



Our ref: DOC20/846224-1

Your ref: PP_2020_CCOAS_005_00

Ms Shannon Turkington

Senior Strategic Planner
Urban Planning and Development
Central Coast Council
PO Box 20 Wyong, NSW 2259
shannon.turkington@centralcoast.nsw.gov.au

Dear Ms Turkington

Doyalson Wye RSL Club planning proposal, 80 – 90 Pacific Highway, Doyalson

Thank you for your email of the 14 October 2020 asking the Biodiversity Conservation Division (BCD) for further consultation in relation to the biodiversity outcomes, in particular in relation to the location and width of biodiversity corridors.

BCD has reviewed the Gateway determination, the planning proposal (May 2020), the Biodiversity Strategy – Planning proposal for Doyalson Wye RSL (7 December 2020), the “Updated Ecology and Biodiversity Assessment (25/6/2019)”, the corridor mapping revision B, and the Biodiversity outcomes map.

Biodiversity and Conservation Division’s (BCD) recommendations are provided in **Attachment A** and detailed comments are provided in **Attachment B**. If you require any further information regarding this matter, please contact Karen Thumm, Conservation Planning Officer, on 4927 3153 or via email at rog.hcc@environment.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Cox'.

12 January 2021

STEVEN COX
Senior Team Leader Planning
Hunter Central Coast Branch
Biodiversity and Conservation Division

Enclosure: Attachments A and B

BCD's recommendations

Doyalson Wyee RSL Club planning proposal

1. The inconsistency with Section 9.1 Ministerial Direction 2.1 should be justified in the planning proposal.
2. BCD recommends that the proponent identifies a mechanism to ensure that the function of the proposed biodiversity corridors is maintained into the future.
3. BCD recommends that the planning proposal includes a copy of the proposed planning agreement, including details of how the proposed biodiversity corridors will be secured (what land conservation mechanism), who will own them and who will manage them.

BCD's detailed comments

Doyalson Wyee RSL Club planning proposal

Biodiversity

1. The planning proposal is inconsistent with Section 9.1 Ministerial Direction 2.1

The planning proposal provides no justification in accordance with Section 9.1 Ministerial Direction 2.1. for a reduction in environmental protection due to the change in zone. The rezoning proposes a change from RE2 (Private Recreation) to R2 (Low Density Residential), and from RU6 (Transition) to R2 (Low Density Residential) and RE2 (Private Recreation). The objectives of an RU6 zone are as 'a transition between rural and other land uses of varying intensities or environmental sensitivities' and 'to minimise conflict between land uses within this zone and land uses within adjoining zones'. The NWSSP included much of its RU6 zone in the category of 'strategically constrained sites subject to further investigation' in recognition of the high conservation value of this region. As the RU6 zone is proposed to be rezoned to an R2 and RE2 zone, this lowering in environmental protection should be justified in the planning proposal.

Recommendation 1

The inconsistency with Section 9.1 Ministerial Direction 2.1 should be justified in the planning proposal.

2. Areas of the proposed corridors are not owned by the proponent

The current planning proposal relies on land on the eastern side of the property and owned by other landowners to form a 62 metre wide biodiversity corridor running east to west, and a 40 metre wide biodiversity corridor running north-west to south-east (plus more minor proposed corridors in the south). The planning proposal does not state how the biodiversity corridors will be managed or who will be responsible for their management. As some of the corridor area is not owned by the proponent, there is no certainty that corridor function will be maintained in future, as the neighbouring landholder may also have development aspirations.

Recommendation 2

BCD recommends that the proponent identifies a mechanism to ensure that the function of the proposed biodiversity corridors is maintained into the future.

3. There is no mechanism to protect the biodiversity corridors which will be zoned R2 or RE2 in future

There are no statutory mechanisms currently proposed to provide certainty for any of the biodiversity corridors in this planning proposal. The map of proposed zones shows that all areas retained as corridors in the planning proposal are proposed to be zoned R2 (Low Density Residential) or RE2 (Private Recreation) and there are no Environmental zones.

BCD recommends that the proponent investigate mechanisms by which certainty can be provided to the security and management of the biodiversity corridors. This may be through the use of Environmental zones and lots with split zones. The planning proposal states that a planning agreement will be set up between Central Coast Council and the proponent to ensure biodiversity corridors are provided. However the planning agreement has not been provided with the planning proposal. A copy of the planning agreement should be provided to

demonstrate the proposed conservation and management mechanisms that will be undertaken across the proposed biodiversity corridors.

Recommendation 3

BCD recommends that the planning proposal includes a copy of the proposed planning agreement, including details of how the proposed biodiversity corridors will be secured (what land conservation mechanism), who will own them and who will manage them.