



NPWS reference: DOC21/1036574

Planning Portal reference: Ref-840

Planning Proposal: PP-2021-3922

General Manager
Cessnock City Council
PO Box 152
CESSNOCK NSW 2325
By NSW Planning Portal

Attention: Keren Brown – Principal Strategic Planner

Dear Sir/Madam,

Re: NSW National Parks and Wildlife Service comments on Planning Proposal to amend the Cessnock Local Environmental Plan 2011

I refer to the notification to National Parks and Wildlife Service (NPWS) seeking comment on the Planning Proposal for numerous administrative amendments to the *Cessnock Local Environmental Plan 2011* (CLEP 2011) dated 5 May 2021. NPWS acknowledges this represents consultation as required under clause 1(a) of the Gateway Determination issued by the Department of Planning, Industry and Environment on 8 September 2021.

Thank you for the opportunity to review the documentation. On review of the proposal, there are three proposed mapping amendments of relevance to NPWS that have been assessed. These include:

- Amendment 1 (p.4) - Lot, 67, 91, 126, 140, 179, 180, 193, 194, 207 and 208 DP 755272 and Lot 19, 24, 32, 43, 46 and 64 DP 755213 relating to lands reserved as Yengo National Park and Yango State Conservation Area
- Amendment 2 (p.12) - Lot 181 DP 755241, Lot 63 DP 755217, Lot 220 DP 755230 relating to land that has been acquired for future reservation as Pokolbin State Conservation Area and Warrawalong Nature Reserve
- Amendment 3 (p.21) - DP 755272 relating to lands reserved as Yango State Conservation Area

NPWS generally supports Amendment 1 and Amendment 3. However, concern is raised with regards to Amendment 2.

Amendment 2 proposes to rezone land from RU2 Rural Landscape to RU3 Forestry to “reflect additional properties that have acquired by NPWS for compensatory habitat for offset development.” However, in this circumstance, it is inappropriate to zone land acquired under the *National Parks and Wildlife Act 1974* (NPW Act) as RU3 Forestry. In accordance with the letter advice addressed to Cessnock City Council from NPWS dated 2 June 2016 (refer Appendix 1 of the Planning Proposal), the addition of these lands to NPWS estate will allow for greater consistency of management actions across NPWS managed lands and secures

protection of suitable habitat for a range of threatened flora and fauna communities. This land has been acquired for future reservation as:

- Pokolbin State Conservation Area (Lot 181 DP755241 and Lot 63 DP 755217)
- Warrawalong Nature Reserve (Lot 220 DP 755230)

Accordingly, the land proposed for rezoning under Amendment 2 should be zoned E1 National Parks and Nature Reserves not RU3 Forestry to reflect that it is land reserved under the NPW Act.

Additionally, please note that the proposed rezoning of Lot 64 DP755213 (outlined under Amendment 1) from RU2 Rural Landscape to E1 National Parks and Nature Reserves is located within Yango State Conservation Area not Yengo National Park.

If you have any questions regarding the above, please contact me on 02 6574 5519 or via email at phil.bryant@environment.nsw.gov.au.

Yours sincerely



PHIL BRYANT

**Manager, Wollemi-Yengo Area
National Parks and Wildlife Service**

22 November 2021