

Statement of Environmental Effects	
In Support of a Development Application	
Proposal	<ul style="list-style-type: none"> DWELLING – new, on an 8.76ha allotment at Lot 229 DP 754575, No 11 Boykett’s Lane, MAIMURU To request a section 4.6 Variation to LEP to accommodate same
Subject Land Address	Lot 229 DP 754575
	11 Boykett’s Lane, MAIMURU
Applicant/Owner	Mr Ken Attenborough
Appn Prepared By	DA Busters – Development Assistance Services Ph: 0466 722 869 Email: Craig@DAbusters.com
LGA	Hilltops Council – former Young Shire Council area



11 Boykett's back to shed corner

DA assisted by:



© JAN 2025



Craig Filmer – 1/91 Boorowa St YOUNG 2594
Ph: 0466 722 869 E: Craig@DAbusters.com

01 November 2023

Director Planning

HILLTOPS Regional Council

Locked Bag 5

YOUNG NSW 2594

Att: Manager Planning

Dear Jamie & Andrew,

**Re: Dev Appn – New Rural Dwelling – LEP 4.6 Variation
11 BOYKETT'S LN MAIMURU –Mr Ken Attenborough**

Please find attached the appropriate application forms for the above, along with all supporting documentation and plans. This document forms the Statement of Environmental Effects demonstrating compliance or giving appropriate justification for performance based assessment under Council's LEP, DCP and Policy Environment.

The land currently does not have a building entitlement as researched through appropriate inquiries of Council and the NSW Planning Portal. It is understood that as of today the deemed concurrence arrangements exist and this application has been prepared based on the Circular from DoPIE in this regard.



A variation is being claimed under clause 4.2A(3)(a) & 5.16(4) of the LEP due to it being the last in a series of blocks created and developed adjacent Young Airport. The land was split to this size in 1970 and each lot so affected has been developed except this allotment. The land is within a locality of adjacent similar sized lot & holding patterns, unique divisive features of the land split by road and airport, and most developed with dwellings. The most productive use of this land is occupied and small farmed (low stocking rate or horses/rural uses). The associated & required Heads of Consideration checklist is completed and appended to the end of this report.

Existing fencing, utility (power), access, shed and amenity are all consistent with the neighbours who have already developed back in more lenient LEP/IDO standards and times, and this proposal is consistent with the locality and land use. The matter is discussed and presented in depth within this report. This application is commended to you for consideration and approval. Whilst Mr Attenborough will be the applicants/primary contacts, should any technical enquiry arise, please forward these to myself, the contact information is in the letterhead above.

K Craig Filmer

B. App Sc (Env Health – Building Surveillance Major)
MAAC; MEHA; BPB-A1 Certifier (LG)
Development & Environmental Health Specialist

A. DESCRIPTION OF DEVELOPMENT:

Property address	Lots 229 DP 754575 11 Boykett's Lane, MAIMURU	
Proposed structures or works	<p>Dwelling – The dwelling will be a 3 bedroom vertical colorbond clad walled, and custom orb colorbond roofed structure, with a strong Living Areas to outside areas connectivity. A large open al fresco area is proposed with a view over the property and vista. The dwelling will be located in the fronter corner overlooking the property.</p> <p>The structure will have a homestead appeal but be set with the widest aspect across the land, with the intent by design of enjoying the expansive views to the north and east across their land and beyond whilst maximising the area available for running some horses or the occasional pasture crop to enjoy the rural use of the property.</p> <p>The enclosed Living Areas will be approximately 155 sq.m with a further large carport (28.8 sq.m) and 81.6 sq.m of outdoor verandah/alfresco.</p>	
Nature of use	Rural Dwelling	
Particulars	Shown on plans	Description (written details if not clearly shown on plan)
Building materials (e.g. brick, hardiplank, colorbond, zincalume, etc)	Yes	Dwelling – The dwelling will have walls of lighter tones in vertical colorbond, trimmed with a contrasting colour. The roof will be colorbond corrugated profile in a mid grey.
Colours	Yes	<p>Colours - The dwelling wall, trim & roof colours under consideration by the clients are as stated below.</p> <p>Roof = windspray (mid grey) Walls = beige (paperbark) Trim = white (surfmist)</p> 
Demolition	No	Nil demolition to occur
Earthworks (location, extent and depth of all cut and fill proposed)	Yes	Extent of earthworks –the plans demonstrate a level area on the current fenced front corner behind the current shed, as being the location chosen for the site. This area is characterised as being relatively level and having a wide aspect over the property. The access to the land exists from Boykett's Lane.
	 <p style="text-align: center;">SITE</p>	



Exist Shed – From Adj Corner Of Road & Neighbour Access

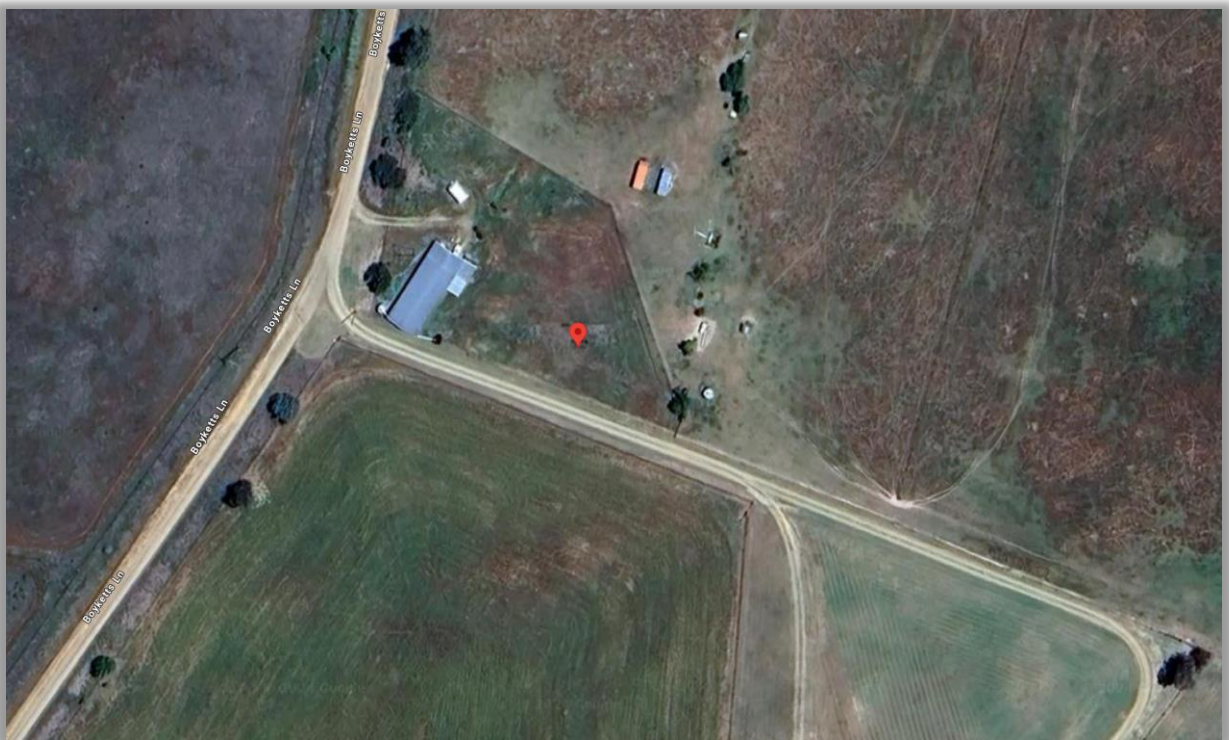


View from rear corner – shed on right – neighbour to left of shot

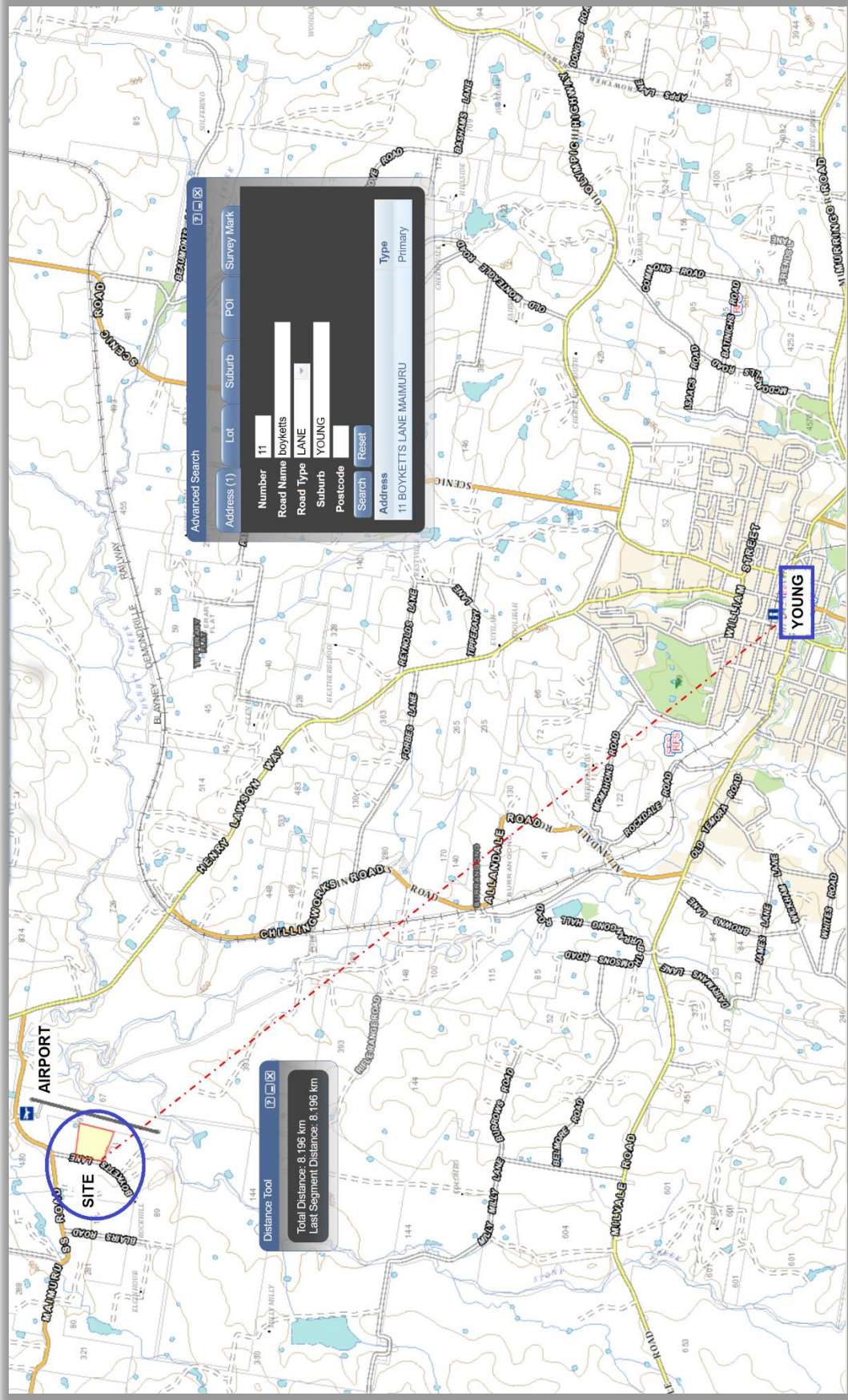
Tree removal (identify location, size and species of tree/s)	No	No tree removal on site nor in position of dwelling – the site is well served by existing trees yet will see more provided once dwelling curtilage established at approval.
Wall and roof height	Yes	Dwelling – When measured from the height of the building pad, the eave height will be 2.7m from floor level, the dominant roof line will be approximately 4.1m above finished ground level. There will be a soffit of slab at approx. 150mm relief to Yard Gully on the drainage.
Gross floor area (m²)	Yes	The roof footprint will be approximately 265.4 sq.m. The house will be founded on a slab, on this level site, leading to minimal cut/fill.
Open space (m²)	N/A	Not applicable – The allotment is over 8.7 ha in size. Large open lot
Landscaping	Yes	The applicant will improve the site further on occupation.



Allotment Aerial NSW SIX



Zoom at SE Cnr – Existing shed




Locality Map

B. SITE & LOCALITY DESCRIPTION:

The following details have been shown on the site plan,

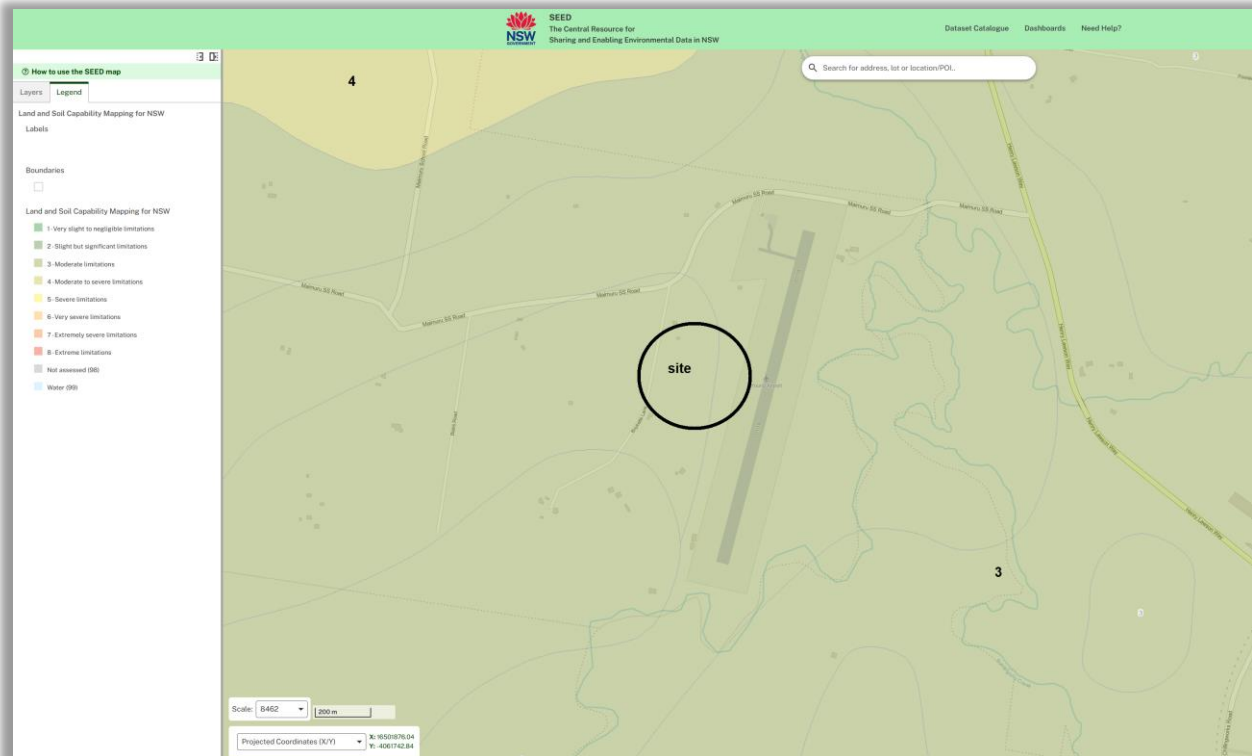
☒ site dimensions ☒ site area ☒ north point ☒ scale
☒ existing buildings ☒ proposed buildings ☒ easements ☒ BASIX

Issue	Details
Present use of the site	The current use of the land is farming (horse agistment & grazing). The land (Lot 229) was subdivided in 1880 approx (re-surveyed and plan reported in 1970) and from that time has been in ownership not always consistent with neighbouring lands.
Past use/s of the site	The former use of the land was as it is - farming (very occasional grazing and livestock agistment) on this land. No known orcharding occurred in this locality.
Describe any existing dwellings or built structures on the land	<p>Presently there is a 24 x 9m (approx.) shed and 7500L water tank on the land, built a considerable time ago and is utilised for the agricultural use of the property. It is sited adjacent the front SW corner of the property and effectively screens the proposed building site from the neighbours access.</p> 
Describe the key physical features of the site (e.g. shape, slope, significant trees or vegetation, dams, waterways, drainage lines, etc)	<p>The site is located approximately 8.2km directly NW from the Young Post Office. It is on Boykett's Ln running off Maimuru SS Rd (Jack Masling Drive) some 1.4km in off Henry Lawson Way towards Maimuru. The property is adjacent the now recreationally used Young Airport.</p> <p>As described the site is relatively level with a very mild grade across from Boykett's Ln to the rear boundary with the Airport. The land has power adjacent, Boykett's Ln to the west and is fenced and secured. Reticulated water & sewage are not available to this locality.</p> <p>The proposed dwelling is to be located some 15m from the shed and 30m from the road and 40m from the side closest</p>

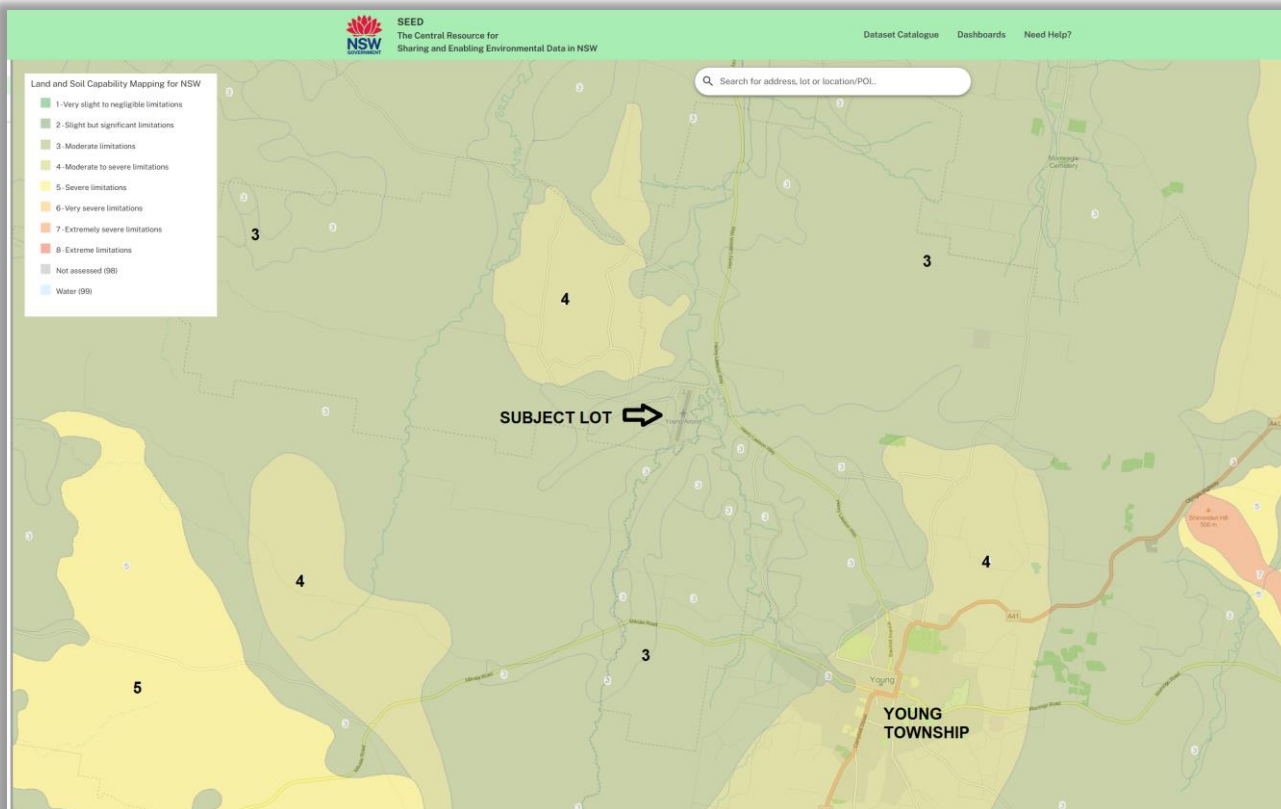
approximately. The land is pasture grassed and suitable for its present use of spelling and working horses.

The land based SEED agricultural soils mapping was searched and the broader locality was found to have Type 3 soils, however complicated by surrounding and subject small lot holdings, adjacent rural residential uses and the adjoining airport & road as complications do exist.

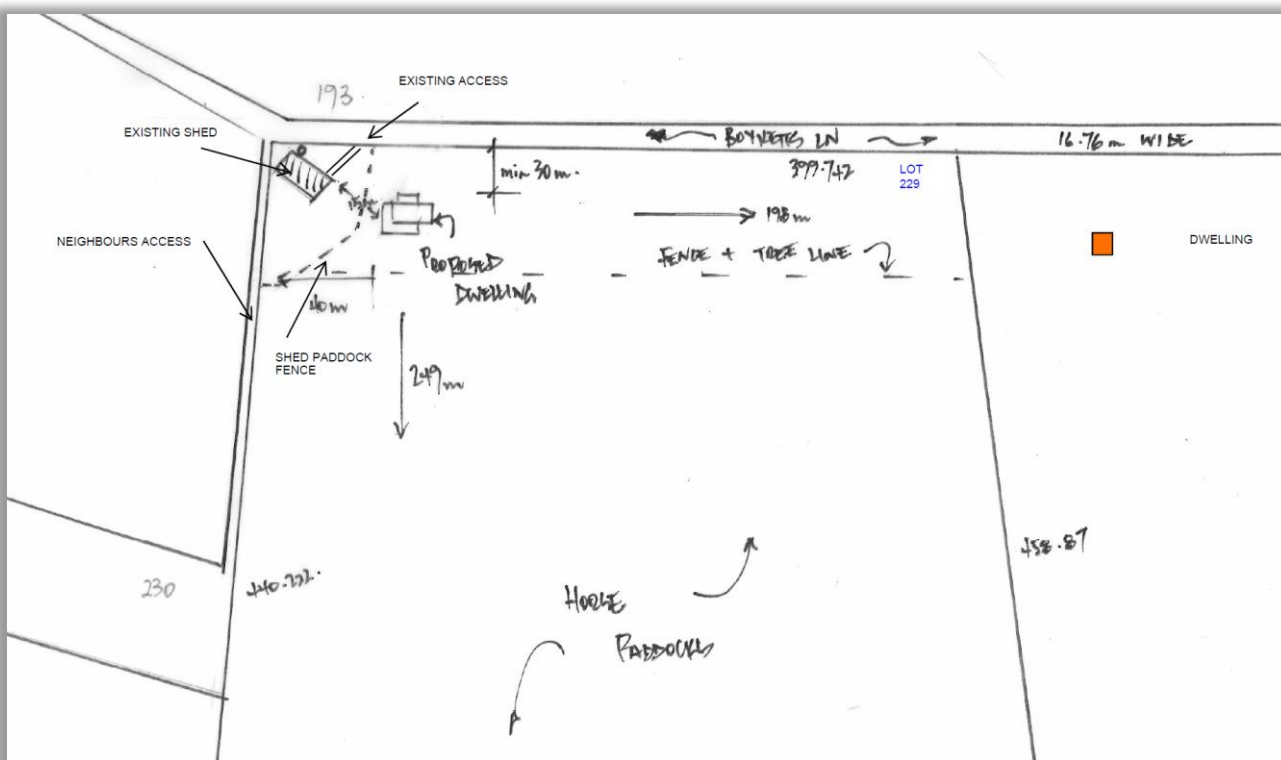
Ag Class Soils Map



Espade v2.2 SEED Ag & Soil Mapping Class 3 at site yet small lot and neighbouring infrastructure issues



WIDER SEED MAP



Site Plan extract

<p>Is the land classified as bushfire prone?</p>	<p>No – This has been reviewed at the RFS web page utilising the search tool.</p>
<p>Locality characteristics Describe the type and nature of adjacent land uses,</p> <p>▪</p>	<p>Whilst the predominant land use in the area is rural (quite a number of smaller holdings also with residences), there is a surprisingly high number of dwelling houses in close proximity to the subject site, all pursuing rural activities of varying scales (rural feel through to cropping, grazing, horses, greyhounds, horticulture etc) with > 20 dwellings within 750m to 1km of this rural residential styled allotment.</p> <p>The Town zoned land of Young is only some 7-8km away, however the lot is within the former Soldiers Settlement area of Maimuru, in and around the Airport and not too distant historical featured horticultural lands.</p> <p>Boykett's Lane is particularly curious as it has dwellings on the small lots either side of this property from the not too distant path, where they each inherited successive rights preceding the 2010 LEP. The provision of this dwelling just completes an already settled rural residential area ensconsed by the Airport, Boykett's Lane and Maimuru SS Rd as well as the nearby Creek. This dwelling is not out of character to this area.</p> <p>A settlement pattern aerial image is now included below with features labelled.</p> <p>These are replicated in a an appendix which includes detailed analysis of all, part and then statistical breakdowns of these features.</p>



Settlement Pattern Boykett's Lane & 1km radius MAIMURU

Light yellow = subject lot
Green = land with a dwelling

LEP MATTERS FOR CONSIDERATION

Clause	Complies	Comments
1.2 Aims of plan	Yes	<p>The development is consistent with the following aims of the LEP:</p> <p>(b) to provide for the lifestyles sought by current and future residents of Hilltops, including by providing for the following—</p> <ul style="list-style-type: none"> (i) the rural lifestyle and liveability of Hilltops communities, (ii) connected, safe and accessible communities, (iii) diverse and affordable housing options, (iv) timely and efficient provision of infrastructure, (v) sustainable building design and energy efficiency, <p>(c) to build and sustain healthy, diverse and empowered communities that actively participate in planning and managing their future, including by providing for the following—</p> <ul style="list-style-type: none"> (i) social infrastructure that is appropriately planned and located in response to demand and demographic change, (ii) the protection and enhancement of cultural heritage values, (iii) land management practices that support sustainable outcomes, including water efficiency, (iv) the siting and arrangement of land uses for development in response to climate change, (v) the planning of development to manage emissions, (vi) planning decisions that recognise the basic needs and expectations of diverse community members, <p>(e) to recognise and sustain the diverse natural environment and natural resources that support the liveability and economic productivity of Hilltops, including by providing for the following—</p> <ul style="list-style-type: none"> (i) the avoidance of further development in areas with a high exposure to natural hazards, (ii) the minimisation of alterations to natural systems, including natural flow regimes and floodplain connectivity, through effective management of riparian environments, (iii) the retention and protection of remnant vegetation, (iv) the revegetation of endemic vegetation to sustain natural resource values, reduce the impact of invasive weeds and increase biodiversity, (v) buffers and setbacks to minimise the impact of conflicting land uses and environmental values, including potential impacts on noise, water, biosecurity and air quality, (vi) the management of water on a sustainable and total water cycle basis to provide sufficient quantity and quality of water for consumption, while protecting biodiversity and the health of ecosystems <p>The remainder of the aims are not relevant to this proposal, or are not impacted by the proposal.</p>
1.4 Definitions	N/A	<p>The proposed development is defined as a <i>dwelling house</i> which means, <i>a building containing only one dwelling</i>.</p>
1.9A Suspension of covenants, etc	Yes	<p>No restrictions as to user / covenants apply to the site.</p>

Clause	Complies	Comments
2.2 Zoning	N/A	The site is zoned RU1 – Primary Production
2.3 Zone objectives and land use table	Yes	<p>The development is permitted with consent, in accordance with the land use table, and it is consistent with the objectives of the zone as stated below;</p> <ul style="list-style-type: none"> To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. Consistent - Ability to pasture improve and agist stock remains – 8.76 ha To encourage diversity in primary industry enterprises and systems appropriate for the area. Not Inconsistent – ability remains regardless To minimise the fragmentation and alienation of resource lands. Land is already fragmented, in separate titles and uniquely bound on 2 sides by road and airport To minimise conflict between land uses within this zone and land uses within adjoining zones. Consistent – land surrounding is in RU1 zone and this proposal will not impact due to topography, soil, slope, rocks, roads, landform and infrastructure bounding To encourage competitive rural production and associated economic development by maintaining and enhancing— Not inconsistent <ul style="list-style-type: none"> (a) local and regional transport and communications connectivity, and (b) accessibility to national and global supply chains. To maintain areas of high conservation value vegetation. Consistent – no impact To encourage development that is in accordance with sound management and land capability practices, and that takes into account the natural resources of the locality. Consistent – location and siting allows limited ag use of land yet possible To protect and enhance the water quality of receiving watercourses and groundwater systems and to reduce land degradation. Consistent – no impact To encourage the development of non-agricultural land uses that are compatible with the character of the zone and sustain high quality rural amenity. Consistent – intent of this application
2.7 Demolition	N/A	No demolition proposed.
2.8 Temporary use of land	N/A	The application is not for the temporary use of land.
4.1 Min Subdiv Lot Size	Complies	Per mapping below, minimum lot size in zone is 24ha and a 4.6 variation is being requested to vary this in this case.
4.1A Dual Occupancy Lot sizes	Complies	n/a
4.2A Dwellings in RU1, RU4 & C3	Lot sizes	Proposed dwelling on 8.76ha vs 24ha standard – sec 4.6 justification included in this report
4.6 Exceptions to development standards	N/A	Development permissible so no variation sought
5.10 Heritage Conservation	N/A	The allotment, its buildings, nor Adjacent land nor buildings in locality listed as Heritage nor in a HCA
5.16 Subdivision of, or dwellings on, land in certain rural, resid or environment protection zones	N/A	Proposed dwelling on 8.76ha vs 24ha standard – sec 4.6 justification included in this report

Clause	Complies	Comments
6.1 Earthworks	OK	No gross earthworks – minor levelling in and around a saddle between rock outcrops is the proposal.
6.2 Essential Services	Complies	Development consent must not be granted to development unless the consent authority is satisfied the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required— (a) the supply of water, <i>Water per BASIX.</i> (b) the supply of electricity, <i>available at west of site</i> (c) the disposal and management of sewage, <i>OSM</i> (d) stormwater drainage or on-site conservation, <i>disposal on site and away from effluent area as overflow after BASIX tank</i> (e) suitable road access <i>exists – Boykett's Ln access</i>
6.3 Terrestrial Biodiversity	N/A	Not mapped as affected this lot
6.4 Water - Riparian	N/A	Not mapped as affected this lot
6.5 Water – Groundwater Vulnerability	N/A	Not mapped as affected this lot
6.6 Salinity	N/A	Not mapped as affected
6.7 Highly Erodible Soils	N/A	Not mapped as affected
6.8 Drinking Water Catchments	N/A	N/A
6.9 Development along Lachlan & Boorowa Rivers & Lake Wyangla	N/A	N/A
6.10 Development on Carinya Estate	N/A	N/A
6.11 DCP for Urban Release Areas	N/A	N/A

Young Development Control Plan –

<u>Performance outcome</u>	<u>Control</u>	<u>Complies</u>	<u>Comment</u>
PR1 Dwelling sites are identified and are provided with safe connection to the public road network	AR1 Access complies with the provisions of this DCP relating to access to rural properties and RTA requirements.	<input type="checkbox"/> Yes	Ability for access from Boykett's Lane.
PR2(A) Visual and amenity impacts (including glare) on neighbours and the rural landscape are minimised	AR2.1 Minimum setback to road / street boundary (30 metres – RU1 and E3 zone - 20 metres – RU4 zone)	<input type="checkbox"/> Yes	Complies at proposed 30m to Boykett's Lane– see site plan
	AR2.2 Minimum setback to side or rear boundary ▪ 20 metres – RU1 and E3 zone ▪ 10 metres – RU4 zone	<input type="checkbox"/> Yes	See setbacks outlined earlier – 40m to nearest side boundary others are much larger
	AR2.3 Minimum setback from ridge – 50 metres	<input type="checkbox"/> Yes	Ton flatter lands - complies
	AR2.5 Construction materials should minimise glare to roads or nearby dwellings	<input type="checkbox"/> Yes	The dwelling is of mid hue tones being mixed tan bricks and a light to mid grey roof.
	AR2.6 Dwellings have a residential appearance from the street or road.	<input type="checkbox"/> Yes	The proposed will not be directly visible from the busier road network as it is up a Country Lane.
PR2(B) Development does not adversely affect the environment or agricultural pursuits on the subject or neighbouring land	AR2.4 Minimum setback from following land uses: ▪ 200 metres (cropping land, greenhouses) ▪ 150 metres (orchard or vineyard on neighbouring property, sheep and cattle yards) ▪ 75 metres (orchard or vineyard on subject property) ▪ 50 metres (grazing land)	Yes	See setbacks outlined earlier – At least 50m from any nearby grazing as highest landuse practised adjacent
PR3 Adequate area exists for on-site waste disposal	AR3 The collection and disposal system is designed in accordance with Council Policy 31 (Wastewater Management in Unsewered Areas)	<input type="checkbox"/> Yes	The site at over 8.7 ha and easily complies with the NSW Guidelines and effluent management can be easily designed on site. The effluent disposal area will need to be on land away from the dwelling per the Council OSM Policy.

PR4 Dwellings are supplied with potable water and water for fire-fighting	AR4.2 Total water storage on-site shall be the <u>greater</u> of the following: <ul style="list-style-type: none"> ▪ BASIX requirement + 20,000 L, or ▪ 1 bedroom home - 34,000 L 2 bedroom home - 43,000 L 3 bedroom home - 52,000 L 4 bedroom home - 61,000 L 5 bedroom home - 70,000 L 	<input type="checkbox"/> Yes	See BASIX report and Site Plan– Applicant proposes a total 100,000 L Water Tank which caters for policy of ,min 52kL with 20kL ++ fire fighting reserve.
PR5 Land is safe and suitable for a dwelling	AR5 Is the site a former orchard?	<input type="checkbox"/> No	No research can verify the past use of this site as orchard. Complies
PR6 Residential development is designed to reflect vehicle and occupant safety principles	AR6 Dwelling design must comply with one of the deemed to satisfy provisions on section 2.1.5 of the DCP, in order to restrict access to parking areas which are attached or adjacent to dwellings	<input type="checkbox"/> Yes	Detached from vehicle parking area so N/A no adjacent connecting door

D. ASSESSMENT OF THE LIKELY IMPACTS OF THE DEVELOPMENT

Construction – How will construction noise, rubbish removal and sedimentation and erosion controls be managed during construction?

Comments

As the site is well pasture grassed and the impacted area will be at the top of the site and slope, there is a greatly reduced risk of sedimentation and erosion. Notwithstanding this, and due to the minimal depth of cut proposed, sedimentation and erosion measures may need to be put in place to control the exposed area whilst revegetating the land. There is little or no impact risk to watercourses as some 100m-200m of travel would need to occur to the nearest road or site drainage line. Sedimentation and erosion fencing can be employed during building phase.

No construction will occur outside of daylight hours nor on a Sunday or Public Holiday. Setbacks from other dwellings will also assist noise management. All construction rubbish will be contained within a wire fenced area and be removed regularly to the Young Waste Management Station.

Context and setting – Will the development be ...

- visually prominent in the area? ☐ No – the land forms in this area are level and the site is up a country lane. The dwelling when completed and complemented with plantings will be no different to those surrounding the site, softened into the slope by the tree line on perimeter boundaries and the well grassed site.
- out of character with the area? ☐ No – as described earlier, and in depth below, this is within an area of land not far from the Maimuru Settlement area that has a large cluster of smaller holdings and once recognised for its history in another prior LEP. A large number of dwellings on smaller lots/holdings exist and this proposal would not be inconsistent in this locality.
- inconsistent with the streetscape? ☐ No – not directly visible from adjacent public roads due to placement adjacent shed and site being up a country lane
- inconsistent with adjacent land uses? ☐ No – see above comment

Privacy - Will the development result in any ...

- privacy issues between adjoining properties, as a result of the placement of windows, decks,
 - ☐ No as a result of the buildings placement, vegetation to curtilage of land (existing neighbours and the proposed development) and also placement of existing shed,
- acoustic issues between adjoining properties as a result of the placement of outdoor areas,
 - ☐ No for the same reasons in previous answer

Overshadowing

- Will the development result in the overshadowing of adjoining properties, resulting in an adverse impact?
 - ☐ No there will be no adverse impact on solar access for neighbours.

Views

- Will the development result in the loss of views enjoyed from neighbouring properties or nearby properties?
 - ☐ No views will not be lost as a result of this development

HILLTOPS LEP 2022

Clause 4.6 Variation Response

Claiming an exemption under Clause 4.2A

Appendix 1 Report (Guidelines on “LEP sec 4.6 Variations” NSW DoPE)		
Claiming a section 4.6 variation		
Proposal		To erect and use a 3 bedroom, rural dwelling on the subject land. Land zoned RU1 – MLS = 24 ha Variance to Clause 4.2A(3)(a) & 5.16(4)
Address		Lot 229 DP 754575,
		11 Boykett’s Lane, Maimuru
Applicant/Owner		Mr Ken Attenborough
Appn Prepared By		Craig Filmer – DA Busters Pty Ltd - 0466 722 869
LGA		Hilltops Council – former Young Shire Council sector
LEP Instrument		HILLTPS Local Environmental Plan 2022
Date		© JAN 2025



Application Form to vary a development standard

Written application providing grounds for variation to development standards

To be submitted together with the development application (refer to EP&A Regulation 2000 Schedule 1 Forms).

1. What is the name of the environmental planning instrument that applies to the land?

Hilltops Local Environmental Plan 2022

2. What is the zoning of the land?

The land is zoned RU1 – Primary Production

3. What are the objectives of the zone?

The objectives of the zone as set out in the LEP are;

RU1 ZONE - HILLTOPS LEP 2022	
ZONE OBJECTIVE	COMMENTARY
<ul style="list-style-type: none"> To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. 	<i>Consistent - Ability to pasture improve and agist stock/horses remains and/or a hay crop in better years</i>
<ul style="list-style-type: none"> To encourage diversity in primary industry enterprises and systems appropriate for the area. 	<i>Not Inconsistent – ability remains regardless</i>
<ul style="list-style-type: none"> To minimise the fragmentation and alienation of resource lands. 	<i>Land in locality exists as smaller lots and not viable for broad scale agriculture – already fragmented</i>
<ul style="list-style-type: none"> To minimise conflict between land uses within this zone and land uses within adjoining zones. 	<i>Consistent – land surrounding is in RU1 zone yet is small holding rural residential, and this proposal will not impact due to topography, roads, adjacent infrastructure constraints & lot sizes in locality</i>
<ul style="list-style-type: none"> To encourage competitive rural production and associated economic development by maintaining and enhancing— 	
(a) local and regional transport and communications connectivity, and	<i>Location accessible to Young on wider Town fringe – airport adjacent</i>
(b) accessibility to national and global supply chains.	<i>not applicable yet sited near a classified road yet accessed off a local road</i>
<ul style="list-style-type: none"> To maintain areas of high conservation value vegetation. 	<i>Consistent as no unique features on site – site is grassed level, smaller and between smaller occupied lots</i>
<ul style="list-style-type: none"> To encourage development that is in accordance with sound management and land capability practices, and that takes into account the natural resources of the locality. 	<i>Consistent – location and siting proposed are reasonable</i>
<ul style="list-style-type: none"> To protect and enhance the water quality of receiving watercourses and groundwater systems and to reduce land degradation. 	<i>Consistent – minimal impact - single dwelling OSM</i>
<ul style="list-style-type: none"> To encourage the development of non-agricultural land uses that are compatible with the character of the zone and sustain high quality rural amenity. 	<i>Consistent – location and siting allows maximum potential small scale ag use of land, whilst retaining reasonable dwelling curtilage</i>

4. What is the development standard being varied? e.g. FSR, height, lot size

Minimum lot size

Clause 4.2A (3)(a) of the LEP reads as follows;

4.2A Erection of dwelling houses and dual occupancies on land in Zone RU1, RU4 or C3	
(1)	<i>The objectives of this clause are as follows—</i>
(a)	<i>to minimise unplanned rural residential development,</i>
(b)	<i>to enable the replacement of lawfully erected dwelling houses and dual occupancies in certain rural and conservation zones.</i>
(2)	<i>This clause applies to land in the following zones—</i>
(a)	<i>Zone RU1 Primary Production,</i>
(b)	<i>Zone RU4 Primary Production Small Lots,</i>
(c)	<i>Zone C3 Environmental Management.</i>
(3)	<i>Development consent must not be granted for the erection of a dwelling house or dual occupancy on land in a zone to which this clause applies, and on which no dwelling house has been erected, unless the land—</i>
(a)	<i>is a lot that is at least the minimum size shown on the Lot Size Map, or</i>
(b)	<i>is a lot—</i> <i>(i) created before the day on which this Plan commenced, and</i> <i>(ii) on which the erection of a dwelling house or dual occupancy was permissible immediately before that day, or</i>
(c)	<i>Is a lot—</i> <i>(i) resulting from a subdivision for which development consent was granted before the day on which this Plan commenced, and</i> <i>(ii) on which the erection of a dwelling house or dual occupancy would have been permissible if the plan of subdivision had been registered before that day, or</i>
(d)	<i>would have been a lot referred to in paragraph (a), (b) or (c) had it not been affected by—</i> <i>(i) a minor realignment of boundaries that did not create an additional lot, or</i> <i>(ii) a subdivision creating or widening a public road or public reserve, or</i> <i>(iii) a consolidation with an adjoining public road or public reserve.</i>
(4)	<i>Development consent may be granted for the erection of a dwelling house on land to which this clause applies if—</i>
(a)	<i>there is a lawfully erected dwelling house on the land, and</i>
(b)	<i>the dwelling house to be erected is intended only to replace the existing dwelling house.</i>

In essence, the land is required to be a minimum of 24 ha in order to gain the ability for a dwelling to be erected. The land in question is 8.76 ha by area from the Crown Plans (21 acres 2 rood 23 perches total, converted to metric).

5. Under what clause is the development standard listed in the environmental planning instrument?

Clause 4.2A(3)(a) as reproduced above

6. What are the objectives of the development standard?

(a)	to minimise unplanned rural residential development,
(b)	to enable the replacement of lawfully erected dwelling houses and dual occupancies in certain rural and conservation zones.

These provisions are addressed more specifically below

7. What is the numeric value of the development standard in the environmental planning instrument?

24 ha

8. What is proposed numeric value of the development standard in your development application?

8.76 ha (from 1880 Crown Plan reproduced for registration at 1970 at 22 acres 1 rood 10 perches)

9. What is the percentage variation (between your proposal and the environmental planning instrument)?

The holding is approximately 36.5% of the required holding size. This represents an 63.5% variation.

10. How is strict compliance with the development standard unreasonable or unnecessary in this particular case?

- The settlement pattern adjacent would see 1 last dwelling (being a rural type dwelling and associated rural/ag land use still available to the lot) to the existing allotment, for the purpose, and not be out of keeping with this area or the wider area within an arc of 1km radius of the site around Boykett's Lane. Additionally, Boykett's Lane has been settled on smaller lots and this would be one of the last to be settled as a rural residential area. The area is developed rural residential in this immediate vicinity and appears planned so negates the development standard.
- The minimum lot size on the LEP LSZ mapping is founded on preventing further subdivision (or fragmentation) of viable holdings, and makes no account for smaller holdings within an established settlement pattern or unique properties unable to be broad acre farmed. No change in agronomy, geology or geography in this vicinity has occurred to mean that a variance like this, would be inconsistent;
- The present allotment is consistent with the surrounding similar zoned (and sized) lands in a pocket of properties in this locality adjacent Boykett's Lane and Blairs Lane (off Maimuru SS Rd) and adjacent the airport, which have been tagged as for special statistical analysis in this microcosm in some of the attached statistical analyses. The amenity of this area has already been defined by the development pattern (rural residential of 0.9 – 10ha range) and this application would seek to compliment this background setting and dwelling density in this area.
- The land is Ag Class 3 Lands from the SEED mapping, YET is heavily impacted by size, surrounding smaller land uses, infrastructure (roads & airport) whereby this classification states moderate to severe limitations on farming. This use would potentially be the highest pragmatic use (occupied smaller scale agistment and pasture improvement agriculture) as neighbouring landholders are rural residential in nature and another lot neither helps nor hinders potential for any greater use.

11. How would strict compliance hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the Act.

Minimise unplanned rural residential development

It is re-stated, Boykett's Lane is already, and has developed as rural residential Country Lane. It cannot minimise the chance of its use as rural residential land if all lots around the subject lot are used as this use. The owner pursues horse agistment and keeping/training from the lot yet would be far better served occupying the premises such is the nature of raising and keeping horses with daily feed, clean and health.

As this immediate locality is defined by occupied smaller lot sizes, this development would be in keeping with same and create no conflict.

In accordance with clause 5.16(4) of the LEP, it is further offered that;

The following matters are to be taken into account—

- (a) *the existing uses and approved uses of land in the vicinity of the development, - adjacent allotments in Boykett's Lane are occupied and are on an average of 6.88 ha (Lots 2, 230, 229, 233) whilst in wider Boykett's and Blairs Lane area are occupied on an average of 13.46ha. These are well below the minimum*

lot size and occupied with dwellings. The proposed development is consistent with immediately adjacent land uses in this Lane.

- (b) *whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development, as the immediately adjoining uses are all rural residential, their occupancy is low scale rural in nature and as such the current proposal of a dwelling and continuing the agistment of horses is entirely consistent. The rear infrastructure use (airport) is infrequent in nature and serves recreational or medical uses only. The occupancy of this land neither affects that use or that use does not affect this proposal. The land was acquired in full knowledge of that bounding use.*
- (c) *whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b), it is our contention that the proposal is entirely consistent adjoining land uses in this Lane.*
- (d) *any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) there is no need to minimise any incompatibility as the use proposed is consistent. The owner has been smart in site planning to allow continuance of the rural use of the property with horses.*

Enable replacement of lawfully erected dwellings.

No known original dwelling on site

12. Is the development standard a performance based control? Give details.

In its strictest sense no, as it is an allotment size more for the wider fringe graduating into the broader RU1 zone among larger holdings in the greater locale further afield. This immediate area was a mix of 5 to 20 ha blocks since before planning instruments in this Shire, forming a patchwork quilt style allotment pattern on the subcatchment that is Maimuru. Maimuru was a Soldiers Settlement area registered and offered post War and was for approx. 10 – 20 ha holdings to practise small scale subsistence farming for returned veterans.

The reasoning behind the development standard is explained above, but it is reiterated that whilst it controls broad acre farms, it makes no allowance for smaller or unique properties where amenity and right to farm characteristics of neighbouring lands, are preserved or not affected.

The anomaly of the Draft Hilltops LEP is reiterated that greater attention to detail on RU4 & RU1 lands around existing settled areas, has not had the attention it requires. Existing former Parish lot sizes, development patterns that have occurred due to existing holdings, infrastructure constraints and smaller lots, poorer soils and microcatchments aligned to peri-urban (including settlement localities like Maimuru) rather than rural objectives, in this case defeat the stated objective at 4.2A and even the RU1 zone goals.

Hilltops Council has resolved to address these lands from its studies yet has not undertaken to do so since gazetting of this LEP.

Additional matters to address

As outlined in "Varying Development Standards: A Guide" there are other additional matters that applicants should address when applying to vary a development standard.

13. Would strict compliance with the standard, in your particular case, be unreasonable or unnecessary? Why?

This would continue to leave an unoccupied, small sized and as a result poorer **quality agricultural land's** block and under used paddock/s adjacent other occupied rural lands, without any reasonable care or

practical use except occasional grazing, but from off-site control. Proliferation of weeds, higher costs in chemical control of weeds, less likelihood to farm on a serious basis, less protection of natural assets and landform features of this land are all problems starting to be experienced now. As stated, an occupied rural allotment is a managed and cared for piece of land.

14. Are there sufficient environmental planning grounds to justify contravening the development standard? Give details.

This is a property that has lost potential rights due to a clause change intended to rectify another matter. This result is unforeseen fallout. This application seeks for this land to have the same rights and entitlements as those in the immediate adjacent proximity and on the country lane to which it exists.

No noticeable difference to adjacent land uses would be obvious by allowing a variation to this land. No impact on neighbouring dwellings or land uses is foreshadowed due to the uniqueness of the circumstances. No impact on serious broad acre farther afield, would occur from allowing this proposal. Allowing this entitlement and dwelling would actually be consistent with existing development in this locality.

In summary and against the actual test of the objectives of clause 4.1A, the following summary is offered;

(1) The objectives of this clause are as follows—

(a) to minimise unplanned rural residential development,

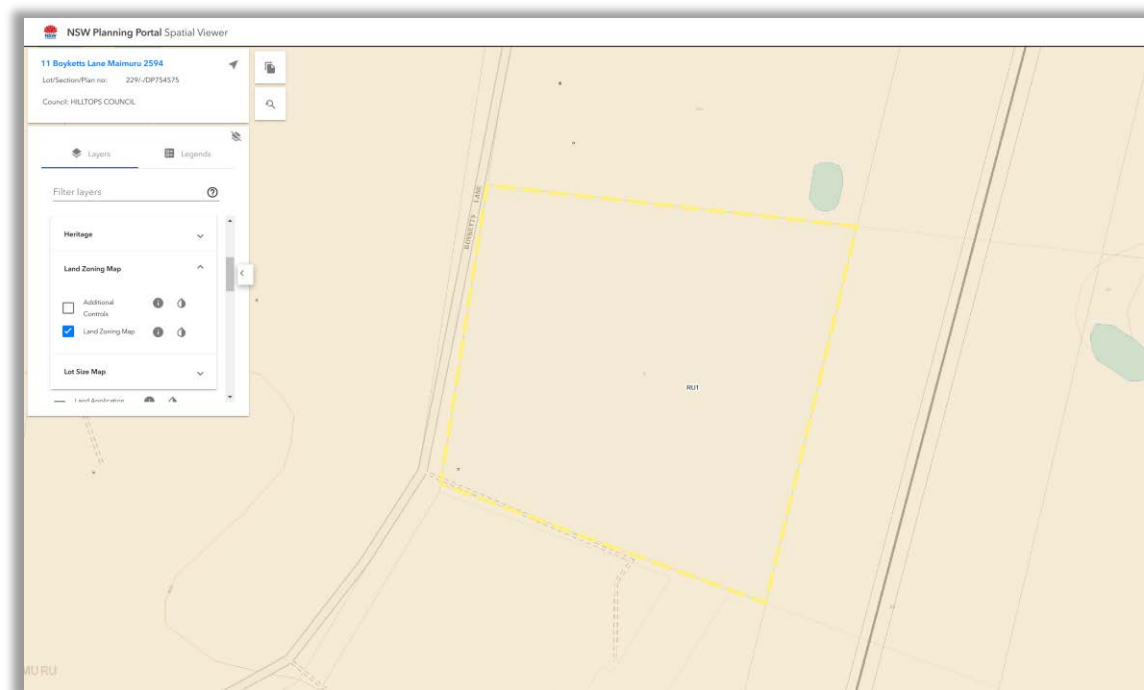
This immediate Lane and the 1km Dia pocket it is within is already established rural residential development defined. This is an infill development which is not out of character with the area it is proposed in.

(b) to enable the replacement of lawfully erected dwelling houses in rural and environmental protection zones.

Not applicable – not identified on Parish Crown Plans that a dwelling originally existed.

~~~~~

**FIG # 1 - ZONING MAP (RU1)**



**FIG # 2 – Lot Size Mapping (24 ha)**

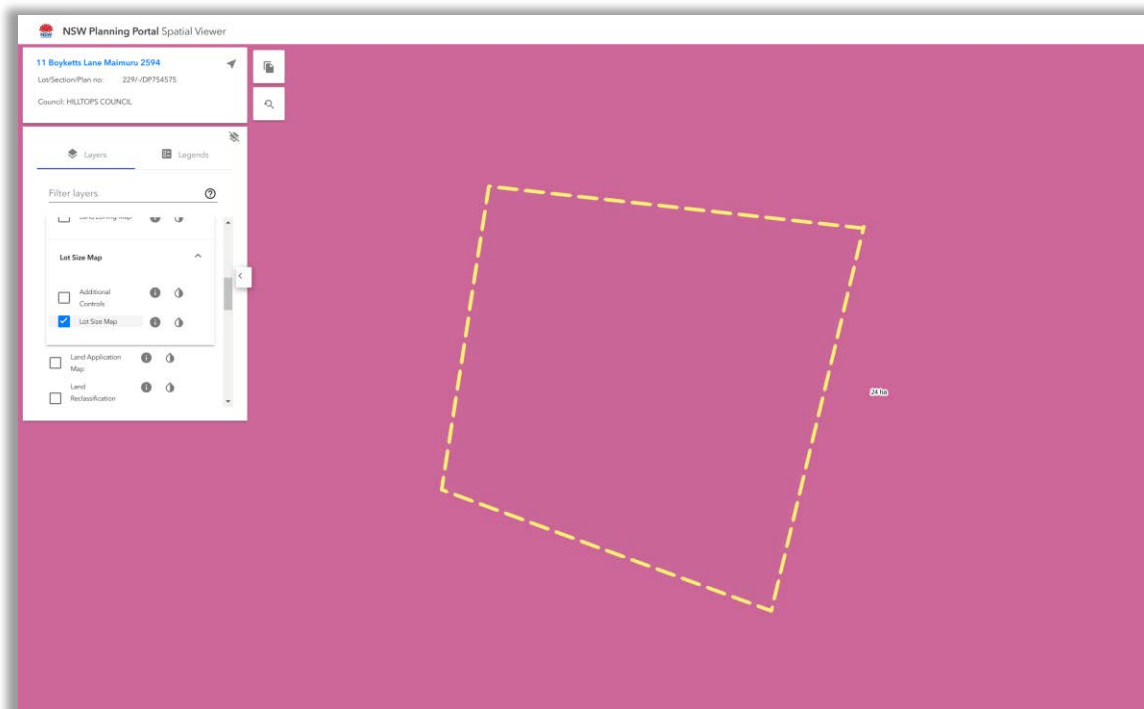
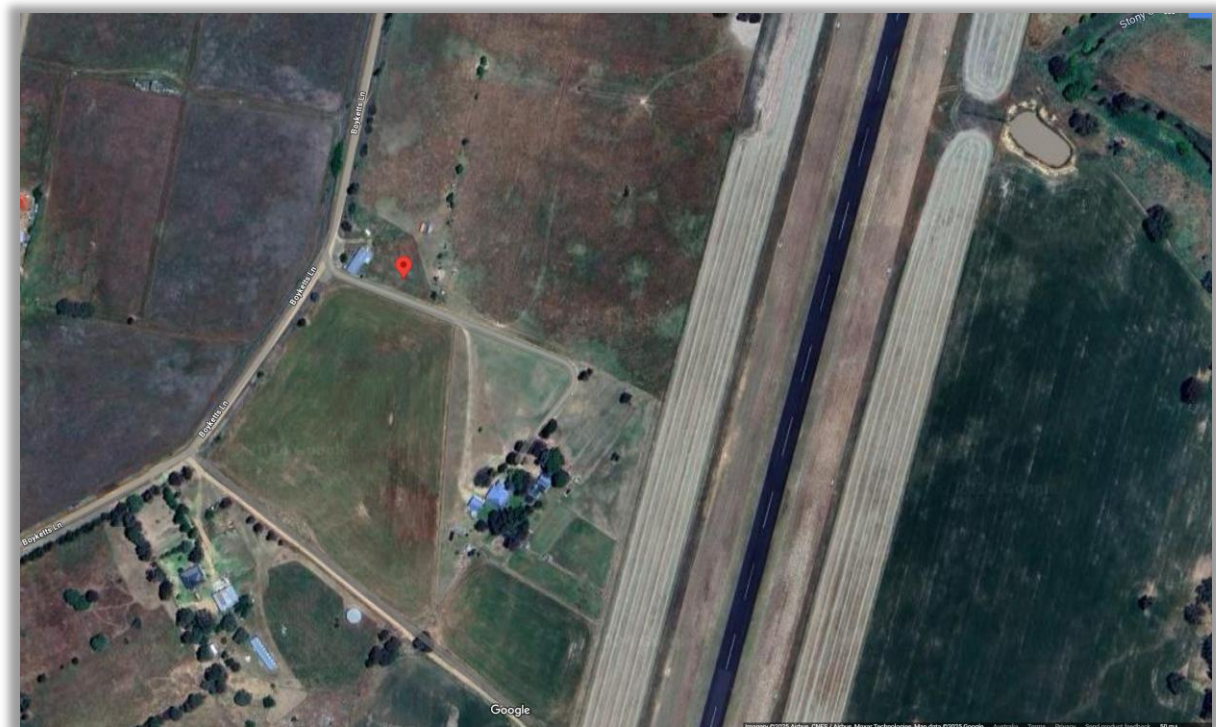


FIG # 3 – AERIAL IMAGE CURRENT NSW SIX(2013)



FIG # 4 – AERIAL IMAGE GOOGLE (2023)







## Statistical Analysis of Holdings – Maimuru

Summaries and statistical analysis follows

| LOT                | DP      | SIZE   | OCCUPIED / VACANT  | OCC STATS | EAST OF BOYKETT'S |
|--------------------|---------|--------|--------------------|-----------|-------------------|
| 236                | 754575  | 3.35   | OCC                | 3.35      |                   |
| 191                | 754575  | 5.52   | OCC                | 5.52      |                   |
| 209                | 754575  | 8.2    | VAC                |           |                   |
| 208                | 754575  | 7.43   | OCC                | 7.43      |                   |
| 190                | 754575  | 9.43   | VAC                |           |                   |
| 189                | 754575  | 21.26  | OCC                | 21.26     |                   |
| 156                | 754575  | 3.828  | VAC                |           |                   |
| 192                | 754575  | 21.47  | OCC                | 21.47     |                   |
| 193                | 754575  | 21.41  | OCC                | 21.41     |                   |
| 1                  | 1184923 | 24.9   | OCC                | 24.9      |                   |
| 2                  | 1184923 | 9.51   | OCC                | 9.51      | 9.51              |
| 3                  | 1184923 | 28.72  | OCC                | 28.72     |                   |
| 230                | 754575  | 0.949  | OCC                | 0.949     | 0.949             |
| 231                | 754575  | 7.235  | VAC                | 0         |                   |
| 229                | 754575  | 8.76   | OCC                | 8.76      | 8.76              |
| 233                | 754575  | 8.3    | OCC                | 8.3       | 8.3               |
| <b>TOTAL ALL</b>   |         | 190.27 | <b>TOTAL OCC</b>   | 161.58    | <b>27.519</b>     |
| <b>AVERAGE ALL</b> |         | 11.892 | <b>AVERAGE OCC</b> | 13.46     | <b>6.87975</b>    |

Note – tan shaded lots are Boykett's Lane

## ANALYSES RELATIVE TO RECENT COURT JUDGMENTS AND TESTS ON CL.4.6 MATTERS

---

**That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, as per the Five Part Test (*Wehbe v. Pittwater Council* [2007] NSWLEC 827)**

- (i) *The objectives of the standard are achieved notwithstanding non-compliance with the standard*

The objectives of the standard are replicated above, and it is considered that the primary standard of “minimising unplanned rural residential development” (the latter objective of replacing a prior house is not relevant) is complied with due to all that remains in this block is rural residential development. Council has over time allowed Boykett’s Lane as sandwiched to the Airport, to become rural residential development. As rural residential uses exists, infill of the last remaining lot is therefore not “unplanned”.

- (ii) *The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary*

The standard is to attempt to preserve or protect farming or agriculture potential. If developed as primary production small lots then this land may better be served as RU4 zone and not RU1 zone because in Boykett’s Lane and to a degree nearby Blairs Lane, this is what has been permitted. Small scale occupied agricultural lots exist and this proposal is infill of the same. It can be argued that either the standard is redundant as all around this lot are rural residential, so why should this lot be restrained from doing the same.

- (iii) *The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable*

This is again supported by claims above.

- (iv) *The development standard has been virtually abandoned or destroyed by the Council’s own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable*

Council via prior LEP’s, existing holding provisions and also concessional allotment provisions, allowed dwellings on each of the lots in Boykett’s Lane ranging from 0.9ha to 10ha. It is fair to say the development standard in this locality has been abandoned.

- (v) *The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone*

The Applicant has suggested that the zoning of the land may be inappropriate, although again makes reference to the submitted documents with Hilltops LEP 2022 at resolution, in particular the rural minimum lot sizes submissions and responses paper. This identifies that Council has done the research, yet due to a few other State Level land based attribute studies, believed it did not have the full answer to examine RU1 & RU4 lands in any detail at this 2022 LEP. The stock response in the adopted paper at LEP adoption states;

Council proposes to undertake further investigations into this matter once the State has finalised proposed mapping and policy for agricultural lands utilising the outcomes from the LSPS document and Rural and Residential Lands Study 2019.

This suggests that whilst maybe the zoning is appropriate, perhaps the minimum lot size is inappropriate. It is also fair to say this may lead one to believe the LEP former status quo is some 30 – 50 year old planning theory still – “ideal farm size” ? Maybe the land would be better served as it was in the 1993 EPI being say 1(a2) [now say RU4] and 4-10ha ?

**3(b) That there are sufficient environmental planning grounds to justify contravening the development standard, using the objects of the Environmental Planning and Assessment Act, 1979, as per *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118**

The objects of the Act are contained in Section 1.3, and are replicated as follows, and it is considered that the comments provided with respect to each of these objectives, and the information contained in the original Clause 4.6 justification, demonstrates that there are sufficient environmental planning grounds to justify contravening the development standard for this sized allotment.

| Objective                                                                                                                                                                                         | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources</i> | <p>The creation of one additional entitlement in the local Boykett's area, which is appropriately serviced (or able to be sufficiently BASIX satisfied) and contains a reasonably designed development that meets all relevant planning controls, will not impact on the social and economic welfare of the community and will not impact on the environment or management of natural resources.</p> <p>It will however, have a positive impact on the local community and neighbourhood being equivalent in size and providing a sense of community. Contravening the minimum lot size for a dwelling (yet equivalent or larger than those adjacent), where the impacts of the development are tangible, measurable and if deemed acceptable, is considered reasonable. This is particularly relevant, where alternates (such as no pragmatic use of the allotment), would leave isolated lots of no farming use nor ability for an occupied use.</p> <p>It may be fair to say that the neighbours in this locality expect this lot to gain a dwelling in time.</p> |
| <i>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social</i>                                                                          | <p>The permission of a right for a dwelling will have positive economic, social and environmental outcomes. An orphaned barely farmed lot would become a weed farm and nuisance to neighbours. An occupied and cared for allotment would</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

|                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>considerations in decision-making about environmental planning and assessment</i>                                                                                      | be better cared for and provide less impact, better sense of community, a higher level use and maintenance of land, and a better rating outcome for Council in an area of similar sized lots in a consistent sense.                                                                                                                                                                                                                    |
| <i>(c) to promote the orderly and economic use and development of land</i>                                                                                                | The erection of another dwelling in this setting, utilises existing infrastructure and services which pass by the land anyway, which in itself is considered to promote the orderly and economic use of the land. The design of the dwelling and subtle site placement in upper rear corner, would be consistent with properties adjacent. .                                                                                           |
| <i>(d) to promote the delivery and maintenance of affordable housing</i>                                                                                                  | The land having an additional dwelling and habitable permission (where technically it does not at present) aids the delivery of more housing in an area consistently sized for a dwelling, on the fringe of Town. An additional dwelling without subdivision or extraneous costs would be a positive in the dwelling supply pipeline for Young and Maimuru.                                                                            |
| <i>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats</i> | The land was and still can be used for rural, agistment or small agricultural uses. Occupation by way of a dwelling permission, allows the land to be managed, not allowed to go to weed and be better cared for. Balanced against the sole site input of an OSM system, the ultimate nett gain in better management outweighs this input and is a geographically better outcome to the neighbourhood from an environmental viewpoint. |
| <i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)</i>                                                  | The nett increase of dwellings by one (1) at this site (as was always anticipated), does not actively work either for or against this objective, with the impacts of the intended dwelling on European and Aboriginal heritage having been considered in the original SEE. The site was not found to have known cultural significance at the AHIMs search undertaken.                                                                  |
| <i>(g) to promote good design and amenity of the built environment</i>                                                                                                    | The proposed dwelling is modest and low profile in nature. It is set adjacent the existing shed and sympathetic with the nature of the level site, without cut/fill. The colours are low key and consistent with other housing (existing and proposed) in the locality. The proposal is considerably below any nearby ridge line (to the east) and is set into the land when viewed from afar.                                         |
| <i>(h) to promote the proper construction and maintenance of buildings, including the protection</i>                                                                      | The dwelling will be BCA and legislatively compliant. The provision of an approved OSM system will allow the opportunity to amend and correct some installation issues by prior owners to do with the shed. The dwelling and its                                                                                                                                                                                                       |



|                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>of the health and safety of their occupants</i>                                                                                                        | related OSM will be a chance to make a compliant site out of past potential errors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <i>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State</i> | <p>The provision of a dwelling entitlement and approving a dwelling is normally to be referred for concurrence at State level, along with this request at Local Govt level. This now occurs as a deemed concurrence process locally subject to guidelines. It is believed that what is being applied for is locality consistent and does not create issues of Regional Plan concern nor of Local Environmental Plan concern.</p> <p>Council still has to review and examine how it best deals with the RU4 and RU1 outcomes. This locality of wider Maimuru makes sense to be RU2 or RU4 lands of varying sizes, simply to call it what it already is, and is capable of being on the wider fringe of Town in an historically developed pocket. Were it to continue as RU1 larger lot, this is simply a sterilisys measure. Currently these decisions are in limbo.</p> |
| <i>(j) to provide increased opportunity for community participation in environmental planning and assessment</i>                                          | The provision of this permission, does not actively work either for or against this objective.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

It is considered that the objectives of the Dwelling rights clause at the LEP (sec 4.2A) along with its parent legislation (EP&A Act 1.3) are met or considered reasonable in this case and do not make for concerns at local or regional level. The provision of an additional dwelling house in this locality is locally consistent.

## Andrew Raines

**From:** Andrew Raines  
**Sent:** Wednesday, 2 June 2021 1:18 PM  
**To:** kenattenborough@bigpond.com  
**Cc:** Bill Vanry  
**Subject:** Dwelling entitlement search - Lot 229 DP 754575, 11 Boyketts Lane MAIMURU NSW 2594  
**Attachments:** DES2021-0006 Dwelling Entitlement Search - 11 Boyketts Lane Maimuru.pdf; NSW Guide varying-development-standards.pdf

COPY

Good afternoon Ken,

Please find attached a copy of Council's letter on your recent dwelling entitlement search application. A hardcopy has been posted from our Young Office.

As recently discussed, a dwelling entitlement may be obtained by way of a Development Application (DA) as detailed in our letter. If you proceed with your subdivision to create two lots for primary production purposes only, this option will not be available.

While Council cannot advise on the outcome of a DA, it is noted the majority of properties along Boyketts Lane are of a similar size to your property and contain dwellings. As part of a DA, you would need to demonstrate why strict compliance with the minimum lot size to erect a dwelling is unreasonable or unnecessary in the circumstances. A town planning consultant would be able to assist you in preparing such documentation for a future DA.

If you would like to discuss your application or a future DA, feel free to contact Council's Duty Planner or myself on 1300 445 586 or by reply email.

Kind regards,  
Andrew

**Andrew Raines**  
Senior Land Use Planner

Locked Bag 5  
YOUNG NSW 2594  
[andrew.raines@hilltops.nsw.gov.au](mailto:andrew.raines@hilltops.nsw.gov.au) Phone (02) 6384 2535  
Fax (02) 6386 0105

Boorowa Office – 6-8 Market St  
BOOROWA

Harden Office – 3 East St  
HARDEN

Young Office – 189 Boorowa St  
YOUNG

DISCLAIMER: The information contained in this email message and any accompanying files is, or may be, confidential. If you are not the intended recipient, any use, dissemination, reliance, forwarding, printing or copying of this email or any attached files is unauthorised. This email is subject to copyright. No part of it should be reproduced, adapted or communicated without the written consent of the copyright owner. If you have received this email in error, please advise the sender immediately by return email, or telephone and delete all copies. Hilltops Council does not guarantee the accuracy or completeness of any information contained in this email or attached files. Unless otherwise stated, the opinions expressed in this email are those of the writer and do not necessarily represent those of Hilltops Council. Information contained in this email should not be relied upon where loss, damage or injury is possible. Internet communications are not secure and Hilltops Council does not accept legal responsibility for the contents of this message or attached files.

 Please consider the environment before printing this e-mail

[kenattenborough@bigpond.com](mailto:kenattenborough@bigpond.com)

Tue 1/06/2021 11:17 AM

To: Hilltops Mail Andrew Raines, Senior Planner, Hilltops Council.

**APPENDIX # 2**

**NSW Planning Portal Report**



# Property Report

11 BOYKETTS LANE MAIMURU 2594



## Property Details

Address: 11 BOYKETTS LANE MAIMURU 2594  
Lot/Section 229/-/DP754575  
/Plan No:  
Council: HILLTOPS COUNCIL

## Summary of planning controls

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

|                              |                                                          |
|------------------------------|----------------------------------------------------------|
| Local Environmental Plans    | Hilltops Local Environmental Plan 2022 (pub. 23-12-2022) |
| Land Zoning                  | RU1 - Primary Production: (pub. 23-12-2022)              |
| Height Of Building           | NA                                                       |
| Floor Space Ratio            | NA                                                       |
| Minimum Lot Size             | 24 ha                                                    |
| Heritage                     | NA                                                       |
| Land Reservation Acquisition | NA                                                       |
| Foreshore Building Line      | NA                                                       |

## Detailed planning information

### State Environmental Planning Policies which apply to this property

State Environmental Planning Policies can specify planning controls for certain areas and/or types of development. They can also identify the development assessment system that applies and the type of environmental assessment that is required.

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)



# Property Report

11 BOYKETTS LANE MAIMURU 2594

- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Allowable Clearing Area (pub. 21-10-2022)
- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)
- State Environmental Planning Policy (Housing) 2021: Land Application (pub. 26-11-2021)
- State Environmental Planning Policy (Industry and Employment) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Planning Systems) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Primary Production) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resilience and Hazards) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resources and Energy) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Sustainable Buildings) 2022: Land Application (pub. 29-8-2022)
- State Environmental Planning Policy (Transport and Infrastructure) 2021: Land Application (pub. 2-12-2021)

## Other matters affecting the property

Information held in the Planning Database about other matters affecting the property appears below. The property may also be affected by additional planning controls not outlined in this report. Please speak to your council for more information

|                                     |                                                                                                                                                                                      |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Land near Electrical Infrastructure | This property may be located near electrical infrastructure and could be subject to requirements listed under ISEPP Clause 45. Please contact Essential Energy for more information. |
| Local Aboriginal Land Council       | YOUNG                                                                                                                                                                                |
| Regional Plan Boundary              | South East and Tablelands                                                                                                                                                            |

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)



## **APPENDIX # 3**

**Crown Plan**

**&**

**Title**



FOLIO: 229/754575

-----

| SEARCH DATE | TIME    | EDITION NO | DATE     |
|-------------|---------|------------|----------|
| -----       | ----    | -----      | ----     |
| 15/1/2025   | 9:47 AM | 15         | 9/9/2024 |

LAND

----

LOT 229 IN DEPOSITED PLAN 754575  
AT YOUNG  
LOCAL GOVERNMENT AREA HILLTOPS  
PARISH OF BAXTER COUNTY OF MONTEAGLE  
(FORMERLY KNOWN AS PORTION 229)  
TITLE DIAGRAM DP239544

FIRST SCHEDULE

-----

KEN WILLIAM ATTENBOROUGH (T AS967201)

SECOND SCHEDULE (2 NOTIFICATIONS)

-----

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND  
CONDITIONS IN FAVOUR OF THE CROWN - SEE MEMORANDUM S700000A
- 2 AS967202 MORTGAGE TO AUSTRALIA AND NEW ZEALAND BANKING GROUP  
LIMITED

NOTATIONS

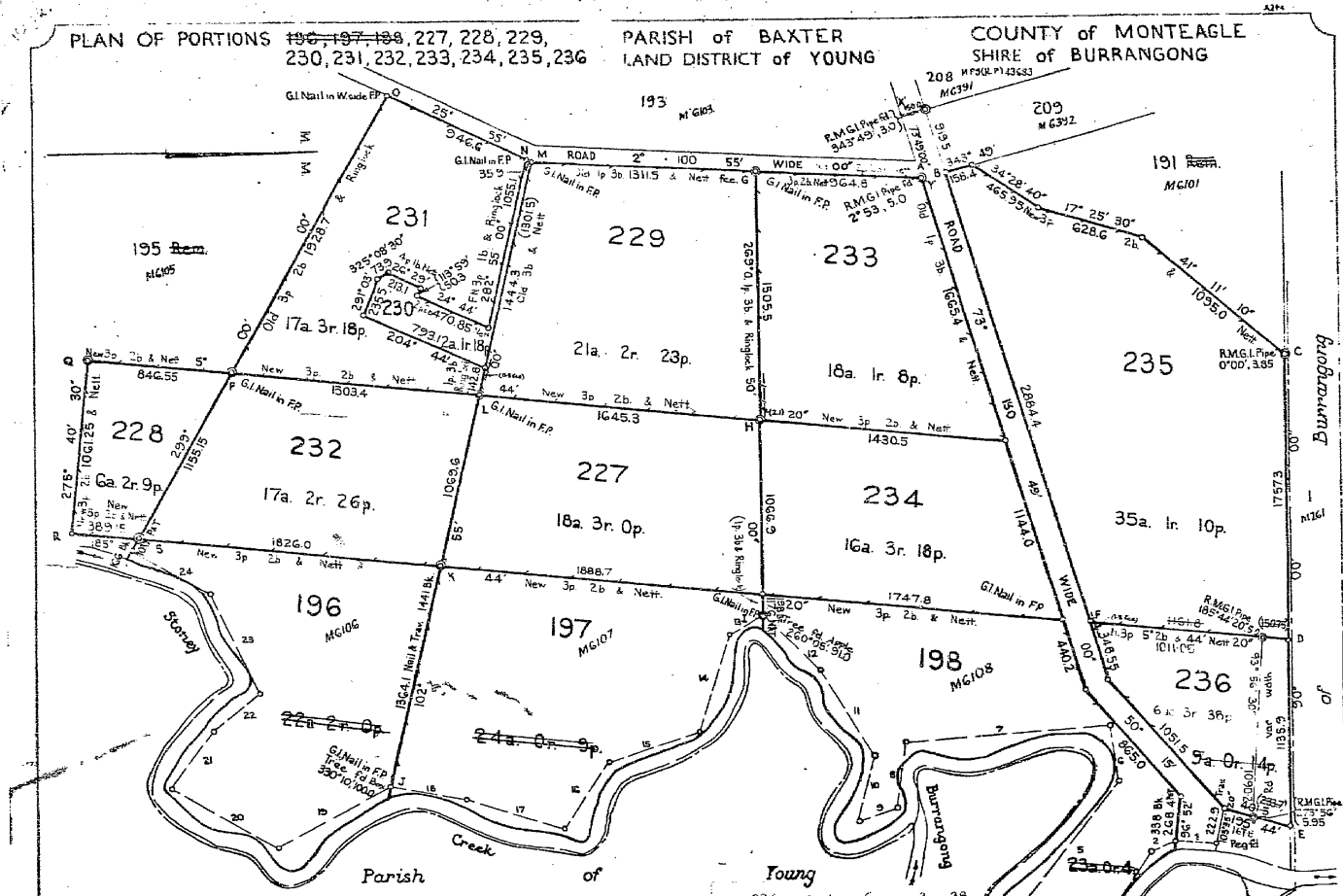
-----

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

ATTENBOROUGH...

PRINTED ON 15/1/2025



### TRAVERSE

| LINE | BEARING      | DISTANCE | LINE | BEARING      | DISTANCE |
|------|--------------|----------|------|--------------|----------|
| 1    | 184° 56' 30" | 227.65   | 6    | 123° 17' 50" | 460.4    |
| 2    | 154° 40'     | 153.75   | 7    | 197° 19' 40" | 608.6    |
| 3    | 122° 53' 40" | 281.05   | 8    | 190° 51' 30" | 436.1    |
| 4    | 228° 12' 40" | 486.9    | 9    | 150° 50' 20" | 830.7    |
| 5    | 306° 48'     | 1136.6   | 10   | 210° 57'     | 726.75   |
| 6    | 262° 22' 20" | 350.7    | 11   | 306° 13'     | 425.68   |
| 7    | 178° 13'     | 1188.1   | 12   | 320° 12' 30" | 360.48   |
| 8    | 98° 36'      | 400.6    | 13   | 245° 09'     | 673.1    |
| 9    | 104° 40' 30" | 245.15   | 14   | 203° 51'     | 531.5    |
| 10   | 283° 50'     | 404.3    |      |              |          |
| 11   | 240° 00'     | 613.45   |      |              |          |
| 12   | 225° 27'     | 475.15   |      |              |          |
| 13   | 153° 04'     | 210.4    |      |              |          |
| 14   | 107° 19' 30" | 623.8    |      |              |          |
| 15   | 160° 41' 30" | 564.8    |      |              |          |

### REFERENCE MARKS

| CORNER | BEARING      | FROM                 | DISTANCE | NO. ON TREE |
|--------|--------------|----------------------|----------|-------------|
| A      | 123° 17' 50" | corner G.I. Pipe Rd. | 5.0      | 196         |
| B      | 197° 19' 40" | corner G.I. Pipe Rd. | 5.0      | 235, 209    |
| C      | 190° 51' 30" | corner G.I. Pipe Rd. | 9.85     | 235, 191    |
| D      | 150° 50' 20" | corner G.I. Pipe Rd. | 5.0      | 235, 236    |
| E      | 210° 57'     | corner G.I. Pipe Rd. | 5.0      | 235, 236    |
| F      | 306° 13'     | corner G.I. Pipe Rd. | 12.05    | 197, 198    |
| G      | 320° 12' 30" | corner G.I. Pipe Rd. | 21.0     | 197, 198    |
| H      | 245° 09'     | corner G.I. Pipe Rd. |          |             |
| I      | 203° 51'     | corner G.I. Pipe Rd. |          |             |

SCALE: 6 CHAINS TO AN INCH. All measurements shown in links

Canceled, p. 18 M6106, G107, G108 and parts plans M6101 and G105-1780  
 Within Burrangong Gold Field, proclaimed 31st August, 1865.  
 Within R.1819 from Open under any M.R. or G.L. void 19th October, 1928.  
 Pors 230, 231, 232, 233, 234, 235, 236, within Maimuru Sett. Pur. Area, Gaz. 20th June 1930 (Addn.)  
 Pors 229, 227, 228, within area added to Maimuru Sett. Pur. Area, Gaz. 20th June 1930.  
 Pors 233, 234, 235, within area set apart as Maimuru Sett. Pur. Area, Gaz. 15th October, 1928.  
 Pors 235, 236, within area added to Maimuru Sett. Pur. Area, Gaz. 20th June 1930.  
 Pors 228, 229, 227, within area added to Maimuru Sett. Pur. Area, Gaz. 14th June, 1957.  
 Pors 228, 229, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, P.T. Tender Purchase to J.E. McKnight 15th Sept. 1930 and addn. as from 17th June, 1948.  
 Pors 235, 236, P.T. Tender Purchase to George Percival 15th Sept. 1930. (Includes pors 191, 194 & 203 - total area 140.2 a.)  
 Por 236, 236 Or 16p resumed for road wide R31948 recd. Gaz 12-3-71

For examination survey, see plan catalogued Ms.843 Cta. R.

SUBSTITUTE COPY

ORIGINAL PLAN

DP 239544

PAPER NO. 18 69/86: C.S.70/2

CAT. NO. M6926-1780

### REFERENCE MARKS

| CORNER | BEARING  | FROM                 | DISTANCE | NO. ON TREE        |
|--------|----------|----------------------|----------|--------------------|
| J      | 130° 10' | corner Box Rd.       | 100.0    | 196, 197           |
| K      | 135° 12' | corner G.I. Pipe Rd. | 15.63    | 232, 227, 197, 196 |
| L      | 132° 10' | corner G.I. Pipe Rd. | 7.24     | 231, 229, 227, 232 |
| M      | 132° 10' | corner G.I. Pipe Rd. |          | 230, 235           |
| N      | 132° 10' | corner G.I. Pipe Rd. |          | 231, 230           |
| O      | 132° 10' | corner G.I. Pipe Rd. |          | 195, 196           |
| P      | 132° 10' | corner G.I. Pipe Rd. |          | 231, 232, 228      |
| Q      | 132° 10' | corner G.I. Pipe Rd. | 5.7      | 236, 195           |
| R      | 132° 10' | corner G.I. Pipe Rd. | 5.0      | 195, 228           |
| S      | 132° 10' | corner G.I. Pipe Rd. | 17.5     | 228, 232, 195, 195 |

AZIMUTH TAKEN FROM "Y"  
 FIELD BOOK LD.5155 PAGES 11

I, Larry Wallace, Wordsworth, of L.W. Wordsworth & Assoc., Young a Surveyor registered under the Surveyors Act, 1929-1946, hereby certify that the survey represented in this plan is accurate and has been made under my immediate supervision in accordance with the Survey Practice Regulations, 1933, and the special requirements of the Department of Lands and was completed on 11.2.70.

Signature L.W. Wordsworth  
 Surveyor registered under the Surveyors Act, 1929-1946.  
 CHECKED & CHARTED J. O. Rowe 23.6.1970.  
 PLAN APPROVED Rowe  
 Authorized Officer 30th June, 1970.

AMENDMENTS AND/OR ADDITIONS MADE ON  
 PLAN IN THE LAND TITLES OFFICE

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day. 12th MARCH, 1990



2

10 20 30 40 50 60 70 Table of mm 110 120 130 140



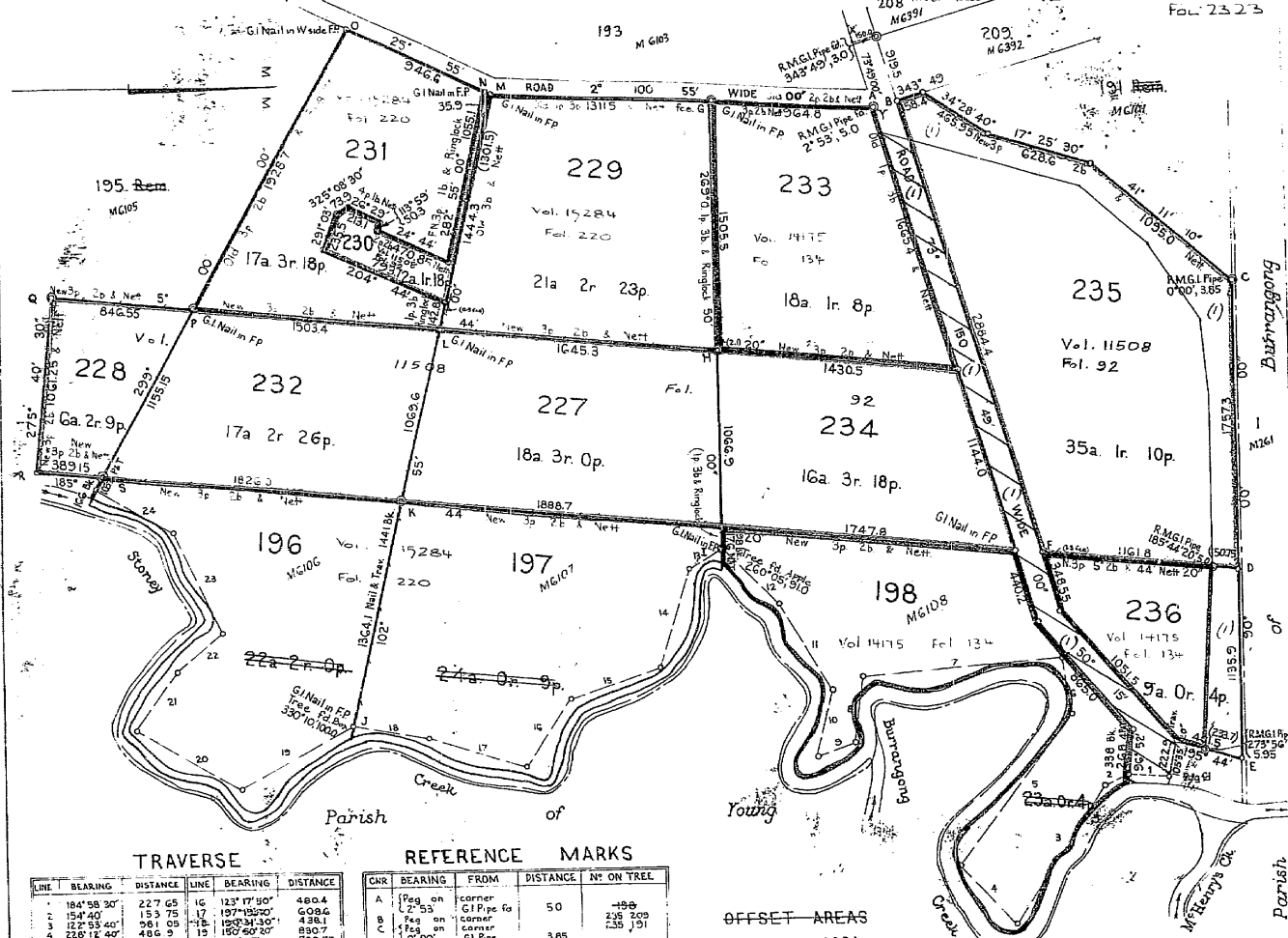
PLAN OF PORTIONS 196, 197, 198, 227, 228, 229,  
230, 231, 232, 233, 234, 235, 236

PARISH of BAXTER  
LAND DISTRICT of YOUNG

COUNTY of MONTEAGLE

SHIRE of BURNABONG

G.A. 9-5-30  
Fol. 23-23



TRAVERSE

REFERENCE MARKS

| LINE | BEARING      | DISTANCE | LINE | BEARING      | DISTANCE |
|------|--------------|----------|------|--------------|----------|
| 1    | 184° 58' 30" | 227.65   | 16   | 123° 17' 50" | 480.4    |
| 2    | 154° 40'     | 153.75   | 17   | 197° 15' 50" | 608.4    |
| 3    | 122° 55' 40" | 98.1     | 18   | 182° 31' 30" | 498.1    |
| 4    | 220° 12' 40" | 486.9    | 19   | 180° 50' 20" | 890.7    |
| 5    | 300° 48'     | 1136.6   | 20   | 100° 00'     | 726.78   |
| 6    | 202° 22' 20" | 350.7    | 21   | 300° 13'     | 425.65   |
| 7    | 175° 13'     | 1188.1   | 22   | 320° 12' 30" | 360.45   |
| 8    | 150° 40' 30" | 244.15   | 23   | 245° 09'     | 273.1    |
| 9    | 120° 40' 30" | 404.3    | 24   | 209° 51'     | 531.5    |
| 10   | 120° 40' 30" | 404.3    |      |              |          |
| 11   | 120° 40' 30" | 404.3    |      |              |          |
| 12   | 225° 27'     | 475.15   |      |              |          |
| 13   | 153° 04'     | 210.4    |      |              |          |
| 14   | 107° 19' 50" | 528.4    |      |              |          |
| 15   | 160° 41' 40" | 556.5    |      |              |          |

| COR | BEARING  | FROM             | DISTANCE | NO ON TREE |
|-----|----------|------------------|----------|------------|
| A   | 127° 55' | corner G.I. Pipe | 50       | 196        |
| B   | 127° 55' | corner G.I. Pipe | 235      | 209        |
| C   | 127° 55' | corner G.I. Pipe | 235      | 191        |
| D   | 127° 55' | corner G.I. Pipe | 235      | 236        |
| E   | 127° 55' | corner G.I. Pipe | 235      | 236        |
| F   | 127° 55' | corner G.I. Pipe | 235      | 236        |
| G   | 127° 55' | corner G.I. Pipe | 235      | 236        |
| H   | 127° 55' | corner G.I. Pipe | 235      | 236        |
| I   | 127° 55' | corner G.I. Pipe | 235      | 236        |

OFFSET AREAS

|             |              |              |
|-------------|--------------|--------------|
| PORTION 196 | 184° 58' 30" | 184° 58' 30" |
| 197         | 154° 40'     | 154° 40'     |
| 198         | 122° 55' 40" | 122° 55' 40" |
| 227         | 175° 13'     | 175° 13'     |
| 228         | 153° 04'     | 153° 04'     |
| 229         | 107° 19' 50" | 107° 19' 50" |
| 230         | 160° 41' 40" | 160° 41' 40" |

SURROUND AREAS

|          |             |          |             |          |             |
|----------|-------------|----------|-------------|----------|-------------|
| Port 196 | 20-5577 ac. | Port 228 | 6-5577 ac.  | Port 232 | 17-6667 ac. |
| 197      | 22-3090 ac. | 229      | 21-6470 ac. | 233      | 18-3094 ac. |
| 198      | 18-2284 ac. | 230      | 2-3686 ac.  | 234      | 16-8619 ac. |
| 227      | 18-7518 ac. | 231      | 17-8641 ac. | 235      | 35-3129 ac. |
|          |             | 236      | 9-0883 ac.  |          |             |

REFERENCE MARKS

| CORNER | BEARING  | FROM                | DISTANCE | NO ON TREE      |
|--------|----------|---------------------|----------|-----------------|
| J      | 130° 10' | on corner Box Rd.   | 100.0    | 196 197         |
| K      | 130° 10' | on corner G.I. Pipe | 15.63    | 232 227 197 196 |
| L      | 130° 10' | on corner G.I. Pipe | 7.24     | 231 229 227 232 |
| M      | 130° 10' | on corner G.I. Pipe | 5.7      | 230 229         |
| N      | 130° 10' | on corner G.I. Pipe | 5.0      | 231 230         |
| O      | 130° 10' | on corner G.I. Pipe | 5.7      | 195 231 232 238 |
| P      | 130° 10' | on corner G.I. Pipe | 5.7      | 228 195         |
| Q      | 130° 10' | on corner G.I. Pipe | 5.0      | 228 195         |
| R      | 130° 10' | on corner G.I. Pipe | 17.5     | 228 195 196 197 |

AZIMUTH TAKEN FROM "X" Y  
FIELD BOOK L.D. 5195 PAGES 11

I, Larry Wallace Wordsworth, of L.V. Wordsworth & Assoc., Young a Surveyor registered under the Surveyors Act, 1929-1946, hereby certify that the survey represented in this plan is accurate and has been made under my immediate supervision in accordance with the Survey Practice Regulations, 1933, and the special regulations of the Government of Lands and was completed on 17-3-70.

Signatures *L. Wordsworth*

Surveyor registered under the Surveyors Act, 1929-1946

CHECKED & CHARTED *J. G. H. H. H.* 29. 3. 1970.

PLAN APPROVED *J. G. H. H. H.* 29. 3. 1970.

Authorised Officer *J. G. H. H. H.* 29. 3. 1970.

PARCELS SHOWN IN THIS PLAN WILL  
BE DESCRIBED IN CERTIFICATES OF  
TITLE AS "PORTION.....AS SHOWN IN  
DEPOSITED PLAN....."

D P 239544

13.7.70

Crown Land  
Crown Grant Issue  
Parish

NOTES

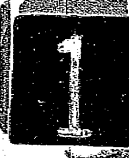
- (1) D.P. 240658 (Sur.) Crown Grant Issue  
12-3-71 809-31948 301, Now road vide N/R M 209375  
Road hatched blue closed Gaz 12-3-71 16, 609

PAPER NO 18 69, 80 C.S. 10-2

CAIN NO. 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

AMENDMENTS AND/OR ADDITIONS MADE ON  
PLAN IN THE LAND TITLES OFFICE

This negative is a photograph made as a permanent  
record of a document in the custody of the  
Registrar General this day. 12th MARCH, 1990



|    |    |    |    |    |    |    |             |     |     |     |     |
|----|----|----|----|----|----|----|-------------|-----|-----|-----|-----|
| 10 | 20 | 30 | 40 | 50 | 60 | 70 | Table of mm | 110 | 120 | 130 | 140 |
|----|----|----|----|----|----|----|-------------|-----|-----|-----|-----|



DIAGRAM 2  
REDUCTION RATIO 1:1000

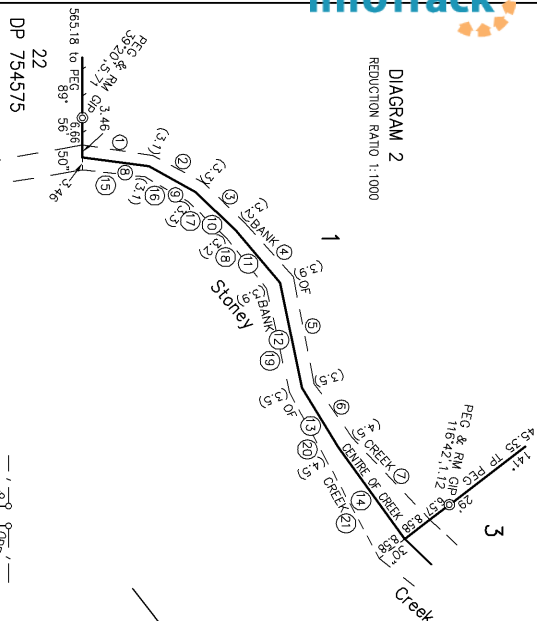
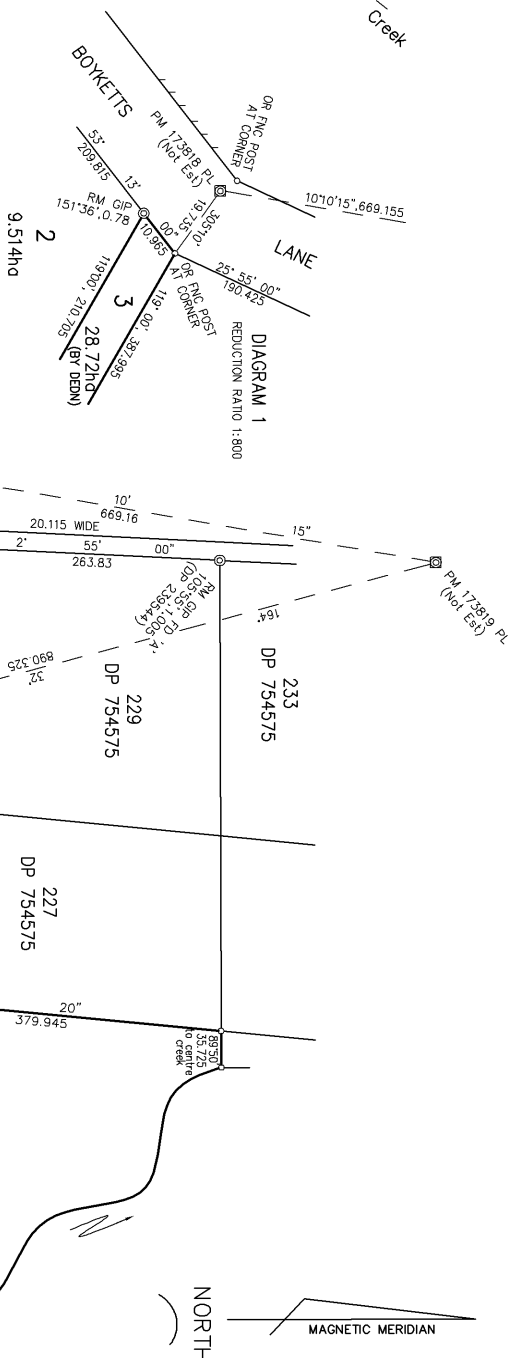


DIAGRAM 1  
REDUCTION RATIO 1:800



SCHEDULE OF CREEK BOUNDARY  
NORTHERN BANK CREEK

| No. | BEARING  | CHORD  |
|-----|----------|--------|
| 1   | 9708.00" | 18.92  |
| 2   | 2858.00" | 15.15  |
| 3   | 4506.00" | 15.535 |
| 4   | 4904.00" | 19.705 |
| 5   | 7921.00" | 29.925 |
| 6   | 5600.20" | 17.89  |
| 7   | 4734.00" | 30.55  |

CENTRELINE OF CREEK

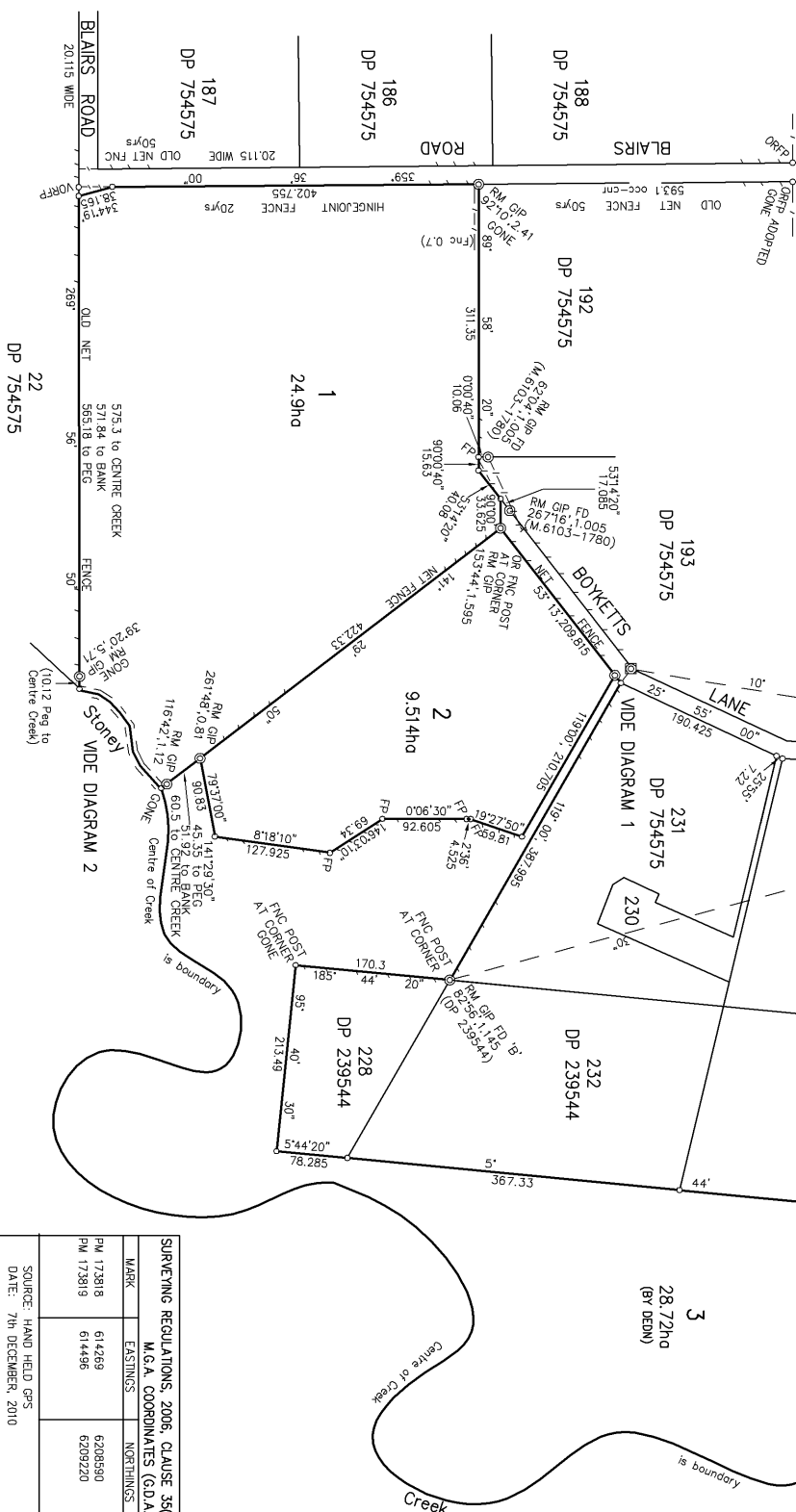
| No. | BEARING  | CHORD  |
|-----|----------|--------|
| 8   | 7571.00" | 17.815 |
| 9   | 2946.40" | 14.165 |
| 10  | 4449.20" | 14.94  |
| 11  | 5047.20" | 18.59  |
| 12  | 7842.50" | 29.57  |
| 13  | 5915.00" | 19.025 |
| 14  | 5513.00" | 30.575 |

SOUTHERN BANK CREEK

| No. | BEARING  | CHORD  |
|-----|----------|--------|
| 15  | 639.00"  | 16.66  |
| 16  | 3046.40" | 13.185 |
| 17  | 4431.20" | 14.345 |
| 18  | 5245.40" | 17.495 |
| 19  | 7805.40" | 29.22  |
| 20  | 6207.20" | 20.215 |
| 21  | 6243.10" | 31.14  |

159° 09'45" 673.405 SURVEY & DP239544

A'-B'



Surveyor: Vincent Paul Curtis  
Date of Survey: 9th April 2011  
Surveyor's Ref: 16725

PLAN OF SUBDIVISION OF LOTS 194,  
195, 196 & 197, DP 754575

LGA: YOUNG  
Locality: MAIMURU  
Subdivision No: 2011DA-00199  
Lengths are in metres. Reduction ratio 1:4000

Registered  
30.7.2013

DP1184923

| SURVEYING REGULATIONS, 2006, CLAUSE 35(1)(b) & CLAUSE 61 (2) |          |           |      |
|--------------------------------------------------------------|----------|-----------|------|
| M.G.A. COORDINATES (G.D.A.94)                                |          |           |      |
| MARK                                                         | EASTINGS | NORTHINGS | ZONE |
| PM 172818                                                    | 614269   | 6208590   | 55   |
| PM 172819                                                    | 614496   | 6209220   | 55   |
|                                                              |          |           | U    |

SOURCE: HAND HELD GPS  
DATE: 7th DECEMBER, 2010



PLAN FORM 6

WARNING: Creasing or folding will lead to rejection

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 1 sheet(s)

SIGNATURES, SEALS AND STATEMENTS of intention to dedicate public roads, public reserves and drainage reserves or create easements, restrictions on the use of land and positive covenants

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919, IT IS INTENDED TO CREATE:

1. RESTRICTION ON THE USE OF LAND.

*[Handwritten signature]*

*[Handwritten signature: Joee Reeper]*

AUSTRALIA AND NEW ZEALAND  
BANKING GROUP LIMITED  
A.C.N. 005 357 522  
BY ITS ATTORNEY UNDER POWER  
OF ATTORNEY BOOK No. 4466 No. 295

*[Handwritten signature: Peter O'Rourke]*  
ACTING MANAGER SECURITIES  
*[Handwritten signature: Peter O'Rourke]*  
47 E 33 COLLINS ST VIC 3008

If space is insufficient use PLAN FORM 6A annexure sheet

Crown Lands NSW/Western Lands Office Approval

I, ..... in approving this plan certify  
(Authorised Officer)  
that all necessary approvals in regard to the allocation of the land  
shown herein have been given

Signature: .....

Date: .....

File Number: .....

Office: .....

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning and  
Assessment Act 1979 have been satisfied in relation to:

the proposed SUBDIVISION set out herein

(insert 'subdivision' or 'new road')

*[Handwritten signature]*

\* Authorised Person / General Manager / Accredited Certifier

Consent Authority: YOUNG SHIRE COUNCIL

Date of Endorsement: 3 DECEMBER 2012

Accreditation no: .....

Subdivision Certificate no: 2010/SC-1 + 2011/PA-00199

\* Strike through inapplicable parts.



DP1184923 S

'se Only

Registered: 30.7.2013

Title System: TORRENS

Purpose: SUBDIVISION

Office Use Only

PLAN OF SUBDIVISION OF LOTS 194, 195,  
196 & 197 DP 754575

LGA: YOUNG

Locality: MAIMURU

Parish: BAXTER

County: MONTEAGLE

Survey Certificate

I, Vincent Paul Curtis

of CPC Land Development Consultants Pty Ltd

a surveyor registered under the Surveying and Spatial Information Act  
2002, certify that the survey represented in this plan is accurate, has  
been made in accordance with the Surveying and Spatial Information  
Regulation 2006 and was completed on: **9th April 2011**

The survey relates to ~~the whole plan~~ lots 1+2+ connections

(specify the land actually surveyed or specify any land shown in the  
plan that is not the subject of the survey)

Signature *Vincent P Curtis* Dated: 9-4-11

Surveyor registered under the Surveying and Spatial  
Information Act 2002

Datum Line: "A" - "B".

Type: Rural

Plans used in the preparation of survey/compilation

DP 239544  
M.6104-1780  
M.6105-1780

If space is insufficient use PLAN FORM 6A annexure sheet

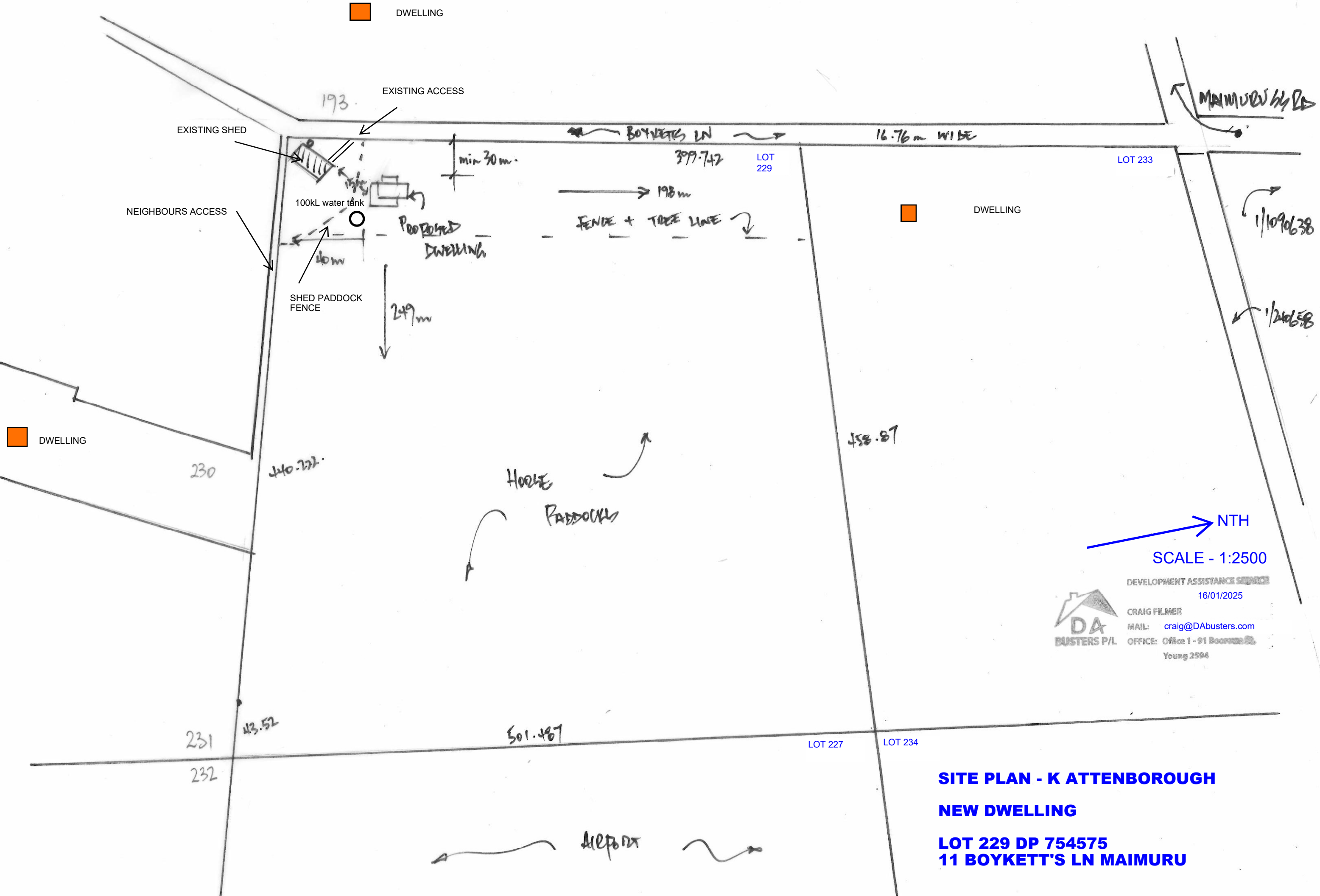
Surveyor's Reference: 16725

## **APPENDIX # 4**

### **Development Plans**



DWELLING



DEVELOPMENT ASSISTANCE SERVICE  
16/01/2025  
CRAIG FILMER  
MAIL: [craig@DAbusters.com](mailto:craig@DAbusters.com)  
OFFICE: Office 1 - 91 Boonaroo St.  
Young 2594

**SITE PLAN - K ATTENBOROUGH**  
**NEW DWELLING**  
**LOT 229 DP 754575**  
**11 BOYKETT'S LN MAIMURU**

- CONSTRUCTION NOTES**
- 1. EXTERNAL WALLS = 4"
  - 2. INTERNAL WALLS = 4"
  - 3. ALL INTERNAL DOORS 80"
  - 4. WC DOOR EXTERNAL REMOVABLE HINGES

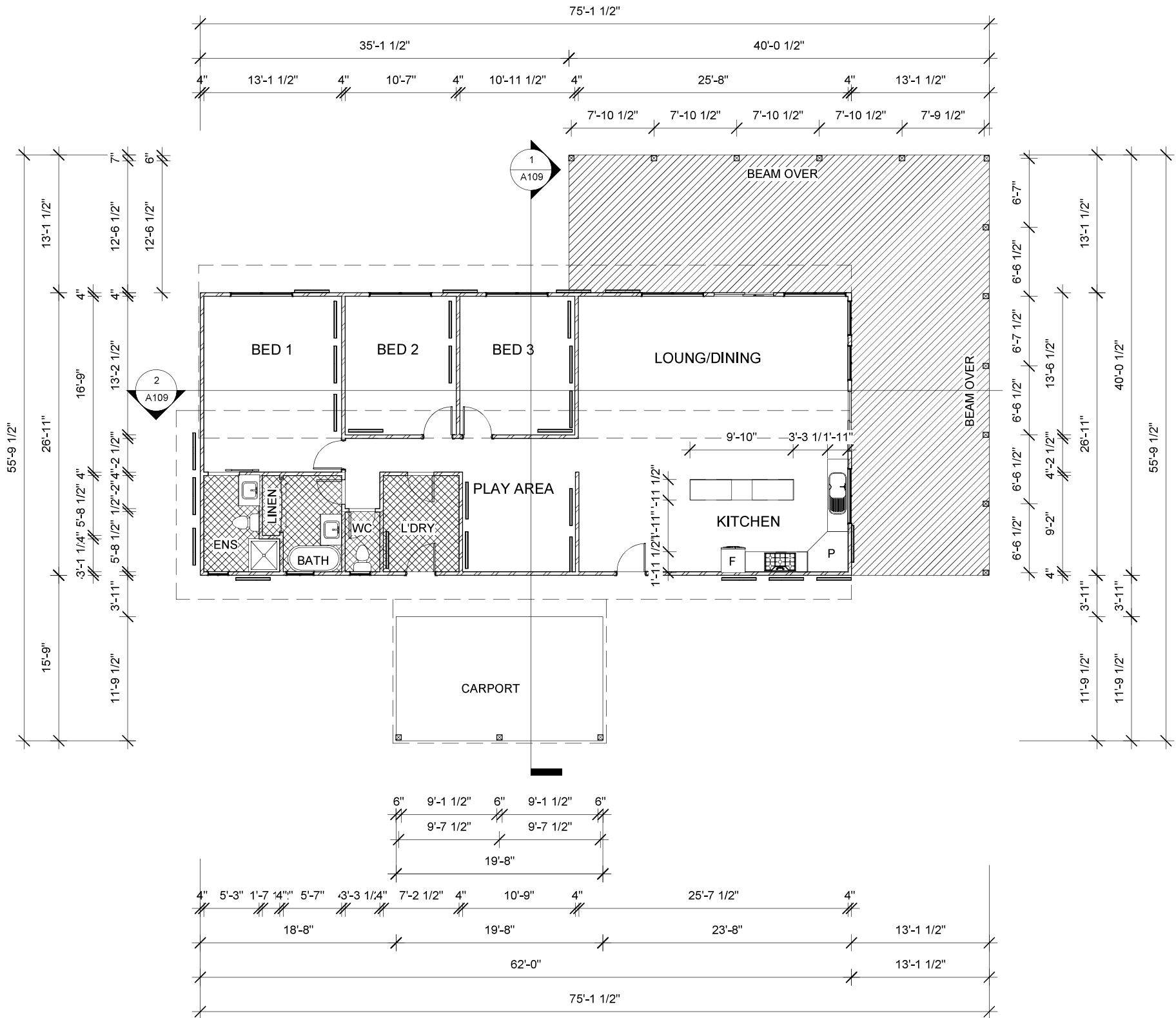
- LEGEND**
- CJ : CONSTRUCTION JOINT
  - DP : DOWNPIPE
  - FP : FIRE PLACE
  - FW: FLOOR WASTE
  - EPS: EXPANDED POLYSTYRENE FOAM (EPS) Sandwiched
  - HWS: HOT WATER SYSTEM
  - AC: AIR CONDITIONING
  - PS: PLUMBING STACK / DUCT
  - SP: STEEL POST
  - T.B.C.: TO BE CONFIRMED
  - RL: RELATIVE LEVEL
  - AHD: AMERICAN HEIGHT DATUM
  - CSD: CAVITY SLIDING DOOR
  - OHC: OVER HEAD CUPBOARD
  - FG: FIXED GLASS
  - FSR: FLOOR SPACE RATIO
  - LB: LOAD BEARING
  - NGL: NATURAL GROUND LINE
  - UBO: UNDER BENCH OVEN
  - WO: WALL OVEN
  - DW: DISHWASHER
  - MW: MICROWAVE
  - WM: WASHING MACHINE
  - WIR: WALK-IN-CLOSET
  - ASD: SLIDING GLASS DOOR
  - ASW: ALUMINIUM SLIDING WINDOW
  - ADH: ALUM. DOUBLE HUNG WINDOW
  - AAW: ALUM. AWNING WINDOW
  - ALW: ALUM. LOUVRE WINDOW
  - BCA :BUILDING CODE OF AMERICAN
  - AS: AMERICAN STANDARDS

**GENERAL NOTES**

DO NOT SCALE PLANS, USE WRITTEN DIMENSIONS ONLY.  
THE OWNER/BUILDER SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS LEVELS, SETBACKS AND SPECIFICATIONS PRIOR TO COMMENCING WORKS OR ORDERING MATERIALS AND SHALL BE RESPONSIBLE FOR ENSURING THAT ALL BUILDING WORKS CONFORM TO THE BUILDING CODE OF USA , CURRENT STANDARDS, BUILDING REGULATIONS AND TOWN PLANNING REQUIREMENTS, REPORT ANY DISCREPANCIES TO THIS OFFICE.

ALL WORKS SHALL COMPLY WITH BUT NOT LIMITED TO THE BUILDING CODE OF USA AND THE USA STANDARDS.

THESE PLANS SHALL BE READ IN CONJUNCTION WITH ANY STRUCTURAL AND CIVIL ENGINEERING COMPUTIONS AND DRAWINGS



**1 FLOOR PLAN**  
1 : 100

Owner

256KR

**AREAS**  
LIVING AREA : 155.0 m<sup>2</sup>  
CARPORT AREA : 28.8 m<sup>2</sup>  
VERANDAH : 81.6 m<sup>2</sup>  
TOTAL AREA : 265.4 m<sup>2</sup>

**AREAS**  
LIVING AREA : 1668 Sq. Feet  
CARPORT AREA : 310 Sq. Feet  
VERANDAH : 878 Sq. Feet  
TOTAL AREA : 2856 Sq. Feet

| No. | Description | Date |
|-----|-------------|------|
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |

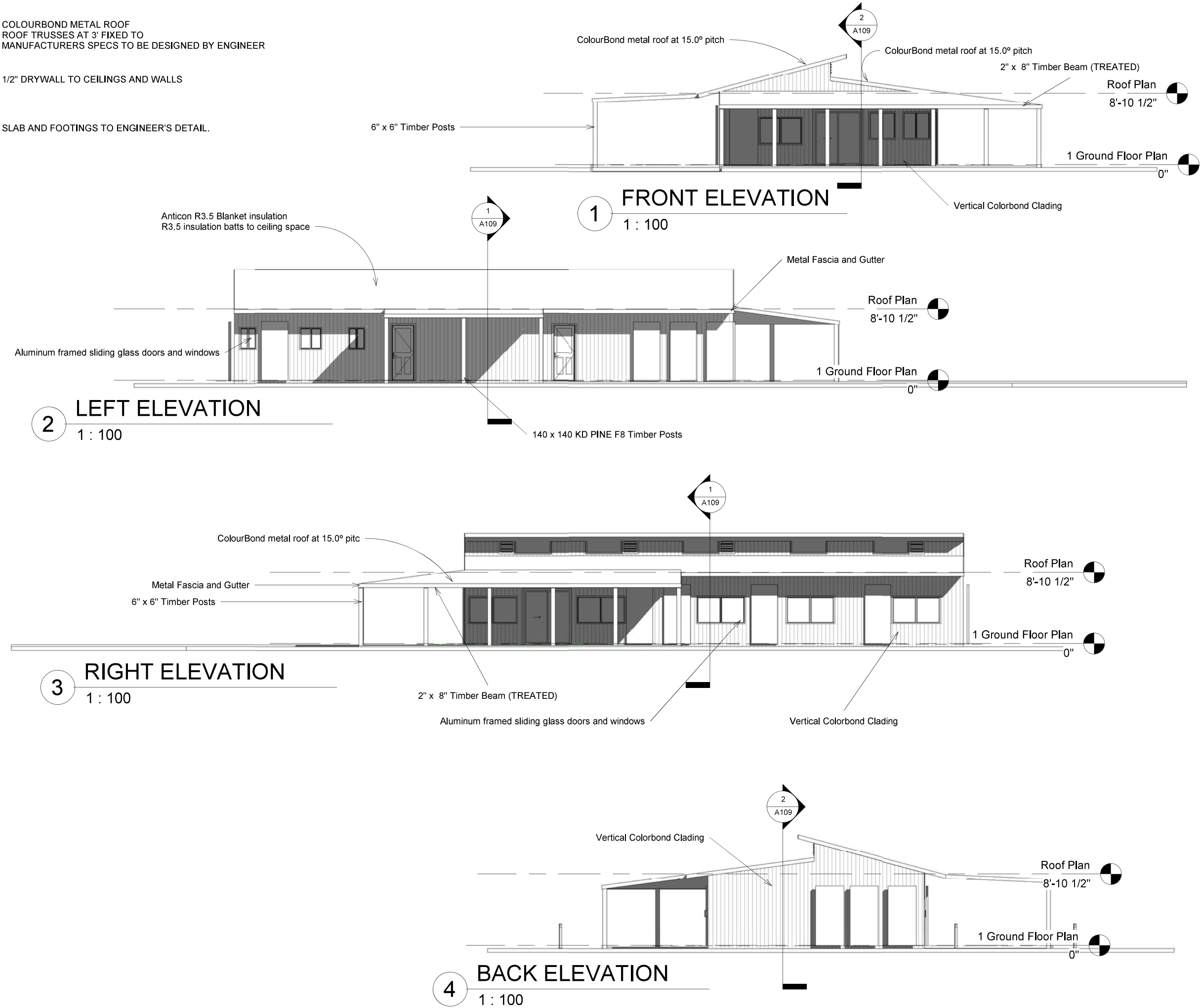
**FLOOR PLANS**

|                |            |
|----------------|------------|
| Project number | 0001       |
| Date           | Issue Date |
| Drawn by       | Author     |
| Checked by     | Checker    |
| A102           |            |
| Scale          | 1 : 100    |

COLOURBOND METAL ROOF  
ROOF TRUSSES AT 3' FIXED TO  
MANUFACTURERS SPECS TO BE DESIGNED BY ENGINEER

1/2" DRYWALL TO CEILINGS AND WALLS

SLAB AND FOOTINGS TO ENGINEER'S DETAIL.



Owner

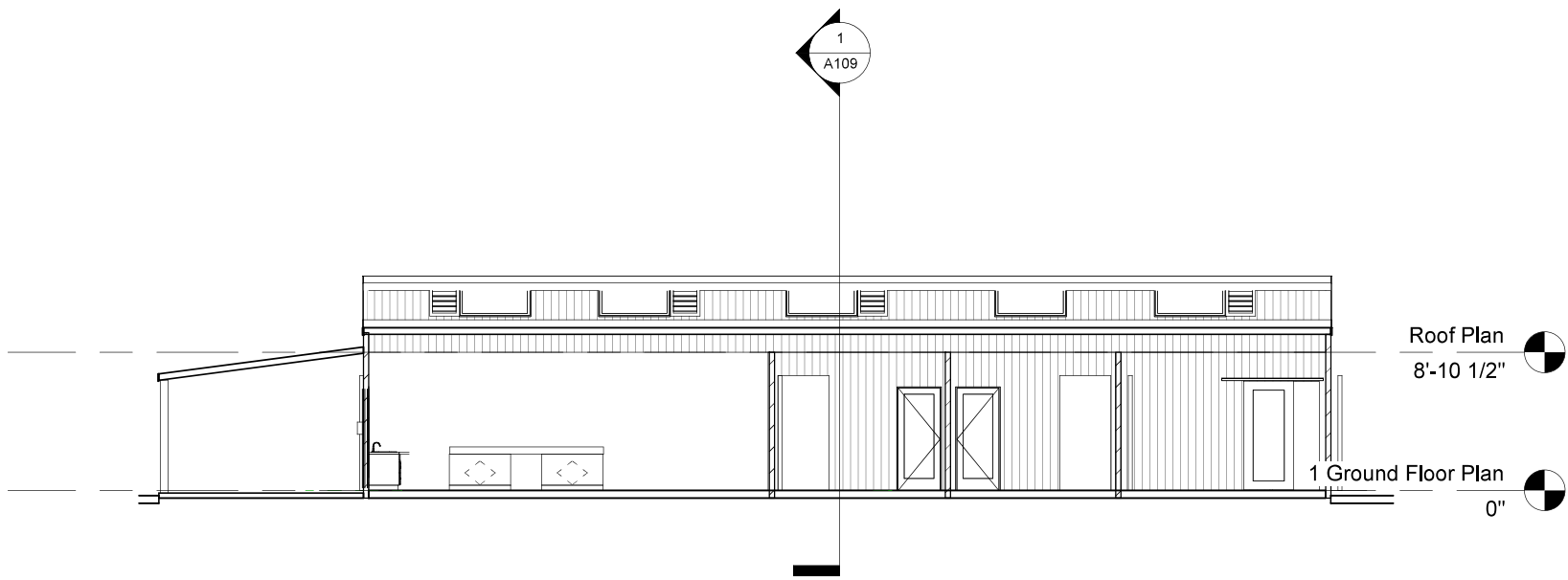
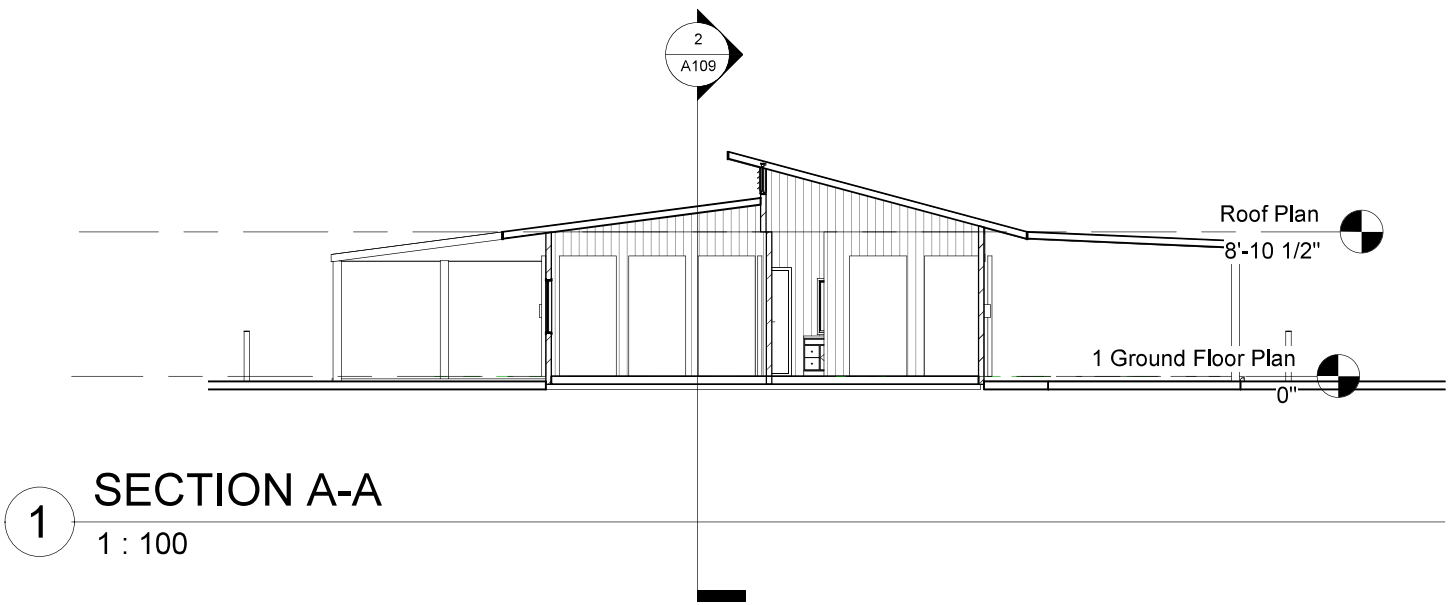
256KR

| No. | Description | Date |
|-----|-------------|------|
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |

ELEVATIONS

|                |            |
|----------------|------------|
| Project number | 0001       |
| Date           | Issue Date |
| Drawn by       | Author     |
| Checked by     | Checker    |
| A103           |            |
| Scale          | 1 : 100    |





Owner

256KR

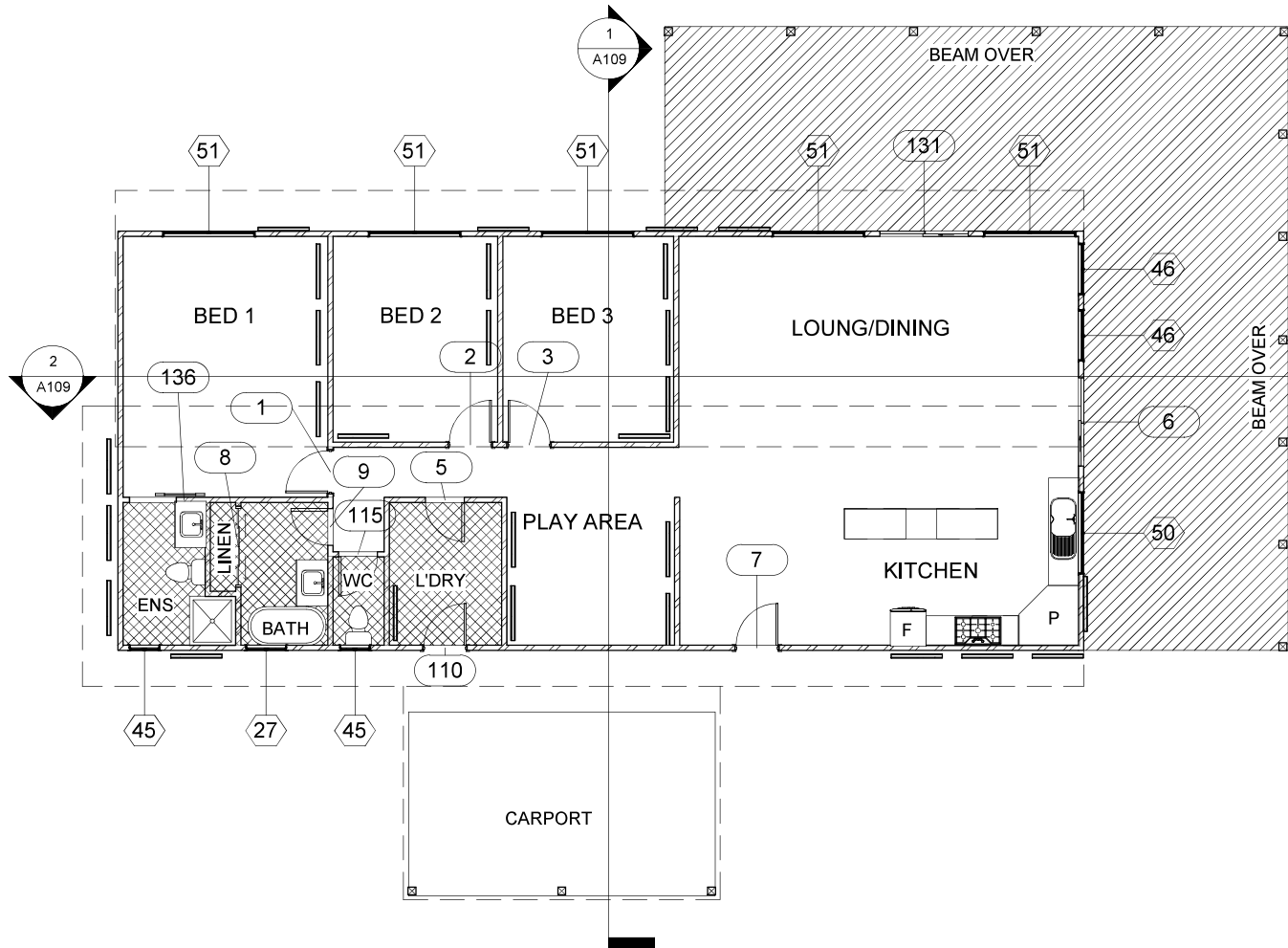
| No. | Description | Date |
|-----|-------------|------|
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |

SECTION PLAN

|                |            |
|----------------|------------|
| Project number | 0001       |
| Date           | Issue Date |
| Drawn by       | Author     |
| Checked by     | Checker    |
| A109           |            |
| Scale          | 1 : 100    |

| Door Schedule |                                                        |           |            |           |
|---------------|--------------------------------------------------------|-----------|------------|-----------|
| Mark          | Type                                                   | Type Mark | Height     | Width     |
| 110           | 820 x 2100mm                                           | 44        | 6'-10 1/2" | 2'-8 1/2" |
| 1             | 820 x 2000mm 2                                         | 41        | 6'-6 1/2"  | 2'-8 1/2" |
| 2             | 820 x 2000mm 2                                         | 41        | 6'-6 1/2"  | 2'-8 1/2" |
| 3             | 820 x 2000mm 2                                         | 41        | 6'-6 1/2"  | 2'-8 1/2" |
| 115           | 0770 x 2134mm 2                                        | 42        | 7'-0"      | 2'-6"     |
| 5             | 0770 x 2134mm 2                                        | 42        | 7'-0"      | 2'-6"     |
| 136           | single_panel_sliding_door_whafele_hrdw_parametric_2010 | 43        | 7'-0"      | 3'-0"     |
| 131           | 68" x 80" custom                                       | 50        | 6'-8"      | 5'-8"     |
| 6             | 68" x 80" custom                                       | 50        | 6'-8"      | 5'-8"     |
| 7             | 820 x 2100mm                                           | 44        | 6'-10 1/2" | 2'-8 1/2" |
| 8             | 4x1000                                                 | 46        | 7'-8"      | 4'-11"    |
| 9             | 0720 x 2032mm 2                                        | 47        | 6'-8"      | 2'-4 1/2" |

| Window Schedule |           |           |            |
|-----------------|-----------|-----------|------------|
| Mark            | Type Mark | Height    | Width      |
| 94              | 51        | 3'-3 1/2" | 5'-11"     |
| 1               | 51        | 3'-3 1/2" | 5'-11"     |
| 2               | 51        | 3'-3 1/2" | 5'-11"     |
| 3               | 51        | 3'-3 1/2" | 5'-11"     |
| 4               | 51        | 3'-3 1/2" | 5'-11"     |
| 92              | 46        | 3'-3 1/2" | 3'-3 1/2"  |
| 5               | 46        | 3'-3 1/2" | 3'-3 1/2"  |
| 93              | 50        | 3'-3 1/2" | 5'-3"      |
| 82              | 45        | 2'-7 1/2" | 1'-11 1/2" |
| 6               | 45        | 2'-7 1/2" | 1'-11 1/2" |
| 7               | 27        | 2'-7 1/2" | 2'-7 1/2"  |
| 97              | 54        | 1'-7 1/2" | 1'-7 1/2"  |
| 11              | 14        | 1'-11"    | 4'-7"      |
| 15              | 14        | 1'-11"    | 4'-7"      |
| 16              | 54        | 1'-7 1/2" | 1'-7 1/2"  |
| 17              | 14        | 1'-11"    | 4'-7"      |
| 18              | 54        | 1'-7 1/2" | 1'-7 1/2"  |
| 19              | 14        | 1'-11"    | 4'-7"      |
| 20              | 54        | 1'-7 1/2" | 1'-7 1/2"  |
| 21              | 14        | 1'-11"    | 4'-7"      |



1

WINDOWS & DOORS

1 : 100

Owner

256KR

| No. | Description | Date |
|-----|-------------|------|
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |

WINDOWS & DOORS

Project number0001

DateIssue Date

Drawn byAuthor

Checked byChecker

A104

Scale

1 : 100

23/07/2020 11:38:58 AM



1 3D FRONT



3 3D SIDE



2 3D BACK

Owner

256KR

| No. | Description | Date |
|-----|-------------|------|
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |

### 3D VIEWS

|                |            |
|----------------|------------|
| Project number | 0001       |
| Date           | Issue Date |
| Drawn by       | Author     |
| Checked by     | Checker    |

A110

Scale

- CONSTRUCTION NOTES**
- EXTERNAL WALLS = 90mm
  - INTERNAL WALLS = 90mm
  - N2 WIND DESIGN SPEED
  - ALL INTERNAL DOORS 2040 HT
  - WC DOOR EXTERNAL REMOVABLE HINGES

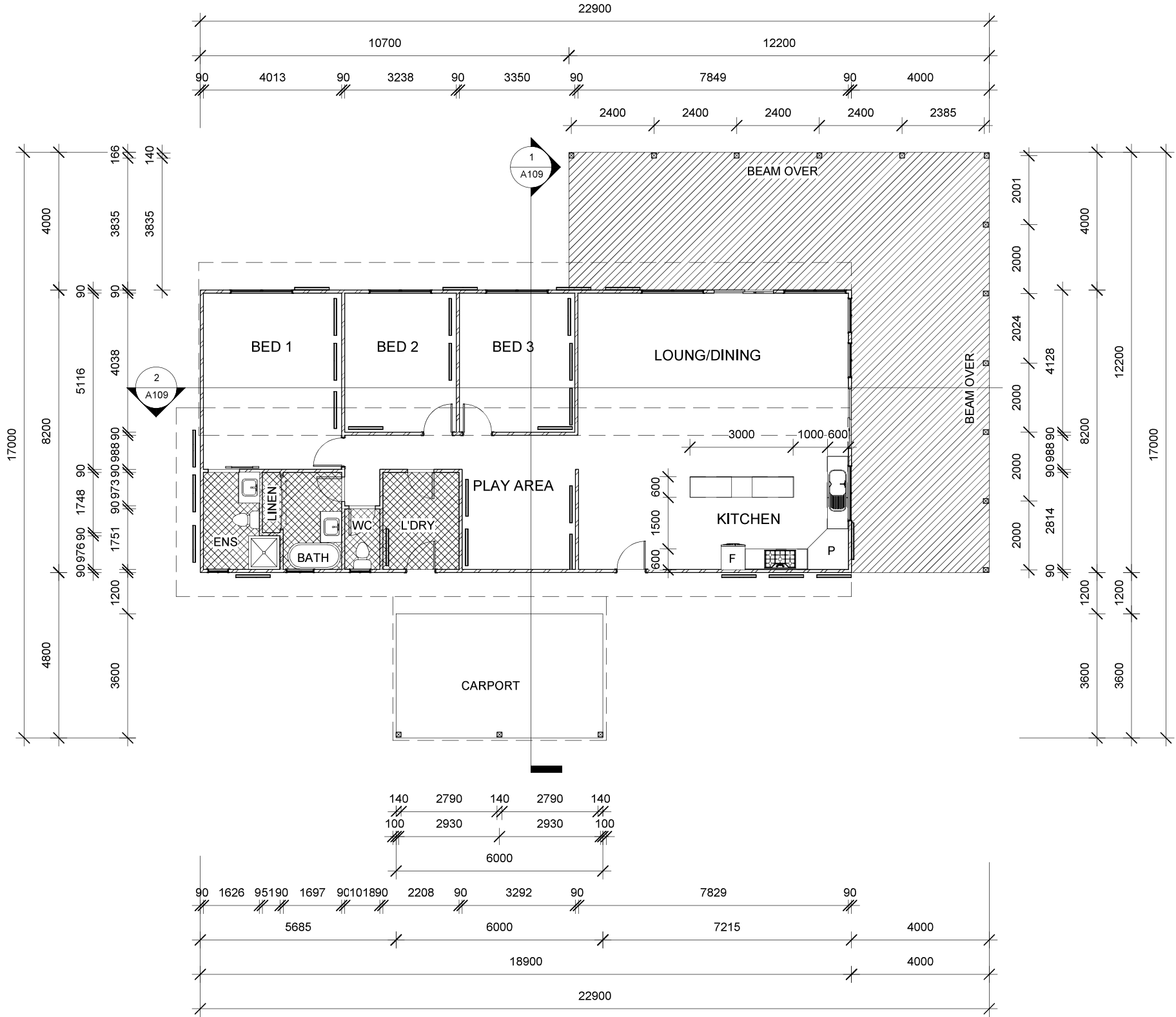
- LEGEND**
- CJ : CONSTRUCTION JOINT  
DP : DOWNPIPE  
FP : FIRE PLACE  
FW : FLOOR WASTE  
EPS: EXPANDED POLYSTYRENE FOAM (EPS) Sandwiched  
HWS: HOT WATER SYSTEM  
AC: AIR CONDITIONING  
PS: PLUMBING STACK / DUCT  
SP: STEEL POST  
T.B.C.: TO BE CONFIRMED  
RL: RELATIVE LEVEL  
AHD: AUSTRALIAN HEIGHT DATUM  
CSD: CAVITY SLIDING DOOR  
OHC: OVER HEAD CUPBOARD  
FG: FIXED GLASS  
FSR: FLOOR SPACE RATIO  
LB: LOAD BEARING  
NGL: NATURAL GROUND LINE  
UBO: UNDER BENCH OVEN  
WO: WALL OVEN  
DW: DISHWASHER  
MW: MICROWAVE  
WM: WASHING MACHINE  
WIR: WALK-IN-ROBE  
ASD: SLIDING GLASS DOOR  
ASW: ALUMINIUM SLIDING WINDOW  
ADH: ALUM. DOUBLE HUNG WINDOW  
AAW: ALUM. AWNING WINDOW  
ALW: ALUM. LOUVRE WINDOW  
BCA :BUILDING CODE OF AUSTRALIA  
AS: AUSTRALIAN STANDARDS

- ENERGY EFFICIENCY NOTES:**
- ALL SHOWER ROSES TO BE 'AAA' SHOWER ROSES
  - IF WATER PRESSURE TO BUILDING EXCEEDS 500 kpa. PRESSURE LIMITING DEVICE TO BE INSTALLED.
  - MINIMW 4-STAR WELS RATED TOILETS TO BE INSTALLED.
  - MINIMW 3-STAR WELS RATED TAPWARE FOR
  - KITCHEN SINKS, BATHROOM BASINS & LAUNDRY TROUGHS.
  - 250 LITRE RHEEM HOT WATER SYSTEM (OR SIMILAR)
  - MINIMUM 4-STAR MEPS RATED AIR CONDITIONERS TO BE INSTALLED (IF APPLICABLE)
  - 80% TOTAL ENCLOSED FLOOR AREA TO HAVE ENERGY EFFICIENT GLOBES INSTALLED.
  - INSULATION ABOVE 3.3 R VALUE TO ALL CEILING SPACE INCLUDING TERRACE & FRONT BALCONY

- GENERAL NOTES**
- DO NOT SCALE PLANS, USE WRITTEN DIMENSIONS ONLY.  
THE OWNER/BUILDER SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS LEVELS, SETBACKS AND SPECIFICATIONS PRIOR TO COMMENCING WORKS OR ORDERING MATERIALS AND SHALL BE RESPONSIBLE FOR ENSURING THAT ALL BUILDING WORKS CONFORM TO THE BUILDING CODE OF AUSTRALIA . CURRENT STANDARDS, BUILDING REGULATIONS AND TOWN PLANNING REQUIREMENTS, REPORT ANY DISCREPANCIES TO THIS OFFICE.

ALL WORKS SHALL COMPLY WITH BUT NOT LIMITED TO THE BUILDING CODE OF AUSTRALIA AND THE AUSTRALIAN STANDARDS.

THESE PLANS SHALL BE READ IN CONJUNCTION WITH ANY STRUCTURAL AND CIVIL ENGINEERING COMPUTIONS AND DRAWINGS



**1 FLOOR PLAN**  
1 : 100

ALL WET AREAS TO BE WATERPROOFED IN ACCORDANCE WITH CLAUSE 3.8.1. OF THE BCA  
S SMOKE ALARM - INSTALL TO AS.3786 & CLAUSE 3.7.2 -BCA

Owner

256KR

**AREAS**

|              |                        |
|--------------|------------------------|
| LIVING AREA  | : 155.0 m <sup>2</sup> |
| CARPORT AREA | : 28.8 m <sup>2</sup>  |
| VERANDAH     | : 81.6 m <sup>2</sup>  |
| TOTAL AREA   | : 265.4 m <sup>2</sup> |

| No. | Description | Date |
|-----|-------------|------|
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |

**FLOOR PLANS**

|                |            |
|----------------|------------|
| Project number | 0001       |
| Date           | Issue Date |
| Drawn by       | Author     |
| Checked by     | Checker    |
| A102           |            |
| Scale          | 1 : 100    |

COLOURBOND METAL ROOF  
ROOF TRUSSES AT 900 CTRS FIXED TO  
MANUFACTURERS SPECS TO BE DESIGNED BY ENGINEER

10mm SUPERCEIL TO CEILINGS  
10mm PLASTERBOARD TO WALLS

SLAB AND FOOTINGS TO ENGINEER'S DETAIL.  
POISONS TO A.S. 3660.1-2000 STANDARDS

140 x 140 KD PINE F8 Timber Posts

ColourBond metal roof at 15.0° pitch

ColourBond metal roof at 15.0° pitch

140 x 45 Timber Beam (H3 TREATED)

Roof Plan

2700

1 Ground Floor Plan

0

## FRONT ELEVATION

1

1 : 100

Vertical Colorbond Cladding

Anticon R3.5 Blanket insulation  
R3.5 insulation batts to ceiling space

Metal Fascia and Gutter

Roof Plan

2700

1 Ground Floor Plan

0

## LEFT ELEVATION

2

1 : 100

Aluminum framed sliding glass doors and windows

140 x 140 KD PINE F8 Timber Posts

ColourBond metal roof at 15.0° pitc

Metal Fascia and Gutter

140 x 140 KD PINE F8 Timber Posts

Roof Plan

2700

1 Ground Floor Plan

0

## RIGHT ELEVATION

3

1 : 100

140 x 45 Timber Beam (H3 TREATED)

Aluminum framed sliding glass doors and windows

Vertical Colorbond Cladding

Vertical Colorbond Cladding

Roof Plan

2700

1 Ground Floor Plan

0

## BACK ELEVATION

4

1 : 100

Owner

256KR

**AREAS**  
LIVING AREA : 155.0 m<sup>2</sup>  
CARPORT AREA : 28.8 m<sup>2</sup>  
VERANDAH : 81.6 m<sup>2</sup>  
TOTAL AREA : 265.4 m<sup>2</sup>

| No. | Description | Date |
|-----|-------------|------|
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |

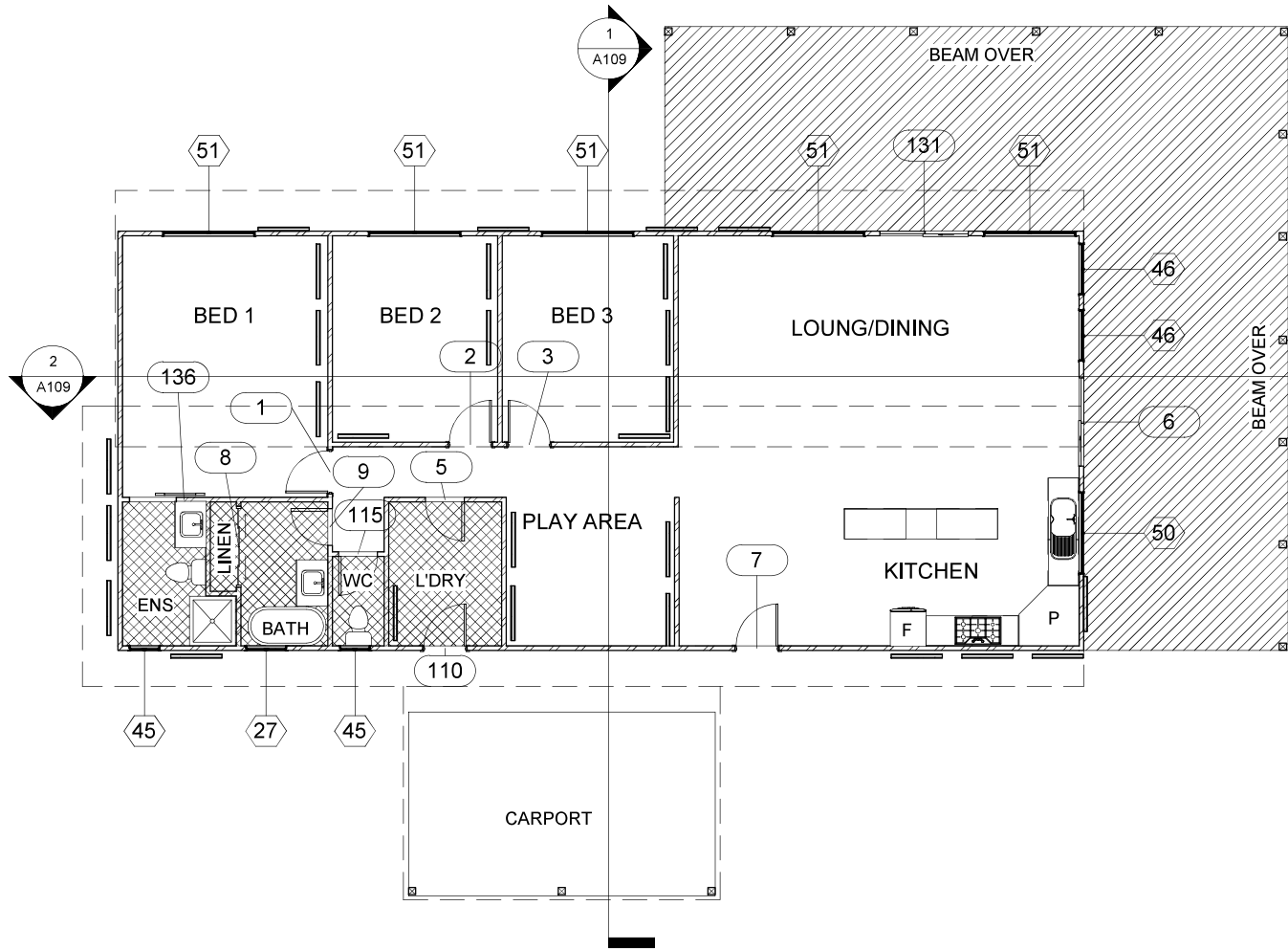
## ELEVATIONS

|                |            |
|----------------|------------|
| Project number | 0001       |
| Date           | Issue Date |
| Drawn by       | Author     |
| Checked by     | Checker    |
| A103           |            |
| Scale          | 1 : 100    |



| Door Schedule |                                                        |           |        |       |
|---------------|--------------------------------------------------------|-----------|--------|-------|
| Mark          | Type                                                   | Type Mark | Height | Width |
| 110           | 820 x 2100mm                                           | 44        | 2100   | 820   |
| 1             | 820 x 2000mm 2                                         | 41        | 2000   | 820   |
| 2             | 820 x 2000mm 2                                         | 41        | 2000   | 820   |
| 3             | 820 x 2000mm 2                                         | 41        | 2000   | 820   |
| 115           | 0770 x 2134mm 2                                        | 42        | 2134   | 762   |
| 5             | 0770 x 2134mm 2                                        | 42        | 2134   | 762   |
| 136           | single_panel_sliding_door_whafele_hrdw_parametric_2010 | 43        | 2134   | 914   |
| 131           | 68" x 80" custom                                       | 50        | 2032   | 1727  |
| 6             | 68" x 80" custom                                       | 50        | 2032   | 1727  |
| 7             | 820 x 2100mm                                           | 44        | 2100   | 820   |
| 8             | 4x1000                                                 | 46        | 2340   | 1500  |
| 9             | 0720 x 2032mm 2                                        | 47        | 2032   | 720   |

| Window Schedule |           |        |       |
|-----------------|-----------|--------|-------|
| Mark            | Type Mark | Height | Width |
| 94              | 51        | 1000   | 1800  |
| 1               | 51        | 1000   | 1800  |
| 2               | 51        | 1000   | 1800  |
| 3               | 51        | 1000   | 1800  |
| 4               | 51        | 1000   | 1800  |
| 92              | 46        | 1000   | 1000  |
| 5               | 46        | 1000   | 1000  |
| 93              | 50        | 1000   | 1600  |
| 82              | 45        | 800    | 600   |
| 6               | 45        | 800    | 600   |
| 7               | 27        | 800    | 800   |
| 97              | 54        | 500    | 500   |
| 11              | 14        | 580    | 1400  |
| 15              | 14        | 580    | 1400  |
| 16              | 54        | 500    | 500   |
| 17              | 14        | 580    | 1400  |
| 18              | 54        | 500    | 500   |
| 19              | 14        | 580    | 1400  |
| 20              | 54        | 500    | 500   |
| 21              | 14        | 580    | 1400  |



1

WINDOWS & DOORS

1 : 100

Owner

256KR

| No. | Description | Date |
|-----|-------------|------|
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |

WINDOWS & DOORS

|                |            |
|----------------|------------|
| Project number | 0001       |
| Date           | Issue Date |
| Drawn by       | Author     |
| Checked by     | Checker    |

A104

|       |         |
|-------|---------|
| Scale | 1 : 100 |
|-------|---------|

**APPENDIX # 5**

**BASIX**

# BASIX<sup>®</sup>Certificate

Building Sustainability Index [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

## Single Dwelling

Certificate number: 1772227S

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

Secretary

Date of issue: Friday, 08 November 2024

To be valid, this certificate must be submitted with a development application or lodged with a complying development certificate application within 3 months of the date of issue.



### Project summary

|                           |                               |
|---------------------------|-------------------------------|
| Project name              | Boyketts                      |
| Street address            | 11 BOYKETTS Lane MAIMURU 2594 |
| Local Government Area     | Hilltops Council              |
| Plan type and plan number | Deposited Plan DP754575       |
| Lot no.                   | 229                           |
| Section no.               | -                             |
| Project type              | dwelling house (detached)     |
| No. of bedrooms           | 3                             |

### Project score

|                     |        |             |
|---------------------|--------|-------------|
| Water               | ✓ 90   | Target 40   |
| Thermal Performance | ✓ Pass | Target Pass |
| Energy              | ✓ 63   | Target 61   |
| Materials           | ✓ -2   | Target n/a  |





### Certificate Prepared by

Name / Company Name: ANTHERA CRACK

ABN (if applicable): 40139422086

# Description of project

| Project address                                      |                               |
|------------------------------------------------------|-------------------------------|
| Project name                                         | Boyketts                      |
| Street address                                       | 11 BOYKETTS Lane MAIMURU 2594 |
| Local Government Area                                | Hilltops Council              |
| Plan type and plan number                            | Deposited Plan DP754575       |
| Lot no.                                              | 229                           |
| Section no.                                          | -                             |
| Project type                                         |                               |
| Project type                                         | dwelling house (detached)     |
| No. of bedrooms                                      | 3                             |
| Site details                                         |                               |
| Site area (m <sup>2</sup> )                          | 83500                         |
| Roof area (m <sup>2</sup> )                          | 149                           |
| Conditioned floor area (m <sup>2</sup> )             | 129.0                         |
| Unconditioned floor area (m <sup>2</sup> )           | 20.0                          |
| Total area of garden and lawn (m <sup>2</sup> )      | 200                           |
| Roof area of the existing dwelling (m <sup>2</sup> ) | 0                             |

| Assessor details and thermal loads       |                                                                                          |             |
|------------------------------------------|------------------------------------------------------------------------------------------|-------------|
| Assessor number                          | n/a                                                                                      |             |
| Certificate number                       | n/a                                                                                      |             |
| Climate zone                             | n/a                                                                                      |             |
| Area adjusted cooling load (MJ/ m².year) | n/a                                                                                      |             |
| Area adjusted heating load (MJ/ m².year) | n/a                                                                                      |             |
| Project score                            |                                                                                          |             |
| Water                                    |  90   | Target 40   |
| Thermal Performance                      |  Pass | Target Pass |
| Energy                                   |  63   | Target 61   |
| Materials                                |  -2 | Target n/a  |

## Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or complying development certificate issued, for the proposed development, that BASIX commitments be complied with.

| Water Commitments                                                                                                                                                                                                                                                                                                                                                                                                                                 | Show on DA plans | Show on CC/CDC plans & specs | Certifier check  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------------|------------------|
| <b>Fixtures</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                              |                  |
| The applicant must install showerheads with a minimum rating of 4 star (> 6 but <= 7.5 L/min plus spray force and/or coverage tests) in all showers in the development.                                                                                                                                                                                                                                                                           |                  | ✓                            | ✓                |
| The applicant must install a toilet flushing system with a minimum rating of 4 star in each toilet in the development.                                                                                                                                                                                                                                                                                                                            |                  | ✓                            | ✓                |
| The applicant must install taps with a minimum rating of 4 star in the kitchen in the development.                                                                                                                                                                                                                                                                                                                                                |                  | ✓                            |                  |
| The applicant must install basin taps with a minimum rating of 4 star in each bathroom in the development.                                                                                                                                                                                                                                                                                                                                        |                  | ✓                            |                  |
| <b>Alternative water</b>                                                                                                                                                                                                                                                                                                                                                                                                                          |                  |                              |                  |
| <b>Rainwater tank</b>                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |                              |                  |
| The applicant must install a rainwater tank of at least 60000 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.                                                                                                                                                                                                                                  | ✓                | ✓                            | ✓                |
| The applicant must configure the rainwater tank to collect rain runoff from at least 288 square metres of the roof area of the development (excluding the area of the roof which drains to any stormwater tank or private dam).                                                                                                                                                                                                                   |                  | ✓                            | ✓                |
| The applicant must connect the rainwater tank to: <ul style="list-style-type: none"> <li>all toilets in the development</li> <li>the cold water tap that supplies each clothes washer in the development</li> <li>at least one outdoor tap in the development (Note: NSW Health does not recommend that rainwater be used for human consumption in areas with potable water supply.)</li> <li>all hot water systems in the development</li> </ul> |                  | ✓<br>✓<br>✓<br>✓             | ✓<br>✓<br>✓<br>✓ |



## Water Commitments

Show on  
DA plans

Show on CC/CDC  
plans & specs

Certifier  
check

- all indoor cold water taps (not including taps that supply clothes washers) in the development



| Thermal Performance and Materials commitments                                                                                                                        | Show on DA plans | Show on CC/CDC plans & specs | Certifier check |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------------|-----------------|
| <b>Do-it-yourself Method</b>                                                                                                                                         |                  |                              |                 |
| General features                                                                                                                                                     |                  |                              |                 |
| The dwelling must be a Class 1 dwelling according to the National Construction Code, and must not have more than 2 storeys.                                          | ✓                | ✓                            | ✓               |
| The conditioned floor area of the dwelling must not exceed 300 square metres.                                                                                        | ✓                | ✓                            | ✓               |
| The dwelling must not contain open mezzanine area exceeding 25 square metres.                                                                                        | ✓                | ✓                            | ✓               |
| The dwelling must not contain third level habitable attic room.                                                                                                      | ✓                | ✓                            | ✓               |
| Floor, walls and ceiling/roof                                                                                                                                        |                  |                              |                 |
| The applicant must construct the floor(s), walls, and ceiling/roof of the dwelling in accordance with the specifications listed in the table below.                  | ✓                | ✓                            | ✓               |
| The applicant must adopt one of the options listed in the tables below to address thermal bridging in metal framed floor(s), walls and ceiling/roof of the dwelling. | ✓                | ✓                            | ✓               |
| The applicant must show through receipts that the materials purchased for construction are consistent with the specifications listed in the tables below.            |                  |                              | ✓               |

| Construction                                                                               | Area - m <sup>2</sup> | Additional insulation required                                                                 | Options to address thermal bridging | Other specifications                             |
|--------------------------------------------------------------------------------------------|-----------------------|------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------|
| floor - concrete slab on ground, waffle pod slab.                                          | 149                   | nil;not specified                                                                              | nil                                 |                                                  |
| external wall: framed (fibre cement sheet or boards); frame: timber - H2 treated softwood. | all external walls    | 3.50 (or 4.00 including construction);fibreglass batts or roll + reflective foil in the cavity | nil                                 | wall colour: Medium (solar absorptance 0.48-0.7) |
| internal wall: plasterboard; frame: timber - H2 treated softwood.                          | 61.6                  | none                                                                                           | nil                                 |                                                  |

| Construction                                                                                                    | Area - m <sup>2</sup> | Additional insulation required                                                                              | Options to address thermal bridging | Other specifications                                                          |
|-----------------------------------------------------------------------------------------------------------------|-----------------------|-------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------------------|
| ceiling and roof - raked ceiling / pitched or skillion roof, framed - metal roof, timber - H2 treated softwood. | 149                   | ceiling: 5.5 (up), roof: foil backed blanket ;ceiling: fibreglass batts or roll; roof: foil backed blanket. | nil                                 | roof colour: dark (solar absorptance 0.71-0.79); ceiling area fully insulated |

|      |                                                                                                                                                                                                                                  |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Note | <ul style="list-style-type: none"> <li>Insulation specified in this Certificate must be installed in accordance with the ABCB Housing Provisions (Part 13.2.2) of the National Construction Code.</li> </ul>                     |
| Note | <ul style="list-style-type: none"> <li>If the additional ceiling insulation listed in the table above is greater than R3.0, refer to the ABCB Housing Provisions (Part 13.2.3 (6)) of the National Construction Code.</li> </ul> |
| Note | <ul style="list-style-type: none"> <li>In some climate zones, insulation should be installed with due consideration of condensation and associated interaction with adjoining building materials.</li> </ul>                     |
| Note | <ul style="list-style-type: none"> <li>Roof space ventilation needs to meet the condensation management provisions in the ABCB Housing Provisions of the National Construction Code.</li> </ul>                                  |
| Note | <ul style="list-style-type: none"> <li>Thermal breaks must be installed in metal framed walls and applicable roofs in accordance with the ABCB Housing Provisions of the National Construction Code.</li> </ul>                  |

| Thermal Performance and Materials commitments                                                                                                                                                                                                                                                                                                   | Show on DA plans | Show on CC/CDC plans & specs | Certifier check |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------------|-----------------|
| Glazed windows, doors and skylights                                                                                                                                                                                                                                                                                                             |                  |                              |                 |
| The applicant must install the windows, glazed doors and shading devices described in the table below, in accordance with the specifications listed in the table. Relevant overshadowing specifications must be satisfied for each glazed window and door.                                                                                      | ✓                | ✓                            | ✓               |
| The dwelling may have 1 skylight (<0.7 square metres) which is not listed in the table.                                                                                                                                                                                                                                                         | ✓                | ✓                            | ✓               |
| The following requirements must also be satisfied in relation to each window and glazed door:                                                                                                                                                                                                                                                   | ✓                | ✓                            | ✓               |
| <ul style="list-style-type: none"> <li>The applicant must install windows and glazed doors in accordance with the height and width, frame and glazing types listed in the table.</li> </ul>                                                                                                                                                     | ✓                | ✓                            | ✓               |
| <ul style="list-style-type: none"> <li>Each window and glazed door must have a U- value no greater than that listed and a Solar Heat Gain Coefficient (SHGC) within the range listed. Total system U values and SHGC must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions.</li> </ul>                   |                  | ✓                            | ✓               |
| The applicant must install the skylights described in the table below, in accordance with the specifications listed in the table. Total skylight area must not exceed 3 square metres (the 3 square metre limit does not include the optional additional skylight of less than 0.7 square metres that does not have to be listed in the table). | ✓                | ✓                            | ✓               |

| Glazed window/door no. | Maximum height (mm) | Maximum width (mm) | Frame and glass specification                          | Shading device (Dimension within 10%)                         | Overshadowing    |
|------------------------|---------------------|--------------------|--------------------------------------------------------|---------------------------------------------------------------|------------------|
| <b>East facing</b>     |                     |                    |                                                        |                                                               |                  |
| W01                    | 1000.00             | 1800.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | eave 750 mm, 900 mm above head of window or glazed door       | not overshadowed |
| W02                    | 1000.00             | 1800.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | eave 750 mm, 900 mm above head of window or glazed door       | not overshadowed |
| W03                    | 1000.00             | 1800.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | eave 750 mm, 900 mm above head of window or glazed door       | not overshadowed |
| W04                    | 2032.00             | 1727.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | verandah 4000 mm, 3000 mm above base of window or glazed door | not overshadowed |

| Glazed window/door no. | Maximum height (mm) | Maximum width (mm) | Frame and glass specification                          | Shading device (Dimension within 10%)                         | Overshadowing    |
|------------------------|---------------------|--------------------|--------------------------------------------------------|---------------------------------------------------------------|------------------|
| W05                    | 1000.00             | 1800.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | verandah 4000 mm, 1000 mm above base of window or glazed door | not overshadowed |
| W13                    | 1000.00             | 1800.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | verandah 4000 mm, 1000 mm above base of window or glazed door | not overshadowed |
| W14                    | 580.00              | 1900.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | eave 700 mm, 200 mm above head of window or glazed door       | not overshadowed |
| W15                    | 580.00              | 1900.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | eave 700 mm, 200 mm above head of window or glazed door       | not overshadowed |
| W16                    | 580.00              | 1900.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | eave 700 mm, 200 mm above head of window or glazed door       | not overshadowed |
| W17                    | 580.00              | 1900.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | eave 700 mm, 200 mm above head of window or glazed door       | not overshadowed |
| W18                    | 580.00              | 1400.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | eave 700 mm, 200 mm above head of window or glazed door       | not overshadowed |
| <b>South facing</b>    |                     |                    |                                                        |                                                               |                  |
| W06                    | 1000.00             | 1000.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | verandah 4000 mm, 1000 mm above base of window or glazed door | not overshadowed |
| W07                    | 1000.00             | 1000.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | verandah 4000 mm, 1000 mm above base of window or glazed door | not overshadowed |
| W08                    | 2032.00             | 1724.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | verandah 4000 mm, 3000 mm above base of window or glazed door | not overshadowed |
| W09                    | 1000.00             | 1600.00            | aluminium, single glazed (U-value: <=3.5, SHGC: >0.74) | verandah 4000 mm, 1000 mm above base of window or glazed door | not overshadowed |



| Glazed window/door no. | Maximum height (mm) | Maximum width (mm) | Frame and glass specification                                       | Shading device (Dimension within 10%)                         | Overshadowing    |
|------------------------|---------------------|--------------------|---------------------------------------------------------------------|---------------------------------------------------------------|------------------|
| <b>West facing</b>     |                     |                    |                                                                     |                                                               |                  |
| W10                    | 800.00              | 600.00             | aluminium, single glazed<br>(U-value: $\leq 3.5$ , SHGC: $> 0.74$ ) | eave 750 mm, 900 mm<br>above head of window or<br>glazed door | not overshadowed |
| W11                    | 800.00              | 800.00             | aluminium, single glazed<br>(U-value: $\leq 3.5$ , SHGC: $> 0.74$ ) | eave 750 mm, 900 mm<br>above head of window or<br>glazed door | not overshadowed |
| W12                    | 800.00              | 600.00             | aluminium, single glazed<br>(U-value: $\leq 3.5$ , SHGC: $> 0.74$ ) | eave 750 mm, 900 mm<br>above head of window or<br>glazed door | not overshadowed |

| Energy Commitments                                                                                                                                                                 | Show on DA plans | Show on CC/CDC plans & specs | Certifier check |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------------|-----------------|
| <b>Hot water</b>                                                                                                                                                                   |                  |                              |                 |
| The applicant must install the following hot water system in the development, or a system with a higher energy rating: gas instantaneous with a performance of 5.5 stars.          | ✓                | ✓                            | ✓               |
| <b>Cooling system</b>                                                                                                                                                              |                  |                              |                 |
| The applicant must install the following cooling system, or a system with a higher energy rating, in at least 1 living area: 3-phase airconditioning; Energy rating: EER 3.0 - 3.5 |                  | ✓                            | ✓               |
| The applicant must install the following cooling system, or a system with a higher energy rating, in at least 1 bedroom: 3-phase airconditioning; Energy rating: EER 3.0 - 3.5     |                  | ✓                            | ✓               |
| <b>Heating system</b>                                                                                                                                                              |                  |                              |                 |
| The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 living area: 3-phase airconditioning; Energy rating: EER 3.0 - 3.5 |                  | ✓                            | ✓               |
| The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 bedroom: 3-phase airconditioning; Energy rating: EER 3.0 - 3.5     |                  | ✓                            | ✓               |
| <b>Ventilation</b>                                                                                                                                                                 |                  |                              |                 |
| The applicant must install the following exhaust systems in the development:                                                                                                       |                  |                              |                 |
| At least 1 Bathroom: individual fan, ducted to façade or roof; Operation control: manual switch on/off                                                                             |                  | ✓                            | ✓               |
| Kitchen: individual fan, ducted to façade or roof; Operation control: manual switch on/off                                                                                         |                  | ✓                            | ✓               |
| Laundry: individual fan, ducted to façade or roof; Operation control: manual switch on/off                                                                                         |                  | ✓                            | ✓               |
| <b>Artificial lighting</b>                                                                                                                                                         |                  |                              |                 |
| The applicant must ensure that a minimum of 80% of light fixtures are fitted with fluorescent, compact fluorescent, or light-emitting-diode (LED) lamps.                           |                  | ✓                            | ✓               |
| <b>Natural lighting</b>                                                                                                                                                            |                  |                              |                 |
| The applicant must install a window and/or skylight in the kitchen of the dwelling for natural lighting.                                                                           | ✓                | ✓                            | ✓               |

| Energy Commitments                                                                                                      | Show on DA plans | Show on CC/CDC plans & specs | Certifier check |
|-------------------------------------------------------------------------------------------------------------------------|------------------|------------------------------|-----------------|
| The applicant must install a window and/or skylight in 4 bathroom(s)/toilet(s) in the development for natural lighting. | ✓                | ✓                            | ✓               |
| <b>Other</b>                                                                                                            |                  |                              |                 |
| The applicant must install a gas cooktop & electric oven in the kitchen of the dwelling.                                |                  | ✓                            |                 |
| The applicant must install a fixed outdoor clothes drying line as part of the development.                              |                  | ✓                            |                 |

## Legend

In these commitments, "applicant" means the person carrying out the development.

Commitments identified with a  in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).

Commitments identified with a  in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.

Commitments identified with a  in the "Certifier check" column must be certified by a certifying authority as having been fulfilled, before a final occupation certificate (either interim or final) for the development may be issued.

## **APPENDIX # 6**

### **AHIMS SEARCH**

### **BMAT SEARCH**

Kenneth Filmer

Date: 15 January 2025

18 Pineview Cct 91 Boorowa Street Young  
Young New South Wales 2594

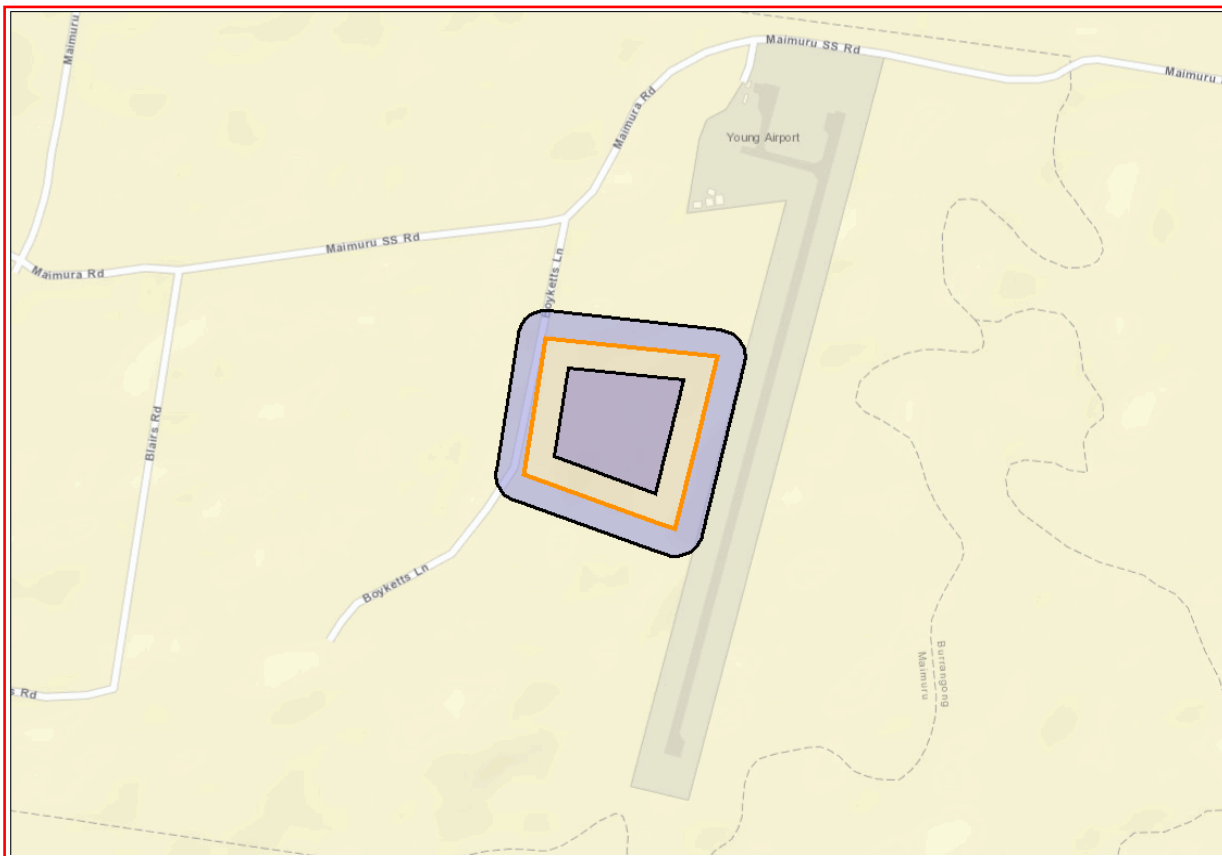
Attention: Kenneth Filmer

Email: craig@dabusters.com

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 229, DP:DP754575, Section : - with a Buffer of 50 meters, conducted by Kenneth Filmer on 15 January 2025.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

|   |                                                                       |
|---|-----------------------------------------------------------------------|
| 0 | Aboriginal sites are recorded in or near the above location.          |
| 0 | Aboriginal places have been declared in or near the above location. * |



**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(https://www.legislation.nsw.gov.au/gazette\)](https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

## Biodiversity Values Map and Threshold Report

This report is generated using the Biodiversity Values Map and Threshold (BMAT) tool. The BMAT tool is used by proponents to supply evidence to your local council to determine whether or not a Biodiversity Development Assessment Report (BDAR) is required under [the Biodiversity Conservation Regulation 2017 \(Cl. 7.2 & 7.3\)](#).

The report provides results for the proposed development footprint area identified by the user and displayed within the blue boundary on the map.

There are two pathways for determining whether a BDAR is required for the proposed development:

1. Is there Biodiversity Values Mapping?
2. Is the 'clearing of native vegetation area threshold' exceeded?

### Biodiversity Values Map and Threshold Report

| Date of Report Generation                                                                                                                                                                  |                                                                                                                                                         | 15/01/2025 1:06 PM |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1. Biodiversity Values (BV) Map - Results Summary (Biodiversity Conservation Regulation Section 7.3)                                                                                       |                                                                                                                                                         |                    |
| 1.1                                                                                                                                                                                        | <b>Does the development Footprint intersect with BV mapping?</b>                                                                                        | no                 |
| 1.2                                                                                                                                                                                        | Was <u>ALL</u> BV Mapping within the development footprint added in the last 90 days? (dark purple mapping only, no light purple mapping present)       | no                 |
| 1.3                                                                                                                                                                                        | <b>Date of expiry of dark purple 90 day mapping</b>                                                                                                     | N/A                |
| 1.4                                                                                                                                                                                        | <b>Is the Biodiversity Values Map threshold exceeded?</b>                                                                                               | no                 |
| 2. Area Clearing Threshold - Results Summary (Biodiversity Conservation Regulation Section 7.2)                                                                                            |                                                                                                                                                         |                    |
| 2.1                                                                                                                                                                                        | <b>Size of the development or clearing footprint</b>                                                                                                    | 575.7 sqm          |
| 2.2                                                                                                                                                                                        | <b>Native Vegetation Area Clearing Estimate (NVACE)</b><br>(within development/clearing footprint)                                                      | 0.0 sqm            |
| 2.3                                                                                                                                                                                        | <b>Method for determining Minimum Lot Size</b>                                                                                                          | LEP                |
| 2.4                                                                                                                                                                                        | <b>Minimum Lot Size</b> (10,000sqm = 1ha)                                                                                                               | 240,000 sqm        |
| 2.5                                                                                                                                                                                        | <b>Area Clearing Threshold</b> (10,000sqm = 1ha)                                                                                                        | 5,000 sqm          |
| 2.6                                                                                                                                                                                        | <b>Does the estimate exceed the Area Clearing Threshold?</b><br>(NVACE results are an estimate and can be reviewed using the <a href="#">Guidance</a> ) | no                 |
| <b>REPORT RESULT: Is the Biodiversity Offset Scheme (BOS) Threshold exceeded for the proposed development footprint area?</b><br>(Your local council will determine if a BDAR is required) |                                                                                                                                                         | <b>no</b>          |

## What do I do with this report?

- If the result above indicates the BOS Threshold has been exceeded, your local council may require a Biodiversity Development Assessment Report with your development application. Seek further advice from Council. An accredited assessor can apply the Biodiversity Assessment Method and prepare a BDAR for you. For a list of accredited assessors go to: <https://customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor>.
- If the result above indicates the BOS Threshold has not been exceeded, you may not require a Biodiversity Development Assessment Report. This BMAT report can be provided to Council to support your development application. Council can advise how the area clearing threshold results should be considered. Council will review these results and make a determination if a BDAR is required. Council may ask you to review the area clearing threshold results. You may also be required to assess whether the development is “likely to significantly affect threatened species” as determined under the test in Section 7.3 of the *Biodiversity Conservation Act 2016*.
- If a BDAR is not required by Council, you may still require a permit to clear vegetation from your local council.
- If all Biodiversity Values mapping within your development footprint was less than 90 days old, i.e. areas are displayed as dark purple on the BV map, a BDAR may not be required if your Development Application is submitted within that 90 day period. Any BV mapping less than 90 days old on this report will expire on the date provided in Line item 1.3 above.

For more detailed advice about actions required, refer to the Interpreting the evaluation report section of the [Biodiversity Values Map Threshold Tool User Guide](#) .

## Review Options:

- If you believe the Biodiversity Values mapping is incorrect please refer to our [BV Map Review webpage](#) for further information.
- If you or Council disagree with the area clearing threshold estimate results from the NVACE in Line Item 2.6 above (i.e. area of Native Vegetation within the Development footprint proposed to be cleared), review the results using the [Guide for reviewing area clearing threshold results from the BMAT Tool](#).

## Acknowledgement

I, as the applicant for this development, submit that I have correctly depicted the area that will be impacted or likely to be impacted as a result of the proposed development.

Signature: \_\_\_\_\_

(Typing your name in the signature field will be considered as your signature for the purposes of this form)

Date: \_\_\_\_\_

15/01/2025 01:06 PM

## Biodiversity Values Map and Threshold Tool

The Biodiversity Values (BV) Map and Threshold Tool identifies land with high biodiversity value, particularly sensitive to impacts from development and clearing.

The BV map forms part of the Biodiversity Offsets Scheme threshold, which is one of the factors for determining whether the Scheme applies to a clearing or development proposal. You have used the Threshold Tool in the map viewer to generate this BV Threshold Report for your nominated area. This report calculates results for your proposed development footprint and indicates whether Council may require you to engage an accredited assessor to prepare a Biodiversity Development Assessment Report (BDAR) for your development.

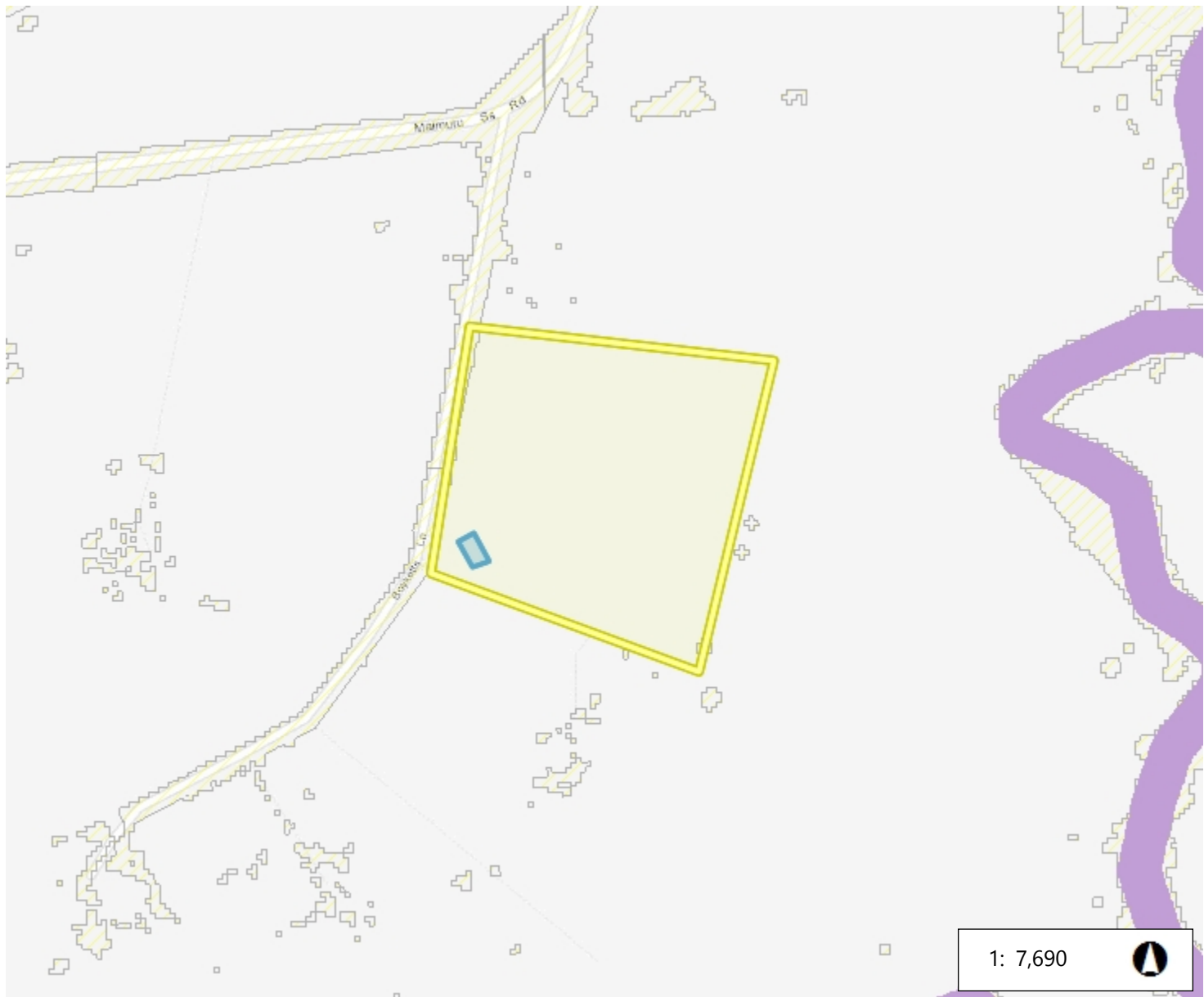
This report may be used as evidence for development applications submitted to councils. You may also use this report when considering native vegetation clearing under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 2 vegetation in non-rural areas.

What's new? For more information about the latest updates to the Biodiversity Values Map and Threshold Tool go to the updates section on the [Biodiversity Values Map webpage](#).

Map Review: Landholders can request a review of the BV Map where they consider there is an error in the mapping on their property. For more information about the map review process and an application form for a review go to the [Biodiversity Values Map Review webpage](#).

If you need help using this map tool see our [Biodiversity Values Map and Threshold Tool User Guide](#) or contact the Map Review Team at [map.review@environment.nsw.gov.au](mailto:map.review@environment.nsw.gov.au) or on 1800 001 490.





# Biodiversity Values Map



390.6 0 195.32 390.6 Metres

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

### Legend

-  Biodiversity Values that have been mapped for more than 90 days
-  Biodiversity Values added within last 90 days
-  Native Vegetation Area Clearing Estimate (NVACE)
-  Development area selected by proponent

15/01/2025 01:06 PM

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Imagery © Airbus DS/Spot Image 2016

© NSW Department of Customer Service, Basemaps 2019

© NSW Department of Planning and Environment

The results provided in this tool are generated using the best available mapping and knowledge of species habitat requirements.

This map is valid as at the date the report was generated. Checking the [Biodiversity Values Map viewer](#) for mapping updates is recommended.