

General Manager  
Port Macquarie – Hastings Council  
PO Box 84  
PORT MACQUARIE NSW 2444

Attention: Ms Leanne Fuller, Land Use Planner

Dear Dr Allen

**RE: Consultation on Planning Proposal - South Blackwood Street / Wonga Crescent South Lindfield (PP\_2021-6399)**

Thank you for your referral dated 13 April 2022 about the Planning Proposal at South Blackwood Street / Wonga Crescent, South Lindfield, seeking comments from the Biodiversity and Conservation Division (BCD) of the Biodiversity, Conservation and Science Directorate in the Environment and Heritage Group of the Department of Planning and Environment. I appreciate the opportunity to provide input prior to this proposal being placed on public exhibition.

We have reviewed the documents supplied and generally support the proposal to zone land C2 Environmental Conservation to protect threatened species habitat, provide a vegetated buffer to the Lake Innes Nature Reserve and provide and protect connected wildlife corridors. We note the reduced area to be zoned R1 General Residential generally aligns with the area mapped for urban investigation. We have however identified issues with the adequacy of the documents to guide the protection and management of the C2 zoned land and the scope of the planning proposal. These issues are discussed in detail in **Attachment 1** to this letter.

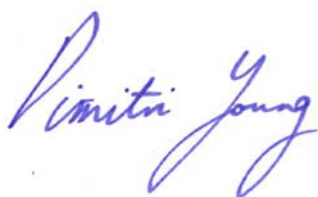
In summary, the BCD recommends that:

1. The part of Lot 499 DP12585897 that is proposed to retain the RU1 Primary Production zone should instead be zoned C2 Environmental Conservation where it intersects with the Biodiversity Values map, with the balance of the RU1 part of the land zoned RE2 Private Recreation.
2. The draft Koala Plan of Management should be revised to include:
  - a. mapping of local koala linkages in both the east-west and north-south direction.
  - b. reference to the Department's Koala Habitat Conservation Guidelines which require that to best practice revegetation works involve, such as planting a mix of trees, shrubs and groundcovers and shade and shelter trees as well as koala feed trees.
  - c. clarification of the timetable for the Koala Presence and Usage Surveys, with surveys ideally undertaken on an ongoing basis to monitor compliance and achievement of the plan's objectives over time.
  - d. updates of the estimates for the distribution and abundance of koala in the local government area and for local populations post the 2019/2020 bushfires.

3. A Planning Agreement should be prepared and executed between the Port Macquarie Hastings Council and the landholder that commits the landholder to protecting and managing all the C2 zoned land through the preparation and implementation of a Vegetation Management Plan (VMP) prepared and approved as part of the first subdivision application for the land proposed to be zoned R1 and exhibited with the planning proposal.
4. The Vegetation Management Plan should:
  - a. provide objectives, specific measures and targets, responsibilities, milestones and reporting measures to protect, restore and manage the C2 lands in perpetuity.
  - b. include an objective to fully restore and revegetate the land to vegetation communities that are representative of what would have been the naturally occurring Plant Community Types in this area.
  - c. provide for the revegetation (through assisted native regeneration and planting of tubestock) and ongoing management (including weed control) of all areas proposed to be zoned C2 .
  - d. specify species, sizes, locations, establishment and maintenance prescriptions and timeframes for the koala offset planting and other replanting, including replacement measures for any losses, and demonstrate the capacity of the land to accommodate the offset plantings in locations that do not require the removal of native trees and which have adequate canopy gaps.
  - e. specify that no stormwater infrastructure, roads (noting roads are permitted with consent in the C2 zone) or bushfire asset protection zones will be located within the land to be zoned C2.
  - f. include a sub-plan containing specific measures for the protection and management of threatened entities such as the native guava (*Rhodomyrtus psidioides*).
  - g. be required to be implemented for a minimum of 20 years.
  - h. be prepared in consultation with the council and the BCD.
5. The Bushfire Assessment Report must be amended to assess bushfire risks based on the future condition of the vegetation to be established on the land through the VMP, that is, as fully vegetated and not cleared land, and bushfire asset protection zones should be contained wholly within the R1 zoned land.

If you have any questions about this advice, please do not hesitate to contact Ms Rachel Lonie, Senior Conservation Planning Officer, at [rachel.lonie@environment.nsw.gov.au](mailto:rachel.lonie@environment.nsw.gov.au) or 6650 7130.

Yours sincerely



4 May 2022

**DIMITRI YOUNG**  
**Senior Team Leader Planning, North East Branch**  
**Biodiversity and Conservation**

Enclosure: Attachment 1. Detailed BCD Comments - Planning Proposal at South Blackwood Street / Wonga Crescent, South Lindfield

## Attachment 1: Detailed BCD Comments – Planning Proposal at South Blackwood Street / Wonga Crescent, South Lindfield

The Planning Proposal involves rezoning of part Lot 499 DP12585897 from RU1 Primary Production to R1 General Residential and C2 Environmental Conservation with associated amendments for minimum lot sizes. The Biodiversity and Conservation Division (BCD) of the Department of Planning and Environment has reviewed the Planning Proposal and we provide the following advice.

### 1. Scope of the Planning Proposal

The BCD previously outlined in our letter dated 11 September 2020, the need for a strategic planning assessment for all RU1 Primary Production zoned land across the planning area to identify and protect all confirmed High Environmental Value land.

As shown in Figure 1 below, an area previously approved for a golf course and identified as a 'Koala Meadow' in the Planning Proposal report is to remain zoned RU1. We consider it would be desirable that no land be retained as RU1 in the planning area given it is no longer an appropriate zone in this location. We note that much of this proposed RU1 zoned land is mapped on the Biodiversity Values map indicating that these areas are High Environmental Value (HEV) land. This includes additional areas that are identified as being Swift Parrot Important Areas Habitat. The Swift Parrot (*Lathamus discolor*) is a Serious and Irreversible Impact threatened entity.



Figure 1. Planning Proposal showing proposed zones with retained RU land

This strategic approach should include consideration of community needs for public open space. It would be beneficial to provide public open space associated with this Planning Proposal to meet the growing need for active recreational uses (playgrounds, bike tracks, dog walking etc.) as the urban density increases. There is a need to provide such areas to relieve pressures on land zoned for conservation and the Lake Innes Nature Reserve as such areas can become degraded through inappropriate access and recreational uses.

The planning proposal is an opportunity to consider the most appropriate zones for land within the entire Lot 4 and the proposed RU1 zone is incompatible with current and future surrounding land uses. Application of the C2 and RE2 Private Recreation zones over the remainder of land that is proposed to be retained as RU1 would provide a more appropriate zoning outcome that better aligns with the HEV attributes of the land and the current and future surrounding land uses.



## BCD Recommendation

1. The part of Lot 499 DP12585897 that is proposed to retain the RU1 Primary Production zone, should instead be zoned C2 Environmental Conservation where it intersects with the Biodiversity Values map, with the balance of the RU1 part of that land zoned RE2 Private Recreation.

## 2. Koala Plan of Management

The Gateway Determination requires an approved Koala Plan of Management prior to finalising the plan. A draft Koala Plan of Management (dKPOM) dated 28 February 2022 has been prepared by Wolfpeak and forms part of the proposed exhibition documents.

The dKPOM identifies offset planting areas for the loss of 16 koala food trees in the areas proposed to be zoned C2 Environmental Conservation. The offset planting is only identified in several narrow strips within the C2 area (see Figure 2 below).



**Figure 2. Koala offset planting areas**

We support the planting of offset koala feed trees. However, as previously recommended, the dKPOM should reference the Department's [Koala Habitat Restoration Guidelines](#) to ensure the revegetation to create koala habitat will be best practice. For example, the guidelines state a mix of trees, shrubs and groundcovers is important for ecosystem functionality and the long-term viability of the site and that koalas benefit from access to shade and shelter trees that may not be koala food trees. We recommend the entire area to be zoned C2 should be revegetated (as discussed further below) to provide the full suite of koala habitat and connectivity and to provide a vegetated buffer to the coastal wetland in the south.

The dKPOM states *"no road will bisect habitat"* and *"no new internal roads or tracks will pass through vegetation that forms part of a linkage between retained habitat"*. The dKPOM does not include mapping of these local linkages as previously recommended by the BCD and only includes a coarse scale map of regional corridors. We reiterate the dKPOM should include mapping of local koala linkages. These occur in both the east-west and north-south directions as described in the [South Lindfield KPOM](#).

The dKPOM includes a requirement for a Koala Presence and Usage Survey under section 7.1.2 Koala Monitoring. The timing for these surveys needs to be clarified. Ideally the surveys would be

undertaken on an ongoing basis to monitor compliance and achievement of the dKPoM objectives over time.

The estimates for the distribution and abundance of koala in the local government area and locally is dated and contains data gathered prior to the catastrophic bushfires of 2019. Although there is a reference to long-term monitoring of the Mill Hill/Ruins Way and Ascot Park sites by Vilro coupled with studies by Darkheart and Naturecall that “*provide a high level of confidence of the size and seasonal variation in use of habitat within the study area*”, such studies appear to all have been undertaken before the bushfires. Post 2019/2020 bushfire assessment of koala distribution and abundance is therefore lacking.

### *BCD Recommendations*

2. The draft Koala Plan of Management should be revised to include:
  - a. mapping of local koala linkages in both the east-west and north-south direction.
  - b. reference to the Department's Koala Habitat Conservation Guidelines which require that to best practice revegetation works involve, such as planting a mix of trees, shrubs and groundcovers and shade and shelter trees as well as koala feed trees.
  - c. clarification of the timetable for the Koala Presence and Usage Surveys, with surveys ideally undertaken on an ongoing basis to monitor compliance and achievement of the plan's objectives over time.
  - d. updates of the estimates for the distribution and abundance of koala in the local government area and for local populations post the 2019/2020 bushfires.

### **3. Vegetation Management Plan**

The BCD has long supported a 50m wide vegetated buffer along the southern boundary of the planning area. As outlined in our letter dated 22 June 2016 on an earlier Planning Proposal for this planning area, the BCD stated this would be an important mitigation measure in that it would:

- maintain and increase the viability of the swamp sclerophyll forest endangered ecological community
- increase habitat availability for threatened species known and likely to occur in the planning area, particularly for koala and swift parrot
- provide a buffer from future development for the adjacent Lake Innes Nature Reserve
- enhance east-west wildlife corridor function and habitat connectivity, and
- provide a suitable location for the provision of offset tree plantings for preferred koala food trees to be removed as part of future development in the planning area.

Our more recent letter dated 24 February 2021 recommended the proposed C2 zoned land in the south of the planning area should be “*extended to the coastal wetland / Lake Innes Nature Reserve boundary and be revegetated, including with plantings of koala feed trees, to form a vegetated buffer to the wetland and the nature reserve*”.

The Planning Proposal and associated documents do not adequately describe how the land to be zoned C2 will be revegetated, replanted and managed in perpetuity. The BCD has recommended the C2 zoned land be fully revegetated either through assisted regeneration where sufficient native seed stock remains in place or, where areas are cleared and natural regeneration is unlikely to occur, that areas are planted with tubestock with a range of native understorey, midstorey and canopy plantings.

It would be preferable for the areas to be zoned C2 to be dedicated to the council for long-term management, following embellishment planting of koala food trees and other revegetation, restoration and weed control works. However, we understand this is not currently council policy.

Where land zoned C2 is held in private ownership, satisfactory arrangements should be put in place for ongoing maintenance in perpetuity, and a Vegetation Management Plan (VMP) should be required to be implemented for a minimum of 20 years.

The BCD requests consultation on the VMP prior to it being finalised and approved by the council. During consultation the BCD will refer it internally to the National Parks and Wildlife Service for comment

#### *BCD Recommendations*

3. A Planning Agreement should be prepared and executed between the council and the landholder that commits the landholder to protecting and managing all the C2 zoned land through the preparation and implementation of a Vegetation Management Plan (VMP) prepared and approved as part of the first subdivision application for the land proposed to be zoned R1 and exhibited with the planning proposal.
4. The VMP should:
  - a. provide objectives, specific measures and targets, responsibilities, milestones and reporting measures to protect, restore and manage the C2 lands in perpetuity.
  - b. include an objective to fully restore and revegetate the land to vegetation communities that are representative of what would have been the naturally occurring Plant Community Types in this area.
  - c. provide for the revegetation (through assisted native regeneration and planting of tubestock) and ongoing management (including weed control) of all areas proposed to be zoned C2 .
  - d. specify species, sizes, locations, establishment and maintenance prescriptions and timeframes for the koala offset planting and other replanting, including replacement measures for any losses, and demonstrate the capacity of the land to accommodate the offset plantings in locations that do not require the removal of native trees and which have adequate canopy gaps.
  - e. specify that no stormwater infrastructure, roads (noting roads are permitted with consent in the C2 zone) or bushfire asset protection zones will be located within the land to be zoned C2.
  - f. include a sub-plan containing specific measures for the protection and management of threatened entities such as the native guava (*Rhodomyrtus psidioides*).
  - g. be required to be implemented for a minimum of 20 years.
  - h. be prepared in consultation with the council and the BCD.

#### **4. Bushfire Assessment**

The Bushfire Assessment Report maps the buffer area to the coastal wetland to be zoned C2 as 'Grasslands'. The report must be amended to assess bushfire risks based on the future condition of the land, i.e. as fully revegetated and not cleared land. All bushfire asset protection zones should be contained wholly within the R1 zoned land/development footprint. The National Parks and Wildlife Service advises that it will not be providing any additional fire protection measures in the Lake Innes Nature Reserve.

#### *BCD Recommendation*

5. The Bushfire Assessment Report must be amended to assess bushfire risks based on the future condition of the vegetation to be established on the land through the VMP, that is, as fully vegetated and not cleared land, and bushfire asset protection zones should be contained wholly within the R1 zoned land.