



Office of
Environment
& Heritage

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RZ/6/2016, PP_2017_CCOAS_010_00

Ms Chris Ferry
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Dear Chris

**Proponent's response to OEH's comments on the Warnervale/Virginia Road planning proposal
(RZ/6/2016, PP_2017_CCOAS_010_00)**

I refer to your email of the 10 September 2018, in which you ask the Office of Environment and Heritage (OEH) for any additional feedback on the proponent's response to our letter of the 30 August 2018.

OEH's recommendations are provided in **Attachment A** and detailed comments are provided in **Attachment B**. If you require any further information regarding this matter, please contact Nicole Davis, Acting Senior Team Leader - Planning Team Hunter Central Coast, on 0409 394 343 or via email at rog.hcc@environment.nsw.gov.au.

Yours sincerely

SHARON MOLLOY
Director Hunter Central Coast Branch
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Enclosure: Attachments A and B

OEH's recommendations

Proponent's response to OEH's comments on the Warnervale/Virginia Road planning proposal (RZ/6/2016, PP_2017_CCOAS_010_00)

1. OEH is satisfied that the rezoning will not impact on the biodiversity of the site, as the proponent has stated that there are no environmental values on the land. .
2. OEH is satisfied that the increase in residential development in this rezoning proposal will not reduce the connectivity values of the North Wyong Shire Structure Plan green corridor.
3. OEH is satisfied that any water quality basins will be placed to avoid impacts on vegetation.
4. OEH recommends that any rezoning be restricted to the area outside of the flood planning area in accordance with Section 9.1 Directions.
5. OEH recommends that works within the floodplain are consistent with the NSW Floodplain Development Manual and Council's DCP requirements. Compensatory flood storage as a means of offsetting earthworks in the floodplain is not supported by OEH.
6. OEH recommends that any impacts associated with the construction of the required infrastructure be assessed and included in this planning proposal.
7. Council needs to clarify what strategies are in place to manage and mitigate the impacts of increased development on the hydrological regime of Porters Creek Wetland.

OEH's detailed comments

Proponent's response to OEH's comments on the Warnervale/Virginia Road planning proposal (RZ/6/2016, PP_2017_CCOAS_010_00)

Biodiversity

1. OEH is satisfied that the increase in land zoned R2 (Low Density Residential) will not impact on biodiversity

The proponent has stated that the E3 (Environmental Management) land to the west of the development site comprises completely cleared areas of pasture grass and the RU6 (Transition) land has no environmental value. OEH is therefore satisfied that this increase in the size of the R2 (low density residential) land will not impact on biodiversity.

Recommendation 1

OEH is satisfied that the rezoning will not impact on the biodiversity of the site, as the proponent has stated that there are no environmental values on the land.

2. OEH is satisfied that the site does not contribute to the North Wyong Shire Structure Plan green corridor

The proponent has stated that the areas of the planning proposal which extend into the North Wyong Shire Structure Plan green corridor are completely cleared areas of pasture grass and do not contribute to connectivity.

Recommendation 2

OEH is satisfied that the increase in residential development in this rezoning proposal will not reduce the connectivity values of the North Wyong Shire Structure Plan green corridor.

3. OEH is satisfied that any potential water quality basins or their access roads will not be constructed in vegetated areas

The proponent has assured OEH that any water storage basin associated with this development will be positioned to avoid the removal of any vegetation.

Recommendation 3

OEH is satisfied that any water quality basins will be placed to avoid impacts on vegetation.

Flooding and flood risk

4. Works proposed in flood planning area are in contradiction to Section 9.1 Directions

The planning proposal includes filling flood prone areas so that they can be rezoned to a more intense land use. This is inconsistent with Section 9.1 Directions and is not supported by OEH.

Recommendation 4

OEH recommends that any rezoning be restricted to the area outside of the flood planning area in accordance with Section 9.1 Directions.

5. Compensatory flood storage is not supported by OEH

Compensatory flood storage as a means of offsetting earthworks in the floodplain is not supported by OEH. Works within the floodplain are to be consistent with the NSW Floodplain Development Manual and Council's DCP requirements. Compensatory flood storage options

need to be dealt with at the planning proposal stage and not at the individual development or subdivision stages.

Recommendation 5

OEH recommends that works within the floodplain are consistent with the NSW Floodplain Development Manual and Council's DCP requirements. Compensatory flood storage as a means of offsetting earthworks in the floodplain is not supported by OEH.

6. Temporary sediment basins

The Watercycle Management Plan for the proposed 578 lot subdivision is at Attachment 4 of the submitted documentation. Section 4.2 of this report details the stormwater quality concept plan for the site, which includes construction of temporary sediment basins instead of constructed wetlands. These are further detailed in Section 8 of the report. All comments related to these basins clearly state they are temporary, as Council will construct a regional water quality basin in the future, once the wider catchment is developed.

There is no indication as to the proposed design life of these temporary sediment basins. These temporary basins are proposed to be constructed within the floodplain. Accordingly, the impacts associated with the construction of the required infrastructure need to be assessed and included in this planning proposal.

Recommendation 6

OEH recommends that any impacts associated with the construction of the required infrastructure be assessed and included in this planning proposal.

Watercycle Management

7. Watercycle Management, and the Coastal Management SEPP 2018

Section 4.2 of Attachment 4 states Council will build a regional water quality basin to manage impacts on Porters Creek wetland. Council's current Warnervale District Contributions Plan includes contributions for water quality management infrastructure, which includes a water storage facility proposed in the floodplain adjacent to this area covered by this planning proposal.

Section 4.5 of Warnervale District Contributions Plan states:

"This contributions plan is based on the scheme being modified to remove the water harvesting component. A review of the hydraulic modelling of the Porters Creek Catchment has commenced as the first step in the replacement of the Stormwater Harvesting Scheme with a Wetland Diversion Scheme. An interim cost of \$15M has been adopted for the purpose of levying contributions towards this lower cost scheme."

A section later in the same chapter states:

"While the capacity with the Central Storage Facility is allocated in the Precinct 7A IWCM Strategy (2012), the decision to review the Stormwater Harvesting Scheme and the impact of the cumulative S94 contributions on the development costs in Precinct 7A have determined that water quality will be provided by individual developments until or unless other arrangements are adopted in response to the review."

Water Quality within Precinct 7A will need to be addressed on site using the principles outlined in the IWCM Strategy. "

It is unclear what the watercycle management strategy is for this area for runoff waters discharging to Porters Creek. The plans provided within the Warnervale District Contributions Plan contradict those submitted for this planning proposal.

The Warnervale District Contributions Plan also states that the integrated watercycle management strategy to manage impacts of increased runoff on to Porters Creek Wetland is under review.

Porters Creek Wetland has been shown to be sensitive to changes in the hydrological regime, especially changes in the volume, frequency and rate of runoff which may occur as a result of development. Changes to the natural wetting and drying cycles in this wetland have been shown to influence regeneration and replacement of vegetation over time. Poor water quality may also adversely impact weed ingress and growth within the wetland.

Council needs to clearly indicate what the water management strategy is for the Porters Creek Wetland. Council has not demonstrated that a suitable strategy is in place to provide protection to the intrinsic natural values and the ecological services provided by Porters Creek Wetland. This planning proposal is only one of a number of rezonings and developments in the catchment. OEH recommends that Council clarifies and confirms what strategies are in place to protect Porters Creek wetland from this increased development, prior to any of these developments or planning proposals being approved.

Recommendation 7

Council needs to clarify what strategies are in place to manage and mitigate the impacts of increased development on the hydrological regime of Porters Creek Wetland.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential for the proper management of the organization and for ensuring that all financial and operational data is up-to-date and reliable.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It includes a detailed description of the data collection process, from identifying the sources of data to the actual collection and storage of the data. It also discusses the various analytical techniques used to interpret the data and draw meaningful conclusions.

3. The third part of the document discusses the importance of data security and privacy. It emphasizes that all data collected and stored must be protected from unauthorized access and use. It also discusses the various measures that can be taken to ensure the security and privacy of the data, such as the use of encryption and access controls.

Conclusion

In conclusion, the document emphasizes the importance of maintaining accurate records and using data to make informed decisions. It also discusses the various methods and techniques used to collect and analyze data, and the importance of data security and privacy.