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May 11 2020

**Hon. Rob Stokes Minister for Planning & Public Spaces NSW Government and
Mayor Amanda Findley Shoalhaven City Council**

CONCERNS ASSOCIATED WITH THE MANYANA RESIDENTIAL DEVELOPMENT

BirdLife Shoalhaven [BLS], a branch of BirdLife Australia [BLA] with over 750 members and supporters submits the following for consideration in relation to the Ozy Homes Manyana Residential Development and associated unburnt bushland of the Manyana area, which continues to be the subject of significant community concern and protest

RECOMMENDATION

That given the habitat, ecology, threatened species, biodiversity and post-bushfire considerations, BLS fully supports and recommends an intervention which would apply an extended moratorium on the continued development of the site with a view to developing alternate strategies. Whilst there are the environmental considerations as outlined in this submission, BLS would also indicate that this must be a key consideration of planning decisions and considerations. BLS also recognizes that the initial planning approval is an old approval, prior to the Shoalhaven Local Environment Plan 2014 and in the revised form is now subject to the post-Bushfire circumstance in the Shoalhaven.

A handwritten signature in black ink, appearing to read "Rob Dunn".

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1.0 POST-BUSHFIRE CONCERNS

1.1 The development site was not subject to burn in the 2019-2020 Bushfires, which impacted at least 70% of the Shoalhaven natural environment and in particular, the coastal forests and adjacent National Parks. However, the site is in close proximity to extensive areas of intense and damaging forest burn associated with the Lake Conjola National Park, the Bendalong Road and Bendalong precincts. [see photo above of Conjola National Park on the Bendalong Road to Manyana.]

1.2 On that basis **the site is thus extremely important refugia and should be managed on that basis**, which would indicate the application of a moratorium is required as appropriate post-bushfire environmental management.

1.3 On a biodiversity basis that moratorium on the residential development could not possibly be anything less than 12 months but then only on a provisional basis at least until burnt areas are considered to be restored and the development situation reassessed. Further, the principles involved in this instance must apply to all such situations in the unburnt environment of this area.

1.4 BLS is on record with Shoalhaven Council in proposing that the surviving environments of refugia will require special management approach and that moratorium on clearing and further damage to ecology must be part of that in the process of environmental recovery.

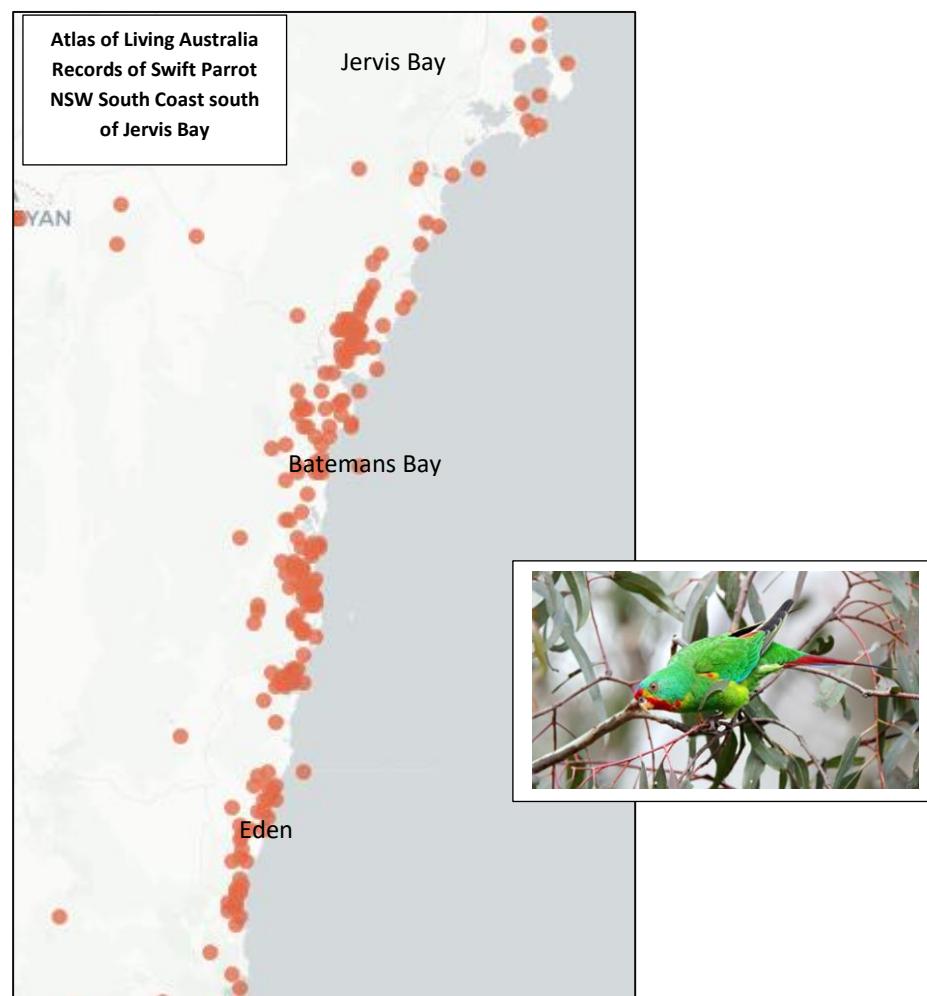
2.0 SPECIFIC CRITICALLY ENDANGERED - THREATENED SPECIES CONSIDERATIONS

2.1 BLS has specific **concerns regarding the Swift Parrot, which is listed under the EPBC Act 1999 as "Critically Endangered"**, thus at the highest risk of extinction in the immediate future. These concerns exist in any year but more especially so in this bushfire recovery period. The species listed in NSW as "Endangered". The species breeds in Tasmania in summer and migrates to the mainland for the winter. It is nomadic on the mainland, moving between sites for varying periods of times. There are now less than 1,000 breeding pairs but their habitat is threatened, especially with logging in Tasmania.

2.2 The species is the “trigger” species for the declared **Ulladulla–Merimbula Key Biodiversity Area [KBA]** and thus part of both national and international system of identifying critical bird biodiversity areas. There is a 2017 sighting record by OEH-NPWS at Manyana of this species.

2.3 There is an extensive historical record for the presence of the species on the south coast especially in the area from Nowra to Eden. [see map below of species records Atlas of Living Australia-CSIRO below]

2.4 Clearing of existing forest and refugia can impact on the habitat and foraging of this key species.



3.5 The late summer flowering species, Scribbly Gum [*Eucalyptus sclerophylla*] and Red Bloodwood [*Corymbia gummifera*] were extensively damaged by bushfire. The iconic Spotted Gum [*Corymbia maculata*] a widely distributed south coast tree, is flowering at this time for the first time since 2015 and has been providing excellent foraging and recovery for birds but only in refugia areas. However, it is also a species that has been extensively damaged by the bushfires and just prior to the flowering so this habitat and foraging has been lost, not just to this species but a wide range of fauna. The Spotted Gum flowering and that of other native species trees of south coast forests coincides with the migration of the Swift Parrot.

3.6 Further, the regional winter flowering eucalypts, Grey Ironbark [*Euc. paniculata*] and Swamp Mahogany [*Euc. robusta*] will continue the annual cycle of habitat for food toward and in the winter. [see Seasonal Calendar]

3.7 Areas of refugia, which are substantially outside the fire zone but do also occur within the fire zone are far more important, even critical, in the 2020 circumstance. Any further habitat destruction in the refugia zone will exacerbate an already dangerous post-bushfire situation for fauna generally and for Threatened Species in particular.

CONCLUSION

In the circumstances of 2020 in the Shoalhaven, destruction of vegetation community as habitat, acting as refugia for bird and other fauna, is highly unacceptable in terms of both current food source and in the recovery of fire affected areas and can exacerbate the risk to Threatened Species. Development and Planning in 2020 in the Shoalhaven should reflect that and, at the very least, a moratorium on the Manyana development should apply subject to reasonable scientific assessment.

Birdlife Shoalhaven acknowledges the Aboriginal people of the Shoalhaven, their care of country, birds and habitat and pays respects to all Elders.