

Growth Centres Strategic Assessment Program

Assessment of Consistency between the Commitments of the Strategic Assessment Program
and Marsden Park Precinct

September 2013

a) Introduction

In December 2011 the Federal Government endorsed the Sydney Growth Centres Strategic Assessment Program Report and in February 2012 approved the classes of actions in the Growth Centres that if undertaken in accordance with the approved program do not require separate approval under the *Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act)*

The Program includes a range of commitments for matters of national environmental significance protected under the EPBC Act. The commitments are drawn from the analysis in the Supplementary Assessment Report and Draft Strategic Assessment Report (Part B), and build upon the Relevant Biodiversity Measures for the Growth Centres Biodiversity Certification.

This report has been prepared to assess of the consistency of proposed precinct plans with the commitments of the Strategic Assessment Program and to satisfy the evaluation and reporting requirements for the Program. Consistency with the Strategic Assessment Program is required to ensure proposals in the Growth Centres benefit from the Commonwealth approval.

This report has been prepared in a table format and addresses all commitments that are relevant to precinct planning. It is noted that some of the commitments are not specific to precinct planning and have therefore not been included in the report.

The Strategic Assessment Program can be viewed in full at <http://www.growthcentres.nsw.gov.au/strategicassessment-94.html>

Where the report indicates that precinct planning is inconsistent with the Biodiversity Certification or the Strategic Assessment Program, full justification for the inconsistency is provided as part of the ecological assessment for the precinct.

Both the Growth Centres Biodiversity Certification Relevant Biodiversity Measures and Strategic Assessment require a consistency report be prepared and publicly exhibited when the precinct plan is exhibited.

Definitions

Terms defined below appear in **bold** in the table. Where the terms are also defined in the Biodiversity Certification Order, the definitions provided are consistent with those in the Order.

- Biodiversity Certification Maps means the maps marked “North West Growth Centre – Biodiversity Certification” and “South West Growth Centre – Biodiversity Certification” dated November 2007 and included in Schedule 2 of the Biodiversity Certification Order.
- *Certified Area* means an area marked as a certified area on a biodiversity certification map.
- *Clearing* of vegetation means any one or more of the following:
 - a) cutting down, felling, thinning, logging or removing native vegetation in whole or in part,
 - b) killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation in whole or in part.
- *Commitments* means the commitments set out in section 4 of the Sydney Growth Centres Strategic Assessment Program Report.
- *Council* means Blacktown City Council.
- *DECCW* means the Department of Environment, Climate Change and Water (which is now the Office of Environment and Heritage).
- *EPBC Act* means Environmental Protection and Biodiversity Conservation Act 1999.
- *GCC* means the Growth Centres Commission constituted under the *Growth Centres (Development Corporations) Act 1974* (which is now the Department of Planning and Infrastructure).
- *Growth Centres SEPP* means the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.
- *Minister* means the Minister administering the EPBC Act.
- *Protection or Protected* in relation to land means land that is protected by a land use zoning under an environmental planning instrument or public ownership arrangements that provide for the protection of biodiversity values as a priority, or another arrangement that provides in perpetuity security for biodiversity on the subject land.
- *Relevant Biodiversity Measures* means the conditions in Schedule 1 of the Biodiversity Certification Order.
- *TSC Act* means the *Threatened Species Conservation Act 1995*.

b) Assessment

Table 1: Assessment of consistency between the commitments of the Strategic Assessment Program and the Marsden Park Precinct

	Commitment	Marsden Park Precinct – Comment Precinct manager is required to do the following	Consistent with Commitment	Justification
Review of Zoning				
3	<p>Review the provisions of the Environment Conservation and Public Recreation - Regional zones in the Growth Centres SEPP to confirm they are adequate for conservation purposes.</p> <p>Note this commitment is being undertaken for the Growth Centres as one exercise and does not need to be addressed separately for each precinct.</p>	<p>Undertake a review of the zone objectives, permitted land uses and development controls to ensure the conservation values of the land are adequately protected.</p>	Yes	N/A
Threatened Ecological Communities				
4	<p>Retention and protection of a minimum 998 ha of CPW within the Growth Centres, included a minimum of 363 ha of HMV CPW.</p> <p>i) Retention and protection of CPW in the following areas of the Growth Centres:</p> <p>a) 138 ha within Flood Prone Land to be protected through the vegetation clearing controls under the Growth Centres SEPP or through zoning and/or development controls following completion of precinct planning.</p> <p>b) 424 ha within Environment Conservation and Public Recreation – Regional zoning to be protected.</p> <ul style="list-style-type: none"> • RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; 	<p>As identified in the Sydney Growth Centres Strategic Assessment Report (Table 12), the Marsden Park Precinct is required to retain a total of 306 hectares of Cumberland Plain Shale Woodland / Shale Gravel Transition Forest (CPW), as follows:</p> <ul style="list-style-type: none"> • 257 hectares in the Environment Conservation (EC) zone and 42 hectares in the Public Recreation-Regional (PR-R) zone (total 298 hectares), and • 8ha on non-certified 	Yes	<p>Validated ENV There are 465.38 hectares of validated ENV within the Precinct. 457.01 hectares of this will be protected by the Precinct Plan.</p> <p>Validated CPW 321.46 hectares of CPW was validated within the Precinct using field validation techniques and aerial mapping methods. Field validation has not occurred within the Shanes Park Conservation Area as Precinct Planning will not amend the current zonings under Part 3 of the Growth Centres SEPP or permitted</p>

Assessment of consistency between Commitments of the Strategic Assessment Program and Marsden Park Precinct

<ul style="list-style-type: none"> • the zoning and vegetation clearing controls under the Growth Centres SEPP; and • the Growth Centres Conservation Fund which provides funding to acquire the land. <p>c) 280 ha to be protected within existing reserved areas including the Westlink M7 Motorway Offsets area, the Kemps Creek Nature Reserve, and the Western Sydney Parklands.</p> <p>d) 79 ha to be protected within protected zones within Edmondson Park.</p> <p>e) 77 ha to be retained within non-certified and transitional lands. These areas will be retained subject to the confirmation of the presence of the community through survey at the precinct planning stage.</p> <p>ii) If for any reason the above targets cannot be achieved then the NSW Government will ensure that 998 ha of CPW is protected within the Growth Centres through the measures contained in either RBM 8a or 8b.</p>	<p>land (HMV CPW).</p> <p>Note: Table 12 lists a total of 306 hectares to be retained within the Marsden Park Precinct, while the above figures total 307 which is assumed to be due to rounding up. For the purposes of this report, an assessment has been made against the 306 hectares total.</p> <p>Additionally, Table 12 of the Sydney Growth Centres Strategic Assessment Report requires the protection of a total of 266 hectares of High Management Viability (HMV) CPW.</p> <p>The target set for protection of CPW in each precinct is based on the amount of CPW that is:</p> <ul style="list-style-type: none"> • mapped as Existing Native Vegetation in the Draft Growth Centres Conservation Plan; <i>and</i> • is on non-certified land under the Biodiversity Certification Order made under the NSW TSC Act. <p>ENV to be protected under the Biodiversity Certification Order is as</p>		<p>uses within that part of the Precinct. The results within Shanes Park described below have been determined by aerial mapping.</p> <p>Validated CPW will be protected as follows:</p> <table border="1" data-bbox="1539 451 1881 711"> <thead> <tr> <th>Zone</th> <th>Hectares</th> </tr> </thead> <tbody> <tr> <td>EC and PR-R zones (Shanes Park)</td> <td>299.36</td> </tr> <tr> <td>RE1</td> <td>12.49</td> </tr> <tr> <td>E2</td> <td>0.26</td> </tr> <tr> <td>E3</td> <td>3.01</td> </tr> <tr> <td>Total</td> <td>315.12</td> </tr> </tbody> </table> <p>As shown above, 299.36 hectares will be protected within the existing Environmental Conservation (EC) and Public Recreation – Regional (PR-R) zones (under the Growth Centres SEPP) in the Shanes Park conservation area. No change to the current zoning is proposed by the Precinct Plan. Shanes Park is owned by the Commonwealth and the ownership and management of the site is intended to be ultimately be transferred to the State.</p> <p>Land to the north-east of Shanes Park, proposed to be zoned RE1 will be acquired by Council. (Refer to Annex A for map of this area). ENV within this zone will be protected by</p>	Zone	Hectares	EC and PR-R zones (Shanes Park)	299.36	RE1	12.49	E2	0.26	E3	3.01	Total	315.12
Zone	Hectares														
EC and PR-R zones (Shanes Park)	299.36														
RE1	12.49														
E2	0.26														
E3	3.01														
Total	315.12														

Assessment of consistency between Commitments of the Strategic Assessment Program and Marsden Park Precinct

	<p>follows (total 450 hectares):</p> <ul style="list-style-type: none"> • Shanes Park (Environment Conservation) – 383 hectares • Public Recreation – Regional – 42 hectares • Flood Prone and Major Creeks – 20 hectares 	<p>the vegetation clearing controls in the SEPP and relevant maps (refer below).</p> <p>HMV CPW Of the total 266ha of HMV CPW required to be protected within the Precinct, a total of 263.69 hectares of HMV CPW has been validated as present onsite, resulting in a shortfall of 2.31 hectares. It is suspected that this shortfall may be due to a mapping anomaly.</p> <p>All HMV CPW will be protected as follows:</p> <ul style="list-style-type: none"> • 257.95 hectares (within Shanes Park) • 5.74 hectares within land (blue hatched area – refer to RBMs 14-16 in the Biodiversity Consistency Report and Commitment 5, below) proposed to be zoned RE1 and to be acquired by Council for passive recreational purposes. 0.365 hectares of HMV CPW will be removed to allow for stormwater infrastructure required to support the development of the Precinct. This will be offset by the protection of 6.75 hectares of CPW on certified land within the Precinct, to be zoned RE1. <p>CPW on non-certified land The Precinct is required to protect 8ha of HMV CPW on</p>
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Assessment of consistency between Commitments of the Strategic Assessment Program and Marsden Park Precinct

			<p>non-certified land. 5.74 hectares of HMV CPW (on non-certified land) will be protected via an RE1 zone, resulting in a shortfall of 2.26 hectares. It is suspected that this shortfall may be due to a mapping anomaly as there is no other HMV CPW outside of Shanes Park within the Precinct.</p> <p>CPW on certified land Two areas of CPW on certified land was identified within the Precinct, as described below:</p> <table border="1" data-bbox="1537 646 1881 844"> <thead> <tr> <th>Zone</th> <th>Hectares</th> </tr> </thead> <tbody> <tr> <td>EC and PR-R zones (Shanes Park)</td> <td>0.56</td> </tr> <tr> <td>RE1</td> <td>6.75</td> </tr> <tr> <td>Total</td> <td>7.31</td> </tr> </tbody> </table> <p>The 0.56 hectares was identified along and south of the northern boundary of the Shanes Park conservation area which is on certified land. It is recommended that this strip become non-certified (refer to Annex D).</p> <p>The 6.75 hectares of CPW on certified land will be protected via an RE1 zoning and retained in public ownership by Council for passive recreational purposes. This area of CPW is of Low Management Viability (LMV) and will be counted towards the 998 hectare total.</p>	Zone	Hectares	EC and PR-R zones (Shanes Park)	0.56	RE1	6.75	Total	7.31
Zone	Hectares										
EC and PR-R zones (Shanes Park)	0.56										
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Total	7.31										

Assessment of consistency between Commitments of the Strategic Assessment Program and Marsden Park Precinct

				<p>The SEPP will include clauses as described below:</p> <ul style="list-style-type: none"> • Development Controls – Existing Native Vegetation – this clause will prohibit the clearing of ENV as mapped on the Native Vegetation Protection map. • Development in Zone E2 – any development consent for development on land zoned E2 will require preparation of a Vegetation Management Plan. <p>Additional areas of CPW No additional areas of CPW were identified within the Precinct.</p> <p>Total CPW A total of 315.12 hectares of CPW is being protected in the abovementioned zones, and counted toward the 998 hectare target of CPW to be retained across the Growth Centres. It satisfies the target of 306 hectares of CPW to be protected within the Precinct.</p> <p>This includes a total of 263.69 hectares of HVM CPW to be counted toward the 363 hectare target of HVM CPW to be retained across the Growth Centres.</p>
5	<p>Assessment of 14ha HVM CPW within Marsden Park & Marsden Park Industrial Precincts to confirm its presence and if present protect, shown in black hatching on the Biodiversity Certification maps:</p> <p>a) Assessment of the HVM CPW in accordance with RBM 14</p>	<p>The area with blue hatching adjacent to Shanes Park was assessed during field survey and found to be</p>	Yes	<p>Groundtruthing has confirmed that the total area of this patch is 6.11 hectares of which 0.365 hectares is to be removed for essential stormwater</p>

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	<p>and 15.</p> <p>b) Based on the outcomes of the assessment, DECCW will advise the NSW Minister for the Environment whether the area should be protected in accordance with RBM 16.</p>	<p>Shale Gravel Transition Forest which is listed as an EEC. It is contiguous with Shanes Park and is approximately 6.1 hectares in size with canopy cover greater than 10%.</p> <p>DP&I met with OEH and EcoLogical Australia on 15 May 2012 to discuss the requirements of Commitment 5(b). It was agreed that the area subject to this Commitment should be protected in accordance with RBM 16, and that OEH would make such a recommendation to its Minister.</p>		<p>infrastructure. This will result in 5.74 hectares of HMV CPW to be protected via an RE1 zoning.</p> <p>Council will acquire the land for passive recreational purposes. CPW on that land will also be afforded protection through the controls discussed in this report.</p> <p>The Precinct is required to protect 8 hectares of HMV CPW on non-certified land. As described above, Field validation confirmed that 6.11ha of HMV CPW (on non-certified land) was present on site. 0.365ha of this is required to be removed for drainage purposes, resulting in 5.74 hectares of HMV CPW that will be protected via an RE1 zone. It is suspected that the shortfall identified in the field may be due to a mapping anomaly.</p>
Shale Sandstone Transition Forest (SSTF)				
8	<p>Retention and protection of a minimum of 58 ha of SSTF within the Growth Centres.</p> <p>i) Retention and protection of SSTF in the following areas of the North West Growth Centre:</p> <p>a) 5.5 ha within Flood Prone Land to be protected through the vegetation clearing controls under the Growth Centres SEPP.</p> <p>b) 5.5 ha within Public Recreation – Regional zoning to be protected.</p> <ul style="list-style-type: none"> • RBM 12 which states that clearing of these areas is not permitted unless it is 	<p>There is no SSTF required to be protected within the Marsden Park Precinct.</p> <p>No SSTF has been found within the Marsden Park Precinct.</p>	Not applicable	

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	<p>in accordance with a Plan of Management endorsed by DECCW;</p> <ul style="list-style-type: none"> the zoning and vegetation clearing controls under the Growth Centres SEPP; and the Growth Centres Conservation Fund which provides funding to acquire the land. <p>c) 0.5 ha within the Westlink M7 Motorway Offsets area to be protected through maintenance of the existing conservation area (purchased by the RTA for transfer to DECCW as part of the Westlink M7 Motorway offsets).</p> <p>d) 46.5 ha within the E3 Environmental Management zone in North Kellyville to be protected under the existing native vegetation and native vegetation retention controls under the North Kellyville Precinct Plan.</p>						
Additional conservation actions within the Growth Centres – plants							
	<p>During or before the preparation of the relevant precinct plan(s) under the Growth Centres Development Code relating to the areas referred to in the table below, the following actions must be undertaken:</p>						
11. and 12.	<table border="1"> <thead> <tr> <th style="text-align: left;">Species</th> <th style="text-align: left;">Required action</th> </tr> </thead> <tbody> <tr> <td><i>Acacia pubescens</i></td> <td> <p>Known populations at Kemps Creek and Austral – as shown in red hatching on the Biodiversity Certification maps:</p> <ul style="list-style-type: none"> survey to confirm the presence of the population in the Kemps Creek and Austral precincts, and if the species is present and the population is identified as significant relative to the adjacent property by DECCW, provide for the protection of the area of suitable habitat for the species to the satisfaction of the DECCW. </td> </tr> </tbody> </table>	Species	Required action	<i>Acacia pubescens</i>	<p>Known populations at Kemps Creek and Austral – as shown in red hatching on the Biodiversity Certification maps:</p> <ul style="list-style-type: none"> survey to confirm the presence of the population in the Kemps Creek and Austral precincts, and if the species is present and the population is identified as significant relative to the adjacent property by DECCW, provide for the protection of the area of suitable habitat for the species to the satisfaction of the DECCW. 	Not applicable to the Marsden Park Precinct	Not Applicable
Species	Required action						
<i>Acacia pubescens</i>	<p>Known populations at Kemps Creek and Austral – as shown in red hatching on the Biodiversity Certification maps:</p> <ul style="list-style-type: none"> survey to confirm the presence of the population in the Kemps Creek and Austral precincts, and if the species is present and the population is identified as significant relative to the adjacent property by DECCW, provide for the protection of the area of suitable habitat for the species to the satisfaction of the DECCW. 						
15. and							

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30.	<p><i>Dillwynia tenuifolia</i> <i>Pultenaea parviflora</i></p>	<p>Retention and protection of habitat supporting the four important populations of <i>Dillwynia tenuifolia</i> and <i>Pultenaea parviflora</i> known to occur within the Growth Centres through acquisition of land for environmental conservation.</p> <p>a) Protection of the Marsden Park North population within Environment Conservation zoning in accordance with the measures outlined in commitment 8.b)</p> <p>b) Protection of the population within the Air Services Australia site at Shanes Park (noting that at the time of finalising the Program the site is still under care of the Commonwealth) through:</p> <ul style="list-style-type: none"> • RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and • the zoning and vegetation clearing controls under the Growth Centres SEPP. <p>c) Protection of the majority of the large population within Kemps Creek in accordance with the measures outlined in commitment 15.b) above.</p> <p>d) Protection of the large population that occurs within the Westlink M7 Motorway offset adjacent to the Colebee Precinct</p>	<p>Not applicable to the Marsden Park Precinct.</p> <p>The precinct plan will not amend the existing Environment Conservation and Public Recreation - Regional zonings of the Air Services Australia site at Shanes Park and adjoining areas.</p> <p>Not applicable to the Marsden Park Precinct</p> <p>Not applicable to the Marsden Park Precinct</p> <p>Not applicable to the Marsden Park Precinct</p> <p>Not applicable to the Marsden Park Precinct</p> <p>Not applicable to the Marsden Park Precinct</p>	<p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p>	<p>Shanes Park is currently zoned Environment Conservation under the Growth Centres SEPP. No change to the current zoning is proposed by the Precinct Plan. Shanes Park is owned by the Commonwealth and ownership is intended to be ultimately be transferred to the State.</p>
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		through maintenance of the existing conservation area (purchased by the RTA for transfer to DECCW as part of the Westlink M7 Motorway offsets).			
27.	<i>Pimelea spicata</i>	<p>Potential populations at Denham Court Road within the East Leppington Precinct - as shown in red hatching on the Biodiversity Certification maps:</p> <ul style="list-style-type: none"> • survey to confirm the presence of population, and • if the population is present and identified as significant relative to adjacent property by DECCW, provide for the protection of the area of suitable habitat for the species to the satisfaction of the DECCW. 	Not applicable to the Marsden Park Precinct		Not applicable
17. 18. and 19.	<i>Grevillea parviflora subsp. parviflora</i>	Retention and protection of habitat supporting the population known to occur within the Growth Centres through acquisition of land in Kemps Creek.			
23. 24. and 25.	<i>Persoonia nutans</i>	<p>a) Protection of the majority of the large population within Kemps Creek through:</p> <ul style="list-style-type: none"> • RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and • the zoning and vegetation clearing controls under the Growth Centres SEPP. <p>Potential populations at Kemps Creek Precinct - as shown in red hatching on the Biodiversity Certification maps:</p> <ul style="list-style-type: none"> • survey to confirm the presence of population, and 	NA to the Marsden Park Precinct		Not applicable

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		<ul style="list-style-type: none"> if the species is present and population is identified as significant relative to adjacent property by DECCW, provide for the protection of the area of suitable habitat for the species to the satisfaction of the DECCW. 	<p>The precinct plan proposes to retain the zoning of the Air Services Australia site. Vegetation within the site will be protected by the relevant controls described in Commitment 4.</p>		<p>Shanes Park is currently zoned Environment Conservation and Public Recreation – Regional under the Growth Centres SEPP. No change to the current zoning is proposed by the Precinct Plan. Shanes Park is owned by the Commonwealth and ownership will ultimately be transferred to the State.</p>
20.	<i>Micromyrtus minutiflora</i>	<p>Retention and protection of habitat supporting the two important populations known to occur within the Growth Centres.</p> <p>a) Protection of the Marsden Park North population within Environment Conservation zoning through:</p> <ul style="list-style-type: none"> RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; the zoning and vegetation clearing controls under the Growth Centres SEPP; and the Growth Centres Conservation Fund which provides funding to acquire the land. <p>b) Protection of the population within the Air Services Australia site at Shanes Park (noting that at the time of finalising the Program the site is still under care of the Commonwealth) through:</p> <ul style="list-style-type: none"> RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and the zoning and vegetation clearing controls under the Growth Centres 	<p>Not applicable to the Marsden Park Precinct</p> <p>Not applicable to the Marsden Park Precinct</p>	<p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p>	<p>Any habitat supporting populations of <i>Micromyrtus minutiflora</i> will be appropriately protected by these zones and the relevant clearing controls.</p>

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		SEPP.			
22.	<i>Persoonia hirsuta</i>	<p>Potential habitat at North Kellyville – as shown in red hatching on the Biodiversity Certification maps:</p> <ul style="list-style-type: none"> • survey to confirm the presence of the species, and • if the species is present, provide for the protection of the habitat within the Precinct through zoning as E3 Environmental Management and existing native vegetation or native vegetation retention development controls. 			
14.	<i>Darwinia biflora</i>	<p>Known populations at North Kellyville - as shown in red hatching on the Biodiversity Certification maps:</p> <ul style="list-style-type: none"> • survey to confirm the extent of the populations, and • provide for the protection and ongoing management of key populations within the Precinct through zoning as E3 Environmental Management and existing native vegetation controls. 			
		Note: On completion of the above actions the Minister may decide that it is appropriate to amend the boundaries of the area subject to biodiversity certification, in accordance with condition 3.			
Additional conservation actions within the Growth Centres – animals					
During or before the preparation of the relevant precinct plan(s) under the Growth Centres Development Code relating to the area referred to in the table below, the following actions must be undertaken:			In relation to RBM 32 and RBM 38: 306 ha of validated Existing Native Vegetation will be retained under the Precinct Plan in accordance with RBM 6, which requires the retention of 2000 ha of	Yes	A total of 315.12 hectares of validated CPW will be retained and protected in the Marsden Park Precinct.
32.	Species <i>Swift Parrot</i>	Required action Protection of potential habitat for the Swift Parrot within the Growth Centres. a) Protection of 2,000 ha native vegetation			

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		<p>within the Growth Centres through:</p> <ul style="list-style-type: none"> • RBM 6 which requires a minimum of 2,000 ha of existing native vegetation to be retained; and • the relevant development controls under the Growth Centres SEPP that relate to the retention of native vegetation. 	<p>ENV within the Growth Centres. This will include any existing potential habitat for the Swift Parrot and Grey-headed flying fox found within this area.</p>		
34. and 35.	<i>Green and Golden Bell Frog</i>	<p>Potential population at Riverstone – as shown in red hatching on the Biodiversity Certification maps:</p> <ol style="list-style-type: none"> Incorporation of habitat protection and enhancement features (as per the agreed concept design) in the Riverstone Precinct Development Control Plan for the trunk drainage land. Inclusion of provisions in the Riverstone Precinct Plan and Development Control Plan to require the design and assessment of development on subject lands to be consistent with any recovery plan for the species and the Best Practice Guidelines for Green and Golden Bell Frog Habitat (DECC 2008b). 	<p>NA to the Marsden Park Precinct</p>	Not applicable	
36.		<p>Retention of major drainage lines and associated vegetation throughout the Growth Centres through Growth Centres SEPP development controls for major creeks and flood prone areas.</p>	<p>NA to the Marsden Park Precinct</p>	Not applicable	
38.	<i>Large-eared Pied Bat</i>	<p>Retention of potential roosting habitat and immediately adjacent potential foraging habitat along Cattai Creek in North Kellyville through development controls associated with the E3 Environmental Management and E4 Environmental Living zones.</p>	<p>Refer to RBM 32.</p>		

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<p><i>Grey-headed Flying Fox</i></p>	<p>Protection of potential habitat for the Grey-headed Flying Fox within the Growth Centres.</p> <p>b) Protection of 2,000 ha native vegetation within the Growth Centres through:</p> <ul style="list-style-type: none"> • RBM 6 which requires a minimum of 2,000 ha of existing native vegetation to be retained; and • the relevant development controls under the Growth Centres SEPP that relate to the retention of native vegetation. 			
<p>Note: On completion of the above actions the Minister may decide that it is appropriate to amend the boundaries of the area subject to biodiversity certification, in accordance with condition 3.</p>				

c) Conclusion

This report has undertaken an assessment of the consistency of the Marsden Park precinct planning with the Strategic Assessment and the applicable commitments.

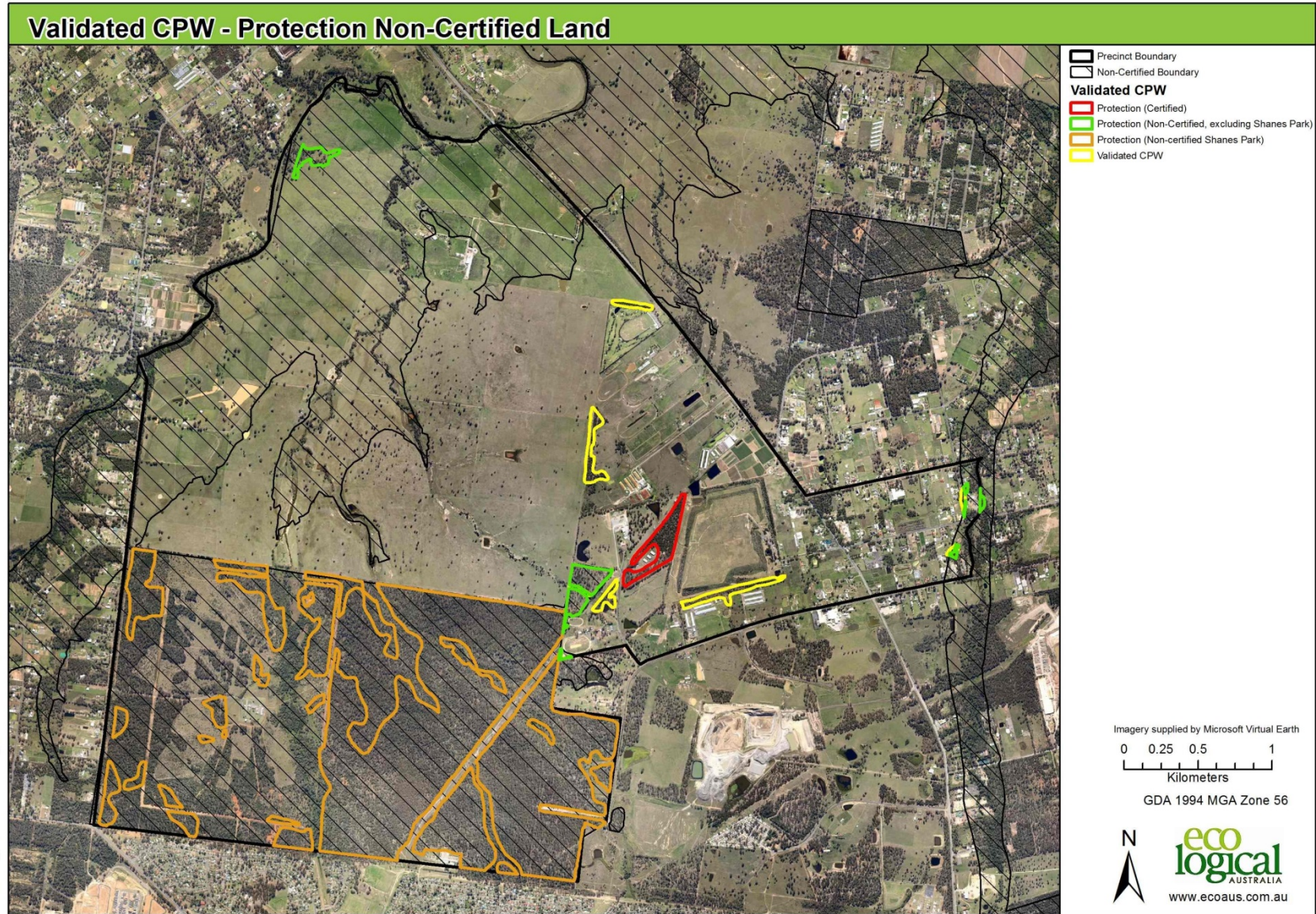
It is concluded that the Marsden Park Precinct Plan is consistent with the Strategic Assessment of the Growth Centres SEPP, as follows:

- 306ha of CPW is required under the Strategic Assessment to be protected in the Marsden Park Precinct.
- Following groundtruthing 321.64 hectares of CPW was validated as being present across the Precinct (including certified and non-certified areas), of which 315.12 hectares will be protected as described below:
 - a) The Strategic Assessment requires the protection of 298 hectares of CPW within the former Air Services site (Shanes Park). Aerial imagery has confirmed that 299.36 hectares of CPW is currently zoned Environment Conservation (within Shanes Park) and Public Recreation – Regional (privately owned and identified for acquisition under the Growth Centres SEPP, with the exception of two lots that have been acquired) under the Growth Centres SEPP, and will continue to be protected by these zones, and the controls described in Commitment 4. No change to the current zoning is proposed by the Precinct Plan.
 - b) 12.49 hectares of CPW is on land that is to be zoned RE1 Public Recreation and includes CPW on land that is certified (6.75 hectares) and non-certified (5.74 hectares) (refer to map in **Annex A**).
- Of the 299.36 hectares of CPW that will be protected within Shanes Park, 0.56 hectares is located on certified land. It is considered that this is a mapping anomaly due to the certified-non-certified boundary not aligning with the cadastre boundary. This is to be rectified. Similarly, minor adjustments to the Environment Conservation and Public Recreation-Regional zones will be made to extend the zones to the property boundary, as it became apparent during the Precinct Planning process that anomalies existed between the zoning extents and the cadastre boundaries.
- Of the total 8 hectares of HMV CPW on non-certified land required to be protected under the Strategic Assessment Report, 6.11 hectares has been validated as HMV CPW on land subject to Commitment 5 of which 0.365 hectares is required to be removed for stormwater infrastructure purposes. In total, 5.74 hectares will be protected via an RE1 zone. It is suspected that the shortfall to meet the required 8 hectares to be protected under the Strategic Assessment may be due to a mapping anomaly as there is no other HMV CPW outside of Shanes Park within the Precinct.
- The total 263.69 hectares of HMV CPW that has been validated as being present onsite will be protected within the Precinct. This is 2.31 hectares less than the 266ha required to be protected. It is suspected that this shortfall is due to the results of a more detailed mapping process undertaken during this assessment.
- The removal of 0.365ha of HMV CPW for stormwater infrastructure purposes will be offset by the protection of 6.75 hectares of CPW on certified land within the Precinct, to be zoned RE1.
- As demonstrated, CPW within the Marsden Park Precinct will be protected by the SEPP clauses and relevant maps. Provisions in the draft SEPP amendment for Marsden Park will prohibit the clearing of ENV on non-certified land.

Annex A

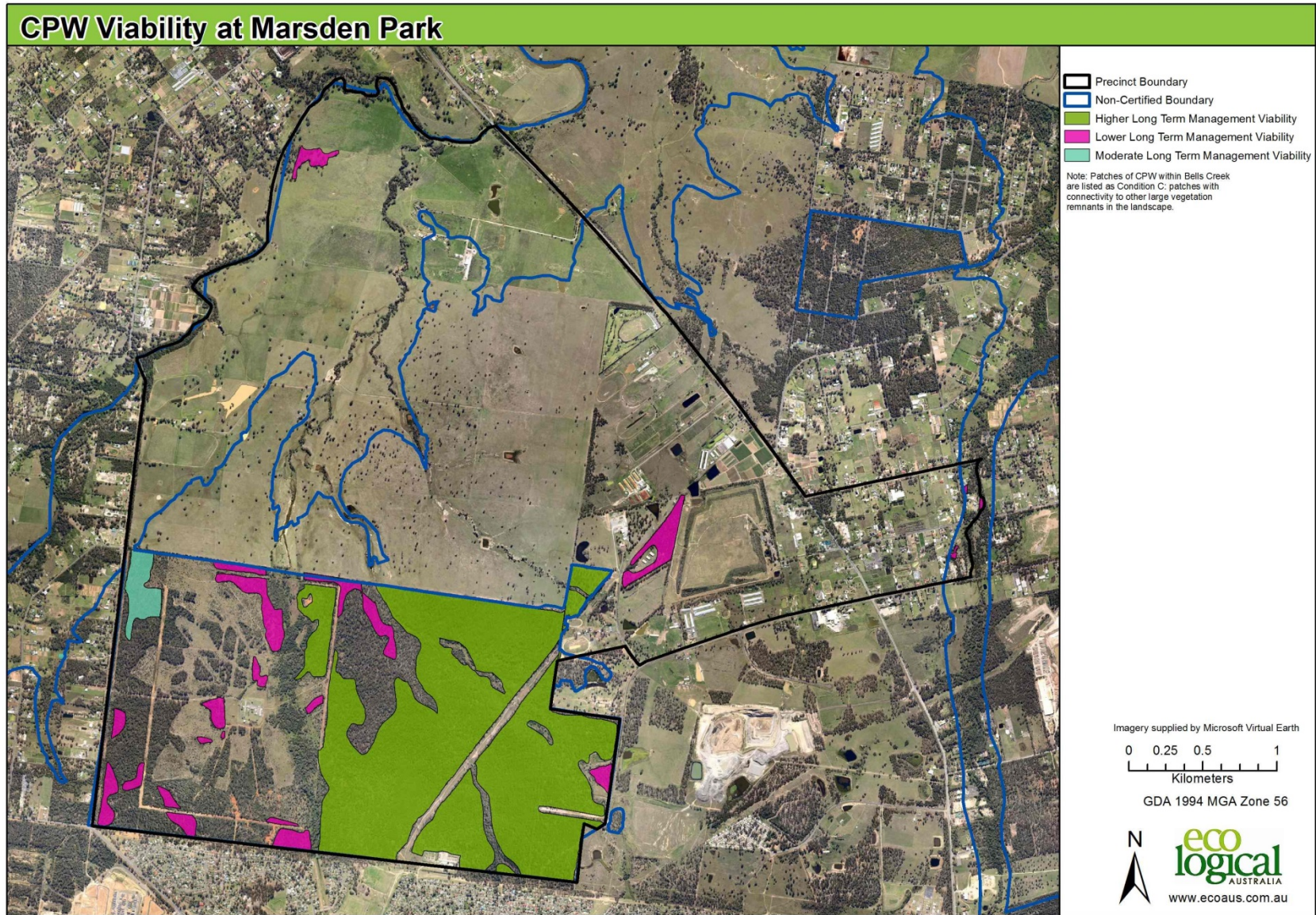
Biodiversity Certification Maps and Area Calculations for the Marsden Park Precinct

Assessment of consistency between Commitments of the Strategic Assessment Program and Marsden Park Precinct



Y:\current_projects\10\NE\MECO_0030 MarsdenPark\Residential\MXD\2013\2\Validated CPW - Protection Non-Certified Land.mxd

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Prepared by: JT Approved by: SH Status: Date: 5/07/2013

Calculations of Cumberland Plain Woodland within the Marsden Park Precinct

ENV loss	ENV conserved
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MARSDEN PARK PRECINCT – STRATEGIC ASSESSMENT – ASSESSMENT OF CPW BY VIABILITY												
ILP Category	Residential, Retail, Educational, Mixed-use, Road Reserve, Substation, Community uses	Water Mgt	Sporting Field, Local Park	Water Mgt	Environmental Mgt	Transition	Environmental Conservation	Shanes Park	Subtotal	Subtotal Loss	Total Conservation	
Assumed zone	Urban zones	SP2 Clearance	RE1	SP2	E3	RU6	E2	Env Cons / Public Rec-Regional				
CPW – Higher Long Term Mgt Viability	0.23	0.41	5.74	0	0	0	0	257.95	264.33	0.64	263.69	
CPW – Moderate Long Term Viability	0	0	0	0	0	0	0	8.91	8.91	0	8.91	
CPW – Lower Long Term Viability	4.64	1.24	6.75	0	3.01	0	0.26	32.50	48.40	5.88	42.52	
CPW – All Viability Combined	4.87	1.65	12.49	0	3.01	0	0.26	299.36	321.64	6.52	315.12	
NB. All measurements are in hectares			CPW Precinct target to be protected under Strategic Assessment								HMV:	270
											MMV:	9
											LMV:	63
											TOTAL	342

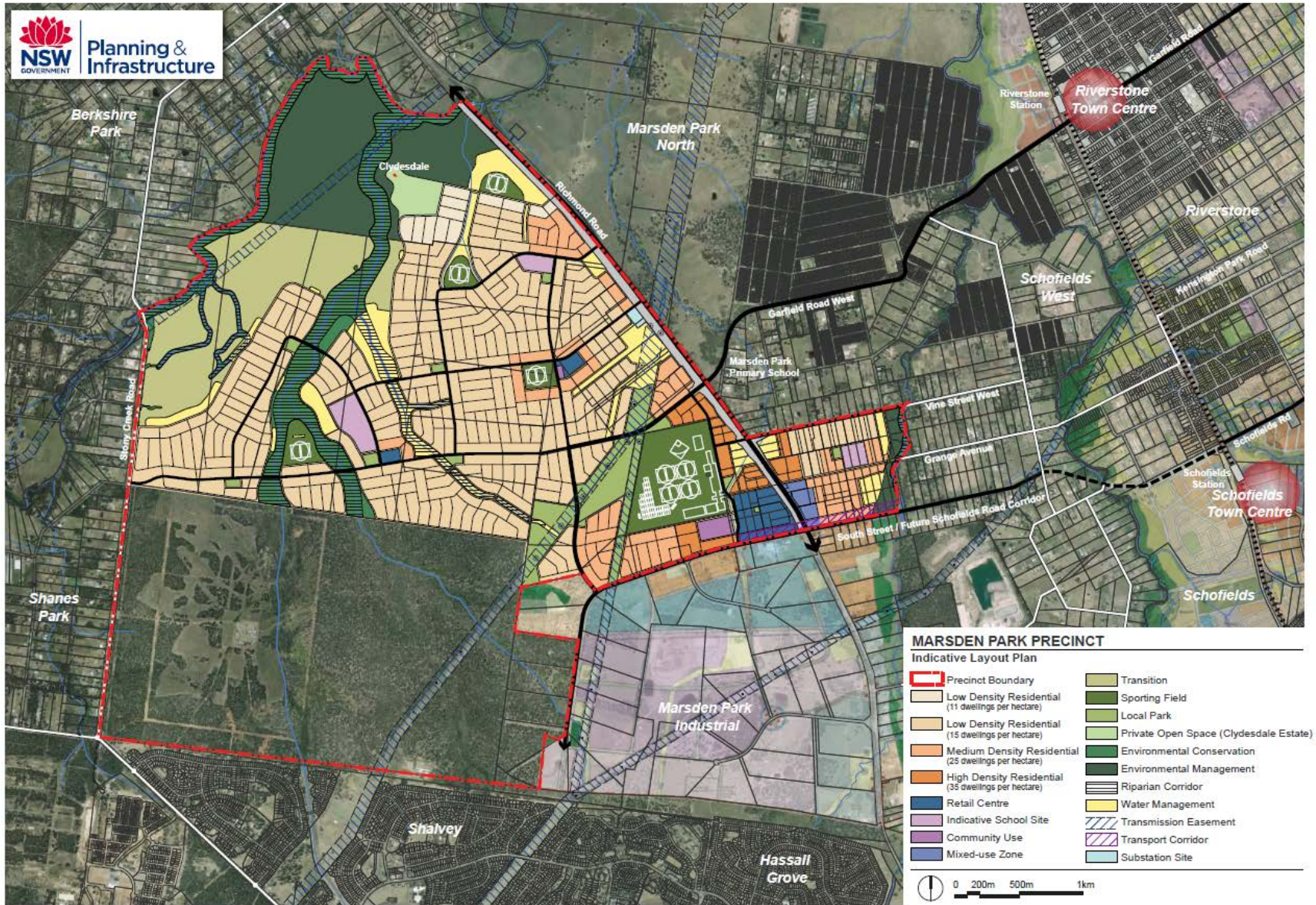
Assessment of consistency between Commitments of the Strategic Assessment Program and Marsden Park Precinct

MARSDEN PARK PRECINCT – STRATEGIC ASSESSMENT – ASSESSMENT OF CPW BY CERTIFIED / NON-CERTIFIED STATUS												
	ILP Category	Residential, Retail, Educational, Mixed-use, Road Reserve, Substation, Community uses	Water Mgt	Sporting Field, Local Park	Water Mgt	Environmental Mgt	Transition	Environmental Conservation	Shanes Park	Subtotal	Subtotal Loss	Total Conservation
	Assumed zone	Urban zones	SP2 Clearance	RE1	SP2	E3	RU6	E2	Env Cons / Public Rec-Regional			
Certified	CPW – Higher Long Term Mgt Viability	0	0	0	0	0	0	0	0	0	0	0
	CPW – Moderate Long Term Viability	0	0	0	0	0	0	0	0	0	0	0
	CPW – Lower Long Term Viability	7.22	1.25	6.75	0	0	0	0	0.56	15.78	8.47	7.31
	Subtotal	7.22	1.25	6.75	0	0	0	0	0.58	15.78	8.47	7.31
Non-Certified	CPW – Higher Long Term Mgt Viability	0	0.37	5.74	0	0	0	0	257.95	264.06	0.37	263.69
	CPW – Moderate Long Term Viability	0	0	0	0	0	0	0	8.91	8.91	0	8.91
	CPW – Lower Long Term Viability	0	0	0	0	3.01	0	0.26	31.92	35.19	0	35.19
	Subtotal	0	0.37	5.74	0	3.01	0	0.26	298.78	308.16	0.37	307.79
CPW – All Viability Combined (Certified and Non-Certified)		7.22	1.62	12.49	0	3.01	0	0.26	299.36	323.96	8.84	315.12
NB. All measurements are in hectares				CPW Precinct target to be protected under Strategic Assessment			Environment Conservation zone:				256	
							Public Recreation – Regional zone:				42	
							Non-certified land:				8	
							TOTAL				306	

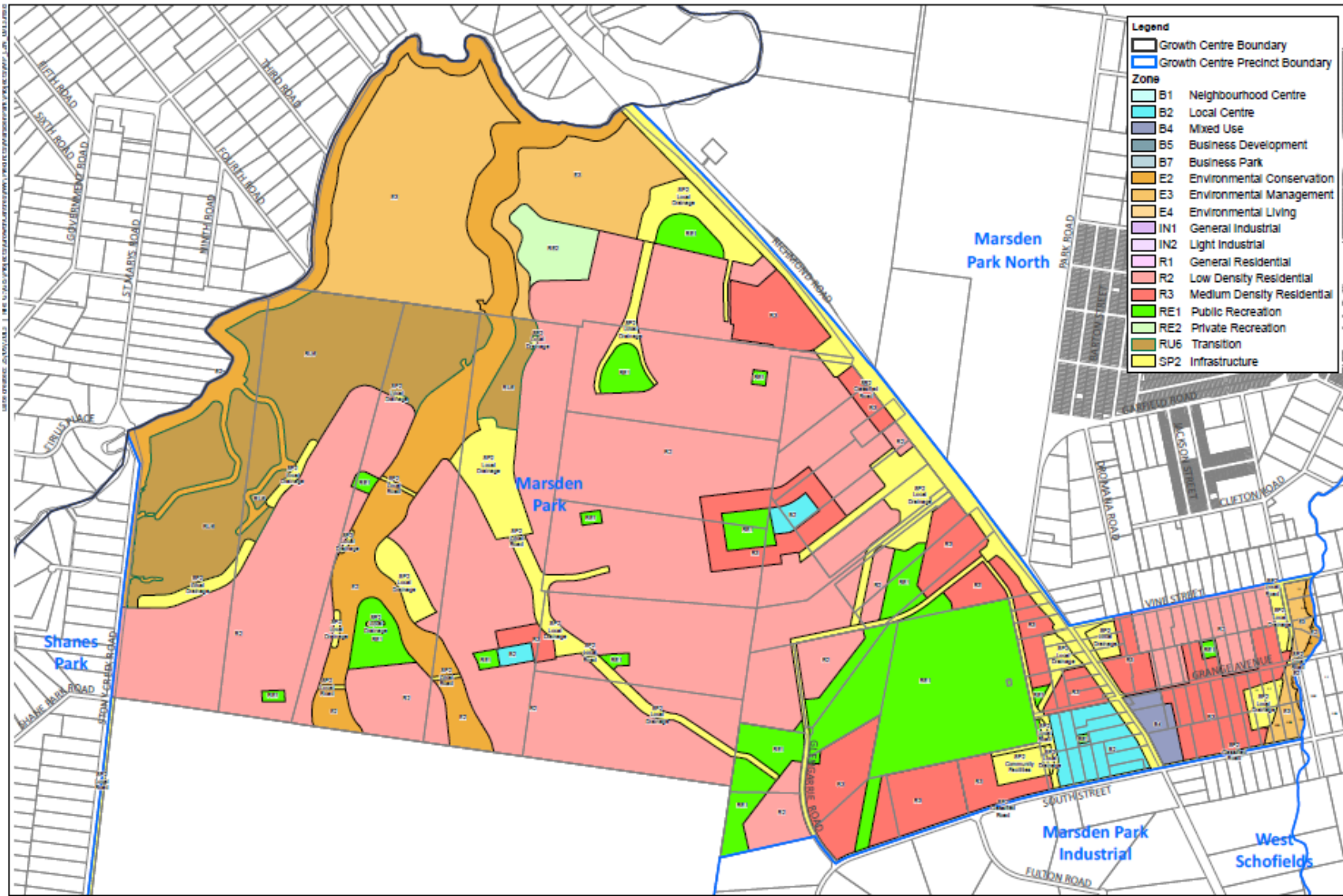
Annex B

Proposed Indicative Layout Plan for Marsden Park Precinct

Assessment of consistency between Commitments of the Strategic Assessment Program and Marsden Park Precinct



Assessment of consistency between Commitments of the Strategic Assessment Program and Marsden Park Precinct



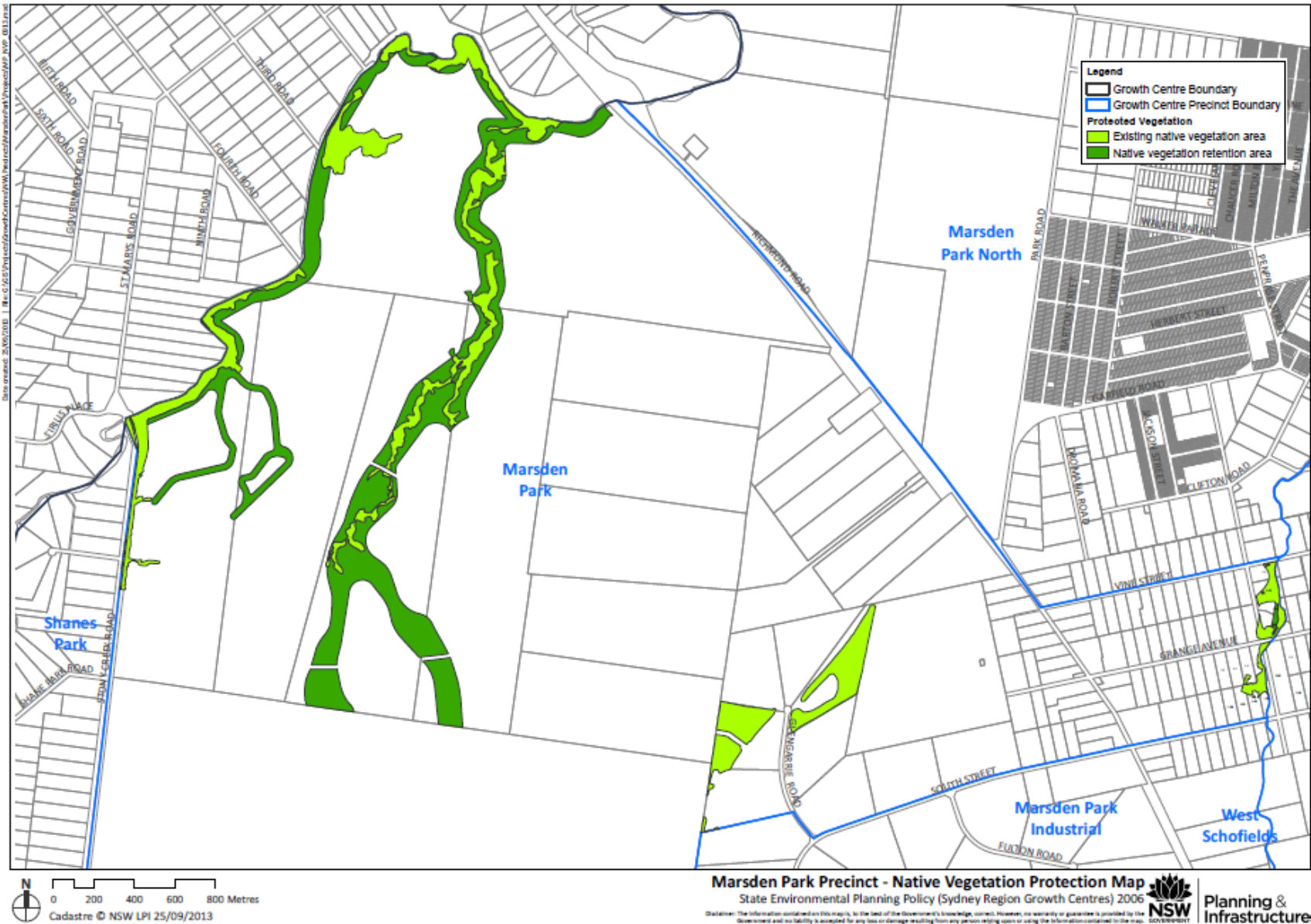
0 200 400 600 800 Metres
 Cadastre © NSW LPI 25/09/2013

Marsden Park Precinct - Land Zoning Map
 State Environmental Planning Policy (Sydney Region Growth Centres) 2006
 NSW Planning & Infrastructure

Annex C

Proposed Protection Measures Plan for Marsden Park Precinct

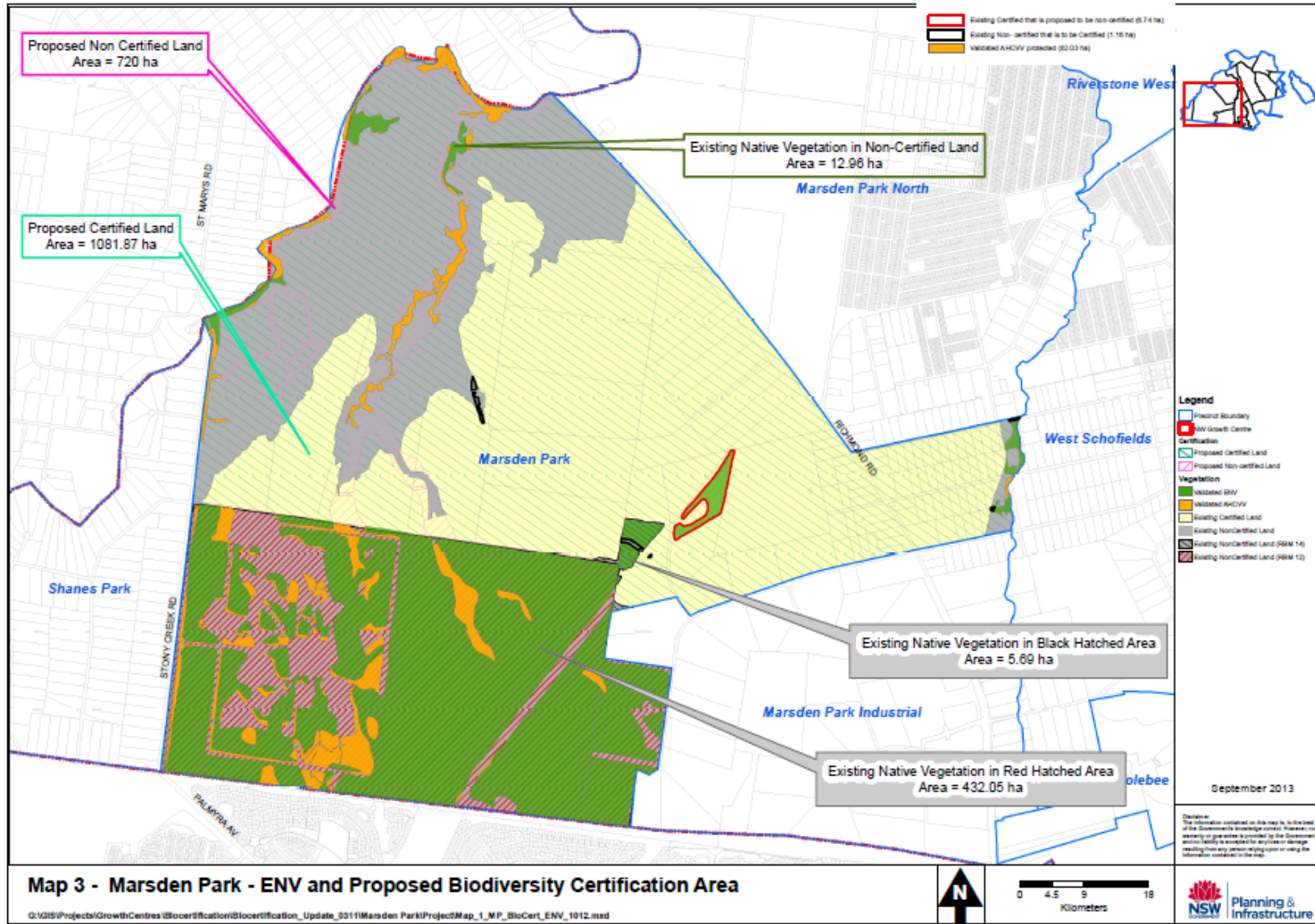
Assessment of consistency between Commitments of the Strategic Assessment Program and Marsden Park Precinct



Annex D

Proposed Amendments to Biodiversity Certification Map

Assessment of consistency between Commitments of the Strategic Assessment Program and Marsden Park Precinct



Assessment of consistency between Commitments of the Strategic Assessment Program and Marsden Park Precinct

