



Office of
Environment
& Heritage

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Ms Waterworth
Manager, North West Land Release
NSW Department of Planning and Environment
PO Box 404
PARRAMATTA NSW 2124

Dear Ms Waterworth

West Schofields Precinct

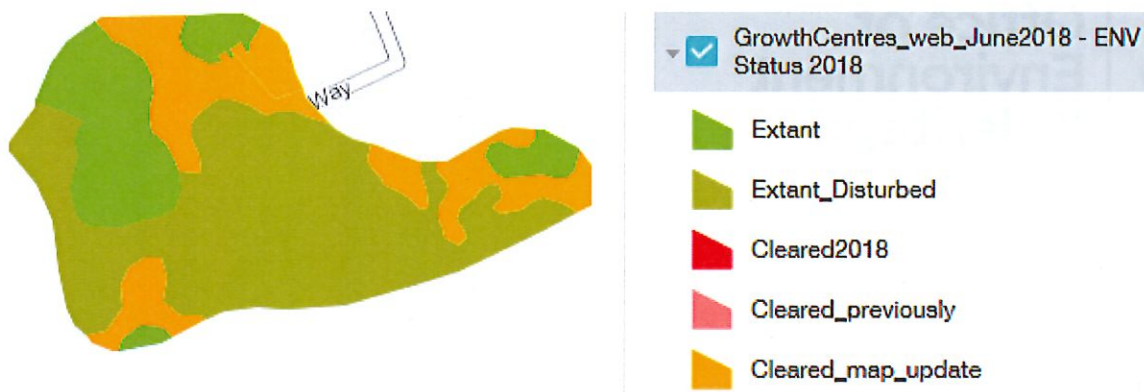
I refer to the Department of Planning and Environment (DPE) letter of 10 July 2018 seeking comments from the Office of Environment and Heritage (OEH) under section 3.25 of the *Environmental Planning and Assessment Act 1979* and the recent exhibition of the draft masterplan for the West Schofields precinct within the North West Growth Centre.

OEH has reviewed the exhibited documents and provides the following advice in relation to biodiversity matters. OEH is also reviewing the documents related to flooding and Aboriginal cultural heritage and may provide advice on these matters within the next two weeks.

OEH notes from the Biodiversity and Riparian Assessment (BARA) that 74.20ha of the Existing Native Vegetation (ENV) has been validated within the precinct. The validated ENV comprises 27.25ha and 46.95ha respectively in the certified and non-certified areas of the precinct. A minimum of 52.55ha of ENV must be protected within the precinct to maintain parity with the 2,000ha growth centres biodiversity certification target. Based on the findings in the BARA, the Biodiversity Consistency Report (BCR) advises that 57.95ha of ENV will be protected within the draft precinct plan. OEH is concerned, however, that the actual area of ENV within the precinct may be significantly less than the validated ENV area reported in the BAR. This is because:

- the field surveying undertaken to support the validation of ENV was limited to a total of 64-person hours over 3 days during June 2016 and March 2017 with many areas not surveyed (e.g. bushland to the west of the CSR site) due to property access issues
- a more recent assessment of ENV status by the DPE which indicates many areas of BARA validated ENV is not ENV (as at 30 June 2018).

OEH understands the consultants who prepared the BARA consider the field surveying undertaken was adequate as *'the primary objective was to support the aerial photo interpretation of extant ENV'*, however, there are significant differences in the area of validated ENV (in the BARA) and extant ENV (in the DPE assessment). For example, over 30% of the 3ha of BARA validated ENV at the end of Denmark Road is either cleared or cannot be counted as ENV as the remaining patches are less than 0.5 ha according to the DPE assessment (see below).



For the larger BARA validated ENV area along Bells Creek between Vine Street and Canarvon Street, the DPE assessment indicates around 2ha has been cleared (see below).



OEH considers it critical that DPE review the DPE assessment and supporting GIS data against the BARA validated ENV to confirm the actual area of ENV (and Additional High Conservation Value Vegetation). Depending on the outcome of this review, the BCR may need to be revised and/or amendments to the Indicative Layout Plan (ILP) may be necessary to ensure the precinct ENV parity target of 52.55ha is achieved.

In relation to the planning mechanisms proposed for protecting ENV, OEH's recommended planning hierarchy as previously advised is:

- 1st preference – E2 Environmental Conservation zone in public ownership with permissible uses consistent with the conservation of biodiversity values.
- 2nd preference – E3 Environmental Management zone in public ownership with permissible uses consistent with the conservation of biodiversity values.
- 3rd preference – RE1 Public Recreation zone with management of the conservation values of land as a primary objective.

- 4th preference – SP2 Infrastructure zone with management of the conservation values of land as a primary objective.
- 5th preference – E2 Environmental Conservation zone in private ownership with permissible uses consistent with the conservation of biodiversity values.

It is noted that while all ENV proposed for protection will be located on land to be zoned E2, RE1 or SP2, only land proposed to be zoned RE1 and SP2 (and the E2 zone land west of the CSR site) will be acquired by a public authority. No information is provided in the BCR to indicate that ENV on these public lands will be managed with the protection of conservation values as a primary objective. It is also noted that the majority of ENV proposed for protection on land to be zoned E2 will be in private ownership. OEH continuing concern is what arrangements are proposed to provide in-perpetuity security of ENV proposed for protection

If you have any queries about this advice, please contact Richard Bonner on 9995 6917 or by email at richard.bonner@environment.nsw.gov.au.

Yours sincerely

S. Harrison 10/10/18

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