



Department of Planning and Environment

The General Manager
(Att: Nicole Aiken)
Camden Council
PO BOX 183
CAMDEN NSW 2570

Our ref: DOC22/33590
Your ref: PP/2021/10/1

Dear Nicole

Subject: Preliminary comments on Planning Proposal for 229 Macquarie Grove Road Cobbitty (Mater Dei/Wivenhoe)

Thank you for your email dated 22 December 2021 seeking preliminary feedback on the subject planning proposal. EES has reviewed the preliminary plans and information provided and notes that the objective of the planning proposal is to facilitate the long-term sustainability and conservation of the subject property and its uses into the future whilst also allowing for a future super lot subdivision of the site.

EES is generally supportive of the proposal however the following matters are raised for further consideration.

- There are inconsistencies between the proposed zoning maps and the indicative proposed super lot subdivision shown in the Planning Proposal Request prepared by Pascoe Planning Solutions (October 2021). For clarity, particularly regarding impacts to existing E2 zoned, these plans should be consistent.
- The proposal seeks to rezone areas to the north of the existing RU5 area of the site from E2 – Environmental Conservation (E2) to SP2 - Education Establishment (SP2). EES understands these existing E2 areas form part of a larger offset area for the Wivenhoe development and are subject to management under an approved Bushland Conservation Management Plan (CMP). It should be clearly demonstrated that the boundary of the proposed SP2 zoned land does not extend beyond cleared or highly disturbed areas.

The Biodiversity Overview and Management Principals Report (Travers Bushfire and Ecology, 2021) should be amended to include a section focused on the areas of E2 zoned land now proposed for SP2 zoning. The amendments should include accurate maps and area calculations of the existing areas to be rezoned from E2 to SP2, justification for this change and an ecological review of the area to ensure no high value lands are to be lost.

- Further to the above, the impact of this proposal on the existing planning agreements/CMP covering E2 land to the north and west of proposed SP2 land should be addressed.
- Although the proposal will lead to an overall larger area of land zoned E2 across the site, most of the area to become E2 is already protected under Biodiversity Stewardship Agreements. Overall, this proposal will result in a small reduction of land currently set aside for conservation. Consideration should be given to opportunities to maintain the existing area of conservation lands. For example, through the inclusion of an equivalent offset area elsewhere on site.

- EES notes that the lands proposed to be rezoned SP2 and R2 contain areas of high environmental and biodiversity value. Any future subdivision and/or development of the site will be required to consider the relevant provisions of the Biodiversity Conservation Act 2016 including application of the Avoid, Minimise and Offset framework.

The Biodiversity Conservation Trust (BCT) has also raised the following comments in relation to the proposal and the land subject to Biodiversity Stewardship Agreements (BSA) BA81 and BA217.

- The proposed E2 Environmental Conservation zone for the BSA land is compatible with the terms of the BSAs and is supported. While the zoning change will not provide additional protection for the BSA land it will better reflect the lands status under an in-perpetuity conservation covenant.
- The small area of SP2 Air Transport Facility zoned land within the BSA land is not compatible with the BSAs – it would be desirable to also rezone this area to E2.
- The proposed zoning change for the land immediately adjacent to the BSAs (i.e. from RU1 – Primary Production to SP2 – Education Establishment and RU2 – Rural Landscape) is consistent with the existing land-uses in these areas.
- Any indirect impacts on the BSAs from future development proposals on adjacent land will need to be identified and addressed through the development assessment process.
- GIS Shape files of the proposed new zone boundaries should be provided that demonstrate they align with the BSA boundaries.

If you have any queries please contact Shaun Hunt, Senior Conservation Planning Officer at shaun.hunt@environment.nsw.gov.au or 02 8275 1617.

Yours sincerely



04/02/22

Susan Harrison
Senior Team Leader Planning
Greater Sydney Branch
Biodiversity and Conservation Division