

20 February 20, 2025



James Reprai
Acting General manager
Shoalhaven City Council

Reference Cleary Bros DA24/2388

Dear Mr. Reprai,

I am writing to raise Berry Landcare concerns regarding a proposed subdivision by Cleary Bros DA24/2388. This DA spans both Kiama and Shoalhaven Municipalities and encompasses Foys swamp, an area of significant vegetation and identified vegetation corridors, including the Berry Wildlife Corridor on which \$500,000 of NSW Environment Trust funds have recently been spent on the Berry Bushlinks project. This project is currently ongoing by Berry Landcare. We understand that Shoalhaven City Council has confirmed its commitment to conserving native vegetation and wildlife corridors.

We would like to express our opposition to placing a subdivision in such a sensitive area, without specific on-title conditions to conserve and manage all native vegetation following a thorough and appropriate environmental report, ensuring connectivity for isolated populations such as the Greater Glider *Petauroides volans* from east to west. We would also like to make some preliminary observations about the inadequacies in the **Flora and Fauna Report** by Marcus Burgess and Tanita Gordon of "Good Bush".

1. We note that the report is a desktop report with minimal fieldwork surveys and some protected Endangered Ecological Communities and mammal species are not identified. It is quite surprising to note that the well-documented presence of the Greater Glider, *Petauroides volans* is not included in the endangered or threatened mammal list and the primary habitat of the species is not identified. (A recent University of Wollongong Greater Glider study has advised that the population in Seven Mile Beach N.P. is on the edge and could easily be pushed into extinction should it remain isolated).
2. The Report doesn't mention or address the presence of the Berry Bush Links and SRCMA Corridors that traverses the proposed subdivision in both Municipalities, nor does it explain how the subdivision can assist in the implementation of this Corridor (see appendix 1).
3. The report does not suggest nor recommend the use of Camera trapping. Given that many of the endangered marsupials are nocturnal and are probably living in the tree hollows

identified by the report, Berry Landcare would request SCC to insist on a survey utilising extensive camera trapping throughout several seasons as a mandatory requirement, should there be any consideration for felling or removing such trees. The new Land Titles should include a requirement to preserve such trees.

4. The vegetation to the west of the dredge pond is a very significant stand of highly important Swamp Sclerophyll Forests EEC (Endangered Ecological Community) listed in the "Good Bush" report shown in map 10 as orange incorrectly naming it as "South Coast Sands Bangalay Forest. This stand is within a wetland next to Foyes swamp (possibly within Foyes Swamp) and has species like Swamp Oak (*Casuarina glauca*) Swamp Mahogany (*Eucalyptus robusta*) and on it goes, none of which are belong in the Bangalay Sand Forest listing.

5. The major make up of the stand is Swamp Mahogany (*Eucalyptus robusta*). So important was this forest that Planning Minister at the time Dr Andrew Refshauge protected it from sand mining 2001-3003. Not only does it distinguish itself from most other vegetation within Seven Mile beach NP by flowering during winter. It very importantly produces significant large hollows the big enough for a Greater Gliders. By planting a good stand of Blackbutt trees (*Eucalyptus pilularis*) along Beach Rd in Lot 11 west of this already protected zone Greater Gliders would have their needs taken care of.

6. The statement in the Good Bush report there are Rough Bark Apple (*Angophora floribunda*) still on site while not listed as prime Greater Glider food they as now considered the only other possible food source in this area. The northern end is also incorrectly shaded as sand it is in fact a Littoral Rf EEC. This was established in LEC GEPS vs DoP (2007-2008)

7. Refer attached Area of Outstanding Biodiversity Value nomination by Gerroa Environmental Protection Society.

In summary, any subdivision, rezoning or development in such a sensitive ecological area warrants far greater environmental assessment than that has been provided in the current DA. Landcare is prepared to engage with the landowners and councils to ensure an accurate and improved DA is developed.

Yours Sincerely



David Kraus

Chairperson
Berry Landcare Inc.

Cc: Shoalhaven Mayor and Councilors, Berry Forum

Appendix 1

The Berry and SCRMA vegetation corridors encompass most of the proposed subdivision area, recently funded by \$500,000 from the NSW Environment Trust.

