# LOCAL ENVIRONMENTAL STUDY



Mallee Road, Wyalong NSW 2671 Lot 177, DP75750615



Prepared for West Wyalong LALC Rev 2.0 - May 2020



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# Local Environmental Study Mallee Street, Wyalong

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## 1 INTRODUCTION

A local environmental study has been conducted over the subject land in the preparation of a planning proposal to ensure the proposal has strategic environmental merit when measured against State, regional and local plans and strategies, as well as known environmental attributes and constraints of the site.

The planning proposal will seek to amend Schedule 1 of the Bland Local Environmental Plan 2011 by identifying the subject land as suitable for modular housing to be established for the purpose of accommodating workers from a local mining operation.

### 2 THE SUBJECT LAND & LOCALITY

The subject land involves Lot 177 DP750615, 45 Mallee Street, Wyalong. It comprises an area of  $5200m^2$ , as shown in the deposited plan extract below.



Figure 1: Extract of DP750615 (Source: Direct Info 2018)

The land is located in the north eastern area of the current urban area, approximately 800 metres by road north of the existing Wyalong town centre and 4.0 km by road east of the West Wyalong town centre/main street and Council Chambers, as indicated in the figure below.



Figure 2: Location Map (Source: Google Maps 2020)



Figure 3: Existing Zoning (Source: ePlanning Spatial Viewer 2020)



Figure 4: Existing Minimum Lot Size (Source: ePlanning Spatial Viewer 2020)

The subject land is currently zoned RU1 Primary Production, with a Minimum Lot Size provision of 200ha under BLEP2011.

The subject land is located on the western side of Mallee Street, diagonal to the Mallee and North Street intersection, as shown in the aerial image below. The existing primary site access is via Mallee Street.



Figure 5: Aerial Locality Map (Source: SIX Maps 2020)

The land is generally flat with an elevation of approximately 245m to 246m AHD, with any fall directed to the south eastern corner of the property. A topographical extract is provided in the figure below.



Figure 6: Topographical Map Extract – Elevation Contours (Source: TopographicMap.com 2019)

Mallee Street is a sealed public road that borders the eastern boundary of the site and provides access for this site and surrounding land, to and from the West Wyalong town centre.

The subject site is located within a semi-rural environment, being typically characterised by hobby farming and animal keeping activities. The site is opposite an existing zoned small holdings area and the subdivision pattern of the locality favours hobby farming rather than broad acre agricultural activities. General residential zoned land is located immediately to the SW of the intersection of Mallee and North Streets. Other rural zoned land separates the site from other residential areas to the south.

The site is currently vacant of buildings and there is little history of any significant land use activity over the land, apart from traditional cultural use and later agricultural and other semirural activities. The images below illustrate the site and the character of the locality.



Figure 7: View from Mallee Street (Source: SP 2019)



Figure 8: View N along Mallee Street toward Historic Rural Settlement (Source SP 2019)



Figure 9: Mallee St Streetscape View looking SW towards Highway (Source: SP 2019)



Figure 10: View looking NW from Corner of Mallee & North Sts (Source: SP 2018)

### **3 STRATEGIC OVERVIEW**

### 3.1 Relevant Strategic Plans

The proposed Schedule 1 amendment is consistent with the goals and directions contained in the following State, regional and local strategic planning documents:

#### NSW State Plan 2021:

Relevant goals include the following extracted from the NSW State Plan 2021.

- Drive economic growth in regional NSW
- Protect our natural environment
- Increase opportunities for people to look after their own neighbourhoods and environments
- Make it easier for people to be involved in their communities

In 2017, the NSW Premier reinforced the delivery of the State Plan by advising on 12 critical priorities including the following relevant areas.

- Making housing more affordable through faster housing approvals and facilitating dwelling capacity through rezoning proposals.
- Building infrastructure through increasing housing supply.

#### Riverina Murray Regional Plan 2036:

"The Riverina Murray Regional Plan 2036 (the Plan) establishes a framework to grow the region's cities and local centres, supports the protection of high-value environmental assets and makes developing a strong, diverse and competitive economy central to building prosperity and resilience in the region. The Plan will guide the NSW Government's land use priorities and decisions over the next 20 years."

Relevant goals include the following.

- Direction 8: Enhance the economic self-determination of Aboriginal communities
- Direction 12: Sustainably manage mineral resources
- Direction 22: Promote the growth of regional cities and local centres
- Direction 23: Build resilience in towns and villages
- Direction 25: Build housing capacity to meet demand
- Direction 26: Provide greater housing choice

In relation to Bland Shire in general, the plan identifies the following as key priorities:

- Support agriculture, including broadacre cropping and grazing, and agribusiness diversification.
- Support the mining and resources sector and associated businesses.
- Leverage opportunities from the shire's location to support diverse industries, including freight and logistics industries.
- Support tourism opportunities in the shire.

#### Bland Local Environmental Plan 2011:

The Bland LEP2011 reflects the current strategic land use planning direction for the Shire. Its particular aims are:

- (a) to protect, enhance and conserve agricultural land through the proper management, development and conservation of natural and man-made resources,
- (b) to encourage a range of housing, employment, recreation and facilities to meet the needs of existing and future residents of Bland,
- (c) to promote the efficient and equitable provision of public services, infrastructure and amenities,
- (d) to conserve, protect and enhance the environmental and cultural heritage of Bland,

- (e) to promote the twin townships of West Wyalong and Wyalong as the major commercial and community service centres for Bland,
- (f) to encourage the sustainable growth of the villages of Bland.

The proposal has potential to support the intent of the particular aims by:

- Utilising land for more efficient development in a location that does not detrimentally impact on existing natural and agricultural resources.
- Providing a range of housing to meet the need of the existing and future residents of Bland.
- Creating additional housing that will contribute to the sustainable growth of the township, promoting economic and social wellbeing for the local community.

#### Community Plan for Bland Shire 2011-2016

The current Community Plan has been prepared by Council in consultation with the local community and is aimed at delivering common goals to achieve community aspirations. In implementing the Community Plan, the initial priorities and objectives are identified as:

- Strengthening and building community capacity
- Planning and Leadership
- Partnerships and Advocacy
- Providing community services and events
- Facilitating engagement with the community
- Ensuring we are a sustainable community

The five key strategies and initiatives that are directing the Shire include:

- 1. Growing our population and jobs
- 2. Pride in our shire
- 3. Telling our stories
- 4. Connected and accessible
- 5. Giving life to the plan

In relation to the subject of Environmental Wellbeing, the proposal best aligns with achieving the recommendation of:

"Develop and implement environmental management plans. Promote sustainable living to all residents"

Relevant existing program: "Local Environmental Plan"

Proposed Program/Initiative: "Make changes to LEP"

#### Draft Local Strategic Planning Statement (LSPS)

The Bland Draft LSPS is undergoing finalisation and set to be adopted at its May 2020 Council Meeting.

"The Local Strategic Planning Statement (LSPS) sets the framework for Bland Shire's economic, social and environmental land use needs over the next 20-years. The LSPS outlines clear planning priorities describing what will be needed, where these are located and when they will be delivered. The LSPS sets short, medium and long-term actions to deliver the priorities for the community's vision."

Priority 2 is relevant as it outlines "operations at the mine are expected to expand and Council are investigating additional temporary accommodation options to help facilitate this expansion."

The relevant action:

• Action 2.1 – investigate options for the development of temporary accommodation to provide options for working ... visitors.

## 3.1.1 Strategic Analysis

The proposal is strategically appropriate due to its connection to the surrounding landuse structure and environmental attributes. In particular:

- The subject land is located in a key transitional area between an established large lot residential area, existing agricultural land and general residential land.
- The proposed Schedule 1 amendment will potentially create additional housing opportunities, servicing one of the community's largest employers.
- The proposal will contribute to the dwelling lot land use mix with minimal impact on general residential land.
- The proposal will access existing infrastructure services and have a minimum impact on the sustainable delivery and maintenance of those services.



Figure 11: Strategic Spatial Analysis Map (Source: SP 2020)

### 3.1.2 Landuse Consideration

Population Growth & Residential Landuse Mix:

From the 2001 to 2011 census periods the Bland Shire experienced a -1.0% average decrease in population. However, the period between the 2011 and 2016 census saw the local population increase to 5,995, which can be directly attributed to the expansionary phase of the Evolution Cowal Mine and the employees living in the Bland Shire. (Source: Submission to Productivity Commission 2017-BSC)

This population growth is expected to continue into the foreseeable future, based on discussions with Council and the local community. The proposal will assist in providing lifestyle choices for the growing population.

### **3.2 Environmental Context**

### 3.2.1 Flora, Fauna and Natural Resources

The local environment has been significantly modified through historic land clearing practices. The subject land contains no existing trees or vegetation.

The subject site has no significant existing vegetation. There are no records of sitings of threatened or endangered species on the parcel of land.

In relation to other natural resources, there are no identified sensitive groundwater, riparian areas or terrestrial biodiversity issues impacting the site.

### 3.2.2 Flooding and Bushfire Hazard

#### <u>Flooding</u>

The subject site is not subject to riverine flooding or any significant overland stormwater flooding.

NSW SES has prepared a Local Flood Plan for Bland Shire that includes a description of localised flash flooding that may occur in the West Wyalong local area. The subject site is not identified as areas that would be impacted by flash flooding. The SES plan comments that West Wyalong can experience flash flooding in times of extreme rainfall resulting in minor inundation of properties and town roads along the storm water drain system. The main stream system is shown in mapping attached to the plan. An extract is included in the figure below.



Figure 12: Extract from SES Local Flood Plan Map – West Wyalong (Source: SES 2013)

### <u>Bushfire</u>

The site is not mapped as being subject to bushfire hazards, as indicated on mapping sourced from the NSW Planning Portal (ePlanning Spatial Viewer), and also confirmed via the Rural Fire Service (RFS) via their online bushfire hazard mapping tool.



Local Environmental Study – Mallee Street (West Wyalong LALC) Page 11

### 3.2.3 Heritage

An AHIMS search indicates that there are no items of Aboriginal Cultural Heritage on the subject land and the land is not located in the vicinity of any other significant Aboriginal Cultural Heritage sites, as shown in the figure below.



Figure 14: AHIMS Search extract (Source: AHIMS 2020)

Council records indicate there are no post European settlement 'Heritage Items' on the subject land. The figure below indicates the subject land and its proximity to any identified heritage items.



Figure 15: Heritage Items Map (Source: BSC LEP2011)

#### 3.2.4 Land Contamination

Consideration of site contamination is a statutory requirement when considering planning proposals and development applications. Relevant guidelines prepared under State Environmental Planning Policy No.55 (SEPP55) provide an outline of matters to be considered in this respect.

The history of land use of the subject land needs to be considered as an indicator of whether land contamination is a potential issue. Where there is no reason to suspect contamination after acting substantially in accordance with the SEPP55 Guidelines, the proposal may be processed in the usual way. However, where there is an indication that the land is, or may be, contaminated, the appropriate procedures outlined in the SEPP55 Guidelines should be followed.

The following information is provided to assist in an initial evaluation of the proposal in relation to land contamination.

Con	sideration of readily available	Response
	rmation:	Response
a)	current zoning	RU1 Primary Production
b)	permissible uses	See land use guide in LEP for permissible uses.
<i>c)</i>	records from previous rezonings or rezoning requests	No previous rezoning or requests known.
	i. history of land uses including:	Post European settlement – grazing and cropping activities.
	ii. development applications & building applications	No available development or building applications.
d)	aerial photo history	Historical aerial photos of this area prior to 2005 were unavailable at the time of preparing this report. Available relevant aerial photos are provided below.
e)	property file information & site owner information	The land has been used for agricultural activities
f)	knowledge of council staff	To be determined by Council during its initial evaluation of the proposal.
g)	adjoining property information	Adjoining properties have also conducted agricultural activities and well as hobby farming activities. Residential housing is located south east of the site.
h)	site inspection information including photographs	See photographs below. There are no obvious signs or evidence of site contamination or contaminating activities on the land based on the recent site inspection. The existing activities include grazing stock and cropping. The site appears well managed.
	cklist questions (from SEPP55 delines)	Response
a)	Are there any previous contaminated land investigations available for the site? If so, what were the results?	No, there are no previous contaminated land investigations available for the site.
b)	Is there any history of activities, as listed in Table 1 of the Guidelines, on the land, past or present?	Currently the land is used for agricultural purposes including cropping and grazing. Agricultural uses are listed in Table 1.
<i>c)</i>	Was the land at any time zoned for industrial, agricultural or defence purposes?	The land has historically been zoned for rural purposes.
d)	<i>Is there any history of licences, past or present, regulating the use of activities listed Table 1 of Guidelines over the land?</i>	No.
e)	Are there any land use restrictions on the land relating to possible contamination (eg EPA or other authority)?	No.
f)	<i>Does site inspection data suggest a history of any activities listed in Table 1 of Guidelines?</i>	Yes, there have been agricultural activities over the land, however there are no obvious signs of gross contaminating activities across the site and the landowner is unaware of any areas of contamination on the land.

# Table 1: Contaminated Land Consideration – Initial Evaluation Data Initial Evaluation Data

Initial Evaluation Data	
g) Is there any information concerning contamination impacts on land immediately adjacent the site that could affect the site?	



Figure 16: Site Photos (Source: SP 2018)



Figure 17: 2005 Aerial Photo (Source: Google Earth 2020)



Figure 18: 2013 Aerial Photo (Source: Google Earth 2020)

## **3.3 Infrastructure & Essential Services**

Investigation was undertaken into the provision of essential infrastructure services to the subject land, with a focus on the necessary services to provide satisfactory accessibility for future development. The results are summarised in mapping extracts below.



Figure 19: Electricity Authority Assets Map (Source: DBYD 2019)

There are no major impediments to accessing the existing electricity and communication networks. Future development will be required to ensure adequate provision in accordance with local authority requirements.





Figure 21: Sewer Assets Map (Source: BSC 2019)



Figure 22: Water Assets Map (Source: Goldenfields 2019)

Both water supply and sewer reticulation networks are not available to the property boundaries of the subject land however are within close proximity. It would be feasible to extend the existing water supply and sewer network for future properties within the area.

The subject land is in close proximity to local town support services including emergency, postal, community, health and school services, as shown in the locality plan in the introductory pages of this LES.

The above investigations confirm that, for the objective of the planning proposal, public infrastructure and services are generally available to the site and/or may be established to adequately service the proposed development in a sustainable and coordinated manner.

### 19057: Document History

Revision No.	Date	Authorised By Name/Position	Signature	Notes
Rev 1.0 – Draft	09/04/2020	Rhiana Reardon Assistant Planner	RR	Preliminary Draft
Rev 1.1 – Draft	12/5/20	Garry Salvestro Director	GS	Internal review
Rev 1.2 – Draft	13/5/20	Rhiana Reardon Assistant Planner	RR	For client review
Rev 1.3 – Draft	15/5/20	Rhiana Reardon Assistant Planner	RR	Minor edits to include Draft LSPS
Rev 2.0 – Final	29/5/20	Garry Salvestro Director	GS	For lodgement



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LES ATTACHMENT 1: PROPERTY REPORT – NSW PLANNING



# **Property Report**

45 MALLEE STREET WYALONG 2671



# **Property Details**

Address: Lot/Section /Plan No: 45 MALLEE STREET WYALONG 2671 177/-/DP750615

Council: E

BLAND SHIRE 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	Bland Local Environmental Plan 2011 (pub. 9-12-2011)
Land Zoning	RU1 - Primary Production: (pub. 17-8-2018)
Height Of Building	NA
Floor Space Ratio	NA
Minimum Lot Size	200 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.



# Property Report

# 45 MALLEE STREET WYALONG 2671

- State Environmental Planning Policy (Affordable Rental Housing) 2009: Land Application (pub. 31-7-2009)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004: Land Application (pub. 25-6-2004)
- State Environmental Planning Policy (Concurrences) 2018: Land Application (pub. 21-12-2018)
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017: Land Application (pub. 1-9-2017)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004: Land Application (pub. 31-3-2004)
- State Environmental Planning Policy (Infrastructure) 2007: Land Application (pub. 21-12-2007)
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007: Land Application (pub. 16-2-2007)
- State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007: Land Application (pub. 28-9-2007)
- State Environmental Planning Policy (Primary Production and Rural Development) 2019: Land Application (pub. 28-2-2019)
- State Environmental Planning Policy No 1—Development Standards: Land Application (pub. 17-10-1980)
- State Environmental Planning Policy No 21—Caravan Parks: Land Application (pub. 24-4-1992)
- State Environmental Planning Policy No 33—Hazardous and Offensive Development: Land Application (pub. 13-3-1992)
- State Environmental Planning Policy No 36—Manufactured Home Estates: Land Application (pub. 16-7-1993)
- State Environmental Planning Policy No 50—Canal Estate Development: Land Application (pub. 10-11-1997)
- State Environmental Planning Policy No 55—Remediation of Land: Land Application (pub. 28-8-1998)
- State Environmental Planning Policy No 64—Advertising and Signage: Land Application (pub. 16-3-2001)
- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development: Land Application (pub. 26-7-2002)



# **Property Report** 45 MALLEE STREET WYALONG 2671

## 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 WEST WYALONG

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

LES ATTACHMENT 2: BOSET REPORT





Legend



Biodiversity Values that have been mapped for more than 90 days

Biodiversity Values added within last 90 days

#### Notes

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# Biodiversity Values Map and Threshold Report

#### **Results Summary**

Date of Calculation	01/05/2020	2:13 PM	BDAR Required*
Total Digitised Area	0.53	ha	
Minimum Lot Size Method	LEP		
Minimum Lot Size	200	ha	
Area Clearing Threshold	1	ha	
Area clearing trigger Area of native vegetation cleared	Unknown <sup>#</sup>		Unknown <sup>#</sup>
<b>Biodiversity values map trigger</b> Impact on biodiversity values map(not including values added within the last 90 days)?	no		no
Date of the 90 day Expiry	N/A		

\*If BDAR required has:

• at least one 'Yes': you have exceeded the BOS threshold. You are now required to submit a Biodiversity Development Assessment Report with your development application. Go to <u>https://customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor</u> to access a list of assessors who are accredited to apply the Biodiversity Assessment Method and write a Biodiversity Development Assessment Report

- 'No': you have not exceeded the BOS threshold. You may still require a permit from local council. Review the development control plan and consult with council. You may still be required to assess whether the development is "likely to significantly affect threatened species' as determined under the test in s. 7.3 of the Biodiversity Conservation Act 2016. You may still be required to review the area where no vegetation mapping is available.
- # Where the area of impact occurs on land with no vegetation mapping available, the tool cannot determine the area of native vegetation cleared and if this exceeds the Area Threshold. You will need to work out the area of native vegetation cleared - refer to the BOSET user guide for how to do this.

On and after the 90 day expiry date a BDAR will be required.

# Disclaimer

This results summary and map can be used as guidance material only. This results summary and map is not guaranteed to be free from error or omission. The State of NSW and Office of Environment and Heritage and its employees disclaim liability for any act done on the information in the results summary or map and any consequences of such acts or omissions. It remains the responsibility of the proponent to ensure that their development application complies will all aspects of the *Biodiversity Conservation Act 2016*.

The mapping provided in this tool has been done with the best available mapping and knowledge of species habitat requirements. This map is valid for a period of 30 days from the date of calculation (above).

# 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	Date:01/05/2020 02:13	3 PM
Signature	Date:Date:	5 PN

LES ATTACHMENT 3: BUSHFIRE REPORT



### Check if you're in bush fire prone land

Your Property



<https://maps.google.com/maps?ll=-33.921555147.24073582ep78tam&placer-GB&ggl#US&mappdient#apivaps/@-33.921555,147.2407353,17z/data=!10m1!1e1!12b1?source=apiv3&rapsrc=apiv3?

#### Your search result

You have conducted a search of the online bush fire prone land tool for the land in the map above. This search result is valid for the date the search was conducted. If you have any questions about the Bush Fire Prone Land Tool please contact <a href="mailto:bushfireprone.mapping@rfs.nsw.gov.au">bushfireprone.mapping@rfs.nsw.gov.au</a>

The parcel of land selected is not identified as bush fire prone however you could still be affected by a bush fire.

Think about where you work, travel or holiday. These areas may be at risk of a bush fire.

Remember, discuss with your family about what to do if a bush fire were to happen near you. It may save your life, your community and your family.

For more information on making a plan for bush fire check out our guide to making your bush fire survival plan <https://www.rfs.nsw.gov.au/plan-and-prepare/bush-fire-survival-plan> .

The NSW RFS provides extensive information and resources to assist people interested in preparing their homes and families against the risk of bush fires. Try some of the useful links below for more information:

- Download a guide to making your bush fire survival plan
- Download the Bush Fire and Your Home fact sheet
- Download the Prepare. Act. Survive fact sheet
- Visit our Farm Fire Safety page

New Search Print

LES ATTACHMENT 4: AHIMS SEARCH REPORT



## AHIMS Web Services (AWS) Search Result

Date: 09 April 2020

Rhiana Turner

16 Fitzmaurice Street Wagga Wagga New South Wales 1650 Attention: Rhiana Turner

Email: admin@salvestroplanning.com.au

Dear Sir or Madam:

<u>AHIMS Web Service search for the following area at Lot : 177, DP:DP750615 with a Buffer of 200 meters,</u> <u>conducted by Rhiana Turner on 09 April 2020.</u>

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:



#### 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 (http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit 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 be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage 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.