water Hyacinth		✓			
<i>Lantana camara</i>	Lantana		✓		✓	
<i>Ligustrum sinense</i>	Small leaf privet		✓	✓	✓	
<i>Paspalum dilatatum</i>	Dallis grass	✓				
<i>Pinus sp</i>	Pine tree		✓	✓	✓	
<i>Rubus fruticosus</i>	Blackberry	✓				
<i>Senna pendula</i>	Easter Cassia		✓		✓	
<i>Solanum mauritianum</i>	Wild Tobacco		✓		✓	
<i>Verbena bonariensis</i>	Purple top	✓	✓		✓	

## Fauna List

Wood duck	Grey Butcherbird	Brown thornbill
Lewins honeyeater	Eastern Brown Snake	Pied Butcherbird
Red bellied black snake	Eastern water dragon	Noisy miner
Kookaburra	Eastern Rosella	Fox
Eastern grey kangaroo	Yellow tailed black cockatoo	Yellow whip snake



Figure 1 – Project area and photo point locations



PP1 – Start of project

Unable to locate due to high water levels

PP1 – 6 Months



PP2 – Start of project

Unable to locate

PP2 – 6 Months



PP3 – Start of project



PP3 – 6 Months



PP4 – Start of project



PP4 – 6 Months



PP5 – Start of project



PP5 – 6 months



PP6 – Start of project

Unable to locate

PP6 – 6 months



PP7 – Start of project



PP7 – 6 Months



PP8 – Start of project



PP8 – 6 Months



PP9 - Start of project



PP9 – 6 Months



PP10 - Start of project



PP10 – 6 Months



PP11 - Start of project



PP11 – 6 Months



PP12 - Start of project



PP12 – 6 Months



PP13 - Start of project



PP13 – 6 months

**Date report prepared:** 23/7/2025

**Prepared by:** Aaron Crotty

**Project Name:** VMP Bush Regeneration and Revegetation – MHE North

**Project number:** NA

**Zone or area worked:** See map

**Date(s) onsite:** 3<sup>rd</sup>, 17<sup>th</sup> August, 1<sup>st</sup>, 5<sup>th</sup> September, 9<sup>th</sup> November 2023, 23<sup>rd</sup> January 2024, 13<sup>th</sup> March, 24<sup>th</sup> June

**Site Supervisor:** Shanae Hajdu

### **Details of Activities:**

#### **Year 1**

Primary bush regeneration sweeps were undertaken in August and September across the bushland and riparian sections of the corridor. This mostly involved manual removal and cut and paint of Lantana, Privet, Camphor and Pine trees. Some of the larger Pine trees and Camphor were frilled and filled with herbicide and left in situ. Other dominant weeds treated include the manual removal of Crofton weed and Coolatai grass. Whiskey grass, Blackberry and Paspalum was sprayed. All woody weed material was left in situ for fauna habitat. Water Hyacinth was manually removed and piled on high ground. A sediment fence was installed at the lowest end of the site to prevent the Water Hyacinth from moving upstream from the pond when water levels are high. Follow up bush regeneration session was completed in November and January, reducing weed density to <5%. Follow up weeding mostly involved manual removal of Crofton weed, spraying of blackberry and pine trees with nest boxes were treated after checking with MJD. Seed and fruit have been spread as it became available throughout the areas lacking native vegetation cover. Rubbish was removed by hand from the VMP area. Rubbish was removed by hand from the VMP area.



The threatened species *Thelymitra adorata* was thought to of been found near photo points 7-9 and work in the area was avoided while flowering and seeding After closer inspection from the MJD ecologist it was determined that it wasn't *T. adorata*

#### **Year 2**

The second year involved routine quarterly bush regeneration sweeps through the whole VMP area targeting persistent weed regrowth. This was predominantly Crofton weed, weed grasses and pine seedlings. Weeds were manually removed when growing close to native vegetation or spot sprayed. Due to the high-water levels which pushed up in to the VMA, some Water Hyacinth was found and manually removed and piled on high ground. Weed density has been maintained to <5%. Rubbish was removed by hand from the VMP area mostly blown in from the road.

### **Variation planting**

As requested by Ingenia, an infill planting was undertaken in the northern part of VMA where it lacked sufficient native vegetation cover. Mulch was spread from the adjoining bund. 2870 tubestock were planted at 5-6/m<sup>2</sup>, including 570 trees and shrubs which were tree guarded. Plants were watered until established and weeded during the quarterly visits.

### Further Work/ Recommendations:

- Routine follow up bush regeneration to maintain low weed cover for the remaining 3 years of the VMP cycle.
- Monitoring of native vegetation regeneration along the Wyee road section to determine if VMP KPI's are being achieved. If not, revegetation will be required. So far natural regeneration appears to be sufficient due to favourable weather conditions.
- Rubbish will continue to when on site.

### Weed List

Species	Common Name	Spray	Hand weed	Frill & paint	Cut & paint	Scrape & paint
<i>Ageratina adenophora</i>	Crofton weed	✓	✓			
<i>Andropogon virginicus</i>	Whiskey grass	✓	✓			
<i>Axonopus fissifolius</i>	Carpet grass	✓	✓			
<i>Chloris gayana</i>	Rhodes grass	✓	✓	✓		✓
<i>Citrus sp</i>	Bush lemon				✓	
<i>Cinnamomum camphora</i>	Camphor laurel			✓		✓
<i>Eichhornia crassipes</i>	Water Hyacinth		✓			
<i>Hyparrhenia hirta</i>	Coolatai grass	✓	✓			
<i>Lantana camara</i>	Lantana	✓	✓		✓	
<i>Ligustrum sinense</i>	Small leaf privet		✓	✓	✓	
<i>Paspalum dilatatum</i>	Dallis grass	✓				
<i>Paspalum urvillei</i>	Giant Paspalum	✓				
<i>Phytolacca octandra</i>	Ink weed	✓				
<i>Pinus ellioti</i>	Slash Pine		✓	✓	✓	
<i>Prunus sp</i>	Peach				✓	
<i>Richardia Brasiliensis</i>	Richardia	✓				
<i>Rubus fruticosus</i>	Blackberry	✓				
<i>Senna pendula</i>	Easter Cassia		✓		✓	
<i>Setaria sp.</i>	Pigeon grass	✓	✓		✓	
<i>Solanum mauritianum</i>	Wild Tobacco		✓		✓	
<i>Stenotaphrum secundatum</i>	Buffalo grass	✓	✓			
<i>Verbena bonariensis</i>	Purple top	✓	✓		✓	
<i>Watsonia sp</i>	Wild Watsonia	✓	✓			

### Fauna List

Wood duck	Grey Butcherbird	Brown thornbill
Lewins honeyeater	Eastern Brown Snake	Pied Butcherbird
Red bellied black snake	Eastern water dragon	Noisy miner
Kookaburra	Eastern Rosella	Fox
Eastern grey kangaroo	Yellow tailed black cockatoo	Yellow whip snake
Eastern long necked turtle	Galah	



Figure 1 – Project area and photo point locations



PP1 – Baseline



PP1 – After year 1



PP1 – After year 2



PP2 – Baseline



PP2 – After year 1



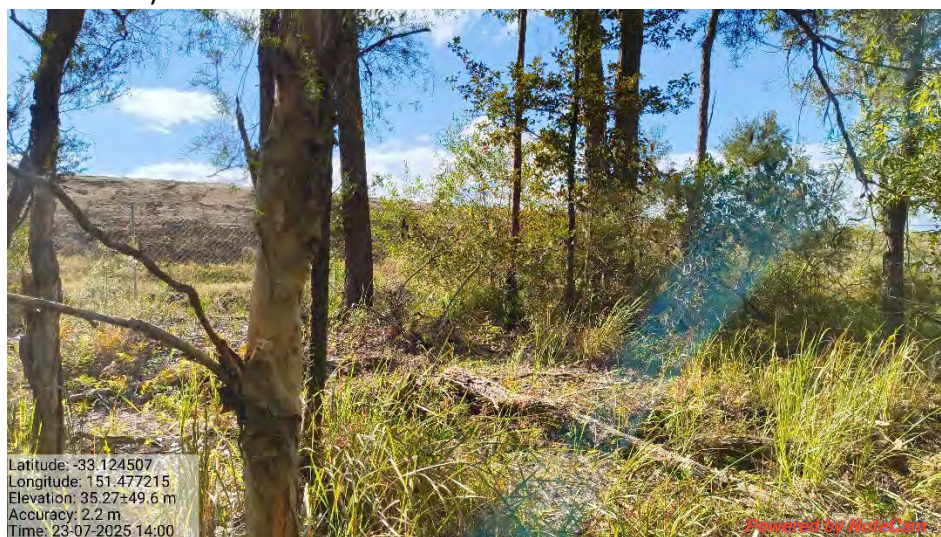
PP2 – After year 2



PP3 – Baseline



PP3 – After year 1



PP3 – After year 2



PP4 – Baseline



PP4 – After year 1



PP4 - After year 2



PP5 – Baseline



PP5 – After year 1



PP5 – After year 2



PP6 – Baseline



PP6 – After 6 months



PP6 – After year 2



PP7 – Baseline



PP7 – After year 1



PP7 – After year 2



PP8 - Baseline



PP8 – After year 1



PP8 – After year 2



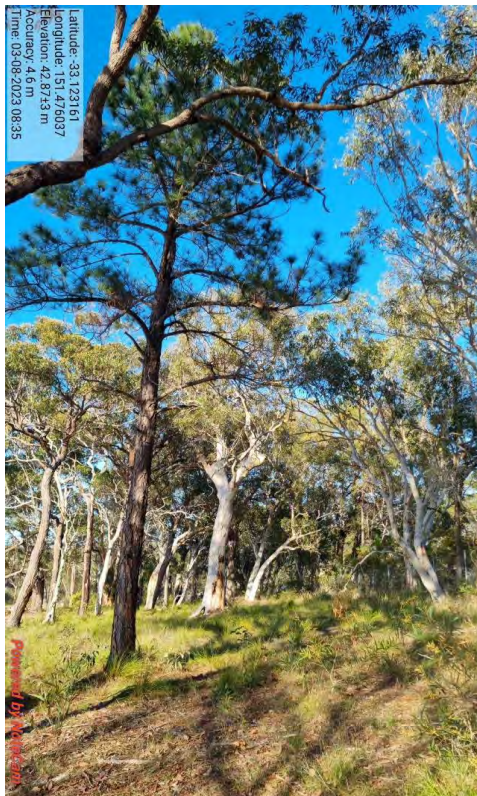
PP9 - Baseline



PP9 – After year 1



PP9 – After year 2



PP10 – Baseline



PP10 – After year 1



PP10 – After year 2



PP11 - Baseline



PP11 – After year 1



PP11 – After year 2



PP12 – Baseline



PP12 – After year 1



PP12 – After year 2 (Tree guards and plants damaged by contractor installing poles and fence)

**Our Ref:** 20117 Aquatic Habitat Pre-start Assessment MHE 2 (North) DA1286-2019, Morisset  
**Via:** email

**Date:** 20 September 2023

Attn: Nathan Holloway  
Ingenia Communities  
4495 Nelson Bay Rd, Anna Bay NSW 2316

Dear Nathan,

**RE: 20117 AQUATIC HABITAT PRE-START ASSESSMENT MHE 2 (NORTH) DA1286-2019, MORISSET**

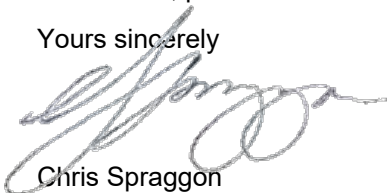
MJD Environmental was engaged by Ingenia Communities to produce and implement a Vegetation and Fauna Management Plan in accordance with conditions of consent for DA1286/2019. These conditions included monitoring of aquatic habitat conditions prior to works associated with dams on site. Tests were undertaken by VGT on behalf of Robsons Civil prior to works on 19<sup>th</sup> July 2023. The results of the testing are **Attachment 1**, and demonstrate no exceedance of any relevant guidelines.

These measures will be used to benchmark conditions following the completion of works. It is anticipated that measures will diverge significantly following works, and gradually return to near baseline levels over time.

Assessment of invertebrates and tadpoles have been incidentally recorded during MJD Environmental survey works on the site, however given the time of year (winter), the absence of results is not considered to represent a baseline.

We trust this is sufficient for your purposes, however, should you require any further information or clarification, please do not hesitate to contact the writer.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Chris Spraggon', is written over a light blue circular background.

Chris Spraggon  
Senior Ecologist  
MJD Environmental

**Encl:** Attachment 1 – Water Quality Test Results

## Report Number: 14891

Date Issued: 19/07/2023

Revision Number: 00

**Site/Job: Morriset Caravan Park**

Client: Robson Civil (Hunter Valley)

Address: Unit 9, 17 Babilla Cl  
Beresfield NSW 2322

Contact: Andrew Newberry

The following sample(s) were received on 19/07/2023 12:59

Client Sample Reference	Date Sampled	Sampled by	Lab ID	Matrix	Client Comments
Existing Dam	19/07/2023	Client	14891/1	Water	

The sample(s) have been tested as received and results relate specifically to the samples tested.

The following reports are included:

- Test Report: Results apply to the sample(s) as submitted.
- Chain of Custody (if available)



Anthony Crane  
Laboratory Manager

Authorised by:

Results have been approved and report finalised on 19/07/2023.

## Test Report Number: 14891

Date Issued: 19/07/2023

Revision No: 00

### Results

Physicals		Lab ID Sample Date Sample ID	14891/1 19/07/2023 Existing Dam
	Method	Units	
<b>Date Tested</b>	--	--	18/07/2023
Temperature	Temp	°C	20.5
pH	APHA 4500-H B	pH Units	6.8
Electrical Conductivity	APHA 2510 B	µS/cm	245
Turbidity	APHA 2130 B	NTU	3.7

Solids		Lab ID Sample Date Sample ID	14891/1 19/07/2023 Existing Dam
	Method	Units	
<b>Date Tested</b>	--	--	19/07/2023
Total Suspended Solids	AS3550.4	mg/L	6

## Report Comments:

# Where present, indicates NATA accreditation does not cover the performance of this service.

Results in **bold** indicate an exceedance of the relevant guideline.

When considering the pass or fail of tests the measurement of uncertainty of each parameter must be considered.

<https://www.vgt.com.au/measurement-uncertainty>

[NT]: Not tested

Location Analysed : 4/30 Glenwood Dr Thornton NSW 2322.

Holding times for some or all of the tests listed below are outside the period recommended in the method: pH (0.25 hrs), TSS, Turbidity (24 hrs).

This may be important to the interpretation of the results.

**Our Ref:** 20117 Ecological Clearance Compliance Letter MHE North Morisset 08-06-2023  
**Via:** email

**Date:** 8 June 2023

Attn: Kegan Lacy  
Ingenia Communities  
4495 Nelson Bay Rd, Anna Bay 2316

Dear Kegan,

**RE: ECOLOGICAL CLEARANCE COMPLIANCE – MHE NORTH, MORISSET**

MJD Environmental was engaged by Ingenia Communities to provide ecological clearance supervision for tree removal works associated with the subdivision for DA/1286/2019/A.

Prior to commencement of works, an MJD Ecologist inducted the civil contractor, vegetation subcontractor and proponent representatives into the approved process for the ecological management of vegetation removal on the site, including the staged tree clearing process.

Prior to commencement of any vegetation removal, preclearance surveys of the area were undertaken on the 11<sup>th</sup> – 13<sup>th</sup> April 2023 by MJD Ecologists. Each habitat tree was spray painted with 3 pink 'H's' around the trunk and marked with pink tape during the preclearance survey, and GPS points taken. A total of 92 hollow bearing trees were recorded. Ecological pre-clearance survey was undertaken in accordance with LMCC notice of determination (DA/1286/2019/A) Condition 68 *Hollow Bearing Tree Removal*. One HBT fell following bad weather. This tree was inspected and found unoccupied, and remained in situ as per procedure.

Following pre-clearance survey, non-habitat vegetation was removed and processed while retaining habitat vegetation. Habitat vegetation was left standing for at least 24 hours following non-habitat vegetation removal.

Prior to removal, each of the 90 hollow bearing trees were stag-watched in the week prior to clearance by MJD Ecologists to determine occupancy. The watches were carried out from half an hour before sunset to an hour after dusk. This was undertaken between the 22<sup>nd</sup> May 2023 and the 31<sup>st</sup> May 2023. Each tree was then marked with blue tape to signify it had been watched. The habitat features of occupied trees were assigned to an arborist for removal.

Ecological clearance supervision was provided on Monday 29<sup>th</sup> May 2023, 2<sup>nd</sup> and 6<sup>th</sup> June 2023.

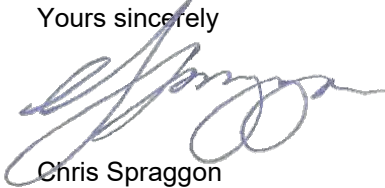
On the 29<sup>th</sup> May, 60 trees were supervised and cleared. The hollow bearing features of 5 trees were removed by an arborist. A hollow on one tree contained 2 Rainbow Lorikeet eggs. A hollow on a separate tree contained 1 Rainbow Lorikeet egg. These were the only occupancies encountered by the arborist. The Lorikeet eggs could not be taken in by any carers and were destroyed. All other trees were knocked twice prior to soft felling with an excavator. All hollows were inspected thoroughly with a torch to assess occupation. No current occupancy was detected during these assessments.

On the 2<sup>nd</sup> June, 29 trees were supervised. One rainbow lorikeet egg was observed however smashed upon tree being felled. One ring-tailed possum was observed however the tree was left to be felled by a climbing arborist.

On the 6<sup>th</sup> June 2023, the climbing arborist removed the hollows occupied by the ring-tailed possum. The ring-tailed possum was captured safely and uninjured. It was relocated to the C2 Conservation area to the south of the site. Felled hollow bearing trees were left in situ, for at least one night after falling.

We trust this is sufficient for your purposes, however, should you require any further information or clarification, please do not hesitate to contact Nixon Jowett (Field Ecologist) or the writer.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Chris Spraggon'.

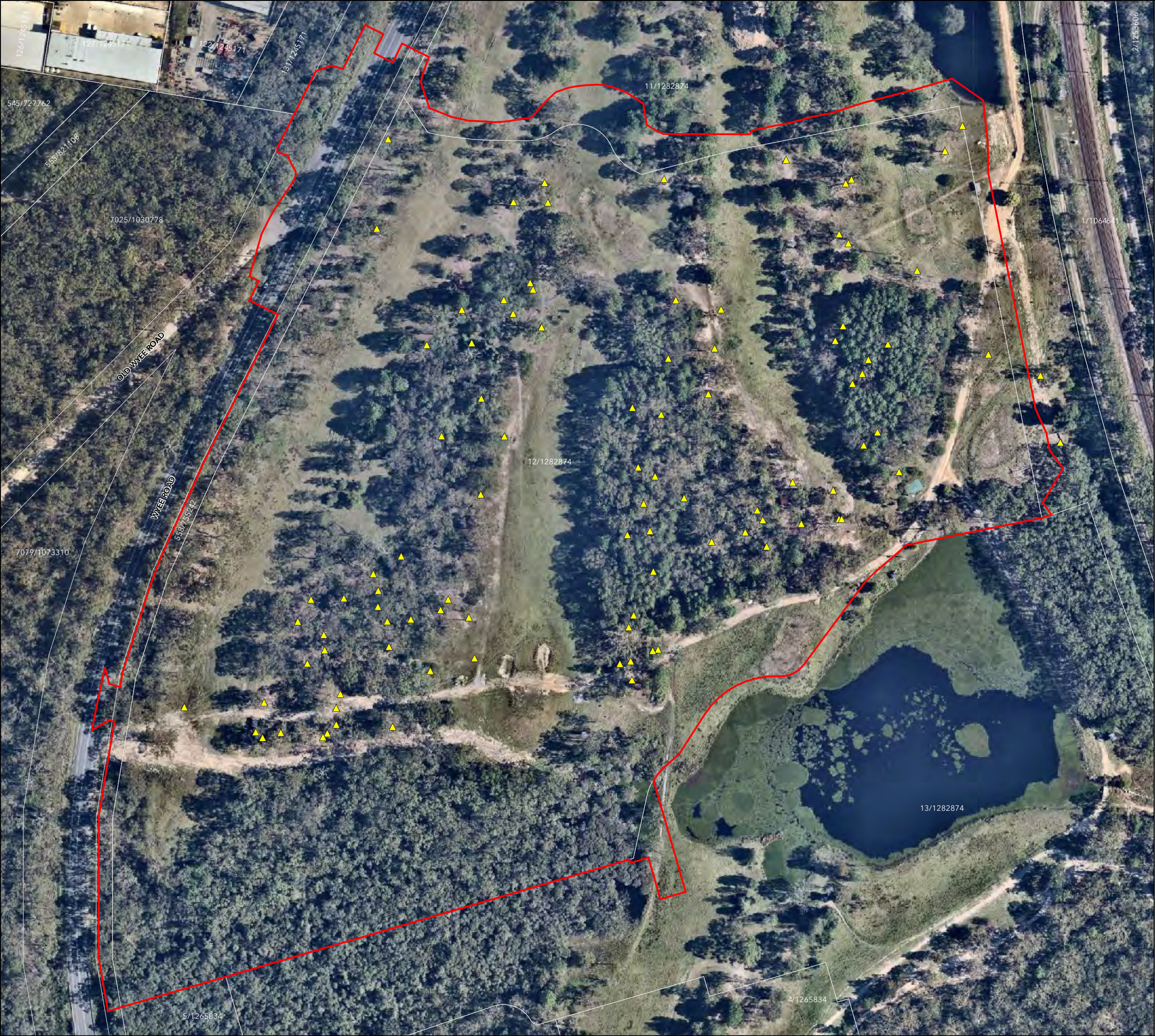
Chris Spraggon  
Senior Ecologist  
MJD Environmental

**Encl: Attachment 1 – Habitat Tree Map**

ATTACHMENT 1:  
HABITAT TREES

Legend

- Site Boundary
- Cadastral Boundary
- Habitat Tree



Metres  
1:1924



Aerial: Maxar Vivid (2021) | Data: MJD Environmental (2023), NSW Spatial Services (2022) | Datum/Projection: GDA94 / MGA zone 56 | Date: 21/04/2023 | Version: 1 | Q:\Project Folders\20117 - MHE 2, Morisset | This plan should not be relied upon for critical design dimension.