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BirdLife Shoalhaven is a branch of BirdLife Australia Limited ABN 75 149 124 774

July 7 2020

**To: Hon Sussan Ley
Federal Minister For Environment**

REFERENCE: 2020/8704 MANYANA COAST P L

**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 your 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 your intervention as Federal Minister with the continued development of the site. BLS would maintain there are critical environmental considerations associated with the provisions of the EPBC Act and associated threatened species and biodiversity of the site and that these apply in a post-bushfire context that has no precedent.

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

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Chris Grounds

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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.**

1.3 On a biodiversity basis any 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. That could be as much as five years and perhaps a decade.



CONJOLA NATIONAL PARK



OZY HOMES RESIDENTIAL DEVELOPMENT BLOCK

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

1.5 BLS is concerned that ecological assessments associated with the Development Application are not adequate or sufficiently rigorous and in some respects are dated, which is associated with the now very dated approval of the original development application of 2008.

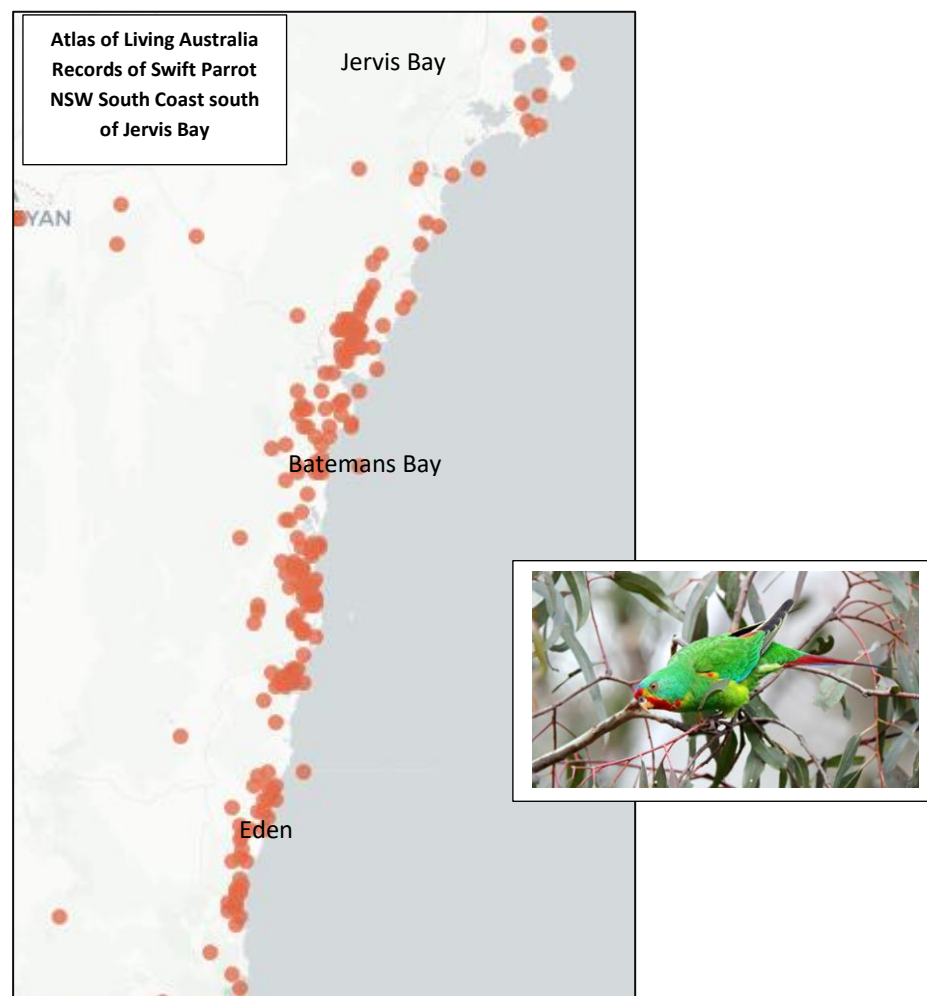
2.0 SPECIFIC CRITICALLY ENDANGERED - THREATENED SPECIES CONSIDERATIONS

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 will impact on the habitat and foraging of this key species.



2.5 BLS notes that scientific records and databases show that there is a historic and contemporary record of 360 bird species in the Shoalhaven and that 61 of these species is listed either federally or on state-NSW lists as Threatened Species. **Of these 61 Threatened Species there are 20 species listed on the Federal-EPBC Act listed, including 2 species which are known on the Manyana site, the Swift Parrot and the Glossy Black Cockatoo.**

2.6 BLS would also note that the Atlas of Living Australia [CSIRO] database supported by the Birddata Atlas indicates a record of 87 bird species within a 1km radius of the site and that 6 of these species are Threatened Species. This speaks strongly to the biodiversity values of the site, a biodiversity that the EPBC Act is intended to protect, particularly when such biodiversity itself it is threatened in the bushfire context.

3.0 HABITAT and BIODIVERSITY ISSUES

3.1 In the 2019-2020 Bushfires circumstance all such species are believed to have been severely impacted and their recovery will depend on the continued existence of refugia such as the Manyana site.

3.2 This circumstance is accentuated by the fact that the Bushfires occurred in the warm or summer season when there is a considerable migration of a range of species, known in the Manyana area, into the south coast and Shoalhaven.

3.3 This circumstance can be further appreciated with the realization that the ability of all bird species to survive and recover in the Shoalhaven at sites such as Manyana is linked very strongly to the foraging available from the flowering of forest trees, a number of which flower from early to late winter or during the cool season. However, the 2020 season in the Shoalhaven and on the south coast will be particularly challenging because of the extensive impact of the 2019-2020 bushfires on vegetation communities. [Refer Season Calendar after 3.7]

CONCLUSION

BLS would ask that you, as Minister, invoke with the Manyana site, the very name and purpose of the Federal EPBC Act 1999 in its purpose to Conserve Environment and Protect Biodiversity.

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