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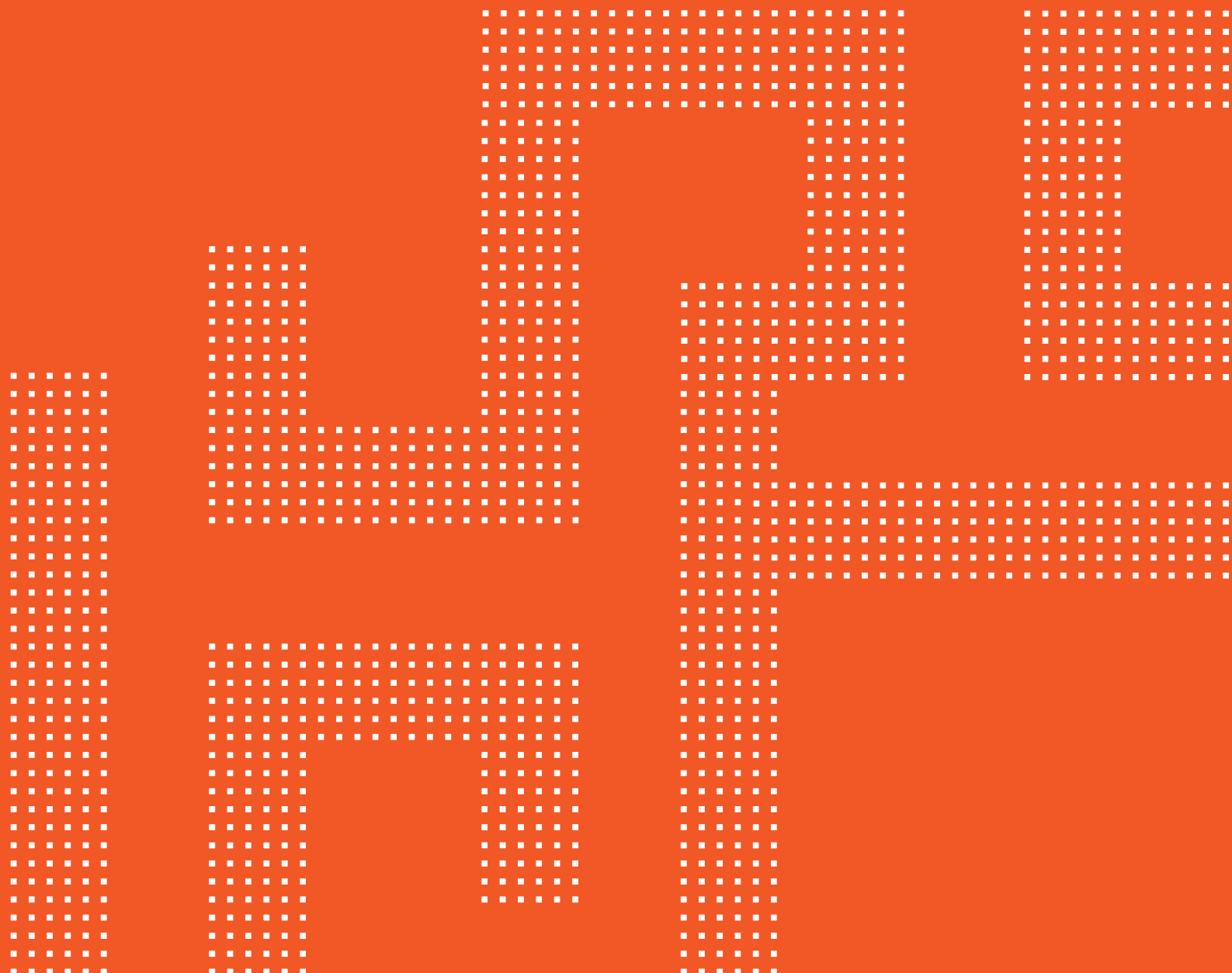
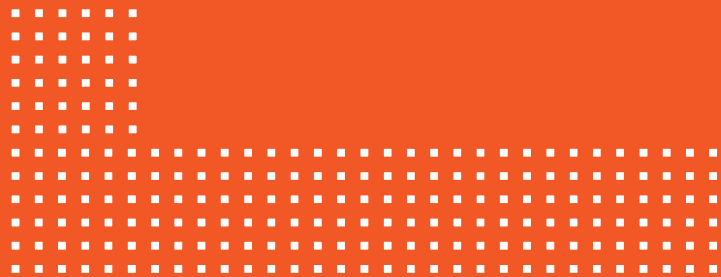
## Planning Proposal

Lot 6 DP1133395

1413 Rankins Springs Road, Myall Park

Zone boundary adjustment

October 2019





**Prepared for**

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C	09/10/19	Revision following Gateway Determination	WH
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# Contents

Introduction .....	1
PART 1.Intended outcomes .....	2
PART 2.Explanation of the provisions .....	3
PART 3.Justification .....	4
Section A. Need for the Planning Proposal.....	4
Section B. Relationship to strategic planning framework .....	4
Section C. Environmental, social & economic impact .....	6
Section D. State & Commonwealth interests.....	7
PART 3.Maps .....	8
PART 4.Community consultation.....	12
PART 5.Project timeline.....	13
Conclusion .....	14

# Attachments

- A. Consistency with State Environmental Planning Policies
- B. Consistency with Ministerial Directions
- C. Consistency with *Riverina Murray Regional Plan 2036*
- D. Ecological constraints assessment by Biosis
- E. Concept house plans
- F. Bush fire assessment of proposed dwelling

# Introduction

This is a Planning Proposal seeking an amendment to the *Griffith Local Environmental Plan 2014* (GLEP) to make a minor adjustment to a zone boundary and Lot Size map to facilitate the appropriate siting of a dwelling on a vacant rural residential lot in Rankins Springs Road north of Griffith.

The subject land is described as Lot 6 in DP1133395 and addressed as 1413 Rankins Springs Road, Myall Park (“the subject land”). Figure 1 shows the location of the subject land within the context of Griffith and Figure 2 is an aerial view placing the subject land within the context of its immediate surrounds.

The Planning Proposal has been structured and prepared in accordance with the Department of Planning and Environment’s (DPE) *A guide to preparing Planning Proposals* (“the Guide”).



## PART 1. Intended outcomes

The intended outcome of the Planning Proposal is to allow a development application for a new dwelling to be considered on the subject land in a location where it is currently prohibited development.

Concept plans for the future dwelling are included at Attachment 'E' for reference.

## PART 2. Explanation of the provisions

The intended outcomes of the Planning Proposal will be achieved by:

- making a minor amendment to the Land Zoning Map Sheet LZN\_003 in the GLEP to show the adjusted boundary between the E2 and RU2 zones on the subject land (see Figure 5); and
- making a minor amendment to the Lot Size Map Sheet LSN\_003 in the GLEP to show the adjusted boundary between the zero hectares and four hectares lot size on the subject land (see Figure 6).

## PART 3. Justification

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, and the process for their implementation. The questions to which responses have been provided are taken from the Guide.

### Section A. Need for the Planning Proposal

#### **Q1 Is the Planning Proposal a result of any strategic study or report?**

Not directly, although Map 44 within the *2030 Land Use Strategy* for Long Term General Planning shows all of the subject land within an area designated as “*Large Lot Residential Expansion on land already zoned accordingly*” (see Figure 3).

In addition, the plan for future land uses in Myall Park indicates the subject land is within a precinct where “*low density residential development may be considered with special regard to environmental impact and availability of infrastructure*” (see Figure 4). The ecological constraints analysis by Biosis (see Attachment ‘D’) demonstrates that the proposal can be considered within this context in addition to infrastructure appropriate for rural residential development being available.

#### **Q2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The site for the future dwelling is currently within the E2 zone where dwellings, by default in the Land Use Table, are prohibited. There are no current provisions in Environmental Planning Instruments that would override this prohibition and allow for consideration of a dwelling in this location.

The E2 zone is excluded from the provisions in Clause 4.2C of the GLEP that allow for dwelling houses and dual occupancies on land in certain rural and environment protection zones.

Consequently, the objective of developing a dwelling at the nominated location on of the subject land can only be achieved through an amendment to the GLEP.

### Section B. Relationship to strategic planning framework

#### **Q3 Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?**

The *Riverina Murray Regional Plan 2036* (RMRP) was finally adopted by the NSW government in 2017. The Minister’s foreword to the document states that the RMRP “*encompasses a vision, goals, directions and actions that were developed with the community and stakeholders to deliver greater prosperity for this important region.*”

An assessment of the directions contained within the RMRP as they relate to the Planning Proposal is undertaken at Attachment 'C'. In summary, this assessment concludes that the Planning Proposal does not contradict the overall purpose of the RMRP or the majority of Directions relating to the development of land around Griffith for rural residential purposes.

**Q4 Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

The following planning strategies are relevant to the Planning Proposal.

***Griffith Land Use Strategy – Beyond 2030 (GLUS)***

The purpose of the GLUS is stated as “*to provide direction for land use and spatial development for Griffith with a forward vision of approximately thirty years.*” It was introduced in 2012 and is the principal strategic planning document for the Griffith local government area.

Whilst the nearest community to the subject land is Beelbangera, it is technically located within the locality of Myall Park. The GLUS identifies the locality as principally rural land used for agriculture but also acknowledges the significant environmental values of the McPherson Range as well as some opportunities for rural residential development.

The future land uses map for Myall Park (see Figure 4) shows the subject land as having both the attributes of 'high conservation value' towards the elevated land at the rear and 'high scenic value' for the larger balance of the lot adjoining Rankins Springs Road. These two attributes align with the allocation of the E2 and RU2 zones respectively. It is noted that the bulk of the subject land is deemed suitable for rural residential development subject to consideration of environmental impacts and infrastructure provision.

The Planning Proposal would be considered inconsistent with this preferred land use if the boundary between the two designations was an accurate depiction of the change in land characteristics. That is, it would be advocating a change that would possibly permit a dwelling in a location deemed to be of 'high conservation value'.

However, the ecological constraints assessment undertaken by Biosis (see Attachment 'D') is a site specific analysis and demonstrates that the 'break' in land characteristics occurs slightly to the west of that depicted in future land uses map for Myall Park and land use zones. It is not unreasonable to prefer this assessment over the more 'broad-brushed' approach to determine the merits of the changes requested in the Planning Proposal.

**Q5 Is the Planning Proposal consistent with applicable State Environmental Planning Policies?**

Attachment 'A' provides an assessment of the Planning Proposal against all State Environmental Planning Policies (SEPP's). In summary, many of the SEPP's are not applicable to the Griffith local government area and even less are applicable to the circumstances of the Planning Proposal.

The assessment concludes that the Planning Proposal is not inconsistent with any of the relevant SEPP's.

**Q6 Is the Planning Proposal consistent with applicable Ministerial Directions?**

Section 9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides for the Minister for Planning to give directions to Councils regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of LEP's. A Planning Proposal needs to be consistent with the requirements of the Direction but in some instances can be inconsistent if justified using the criteria stipulated such as a Local Environmental Study or the proposal is of "*minor significance*".

An assessment of all Ministerial Directions is undertaken in Attachment 'B'. In summary, the Planning Proposal is consistent with the relevant Directions.

## Section C. Environmental, social & economic impact

**Q7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

Having regard for the proposal seeking changes to the E2 zone, an ecological constraints assessment was commissioned from consultants Biosis (see Attachment 'D'). The objective of assessment is stated in the report as:

*"to determine the presence of any threatened flora, fauna, populations or ecological communities (biota) or their habitat listed under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) and NSW Biodiversity Conservation Act 2016 (BC Act) within the study area. A further objective is to determine the ecological constraints associated with development on the land zoned E2 – Environmental Conservation within Lot 6 DP 1133395."*

The assessment concluded that:

*We see no ecological impediment on this Lot in altering the boundary between the two zones as proposed in Appendix 1, Figure 3. Given the level of residential development in the immediate vicinity, we consider that the existing ecological constraints of the site would not be exacerbated by a proposed residential development (i.e. dwelling house and ancillary structures), provided:*

- the proposed dwelling and associated ancillary structures are designed and situated to avoid and minimise further vegetation clearance*
- appropriate safeguards are implemented during construction.*

Based on this conclusion, it is considered there will be no adverse impact on critical habitat or threatened species, populations or ecological communities, or their habitats as a result of the proposal.

**Q8 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

Having regard for the minor nature of the Planning Proposal, it is considered there are no other likely environmental effects.

**Q9      How has the Planning Proposal adequately addressed any social and economic effects?**

There will be a direct positive social and economic effect for the Beelbanger community resulting from additional residents in the vicinity once the proposed dwelling is constructed following the zone boundary adjustment. There will be a less significant general benefit for Griffith for the same reason.

## Section D.      State & Commonwealth interests

**Q10      Is there adequate public infrastructure for the Planning Proposal?**

The subject land was created as part of a rural residential subdivision along Rankins Springs Road. A reticulated raw water supply is provided to all lots as part of that subdivision. The subject land is accessed from a constructed and sealed service road off Rankins Springs Road.

Electricity and telecommunications are available to the subject land.

**Q11      What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

No public authorities have been consulted prior to submitting the Planning Proposal to Council for support and subsequent request for a Gateway Determination. It is assumed the Gateway determination will dictate which authorities are to be consulted on the Planning Proposal.

## PART 3. Maps

The following maps and figures are provided in support of the Planning Proposal.

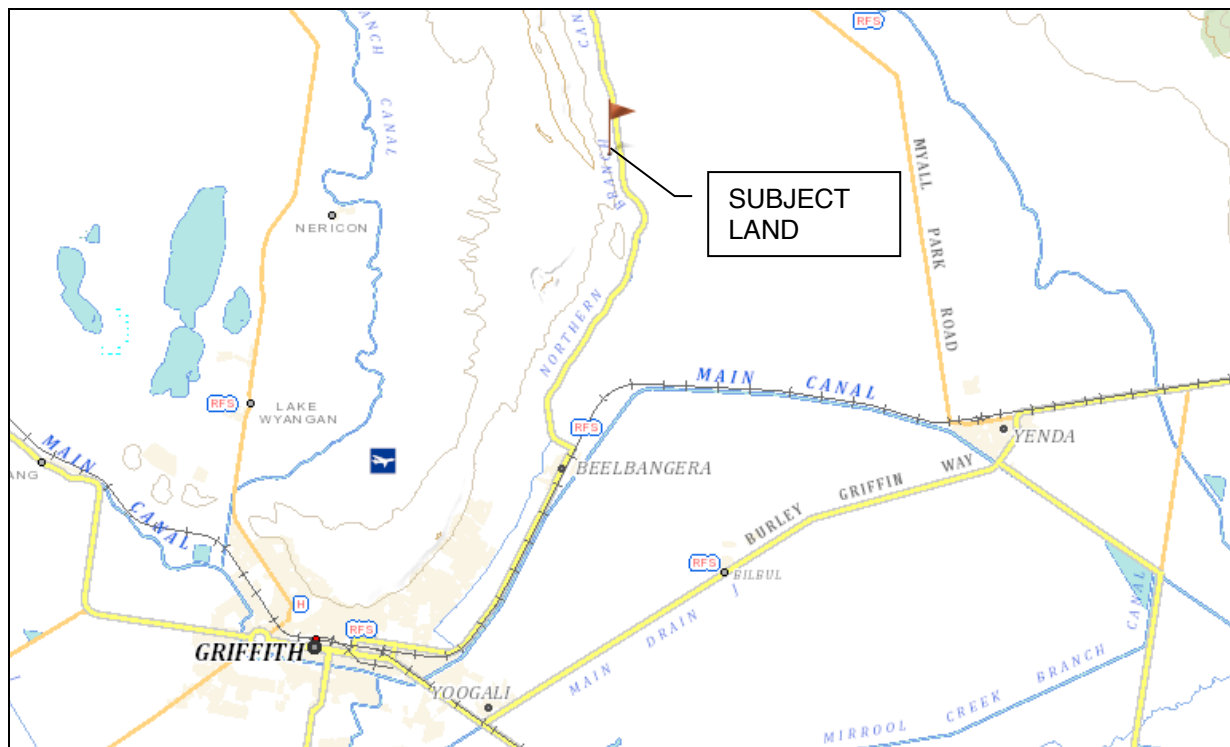


FIGURE 1: Location of the subject land within the context of Griffith (Source: SIX Maps)



FIGURE 2: The subject land within the context of its immediate surrounds (Source: nearmap)



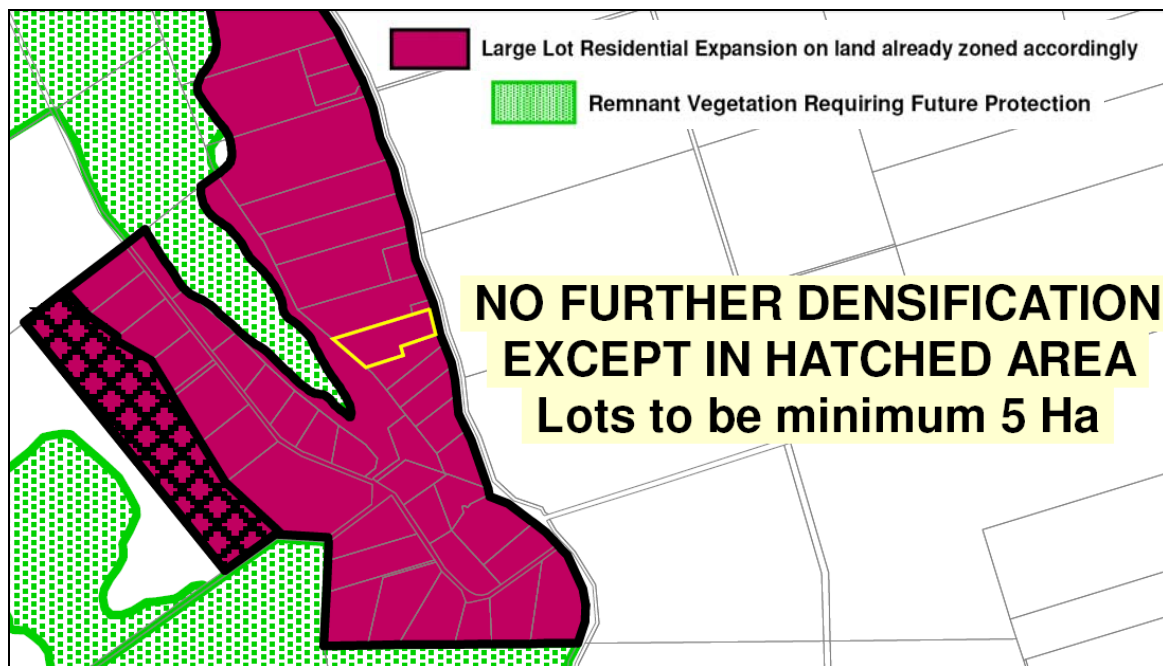


FIGURE 3: Extract from Map 44 Long Term General Planning (Source: GLUS).

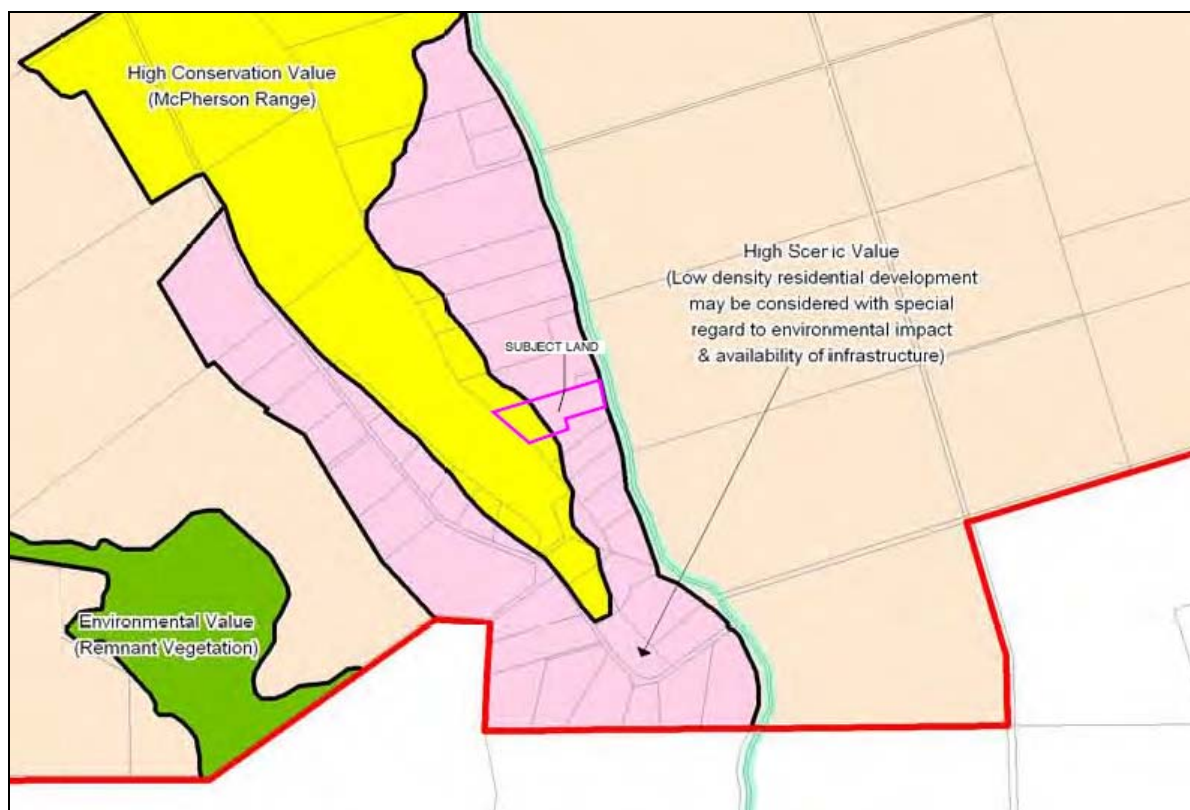


FIGURE 4: Extract from Future Land Uses map for Myall Park (Source: GLUS).



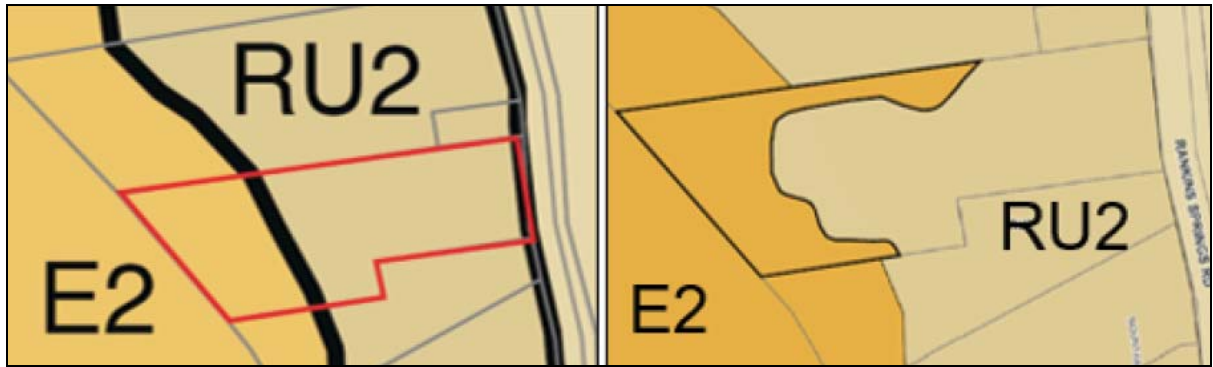


FIGURE 5: Current and proposed zone boundary (Source: DPIE)

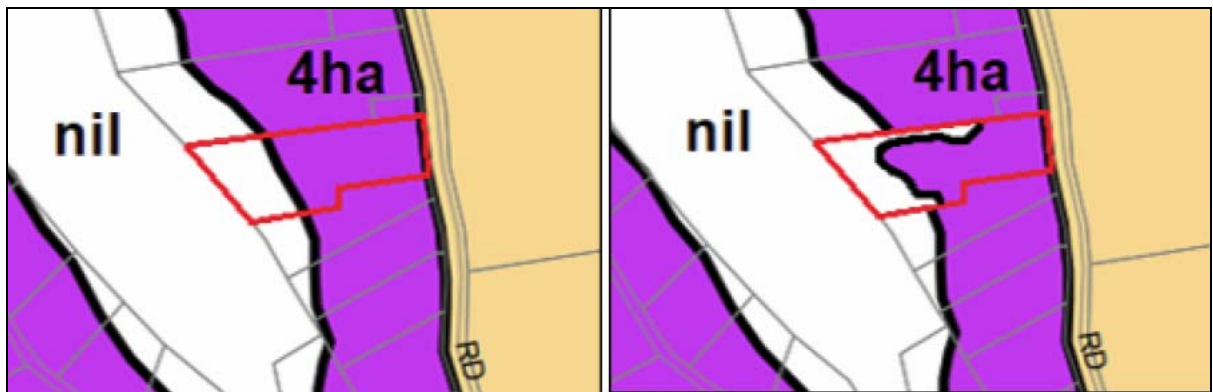


FIGURE 6: Current and proposed lot size boundary (Source: DPIE)

AHIMS Web Service search for the following area at Lot : 6, DP:DP1133395 with a Buffer of 50 meters, conducted by Warwick Horsfall on 12 September 2018.

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 the Office of the Environment and Heritage 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. *

FIGURE : Results of AHIMS search for recorded Aboriginal sites (Source: OEH)

## PART 4. Community consultation

The Planning Proposal will be subject to public exhibition following the Gateway process. The Gateway determination will specify the community consultation that must be undertaken for the Planning Proposal, if any. As such, the exact consultation requirements are not known at this stage.

This Planning Proposal will be exhibited for a period of 28 days in accordance with the requirements of Clause 4 in Schedule 1 of the EP&A Act and the Guide. At a minimum, the future consultation process is expected to include:

- written notification to landowners adjoining the subject land;
- consultation with relevant Government Departments and agencies, service providers and other key stakeholders, as determined in the Gateway determination;
- public notices to be provided in local media, including in a local newspaper and on Councils' website;
- static displays of the Planning Proposal and supporting material in Council public buildings; and
- electronic copies of all documentation being made available to the community free of charge (preferably via downloads from Council's website).

At the conclusion of the public exhibition period Council staff will consider submissions made with respect to the Planning Proposal and prepare a report to Council.

It is considered unlikely that a Public Hearing will be required for the proposal although this can't be confirmed until after the exhibition/notification process has been completed.

## PART 5. Project timeline

The project timeline for the Planning Proposal is outlined in Table 1. There are many factors that can influence compliance with the timeframe including the cycle of Council meetings, consequences of agency consultation (if required) and outcomes from public exhibition. Consequently, the timeframe should be regarded as indicative only.

**TABLE 1:** – Project timeline

Milestone	Date/timeframe
Anticipated commencement date (date of Gateway determination)	4 weeks following Council resolution to request Gateway determination.
Anticipated timeframe for the completion of required studies	No required studies are anticipated.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	6 weeks from Gateway determination.
Commencement and completion dates for public exhibition period	6 weeks from Gateway determination.
Dates for public hearing (if required)	Not required.
Timeframe for consideration of submissions	2 weeks following completion of exhibition.
Timeframe for the consideration of a proposal post exhibition	4 weeks following completion of exhibition.
Anticipated date RPA will make the plan (if delegated)	To be determined by Gateway determination.
Anticipated date RPA will forward to the department for notification (if delegated).	To be confirmed.

# Conclusion

The Planning Proposal is to make a minor alteration to the boundary between the E2 and RU2 zones and the zero and four hectare lot sizes as they apply to the property at 1413 Rankins Springs Road, Myall Park. The purpose of the Planning Proposal is to facilitate the development of a dwelling in a location on the lot that maximises residential amenity. An amendment to the GLEP is necessary as a dwelling is currently prohibited at the preferred site.

In summary, the Planning Proposal is considered to have merit because:

- the subject land is already within an area strategically preferred for rural residential development;
- it is in effect a minor zone boundary adjustment that will result in a more accurate depiction of land characteristics on the subject land;
- the site for the proposed dwelling is not constrained for development from an ecological perspective;
- having regard for the purpose of the E2 zone, it is incorrectly applied to the site for the proposed dwelling;
- it will allow for the dwelling to be sited so as to maximise the amenity opportunities offered by the subject land; and
- it is not inconsistent with the broader planning framework (e.g. State provisions) that applies to the subject land.

## Attachment A

### Consistency with State Environmental Planning Policies

No.	Title	Consistency
1	Development Standards	Not applicable since gazettal of GLEP.
19	Bushland in Urban Areas	Not applicable to the Griffith local government area.
21	Caravan Parks	Not applicable as 'caravan parks' are prohibited in the RU2 zone.
33	Hazardous & Offensive Development	Not applicable as 'industries' are prohibited in the RU2 zone.
36	Manufactured Home Estate	The Planning Proposal does not conflict with the aims, strategies, development consent, assessment and location provisions as provided in the SEPP.
44	Koala Habitat Protection	Not applicable to the Griffith local government area.
47	Moore Park Showground	Not applicable to the Griffith local government area.
50	Canal Estate Development	The Planning Proposal does not conflict with the aims and canal estate development prohibitions as provided in the SEPP.
55	Remediation of Land	<p>As the Planning Proposal will create the opportunity for residential development, Clause 6 of this SEPP requires Council to consider whether the subject land is potentially contaminated.</p> <p>Council can be satisfied in this regard as the land use history is one of rural with low scale agriculture (grazing). There is no visible evidence of any 'hot spots' where an activity may have been undertaken leading to potential soil contamination (e.g. sheep dip).</p>
64	Advertising & Signage	The Planning Proposal does not conflict with the aims, development consent requirements and assessment criteria for advertising and signage as provided in the SEPP.
65	Design Quality of Residential Flat Development	Not applicable as residential flat buildings are prohibited in the RU2 zone.
70	Affordable Housing (Revised Schemes)	Not applicable to the Griffith local government area.
	Penrith Lakes Scheme 1989	Not applicable to the Griffith local government area.
	Kurnell Peninsula 1989	Not applicable to the Griffith local government area.
	Building Sustainability Index (BASIX) 2004	The Planning Proposal does not conflict with the aims and development consent requirements relating to BASIX affected building(s) that seeks to reduce water consumption, greenhouse gas emissions and improve thermal performance as provided in the SEPP.
	Housing for Seniors & People with a Disability 2004	Not applicable as this SEPP can't be used in the RU2 zone.
	State Significant Precincts 2005	Not applicable as the subject land is not within a State significant precinct.
	Sydney Region Growth Centres 2006	Not applicable to the Griffith local government area.
	Kosciuszko National Park – Alpine Resorts 2007	Not applicable to the Griffith local government area.

No.	Title	Consistency
	Mining, Petroleum Production & Extractive Industries 2007	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to mining, petroleum production and extractive industries as provided in the SEPP.
	Miscellaneous Consent Provisions 2007	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to temporary structures as provided in the SEPP.
	Infrastructure 2007	The Planning Proposal does not conflict with the aims, permissibility, development consent, assessment and consultation requirements, capacity to undertake additional uses, adjacent, exempt and complying development provisions as provided in the SEPP.
	Exempt & Complying Development Codes 2008	The Planning Proposal does not conflict with the aims and functions of this SEPP with respect to exempt and complying development provisions.
	Affordable Rental Housing 2009	The Planning Proposal does not conflict with the aims and functions of this SEPP as the RU2 zone does not discriminate against the provision of affordable housing (and consequently affordable rental housing). The GLEP cannot influence the provision of rental housing.
	Western Sydney Employment Area 2009	Not applicable to the Griffith local government area.
	Western Sydney Parklands 2009	Not applicable to the Griffith local government area.
	Urban Renewal 2010	Not applicable as the subject land is not within a nominated urban renewal precinct.
	State & Regional Development 2011	Not applicable as the Planning Proposal is not for State significant development.
	Sydney Drinking Water Catchment 2011	Not applicable to the Griffith local government area.
	Three Ports 2013	Not applicable to the Griffith local government area.
	Educational Establishments & Child Care Facilities 2017	Whilst within the RU2 zone child care facilities are permissible with consent, the area created for the future dwelling would not satisfy the guidelines for such development.
	Vegetation in Non-Rural Areas 2017	Not applicable as the subject land is not within one of the nominated LGA's or nominated zones.
	Coastal Management 2018	Not applicable as the subject land is not within a coastal zone.
	Gosford City Centre 2018	Not applicable as the subject land is not within the Gosford City Centre.
	Concurrences 2018	Not applicable as the Planning Proposal does not relate to concurrences.
	Aboriginal Land 2019	Not applicable as the subject land is not within an area nominated on the Land Application Map.
	Primary Production & Rural Development 2019	Not applicable as the area affected by the zoning change is not used for primary production.



## Attachment B

### Consistency with Ministerial Directions

No.	Title	Consistency
1.	Employment and Resources	
1.1	Business & Industrial Zones	Not applicable as the proposal does not affect land in a business or commercial zone.
1.2	Rural Zones	<p>This direction is relevant as the planning proposal involves a rural zone.</p> <p>The proposal is consistent with the direction because:</p> <ul style="list-style-type: none"> <li>• it is not zoning land to an urban use; and</li> <li>• it is not increasing the density of development on land in a rural zone because a dwelling is already permissible (with consent) on that part of the land currently zoned RU2.</li> </ul>
1.3	Mining, Petroleum Production & Extractive Industries	Not applicable as the Planning Proposal does not restrict mining.
1.4	Oyster Aquaculture	Not applicable as the subject land is not within a Priority Oyster Aquaculture Area.
1.5	Rural Lands	<p>This direction is relevant as the planning proposal effects land within an existing rural and environment protection zone and changes the minimum lot size.</p> <p>The direction requires that the planning proposal must:</p> <ol style="list-style-type: none"> <li><i>be consistent with any applicable strategic plan, including regional and district plans endorsed by the Secretary of the Department of Planning and Environment, and any applicable local strategic planning statement</i></li> <li><i>consider the significance of agriculture and primary production to the State and rural communities</i></li> <li><i>identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources</i></li> <li><i>consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions</i></li> <li><i>promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities</i></li> <li><i>support farmers in exercising their right to farm</i></li> <li><i>prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land uses</i></li> <li><i>consider State significant agricultural land identified in State Environmental Planning Policy (Primary Production and Rural Development) 2019 for the purpose of ensuring the ongoing viability of this land</i></li> <li><i>consider the social, economic and environmental interests of the community</i></li> </ol> <p>The planning proposal can be considered consistent with these matters because:</p> <ol style="list-style-type: none"> <li>it is not inconsistent with any strategic plan (see response to questions 3 and 4 in Section B of Part 3 of the planning</li> </ol>

No.	Title	Consistency
		<p>proposal);</p> <ul style="list-style-type: none"> <li>b) because of its position at the base of the ridgeline, the land is not in agricultural production, hence the change will have no impact in this regard;</li> <li>c) the area of land affected by the change is small and will have minimal to no impact (see response to question 7 in Section C of the planning proposal);</li> <li>d) the physical characteristics of the land affected by the proposed change are suitable for the intended purposes (a dwelling);</li> <li>e) the subject land does not present as an opportunity for investment in rural activities and the proposed changes do not change that situation;</li> <li>f) the land is not in agricultural use because of its physical characteristics and this won't change;</li> <li>g) the proposal does not fragment rural land because the lot already exists and has no potential for further subdivision or more intensive development;</li> <li>h) the land is not nominated as State significant agricultural land; and</li> <li>i) see response to question 9 in Section C of the planning proposal.</li> </ul> <p>In addition, and in regard to the change to the minimum lot size, the planning proposal must demonstrate that it:</p> <ul style="list-style-type: none"> <li>a) <i>is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses</i></li> <li>b) <i>will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains</i></li> <li>c) <i>where it is for rural residential purposes:</i> <ul style="list-style-type: none"> <li>i. <i>is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres</i></li> <li>ii. <i>is necessary taking account of existing and future demand and supply of rural residential land.</i></li> </ul> </li> </ul> <p>The planning proposal can be considered consistent with these matters because:</p> <ul style="list-style-type: none"> <li>a) it will not fragment rural land as the lot already exists and has no potential for further subdivision and is consistent with adjoining land uses that includes rural living;</li> <li>b) the nearest commercial agricultural land use is on the opposite side of the wide road reserve containing Rankin Springs Road and the proposed house site is towards the opposite end of the lot; and</li> <li>c) the lot already has the opportunity for a dwelling with the planning proposal simply facilitating its location, hence consideration of these matters is not necessary.</li> </ul> <p>In regard to the notation in this Direction that Clause 5.16 of the GLEP must also be considered, it is noted that the planning proposal is not facilitating any subdivision.</p>

No.	Title	Consistency
<b>2. Environment and Heritage</b>		
2.1	Environment Protection Zones	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The Planning Proposal is consistent with the direction because it does not compromise existing environmental protection standards in the GLEP. The ecological constraints assessment at Attachment 'D' demonstrates that biodiversity will not be detrimentally impacted by the proposal.</p>
2.2	Coastal Protection	Not applicable as the subject land is not within a coastal zone.
2.3	Heritage Conservation	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The Planning Proposal is consistent with this direction because the subject land does not contain any known "<i>items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance</i>" or Aboriginal objects.</p> <p>A search of the AHIMS data base reveals there are no recorded Aboriginal items on the subject land or within 50 metres (see Figure 6).</p>
2.4	Recreation Vehicle Areas	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The Planning Proposal is consistent with the direction because it does not advocate the designation of the subject land as a recreation vehicle area pursuant to an order in force under section 11 (1) of the <i>Recreation Vehicles Act 1983</i>.</p>
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable as the subject land is not on the Far North Coast.
<b>3. Housing Infrastructure and Urban Development</b>		
3.1	Residential Zones	Not applicable as the proposal does not relate to residential zones or advocate significant residential development.
3.2	Caravan Parks & Manufactured Home Estates	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The planning proposal is consistent with this direction because it does not reduce the opportunities for caravan parks and manufactured homes estates on the subject land given that caravan parks are already prohibited in the RU2 and E2 zones.</p>
3.3	Home Occupations	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The Planning Proposal will not prevent the future dwelling being used for 'home occupations' and hence is consistent with this direction.</p>
3.4	Integrating Land Use and Transport	This direction is not relevant because the Planning Proposal is not making alterations to an urban zone.
3.5	Development Near Licensed Aerodromes	Not applicable as the subject land is not in the vicinity of a licensed aerodrome.
3.6	Shooting Ranges	Not applicable as the subject land is not in the vicinity of a shooting range.
3.7	Reduction in non-	Not applicable as the Direction only applies to Byron Shire Council.

No.	Title	Consistency
	hosted short term rental accommodation period	
<b>4.</b>	<b>Hazard and Risk</b>	
4.1	Acid Sulphate Soils	Not applicable as the subject land does not contain acid sulphate soils.
4.2	Mine Subsidence & Unstable Land	Not applicable as the subject land is not within Mine Subsistence District.
4.3	Flood Prone Land	Not applicable as the subject land is not mapped as flood prone.
4.4	Planning for Bushfire Protection	<p>This direction is relevant because the land is mapped as bush fire prone land.</p> <p>The proposal is considered to be consistent with this direction because the bush fire assessment at Attachment 'F' demonstrates the proposed dwelling can meet the requirements of the <i>Planning for Bush Fire Protection 2006</i>.</p>
<b>5.</b>	<b>Regional Planning</b>	
5.1	Implementation of Regional Strategies	Revoked in 2017.
5.2	Sydney Drinking Water Catchment	Not applicable as the subject land is not within the Sydney Drinking Water Catchment.
5.3	Farmland of State & Regional Significance on the NSW Far North Coast	Not applicable as the subject land is not within one of the local government areas nominated in this direction.
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable as the subject land is not near the Pacific Highway.
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked in 2010.
5.6	Sydney to Canberra Corridor	Revoked in 2008.
5.7	Central Coast	Revoked in 2008.
5.8	Second Sydney Airport: Badgerys Creek	Revoked in 2018.
5.9	North West Rail Link Corridor Strategy	Not applicable as the subject land is not near this corridor.
5.10	Implementation of Regional Plans	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The planning proposal complies with this direction because it is generally consistent with the <i>Riverina Murray Regional Plan 2036</i> (see Attachment 'C').</p>
5.11	Development of Aboriginal Land Council Land	Not applicable as the subject land is not within the Land Application Map for the SEPP.

No.	Title	Consistency
<b>6.</b>	<b>Local Plan Making</b>	
6.1	Approval and Referral Requirements	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The planning proposal is consistent with this direction because it does not propose any referral requirements or nominate any development as 'designated development'.</p>
6.2	Reserving Land for Public Purposes	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The planning proposal is consistent with this direction because it does not remove or propose any public land.</p>
6.3	Site Specific Provisions	Not applicable as the proposal does not propose any site specific provisions.
<b>7.</b>	<b>Metropolitan Planning</b>	
7.1	Implementation of A Plan for Growing Sydney	Not applicable as the subject land is not within one of the local government areas nominated in this direction.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable as the subject land is not within one of the local government areas nominated in this direction.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable as the subject land is not within one of the local government areas nominated in this direction.
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable as the subject land is not within the North West Priority Growth Area.
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable as the subject land is not within the Greater Parramatta Priority Growth Area.
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable as the subject land is not within the Wollondilly Shire Council.
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable as the subject land is not within the Campbelltown City Council.
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	Not applicable as the subject land is not within any of the nominated councils.
7.9	Implementation of Bayside West Precincts 2036 Plan	Not applicable as the subject land is not within the Bayside local government area.

No.	Title	Consistency
7.10	Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable as the subject land is not within the Cooks Cove Precinct of the Bayside local government area.

## Attachment C

Consistency with the Riverina-Murray Regional  
Plan 2036



Goal, Direction & Action Title	Relevance to the Planning Proposal	Comment
<b>Goal 1 – A growing and diverse economy</b>		
Direction 1 – Protect the region's diverse and productive agricultural land.	Not relevant, as the subject land is not used for productive agricultural purposes.	N/A
Direction 2 – Promote and grow the agribusiness sector.	Not relevant, as the proposal does not relate to agribusiness.	N/A
Direction 3 – Expand advanced and value-added manufacturing.	Not relevant, as the proposal does not relate to manufacturing.	N/A
Direction 4 – Promote business activities in industrial and commercial areas.	Not relevant, as the proposal is not business related.	N/A
Direction 5 – Support the growth of the health and aged care sectors.	Not relevant, as the proposal is not related to the health sector.	N/A
Direction 6 – Promote the expansion of education and training opportunities.	Not relevant, as the proposal is not related to the education sector.	N/A
Direction 7 – Promote tourism opportunities.	Not relevant, as the proposal is not related to tourism.	N/A
Direction 8 – Enhance the economic self-determination of Aboriginal communities.	Not relevant, as the proposal is not related to Aboriginal communities (other than the possible presence of artefacts).	N/A
Direction 9 – Support the forestry industry.	Not relevant, as the proposal does not relate to forestry.	N/A
Direction 10 – Sustainably manage water resources for economic opportunities.	Not relevant, as the proposal does not relate to water resources.	N/A

Direction 11 – Promote the diversification of energy supplies through renewable energy generation.	Not relevant, as the proposal does not relate to energy generation.	N/A
Direction 12 – Sustainably manage mineral resources.	Not relevant, as the proposal does not relate to mineral resources.	N/A
<b>Goal 2 – A healthy environment with pristine waterways</b>		
Direction 13 – Manage and conserve water resources for the environment.	Not applicable, as the subject land is not known to contain any water resources.	N/A
Direction 14 – Manage land uses along key river corridors.	Not applicable as the land is not along a river corridor.	N/A
Direction 15 – Protect and manage the region's many environmental assets.	The rear of the subject land extends up to McPhersons Range which is an environmental asset.	The ecological constraints assessment undertaken by Biosis (see Attachment 'D') demonstrates that the minor adjustment of the E2 boundary will have no impact on the environmental values of McPhersons Range.
Direction 16 – Increase resilience to natural hazards and climate change.	The subject land is mapped as containing a vegetation category that represents a bush fire risk.	The proposal is considered to be consistent with this direction because the bush fire assessment at Attachment 'F' demonstrates the proposed dwelling can meet the requirements of the <i>Planning for Bush Fire Protection 2006</i> .
<b>Goal 3 – Efficient transport and infrastructure networks</b>		
Direction 17 – Transform the region into the eastern seaboard's freight and logistics hub.	Not relevant, as the proposal does not relate to industry or freight.	N/A
Direction 18 – Enhance road and rail freight links.	Not relevant, as the proposal does not relate to freight.	N/A
Direction 19 – Support and protect ongoing access to air travel.	Not relevant, as the proposal will not affect air travel.	N/A
Direction 20 – Identify and protect future transport corridors.	Not relevant as the proposal does not relate to transport.	N/A

Direction 21 – Align and protect utility infrastructure investment.	Yes, as the proposal will require infrastructure with a future dwelling.	All necessary infrastructure for rural residential development was provided to the subject land when it was created by subdivision.
<b>Goal 4 – Strong, connected and healthy communities</b>		
Direction 22 – Promote the growth of regional cities and local centres.	Yes, as the proposal is in proximity of Griffith.	Albeit a minor consequence, the Planning Proposal will support the growth of Griffith through an additional dwelling following the zone adjustment.
Direction 23 – Build resilience in towns and villages.	Relevant because the subject land is in close proximity of the village of Beelbanger.	The future dwelling on the subject land will support the village through an increase in population that in term leads to support of local businesses and institutions (e.g. primary school).
Direction 24 – Create a connected and competitive environment for cross-border communities.	Not relevant as the land is not located on the Murray River.	N/A
Direction 25 – Build housing capacity to meet demand.	Yes, as the proposal will result in an additional dwelling.	Albeit a minor consequence, the Planning Proposal will increase the supply of housing through the new dwelling following the zone adjustment.
Direction 26 – Provide greater housing choice.	Yes, as the proposal will result in an additional dwelling.	Albeit a minor consequence, the Planning Proposal will increase housing choice through the new dwelling following the zone adjustment.
Direction 27 – Manage rural residential development.	Relevant because the proposal relates to rural residential land.	The proposal is essentially a 'one-off' and the future dwelling will be subject to a development application allowing Council to manage the development. It is noted the subject land is already zoned in part for rural residential development.
Direction 28 – Deliver healthy built environments and improved urban design.	Yes, as the proposal will result in a new dwelling.	The future dwelling is designed to a high standard (see Attachment 'E').
Direction 29 – Protect the region's Aboriginal and historic heritage.	Yes, as the development occurring as a result of the rezoning needs to consider the impact on Aboriginal heritage.	There are no known items of Aboriginal heritage on the subject land (se Figure 6).

## Attachment D

### Ecological constraints assessment

28 August 2018

Derek Goullet  
Sent via email to: [derek.goullet@websterltd.com.au](mailto:derek.goullet@websterltd.com.au)

Dear Derek

**Re: Ecological constraints assessment at 1413 Rankin Springs Road, Myall Park**  
**Project no. 27904**

Biosis Pty Ltd was commissioned by Derek Goullet to complete an ecological constraints assessment to describe the biodiversity values and constraints associated with a proposed residential development at 1413 Rankin Springs Road, Myall Park (Lot 6 DP 1133395, the study area) (Appendix 1; Figure 1).

The objective of this ecological constraints assessment is to determine the presence of any threatened flora, fauna, populations or ecological communities (biota) or their habitat listed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and *NSW Biodiversity Conservation Act 2016* (BC Act) within the study area. A further objective is to determine the ecological constraints associated with development on the land zoned E2 – Environmental Conservation within Lot 6 DP 1133395.

## Background

The study area is within the Griffith Local Government Area (LGA) and is zoned E2 – Environmental Management and RU2 – Rural Landscape under the *Griffith Local Environmental Plan 2014* (Griffith LEP). The existing boundary between the two zones intersects the study area in the western portion of the lot (see Appendix 1, Figure 2). The study area is approximately 6 hectares and is bordered by residential lots on the north and south boundary and Rankin Springs Road on the eastern boundary. The study area is one of six lots that were subdivided from a former rural property. Four of these six lots have since been developed with residential properties. Under the Griffith LEP, dwelling houses and farm buildings are permitted with consent within the RU2 – Rural Landscape zone, however these are prohibited uses within the E2 – Environmental Conservation zone.

The centre of the study area contains areas that have been historically thinned or cleared of native vegetation. The majority of this area is within the RU2 zone, however a significant portion is located within the E2 zone. Biosis understands that Derek Goullet proposes to submit a planning proposal to alter the land zone boundary that intersects the lot. Altering the zone boundary will allow submission of a Development Application (DA) for construction of a residential dwelling (and associated ancillary structures) at 1413 Rankin Springs Road, Myall Park (Lot 6 DP 1133395) (Appendix 1; Figure 1).

Biosis Pty Ltd  
**Albury Resource Group**

593a Macauley Street  
Albury NSW 2640

Phone: 02 6069 9203

ACN 006 175 097  
ABN 65 006 175 097

Email: [albury@biosis.com.au](mailto:albury@biosis.com.au)

[biosis.com.au](http://biosis.com.au)

Land use surrounding the study area is predominantly agricultural where native vegetation has been modified by primary production and lot developments for dwellings. However, native vegetation is still present in the landscape as large patches, isolated paddock trees and unimproved pasture on private properties and within road reserves and nature reserves in the broader landscape.

## Method

### Database and literature review

Prior to completing the field investigation, information provided by Derek Goullet as well as other key information was reviewed, including:

- Commonwealth Department of the Environment and Energy (DEE) Protected Matters Search Tool for matters protected by the EPBC Act.
- NSW Office of Environment and Heritage (OEH) BioNet Atlas of NSW Wildlife, for items listed under the BC Act.
- NSW DPI WeedWise database for *Biosecurity Act 2015* (Biosecurity Act) Priority listed weeds for the Riverina Local Land Services (LLS) area.
- OEH Vegetation Information System (VIS) mapping through the Spatial Information eXchange (SIX) Vegetation Map Viewer, Defining the legislative framework for assessment.

The implications for the project were assessed in relation to key biodiversity legislation and policy including:

- EPBC Act
- *Environmental Planning and Assessment Act 1979* (EP&A Act).
- BC Act
- *Local Land Services Act 2016*.
- Biosecurity Act.

### Field investigation

A field investigation of the study area was undertaken on 26 – 27 June 2018 by qualified and experienced ecologist, Ewan Kelly. Vegetation within the study area was surveyed using the random meander technique (Cropper 1993) over 10 person hours.

A habitat-based assessment was completed to determine the presence of suitable habitat for threatened species previously recorded (OEH 2018) or predicted to occur (Commonwealth of Australia 2018) within 10 kilometres. This list was filtered according to species descriptions, life history, habitat preference and soil preference to determine those species most likely to be present within the study area.

## Results

The study area contains native vegetation which is contiguous with native vegetation on adjacent properties and road reserves. The condition of native vegetation within the study area is a function of past land uses. The eastern section of the site has had some modification to the canopy with historical tree removal occurring for timber harvesting or agricultural improvement. Higher quality woodland remnants occur on the rocky rises and closer to Rankin Springs Road where the canopy remains relatively intact. The understorey throughout the site is predominantly native and contains a range of native herb, grass and fern

species. Low quality woodlands occur throughout the centre of the site where the canopy has been predominantly removed or thinned but the understorey remains native.

Native vegetation within the study area consists of Plant Community Type (PCT) 185: *Dwyer's Red Gum - White Cypress Pine - Currawang shrubby woodland mainly in the NSW South Western Slopes Bioregion* on the rocky rises where Currawang *Acacia doratoxylon* is the dominant canopy species (Appendix 1; Figure 2, Appendix 2; Plates 1 - 2), and PCT 82: *Western Grey Box - Poplar Box - White Cypress Pine tall woodland on red loams mainly of the eastern Cobar Penepplain Bioregion* on the lower slopes, closer to Rankin Springs Road (Appendix 1; Figure 2; Appendix 2; Plates 3 - 5). Plant Community Type 82 was found in a range of condition states from high to low quality based on the level of historic clearing.

Plant Community Type 185 occurs on rocky soils in the west of the study area and contains a dense canopy to 5 metres dominated by Currawang with Dwyer's Red-gum *Eucalyptus dwyeri* and White Cypress Pine *Callitris glaucophylla* scattered throughout. The midstorey is sparse to absent. The groundcover consists of a sparse cover of native herbs, grasses, salt bushes and ground ferns including Mulga Mitchell Grass *Thyridolepis mitchelliana*, Common Wheatgrass *Elymus scaber* var. *scaber*, Nine-awn Grass *Enneapogon nigricans*, Rock Fern *Cheilanthes sieberi* subsp. *sieberi* and Wingless Bluebush *Maireana enchylaenoides*.

Plant Community Type 82 occurs downslope from PCT 185 on deeper, less skeletal soils. A defined ecotone is present and can be marked by the abrupt replacement of Currawang as the dominant canopy species by a mixture of Bimble Box *Eucalyptus populnea* subsp. *bimbil* and White Cypress Pine. A sparse midstorey shrub layer is present and includes Deane's Wattle *Acacia deanei*, Silver Cassia *Senna artemisioides* subsp. *zygophylla*, Wilga *Geijera parviflora* and Narrow-leaf Hopbush *Dodonaea viscosa* subsp. *angustissima*. The ground layer consists of a diverse mix of herb, grass and ground fern species and includes Red-leg Grass *Bothriochloa macra*, Spider Grass *Enteropogon acicularis*, Smallflower Wallaby Grass *Rytidosperma setaceum*, Rock Fern, Riverine Flax Lilly *Dianella porracea*, Bluebells *Wahlenbergia* sp., Golden Everlasting *Xerochrysum bracteatum* and Wonga Wonga Vine *Pandorea pandorana*.

The centre of the study area contains areas that have been historically thinned or cleared for agricultural improvement and contains a native understorey and a sparse to absent canopy. The highest quality areas are present close to Myall Park Road and in the western portion of the study area where PCT185 is the dominant vegetation type.

Site species lists are available on request.

## Ecological values of E2 zoned land and RU2 zoned land

From analysis of aerial photography and the relevant zoning maps, the boundary of the E2 and RU2 zoned land appears to have been developed to follow the distinct ecotone between PCT 82 and PCT 185. This boundary is delineated on the ground by the abrupt change in species composition from a Currawang dominated canopy to a mixed eucalypt and Callitris canopy. This change in species composition is driven by changes in the underlying geologies and soil as the slope increases and the soils become shallow and skeletal moving east to west.

The proposed development site has been selected for its proximity to natural features and to maximise views across the valley, while minimising the removal of native vegetation during construction by situating the works in an area that has been historically cleared. The proposed site falls just inside the boundary of the E2 zoned land (Appendix 2; Plates 6 – 7). However in this area, the boundary deviates slightly and does not strictly follow the ecotone between vegetation types. Analysis of the native vegetation at the proposed development site and in similar cleared vegetation in the RU2 zone (see Appendix 2; Plates 8 – 9) indicates the cleared areas contain almost identical ecological values. From an ecological perspective the constraints associated with development in a historically cleared area of the E2 zoned land is identical to development in a historically cleared area of the RU2 zoned land.

Using the ecotone between PCT 185 and 82 as the logical boundary between E2 and RU2 zoned land, it could be strongly argued that the delineation between zones should be amended in this area to accurately follow that boundary. A proposed land zone boundary between the E2 zone and the RU2 zone based on the results of this constraints assessment is provided in Appendix 1, Figure 3. This proposed zone boundary more accurately reflects the vegetation type and condition within the study area.

## Threatened species

Background searches identified three threatened flora species and 34 threatened fauna species recorded (OEH 2018) or predicted to occur (DEE 2018) within 10 kilometres of the study area. Those species considered most likely to have habitat within the study area based on the background research are as follows:

### Fauna

- Corben's Long-eared Bat *Nyctophilus corbeni* (Vulnerable EPBC Act and BC Act).
- Hooded Robin *Melanodryas cucullata cucullata* (Vulnerable BC Act).
- Grey-crowned Babbler *Pomatostomus temporalis temporalis* (Vulnerable BC Act).
- Diamond Firetail *Stagonopleura guttata* (Vulnerable BC Act).
- Varied Sittella *Daphoenositta chrysoptera* (Vulnerable BC Act).
- Speckled Warbler *Chthonicola sagittata* (Vulnerable BC Act).
- Brown Treecreeper (eastern subspecies) *Climacteris picumnus victoriae* (Vulnerable BC Act).
- Little Eagle *Hieraaetus morphnoides* (Vulnerable BC Act).
- Black Falcon *Falco subniger* (Vulnerable BC Act).
- Spotted Harrier *Circus assimilis* (Vulnerable BC Act).

Threatened flora species were considered to have a low or negligible likelihood of occurring in the study area. This is predominantly due to historical disturbance and land use practices.



Corben's Long-eared Bat has been recorded in the nearby Cocoparra National Park and may forage or be resident within the vegetation in the study area. The presence of a native canopy and predominantly native grass understorey is likely to provide suitable habitat features for a range of threatened woodland birds. While these species may forage within, or be resident within the vegetation in the study area, the development of a dwelling house and associated farm buildings and infrastructure in an area that has been historically cleared is unlikely to result in any impact to these relatively mobile species.

Likelihood tables for threatened flora and fauna occurring within the study area are available on request.

### **Vegetation communities**

Plant Community Type 82 aligns with the Threatened Ecological Community (TEC) Grey Box *Eucalyptus microcarpa* Grassy Woodlands and Derived Native Grasslands of South-eastern Australia, listed as endangered under the EPBC Act and the Inland Grey Box Woodland in the Riverina, NSW South Western Slopes, Cobar Penneplain, Nandewar and Brigalow Belt South Bioregion, listed as endangered under the BC Act. However, these communities require Grey Box to be the dominant canopy species to meet the Threatened Species Scientific Committee (2010) listing criteria. Bimble Box was the dominant canopy species throughout. The TEC is likely to be present in the roadside but was not present on site.

### **Priority weeds**

The Biosecurity Act came into effect as of 1 July 2017 and repeals the *Noxious Weeds Act 1993*. The Biosecurity Act outlines biosecurity risks and impacts, which in relation to the current assessment includes those risks and impacts associated with weeds. A biosecurity risk is defined as the risk of a biosecurity impact occurring, which for weeds includes:

- The introduction, presence, spread or increase of a pest into or within the State or any part of the State.
- A pest plant has the potential to:
  - Out-compete other organisms for resources, including food, water, nutrients, habitat and sunlight.
  - Harm or reduce biodiversity.

The Biosecurity Act introduces the concept of Priority Weeds. A priority weed is any weed identified in a local strategic plan, for a region that includes that land or area, as a weed that is or should be prevented, managed, controlled or eradicated in the region. Where a local strategic plan means a local strategic plan approved by the Minister under Division 2 of Part 4 of the *Local Land Services Act 2013*.

The Biosecurity Act also introduces the General Biosecurity Duty, which states:

- *All plants are regulated with a general biosecurity duty to prevent, eliminate or minimise any biosecurity risk they may pose. Any person who deals with any plant, who knows (or ought to know) of any biosecurity risk, has a duty to ensure the risk is prevented, eliminated or minimised, so far as is reasonably practicable.*

No Priority Weeds for Riverina LLS region, which includes the Griffith Council LGA, that have been recorded in the study area.

## Constraints assessment

The proposed development has been designed and situated to avoid the removal of native vegetation where possible. The aim of the development is to blend the dwelling with the natural features on the property and to avoid the removal of any trees during construction. The ecological constraints associated with development at the site include:

- the permanent removal of understorey native vegetation consisting of PCT 185 and 82
- removal of habitat for threatened species or potential for indirect impacts, including:
  - potential habitat for one EPBC Act listed fauna species: Corben's Long-eared Bat
  - removal of vegetation that may provide a foraging and nesting resource for a range of state listed avian species
- accidental loss of, or damage to, retained vegetation during the construction phase
- mortality of wildlife during construction works, particularly resident and relatively sedentary species such as reptiles and frogs
- decline in habitat quality in the surrounding area via increased weed invasion and sedimentation and/or pollution of drainage lines and waterways.

## Conclusion and recommendations

The site of the proposed residential development is located within a historically cleared area of E2 zoned land. An analysis of the differences in ecological values between the proposed development site and adjacent cleared areas within RU2 zoned land indicated there was little difference in the ecological values between the sites.

We see no ecological impediment on this Lot in altering the boundary between the two zones as proposed in Appendix 1, Figure 3. Given the level of residential development in the immediate vicinity, we consider that the existing ecological constraints of the site would not be exacerbated by a proposed residential development (i.e. dwelling house and ancillary structures), provided:

- the proposed dwelling and associated ancillary structures are designed and situated to avoid and minimise further vegetation clearance
- appropriate safeguards are implemented during construction.

Based on preliminary design plans, we recommend relocating a proposed shed further to the east to avoid accidental damage to trees during construction.

If the planning proposal is approved, further biodiversity assessment will be required to accompany a DA for the proposed development. A determination as to whether the proposed development triggers the Biodiversity Offsets Scheme (BOS) will need to be made. If the BOS is not triggered, a standard flora and fauna assessment including a list of avoidance and mitigation actions as well as a Test of Significance for threatened species can be submitted with the DA. If the BOS is triggered, there is a requirement for preparation of a Biodiversity Development Assessment Report (BDAR) by an accredited assessor utilising the Biodiversity Assessment Methodology. Biosis can provide further advice regarding these issues if required.

I trust that this advice is of assistance to you however please contact me if you would like to discuss any elements of this ecological advice further.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'E. Kelly', written on a light blue background.

Ewan Kelly  
Ecologist, Albury, mob. 0438 210 030

## References

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Chapman, GA and Murphy CL 1989. *Soil Landscapes of the Sydney 1:100 000 Sheet*. Soil Conservation Service of NSW, Sydney.

Commonwealth of Australia 20XX. Protected Matters Search Tool. Australian Government Department of the Environment, Water, Heritage & the Arts, Canberra. Accessed XX/XX/XXXX at <https://www.environment.gov.au/epbc/protected-matters-search-tool>

DEE 2018. Protected Matters Search Tool.

DPI 2018. NSW WeedWise database by Local Land Services area for the Riverina region.

OEH 2018. BioNet the website for the Atlas of NSW Wildlife.

OEH 2018. Spatial Information eXchange (SIX) Vegetation Map Viewer.

Threatened Species Scientific Committee 2010. Commonwealth Listing Advice on Grey Box (*Eucalyptus microcarpa*) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia. Department of the Environment, Water, Heritage and the Arts. Canberra, ACT: Department of the Environment, Water, Heritage and the Arts. Available from: <http://www.environment.gov.au/biodiversity/threatened/communities/pubs/86-listing-advice.pdf>. In effect under the EPBC Act from 01-Apr-2010.

## Appendices

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## Appendix 1   Figures

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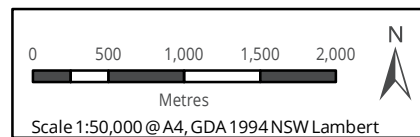


Figure 1: Location of the study area

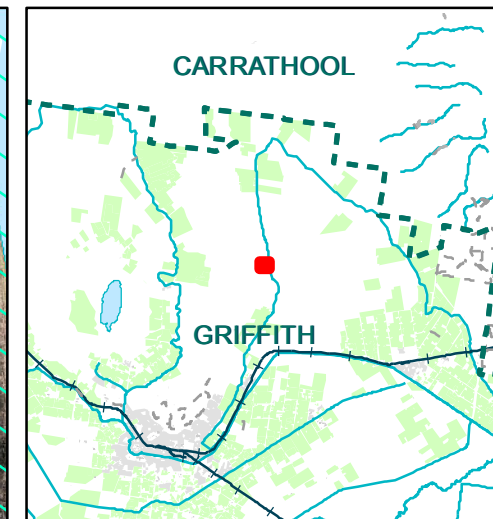
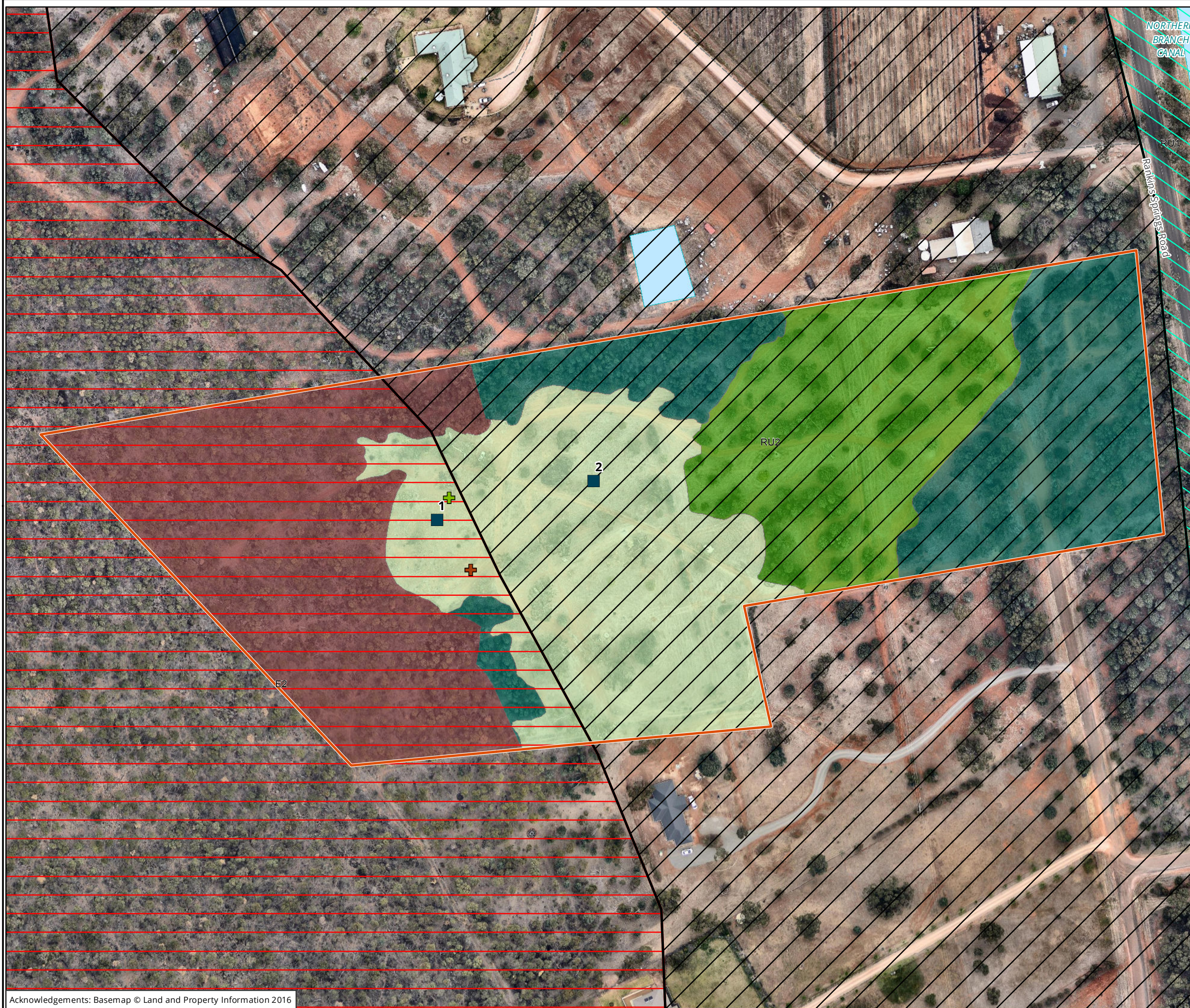


Biosis Pty Ltd  
Albury, Ballarat, Melbourne,  
Newcastle, Sydney, Wangaratta & Wollongong

Matter: 27904  
Date: 25 July 2018,  
Checked by: EK, Drawn by: LW, Last edited by: Iwilson  
Location: P:\27900s\27904\Mapping\







#### Legend

- Study area
- Quadrat
- Proposed development sites**
  - House
  - Shed
- Land zone**
  - E2 Environmental Conservation
  - RU1 Primary Production
  - RU2 Rural Landscape
- Vegetation community**
  - PCT82, Good
  - PCT82, Moderate
  - PCT82, Low
  - PCT185, Good

**Figure 2: Ecological features of the study area**

0 10 20 30 40 50  
Metres

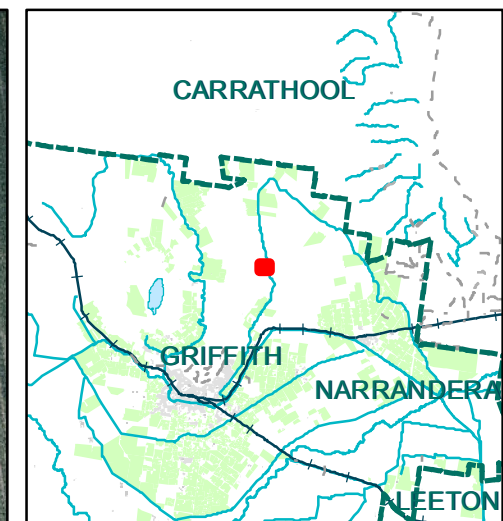
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Coordinate System: GDA 1994 MGA Zone 55



Albury, Ballarat, Melbourne,  
Newcastle, Sydney, Wangaratta & Wollongong

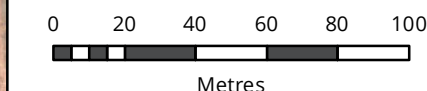
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Date: 26 July 2018,  
Checked by: EK, Drawn by: LW, Last edited by: aedwards  
Location: P:\27900s\27904\Mapping\27904\_F2\_Ecofeatures





- Legend**
- Study area
  - Contour
  - Proposed Land Zone Boundary
  - Existing Land Zone Boundary
- Vegetation community**
- PCT82, Good
  - PCT82, Moderate
  - PCT82, Low
  - PCT185, Good

**Figure 3: Proposed re-zoning alignment**



Scale: 1:2,125 @ A3  
Coordinate System: GDA 1994 MGA Zone 55



Matter: 27904  
Date: 22 August 2018,  
Checked by: EK, Drawn by: LW, Last edited by: aedwards  
Location: P:\27900s\27904\Mapping\27904\_F3\_PropZoning



## Appendix 2 Plates

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**Plate 1**      **High quality PCT 185 west of the development site, facing north (photo taken 26 June 2018).**



**Plate 2**      **High quality PCT 185 west of the development site, facing north (photo taken 26 June 2018).**





**Plate 3**      **High quality PCT 82 west of Rankin Springs Road, facing east (photo taken 26 June 2018).**



**Plate 4**      **Moderate quality PCT 82 east of the development site, facing east (photo taken 26 June 2018).**





**Plate 5**      **Moderate quality PCT 82 east of the development site, facing south east (photo taken 26 June 2018).**



**Plate 6**      **Moderate quality PCT 82 at the site of the proposed development, facing west (photo taken 26 June 2018).**





**Plate 7**      **Moderate quality PCT 82 at the site of the proposed development, facing east (photo taken 26 June 2018).**



**Plate 8**      **Ecotone between PCT 82 and PCT 185 west of the proposed development, facing west (photo taken 26 June 2018).**



**Plate 9      Ecotone between PCT 82 and PCT 185 north of the proposed development, facing west (photo taken 26 June 2018).**

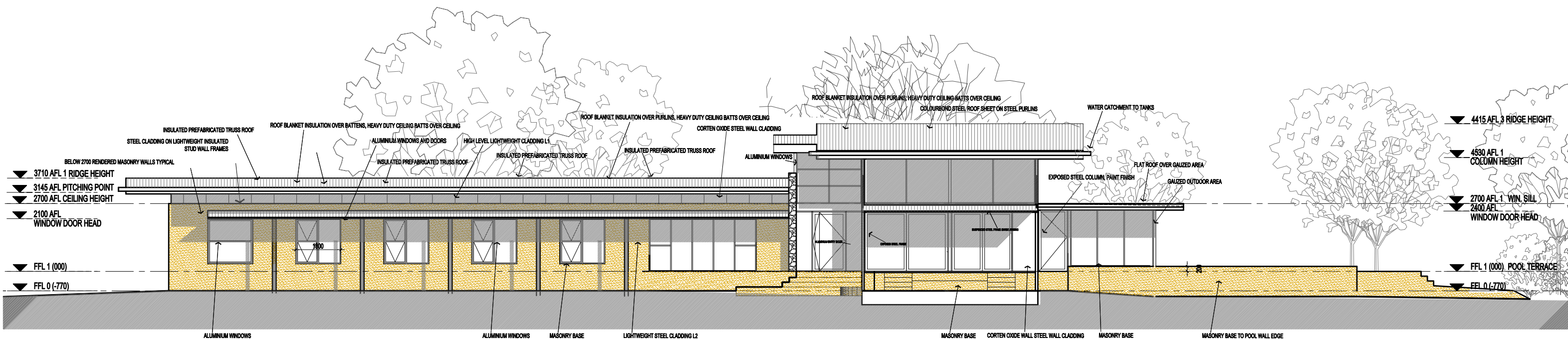
## Attachment E

Concept house plans

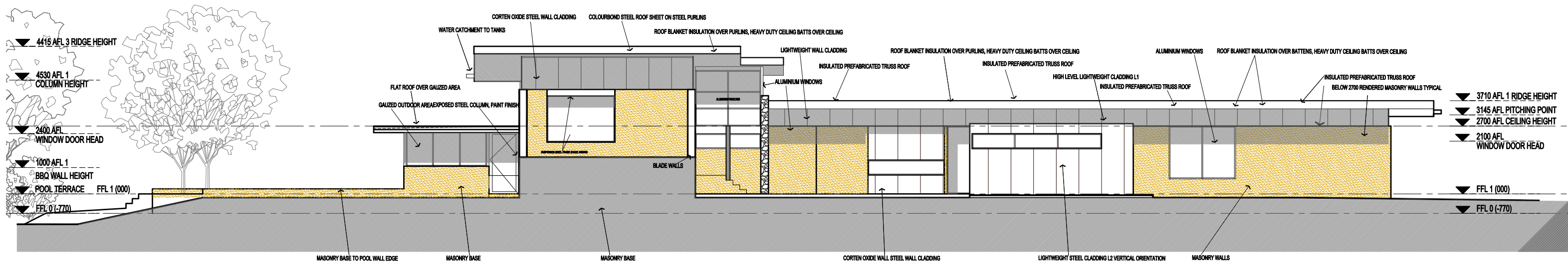








east elevation 1:150 @ A3



west elevation 1:150 @ A3

D4	PLANNING - MINOR UPDATE	14.09.2017
D3	PLANNING	13.09.2017
D2	PRELIMINARY	24.08.2017
D1	PRELIMINARY	4.08.2017
ISSUE	COMMENTS	DATE

## PRELIM PLANNING

PROPOSED  
PROPOSED NEW HOUSE AT  
1413 RANKINS SPRINGS ROAD MYALL PARK

FOR  
BEC & DEREK GOULLET

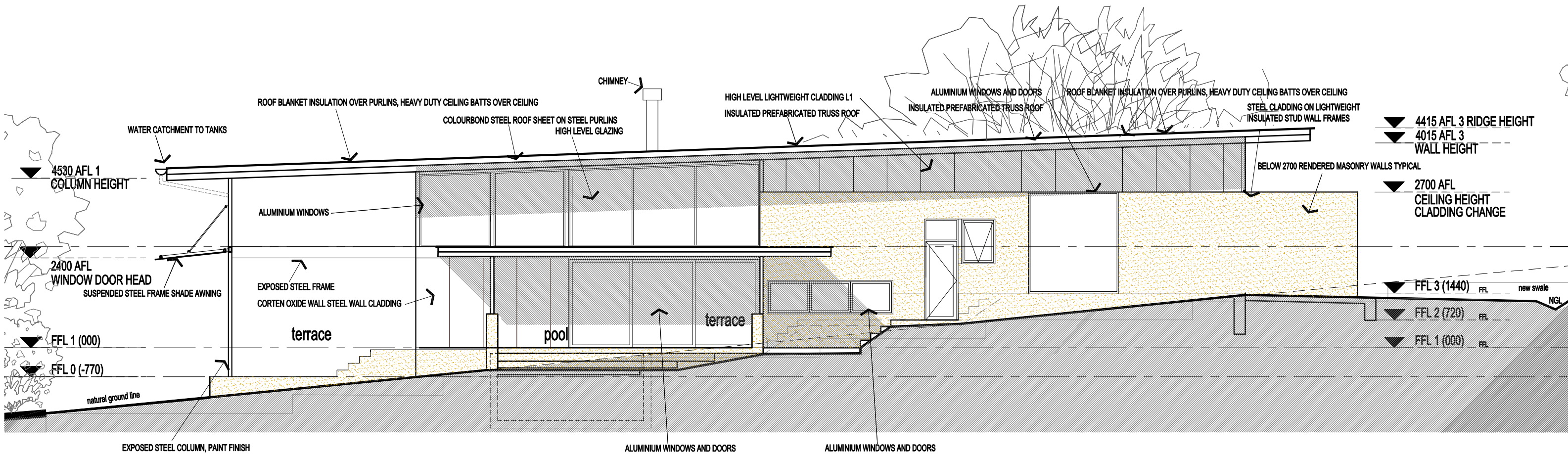
## ELEVATIONS

iss no. **D4**

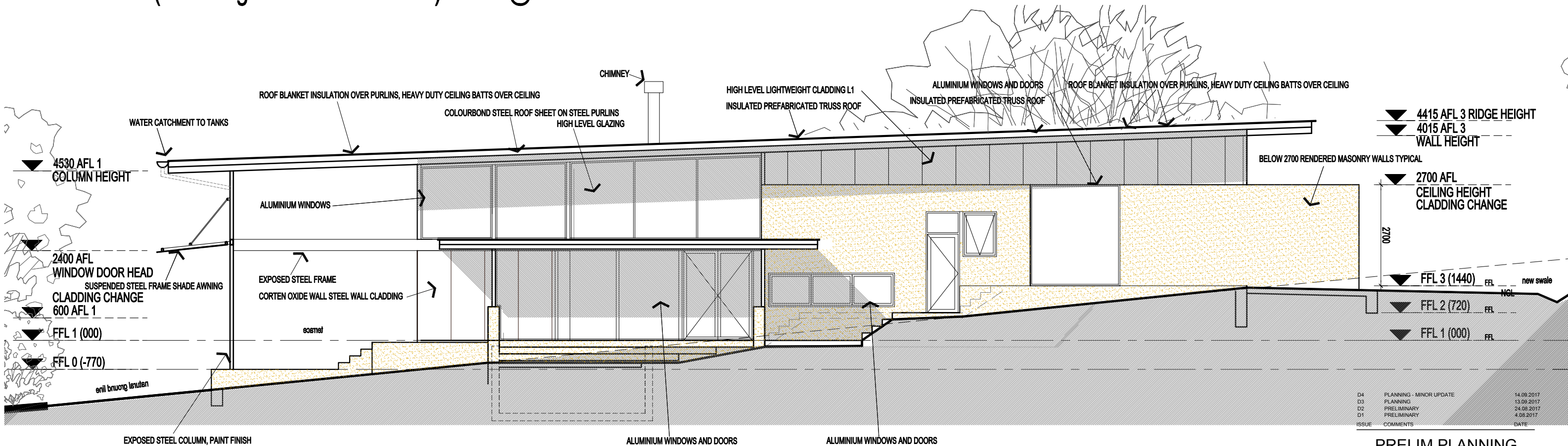
DATE JULY 2017 dwg no. PL06

Do not scale off drawings; check all dimensions on site. Contractor to verify all dimensions and levels prior to commencing the works. Report all discrepancies to the Architect for direction.





west elevation (without gauzed room shown) 1:100 @ A3



west elevation (with gauzed room doors shown) 1:100 @ A3

D4	PLANNING - MINOR UPDATE	14.08.2017
D3	PLANNING	13.08.2017
D2	PRELIMINARY	24.08.2017
D1	PRELIMINARY	4.08.2017
ISSUE	COMMENTS	DATE

## PRELIM PLANNING

PROPOSED  
PROPOSED NEW HOUSE AT  
1413 RANKINS SPRINGS ROAD MYALL PARK

FOR  
BEC & DEREK GOULLET

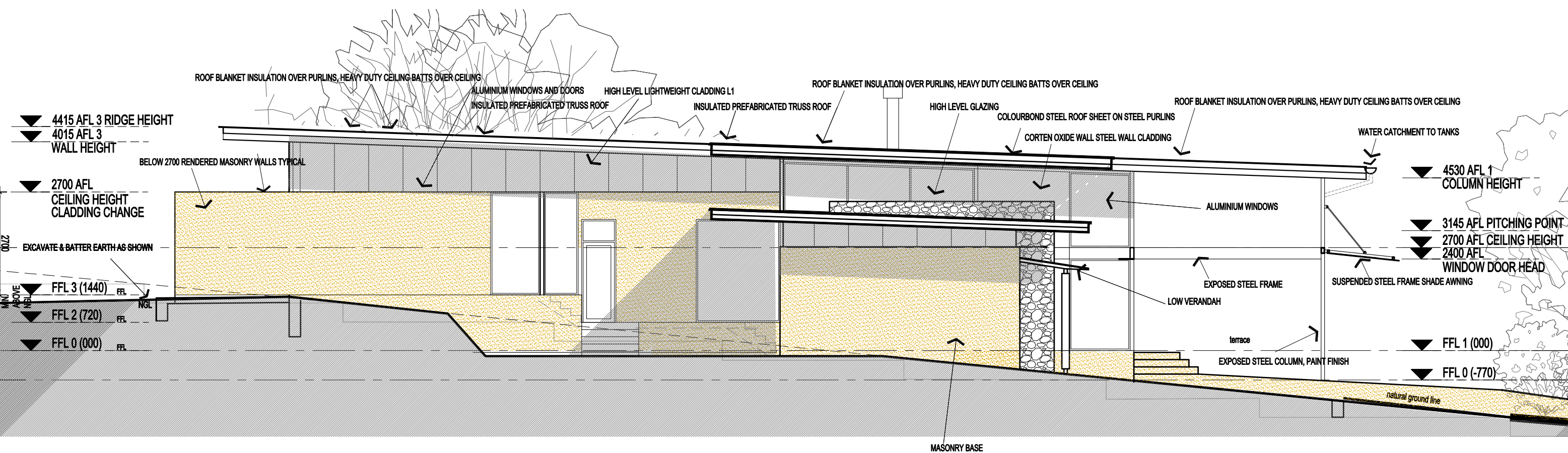
ELEVATIONS

DATE JULY 2017

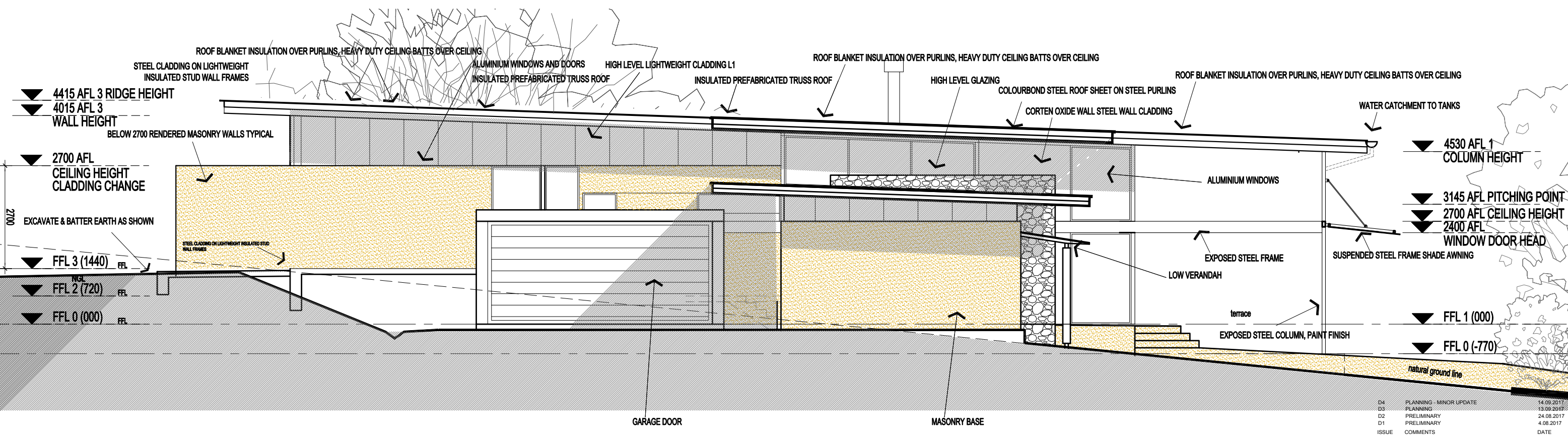
ISS no. D4  
dwg no. PL07

Do not scale off drawings; check all dimensions on site. Contractor to verify all dimensions and levels prior to commencing the works. Report all discrepancies to the Architect for direction.





south elevation (without garage shown) 1:100 @ A3



south elevation (with garage) 1:100 @ A3

ISSUE	COMMENTS	DATE
D4	PLANNING - MINOR UPDATE	14.08.2017
D3	PLANNING	13.08.2017
D2	PRELIMINARY	24.08.2017
D1	PRELIMINARY	4.08.2017

**PRELIM PLANNING**

PROPOSED  
PROPOSED NEW HOUSE AT  
1413 RANKINS SPRINGS ROAD MYALL PARK

FOR  
BEC & DEREK GOULLET

ELEVATIONS		iss no.
DATE	JULY 2017	D4
dwg no.	PL08	

Do not scale off drawings; check all dimensions on site. Contractor to verify all dimensions and levels prior to commencing the works. Report all discrepancies to the Architect for direction.

## Attachment F

Bush fire assessment of proposed dwelling

## PLANNING FOR BUSHFIRE PROTECTION 2006

### SITE ASSESSMENT REPORT

<b>Prepared for:</b>	<b>Derek and Bek Goullet</b>
<b>Project:</b>	<b>Proposed dwelling</b>
<b>Property details:</b>	<b>Lot 6 DP1133395 1413 Rankins Springs Road Myall Park</b>
<b>Date:</b>	<b>12 July 2018</b>

The following report is based on a plan assessment of the drawings PL00 - PL11 prepared by C4 architects and a site inspection carried out 11 July 2018.

#### **AS 3959 – 2009**

The bushfire attack level (BAL) is determined from the simplified method in Section 2.2 of the standard as follows:

FIRE DANGER INDEX: 80

VEGETATION CLASSIFICATION: WOODLAND

DISTANCE TO HAZARD: VARIES

EFFECTIVE SLOPE: UPSLOPE

As the distance to the hazard varies to different parts of the building, different BALs will apply to each part as follows:

MAIN BEDROOM and ENSUITE: within 10m of the hazard are required to be constructed to BAL FLAME ZONE requirements.

LAUNDRY/STORE, KITCHEN and GARAGE: within 14-20m from the hazard are required to be constructed to BAL 29 requirements.

THE REMAINDER OF THE HOUSE: within 20-29m of the hazard are required to be constructed to BAL 19 requirements.

### **PLANNING FOR BUSHFIRE PROTECTION 2006 – ASSET PROTECTION ZONES**

Table A2.5 provides minimum specifications for asset protection zones for rural subdivision purposes.

Table A2.5 Minimum Specifications for Asset Protection Zones (m) for Residential and Rural Residential Subdivision Purposes (for Class 1 and 2 buildings) in FDI 80 Fire Areas ( $\leq 29\text{kW/m}^2$ )					
Vegetation Formation	Effective Slopes				
	Upslope/Flat	>0°-5°	>5°-10°	>10°-15°	>15°-18°
Rainforests	10	10	15	15	20
Forests	20	20	30	40	45
Woodland	10	15	15	20	25

A 10m asset protection zone is required between the hazard and the building. Some minor clearing of small trees will be required to achieve this.

The 10m asset protection zone is to be maintained as an outer protection area through controlled landscaping in order to minimise fuel loads.



Ben Dartnell  
Accredited Building Certifier  
Accreditation #BPB1066