



Our Ref: CM:TM:239629

7 June 2018

Steve Edmonds
CEO
Reflections Holiday Parks
PO Box 212, Carrington, NSW 2294

Dear Mr Edmonds

THE TERRACE HOLIDAY PARK BRUNSWICK HEADS NSW

As requested we have reviewed the proposed works for The Terrace Holiday Park and provide the following advice in relation to the relevant planning approval path.

We understand that Reflections are proposing works within the southern precinct of the holiday park including a reduced number of camping sites within a modified site arrangement, the installation of root zone protection, the removal of a number of trees and the carrying out of minor pruning as well as carrying out a significant planting program to replace removed trees but more importantly to establish the vegetation under storey.

We note that the holiday park has operated for a significant period of time including camping within the southern part of the site. We note that the site is zoned for this purpose under Council's LEP.

The southern precinct of the holiday park contains *Callitris Columellaris* trees of the Endangered Ecological Community (EEC) - Coastal *Callitris* Pine Forest. The EEC within the site is largely restricted to canopy trees with the understorey having been largely removed to make way for camping. The use of the site for camping occurring well before the significance of the vegetation was understood and well before the Pine forest was designated as an EEC in 2008. The significance of the vegetation is documented in the report prepared by Kingfisher Urban Ecology and Wetlands which we have reviewed. The proposed works have also been considered by ArborSafe who have prepared an Arboricultural Impact Assessment. We have also reviewed this report.

Our assessment of the proposed works in consideration of these reports is that a significant improvement of the EEC will result creating a more favourable ecological outcome by reducing the intensity of camping (some 33% reduction in camp sites). It is considered that the works will achieve a more sustainable balance between the protection and enhancement of the important EEC as well as the social, cultural and recreational values

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of the ongoing use of the site for camping.

Planning Process

SEPP Infrastructure (Clause 65 (2) (d)) advises that development for the purposes of implementing a plan of management (POM) is development without consent; there is an approved Plan of Management (dated April 2014) in place for the site. In such situations the Environmental Planning and Assessment Act requires that an Environmental Assessment be carried out under Part 5 of the Act. This assessment is carried out by the relevant authority carrying out the works. Where an assessment is carried out under Part 5 Development Consent under Part 4 is not required (i.e. a development application to the local council).

Are the works proposed for the purpose of implementing a plan of management? Whilst the works result in a layout that is different from that depicted in the POM, we believe that the works and resulting site layout are for the purpose of implementing the POM. The POM envisaged camping for this part of the site and camping is proposed. The POM is clear about the need to manage the existing vegetation on site and refers to a reduction of sites. Approved activities and works in the POM for the southern precinct include all of the works proposed. On this basis and having regard to SEPP Infrastructure the proposed works can and should be assessed under Part 5 of the Act. This will require the preparation of a REF. The REF will need to address all impacts of the proposal. It will be necessary to address the Biodiversity Conservation Act 2016 as part of the REF.

Approval to Operate (Section 68 Approval Local Government Act)

Council is able to issue a Section 68 Approval independent of the proposed works. The section 68 Approval can by way of condition(s) refer to the need to implement the new works subject to them obtaining the relevant planning approval within a reasonable timeframe of the licence being issued (This would be an approval under Part 5 of the Act as outlined above).

Should you have any questions in relation to the above please do not hesitate to contact the undersigned.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Craig Marler', written over a horizontal line.

Craig Marler
Planning Manager
ADW Johnson Pty Ltd
Hunter Office

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