





MONITORING Plot # 4

BAM Site – Plot Species List

400m ² plot: Sheet ___ of ___		Survey Name	Plot ID	Recorders				
Date: 2/12/25		MONITORING	4	A. FRASER				
GF Code	Top 3 native species in each growth form group: full species name mandatory. All other native and exotic species: full species name where practicable	N, E or HTE	Cover	Abund	Stratum	Voucher	Photo #	
T	Eucalyptus robusta	M						
T	Metaleuca quinqueveneria	M						
S	Metaleuca adnata linearifolia	M	20	40				
T	Casuarina glauca	N	15	720				
T	Glochidion ferdinandi	M	15	720				
S	Acacia longifolia	N						
OG	Livistona australis	N	7	1				
T	Cupaniopsis anacardioides	M						
-	Centarea camara	HTE						
-	Senna pendula var. glabrata	E	2	17				
Forb	Centella asiatica	N	3	12				
-	Hydrocotyle peduncularis	E						
FERN	Pteridium esculentum	N						
FERN	Hieracium incisum	N	3	14				
FERN	Pellaea falcata	N						
FERN	Adiantum aethiopicum	N						
Forb	Dichondra repens	N						
GG	Entolasia marginata	N	20	750				
GG	Oplismenus imberillii	N						
GG	Gahnia clarkii	N						
GG	Lomandra longifolia	N						
Forb	Dianella caerulea	N						
-	Asparagus aethiopicus	HTE						
-	Rubus fruticosus	HTE	5	9				
-	Phoenix canariensis	HTE	2	2				
-	Ipomoea indica	HTE						
-	Ligustrum sinense	HTE						
-	Vicia major	HTE						
-	Zantedeschia aethiopica	HTE	50					
-	Cortaderia seloana	HTE						
OG	Parsonsia straminea	N						

N: native, E: exotic, HTE: high threat exotic, GF – circle code if 'top 3'.

Cover: 0.1, 0.2, 0.3, ..., 1, 2, 3, ..., 10, 15, 20, 25, ..., 100% (foliage cover). Note: 0.1% cover is approx. 63x63 cm or a circle about 71 cm diameter, 0.5% approx. 1.4 x 1.4m, 2% cover is approx. 2 x 2m, 5% = 4 x 5m, 25% 10 x 10m

Abundance: 1, 2, 3, ..., 10, 20, 30, ..., 100, 200, ..., 1000

Stratum: E – emergent, C – canopy, M – mid-storey / sub canopy, S – shrub layer, G – ground layer

MONITORING PLOT #4

BAM Site – Plot Species List

400m ² plot: Sheet ___ of ___	Survey Name	Plot ID	Recorders
Date: 2/12	MONITORING	4	A FRAZER

GF Code	Top 3 native species in each growth form group: full species name mandatory. All other native and exotic species: full species name where practicable	N, E or HTE	Cover	Abund	Stratum	Voucher	Photo #
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66	Lepyrodia muellexi	M	3	20			
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66	Ottobchia gracillima	M	3	10			
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66	Hypoxis hygrometrica	M	1	3			
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66	Connelina cyanea	M	1	2			
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N: native, E:exotic, HTE: high threat exotic, GF – circle code if 'top 3'

Cover: 0.1, 0.2, 0.3, ..., 1, 2, 3, ..., 10, 15, 20, 25, ..., 100% (foliage cover). Note: 0.1% cover is approx. 63x63 cm or a circle about 71 cm diameter, 0.5% approx. 1.4 x 1.4m, 2% cover is approx. 2 x 2m, 5% = 4 x 5m, 25% 10 x 10m

Abundance: 1, 2, 3, ..., 10, 20, 30, ..., 100, 200, ..., 1000

Stratum: E – emergent, C – canopy, M – mid-storey / sub canopy, S – shrub layer, G – ground layer









BAM Site – Plot Species List

400m ² plot: Sheet ___ of ___	Survey Name	Plot ID	Recorders
Date: 2/12/25	MONITORING	6	A. FRASER

GF Code	Top 3 native species in each growth form group: full species name mandatory. All other native and exotic species: full species name where practicable	N, E or HTE	Cover	Abund	Stratum	Voucher	Photo #
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<i>Brija maxima</i>	E	5	740
<i>Andropogon virginicus</i>	E	5	710
<i>Plantago lanceolata</i>	E	10	710
<i>Pennisetum clandestinum</i>	E	30	730
<i>Verbena bonariensis</i>	E	10	720
<i>Hydrocotyle bonariensis</i>	E	10	720
<i>Cynodon dactylon</i>	E/M	5	7100
<i>Cyperus</i> spp.	E	2	4
<i>Lantana camara</i>	E	5	12
<i>Eucalyptus robusta</i>	M	15	3
<i>Cassia flauca</i>	M	2	2
<i>Sida rhombifolia</i>	E	2	20
<i>Gomphocarpus fruticosus</i>	E	3	7

N: native, **E:** exotic, **HTE:** high threat exotic, **GF** – circle code if 'top 3'

Cover: 0.1, 0.2, 0.3..... 1,2,3,.....,10, 15, 20, 25, ... 100% (foliage cover). Note: 0.1% cover is approx.. 63x63 cm or a circle about 71 cm diameter, 0.5% approx. 1.4 x 1.4m, 2% cover is approx. 2 x 2m, 5% = 4 x 5m, 25% 10 x 10m

Abundance: 1, 2, 3, ..., 10, 20, 30, ..., 100, 200, ..., 1000

Stratum: E – emergent, C – canopy, M – mid-storey / sub canopy, S – shrub layer, G – ground layer









MONITORING PLOT #7

BAM Site – Plot Species List

400m ² plot: Sheet ___ of ___		Survey Name	Plot ID	Recorders				
Date: 2/12/25		MONITORING	7	A. FRASER				
GF Code	Top 3 native species in each growth form group: full species name mandatory. All other native and exotic species: full species name where practicable	N, E or HTE	Cover	Abund	Stratum	Voucher	Photo #	
W	~~Surghastrum robusta~~	W						
T	Melaleuca ~~quadrangula~~ linearifolia	N	15	14				
S	Melaleuca nodosa	N						
T	Casuarina glauca	N						
T	Glochidion ferdinandi	N	20	40				
S	Acacia longifolia	N						
OG	Livistona australis	N						
T	Cupaniopsis anacardioides	N						
-	Lantana camara	HTE	30	750				
-	Senna pendula var. glabrata	E	5					
Forb	Centella asiatica	N						
-	Hydrocotyle peduncularis	E						
Fern	Pteridium esculentum	N						
FERN	Hieracium incisum	N	5	14				
Fern	Pellaea falcata	N						
Fern	Adiantum aethiopicum	N						
Forb	Dichondra repens	N						
GG	Entolasia marginata	N						
GG	Oplismenus imberillis	N						
GG	Gahnia clarkei	N	40	750				
GG	Lomandra longifolia	N						
Forb	Dianella caerulea	N						
-	Asparagus aethiopicus	HTE						
-	Rubus fruticosus	HTE	5	17				
-	Phoenix canariensis	HTE						
-	Pomoea indica	HTE						
-	Ligustrum sinense	HTE						
-	Vicia major	HTE						
-	Zantedeschia aethiopica	HTE	20	7100				
-	Cortaderia seloana	HTE						
OG	Parsonsia straminea	N	5	12				

N: native, E: exotic, HTE: high threat exotic, GF – circle code if 'top 3'

Cover: 0.1, 0.2, 0.3, ..., 1, 2, 3, ..., 10, 15, 20, 25, ..., 100% (foliage cover). Note: 0.1% cover is approx. 63x63 cm or a circle about 71 cm diameter, 0.5% approx. 1.4 x 1.4m, 2% cover is approx. 2 x 2m, 5% = 4 x 5m, 25% 10 x 10m

Abundance: 1, 2, 3, ..., 10, 20, 30, ..., 100, 200, ..., 1000

Stratum: E – emergent, C – canopy, M – mid-storey / sub canopy, S – shrub layer, G – ground layer

BAM Site – Plot Species List

400m ² plot: Sheet ____ of ____	Survey Name	Plot ID	Recorders
Date: 2/12/25	MONITORING	7	A. FRASER

[illegible]

N: native, **E:** exotic, **HTE:** high threat exotic, **GF** – circle code if 'top 3'

Cover: 0.1, 0.2, 0.3..... 1,2,3,.....,10, 15, 20, 25, ... 100% (foliage cover). Note: 0.1% cover is approx.. 63x63 cm or a circle about 71 cm diameter, 0.5% approx. 1.4 x 1.4m, 2% cover is approx. 2 x 2m, 5% = 4 x 5m, 25% 10 x 10m

Abundance: 1, 2, 3, ..., 10, 20, 30, ..., 100, 200, ..., 1000

Stratum: E – emergent, C – canopy, M – mid-storey / sub canopy, S – shrub layer, G – ground layer









MONITORING PLOT #8

BAM Site – Plot Species List

400m ² plot: Sheet ___ of ___		Survey Name	Plot ID	Recorders				
Date: 2/12/25		MONITORING	8	A. FRASER				
GF Code	Top 3 native species in each growth form group: full species name mandatory. All other native and exotic species: full species name where practicable	N, E or HTE	Cover	Abund	Stratum	Voucher	Photo #	
~~M~~	~~Eucalyptus robusta~~	~~H~~						
~~T~~	~~Melaleuca quinqueremna~~	~~H~~						
S	Melaleuca ~~maritima~~ linearifolia	N	50	730				
T	Casuarina glauca	N	27	13				
T	Glochidion ferdinandi	N	3	12				
~~SH~~	~~Acacia longifolia~~	~~N~~						
~~OG~~	~~Linistea australis~~	~~N~~						
~~T~~	~~Cephaelis axatardoides~~	~~N~~						
-	Lantana camara	HTE	5	8				
-	Senna pendula var. glabrata	E	5	19				
~~FORB~~	~~Centella asiatica~~	~~H~~						
-	Hydrocotyle pedunculata	E						
~~HERB~~	~~Pteridium esculentum~~	~~N~~						
~~HERB~~	~~Hypoxis incisum~~	~~N~~						
~~HERB~~	~~Pellaea falcata~~	~~N~~						
~~HERB~~	~~Achras indica~~	~~N~~						
~~FORB~~	~~Dichondra repens~~	~~N~~	5	30				
GG	Entolasia marginata	N	5	20				
GG	Oplismenus imberillii	N	3	18				
GG	Gahnia clarkei	N	30	47				
~~GG~~	~~Lomandra longifolia~~	~~N~~						
~~FORB~~	~~Dianella caerulea~~	~~N~~	5	18				
-	Asparagus aethiopicus	HTE	1	4				
-	Rubus fruticosus	HTE						
-	Phoenix canariensis	HTE						
-	Ipomoea indica	HTE						
-	Ligustrum sinense	HTE						
-	Viola ~~major~~ ^{stenophorum} secundatum	HTE	3	12				
-	Zantedeschia aethiopica	HTE						
-	Cortaderia setacea	HTE						
OG	Parsonsia straminea	N	5					

N: native, E: exotic, HTE: high threat exotic, GF – circle code if 'top 3'

Cover: 0.1, 0.2, 0.3, ..., 1, 2, 3, ..., 10, 15, 20, 25, ..., 100% (foliage cover). Note: 0.1% cover is approx. 63x63 cm or a circle about 71 cm diameter, 0.5% approx. 1.4 x 1.4m, 2% cover is approx. 2 x 2m, 5% = 4 x 5m, 25% 10 x 10m

Abundance: 1, 2, 3, ..., 10, 20, 30, ..., 100, 200, ..., 1000

Stratum: E – emergent, C – canopy, M – mid-storey / sub canopy, S – shrub layer, G – ground layer









BAM Site – Plot Species List

400m ² plot: Sheet ____ of ____	Survey Name	Plot ID	Recorders
Date: 2/12/25.	MONITORING	9	A. FRASER

[illegible]

N: native, **E:** exotic, **HTE:** high threat exotic, **GF** – circle code if 'top 3'

Cover: 0.1, 0.2, 0.3..... 1,2,3,....., 10, 15, 20, 25, ... 100% (foliage cover). Note: 0.1% cover is approx.. 63x63 cm or a circle about 71 cm diameter, 0.5% approx. 1.4 x 1.4m, 2% cover is approx. 2 x 2m, 5% = 4 x 5m, 25% 10 x 10m

Abundance: 1, 2, 3, ..., 10, 20, 30, ..., 100, 200, ..., 1000

Stratum: E – emergent, C – canopy, M – mid-storey / sub canopy, S – shrub layer, G – ground layer











APPENDIX F: NESTBOX MONITORING PROGRAM

Nest Box Monitoring Program

987-991 The Entrance Rd & 139 Bali Rd Forrester's Beach

1. Introduction

This Nest Box Monitoring Program outlines the installation, maintenance, and long-term monitoring of 28 artificial nest boxes installed at a density of 15 nest boxes per hectare. It is designed to meet ecological requirements in coastal NSW and support SWC compliance.

It draws upon monitoring methods and ecological knowledge from typical nest-box offset and mitigation programs undertaken in:

- Central Coast NSW (squirrel glider and possum habitat replacement)
- Northern Rivers NSW (microbat roost enhancement and parrot cavity supplementation)
- Greater Sydney/Cumberland Plain (mixed-species offsets following infrastructure clearing)

The program is designed to meet requirements for:

- Environmental approval conditions
- Biodiversity Assessment Method (BAM) offset requirements
- Pre-SWC (Site Works Completion) compliance checks
- Long-term ecological monitoring (≥ 2 years)

2. Objectives

Primary objectives include replacing lost hollow-bearing habitat, monitoring nest box performance every 6 months, and completing two checks prior to SWC. Secondary objectives include threat detection, adaptive management, and long-term fauna response tracking.

Primary Objectives

- Replace habitat features lost due to clearing, specifically tree hollows.
- Provide suitable roosting and nesting opportunities for target fauna species.
- Monitor functional performance at 6-month intervals.
- Complete two monitoring rounds prior to issue of SWC.

Secondary Objectives

- Detect early colonisation patterns by native fauna.
- Identify and manage threats such as feral bees, mynas, or predation.
- Document occupancy trends over time and recommend adaptive actions.

3. Target Fauna

Target coastal NSW hollow-dependent fauna include squirrel gliders, sugar gliders, brushtail possums, rosellas, small parrots, pardalotes, and microbat species such as Gould's wattled bat.

Coastal NSW supports a suite of hollow-dependent fauna, including:

Arboreal Mammals

- *Squirrel Glider (Petaurus norfolcensis)*
- *Sugar Glider (Petaurus breviceps)*
- *Brushtail Possum (Trichosurus vulpecula)*

Birds

- *Eastern Rosella (Platycercus eximius)*
- *Rainbow Lorikeet (Trichoglossus moluccanus)*
- *King Parrot (Alisterus scapularis)*
- *Pardalote spp. and Treecreepers (small hollow-nesting birds)*

Microbats

- *Gould's Wattled Bat (Chalinolobus gouldii)*
- *Little Forest Bat (Vespadelus vulturnus)*
- *Eastern Bent-wing Bat (where appropriate habitat exists nearby)*

4. Nest Box Design and Specifications

Box types include glider/mammal boxes, microbat multi-chamber boxes, small parrot boxes, and small bird boxes. All boxes constructed using weather-resistant materials, stainless fixings, drainage holes, and appropriate entry sizes.

4.1 Construction Materials

- External: Marine-grade plywood (17–25 mm) or high-durability composite wood
- Internal Finish: Rough sawn to allow grip
- Fasteners: Stainless steel or galvanised, corrosion-resistant
- Cavity Sizes: Matched to target species based on NSW OEH guidelines
- Drainage: Holes at base; sloped roof to prevent pooling
- Entry Protection: Metal ring to prevent gnawing (glider/possum boxes)

4.2 Box Types Installed

Box Type	Dimensions (Typical)	Qty	Target Species
Glider / Arboreal Mammal Box	500–600 mm deep; 120 mm entrance	10	Gliders, brushtail possums
Microbat Multi-Chamber Box	3–5 internal chambers	8	Microbat species
Small Parrot Box	350–450 mm deep; 40–50 mm entrance hole	6	Rosellas, lorikeets
Small Bird Box	200–300 mm deep; 30–35 mm entrance	4	Pardalotes, treecreepers

5. Installation Methodology

Boxes installed 4–12 m high, facing south-east to north-east, spaced 20–30 m apart. Mounted using arborist straps or insulated brackets. All boxes mapped with GPS and photographed.

5.1 Placement Criteria

- **Height:**
 - o Mammal boxes: 4–8 m
 - o Parrot boxes: 5–10 m
 - o Microbat boxes: 6–12 m
- **Orientation:**
 - o Avoid west-facing (overheating risk)
 - o Ideal orientation: **south-east to north-east**
- **Spacing:**
 - o 20–30 m apart to reduce competition
- **Avoidance:**
 - o High pedestrian zones
 - o Strong floodlighting
 - o Overhanging limbs prone to storm damage

5.2 Mounting Hardware

- Adjustable **arboreal straps** (tree-friendly, avoids ringbarking)
- Fully insulated brackets to prevent tree damage
- Annual loosening to accommodate trunk growth

5.3 Mapping

Each nest box receives a unique code (e.g., NB01–NB28).
Data recorded includes:

- GPS coordinates (± 5 m accuracy)
- Vegetation community
- Tree species, DBH, height

- Installation height & orientation
- Photo record (base of tree + box close-up + context shot)

6. Monitoring Schedule

Monitoring occurs at installation, 6 months, 12 months (two checks required prior to SWC), and every 6 months thereafter.

Two monitoring rounds must be completed before SWC.

After that, monitoring continues every 6 months.

Stage	Timing	Purpose
Installation Check	Day 0	Confirm correct placement & hardware
Monitoring Round 1	6 months	Structural + fauna usage inspection
Monitoring Round 2	12 months	Required before SWC; trend assessment
Ongoing Monitoring	Every 6 months	Long-term performance tracking

7. Monitoring Methodology

Field inspections use endoscopes, IR cameras, ladders, PPE, and fauna-safe lighting. Each box is checked for fauna occupancy, invasive species, structural integrity, and evidence such as scats, chew marks, staining, or nesting material.

7.1 Inspection Tools

- Digital endoscope (for cavity checks)
- Pole-mounted infrared camera (microbat boxes)
- Telescopic ladder (industrial grade)
- PPE: harness, gloves, helmet
- Fauna-safe torch (low lumen)
- Inspection clipboard or digital app (Fulcrum/Ecologist Pro)

7.2 Inspection Steps (Per Nest Box)

Approach quietly to detect any audible fauna activity.

Assess tree stability and check for hazards.

Inspect external features:

- chew marks
- scratchings
- staining
- scats
- predator presence

Identify any invasive species presence:

- European honeybees
- Ant colonies
- Common Myna
- Rat occupation
- Use endoscope or IR camera to check interior cavity.
- Photograph interior and exterior conditions.

Record fauna:

species name

number of individuals

breeding status (eggs, chicks, pouch young)

Record structural condition:

- joinery

- roof integrity
- mounting stability

Recommend maintenance actions.

Update mapping if box moved or tree altered.

7.3 Risk Management

- Dual-person team for safety
- Fauna handling only by licenced individuals
- Stop work if sensitive breeding fauna present (e.g., young gliders, active roosts)

8. Performance Criteria

At 6 months: $\geq 90\%$ structural integrity and $\geq 20\%$ evidence of use. At 12 months: $\geq 30\%$ usage and $\leq 5\%$ invasive species. At 24 months: 40–50% occupancy expected.

8.1 By 6 Months

- $\geq 90\%$ of boxes intact with secure mounting
- Evidence of fauna inspection/interest in $\geq 20\%$
- No more than 10% occupied by bees/invasives
- Thermal performance appropriate (no overheating damage)

8.2 By 12 Months (Required before SWC)

- $\geq 30\%$ fauna use or strong evidence of visitation
- $\leq 5\%$ invasive species occupation
- All unsafe or damaged boxes replaced
- Habitat placement verified as effective

8.3 Two-Year Targets (Based on Coastal NSW Programs)

- 40–50% occupancy for glider+microbat boxes
- Increasing diversity over time
- At least one breeding event observed for birds or mammals

9. Adaptive Management

Includes repositioning unused boxes, adjusting orientation, replacing damaged units, removing bees, adding predator guards, and improving shading or microclimate.

9.1 If Occupancy is Low (<20% at 12 months)

- Re-orient boxes facing cooler aspect
- Raise or lower height depending on species use
- Relocate boxes >30 m into better-quality vegetation
- Install additional microbat boxes

9.2 If Invasive Species Are Present

- Remove bees and apply deterrent oil
- Install metal entrance restrictors for parrots
- Install baffles or guards for possum/predator control

9.3 If Boxes Deteriorate

- Replace with higher-grade composite models
- Apply roof waterproofing membrane
- Install shade plates to reduce thermal loads

10. Reporting Requirements

Monitoring reports include summary, methods, results, maps, photos, box-by-box tables, and recommendations. A consolidated report is required prior to SWC.

Each monitoring report includes:

10.1 Executive Summary

- Key findings
- Occupancy levels
- Compliance status relative to SWC

10.2 Methods

- Monitoring dates
- Personnel & licences
- Weather conditions
- Tools used

10.3 Results

- Box-by-box table of observations
- Species usage & breeding evidence
- Invasive species impacts
- Condition ratings
- Photographs

10.4 Spatial Products

- Maps showing nest box distribution
- GPS datasets (shapefiles if required)

10.5 Interpretation

- Comparison with expected occupancy for coastal NSW
- Identification of ecological trends
- Success assessment against performance criteria

10.6 Recommendations

- Maintenance needs
- Adaptive management actions
- Next monitoring period actions

A consolidated Pre-SWC Report must be completed after the first two inspections.

11. Expected Outcomes

Typical coastal NSW programs achieve 45–50% occupancy by Year 2, with gliders, parrots, and microbats establishing regular use.

After 6–12 Months

- 10–12 boxes show chew marks or visitation
- 3–5 boxes used by gliders
- 2–4 microbat boxes show guano accumulation
- 1–2 parrot nests with eggs or chicks
- Minor bee occupations (0–2 boxes)

After 24 Months

- 45–50% occupancy
- Established glider family group using multiple boxes
- Regular microbat roost occupancy
- Multiple bird breeding seasons
- Stable long-term fauna utilisation

12. SWC Completion Criteria

Two monitoring rounds completed, corrective actions implemented, all boxes functional, and performance thresholds achieved.

After 6–12 Months

- 10–12 boxes show chew marks or visitation
- 3–5 boxes used by gliders
- 2–4 microbat boxes show guano accumulation
- 1–2 parrot nests with eggs or chicks
- Minor bee occupations (0–2 boxes)

After 24 Months

- 45–50% occupancy
- Established glider family group using multiple boxes
- Regular microbat roost occupancy
- Multiple bird breeding seasons
- Stable long-term fauna utilisation

[Note: This explanatory Note was not updated when this amended VPA was amended and further amended]

APPENDIX

Environmental Planning and Assessment Regulation 2021

(Clause 205)

EXPLANATORY NOTE

Planning Agreement

Under section 7.4 of the *Environmental Planning and Assessment Act, 1979*

Parties

Central Coast Council (ABN 73 149 644 003) of Council Chambers, Hely Street, Wyong in the State of New South Wales (**Council**)

and

Wathara NSW Pty Ltd (ACN 634 482 349) of Level 16, 101 Miller St, North Sydney NSW 2060, in the State of New South Wales (**Developer**)

Description of the Land to which the Planning Agreement Applies

Lot 522 DP 1077907, Lot 3 DP 101649 and Lot 4 DP 1000694 also known as 985-991 The Entrance Road and 139 Bakali Road Forresters Beach.

Description of Proposed Development

Development means the all residential subdivisions of and any subsequent building works on the Land together with ancillary roadworks adjacent to the Land.

Summary of Objectives, Nature and Effect of the Planning Agreement

Objectives of the Agreement

The objective of the Agreement is to identify the material public benefit in the absence of a Local Development Contributions Plan that properly relates to the Development of the Land.

Nature of the Planning Agreement

The Agreement is a planning agreement under section 7.4 of the *Environmental Planning and Assessment Act 1979* (Act). It is an Agreement between the Council and the Developer. The Agreement is a voluntary agreement under which provisions are made by the Developer for the conservation of vegetation and construction of roadworks as material public benefit.

Effect of the Agreement

The Agreement:

- relates to the Instrument Change,
- relates to the carrying out by the Developer of the Development on the Land,
- does exclude the application of section 7.11, section 7.12 or section 7.24 to the Development,
- requires the Developer to dedicate land as material public benefit and undertake certain works,
- required the Council to recognise the value of the material public benefit and undertake certain works,
- required the Developer to restore and maintain the vegetation on C2 zoned land prior to the issue of the subdivision certificate for Stage 1,
- requires the Council to embellish the open space land to be dedicated within 2 years of the land dedication occurring,
- is to be registered on the title to the Land,
- provides dispute resolution methods for a dispute under the Agreement, being mediation and arbitration, and
- provides that the Agreement is governed by the law of New South Wales.

Assessment of the Merits of the Agreement

Planning Purposes Served by the Agreement

In accordance with section 7.4(2) of the Act, the Agreement has the following public purposes:

- the provision of public amenities or public services
- the provision of transport and other infrastructure relating to land
- the conservation or enhancement of the natural environment

The Agreement provides the best means of achieving the above public purposes through the provision of a park, infrastructure for roads and the conservation of wetland vegetation.

How the Deed Promotes the Public Interest

The Agreement promotes the public interest by ensuring the dedication of land to provide for public recreation and undertaking the construction of roadworks and the conservation of endangered ecological community vegetation.

How the Agreement Promotes the Objects of the Act under which it is Constituted

The Agreement promotes the objects of the Act by:

- Promoting the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;
- Facilitating ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment;
- Facilitating the orderly and economic use and development of the Land;
- Protecting the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats.

The Agreement provides Council with the land for a park to serve the local community, roadworks to ensure safety of residents and visitors to the land and works to ensure the conservation of the endangered ecological community.

Councils – How the Agreement Promotes the Council's Charter

The Agreement promotes the elements of the Council's Charter by:

- enabling the provision of adequate, equitable and appropriate services and facilities for the community
- enabling the proper management, development and enhancement of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- enabling it as the custodian and trustee of public assets to effectively plan for, account for and manage the assets for which it is responsible

keeping the local community and the State government (and through it the wider community) informed about its activities. The draft Planning Agreement provides Council with land and public works to enable appropriate services to be provided to the community and for the management of the natural environment for the benefit of those living in the area.

Whether the Agreement Conforms with Council's Capital Works Program

Yes

Council's Operational Plan identified the following objectives:

- Focus area – Cherished and Protected Natural Beauty

F2 Promote greening and ensure the well-being of communities through the protection of local bushland, urban trees, tree canopies and expansion of the Coastal Open Space System (COSS)

- Focus area – Delivering Essential Infrastructure

H1 Solve road and drainage problem areas and partner with the State Government to improve road conditions across the region

- Focus area – Balanced and Sustainable Development

I3 Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitat, green corridors, energy efficiency and stormwater management

The Delivery Program relevant to these objectives are:

- To identify high priority conservation value lands within Central Coast Council local government area to preserve and enhance local and regional biodiversity
- Enable sustainable urban development that values energy efficiency, heritage, local character, the environment, transport, safety and liveability

The draft Planning Agreement conforms with Council's current Operational Plan and Delivery Program as it includes protection of local bushland, dedication of land to Council for open space and the undertaking of roadworks all of which will preserve local biodiversity and improve transport, safety and liveability.

Whether the Agreement specifies that certain requirements be complied with before issuing a Construction Certificate, Subdivision Certificate or Occupation Certificate

Yes.

The Agreement specifies that the Developer must:

- prior to the issue of a subdivision certificate for Stages 1, 2 and 3 of the development of the developer's land, dedicate land to Council and carry out certain works associated with the development of the land.
- prior to the issue of a subdivision certificate for Stages 1, 2 and 3 of the development of the developer's land, undertake roadworks associated with the development of the land.

Park Concept Plan

