



Office of Environment & Heritage

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Our reference: DOC19/319245
Contact: Calvin Houlison
4224 4179

Casey Joshua
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Department of Planning & Environment

Via e-mail: casey.joshua@planning.nsw.gov.au

Dear Casey

**RE: Calderwood Concept Plan Mod 5 Response To Submissions – OEH Comments
(MP09_0082 MOD 5)**

Thank you for consulting us with regard to the abovementioned Response To Submissions. The original modification proposed amending the Concept Plan to facilitate subdivision of the E3 zoned lands into five large lots of >2000m², allowing for an “environmental lifestyle” dwelling on each lot. We understand that significant amendments have now been made as part of the RTS and our comments are provided below.

Biodiversity

Our comments on the proposed modification dated 3 April 2018 raised the following concerns:

- Inconsistency with the intent of “Environmentally Significant Land” under the Concept Plan, and more broadly with the Illawarra Shoalhaven Regional Plan (2015)
- Increased impacts of future dwelling lots on habitat integrity and function from edge effects, fence lines and 10/50 Code clearing permitted by the Rural Fires Act 1997
- Recommend long term management for E3 lands by way of a binding Conservation Agreement or Vegetation Management Plan

In response, we note that the proponent has now clarified that the minimum lot size for the E3 lands will remain at 1.39 hectares, meaning it will remain in single private ownership. A contiguous habitat linkage between the E3 lands and adjacent sensitive environmental lands at Johnsons Spur is also proposed. The proponent has also indicated that the preferred mechanism for protection of the E3 zoned land is a Vegetation Management Plan (VMP). As such, the proposed modification in its current form largely addresses our previous biodiversity concerns.

However, the RTS also seeks to remove the E3 lands from the “Environmental Reserve Land” layer inserted into the Concept Plan by Mod 2 (March 2018) whilst confirming it will remain as “Environmentally Sensitive Land”. This proposed change would mean that the E3 lands are not subject to the requirement under Condition C3 of the Concept Plan for a VMP to be established on “Environmental Reserve Land”. We therefore recommend that the preferred conservation mechanism be clarified at this stage and subsequently finalised at the time of subdivision.

We also note that, as the E3 lands are proposed to remain in private ownership, a form of “eco low development” permissible in the zone under the SEPP (State Significant Precincts) 2005 is suggested.

Consideration of such future development is outside the scope of this modification. However, any “eco low development” use on the E3 lands should also be designed to avoid clearing and minimise impacts on the retained native vegetation. We also reiterate that the proponent should contact the Commonwealth Government regarding potential direct and indirect impacts on the Commonwealth-listed Illawarra Lowlands Grassy Woodland threatened ecological community on the E3 lands.

Aboriginal cultural heritage

Our previous comments also noted that reducing the minimum lot size allowing from fragmentation of the E3 lands may increase pressure on Aboriginal cultural heritage values, particularly given the limited extent of study that had been completed at that time.

More extensive Aboriginal cultural heritage studies have since been completed, and the risk of additional impacts from this proposal will be mitigated and significantly reduced by retaining the E3 lands as one lot in single ownership. Impacts to known Aboriginal cultural heritage values on the site are otherwise being addressed through the subdivision development application (DA) and Aboriginal heritage impact permit (AHIP) processes.

Please do not hesitate to contact Calvin Houlison, Senior Conservation Planning Officer on 4224 4179 or via e-mail calvin.houlison@environment.nsw.gov.au should you have any further queries.

Yours sincerely



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