

*Our Reference: BD 3241#638*

Mr Steve Hartley  
Executive Director  
Biodiversity and Sustainability Branch  
NSW Department of Planning and Environment

18 January 2019

Dear Steve

**SUBMISSION ON CUMBERLAND PLAIN CONSERVATION PLAN DRAFT TERMS OF REFERENCE FOR THE STRATEGIC IMPACT ASSESSMENT REPORT**

Introduction

Overall the Draft Terms of Reference (ToR) are very comprehensive. Feedback is constrained by the Conservation Plan having not been completed and therefore the recommended actions unknown.

Council is very concerned that rezoning is currently occurring and subdivision DAs being lodged in the area prior to the completion of the Conservation Plan.

Council would like to see references made to local government planning documents in addition to Commonwealth and State documents. The effectiveness to the Plan's actions will be closely linked to the implementation of successful collaborations with local councils.

General Feedback

Council is pleased in particular that the ToR highlight the importance of:

- specifying how the principles of ESD are considered and promoted;
- describing how the decision-making framework was used in considering alternatives and developing conservation outcomes of the Plan;
- the inclusion of reference to areas outside the strategic assessment area that may be impacted by actions undertaken under Plan;
- the requirement to identify and describe each protected matter that may be impacted on directly, indirectly and cumulatively;
- the importance given to habitat connectivity;
- the identification of key threatening processes;
- an analysis of the likely adverse impacts of actions in the Plan;
- identifying key uncertainties and risks associated with implementing the Plan; and
- effectively monitoring the delivery of the Plan.

### Opportunities to improve the ToR

- while the strong focus on connectivity and corridors is very welcome, the corridors need to be evaluated on appropriate widths that effectively provide habitat for natural regeneration to occur, minimize edge effects, and include soil types that support threatened species, e.g. clay soils associated with koala habitat. Corridors need to be wide enough to enable terrestrial fauna, such as koalas, to safely move through the landscape avoiding pinch points and enabling north, south, east and west habitat connections;
- corridor protection should not be based on the existing flora footprint alone but should take into consideration what is needed to sustain ecological function and processes particularly across transitional ecosystems and soil types;
- Legal and Administrative frameworks in clause 2.1Cii should include reference to local government strategic planning instruments and documents, in particular the CSP, LEP and DCP;
- in reference to clauses 3.2 and 4.5 there is a need to better specify the meaning of 'indirect' action impacts; and
- in relation to clause 4.5(2) 'how impacts on protected matters will be avoided through land use planning and other measures ...' needs to include reference to local government strategic documents.

If you have any questions regarding this submission, please contact Council's Environmental Outcomes Manager, Alex Stengl, on phone 4677 1100.

Yours faithfully



Michael Malone  
**ACTING CHIEF EXECUTIVE OFFICER**