

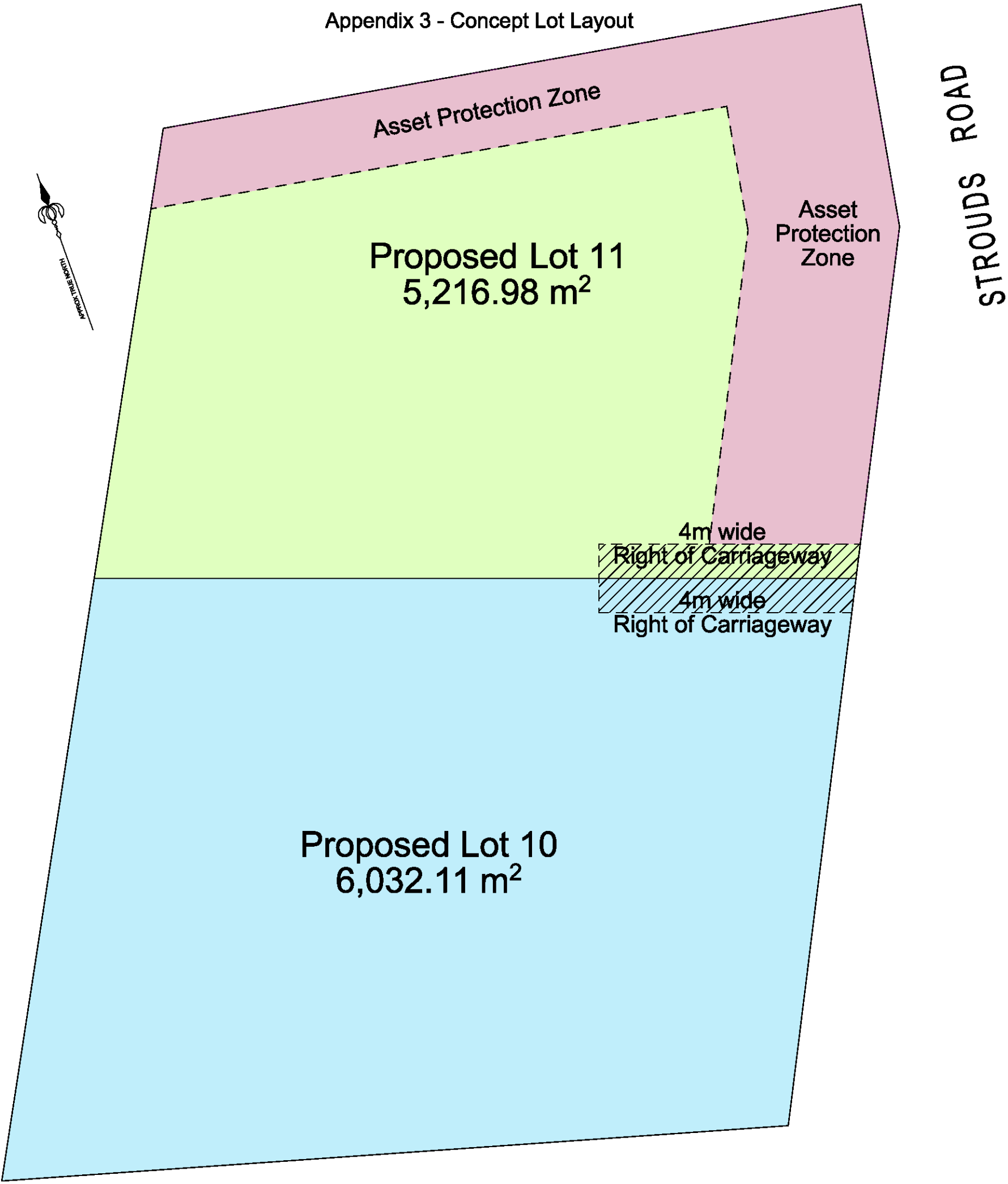


PLANNING PROPOSAL

CITY OF COFFS HARBOUR

**Planning Proposal PP-2023-1816
R5 Large Lot Residential Rezoning
39-39A Strouds Road, Bonville
Lot 1 DP 416381**

**September 2024
VERSION 2 Exhibition**



Proposed Subdivision
Scale 1:500



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Job Number: 22005

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Concept Subdivision

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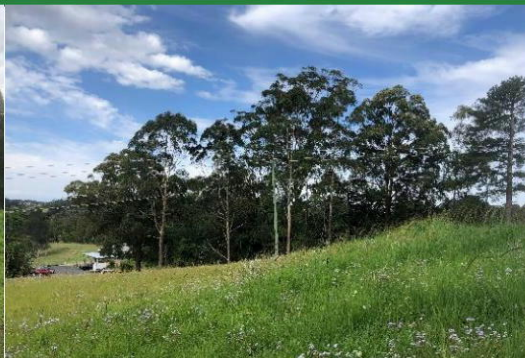
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Biodiversity Assessment

39 Strouds Road, Bonville Re-zoning



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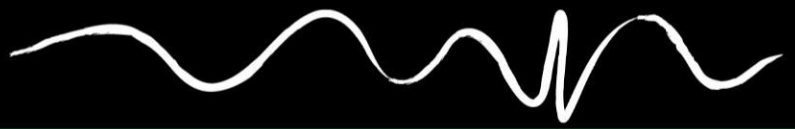
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UPR	Description	Issued By	Date Issued
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Executive Summary

The Site and Proposal

GeoLINK has been engaged to prepare a Biodiversity Assessment Report (BAR) to inform a rezoning planning proposal for 39 Strouds Road, Bonville (the site) (Lot 1 DP416381).

The land area is 1.13 hectares (ha) and is currently managed as part of existing residential lot which includes prevalent landscape plantings and regularly mown/ slashed grassland. Areas of intact native eucalypt forest occur on the eastern and southern Lot boundary.

The site is currently zoned RU2 (Rural Landscape) under the Coffs Harbour Local Environmental Plan (CHLEP) 2013.

Biodiversity Value Land

No Biodiversity Values (BV) mapped land occurs at or in close proximity to the site.

It is noted that any future impact on BV mapped land would trigger the Biodiversity Offset Scheme (BOS) and the need for a Biodiversity Development Assessment Report (BDAR) at the development application stage. Based on the concept layout for rezoning it is unlikely that future development of the Lot would trigger entry into the BOS and require a BDAR.

Results of Field Assessment

Results of field assessment are as follows:

- No native endemic threatened flora species listed under the *Biodiversity Conservation* (BC) Act 2016 or *Environment Protection and Biodiversity Conservation* (EPBC) Act 1999 occur at the site. One planted non-endemic threatened species occurs; a multi-stemmed Macadamia Nut hybrid (*Macadamia integrifolia* x *tetraphylla*). The site is located >150 km south of the southern extent of these species' natural range, (north of the Richmond River or Currumbin in Queensland). This tree is not part of a natural population of *Macadamia* sp, therefore the subject tree is considered of low conservation value.
- No Threatened Ecological Communities listed under the BC or EPBC Act occur at the site.
- No State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 2 Coastal Management littoral rainforest or coastal wetlands (DPIE, 2021), over-cleared vegetation types, high value arboreal habitats or old growth forests (CHCC, 2021) occur at the site.
- One area of native vegetation is recommended for addition to Council's Preservation of Vegetation map.
- Koala (*Phascolarctos cinereus*) scats were detected along the length of the eastern boundary beneath several Tallowwood and Blackbutt trees. Koalas are listed as *Endangered* under both the BC and EPBC Act.
- Part of the site provides good quality potential fauna habitats including native vegetation and hollow-bearing trees. While no significant or core habitat for threatened fauna occurs at the site, the site provides potential habitat for a number of locally occurring threatened fauna species which may use the site opportunistically or as part of their broader home range. Vegetation along the eastern boundary of the site provides connectivity and refuge for a range of fauna species likely to occur within a highly modified and fragmented landscape.



Potential Impacts

The rezoning (and future development) of the site may result in the following potential biodiversity impacts, which based on the subdivision concept design may include:

- Minor loss of native vegetation (0.022 ha).
- Loss of one hollow-bearing tree.
- Minor loss of Koala feed trees listed in the Coffs Harbour City Koala Plan of Management (CKPoM).
- Minor intensification of human occupation with regard to native fauna (e.g. minor increase in traffic movements).
- Introduction of weed species during the construction period.
- Disturbance to fauna during construction and ongoing occupation.
- Fauna roadkill from a minor increase in vehicular traffic.

Recommendations


To minimise biodiversity impacts which may result from the proposed rezoning and future development of the site, the following measures should be considered:

- Clearing of native vegetation (mapped as PCT 3250) and hollow-bearing trees, should be avoided in the final design of subdivision with building envelopes, associated infrastructure, boundary fences and bushfire APZs to be located within previously cleared areas. The priority would be to retain intact native forest vegetation at the site with the maintained grassland and planted ornamental and exotic species considered to be of relatively low conservation value.
- Add the area mapped as PCT 3250 Illustration 3.1 Biodiversity Constraints to Council's Preservation of Vegetation (PoV) map to trigger the requirements of the *Biodiversity and Conservation SEPP 2021: Chapter 2 Vegetation in non-rural areas* and Part E1.2 (1) of Development Control Plan (DCP) 2015 which outlines compensatory planting requirements for the removal of high conservation value vegetation.
- Should native vegetation or hollow-bearing trees require removal, compensation will be required as per Part E1.2 (1) of the Coffs Harbour DCP.

Statutory Matters

Review of statutory instruments relevant to the proposed rezoning was completed as follows:

- State Environmental Planning Policy (SEPP) Biodiversity and Conservation 2021: Chapter 4 Koala Habitat Protection 2021 applies to all LGAs listed under Schedule 1, which includes the Coffs Harbour LGA. Where an approved CKPoM is in place the SEPP defers to this plan. The *Coffs Harbour City Koala Plan of Management (CHCKPoM)* was prepared in accordance with the requirements of the SEPP and introduced in January 1995. No mapped Koala habitat or habitat links occur at the site. However, Koala scats were recorded along the length of the eastern boundary of the site and is likely to be used by Koalas opportunistically within their home range.
- *Coffs Harbour Development Control Plan - (DCP - Part E1.2 (1) of the DCP outlines compensatory planting requirements for the removal of high conservation value vegetation. According to Part E1.2 (Compensatory Requirements) of the DCP, some of the vegetation at the subject site is considered high conservation value habitat. Compensatory planting is triggered by removal of the following habitat types on site:*
 - Hollow-bearing trees - 1:20 replacement rate required.
 - Other (native trees) - 1:2 replacement rate required.

- 
- ***Biodiversity Conservation Act 2016 (BC Act):*** As part of any future development application the following additional reporting would be required:
 - For those new lots which impact on future BV mapped land and/ or require clearing of over 0.25 ha the BOS will be triggered and a BDAR will be required. It is noted that this includes impacts associated with APZs and future boundary/ fence lines. The BDAR determines biodiversity credits which are required to be purchased by the proponent to offset impacts of the development.
 - If the proposal does not trigger the BOS a revised Biodiversity Assessment Report (BAR) will be required to assess impacts of the final subdivision design. This report would be required to include updated statutory assessments including tests of significance (five-part tests) for potentially impacted threatened species/ TECs as required under the BC Act.
 - ***Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act):*** review of Matters of Environmental Significance (MNES) listed in the Act indicates that rezoning and subsequent development of the site is unlikely to significantly affect threatened species or communities listed in the EPBC Act.

1. Introduction

1.1 Background

GeoLINK has been engaged to prepare a Biodiversity Assessment Report (BAR) to inform a rezoning planning proposal for 39 Strouds Road, Bonville (the site). The site locality is shown at **Illustration 1.1**. Photographs of the site are provided in **Appendix A**.

This assessment has been prepared to:

- Identify any ecological constraints to the proposed rezoning (e.g. habitat for threatened species or communities listed in the *Biodiversity Conservation Act 2016* (BC Act) or *Environment Protection and Biodiversity Conservation (EPBC Act) Act 1999*;
- Identify any significant trees or fauna habitat features of biodiversity importance; and
- Examine the proposal against relevant statutory requirements.

1.2 The Site

The site is located at 39 Strouds Road, Bonville (Lot 1 DP 416381). The land area is 1.13 hectares (ha) and is currently managed as part of an existing residential lot which includes prevalent landscape plantings and regularly mown/ slashed grassland. Areas of intact native eucalypt forest occur on the eastern and southern lot boundary.

The site is currently zoned RU2 (Rural Landscape) under the Coffs Harbour Local Environmental Plan (CHLEP) 2013.

Photographs of the site are provided at **Appendix A**.

1.3 Biodiversity Value Land

No Biodiversity Values (BV) mapped land occurs at or in close proximity to the site (refer to **Figure 1.1**).

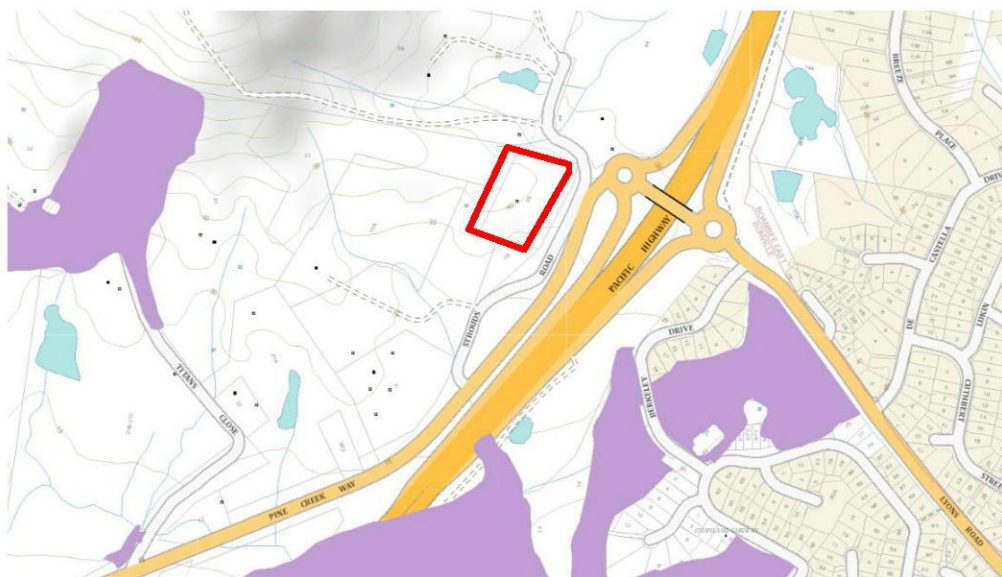



Figure 1.1 Biodiversity Values mapping relative to the site (shown in red)

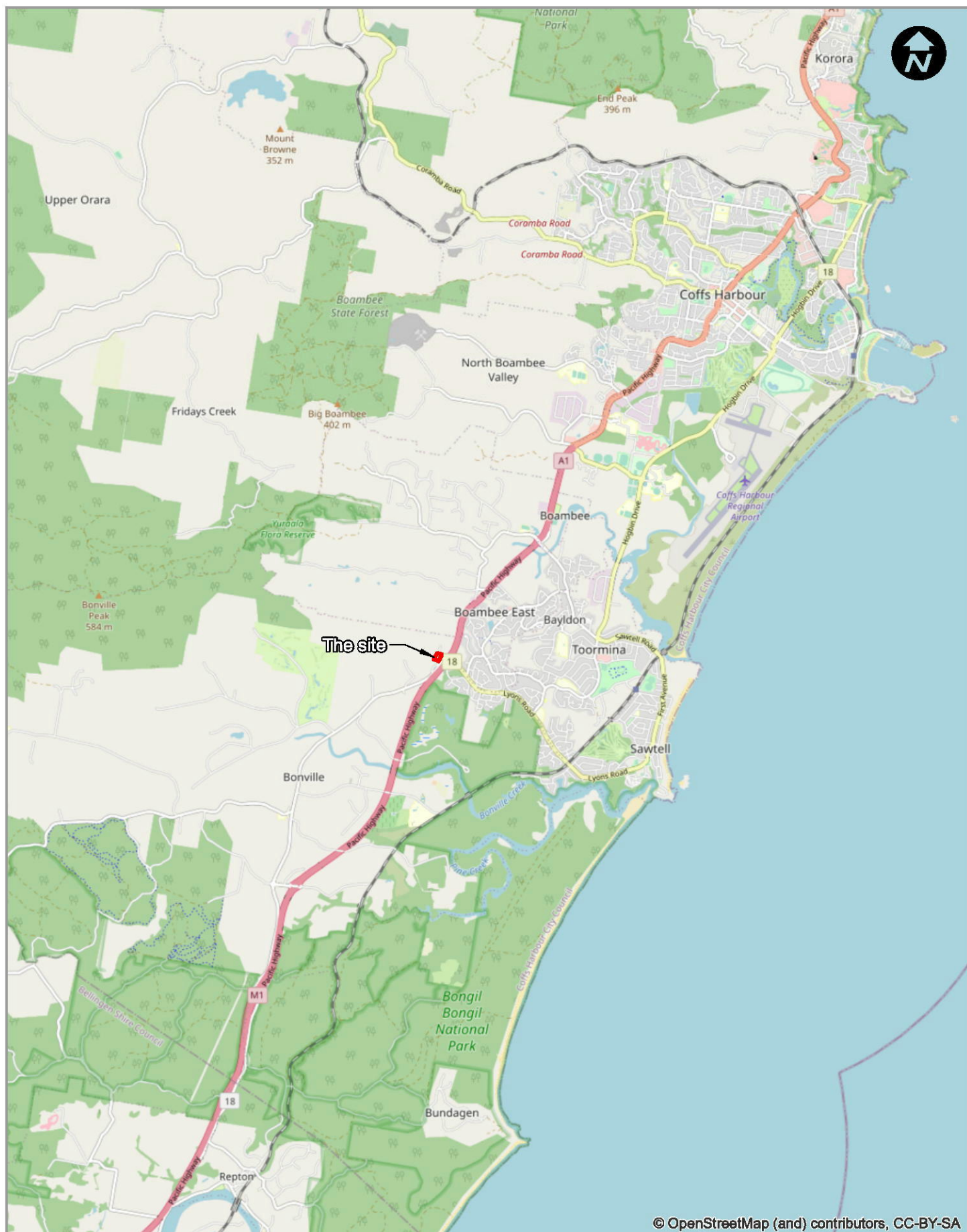


It is noted that any impact on future* BV mapped land would trigger the Biodiversity Offset Scheme (BOS) and the need for a Biodiversity Development Assessment Report (BDAR) to be prepared at the development application stage. Based on the concept layout for rezoning, it is unlikely that future development of the lot would impact on any area of BV mapped land.

*the BOS BV Map and Threshold Tool (DPE, 2022) is updated every 90 days and may add or remove areas based on new information.

1.4 The Proposal

The proposal is for rezoning of the subject land from RU2 Rural Landscape to R5 Large Lot Residential. The proposal also seeks to amend the minimum lot size from 40 ha to permit the creation of additional lots with a minimum lot size of 3,500 m² or less. A concept design for the proposed subdivision is shown in **Illustration 1.2** and **Appendix B**.



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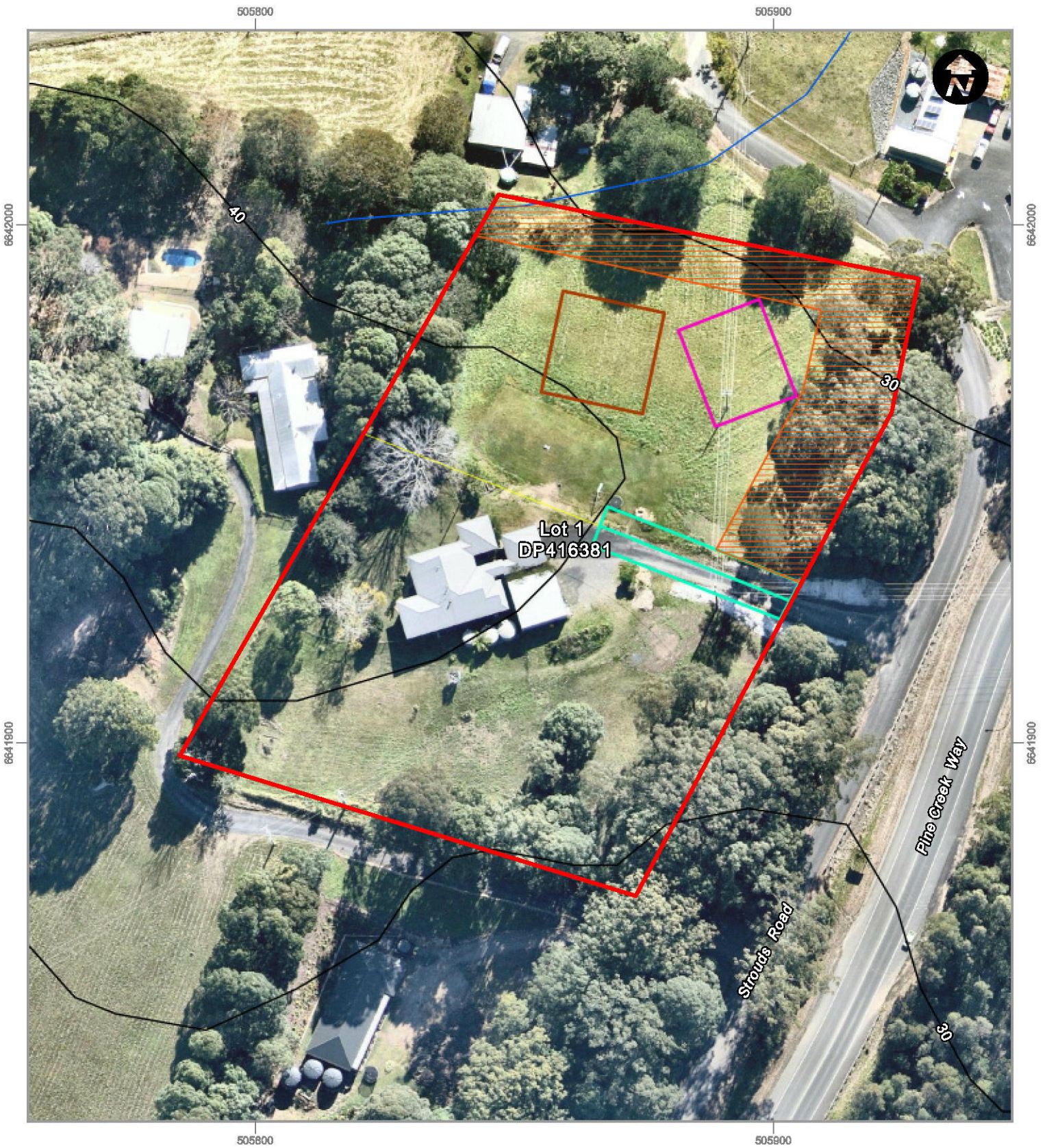
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4400-1004

Site Locality - Illustration 1.1

Information shown is for illustrative purposes only
Drawn by: TJC Checked by: AB Reviewed by: JOL
Source of base data: Open Street Map
Date: 5/10/2022



LEGEND

- | | |
|---|--|
| Site boundary | — Watercourse |
| Asset protection zone | — Contours at 10m intervals |
| Proposed building site | |
| Proposed waste water treatment field | |
| Right of carriage way / easement | |
| Subdivision boundary | |

0 20 Metres

Site and Subdivision Concept - Illustration 1.2

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Source of base data: NearMap (27/07/2022)
Date: 30/11/2022
Revision: A



2. Methodology

2.1 Desktop Review

The following desktop review was completed prior to field assessment on 21 September 2022:

- A search of the BioNet Wildlife Atlas (10 km x 10 km grid centred on the site)
- A search of the Protected Matters Search Tool (PMST) for Matters of National Environmental Significance (MNES) within a 5 km radius of the site
- Review of Biodiversity Value mapping (as per the OEH Biodiversity Values Map and Threshold Tool).

Results of database searches are attached at **Appendix C**.

2.2 Field Assessment

Field assessment was completed on 26 September 2022, using the following methodology:

- Walking survey to identify/ map native vegetation types and identify threatened flora or ecological communities listed in the *Biodiversity Conservation* (BC) Act 2016 or EPBC Act.
- Identification of exotic species listed under the *Biosecurity Act 2015*.
- One Koala Spot Assessment Technique (Phillips and Callaghan, 2011) was employed at the site with searches beneath Koala feed trees more broadly within the site.
- Identification of hollow-bearing trees (HBTs) (or other significant habitat features) and potential habitat for threatened fauna.
- Opportunistic fauna survey.

Given that the site is relatively disturbed and generally lacking high quality vegetation/ fauna habitat, the scope of assessment is considered adequate.

3. Flora Results

3.1 Desktop Analysis

3.1.1 Database Search Results

BioNet search results identified records of 21 threatened flora species (including 11 species also listed in the EPBC Act) and up to 16 threatened ecological communities (four of which are listed under the EPBC Act) within the locality. PMST results identified habitat for 23 threatened flora species and four threatened ecological communities within the locality. Search results are provided at **Appendix C**.

3.2 Site Features


3.2.1 Vegetation

Whilst the centre of the site has been subject to historical clearing, forested parts of the site comprise a mature native canopy including several old growth trees (>100 cm diameter at breast height (DBH)). Native vegetation communities occurring on the periphery of the site are summarised in **Table 3.1** with vegetation mapping provided at **Illustration 3.1**. Vegetation communities are aligned with plant community types (PCTs) in the BioNet Vegetation Classification based on characteristic species and geographical distribution.

A flora inventory is provided at **Appendix D**.

Table 3.1 Vegetation Communities

Plant Community Type Name	Description
<i>PCT 3250 Northern Foothills Blackbutt Grassy Forest</i>	Occurs along the eastern boundary and the south-eastern corner. Dominant canopy trees comprise Blackbutt (<i>Eucalyptus pilularis</i>), Tallowwood, (<i>Eucalyptus microcorys</i>) and Turpentine (<i>Syncarpia glomulifera</i>) with occasional Brush Box (<i>Lephostemon confertus</i>) and Pink Bloodwood (<i>Corymbia intermedia</i>). The Mid-storey comprises Forest Oak (<i>Allocasuarina torulosa</i>), Blackwood (<i>Acacia melanoxylon</i>), Cheese Tree (<i>Glochidion ferdinandi</i>), Coffee Bush (<i>Breynia oblongifolia</i>), Guioa (<i>Guioa semiglauc</i>), Sweet Pittosporum (<i>Pittosporum undulatum</i>), Elderberry Panax (<i>Polyscias sambucifolia</i>), Tree Heath (<i>Trochocarpa laurina</i>) and Murrogun (<i>Cryptocarya microneura</i>). Groundcover and vine species comprise Gristle Fern (<i>Blechnum cartilagineum</i>), Blue Flax-lily (<i>Dianella caerulea</i>), Blady grass (<i>Imperata cylindrica</i>), Tripladenia (<i>Tripladenia cunninghamii</i>), Slender Shade Grass (<i>Ottocloa gracillima</i>), Lawyer Vine (<i>Smilax australis</i>), Snake Vine (<i>Stephania japonica</i>) and Sweet Morinda (<i>Gynochthodes jasminoides</i>).
<i>Planted garden ornamentals comprising introduced and native species</i> Does not align with any PCT	Associated with the planted ornamental garden along the western boundary, various planted trees and shrubs comprise London Plane Tree (<i>Platanus x acerifolia</i>), Magnolia Little Gem (<i>Magnolia grandiflora</i> 'Little Gem'), Lilly Pilly spp., various palms and a variety of fruit trees including Citrus spp., Mulberry (<i>Morus rubra</i>), and Macadamia Nut hybrid (<i>Macadamia integrifolia x tetraphylla</i>).
<i>Infestation of Cadaghi/ Slash Pine/ Lantana/ Giant Reed</i>	Patches of exotic vegetation occur proximate to the northern boundary and the northern portion of the western boundary. This vegetation is dominated by Cadaghi (<i>Corymbia torelliana</i>), Slash Pine (<i>Pinus elliotii</i>), Lantana (<i>Lantana camara</i>) and Winter Senna (<i>Senna pendula</i> var. <i>glabrata</i>), Giant reed (<i>Arundo donax</i>) and Blue Billy Goat (<i>Ageratum houstonianum</i>).



Plant Community Type Name	Description
Does not align with any PCT	Occasional Tallowwood and Forest Oak occur within this vegetation.
<i>Mowed Grasslands</i> Does not align with any PCT	Associated with cleared areas of the site, dominated by introduced pasture grasses and herbaceous weeds including Buffalo (<i>Stenotaphrum secundatum</i>), Introduced Paspalum species (<i>P. urvillei</i> and <i>P. mandiocanum</i>), Shivery Grass (<i>Briza minor</i>), Pigeon Grass (<i>Setaria sphacelata</i>), Blue Billy Goat (<i>Ageratum houstonianum</i>), Cobblers Pegs (<i>Bidens Pilosa</i>), Flat Weed (<i>Hypochaeris radicata</i>) and White Clover (<i>Trifolium repens</i>).

3.2.2 Threatened Flora

No native endemic threatened flora species listed under the BC Act or EPBC Act were recorded during the survey. One planted non-endemic threatened species occurs; a multi-stemmed Macadamia Nut hybrid (*Macadamia integrifolia* x *tetraphylla*). The site is located >150 km south of the southern extent of these species' natural range, (north of the Richmond River or Currumbin in Queensland). This tree is not part of a natural population of *Macadamia* sp.; therefore the subject tree is considered of low conservation value.

There is limited potential for threatened flora to occur at the site (within the proposed development area) due to significant previous disturbance and the current mowing and maintenance regime.

3.2.3 Threatened Ecological Communities (TECs)

No TECs listed under the BC Act 2016 or EPBC Act occur at the site.

3.2.4 Other Vegetation Types

No *State Environmental Planning Policy (Resilience and Hazards) 2021: Chapter 2 Coastal Management* (2018) littoral rainforest or coastal wetlands (DPE, 2021), over-cleared vegetation types, high value arboreal habitats or old growth forests (CHCC, 2021) occur at the site.

3.2.5 Weeds

A number of agricultural and environmental weeds occur as well as Lantana (*Lantana camara*) a Priority Weed as listed under the Biosecurity Act 2015.

Relevant biosecurity duties must be enacted by land managers for weeds listed as Priority Weeds under the Biosecurity Act.

Weed species recorded at the site are shown in **Appendix D**.

3.2.6 Condition

The centre of the lot is highly modified and disturbed from historic clearing and ongoing residential maintenance. Areas of eucalypt forest associated with the site are in moderate to good condition with a number of old growth and trees and relatively high native species diversity.



LEGEND

- Site boundary
- Vegetation proposed for addition to CHCC Preservation of Vegetation Map
- Asset protection zone
- Proposed building site
- Proposed waste water treatment field
- Right of carriage way / easement
- Subdivision boundary
- Watercourse
- Slash Pine (*Pinus elliottii*)

- PCT 3250 Northern foothills blackbutt grassy forest
- Infestation of Cadaghi/ Slash Pine/ Lantana/ Giant Reed
- Infestation of Cadaghi/ Slash Pine/ Lantana/ with infrequent Tallowwood and Forest Oak
- Predominantly exotic vegetation - Camphor Laurel
- Planted garden ornamentals comprising introduced and native species
- Maintained introduced grassland
- ▲ Koala scats
- Hollow-bearing tree

0 20 Metres

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4400-1010

Biodiversity Constraints - Illustration 3.1

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Source of base data: NearMap (27/07/2022)
Date: 7/12/2022
Revision: B

4. Fauna Habitat Results

4.1 Desktop Analysis

4.1.1 Database Search Results

BioNet search results identified records of 63 threatened fauna species (including 19 species also listed in the EPBC Act) within the locality. PMST results identified habitat for 70 threatened fauna species and 59 migratory fauna species within the locality (refer to search results at **Appendix C**).

4.1.2 Connectivity

The site is not mapped as any regional or sub-regional fauna connectivity corridor as per Scotts (2003). However, the Bayldon sub-regional Koala corridor is mapped 400 m south of the site, refer to **Figure 4.1**.



Figure 4.1 Bayldon sub-regional Koala corridor relevant to the site (yellow polygon).

4.2 Site Features

4.2.1 Habitat Values

The site provides a range of good quality potential fauna habitats summarised as follows:

- *Myrtaceous* species occurring within forested areas provide nectar, pollen and foliage resources for a range of fauna species including birds, flying-foxes, gliders and invertebrates.
- Fruit forage resources from a range of mid-storey rainforest plants for frugivorous fauna species.
- Aerial foraging habitat for microchiropteran bats.
- Grassland areas which provide a general foraging resource for locally occurring birds and macropods.
- Tallowwood provide preferred foraging resources for Koalas. Blackbutt and Forest Oak are also listed Koala Feed trees in the CHCKPoM (1999).
- Consolidated areas of vegetation provide connectivity and refuge within the broader landscape.
- Minor nesting/ roosting habitat in the trees and shrubs for common species such as birds, possums and pythons.

A fauna inventory is provided at **Appendix E**.

4.2.2 Hollow-bearing Trees (HBT)

Three HBTs were recorded at the site (refer to **Illustration 3.1** and **Plate 4.1** and **Plate 4.2**). A small number of small to medium sized hollows provide potential resources for hollow-obligate species such as nesting birds, arboreal mammals, reptiles and microbats including a range of threatened fauna species. Hollow-bearing tree data is shown in **Appendix F**.

No raptor nests were recorded at the site.



Plate 4.1 HBTs 1 and 2 (hollows shown within yellow circle)



Plate 4.2 HBT 3 (hollows shown within yellow circles)



4.2.3 Connectivity

The site does not form part of any mapped regional or sub-regional wildlife corridor. However, focus threatened species likely to use the vegetation for connectivity is likely to include Koalas (confirmed present at the site), microbats, Little Lorikeet, Grey-headed Flying-fox and potentially Spotted-tail Quoll.

4.2.4 Aquatic habitat

An ephemeral first order drainage line occurs in the northwest corner of the site, no water was present in the drainage line at the time of field survey. No significant or permeant aquatic habitat (waterways or farm dams) occur on the site.

4.2.5 Threatened Fauna

During the SAT plot survey, low numbers of Koala scats were detected beneath several Tallowwoods within native vegetation mapped as PCT 3250 (refer to **Illustration 3.1**). Based on the relatively small area of suitable habitat at the site, the vegetation is most likely to provide opportunistic foraging resources and connectivity values through the landscape as opposed to core habitat values for Koalas.

Koalas have been recently recorded (between September 2020 and March 2021) within the west-east habitat linkage ~400 m south of the site (Canines for Wildlife, 2021). The Phase 2 report of the same study (CfW, 2022) highlights the importance of protecting and maintaining all available Koala habitat within the Toormina-Sawtell-Boambee-Bongil area.

Due to the occurrence of several flowering and fruiting trees, potential foraging habitat for the Grey-headed Flying-fox, Little Lorikeet and rainforest pigeons occurs at the site.

Several species of microchiropteran bats may forage within the site on an opportunistic or seasonal basis as part of broader areas of similar aerial foraging habitat occurring within the locality.

HBTs at the site have potential to support nesting, denning or breeding habitat for species including threatened microbats, Squirrel Glider and Little Lorikeet,

Forest Oak, a key diet species for Glossy Black-cockatoo occurs within PCT 3250 and amongst the predominantly exotic vegetation along the western boundary.

4.2.6 Potential for Threatened Fauna Species Occurrence

Based on habitats present and BioNet Wildlife Atlas records, a number of threatened fauna species have potential to occur at the site (refer to potential occurrence assessment in **Appendix G**). Some of which would require targeted survey as part of the biodiversity assessment required for a future development application. They include (but are not limited to):

- | | |
|--|---|
| ■ Little Lorikeet | ■ Squirrel Glider |
| ■ Swift Parrot (foraging habitat) | ■ Yellow-bellied Glider |
| ■ Glossy Black-Cockatoo (foraging habitat) | ■ Greater Broad-nosed Bat |
| ■ Powerful Owl (foraging habitat) | ■ Eastern Coastal Free-tailed Bat |
| ■ Sooty Owl (foraging habitat) | ■ Little Bent-winged Bat |
| ■ White-throated Needletail | ■ Large Bent-winged Bat |
| ■ Wompoo Fruit-dove | ■ Southern Myotis |
| ■ Rose-crowned Fruit-Dove | ■ Yellow-bellied Sheath-tailed Bat |
| ■ Koala | ■ Grey-headed Flying-fox (foraging habitat) |
| ■ Spotted-tailed Quoll | |



5. Impacts

5.1 Avoid and Minimise

Biodiversity constraints at the site include:

- Area of consolidated native vegetation.
- Associated areas of fauna habitat.
- Hollow-bearing trees.
- Fauna connectivity values.

During preparation of the subject BAR, GeoLINK provided advice to the client to avoid impacts to the native vegetation mapped as PCT 3250, due to the detection of Koala scats at the site. The client revised the design to place the dwelling envelope and wastewater treatment area outside of the area mapped as PCT 3250.

As part of the planning proposal, this BAR advises nomination of the area of PCT 3250 as high conservation value for retention and addition to the Coffs Harbour Preservation of Vegetation (PoV) Map. This advice would be used to further inform the subdivision concept design and future development to locate fence lines and APZs outside of good quality native vegetation. Thereby avoiding and minimising impacts on biodiversity. Currently an Outer Protection Area (OPA) of the bushfire APZ is located within the area proposed for addition to the PoV Map. The OPA would require less impacts, likely only selective clearing or trimming of trees, than requirements to manage an Inner Protection Area, further reducing potential impacts on biodiversity.

5.2 Potential Impacts of Rezoning and Development

5.2.1 Clearing of Native Vegetation

Based on the current concept subdivision layout (refer to **Illustration 3.1**), rezoning and future development of the site would potentially impact:

- Vegetation mapped as PCT 3250 (approximately 0.022 ha) including one hollow-bearing tree to meet the requirements of the Outer Protection Zone, based on the Bushfire Strategic Study (Holiday Coast Bushfire Solutions, 2022).
- As a new internal boundary would be created when dividing the existing single lot into two lots, a small area in the west of the site may require clearing for fence installation. This would largely impact planted ornamental and exotic trees and shrubs and would have little impact on native species at this location.
- Vegetation mapped at PCT 3250 comprises foraging, denning, roosting and connectivity values for a range of threatened fauna species with potential to occur at the site including species listed under **Section 4.2.6**.

Recommendations to avoid or minimise impacts to vegetation mapped as PCT 3250 have been provided in **Section 6** of this report and should be incorporated into subsequent subdivision design prior to finalising.

Final clearing areas would need to be determined at the time of submitting a development application based on final subdivision and dwelling construction designs.

5.2.2 Indirect Impacts

Indirect impacts are development related activities not associated with clearing for the development footprint and may include matters such as increased noise, dust, light spill, weeds and pathogens and edge effects that can be reasonably attributed to the development. Based on the construction requirements and nature of the proposed development (residential development), anticipated indirect development may include:

1. Minor short-term disturbance (noise, human activity, machine operations) to locally occurring urban-adapted fauna species during development, construction and operation.
2. Minor potential for sediment laden water to leave the site during construction.
3. Minor increased risk of roadkill from increased vehicular movements on surrounding roads. It is noted that this is likely to be very minor given the small number of additional residents likely.
4. Minor increase in disturbance to local fauna during occupation of the site from noise, light, human presence.
5. Potential for weeds to be imported to the site and surrounding environments during the construction stage of the proposal.
6. Potential for additional minor impacts on native fauna from additional roaming domestic animals.

5.2.3 Prescribed Impacts

Prescribed impacts are those that may affect biodiversity values in addition to, or instead of, impacts from clearing vegetation, and include (as per cl. 6.1 of the BC Regulation):

- *the impacts of development on the habitat of threatened species or ecological communities associated with:*
 - *karst, caves, crevices, cliffs and other geological features of significance*
 - *rocks*
 - *human made structures*
 - *non-native vegetation*
- *the impacts of development on the connectivity of different areas of habitat of threatened species that facilitates the movement of those species across their range*
- *the impacts of development on movement of threatened species that maintains their life cycle*
- *the impacts of development on water quality, waterbodies and hydrological processes that sustain threatened species and threatened ecological communities (including from subsidence or upsidence resulting from underground mining or other development)*
- *the impacts of wind turbine strikes on protected animals*
- *the impacts of vehicle strikes on threatened species of animals or on animals that are part of a threatened ecological community.*

An analysis of prescribed impacts is detailed in **Table 5.1**.

Table 5.1 Prescribed impacts

Prescribed impact	Response
<p><i>the impacts of development on the habitat of threatened species or ecological communities associated with:</i></p> <ul style="list-style-type: none"> - karst, caves, crevices, cliffs and other geological features of significance - rocks - human made structures - non-native vegetation 	<p>The site does not support karst geology and no rock features are evident. Human-made structures occur on the site but do not represent habitat for threatened species.</p> <p>Non-native vegetation includes exotic trees, landscaping plantings, gardens and lawns associated with existing residences. This vegetation does not represent likely habitat for any threatened species, with the exception of the introduced Mulberry tree which may provide forage resources to Grey-headed Flying-fox or pigeons when preferred nectar or fruit resources are scarce.</p>
<p><i>the impacts of development on the connectivity of different areas of habitat of threatened species that facilitates the movement of those species across their range</i></p>	<p>The proposed rezoning and future subdivision of the site represents a relatively minor intensification of existing land uses on the site. Minor clearing may be required in parts of the site. The proposal is considered unlikely to adversely affect connectivity for locally occurring threatened species, particularly with the retention of areas mapped at PCT 3250.</p>
<p><i>the impacts of development on movement of threatened species that maintains their life cycle</i></p>	<p>Refer above</p>
<p><i>the impacts of development on water quality, waterbodies and hydrological processes that sustain threatened species and threatened ecological communities (including from subsidence or upsidence resulting from underground mining or other development)</i></p>	<p>No aquatic habitat such waterways or farm dams occur within or immediately adjacent to the site. The proposal is unlikely to impact TECs or threatened species due to changes in hydrological processes.</p>
<p><i>the impacts of wind turbine strikes on protected animals</i></p>	<p>The Proposal is not a wind farm development.</p>
<p><i>the impacts of vehicle strikes on threatened species of animals or on animals that are part of a threatened ecological community</i></p>	<p>The Proposal may result in a very minor increase in vehicular traffic on surrounding roads however this given the additional small volume of traffic the change in risk of vehicle strike is considered to be negligible.</p>



6. Recommendations

6.1 Subdivision Design Recommendations


To minimise biodiversity impacts which may result from the proposed rezoning and future development of the site, the following measures should be considered:

- Clearing of native vegetation (mapped as PCT 3250 shown in **Illustration 3.1** and hollow-bearing trees) should be avoided in the final design of subdivision with building envelopes, associated infrastructure, boundary fences and bushfire APZs to be located within previously cleared areas. The priority would be to retain intact native forest vegetation at the site with the maintained grassland and planted ornamental and exotic species considered to be of relatively low conservation value.
- Add the area mapped as PCT 3250 to Councils Preservation of Vegetation (PoV) mapping to trigger the requirements of the *Biodiversity and Conservation SEPP 2021: Chapter 2 Vegetation in non-rural areas* and Part E1.2 (1) of DCP 2015 which outlines compensatory planting requirements for the removal of high conservation value vegetation at the following replacement rates:
 - Native old growth, hollow-bearing or ecologically/aesthetically significant tree (1:20).
 - Endangered Ecological Community, Over-Cleared Vegetation Types and High Value Arboreal Habitats (1:10).
 - Primary Koala Habitat (1:5).
 - Secondary Koala Habitat (adjacent to primary koala habitat) (1:5).
 - Secondary Koala Habitat (not adjacent to primary koala habitat) (1:3).
 - Riparian Zones (1:10).
 - Steep Land (1:3).
 - Other (1:2).
- Alternatively, areas mapped as PCT 3250 on the land may be protected on title under Section 88b of the *Conveyancing Act 1919* 'Restriction as to User'. This would serve to exclude intact native vegetation at the site as part of the developable land use area. Although the proposal only proposes one new internal boundary fence, any future external boundary fences would dissect the existing native vegetation along the eastern boundary, where significant vegetation clearing would likely be required, as the external lot boundary is not currently fenced.

6.2 Future Requirements

Based on the site assessment the proposed rezoning and future redevelopment of the site would have relatively low impacts on biodiversity, due mainly to future development avoiding most areas of forested vegetation. In the event the rezoning proposal is accepted, the following requirements would need to be addressed for any future proposal to develop the site:

- Incorporate the recommendations in this assessment (**Section 6.1**) as part of future design.
- As part of any future development application the following additional reporting would be required:
 - For new lots which impact on future BV mapped land and/ or require clearing of over 0.25 ha, the BOS will be triggered and a BDAR will be required. It is noted that this includes impacts associated with APZs and future boundary/ fence lines. The BDAR determines biodiversity credits which are required to be purchased by the proponent to offset impacts of the development. It is considered unlikely the BOS will be triggered due to the current concept design largely avoiding impacts to native vegetation or BV land.

- 
-
- For those lots which don't trigger the BOS, a revised Biodiversity Assessment Report (BAR) will be required to assess impacts of the final subdivision design. This report would be required to include updated statutory assessments including tests of significance (five-part tests) for potentially impacted threatened species/ TECs.
 - The BDAR or BAR to be prepared for a future development application will need to address Council's DCP and as such will need to determine compensation requirements and/or vegetation management measures to offset the loss of native vegetation where relevant.

7. Statutory Requirements

The following sections examine the findings of the site assessment with regard to relevant statutory requirements which require consideration for the development application.

7.1 State Environmental Planning Policy (SEPP) Biodiversity and Conservation 2021: Chapter 4 Koala Habitat Protection 2021

State Environmental Planning Policy (SEPP) Biodiversity and Conservation 2021: Chapter 4 Koala Habitat Protection 2021 applies to all LGAs listed under Schedule 1, which includes the Coffs Harbour LGA. Where an approved Comprehensive Koala Plan of Management (CKPoM) is in place Chapter 4 defers to this plan. The Coffs Harbour City Koala Plan of Management (CHCKPoM) was prepared in accordance with the requirements of the SEPP 44 and introduced in January 1995.

Koala Habitat mapping for the site as per the CHCKPoM is shown in **Figure 6.1**. No mapped Koala habitat or habitat links occur at the site. However, Koala scats were recorded along the length of the eastern boundary of the site, Refer to **Illustration 3.1**.



Figure 7.1 CHCKPoM Koala Habitat Mapping in relation to the site (yellow polygon) (primary habitat – orange, secondary habitat – blue)

7.2 Coffs Harbour Development Control Plan (DCP) 2015

Part E1.2 (1) of DCP 2015 outlines compensatory planting requirements for the removal of high conservation value vegetation (refer to definitions in **Table 7.1**). According to Part E1.2 (Compensatory Requirements) of the DCP, the vegetation at the subject site is considered high conservation value habitat. Compensatory planting would be triggered by removal of the following habitat types on site:

- Native old growth (> 100 cm dbh) and Hollow-bearing trees - 1:20 replacement rate required
- Other - 1:2 replacement rate required.

Table 7.1 High Conservation Value Vegetation Types (as per DCP 2015)

Description of Habitat Type	Replacement Rate	Does the vegetation to be impacted align with the high conservation value vegetation type description or require compensatory planting?
Native old growth, hollow-bearing or ecologically/aesthetically significant tree	1:20	Possible , one hollow-bearing tree is located within the Bushfire APZ which may be impacted by the proposal. Should the proposal require removal of HBTs or any old growth trees, compensatory plantings would be required at a ratio of 1:20.
Endangered Ecological Community, Over-Cleared Vegetation Types and High Value Arboreal Habitats	1:10	No – the vegetation to be impacted by the proposal does not align with this habitat type description and does not trigger the need for compensatory planting.
Primary Koala Habitat	1:5	No – the vegetation to be impacted by the proposal does not align with this habitat type description and does not trigger the need for compensatory planting.
Secondary Koala Habitat (adjacent to primary koala habitat)	1:5	No – the vegetation to be impacted by the proposal does not align with this habitat type description and does not trigger the need for compensatory planting.
Secondary Koala Habitat (not adjacent to primary koala habitat)	1:3	No – the vegetation to be impacted by the proposal does not align with this habitat type description and does not trigger the need for compensatory planting.
Riparian Zones	1:10	No – the vegetation to be impacted by the proposal does not align with this habitat type description and does not trigger the need for compensatory planting.
Steep Land	1:3	No – the vegetation to be impacted by the proposal does not align with this habitat type description and does not trigger the need for compensatory planting.
Other	1:2	Native trees at the site are considered as 'other', removal of native trees would require compensatory plantings at a ratio of 1:2.

7.3 Biodiversity Conservation Act 2016 (BC Act)

As part of any future development application the following additional reporting would be required:

- For new lots which impact on future BV mapped land and/ or require clearing of over 0.25 ha the BOS will be triggered and a BDAR will be required. It is noted that this includes impacts associated with APZs and future boundary/ fence lines. The BDAR determines biodiversity credits which are required to be purchased by the proponent to offset impacts of the development.
- For those lots which don't trigger the BOS a revised Biodiversity Assessment Report (BAR) will be required to assess impacts of the final subdivision design. This report would be required to include updated statutory assessments including tests of significance (five-part tests) for potentially impacted threatened species/ TECs as required under the BC Act.

7.4 Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)


The EPBC Act protects/ regulates matters of national environmental significance (MNES), including:

- World heritage properties.
- National heritage places.
- Wetlands of international importance.
- Nationally threatened species and ecological communities.
- Migratory species.
- Commonwealth marine areas.
- The Great Barrier Reef Marine Park.
- Nuclear actions (including uranium mining).
- A water resource, in relation to coal seam gas development and large coal mining development.

Based on the search results and site assessment, significant impacts to any MNES would not be likely to result from the proposal (refer to Table 7.2).

Table 7.2 Assessment of MNES

Matter	Potential Impact
<i>Any impact on a World Heritage property?</i>	
No World Heritage properties occur within a 5 km radius of the site.	Nil
<i>Any impact on a National Heritage place?</i>	
No National Heritage places occur within a 5 km radius of the site.	Nil
<i>Any impact on a Wetland of International Importance?</i>	
No wetlands of international importance (Ramsar sites) occur within a 5 km radius of the site.	Nil
<i>Any impact on the Great Barrier Reef Marine Park?</i>	
The Great Barrier Reef Marine park is distant from the site.	Nil
<i>Any impact on a Commonwealth marine area?</i>	
No Commonwealth marine areas occur within a 5 km radius of the site.	Nil
<i>Any impact on nationally threatened species and ecological communities?</i>	



Matter	Potential Impact
<p>Habitat for six threatened ecological communities and 93 threatened species is identified within a 5 km radius of the site. No EPBC listed ecological communities occur at the site. Evidence of Koala use at the site (scats beneath Tallowwood and Blackbutt). The Grey-headed Flying-fox may use the site on an opportunistic or seasonal basis when myrtaceous trees are in flower. Given the relatively fragmented and disturbed habitat within the site, and minor potential impacts the proposal would be unlikely result in the removal of habitat important to any threatened fauna species in a local context and would not contribute significantly to any listed key threatening processes.</p>	<p>Minor</p>
<p><i>Any impact on Migratory species?</i></p>	
<p>Habitat for 60 migratory species (most of which are pelagic marine species) is identified within a 5km radius of the site. Given the relatively fragmented and disturbed habitat present at the site, terrestrial migratory species are unlikely to be significantly affected by the proposal.</p>	<p>Minor</p>



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Appendix A

Site Photographs



Plate 1 Existing dwelling on existing Lot 1 DP 416381. Yellow line indicates the proposed lot boundary. View to the west.



Plate 2 Location of proposed dwelling. View to the north-east.



Plate 3 Location of proposed dwelling and example of exotic dominated grassland. View to the east.



Plate 4 Shows vegetation along the western boundary comprising planted ornamental trees (London Plane Tree and Cadaghi) and scattered Tallowwood and Forest Oak. View to the north-west. Yellow line indicates proposed internal boundary.



Plate 5 Shows vegetation mapped as PCT 3250 north of the existing property access. View to the north-east.



Plate 6 Shows vegetation mapped as PCT 3250 north of the existing property access and part of the Outer Protection Area (yellow line) of the Asset Protection Zone. View to the south.



Plate 7 Shows vegetation mapped as PCT 3250 south of the existing property access. View to the south-east.



Plate 8 Shows planted ornamentals and fruit trees associated with the existing dwelling. View to the south-west.



Appendix B

Proposal Design Plan

LOT 1 IS APPROXIMATELY
4240m TO BREAKING SURF

Ⓟ = POWER POLE

This topographic map illustrates a 1.127ha site, likely for a residential or commercial development. The map features contour lines indicating elevation, with a central area labeled '1.127ha'. Key existing structures include an 'EXISTING DWELLING' and an 'EXISTING SHED'. Proposed developments are shown with dashed lines and labels such as 'PROPOSED DWELLING', 'PROPOSED SHED', and 'PROPOSED DRIVE'. The map also shows 'STROUDS ROAD' at the bottom right, 'STAKE 38.88' at the bottom left, and 'STAKE 38.89' at the top left. A 'POWER POLE' is located near the top left corner. The map includes various other labels like 'SEPTIC TANK', 'TANK WATER', 'GRAVEL PAVING AREA', 'OVERHEAD POWERLINE', and 'DUMPY FIELD'. A north arrow is present in the upper right quadrant.

CHECKED: A.V.S.

Proposed Subdivision Plan - Block Layouts

BALANCE
Design & Construction

"Homes for Living"

FIRST FLOOR
160 PACIFIC HWY
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Drawn: PWP

Date: 8/11/2022

Job Number: 22005

Type: Custom

Scale: 1:500

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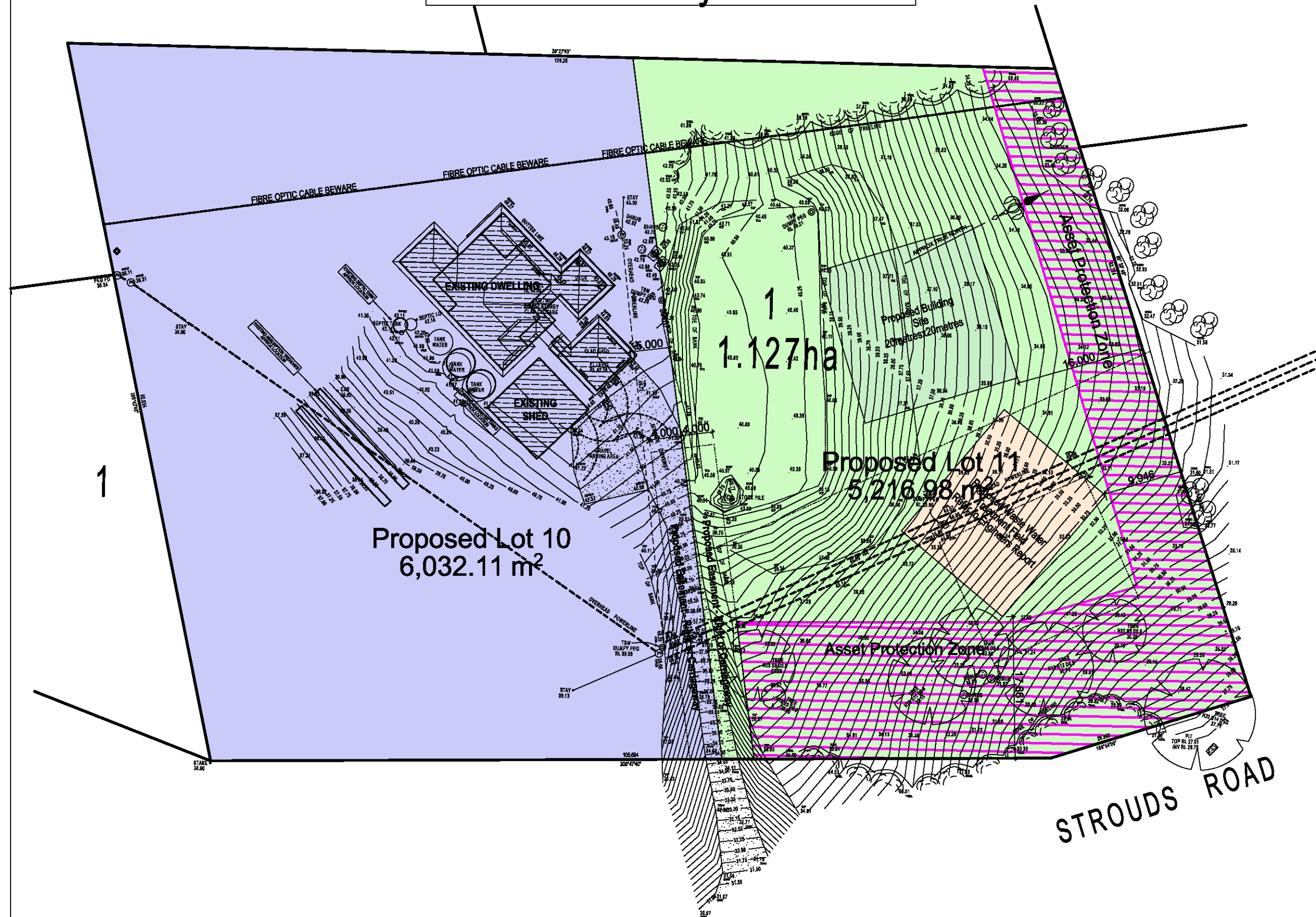
CLIENT SIGNATURES CONFIRM THESE PLANS
ARE APPROVED AS A REPRESENTATION OF
WHAT IS TO BE BUILT. ITEMS NOT INCLUDED
IN THESE PLANS & ATTACHED SPECIFICATIONS
ARE DEEMED NOT TO BE INCLUDED IN
CONTRACT:

I/WE APPROVE THESE PLANS

CLIENT SIGN DATE

CLIENT SIGN DATE

BUILDER SIGN DATE



STROUDS ROAD



Appendix C

Database Search Results












Data from the BioNet Atlas website, which holds records from a number of custodians. The data are only indicative and cannot be considered a comprehensive inventory, and may contain errors and omissions. Species listed under the Sensitive Species Data Policy may have their locations denatured (^ rounded to 0.1°C; ^^ rounded to 0.01°C. Copyright the State of NSW through the Department of Planning, Industry and Environment. Search criteria : Public Report of all Valid Records of Threatened (listed on BC Act 2016) or Commonwealth listed Entities in selected area [North: -30.31 West: 153.01 East: 153.11 South: -30.41] returned a total of 2,984 records of 84 species.
Report generated on 21/09/2022 10:00 AM

Kingdom	Class	Family	Species Code	Scientific Name	Exotic	Common Name	NSW status	Comm. status	Records	Info
Animalia	Amphibia	Myobatrachidae	3137	<i>Crinia tinnula</i>		Wallum Froglet	V,P		37	
Animalia	Amphibia	Myobatrachidae	3073	<i>Mixophyes balbus</i>		Stuttering Frog	E1,P,2	V	1	
Animalia	Amphibia	Myobatrachidae	3075	<i>Mixophyes iteratus</i>		Giant Barred Frog	E1,P,2	E	92	
Animalia	Amphibia	Hylidae	3166	<i>Litoria aurea</i>		Green and Golden Bell Frog	E1,P	V	1	
Animalia	Reptilia	Cheloniidae	2007	<i>Chelonia mydas</i>		Green Turtle	V,P	V	4	
Animalia	Reptilia	Elapidae	2677	<i>Hoplocephalus stephensi</i>		Stephens' Banded Snake	V,P		2	
Animalia	Aves	Casuaridae	0001	<i>Dromaius novaehollandiae</i>		Emu population in the New South Wales North Coast Bioregion and Port Stephens local government area	E2,P		1	
Animalia	Aves	Columbidae	0025	<i>Ptilinopus magnificus</i>		Wompoo Fruit-Dove	V,P		20	
Animalia	Aves	Columbidae	0021	<i>Ptilinopus regina</i>		Rose-crowned Fruit-Dove	V,P		14	
Animalia	Aves	Apodidae	0334	<i>Hirundapus caudacutus</i>		White-throated Needletail	P	V,C,J,K	20	
Animalia	Aves	Diomedidae	0086	<i>Diomedea exulans</i>		Wandering Albatross	E1,P	E	1	
Animalia	Aves	Procellariidae	0072	<i>Ardeanna carneipes</i>		Flesh-footed Shearwater	V,P	J,K	1	
Animalia	Aves	Clonidae	0183	<i>Ephippiorhynchus asiaticus</i>		Black-necked Stork	E1,P		23	
Animalia	Aves	Ardeidae	0196	<i>Ixobrychus flavicollis</i>		Black Bittern	V,P		6	
Animalia	Aves	Accipitridae	0226	<i>Haliaeetus leucogaster</i>		White-bellied Sea-Eagle	V,P		21	
Animalia	Aves	Accipitridae	0225	<i>Hieraeetus morphnoides</i>		Little Eagle	V,P		1	
Animalia	Aves	Accipitridae	0230	<i>Lopholictia isura</i>		Square-tailed Kite	V,P,3		5	
Animalia	Aves	Accipitridae	8739	<i>Pandion cristatus</i>		Eastern Osprey	V,P,3		56	
Animalia	Aves	Rallidae	0053	<i>Ameuromis moluccana</i>		Pale-vented Bush-hen	V,P		1	
Animalia	Aves	Burhinidae	0174	<i>Burhinus grallarius</i>		Bush Stone-curlew	E1,P		1	
Animalia	Aves	Burhinidae	0175	<i>Esacus magnirostris</i>		Beach Stone-curlew	E4A,P		6	
Animalia	Aves	Haematopodidae	0131	<i>Haematopus fuliginosus</i>		Sooty Oystercatcher	V,P		20	
Animalia	Aves	Haematopodidae	0130	<i>Haematopus longirostris</i>		Pied Oystercatcher	E1,P		20	
Animalia	Aves	Jacaniidae	0171	<i>Irediparra gallinacea</i>		Comb-crested Jacana	V,P		2	
Animalia	Aves	Scolopacidae	0161	<i>Calidris ferruginea</i>		Curlew Sandpiper	E1,P	CE,C,J,K	1	
Animalia	Aves	Scolopacidae	0149	<i>Numenius madagascariensis</i>		Eastern Curlew	P	CE,C,J,K	5	
Animalia	Aves	Lariidae	0120	<i>Onychoprion fuscatus</i>		Sooty Tern	V,P		1	
Animalia	Aves	Lariidae	0117	<i>Sterna albifrons</i>		Little Tern	E1,P	C,J,K	82	
Animalia	Aves	Cacatulidae	0265	<i>Calyptorhynchus lathami</i>		Glossy Black-Cockatoo	V,P,2		50	
Animalia	Aves	Psittacidae	0260	<i>Glossopsitta pusilla</i>		Little Lorikeet	V,P		10	
Animalia	Aves	Psittacidae	0309	<i>Lathamus discolor</i>		Swift Parrot	E1,P,3	CE	1	
Animalia	Aves	Strigidae	0246	<i>Ninox connivens</i>		Barking Owl	V,P,3		1	
Animalia	Aves	Strigidae	0248	<i>Ninox strenua</i>		Powerful Owl	V,P,3		10	
Animalia	Aves	Tytonidae	0252	<i>Tyto longimembris</i>		Eastern Grass Owl	V,P,3		5	
Animalia	Aves	Tytonidae	0250	<i>Tyto novaehollandiae</i>		Masked Owl	V,P,3		10	
Animalia	Aves	Tytonidae	9924	<i>Tyto tenebrosa</i>		Sooty Owl	V,P,3		10	
Animalia	Aves	Climacteridae	8127	<i>Climacteris picumnus victoriae</i>		Brown Treecreeper (eastern subspecies)	V,P		1	
Animalia	Aves	Meliphagidae	0603	<i>Anthochaera phrygia</i>		Regent Honeyeater	E4A,P	CE	4	
Animalia	Aves	Neosittidae	0549	<i>Daphoenositta chrysoptera</i>		Varied Sittella	V,P		2	
Animalia	Aves	Campephagidae	0428	<i>Coracina lineata</i>		Barred Cuckoo-shrike	V,P		7	
Animalia	Aves	Artamidae	8519	<i>Artamus cyanopterus cyanopterus</i>		Dusky Woodswallow	V,P		2	
Animalia	Aves	Petroicidae	0380	<i>Petroica boodang</i>		Scarlet Robin	V,P		1	
Animalia	Aves	Estrildidae	0652	<i>Stagonopleura guttata</i>		Diamond Firetail	V,P		1	
Animalia	Mammalia	Dasyuridae	1008	<i>Dasyurus maculatus</i>		Spotted-tailed Quoll	V,P	E	13	
Animalia	Mammalia	Dasyuridae	1017	<i>Phascogale tapoatafa</i>		Brush-tailed Phascogale	V,P		3	
Animalia	Mammalia	Dasyuridae	1045	<i>Planigale maculata</i>		Common Planigale	V,P		1	
Animalia	Mammalia	Phascolarctidae	1162	<i>Phascolarctos cinereus</i>		Koala	E1,P	E	742	
Animalia	Mammalia	Petauridae	1136	<i>Petaurus australis</i>		Yellow-bellied Glider	V,P	V	4	
Animalia	Mammalia	Petauridae	1137	<i>Petaurus norfolcensis</i>		Squirrel Glider	V,P		3	
Animalia	Mammalia	Pseudocheilidae	1133	<i>Petauroides volans</i>		Greater Glider	P	E	1	
Animalia	Mammalia	Potoroidae	1175	<i>Potorous tridactylus</i>		Long-nosed Potoroo	V,P	V	1	

Animalia	Mammalia	Pteropodidae	1280	<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	V,P	V	112	
Animalia	Mammalia	Pteropodidae	1294	<i>Syconycteris australis</i>	Common Blossom-bat	V,P		7	
Animalia	Mammalia	Molossidae	1329	<i>Miconomus norfolkensis</i>	Eastern Coastal Free-tailed Bat	V,P		1	
Animalia	Mammalia	Vespertilionidae	1357	<i>Myotis macropus</i>	Southern Myotis	V,P		4	
Animalia	Mammalia	Vespertilionidae	1336	<i>Nyctophilus bifax</i>	Eastern Long-eared Bat	V,P		3	
Animalia	Mammalia	Vespertilionidae	1361	<i>Scoteanax rueppellii</i>	Greater Broad-nosed Bat	V,P		7	
Animalia	Mammalia	Miniopteridae	1346	<i>Miniopterus australis</i>	Little Bent-winged Bat	V,P		21	
Animalia	Mammalia	Miniopteridae	3330	<i>Miniopterus orianae oceanensis</i>	Large Bent-winged Bat	V,P		15	
Animalia	Mammalia	Muridae	1455	<i>Pseudomys novaehollandiae</i>	New Holland Mouse	P	V	1	
Animalia	Mammalia	Otariidae	1882	<i>Arctocephalus pusillus doriferus</i>	Australian Fur-seal	V,P		1	
Animalia	Insecta	Hesperiidae	1023	<i>Ocybadistes knightorum</i>	Black Grass-dart Butterfly	E1		254	
Animalia	Insecta	Petaluridae	1138	<i>Petalura litorea</i>	Coastal Petaltail	E1		5	
Plantae	Flora	Apocynaceae	1233	<i>Marsdenia longiloba</i>	Slender Marsdenia	E1	V	103	
Plantae	Flora	Apocynaceae	9505	<i>Parsonsia domoensis</i>	Milky Silkpod	V	E	1	
Plantae	Flora	Apocynaceae	1245	<i>Tylophora woolfsii</i>	Cryptic Forest Twiner	E1	E	3	
Plantae	Flora	Casuarinaceae	8980	<i>Allocasuarina defungens</i>	Dwarf Heath Casuarina	E1	E	64	
Plantae	Flora	Cyperaceae	2423	<i>Eleocharis tetraquetra</i>	Square-stemmed Spike-rush	E1		7	
Plantae	Flora	Fabaceae (Caesalpinioideae)	8772	<i>Senna acclinis</i>	Rainforest Cassia	E1		1	
Plantae	Flora	Fabaceae (Faboideae)	11644	<i>Pultenaea maritima</i>	Coast Headland Pea	V		3	
Plantae	Flora	Fabaceae (Faboideae)	3032	<i>Sophora tomentosa</i>	Silverbush	E1		1	
Plantae	Flora	Lindsaeaceae	8128	^{AA} <i>Lindsaea incisa</i>	Slender Screw Fern	E1,3		28	
Plantae	Flora	Myrtaceae	4283	<i>Rhodamnia rubescens</i>	Scrub Turpentine	E4A	CE	29	
Plantae	Flora	Myrtaceae	4284	<i>Rhodomyrtus psidioides</i>	Native Guava	E4A	CE	19	
Plantae	Flora	Orchidaceae	14732	^A <i>Diuris byronensis</i>	Byron Bay Diuris	E1,P,2		1	
Plantae	Flora	Orchidaceae	9027	^A <i>Diuris praecox</i>	Rough Doubletail	V,P,2	V	2	
Plantae	Flora	Orchidaceae	7077	^A <i>Oberonia titania</i>	Red-flowered King of the Fairies	V,P,2		1	
Plantae	Flora	Orchidaceae	4479	^A <i>Peristeranthus hillii</i>	Brown Fairy-chain Orchid	V,P,2		1	
Plantae	Flora	Orchidaceae	4480	^A <i>Phaius australis</i>	Southern Swamp Orchid	E1,P,2	E	2	
Plantae	Flora	Poaceae	8979	<i>Alexfloydia repens</i>	Floyd's Grass	E1		58	
Plantae	Flora	Poaceae	4776	<i>Arthraxon hispidus</i>	Hairy Jointgrass	V	V	4	
Plantae	Flora	Rutaceae	6457	<i>Acronychia littoralis</i>	Scented Acronychia	E1	E	12	
Plantae	Flora	Rutaceae	9496	<i>Zieria prostrata</i>	Headland Zieria	E1	E	1	
Plantae	Flora	Sapotaceae	11957	<i>Niemeyera whitei</i>	Rusty Plum, Plum Boxwood	V		884	

Data from the BioNet Atlas website, which holds records from a number of custodians. The data are only indicative and cannot be considered a comprehensive inventory, and may contain errors and omissions. Species listed under the Sensitive Species Data Policy may have their locations denatured (^ rounded to 0.1°C; ^^ rounded to 0.01°C. Copyright the State of NSW through the Department of Planning, Industry and Environment. Search criteria : Public Report of all Valid Records of Threatened (listed on BC Act 2016) or Commonwealth listed Communities in selected area [North: -30.31 West: 153.01 East: 153.11 South: -30.41] returned 0 records for 16 entities.

Report generated on 21/09/2022 10:02 AM

Kingdom	Class	Family	Species Code	Scientific Name	Exotic	Common Name	NSW status	Comm. status	Records	Info
Community				<i>Coastal Saltmarsh in the New South Wales North Coast, Sydney Basin and South East Corner Bioregions</i>		Coastal Saltmarsh in the New South Wales North Coast, Sydney Basin and South East Corner Bioregions	E3		K	
Community				<i>Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland ecological community</i>		Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland ecological community		E	K	
Community				<i>Freshwater Wetlands on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions</i>		Freshwater Wetlands on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions	E3		K	
Community				<i>Littoral Rainforest and Coastal Vine Thickets of Eastern Australia</i>		Littoral Rainforest and Coastal Vine Thickets of Eastern Australia		CE	K	
Community				<i>Littoral Rainforest in the New South Wales North Coast, Sydney Basin and South East Corner Bioregions</i>		Littoral Rainforest in the New South Wales North Coast, Sydney Basin and South East Corner Bioregions	E3		K	
Community				<i>Lowland Rainforest in the NSW North Coast and Sydney Basin Bioregions</i>		Lowland Rainforest in the NSW North Coast and Sydney Basin Bioregions	E3		K	
Community				<i>Lowland Rainforest of Subtropical Australia</i>		Lowland Rainforest of Subtropical Australia		CE	K	
Community				<i>Lowland Rainforest on Floodplain in the New South Wales North Coast Bioregion</i>		Lowland Rainforest on Floodplain in the New South Wales North Coast Bioregion	E3		K	
Community				<i>Montane Peatlands and Swamps of the New England Tableland, NSW North Coast, Sydney Basin, South East Corner, South Eastern Highlands and Australian Alps bioregions</i>		Montane Peatlands and Swamps of the New England Tableland, NSW North Coast, Sydney Basin, South East Corner, South Eastern Highlands and Australian Alps bioregions	E3		P	
Community				<i>Subtropical and Temperate Coastal Saltmarsh</i>		Subtropical and Temperate Coastal Saltmarsh		V	K	
Community				<i>Subtropical Coastal Floodplain Forest of the New South Wales North Coast Bioregion</i>		Subtropical Coastal Floodplain Forest of the New South Wales North Coast Bioregion	E3		K	
Community				<i>Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions</i>		Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions	E3		K	
Community				<i>Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions</i>		Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions	E3		K	
Community				<i>Themeda grassland on seaciffs and coastal headlands in the NSW North Coast, Sydney Basin and South East Corner Bioregions</i>		Themeda grassland on seaciffs and coastal headlands in the NSW North Coast, Sydney Basin and South East Corner Bioregions	E3		K	

Community	<i>White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland in the NSW North Coast, New England Tableland, Nandewar, Brigalow Belt South, Sydney Basin, South Eastern Highlands, NSW South Western Slopes, South East Corner and</i>	White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland in the NSW North Coast, New England Tableland, Nandewar, Brigalow Belt South, Sydney Basin, South Eastern Highlands, NSW South Western Slopes, South East Corner and	E4B	P	
Community	<i>White Gum Moist Forest in the NSW North Coast Bioregion</i>	White Gum Moist Forest in the NSW North Coast Bioregion	E3	K	



EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected. Please see the caveat for interpretation of information provided here.

Report created: 21-Sep-2022

[Summary](#)

[Details](#)

[Matters of NES](#)

[Other Matters Protected by the EPBC Act](#)

[Extra Information](#)

[Caveat](#)

[Acknowledgements](#)

Summary

Matters of National Environment Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the [Administrative Guidelines on Significance](#).

World Heritage Properties:	None
National Heritage Places:	None
Wetlands of International Importance (Ramsar	None
Great Barrier Reef Marine Park:	None
Commonwealth Marine Area:	None
Listed Threatened Ecological Communities:	6
Listed Threatened Species:	93
Listed Migratory Species:	59

Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at <http://www.environment.gov.au/heritage>

A [permit](#) may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

Commonwealth Lands:	11
Commonwealth Heritage Places:	None
Listed Marine Species:	90
Whales and Other Cetaceans:	12
Critical Habitats:	None
Commonwealth Reserves Terrestrial:	None
Australian Marine Parks:	None
Habitat Critical to the Survival of Marine Turtles:	None

Extra Information

This part of the report provides information that may also be relevant to the area you have

State and Territory Reserves:	2
Regional Forest Agreements:	1
Nationally Important Wetlands:	None
EPBC Act Referrals:	6
Key Ecological Features (Marine):	None
Biologically Important Areas:	3
Bioregional Assessments:	None
Geological and Bioregional Assessments:	None

Details

Matters of National Environmental Significance

Listed Threatened Ecological Communities

[Resource Information]

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Status of Vulnerable, Disallowed and Ineligible are not MNES under the EPBC Act.

Community Name	Threatened Category	Presence Text	Buffer Status
Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland ecological community	Endangered	Community likely to occur within area	In feature area
Coastal Swamp Sclerophyll Forest of New South Wales and South East Queensland	Endangered	Community likely to occur within area	In feature area
Dunn's white gum (Eucalyptus dunnii) moist forest in north-east New South Wales and south-east Queensland	Endangered	Community may occur within area	In buffer area only
Littoral Rainforest and Coastal Vine Thickets of Eastern Australia	Critically Endangered	Community likely to occur within area	In buffer area only
Lowland Rainforest of Subtropical Australia	Critically Endangered	Community likely to occur within area	In feature area
Subtropical and Temperate Coastal Saltmarsh	Vulnerable	Community likely to occur within area	In buffer area only

Listed Threatened Species

[Resource Information]

Status of Conservation Dependent and Extinct are not MNES under the EPBC Act.

Number is the current name ID.

Scientific Name	Threatened Category	Presence Text	Buffer Status
BIRD			
Anthochaera phrygia Regent Honeyeater [82338]	Critically Endangered	Species or species habitat known to occur within area	In feature area
Atrichornis rufescens Rufous Scrub-bird [655]	Endangered	Species or species habitat may occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Botaurus poiciloptilus Australasian Bittern [1001]	Endangered	Species or species habitat known to occur within area	In feature area
Calidris canutus Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area	In feature area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat likely to occur within area	In feature area
Calyptorhynchus lathami lathami South-eastern Glossy Black-Cockatoo [67036]	Vulnerable	Species or species habitat known to occur within area	In feature area
Charadrius leschenaultii Greater Sand Plover, Large Sand Plover [877]	Vulnerable	Species or species habitat likely to occur within area	In feature area
Cyclopsitta diophthalma coxeni Coxen's Fig-Parrot [59714]	Endangered	Species or species habitat may occur within area	In buffer area only
Diomedea antipodensis Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Diomedea antipodensis gibsoni Gibson's Albatross [82270]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Diomedea epomophora Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Diomedea exulans Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Erythroriorchis radiatus Red Goshawk [942]	Vulnerable	Species or species habitat may occur within area	In feature area
Falco hypoleucos Grey Falcon [929]	Vulnerable	Species or species habitat may occur within area	In feature area
Fregetta grallaria grallaria White-bellied Storm-Petrel (Tasman Sea), White-bellied Storm-Petrel (Australasian) [64438]	Vulnerable	Species or species habitat likely to occur within area	In buffer area only
Grantiella picta Painted Honeyeater [470]	Vulnerable	Species or species habitat may occur within area	In feature area
Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area	In feature area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area	In feature area
Limosa lapponica baueri Nunivak Bar-tailed Godwit, Western Alaskan Bar-tailed Godwit [86380]	Vulnerable	Species or species habitat known to occur within area	In buffer area only
Macronectes giganteus Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area	In buffer area only
Macronectes halli Northern Giant Petrel [1061]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat known to occur within area	In feature area
Pachyptila turtur subantarctica Fairy Prion (southern) [64445]	Vulnerable	Species or species habitat known to occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Phoebetria fusca Sooty Albatross [1075]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Pterodroma leucoptera leucoptera Gould's Petrel, Australian Gould's Petrel [26033]	Endangered	Species or species habitat may occur within area	In buffer area only
Pterodroma neglecta neglecta Kermadec Petrel (western) [64450]	Vulnerable	Foraging, feeding or related behaviour may occur within area	In buffer area only
Rostratula australis Australian Painted Snipe [77037]	Endangered	Species or species habitat likely to occur within area	In feature area
Sternula nereis nereis Australian Fairy Tern [82950]	Vulnerable	Species or species habitat may occur within area	In feature area
Thalassarche bulleri Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Thalassarche bulleri platei Northern Buller's Albatross, Pacific Albatross [82273]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Thalassarche carteri Indian Yellow-nosed Albatross [64464]	Vulnerable	Species or species habitat likely to occur within area	In buffer area only
Thalassarche cauta Shy Albatross [89224]	Endangered	Species or species habitat may occur within area	In buffer area only
Thalassarche eremita Chatham Albatross [64457]	Endangered	Species or species habitat may occur within area	In buffer area only
Thalassarche impavida Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Species or species habitat may occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Thalassarche melanophris Black-browed Albatross [66472]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Thalassarche salvini Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Thalassarche steadi White-capped Albatross [64462]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Turnix melanogaster Black-breasted Button-quail [923]	Vulnerable	Species or species habitat may occur within area	In buffer area only
FISH			
Epinephelus daemeli Black Rockcod, Black Cod, Saddled Rockcod [68449]	Vulnerable	Species or species habitat likely to occur within area	In buffer area only
Hippocampus whitei White's Seahorse, Crowned Seahorse, Sydney Seahorse [66240]	Endangered	Species or species habitat likely to occur within area	In buffer area only
Seriolella brama Blue Warehou [69374]	Conservation Dependent	Species or species habitat known to occur within area	In buffer area only
Thunnus maccoyii Southern Bluefin Tuna [69402]	Conservation Dependent	Species or species habitat likely to occur within area	In buffer area only
FROG			
Litoria aurea Green and Golden Bell Frog [1870]	Vulnerable	Species or species habitat known to occur within area	In feature area
Mixophyes balbus Stuttering Frog, Southern Barred Frog (in Victoria) [1942]	Vulnerable	Species or species habitat known to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
Mixophyes iteratus Giant Barred Frog, Southern Barred Frog [1944]	Vulnerable	Species or species habitat known to occur within area	In feature area
INSECT			
Argynnis hyperbius inconstans Australian Fritillary [88056]	Critically Endangered	Species or species habitat may occur within area	In feature area
Phyllodes imperialis smithersi Pink Underwing Moth [86084]	Endangered	Species or species habitat may occur within area	In buffer area only
MAMMAL			
Balaenoptera musculus Blue Whale [36]	Endangered	Species or species habitat may occur within area	In buffer area only
Chalinolobus dwyeri Large-eared Pied Bat, Large Pied Bat [183]	Vulnerable	Species or species habitat likely to occur within area	In feature area
Dasyurus maculatus maculatus (SE mainland population) Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population) [75184]	Endangered	Species or species habitat known to occur within area	In feature area
Eubalaena australis Southern Right Whale [40]	Endangered	Species or species habitat likely to occur within area	In buffer area only
Petauroides volans Greater Glider (southern and central) [254]	Endangered	Species or species habitat likely to occur within area	In feature area
Petaurus australis australis Yellow-bellied Glider (south-eastern) [87600]	Vulnerable	Species or species habitat known to occur within area	In feature area
Petrogale penicillata Brush-tailed Rock-wallaby [225]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Phascolarctos cinereus (combined populations of Qld, NSW and the ACT) Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) [85104]	Endangered	Species or species habitat known to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
Potorous tridactylus tridactylus Long-nosed Potoroo (northern) [66645]	Vulnerable	Species or species habitat known to occur within area	In feature area
Pseudomys novaehollandiae New Holland Mouse, Pookila [96]	Vulnerable	Species or species habitat known to occur within area	In feature area
Pseudomys oralis Hastings River Mouse, Koontoo [98]	Endangered	Species or species habitat may occur within area	In buffer area only
Pteropus poliocephalus Grey-headed Flying-fox [186]	Vulnerable	Roosting known to occur within area	In feature area
PLANT			
Acronychia littoralis Scented Acronychia [8582]	Endangered	Species or species habitat known to occur within area	In feature area
Allocasuarina thalassoscopica [21927]	Endangered	Species or species habitat known to occur within area	In buffer area only
Arthraxon hispidus Hairy-joint Grass [9338]	Vulnerable	Species or species habitat known to occur within area	In feature area
Corynocarpus rupestris subsp. rupestris Glenugie Karaka [19303]	Vulnerable	Species or species habitat known to occur within area	In buffer area only
Cryptocarya foetida Stinking Cryptocarya, Stinking Laurel [11976]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Cryptostylis hunteriana Leafless Tongue-orchid [19533]	Vulnerable	Species or species habitat may occur within area	In feature area
Cynanchum elegans White-flowered Wax Plant [12533]	Endangered	Species or species habitat likely to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
Haloragis exalata subsp. velutina Tall Velvet Sea-berry [16839]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Hicksbeachia pinnatifolia Monkey Nut, Bopple Nut, Red Bopple, Red Bopple Nut, Red Nut, Beef Nut, Red Apple Nut, Red Boppel Nut, Ivory Silky Oak [21189]	Vulnerable	Species or species habitat may occur within area	In feature area
Leichhardtia longiloba listed as Marsdenia longiloba Clear Milkvine [91911]	Vulnerable	Species or species habitat known to occur within area	In feature area
Macadamia integrifolia Macadamia Nut, Queensland Nut Tree, Smooth-shelled Macadamia, Bush Nut, Nut Oak [7326]	Vulnerable	Species or species habitat may occur within area	In feature area
Macadamia tetraphylla Rough-shelled Bush Nut, Macadamia Nut, Rough-shelled Macadamia, Rough-leaved Queensland Nut [6581]	Vulnerable	Species or species habitat likely to occur within area	In feature area
Parsonsia dorrigoensis Milky Silkpod [64684]	Endangered	Species or species habitat known to occur within area	In feature area
Persicaria elatior Knotweed, Tall Knotweed [5831]	Vulnerable	Species or species habitat may occur within area	In feature area
Phaius australis Lesser Swamp-orchid [5872]	Endangered	Species or species habitat known to occur within area	In feature area
Plectranthus nitidus Nightcap Plectranthus, Silver Plectranthus [55742]	Endangered	Species or species habitat likely to occur within area	In feature area
Rhodamnia rubescens Scrub Turpentine, Brown Malletwood [15763]	Critically Endangered	Species or species habitat known to occur within area	In feature area
Rhodomyrtus psidioides Native Guava [19162]	Critically Endangered	Species or species habitat known to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
Samadera sp. Moonee Creek (J.King s.n. Nov. 1949) [86885]	Endangered	Species or species habitat may occur within area	In feature area
Sarcochilus fitzgeraldii Ravine Orchid [19131]	Vulnerable	Species or species habitat likely to occur within area	In feature area
Thesium australe Austral Toadflax, Toadflax [15202]	Vulnerable	Species or species habitat known to occur within area	In feature area
Vincetoxicum woollsii listed as Tylophora woollsii [40080]	Endangered	Species or species habitat known to occur within area	In feature area
Zieria prostrata Headland Zieria [56782]	Endangered	Species or species habitat known to occur within area	In feature area
REPTILE			
Caretta caretta Loggerhead Turtle [1763]	Endangered	Congregation or aggregation known to occur within area	In buffer area only
Chelonia mydas Green Turtle [1765]	Vulnerable	Species or species habitat known to occur within area	In buffer area only
Coeranoscincus reticulatus Three-toed Snake-tooth Skink [59628]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Dermochelys coriacea Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Breeding likely to occur within area	In buffer area only
Eretmochelys imbricata Hawksbill Turtle [1766]	Vulnerable	Species or species habitat known to occur within area	In buffer area only
Natator depressus Flatback Turtle [59257]	Vulnerable	Breeding likely to occur within area	In buffer area only
SHARK			

Scientific Name	Threatened Category	Presence Text	Buffer Status
Carcharias taurus (east coast population) Grey Nurse Shark (east coast population) [68751]	Critically Endangered	Species or species habitat likely to occur within area	In buffer area only
Carcharodon carcharias White Shark, Great White Shark [64470]	Vulnerable	Species or species habitat known to occur within area	In buffer area only
Galeorhinus galeus School Shark, Eastern School Shark, Snapper Shark, Tope, Soupfin Shark [68453]	Conservation Dependent	Species or species habitat may occur within area	In buffer area only
Rhincodon typus Whale Shark [66680]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Sphyrna lewini Scalloped Hammerhead [85267]	Conservation Dependent	Species or species habitat likely to occur within area	In buffer area only

Listed Migratory Species	[Resource Information]		
Scientific Name	Threatened Category	Presence Text	Buffer Status
Migratory Marine Birds			
Anous stolidus Common Noddy [825]		Species or species habitat likely to occur within area	In buffer area only
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area	In feature area
Ardeenna carneipes Flesh-footed Shearwater, Fleshy-footed Shearwater [82404]		Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Ardeenna grisea Sooty Shearwater [82651]		Species or species habitat likely to occur within area	In buffer area only
Ardeenna pacifica Wedge-tailed Shearwater [84292]		Breeding known to occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Calonectris leucomelas Streaked Shearwater [1077]		Species or species habitat may occur within area	In buffer area only
Diomedea antipodensis Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Diomedea epomophora Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Diomedea exulans Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Fregata ariel Lesser Frigatebird, Least Frigatebird [1012]		Species or species habitat known to occur within area	In buffer area only
Fregata minor Great Frigatebird, Greater Frigatebird [1013]		Species or species habitat likely to occur within area	In buffer area only
Macronectes giganteus Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area	In buffer area only
Macronectes halli Northern Giant Petrel [1061]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Phaethon lepturus White-tailed Tropicbird [1014]		Species or species habitat may occur within area	In buffer area only
Phoebastria fusca Sooty Albatross [1075]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Sternula albifrons Little Tern [82849]		Breeding likely to occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Thalassarche bulleri Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Thalassarche carteri Indian Yellow-nosed Albatross [64464]	Vulnerable	Species or species habitat likely to occur within area	In buffer area only
Thalassarche cauta Shy Albatross [89224]	Endangered	Species or species habitat may occur within area	In buffer area only
Thalassarche eremita Chatham Albatross [64457]	Endangered	Species or species habitat may occur within area	In buffer area only
Thalassarche impavida Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Thalassarche melanophris Black-browed Albatross [66472]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Thalassarche salvini Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Thalassarche steadi White-capped Albatross [64462]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Migratory Marine Species			
Balaenoptera edeni Bryde's Whale [35]		Species or species habitat may occur within area	In buffer area only
Balaenoptera musculus Blue Whale [36]	Endangered	Species or species habitat may occur within area	In buffer area only
Carcharhinus longimanus Oceanic Whitetip Shark [84108]		Species or species habitat may occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Carcharodon carcharias White Shark, Great White Shark [64470]	Vulnerable	Species or species habitat known to occur within area	In buffer area only
Caretta caretta Loggerhead Turtle [1763]	Endangered	Congregation or aggregation known to occur within area	In buffer area only
Chelonia mydas Green Turtle [1765]	Vulnerable	Species or species habitat known to occur within area	In buffer area only
Dermochelys coriacea Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Breeding likely to occur within area	In buffer area only
Dugong dugon Dugong [28]		Species or species habitat may occur within area	In buffer area only
Eretmochelys imbricata Hawksbill Turtle [1766]	Vulnerable	Species or species habitat known to occur within area	In buffer area only
Eubalaena australis as Balaena glacialis australis Southern Right Whale [40]	Endangered	Species or species habitat likely to occur within area	In buffer area only
Lamna nasus Porbeagle, Mackerel Shark [83288]		Species or species habitat may occur within area	In buffer area only
Megaptera novaeangliae Humpback Whale [38]		Species or species habitat known to occur within area	In buffer area only
Mobula alfredi as Manta alfredi Reef Manta Ray, Coastal Manta Ray [90033]		Species or species habitat may occur within area	In buffer area only
Mobula birostris as Manta birostris Giant Manta Ray [90034]		Species or species habitat may occur within area	In buffer area only
Natator depressus Flatback Turtle [59257]	Vulnerable	Breeding likely to occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Orcinus orca Killer Whale, Orca [46]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Rhincodon typus Whale Shark [66680]		Species or species habitat may occur within area	In buffer area only
Sousa sahalensis as Sousa chinensis Australian Humpback Dolphin [87942]		Species or species habitat likely to occur within area	In buffer area only
Migratory Terrestrial Species			
Cuculus optatus Oriental Cuckoo, Horsfield's Cuckoo [86651]	Vulnerable	Species or species habitat may occur within area	In feature area
Hirundapus caudacutus White-throated Needletail [682]		Species or species habitat known to occur within area	In feature area
Monarcha melanopsis Black-faced Monarch [609]		Species or species habitat known to occur within area	In feature area
Myiagra cyanoleuca Satin Flycatcher [612]		Species or species habitat known to occur within area	In feature area
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat known to occur within area	In feature area
Symposiachrus trivirgatus as Monarcha trivirgatus Spectacled Monarch [83946]		Species or species habitat known to occur within area	In feature area
Migratory Wetlands Species			
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat likely to occur within area	In feature area
Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat likely to occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
Calidris canutus Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area	In feature area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat likely to occur within area	In feature area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area	In feature area
Charadrius leschenaultii Greater Sand Plover, Large Sand Plover [877]	Vulnerable	Species or species habitat likely to occur within area	In feature area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat known to occur within area	In feature area
Limosa lapponica Bar-tailed Godwit [844]		Species or species habitat known to occur within area	In buffer area only
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat known to occur within area	In feature area
Pandion haliaetus Osprey [952]		Breeding known to occur within area	In buffer area only
Tringa nebularia Common Greenshank, Greenshank [832]		Species or species habitat may occur within area	In buffer area only

Other Matters Protected by the EPBC Act

Commonwealth Lands

[Resource Information]

The Commonwealth area listed below may indicate the presence of Commonwealth land in this vicinity. Due to the unreliability of the data source, all proposals should be checked as to whether it impacts on a Commonwealth area, before making a definitive decision. Contact the State or Territory government land department for further information.

Commonwealth Land Name	State	Buffer Status
Communications, Information Technology and the Arts - Australian Postal Corporation		
Commonwealth Land - Australian Postal Commission [11377]	NSW	In buffer area only

Commonwealth Land Name	State	Buffer Status
Communications, Information Technology and the Arts - Telstra Corporation Limited		
Commonwealth Land - Australian Telecommunications Commission [11384]	NSW	In buffer area only
Commonwealth Land - Telstra Corporation Limited [11382]	NSW	In buffer area only
Commonwealth Land - Telstra Corporation Limited [11358]	NSW	In buffer area only
Commonwealth Land - Telstra Corporation Limited [11380]	NSW	In buffer area only
Commonwealth Land - Telstra Corporation Limited [11381]	NSW	In buffer area only
Commonwealth Land - Telstra Corporation Limited [11378]	NSW	In buffer area only
Commonwealth Land - Telstra Corporation Limited [11385]	NSW	In buffer area only
Commonwealth Land - Telstra Corporation Limited [11379]	NSW	In buffer area only
Unknown		
Commonwealth Land - [11383]	NSW	In feature area
Commonwealth Land - [11376]	NSW	In buffer area only

Listed Marine Species			[Resource Information]
Scientific Name	Threatened Category	Presence Text	Buffer Status
Bird			
Actitis hypoleucos			
Common Sandpiper [59309]		Species or species habitat likely to occur within area	In feature area
Anous stolidus			
Common Noddy [825]		Species or species habitat likely to occur within area	In buffer area only
Apus pacificus			
Fork-tailed Swift [678]		Species or species habitat likely to occur within area overfly marine area	In feature area
Ardenna carneipes as Puffinus carneipes			
Flesh-footed Shearwater, Fleshy-footed Shearwater [82404]		Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Ardenna grisea as Puffinus griseus			
Sooty Shearwater [82651]		Species or species habitat likely to occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Ardenna pacifica as Puffinus pacificus Wedge-tailed Shearwater [84292]		Breeding known to occur within area	In buffer area only
Bubulcus ibis as Ardea ibis Cattle Egret [66521]		Breeding likely to occur within area overfly marine area	In feature area
Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat likely to occur within area	In feature area
Calidris canutus Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area overfly marine area	In feature area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat likely to occur within area overfly marine area	In feature area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area overfly marine area	In feature area
Calonectris leucomelas Streaked Shearwater [1077]		Species or species habitat may occur within area	In buffer area only
Charadrius leschenaultii Greater Sand Plover, Large Sand Plover [877]	Vulnerable	Species or species habitat likely to occur within area	In feature area
Chroicocephalus novaehollandiae as Larus novaehollandiae Silver Gull [82326]		Breeding known to occur within area	In buffer area only
Diomedea antipodensis Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Diomedea antipodensis gibsoni as Diomedea gibsoni Gibson's Albatross [82270]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Diomedea epomophora Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Diomedea exulans Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Fregata ariel Lesser Frigatebird, Least Frigatebird [1012]		Species or species habitat known to occur within area	In buffer area only
Fregata minor Great Frigatebird, Greater Frigatebird [1013]		Species or species habitat likely to occur within area	In buffer area only
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat known to occur within area overfly marine area	In feature area
Haliaeetus leucogaster White-bellied Sea-Eagle [943]		Species or species habitat known to occur within area	In feature area
Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area overfly marine area	In feature area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area overfly marine area	In feature area
Limosa lapponica Bar-tailed Godwit [844]		Species or species habitat known to occur within area	In buffer area only
Macronectes giganteus Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Macronectes halli Northern Giant Petrel [1061]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Merops ornatus Rainbow Bee-eater [670]		Species or species habitat may occur within area overfly marine area	In feature area
Monarcha melanopsis Black-faced Monarch [609]		Species or species habitat known to occur within area overfly marine area	In feature area
Myiagra cyanoleuca Satin Flycatcher [612]		Species or species habitat known to occur within area overfly marine area	In feature area
Neophema chrysostoma Blue-winged Parrot [726]		Species or species habitat may occur within area overfly marine area	In feature area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat known to occur within area	In feature area
Pachyptila turtur Fairy Prion [1066]		Species or species habitat known to occur within area	In buffer area only
Pandion haliaetus Osprey [952]		Breeding known to occur within area	In buffer area only
Phaethon lepturus White-tailed Tropicbird [1014]		Species or species habitat may occur within area	In buffer area only
Phoebastria fusca Sooty Albatross [1075]	Vulnerable	Species or species habitat may occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat known to occur within area overfly marine area	In feature area
Rostratula australis as Rostratula benghalensis (sensu lato) Australian Painted Snipe [77037]	Endangered	Species or species habitat likely to occur within area overfly marine area	In feature area
Sternula albifrons as Sterna albifrons Little Tern [82849]		Breeding likely to occur within area	In buffer area only
Symposiachrus trivirgatus as Monarcha trivirgatus Spectacled Monarch [83946]		Species or species habitat known to occur within area overfly marine area	In feature area
Thalassarche bulleri Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Thalassarche bulleri platei as Thalassarche sp. nov. Northern Buller's Albatross, Pacific Albatross [82273]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Thalassarche carteri Indian Yellow-nosed Albatross [64464]	Vulnerable	Species or species habitat likely to occur within area	In buffer area only
Thalassarche cauta Shy Albatross [89224]	Endangered	Species or species habitat may occur within area	In buffer area only
Thalassarche eremita Chatham Albatross [64457]	Endangered	Species or species habitat may occur within area	In buffer area only
Thalassarche impavida Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Thalassarche melanophris Black-browed Albatross [66472]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Thalassarche salvini Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area	In buffer area only
Thalassarche steadi White-capped Albatross [64462]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Tringa nebularia Common Greenshank, Greenshank [832]		Species or species habitat may occur within area overfly marine area	In buffer area only
Fish			
Acentronura tentaculata Shortpouch Pygmy Pipehorse [66187]		Species or species habitat may occur within area	In buffer area only
Campichthys tryoni Tryon's Pipefish [66193]		Species or species habitat may occur within area	In buffer area only
Corythoichthys amplexus Fijian Banded Pipefish, Brown-banded Pipefish [66199]		Species or species habitat may occur within area	In buffer area only
Corythoichthys ocellatus Orange-spotted Pipefish, Ocellated Pipefish [66203]		Species or species habitat may occur within area	In buffer area only
Festucalex cinctus Girdled Pipefish [66214]		Species or species habitat may occur within area	In buffer area only
Filicampus tigris Tiger Pipefish [66217]		Species or species habitat may occur within area	In buffer area only
Halicampus grayi Mud Pipefish, Gray's Pipefish [66221]		Species or species habitat may occur within area	In buffer area only
Heraldia nocturna Upside-down Pipefish, Eastern Upside-down Pipefish, Eastern Upside-down Pipefish [66227]		Species or species habitat may occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Hippichthys cyanospilos Blue-speckled Pipefish, Blue-spotted Pipefish [66228]	Endangered	Species or species habitat may occur within area	In buffer area only
Hippichthys heptagonus Madura Pipefish, Reticulated Freshwater Pipefish [66229]		Species or species habitat may occur within area	In buffer area only
Hippichthys penicillus Beady Pipefish, Steep-nosed Pipefish [66231]		Species or species habitat may occur within area	In buffer area only
Hippocampus kelloggi Kellogg's Seahorse, Great Seahorse [66723]		Species or species habitat may occur within area	In buffer area only
Hippocampus kuda Spotted Seahorse, Yellow Seahorse [66237]		Species or species habitat may occur within area	In buffer area only
Hippocampus planifrons Flat-face Seahorse [66238]		Species or species habitat may occur within area	In buffer area only
Hippocampus trimaculatus Three-spot Seahorse, Low-crowned Seahorse, Flat-faced Seahorse [66720]		Species or species habitat may occur within area	In buffer area only
Hippocampus whitei White's Seahorse, Crowned Seahorse, Sydney Seahorse [66240]		Species or species habitat likely to occur within area	In buffer area only
Histiogamphelus briggsii Crested Pipefish, Briggs' Crested Pipefish, Briggs' Pipefish [66242]	Vulnerable	Species or species habitat may occur within area	In buffer area only
Lissocampus runa Javelin Pipefish [66251]		Species or species habitat may occur within area	In buffer area only
Maroubra perserrata Sawtooth Pipefish [66252]		Species or species habitat may occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Micrognathus andersonii Anderson's Pipefish, Shortnose Pipefish [66253]		Species or species habitat may occur within area	In buffer area only
Micrognathus brevirostris thorntail Pipefish, Thorn-tailed Pipefish [66254]		Species or species habitat may occur within area	In buffer area only
Microphis manadensis Manado Pipefish, Manado River Pipefish [66258]		Species or species habitat may occur within area	In buffer area only
Solegnathus dunckeri Duncker's Pipehorse [66271]		Species or species habitat may occur within area	In buffer area only
Solegnathus hardwickii Pallid Pipehorse, Hardwick's Pipehorse [66272]		Species or species habitat may occur within area	In buffer area only
Solegnathus spinosissimus Spiny Pipehorse, Australian Spiny Pipehorse [66275]		Species or species habitat may occur within area	In buffer area only
Solenostomus cyanopterus Robust Ghostpipefish, Blue-finned Ghost Pipefish, [66183]		Species or species habitat may occur within area	In buffer area only
Solenostomus paradoxus Ornate Ghostpipefish, Harlequin Ghost Pipefish, Ornate Ghost Pipefish [66184]		Species or species habitat may occur within area	In buffer area only
Stigmatopora nigra Widebody Pipefish, Wide-bodied Pipefish, Black Pipefish [66277]		Species or species habitat may occur within area	In buffer area only
Syngnathoides biaculeatus Double-end Pipehorse, Double-ended Pipehorse, Alligator Pipefish [66279]		Species or species habitat may occur within area	In buffer area only
Trachyrhamphus bicoarctatus Bentstick Pipefish, Bend Stick Pipefish, Short-tailed Pipefish [66280]		Species or species habitat may occur within area	In buffer area only

Scientific Name	Threatened Category	Presence Text	Buffer Status
Urocampus carinirostris Hairy Pipefish [66282]		Species or species habitat may occur within area	In buffer area only
Vanacampus margaritifer Mother-of-pearl Pipefish [66283]		Species or species habitat may occur within area	In buffer area only
Mammal			
Dugong dugon Dugong [28]		Species or species habitat may occur within area	In buffer area only
Reptile			
Caretta caretta Loggerhead Turtle [1763]	Endangered	Congregation or aggregation known to occur within area	In buffer area only
Chelonia mydas Green Turtle [1765]	Vulnerable	Species or species habitat known to occur within area	In buffer area only
Dermochelys coriacea Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Breeding likely to occur within area	In buffer area only
Eretmochelys imbricata Hawksbill Turtle [1766]	Vulnerable	Species or species habitat known to occur within area	In buffer area only
Hydrophis elegans Elegant Seasnake [1104]		Species or species habitat may occur within area	In buffer area only
Natator depressus Flatback Turtle [59257]	Vulnerable	Breeding likely to occur within area	In buffer area only
Pelamis platurus Yellow-bellied Seasnake [1091]		Species or species habitat may occur within area	In buffer area only

Whales and Other Cetaceans		[Resource Information]	
Current Scientific Name	Status	Type of Presence	Buffer Status
Mammal			

Current Scientific Name	Status	Type of Presence	Buffer Status
Balaenoptera acutorostrata Minke Whale [33]	Endangered	Species or species habitat may occur within area	In buffer area only
Balaenoptera edeni Bryde's Whale [35]		Species or species habitat may occur within area	In buffer area only
Balaenoptera musculus Blue Whale [36]		Species or species habitat may occur within area	In buffer area only
Delphinus delphis Common Dolphin, Short-beaked Common Dolphin [60]		Species or species habitat may occur within area	In buffer area only
Eubalaena australis Southern Right Whale [40]	Endangered	Species or species habitat likely to occur within area	In buffer area only
Grampus griseus Risso's Dolphin, Grampus [64]		Species or species habitat may occur within area	In buffer area only
Megaptera novaeangliae Humpback Whale [38]		Species or species habitat known to occur within area	In buffer area only
Orcinus orca Killer Whale, Orca [46]		Species or species habitat may occur within area	In buffer area only
Sousa sahalensis as Sousa chinensis Australian Humpback Dolphin [87942]	Endangered	Species or species habitat likely to occur within area	In buffer area only
Stenella attenuata Spotted Dolphin, Pantropical Spotted Dolphin [51]		Species or species habitat may occur within area	In buffer area only
Tursiops aduncus Indian Ocean Bottlenose Dolphin, Spotted Bottlenose Dolphin [68418]		Species or species habitat likely to occur within area	In buffer area only

Current Scientific Name	Status	Type of Presence	Buffer Status	
Tursiops truncatus s. str. Bottlenose Dolphin [68417]		Species or species habitat may occur within area	In buffer area only	
Extra Information				
State and Territory Reserves			[Resource Information]	
Protected Area Name	Reserve Type	State	Buffer Status	
Bongil Bongil	National Park	NSW	In feature area	
Yuraala	Flora Reserve	NSW	In buffer area only	
Regional Forest Agreements			[Resource Information]	
Note that all areas with completed RFAs have been included.				
RFA Name		State	Buffer Status	
North East NSW RFA		New South Wales	In feature area	
EPBC Act Referrals			[Resource Information]	
Title of referral	Reference	Referral Outcome	Assessment Status	Buffer Status
Controlled action				
Clarence Valley and Coffs Harbour Regional Water Supply Project	2005/2191	Controlled Action	Post-Approval	In buffer area only
Pacific Highway Upgrade - Coffs Harbour Bypass, NSW	2017/8005	Controlled Action	Post-Approval	In buffer area only
Not controlled action				
Improving rabbit biocontrol: releasing another strain of RHDV, sthrn two thirds of Australia	2015/7522	Not Controlled Action	Completed	In feature area
Safe management of vegetation within Obstacle Limitation Surfaces, Coffs Harbour Regional Aerodrome,	2016/7794	Not Controlled Action	Completed	In buffer area only
Sawtell Catholic Care of the Aged, NSW	2020/8738	Not Controlled Action	Completed	In buffer area only
Referral decision				
Breeding program for Grey Nurse Sharks	2007/3245	Referral Decision	Completed	In buffer area only
Biologically Important Areas				

Scientific Name	Behaviour	Presence	Buffer Status
Dolphins			
Tursiops aduncus			
Indo-Pacific/Spotted Bottlenose Dolphin [68418]	Breeding	Likely to occur	In buffer area only
Sharks			
Carcharias taurus			
Grey Nurse Shark [64469]	Foraging	Known to occur	In buffer area only
Whales			
Megaptera novaeangliae			
Humpback Whale [38]	Foraging	Known to occur	In buffer area only

Caveat

1 PURPOSE

This report is designed to assist in identifying the location of matters of national environmental significance (MNES) and other matters protected by the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) which may be relevant in determining obligations and requirements under the EPBC Act.

The report contains the mapped locations of:

- World and National Heritage properties;
- Wetlands of International and National Importance;
- Commonwealth and State/Territory reserves;
- distribution of listed threatened, migratory and marine species;
- listed threatened ecological communities; and
- other information that may be useful as an indicator of potential habitat value.

2 DISCLAIMER

This report is not intended to be exhaustive and should only be relied upon as a general guide as mapped data is not available for all species or ecological communities listed under the EPBC Act (see below). Persons seeking to use the information contained in this report to inform the referral of a proposed action under the EPBC Act should consider the limitations noted below and whether additional information is required to determine the existence and location of MNES and other protected matters.

Where data are available to inform the mapping of protected species, the presence type (e.g. known, likely or may occur) that can be determined from the data is indicated in general terms. It is the responsibility of any person using or relying on the information in this report to ensure that it is suitable for the circumstances of any proposed use. The Commonwealth cannot accept responsibility for the consequences of any use of the report or any part thereof. To the maximum extent allowed under governing law, the Commonwealth will not be liable for any loss or damage that may be occasioned directly or indirectly through the use of, or reliance

3 DATA SOURCES

Threatened ecological communities

For threatened ecological communities where the distribution is well known, maps are generated based on information contained in recovery plans, State vegetation maps and remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species

Threatened, migratory and marine species distributions have been discerned through a variety of methods. Where distributions are well known and if time permits, distributions are inferred from either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc.) together with point locations and described habitat; or modelled (MAXENT or BIOCLIM habitat modelling) using

Where little information is available for a species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc.).

In the early stages of the distribution mapping process (1999–early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More detailed distribution mapping methods are used to update these distributions

4 LIMITATIONS

The following species and ecological communities have not been mapped and do not appear in this report:

- threatened species listed as extinct or considered vagrants;
- some recently listed species and ecological communities;
- some listed migratory and listed marine species, which are not listed as threatened species; and
- migratory species that are very widespread, vagrant, or only occur in Australia in small numbers.

The following groups have been mapped, but may not cover the complete distribution of the species:

- listed migratory and/or listed marine seabirds, which are not listed as threatened, have only been mapped for recorded
- seals which have only been mapped for breeding sites near the Australian continent

The breeding sites may be important for the protection of the Commonwealth Marine environment.

Refer to the metadata for the feature group (using the Resource Information link) for the currency of the information.

Acknowledgements

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- [-Office of Environment and Heritage, New South Wales](#)
- [-Department of Environment and Primary Industries, Victoria](#)
- [-Department of Primary Industries, Parks, Water and Environment, Tasmania](#)
- [-Department of Environment, Water and Natural Resources, South Australia](#)
- [-Department of Land and Resource Management, Northern Territory](#)
- [-Department of Environmental and Heritage Protection, Queensland](#)
- [-Department of Parks and Wildlife, Western Australia](#)
- [-Environment and Planning Directorate, ACT](#)
- [-Birdlife Australia](#)
- [-Australian Bird and Bat Banding Scheme](#)
- [-Australian National Wildlife Collection](#)
- [-Natural history museums of Australia](#)
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- [-Australian Tropical Herbarium, Cairns](#)
- [-eBird Australia](#)
- [-Australian Government – Australian Antarctic Data Centre](#)
- [-Museum and Art Gallery of the Northern Territory](#)
- [-Australian Government National Environmental Science Program](#)
- [-Australian Institute of Marine Science](#)
- [-Reef Life Survey Australia](#)
- [-American Museum of Natural History](#)
- [-Queen Victoria Museum and Art Gallery, Inveresk, Tasmania](#)
- [-Tasmanian Museum and Art Gallery, Hobart, Tasmania](#)
- [-Other groups and individuals](#)

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Please feel free to provide feedback via the [Contact Us](#) page.

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Appendix D

Flora Inventory

Table D.1 Flora Inventory

* Introduced species, ** Species native to Queensland

Family	Scientific Name	Common Name
Acanthaceae	<i>Pseuderanthemum variabile</i>	Pastel Flower
Apiaceae	<i>Centella asiatica</i>	Indian Pennywort
Apiaceae	<i>Cyclospermum leptophyllum</i> *	Slender Celery
Apocynaceae	<i>Tabernaemontana pandacaqui</i>	Banana Bush
Araceae	<i>Livistona australis</i>	Cabbage Tree Palm
Araceae	<i>Rhapis excelsa</i>	Rhapis palm
Araliaceae	<i>Hydrocotyle tripartita</i>	Pennywort
Araliaceae	<i>Polyscias sambucifolia</i>	Elderberry Panax
Araliaceae	<i>Schefflera actinophylla</i> *	Umbrella Tree
Arecaceae	<i>Archontophoenix cunninghamiana</i>	Bangalow Palm
Aspleniaceae	<i>Asplenium australasicum</i>	Bird's Nest Fern
Asphodelaceae	<i>Geitonoplesium cymosum</i>	Scrambling Lily
Asteliaceae	<i>Cordyline fructosa</i> *	Cordyline
Asteliaceae	<i>Cordyline stricta</i>	Narrow-leaved Palm Lily
Asteraceae	<i>Ageratina adenophora</i> *	Crofton Weed
Asteraceae	<i>Ageratum houstonianum</i> *	Blue Billygoat Weed
Asteraceae	<i>Bidens pilosa</i> *	Cobblers Pegs
Asteraceae	<i>Conyza bonariensis</i> *	Tall Fleabane
Asteraceae	<i>Hypochaeris radicata</i> *	Cats ear
Asteraceae	<i>Ozothamnus diosmifolius</i>	White Dogwood
Asteraceae	<i>Sonchus oleraceus</i> *	Sow Thistle
Asteraceae	<i>Sphagneticola trilobata</i> *	Singapore Daisey
Blechnaceae	<i>Blechnum cartilagineum</i>	Gristle Fern
Blechnaceae	<i>Doodia aspera</i>	Prickly Rasp Fern
Campanulaceae	<i>Lobelia purpurascens</i>	Whiteroot
Casuarinaceae	<i>Allocasuarina torulosa</i>	Forest Oak
Colchicaceae	<i>Tripladenia cunninghamii</i>	-
Cyatheaceae	<i>Cyathea leichhardtiana</i>	Prickly Tree Fern
Dicksoniaceae	<i>Calochlaena dubia</i>	Rainbow Fern
Dilleniaceae	<i>Hibbertia scandens</i>	Climbing Guinea Flower
Dioscoreaceae	<i>Dioscorea transversa</i>	Native Yam
Ericaceae	<i>Trochocarpa laurina</i>	Tree Heath
Fabaceae	<i>Inga edulis</i> *	Ice-cream Bean
Fabaceae (Caesalpinioideae)	<i>Senna pendula</i> var. <i>glabrata</i> *	Winter Senna
Fabaceae (Faboideae)	<i>Glycine clandestina</i>	Twining Glycine
Fabaceae (Faboideae)	<i>Trifolium repens</i> *	White Clover
Geraniaceae	<i>Geranium solanderi</i>	Native Geranium
Lauraceae	<i>Cinnamomum camphora</i> *	Camphor Laurel
Lauraceae	<i>Cryptocarya microneura</i>	Murrogon
Lauraceae	<i>Cryptocarya rigida</i>	Forest Maple
Lomandraceae	<i>Lomandra longifolia</i>	Spiny-headed Mat-rush
Luzuriagaceae	<i>Geitonoplesium cymosum</i>	Scrambling Lily
Magnoliaceae	<i>Ornamental Magnolia</i> sp.*	Magnolia Little Gem
Meliaceae	<i>Synoum glandulosum</i> subsp. <i>glandulosum</i>	Scentless Rosewood



Family	Scientific Name	Common Name
Menispermaceae	<i>Stephania japonica</i> var. <i>discolor</i>	Snake Vine
Mimosoideae	<i>Acacia melanoxylon</i>	Blackwood
Moraceae	<i>Ficus coronata</i>	Creek Sandpaper Fig
Moraceae	<i>Morus rubra</i> *	Mulberry
Myrtaceae	<i>Backhousia citriodora</i> **	Lemon Myrtle
Myrtaceae	<i>Corymbia intermedia</i>	Pink Bloodwood
Myrtaceae	<i>Corymbia torelliana</i> **	Cadaghi
Myrtaceae	<i>Eucalyptus grandis</i>	Flooded Gum
Myrtaceae	<i>Eucalyptus microcorys</i>	Tallowwood
Myrtaceae	<i>Eucalyptus pilularis</i>	Blackbutt
Myrtaceae	<i>Lophostemon confertus</i>	Brush Box
Myrtaceae	<i>Syncarpia glomulifera</i>	Turpentine
Myrtaceae	<i>Syzygium</i> sp.	Lily Pily (planted ornamental)
Myrtaceae	<i>Xanthostemon chrysanthus</i> **	Golden Penda
Ochnaceae	<i>Ochna serrulata</i> *	Mickey Mouse Plant
Oleaceae	<i>Ligustrum sinense</i> *	Small-leaved Privet
Passifloraceae	<i>Passiflora subpeltata</i> *	White Passionflower
Phormiaceae	<i>Dianella caerulea</i>	Blue Flax-lily
Phyllanthaceae	<i>Breynia oblongifolia</i>	Coffee Bush
Phyllanthaceae	<i>Glochidion ferdinandi</i> var. <i>ferdinandi</i>	Cheese Tree
Pinaceae	<i>Pinus elliotii</i> *	Slash Pine
Pittosporaceae	<i>Pittosporum undulatum</i>	Sweet Pittosporum
Plantaginaceae	<i>Plantago lanceolata</i> *	Plantain
Platanaceae	<i>Platanus × acerifolia</i> *	London Plane Tree
Poaceae	<i>Bambuseae</i> sp.*	Running Bamboo
Poaceae	<i>Briza minor</i> *	Shivery Grass
Poaceae	<i>Cynodon dactylon</i>	Couch Grass
Poaceae	<i>Imperata cylindrica</i>	Blady Grass
Poaceae	<i>Oplismenus aemulus</i>	Australian Basket Grass
Poaceae	<i>Ottochloa gracillima</i>	Slender Shade Grass
Poaceae	<i>Paspalum mandiocanum</i> *	Broad-leaf Paspalum
Poaceae	<i>Paspalum urvillei</i> *	Vasey Grass
Poaceae	<i>Setaria sphacelata</i> *	Pigeon Grass
Poaceae	<i>Stenotaphrum secundatum</i> *	Buffalo Grass
Poaceae	<i>Themeda triandra</i>	Kangaroo Grass
Poaceae	<i>Polygala paniculata</i> *	-
Primulaceae	<i>Lysimachia arvensis</i>	Scarlet Pimpernel
Proteaceae	<i>Macadamia integrifolia</i> x <i>tetraphylla</i>	Macadamia Nut hybrid
Proteaceae	<i>Ornamental Grevillea</i> sp.	Grevillea (planted ornamental)
Rhamnaceae	<i>Alphitonia excelsa</i>	Red Ash
Rosaceae	<i>Rubus molucanna</i>	Molucca Bramble
Rubiaceae	<i>Gynochthodes jasminoides</i>	Sweet Morinda
Rutaceae	<i>Citrus × limon</i> *	Lemon
Sapindaceae	<i>Acer palmata</i> *	Japanese Maple
Sapindaceae	<i>Cupaniopsis anacardioides</i>	Tuckeroo
Sapindaceae	<i>Guioa semiglauc</i>	Guioa
Smilacaceae	<i>Smilax australis</i>	Lawyer Vine
Solanaceae	<i>Solanum mauritianum</i> *	Tobacco Bush



Family	Scientific Name	Common Name
Strelitziaceae	<i>Strelitzia nicolai</i> *	Giant White Bird of Paradise
Thymelaeaceae	<i>Wikstroemia indica</i>	Bootlace Bush
Verbenaceae	<i>Lantana camara</i> **	Lantana
Vitaceae	<i>Cayratia clematidea</i>	Native Grape
Vitaceae	<i>Cissus hypoglauca</i>	Water Vine



Appendix E

Fauna Inventory

Table E.1 Fauna Inventory

Order	Scientific Name	Common Name	Observation Type
Avifauna	<i>Acridotheres tristis</i>	Common Myna	Observed and heard
	<i>Corvus orru</i>	Toresian Crow	Observed and heard
	<i>Cracticus nigrogularis</i>	Pied Butcher Bird	Observed and heard
	<i>Dacelo novaeguineae</i>	Kookaburra	Observed flying over the site
	<i>Hirundo neoxena</i>	Welcome Swallow	Observed flying over the site
	<i>Malurus cyaneus</i>	Superb Fairy-wren	Heard and observed
	<i>Manorina melanocephala</i>	Noisy Minor	Observed and heard
	<i>Pardalotus striatus</i>	Striated Pardalote	Heard
	<i>Platycercus eximius</i>	Eastern Rosella	Observed and heard
	<i>Psophodes olivaceus</i>	Eastern Whipbird	Heard
	<i>Rhipidura albiscapa</i>	Grey Fantail	Heard
	<i>Sphecotheres vieilloti</i>	Australasian Figbird	Observed and heard
	<i>Threskiornis molucca</i>	Australian White Ibis	Observed flying over the site
	<i>Trichoglossus haematodus</i>	Rainbow Lorikeet	Observed and heard
Mammalia	<i>Phascolarctos cinereus</i>	Koala	Scat
	<i>Wallabia bicolor</i>	Swamp Wallaby	Scat
	<i>Trichosurus vulpecula</i>	Common Brushtail Possum	Scat
	<i>Tachyglossus aculeatus</i>	Short-beaked Echidna	Tenant reported observation



Appendix F

Hollow-bearing Tree Data



Table F.1 Hollow-bearing Tree Data

Tree ID	Common Name	Scientific Name	Tree Height	Diameter at Breast Height (cm)	Total Hollows	Small Limb Hollow	Medium Limb Hollow	Large Limb Hollow	Small Trunk Hollow	Medium Trunk Hollow	Large Trunk Hollow	Comments	Easting	Northing
T1	Blackbutt	<i>Eucalyptus pilularis</i>	30-35	130	2	1	0	0	0	0	1	Large old growth tree	505889	6641887
T2	Turpentine	<i>Syncarpia glomulifera</i>	15-20	55	1	0	0	0	1	0	0	Scratches present on smooth bark	505888	6641880
T3	Flooded Gum	<i>Eucalyptus grandis</i>	20-25	48	3	1	0	0	1	0	1	-	505920	6641963




Appendix G

Potential for Threatened Fauna Occurrence


Table F.1 Threatened Fauna Potential Occurrence Assessment*

***Migratory/pelagic marine species identified in the search results are not assessed as no habitat occurs at the site**


Scientific name	Common name	BC Act	EPBC Act	Habitat requirement	Suitability of site habitat	Potential occurrence	Need for five-part test
Amphibians							
<i>Crinia tinnula</i>	Wallum Froglet	V	-	Acid paperbark and sedge swamps known as 'wallum', this is a banksia-dominated lowland heath ecosystem characterised by acidic waterbodies.	No suitable habitat at the site. No waterbodies occur within or proximate to the site.	Low	No
<i>Litoria aurea</i>	Green and Golden Bell Frog	E	V	Amongst vegetation in and around permanent swamps, lagoons, farm dams and on flood-prone river flats, particularly where there are bullrushes or spikerushes.	No suitable habitat at the site. No waterbodies occur within or proximate to the site.	Low	No
<i>Mixophyes balbus</i>	Stuttering Frog	E	V	Cool rainforest, moist eucalypt forest and occasionally along creeks in dry eucalypt forest. Typically at elevations between 200 and 1420m above sea level in their northern range.	No suitable habitat at the site. No waterbodies occur within or proximate to the site.	Low	No
<i>Mixophyes iteratus</i>	Giant Barred Frog	E	E	Deep, damp leaf litter in rainforests, moist eucalypt forest and near dry eucalypt forest.	No suitable habitat at the site. No waterbodies occur within or proximate to the site.	Low	No
Aves							
<i>Amauromis moluccana</i>	Pale-vented Bush-hen	V	-	Variety of coastal wetlands from wetlands, mangroves, lagoons and swamps to river margins and creeks running through rainforest.	No suitable habitat at the site.	Low	No
<i>Anthochaera phrygia</i>	Regent Honeyeater	CE	CE	Dry open forest and woodland with an abundance of nectar-producing eucalypts, particularly box-ironbark woodland, swamp mahogany forests, and riverine sheoak woodlands.	No suitable habitat at the site.	Low	No
<i>Artamus cyanopterus</i>	Dusky Woodswallow	V	-	Woodlands and dry open sclerophyll forests, usually dominated by eucalypts; also recorded in shrublands, heathlands and various modified habitats.	No suitable habitat at the site.	Low	No




Scientific name	Common name	BC Act	EPBC Act	Habitat requirement	Suitability of site habitat	Potential occurrence	Need for five-part test
<i>Atrichornis rufescens</i>	Rufous Scrub-bird	V	E	Subtropical, warm temperate, cool temperate rainforest and moist eucalypt forest with rainforest mid-storey. Moist, densely vegetated lower levels with deep leaf litter.	No suitable habitat at the site.	Low – no Bionet records detected within 10km	No
<i>Botaurus poiciloptilus</i>	Australasian Bittern	E	E	Permanent freshwater wetlands with tall dense vegetation, particularly bullrushes and spikerushes.	No suitable habitat at the site.	Low – no Bionet records detected within 10km	No
<i>Burhinus grallarius</i>	Bush Stone-curlew	E	-	Lightly timbered open forest and woodland, and partly cleared farmland with woodland remnants, preferring areas with dry leaf-litter, fallen timber and sparse ground cover.	No suitable habitat at the site.	Low	No
<i>Calyptorhynchus lathami</i>	Glossy Black-Cockatoo	V	-	Sheoaks in coastal forests and woodlands, timbered watercourses, and moist and dry eucalypt forests of the coast and the Great Divide up to 1,000 m.	Suitable foraging habitat associated with forested areas mapped as PCT 3250.	Moderate	Yes – should suitable foraging habitat (Forest Oaks) be impacted by the final subdivision design.
<i>Climacteris picumnus victoriae</i>	Brown Treecreeper	V	-	Eucalypt forests and woodlands of inland plains and slopes of the Great Dividing Range, and less commonly on coastal plains and ranges.	Marginal foraging habitat associated with PCT3250.	Low – only 1 record within 10 km radius of the site from 2004.	No – negligible impacts likely
<i>Coracina lineata</i>	Barred Cuckoo-shrike	V	-	Rainforest, eucalypt woodlands, swamp woodlands and timber along watercourses.	Marginal foraging habitat associated with the site.	Low – most recent BioNet sighting from 2008	No
<i>Cyclopsitta diophthalma coxeni</i>	Coxen's Fig-parrot	CE	E	Drier rainforests and adjacent wet eucalypt forest, wetter lowland also wetter lowland rainforests.	Suitable foraging habitat associated with forested areas.	Low – no Bionet records detected within 10km and records within the LGA are historical.	No – negligible impacts likely
<i>Daphoenositta chrysoptera</i>	Varied Sittella	V	-	Inhabits eucalypt forests and woodlands, especially rough-barked species and mature smooth-barked gums with dead branches, mallee and Acacia woodland.	Marginal foraging habitat associated with the site.	Low	No




Scientific name	Common name	BC Act	EPBC Act	Habitat requirement	Suitability of site habitat	Potential occurrence	Need for five-part test
<i>Dromaius novaehollandiae</i>	Emu population in the NSW North Coast Bioregion and Port Stephens LGA	E	-	Open forest, woodland, coastal heath, coastal dunes, wetland areas, tea tree plantations and open farmland, and occasionally in littoral rainforest.	No suitable habitat at the site.	Low	No
<i>Ephippiorhynchus asiaticus</i>	Black-necked Stork	E	-	Swamps, mangroves, mudflats, dry floodplains.	No suitable habitat at the site.	Low	No
<i>Erythroriorchis radiatus</i>	Red Goshawk	CE	V	Open woodland and forest, preferring a mosaic of vegetation types, a large population of birds as a source of food, and permanent water. Typically found in riparian habitats along or near watercourses or wetlands. In NSW, preferred habitats include mixed subtropical rainforest, Melaleuca swamp forest and riparian Eucalyptus forest of coastal rivers. Population in NSW is naturally small (probably only one pair), and lies at extreme of the natural range of the species in Australia.	Marginal foraging habitat associated with the site.	Low – no Bionet records detected within 10km	No
<i>Esacus magnirostris</i>	Beach Stone-curlew	CE	-	Tidal flats at the mouth of estuaries or on open beaches.	No suitable habitat at the site.	Low	No
<i>Falco hypoleucos</i>	Grey Falcon	E	V	The Grey Falcon is sparsely distributed in NSW, chiefly throughout the Murray-Darling Basin, with the occasional vagrant east of the Great Dividing Range.	Marginal foraging habitat associated with the site.	Low – no Bionet records detected within 10km	No
<i>Glossopsitta pusilla</i>	Little Lorikeet	V	-	Forages in open Eucalyptus forest and woodland; also feeds on Angophora, Melaleuca and other tree species. Riparian habitats are particularly used, due to higher soil fertility and hence greater productivity.	Suitable foraging habitat at the site. Hollow-bearing trees (Breeding habitat occurs at the site).	Moderate	Yes – should suitable foraging habitat or HBTs be impacted by the final subdivision design. One HBT may require removal for APZ associated with the proposed lot.




Scientific name	Common name	BC Act	EPBC Act	Habitat requirement	Suitability of site habitat	Potential occurrence	Need for five-part test
<i>Grantiella picta</i>	Painted Honeyeater	V	V	Boree, Brigalow and Box-Gum Woodlands and Box-Ironbark Forests. Specialist feeder on the fruits of mistletoes growing on woodland eucalypts and acacias. Prefers mistletoes of the genus <i>Amyema</i> .	No suitable habitat at the site.	Low – no Bionet records detected within 10km	No
<i>Haematopus fuliginosus</i>	Sooty Oystercatcher	V	-	Intertidal rocky and coral reefs, mostly ocean shores.	No suitable habitat at the site.	Low	No
<i>Haematopus longirostris</i>	Pied Oystercatcher	E	-	Open beaches, intertidal flats, sandbanks and occasionally rocky headlands.	No suitable habitat at the site.	Low	No
<i>Haliaeetus leucogaster</i>	White-bellied Sea-eagle	V	-	Coastal habitats and around terrestrial wetlands characterised by the presence of large areas of open water (larger rivers, swamps, lakes, ocean). Habitats may include freshwater swamps, lakes, reservoirs, billabongs, saltmarsh and sewage ponds in addition to bays and inlets, beaches, reefs, lagoons, estuaries and mangroves.	No suitable habitat at the site.	Low	No
<i>Hieraaetus morphnoides</i>	Little Eagle	V	-	Open eucalypt forest, woodland or open woodland. Sheoak or acacia woodlands and riparian woodlands of interior NSW are also used.	No suitable foraging habitat at the site. No nests occur at the site.	Low	No
<i>Irediparra gallinacea</i>	Comb-crested Jacana	V	-	Among vegetation floating on slow-moving rivers and permanent lagoons, swamps, lakes and dams.	No suitable habitat at the site.	Low	No
<i>Ixobrychus flavicollis</i>	Black Bittern	V	-	Dense vegetation fringing and in streams, swamps, tidal creeks and mudflats, particularly amongst swamp sheoaks and mangroves.	No suitable habitat at the site.	Low	No
<i>Lathamus discolor</i>	Swift Parrot	E	CE	On mainland Australia foraging occurs where eucalypts are flowering profusely or where abundant lerp infestations occur. Favoured feed trees include winter flowering species such as Swamp Mahogany <i>Eucalyptus robusta</i> , Spotted Gum <i>Corymbia maculata</i> , Red Bloodwood <i>C. gummifera</i> , Forest Red Gum <i>E. tereticornis</i> , Mugga Ironbark <i>E.</i>	Suitable foraging habitat (the lerp infestation host tree Blackbutt) occurs at the site.	Moderate	Yes - should suitable foraging habitat be affected by the final subdivision.




Scientific name	Common name	BC Act	EPBC Act	Habitat requirement	Suitability of site habitat	Potential occurrence	Need for five-part test
				sideroxylon, and White Box E. albens. Commonly used lerp infested trees include Inland Grey Box E. microcarpa, Grey Box E. moluccana, Blackbutt E. pilularis and Yellow Box E. melliodora.			
<i>Lophoictinia isura</i>	Square-tailed Kite	V	-	Dry woodland and open forest, particularly along major rivers and belts of trees in urban or semi-urban areas. Home ranges can extend over at least 100 km2.	No suitable habitat at the site.	Low	No
<i>Ninox connivens</i>	Barking Owl	V	-	Eucalypt woodland, open forest, swamp woodlands and timber along watercourses.	Marginal foraging habitat associated with PCT3250.	Low – only 1 record within 10 km radius of the site from 2007.	No
<i>Ninox strenua</i>	Powerful Owl	V	-	Woodland and open forest to tall moist forest and rainforest. Requires large tracts of forest or woodland habitat but may also occur in fragmented landscapes.	No suitable nesting habitat on the site. Suitable foraging habitat present associated with PCT 3250.	Moderate	Yes – should suitable foraging habitat be impacted by the final subdivision design.
<i>Onychoprion fuscata</i>	Sooty Tern	V	-	Breeds in large colonies in sand or coral scrapes on offshore islands and cays including Lord Howe and Norfolk Islands.	No suitable habitat at the site.	Low	No
<i>Pandion cristatus</i>	Eastern Osprey	V	-	Littoral and coastal habitats and terrestrial wetlands of tropical and temperate Australia and offshore islands. Typically occur in coastal areas but occasionally travel inland along major rivers. Wetland habitats include inshore waters, reefs, bays, coastal cliffs, beaches, estuaries, mangrove swamps, broad rivers, reservoirs and large lakes and waterholes.	No suitable habitat at the site.	Low	No
<i>Petroica boodang</i>	Scarlet Robin	V	-	Dry eucalypt forests and woodlands with an open and grassy understorey with few scattered shrubs. Both mature and regrowth vegetation are utilised; habitat usually contains abundant logs and fallen timber.	No suitable habitat at the site.	Low	No




Scientific name	Common name	BC Act	EPBC Act	Habitat requirement	Suitability of site habitat	Potential occurrence	Need for five-part test
<i>Ptilinopus magnificus</i>	Wompoo Fruit-dove	V	-	Rainforests, low-elevation moist eucalypt forest, and Brush Box forests.	Marginal foraging habitat at the site.	Moderate	Yes - should suitable foraging habitat be affected by the final subdivision.
<i>Ptilinopus regina</i>	Rose-crowned Fruit-dove	V	-	Subtropical and dry rainforest, moist eucalypt forest and swamp forest.	Marginal foraging habitat at the site.	Moderate	Yes - should suitable foraging habitat be affected by the final subdivision.
<i>Rostratula australis</i>	Australian Painted Snipe	E	E	Well-vegetated shallows and margins of wetlands, dams, sewage ponds, wet pastures, marshy areas, irrigation systems, lignum, tea-tree scrub, and open timber.	No suitable habitat at the site.	Low – no Bionet records detected within 10km	No
<i>Stagonopleura guttata</i>	Diamond Firetail	V	-	Grassy eucalypt woodlands, open forest, mallee, temperate grassland, and secondary grassland derived from other communities, riparian areas, and sometimes in lightly wooded farmland.	Marginal habitat occurs at the site.	Low – only 1 record of this species in the locality within the last 10 years.	No
<i>Sternula albifrons</i>	Little Tern	E	-	Coastal waters, bays, shallow inlets, salt or brackish lakes.	No suitable habitat at the site.	Low – no Bionet records detected within 10km	No
<i>Sternula nereis nereis</i>	Australian Fairy Tern	-	V	Nests on sheltered sandy beaches, spits and banks above the high tide line and below vegetation. Feeds in Coastal waters.	No suitable habitat at the site.	Low – no Bionet records detected within 10km	No
<i>Turnix melanogaster</i>	Black-breasted Button-quail	CE	V	Drier rainforests and vine scrubs, often in association with Hoop Pine and a deep moist leaf litter layer. During drought it may move to adjacent wetter rainforests.	No suitable habitat at the site.	Low – no Bionet records detected within 10km	No
<i>Tyto longimembris</i>	Eastern Grass Owl	V	-	Areas of tall grass, including tussocks in swampy areas, grassy plains, swampy heath, cane grass, sedges on flood plains.	No suitable habitat at the site.	Low	No
<i>Tyto novaehollandiae</i>	Masked Owl	V	-	Dry eucalypt forest and woodlands.	No suitable habitat at the site.	Low	No




Scientific name	Common name	BC Act	EPBC Act	Habitat requirement	Suitability of site habitat	Potential occurrence	Need for five-part test
<i>Tyto tenebricosa</i>	Sooty Owl	V	-	Dry, subtropical and warm temperate rainforests and wet eucalypt forests. Nest in large tree hollows.	No suitable nesting habitat on the site. Suitable foraging habitat present associated with PCT 3250.	Moderate	Yes – should suitable foraging habitat be impacted by the final subdivision design.
Mammals							
<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat	V	V	Near cave entrances and crevices in cliffs.	No caves/ cliffs near the site.	Low – no Bionet records detected within 10km	No
<i>Dasyurus maculatus</i>	Spotted-tailed Quoll	V	E	Dry and moist eucalypt forests and rainforests, fallen hollow logs, large rocky outcrops.	Small areas of marginal foraging and dispersal habitat associated with the site.	Low	Yes - should PCT 3250 be impacted by the final subdivision design.
<i>Macropus parma</i>	Parma Wallaby	V	-	Moist eucalypt forest with thick shrubby understorey, often with nearby grassy areas and rainforest margins.	Small areas of marginal foraging and dispersal habitat associated with the site.	Low – no Bionet records detected within 10km	No
<i>Micronomus norfolkensis</i>	Eastern Coastal Free-tailed Bat	V	-	Occur in dry sclerophyll forest, woodland, swamp forests and mangrove forests east of the Great Dividing Range. Roosts in tree hollows.	Marginal suitable aerial foraging habitat associated with PCT3250. Potential roosting habitat within tree hollows.	Moderate	Yes – should suitable foraging habitat or HBTs be impacted by the final subdivision design. One HBT may require removal for APZ associated with the proposed lot.
<i>Miniopterus australis</i>	Little Bent-winged Bat	V	-	Moist eucalypt forest, rainforest and dense coastal scrub.	Potential aerial foraging habitat associated PCT 3250 and potential roosting habitat within HBTs.	Moderate	Yes – should suitable foraging habitat or HBTs be impacted by the final subdivision design. One HBT may require removal for APZ associated with the proposed lot.




Scientific name	Common name	BC Act	EPBC Act	Habitat requirement	Suitability of site habitat	Potential occurrence	Need for five-part test
<i>Miniopterus orianae oceanensis</i>	Large Bent-winged Bat	V	-	Forest or woodland, roost in caves, old mines and stormwater channels.	Potential aerial foraging habitat associated with the site.	Moderate	Yes – should suitable foraging habitat or HBTs be impacted by the final subdivision design. One HBT may require removal for APZ associated with the proposed lot.
<i>Myotis macropus</i>	Southern Myotis	V	-	Bodies of water, rainforest streams, large lakes, reservoirs.	Suitable roosting habitat within tree hollows no foraging habitat occurs at the site however a large farm dam occurs 100 m north of the site which is consistent with foraging habitat for this species.	Moderate	Yes – should HBTs be impacted by the final subdivision design. One HBT may require removal for APZ associated with the proposed lot.
<i>Nyctophilus bifax</i>	Eastern Long-eared Bat	V	-	Lowland subtropical rainforest and wet and swamp eucalypt forest, extending to adjacent moist eucalypt forest.	Suitable aerial foraging habitat associated with PCT 3250 and potential roost habitat within HBTs.	Moderate	Yes – should HBTs be impacted by the final subdivision design. One HBT may require removal for APZ associated with the proposed lot.
<i>Petauroides volans</i>	Greater Glider	-	E	Ranges and coastal plains of eastern Australia, where it inhabits a variety of eucalypt forests and woodlands.	Suitable foraging and denning habitat occurs however forest vegetation at the site is relatively isolated from larger tracts of good quality vegetation.	Low to Moderate	No
<i>Petaurus australis australis</i>	Yellow-bellied Glider	V	V	Tall mature eucalypt forest generally in areas with high rainfall and nutrient rich soils. Dens in tree hollows of large trees, often in family groups. Forest type preferences vary with latitude and elevation; mixed coastal forests to dry escarpment forests in the north; moist coastal gullies and creek flats to tall montane forests in the south.	The site is relatively disturbed and fragmented relative to better quality habitat more broadly. Marginal foraging or denning habitat at the site.	Low	No



Scientific name	Common name	BC Act	EPBC Act	Habitat requirement	Suitability of site habitat	Potential occurrence	Need for five-part test
<i>Petaurus norfolcensis</i>	Squirrel Glider	V	-	Blackbutt, bloodwood and ironbark eucalypt forest with heath understorey in coastal areas, and box-ironbark woodlands and River Red Gum forest inland.	Suitable foraging and denning habitat at the site.	Moderate	Yes – should suitable foraging habitat or HBTs be impacted by the final subdivision design. One HBT may require removal for APZ associated with the proposed lot.
<i>Petrogale penicillata</i>	Brush-tailed Rock Wallaby	E	V	North-facing cliffs and dry eucalypt forest and woodland, inhabiting rock crevices, caves, overhangs during the day, and foraging in grassy areas nearby at night.	No suitable habitat at the site.	Low – no Bionet records detected within 10km	No
<i>Phascogale tapoatafa</i>	Brush-tailed Phascogale	V	-	Drier forests and woodlands with hollow-bearing trees and sparse ground cover. Also inhabit heath, swamps, rainforest and wet sclerophyll forest.	Suitable foraging and denning habitat occurs at the site associated with PCT 3250.	Moderate	Yes – should suitable foraging habitat or HBTs be impacted by the final subdivision design. One HBT may require removal for APZ associated with the proposed lot.
<i>Phascolarctos cinereus</i>	Koala	V	E	Appropriate food trees in forests and woodlands, and treed urban areas.	Suitable feed trees at the site. Vegetation at the site likely to provide opportunistic foraging and movement habitat for the local Koala population.	Known – faecal pellets detected during site survey.	Yes – should native vegetation associated with PCT 3250 be impacted by the final subdivision design.
<i>Planigale maculata</i>	Common Planigale	V	-	Rainforest, eucalypt forest, heathland, marshland, grassland and rocky areas with surface cover close to water.	No suitable habitat at the site.	Low	No
<i>Potorous tridactylus</i>	Long-nosed Potoroo	V	V	Cool temperate rainforest, moist and dry forests, and wet heathland, inhabiting dense layers of grass, ferns, vines and shrubs.	The site is relatively disturbed and fragmented relative to better quality habitat more broadly. Marginal foraging or denning habitat at the site.	Low – only 1 record within 10 km radius of the site from 2004.	No



Scientific name	Common name	BC Act	EPBC Act	Habitat requirement	Suitability of site habitat	Potential occurrence	Need for five-part test
<i>Pseudomys novaehollandiae</i>	New Holland Mouse	-	V	Occurs in open heathlands, open woodlands with a heathland understorey, and vegetated sand dunes.	No suitable habitat at the site.	Low	No
<i>Pseudomys oralis</i>	Hastings River Mouse	E	E	Dry open forests with dense, low groundcover with diverse mix of ferns, grass, sedges and herbs.	No suitable habitat at the site.	Low – no Bionet records detected within 10km	No
<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	V	V	Subtropical and temperate rainforests, tall sclerophyll forests and woodlands, heaths and swamps as well as urban gardens and cultivated fruit crops.	Suitable foraging habitat present. No roost habitat occurs at the site.	High	Yes – should native vegetation associated with PCT 3250 be impacted by the final subdivision design.
<i>Scoteanax rueppellii</i>	Greater Broad-nosed Bat	V	-	Woodland through to moist and dry eucalypt forest and rainforest, though it is most commonly found in tall wet forest.	Suitable roosting habitat within tree hollows and aerial foraging habitat present.	Moderate	Yes – should native vegetation associated with PCT 3250 be impacted by the final subdivision design.
<i>Syconycteris australis</i>	Common Blossom-bat	V	-	Feeds in heathland and paperbark swamps; roosts in littoral rainforest. Also recorded in subtropical rainforest, wet sclerophyll forest and other coastal forests.	No suitable habitat at the site.	Low	No
Reptiles							
<i>Coeranoscincus reticulatus</i>	Three-toed Snake-tooth Skink	V	E	Rainforest and occasionally moist eucalypt forest, on loamy or sandy soils.	Poor quality habitat at the site.	Low – no Bionet records detected within 10km	No
<i>Hoplocephalus stephensii</i>	Stephens' Banded Snake	V	-	Rainforest and eucalypt forests and rocky areas up to 950 m.	Poor quality habitat at the site.	Low	No
Insects							
<i>Argynnis hyperbius</i>	Australian Fritillary	E	CE	Open swampy coastal habitat where the caterpillar's food plant, Arrowhead Violet (<i>Viola betonicifolia</i>) occurs.	No suitable habitat at the site. Arrowhead Violet was not detected at the site.	Low – no Bionet records detected within 10km	No
<i>Ocybadistes knightorum</i>	Black Grass-dart Butterfly	E	-	Confined to coastal stands of Swamp Oak and Paperbark where Floyd's Grass grows edging the upper tidal areas of mangroves.	No suitable habitat at the site. Floyds Grass was not detected at the site.	Low	No



Scientific name	Common name	BC Act	EPBC Act	Habitat requirement	Suitability of site habitat	Potential occurrence	Need for five-part test
<i>Petalura litorea</i>	Coastal Petaltail	E	-	Permanent wetlands, swamps and bogs with some free water and open vegetation. Restricted to coastal and near coastal lowlands between Coffs Harbour and Ballina.	No suitable habitat at the site.	Low	No
<i>Phyllodes imperialis</i> (southern subspecies)	Pink Underwing Moth	E	E	Undisturbed subtropical rainforest below 600 m. Breeding habitat is restricted to areas where the caterpillar's food plant, a native rainforest vine, <i>Carronia multiseppalea</i> , grows in a collapsed shrub-like form.	No suitable habitat at the site. <i>C. multiseppalea</i> was not detected at the site.	Low – no Bionet records detected within 10km	No

Appendix 5 - ACH Site Officer Inspection Report

From: [Darren Skinner](#)
To: [Keiley Hunter](#); [Chris Spencer](#)
Cc: [Natasha Laurie](#); [Paul Phinn](#)
Subject: RE: Site Inspection - 39 Strouds Road Bonville
Date: Friday, 22 March 2024 11:47:03 AM
Attachments: [Image011.png](#)

Hi Keily

My apologies for delay with Site Inspection report.

Senior site officer, Mr Ian Brown has done our site inspection for CHDLALC, No evidence of Aboriginal Cultural Material on the site proposed. Any more information needed please reach out with call or email.

Kind regards Darren

Yarri Yarrang



From: Keiley Hunter <Keiley@keileyhunter.com.au>
Sent: Monday, March 18, 2024 9:00 AM
To: Darren Skinner <programs@coffsharbourlalc.com.au>; Chris Spencer <ceo@coffsharbourlalc.com.au>
Cc: Natasha Laurie <ea@coffsharbourlalc.com.au>; Paul Phinn <paul@Balancedc.com.au>
Subject: RE: Site Inspection - 39 Strouds Road Bonville

Hi Matthew and Chris

Could you please email me a brief note just to say everything was OK with the site inspection please.

Thanks

Keiley

Regards,



URBAN PLANNER BURP CPP | 0458 515963 | [115 Victoria Street Coffs Harbour 2450](#)



Please consider the environment before printing this email

This office will be closed every Wednesday.

From: Keiley Hunter
Sent: Monday, August 21, 2023 1:42 PM
To: Matthew Smith <programs@coffsharbourlalc.com.au>; Chris Spencer

<ceo@coffsharbourlalc.com.au>

Cc: Natasha Laurie <ea@coffsharbourlalc.com.au>; Paul Phinn <paul@Balancedc.com.au>

Subject: RE: Site Inspection - 39 Strouds Road Bonville

Hi Darren

Further to phone call today, could you please chase up the written report following the site inspection at 39 Strouds Road Bonville,

Thanks,
Keiley

Regards,



URBAN PLANNER BURP CPP | 0458 515963 | [115 Victoria Street Coffs Harbour 2450](#)

Please consider the environment before printing this email

Council requires owners consent forms to be uploaded to the NSW Planning Portal for all Development Applications from 1 January 2023.

This office will be closed every Wednesday.

From: Matthew Smith <programs@coffsharbourlalc.com.au>

Sent: Wednesday, January 18, 2023 7:20 PM

To: Keiley Hunter <Keiley@keileyhunter.com.au>; Chris Spencer <ceo@coffsharbourlalc.com.au>

Cc: Natasha Laurie <ea@coffsharbourlalc.com.au>; Paul Phinn <paul@Balancedc.com.au>

Subject: RE: Site Inspection - 39 Strouds Road Bonville

Hi Keiley,

Uncle Ian Brown and Rhys Brown will be there tomorrow (Thursday) at 8am.

Kind Regards,

Yarri Yarrang



Coffs Harbour and District
Local Aboriginal Land Council
PO Box 6150 Coffs Harbour NSW 2450
02 6652 8740

**Coffs Harbour
& District LALC**

Matthew Smith
Programs Coordinator
programs@coffsharbourlalc.com.au
m 0499 101 096

Gumbaynggirr — Ngayala Junga ngartaanga Girrawaanti bilin gungamulan waa nganti gunggal-wanggan-wil.
I acknowledge the traditional custodians of country throughout Australia and their continued connections to land,
water and community.

I pay my respects to Elders past and present of the Gumbaynggirr nation where I live and work.

From: Keiley Hunter <Keiley@keileyhunter.com.au>

Sent: Wednesday, January 18, 2023 12:08 PM

To: Matthew Smith <programs@coffsharbourlalc.com.au>; Chris Spencer

<ceo@coffsharbourlalc.com.au>

Cc: Natasha Laurie <ea@coffsharbourlalc.com.au>; Paul Phinn <paul@Balancedc.com.au>
Subject: RE: Site Inspection - 39 Strouds Road Bonville

Thanks Matthew

Could we make the inspection as early as possible tomorrow morning please ?

Cheers

Keiley

Regards,



URBAN PLANNER BURP CPP | 0458 515963 | [115 Victoria Street Coffs Harbour 2450](#)

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Note: Council requires owners consent forms to be uploaded to the NSW Planning Portal for all Development Applications from 1 January 2023.

From: Matthew Smith <programs@coffsharbourlalc.com.au>

Sent: Tuesday, 17 January 2023 6:08 PM

To: Keiley Hunter <Keiley@keileyhunter.com.au>; Chris Spencer <ceo@coffsharbourlalc.com.au>

Cc: Natasha Laurie <ea@coffsharbourlalc.com.au>; Paul Phinn <paul@Balancedc.com.au>

Subject: RE: Site Inspection - 39 Strouds Road Bonville

Hi Keiley,

Would anytime Thursday or Friday suit for a site inspection?

Our nominated Cultural Site Officers are:

Uncle Ian Brown. – Senior Cultural Site Officer

Aunty Luana Ferguson. Cultural Site Officer.

Kind Regards,

Yarri Yarrang



Coffs Harbour and District
Local Aboriginal Land Council
PO Box 6150 Coffs Harbour NSW 2450
02 6652 8740

**Coffs Harbour
& District LALC**

Matthew Smith
Programs Coordinator
programs@coffsharbourlalc.com.au
m 0499 101 096

Gumbaynggirr — Ngilyala Junga-ggari-aanga Gurrwanbi-bin-gunggalam-wajarrgundi-gilinggal-wanggaan-wil.
I acknowledge the traditional custodians of country throughout Australia and their continued connections to land,
water and community.
I pay my respects to Elders past and present of the Gumbaynggirr nation where I live and work.

From: Keiley Hunter <Keiley@keileyhunter.com.au>

Sent: Wednesday, January 11, 2023 9:24 AM

To: Chris Spencer <ceo@coffsharbourlalc.com.au>

Cc: Matthew Smith <programs@coffsharbourlalc.com.au>; Natasha Laurie <ea@coffsharbourlalc.com.au>; Paul Phinn <paul@Balancedc.com.au>
Subject: RE: Site Inspection - 39 Strouds Road Bonville

Thanks Chris – Could you please let me know a date and time and I will arrange for the land owner to be onsite.

Cheers,
Keiley

Regards,



URBAN PLANNER BURP CPP | 0458 515963 | [115 Victoria Street Coffs Harbour 2450](https://www.115victoriastreetcoffsharbour2450.com.au)

 Please consider the environment before printing this email

Note: Council requires owners consent forms to be uploaded to the NSW Planning Portal for all Development Applications from 1 January 2023.

From: Chris Spencer <ceo@coffsharbourlalc.com.au>
Sent: Wednesday, 11 January 2023 9:22 AM
To: Keiley Hunter <Keiley@keileyhunter.com.au>
Cc: Matthew Smith <programs@coffsharbourlalc.com.au>; Natasha Laurie <ea@coffsharbourlalc.com.au>
Subject: RE: Site Inspection - 39 Strouds Road Bonville
Importance: High

Good morning Keiley,

Thank you for your email request regarding site inspection of 39 Strouds Rd Bonville.

Coffs Harbour and District Local Aboriginal Land Council is able to complete this request for you, however staff are unavailable until the week of 23 January 2023.

Matthew Smith is on leave until next week and he will be back in touch to confirm time and day.

Hope you had a relaxing festive season and CHDLALC looks forward to working with you in 2023.

Kind regards



Coffs Harbour and District
Local Aboriginal Land Council
PO Box 6150 Coffs Harbour NSW 2450
02 6652 8740

**Coffs Harbour
& District LALC**

Chris Spencer

Chief Executive Officer

ceo@coffsharbourlalc.com.au

m 0408 264 887

Gumbaynggirr — Ngiyaala junga-ngarraanga Girrwaanbi-biin gungangulam wajaarrgundi gilinggal-wanggaan-wiil.

I acknowledge the traditional custodians of country throughout Australia and their continued connections to land, water and community.

I pay my respects to Elders past and present of the Gumbaynggirr nation where I live and work.

From: Keiley Hunter <Keiley@keileyhunter.com.au>

Sent: Monday, 9 January 2023 9:05 AM

To: Chris Spencer <ceo@coffsharbourlalc.com.au>; Chris Spencer <ceo@coffsharbourlalc.com.au>

Subject: Site Inspection - 39 Strouds Road Bonville

Hi Chris ,

Could I please arrange a site inspection at 39 Strouds Road to support a Development Application for a subdivision of one lot into two lots. There is an already cleared area nominated for a building envelope.

Council's meetings notes indicate that an inspection will be required.

If you feel that an inspection is not required, could you please let me know.

Thanks,

Keiley

Regards,

 **Keiley Hunter**
TOWN PLANNING

URBAN PLANNER BURP CPP | 0458 515963 | [115 Victoria Street Coffs Harbour 2450](https://www.115victoriastreet.com.au)



Please consider the environment before printing this email


Note: Council requires owners consent forms to be uploaded to the NSW Planning Portal for all Development Applications from 1 January 2023.



**Holiday Coast
Bushfire Solutions**

Steve Ellis
Bushfire Risk Assessor
Mobile: 0419 245 725
E-mail: steve@bushfiresolutions.com.au

BUSHFIRE STRATEGIC STUDY

REPORT PREPARED IN RELATION TO:	PLANNING PROPOSAL AND RURAL SUBDIVISION
PROPERTY DESCRIPTION:	LOT 1 IN DP 416381, 39 STROUDS ROAD, BONVILLE, 2450.
REPORT COMMISSIONED BY: (my Client)	Mr P and Mrs J Phinn
	 DATE ISSUED: 6/06/2022

VERSION	REVISION
1	Original

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IMPORTANT NOTICE

Site inspections, and the results found herein, are carried out in accordance with the methodology as set out in the documents Planning for Bushfire Protection 2019.

The results of the site inspections and their correlation with PBP are based on information provided by the "Reference Documents" and information provided by the Client (or his/her agents).

HCBS Pty Ltd will not be held liable for the omission to provide, or restrict access to, critical information (such as restrictions on property Title, easements, relevant consultant reports, etc) relevant to this development proposal.

The author of this Report, S. Ellis, possesses qualifications which include Graduate Diploma in Design for Bushfire Prone Areas (UWS) and Certificate 2 & 3 in Firefighting Operations and Certificate 4 in Firefighting Supervision.

This Report is not an application for a Bushfire Safety Authority, but rather forms part of such application. It is the proponent's responsibility to provide the Consent Authority with an assessment of the matters set out in Clause 45 of the Rural Fires Regulation 2022. It is the Consent Authority's responsibility to provide the application for a Bushfire Safety Authority to the NSW Rural Fire Service, in its entirety.

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GLOSSARY

Acceptable solution	Measures which have been deemed to meet the specified performance criteria.
Assembly point	An area or building/structure that is used to assemble people for evacuation or that have evacuated from a site in an emergency situation.
Asset protection zone (APZ)	A fuel-reduced area surrounding a built asset or structure which provides a buffer zone between a bushfire hazard and an asset. The APZ includes a defendable space within which firefighting operations can be carried out. The size of the required asset protection zone varies with slope, vegetation and Fire Danger Index (FDI).
Australian Standard AS 3959 (AS 3959)	AS 3959:2009 <i>Construction of buildings in bushfire-prone areas</i> , Standards Australia, 2009.
BAL certificate	A certificate issued to identify the bushfire attack level (BAL) of a proposed development in the Complying Development process under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
BFCC	Bush Fire Coordinating Committee
BFMC	Bush Fire Management Committee
Bushfire assessment report	A report submitted with the development application (DA) which establishes compliance with PBP. The report determines the extent of bushfire attack and the proposed mitigation measures. Appendix 1 sets out the information requirements for a bushfire assessment. See also clause 45 of the <i>Rural Fires Regulation 2022</i> .
Bushfire attack level (BAL)	A means of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact. In the Building Code of Australia, the BAL is used as the basis for establishing the requirements for construction to improve protection of building elements.
Bushfire	An unplanned fire burning in vegetation; also referred to as wildfire.
Bushfire attack	Attack by burning embers, radiant heat or flame generated by a bushfire.
Bushfire hazard	Any vegetation that has the potential to threaten lives, property or the environment.
Bushfire prone land (BPL)	An area of land that can support a bushfire or is likely to be subject to bushfire attack, as designated on a bushfire prone land map.
Bushfire prone land map (BPLM)	A map prepared in accordance with NSW RFS requirements and certified by the Commissioner of the NSW RFS under section 10.3(2) of the <i>Environmental Planning and Assessment Act 1979</i> .
Bushfire protection measures (BPMs)	A range of measures (controls) used to minimise the risk arising from a bushfire. BPMs include asset protection zones (APZs), construction standards, suitable access, water and utility services, emergency management and landscaping.
Bushfire risk	Is the likelihood and consequence of a bushfire igniting, spreading and causing damage to assets of value to the community. Risk may be rated as being extreme, major, moderate, minor or insignificant and is related to the vulnerability of the asset.
BRMP	Bushfire Risk Management Plan
Bushfire safety authority (BSA)	An approval by the Commissioner of the NSW RFS that is required for a subdivision for residential or rural residential purpose or for a SFPP development listed under section 100B (6) of the <i>Rural Fires Act 1997</i> .
Certifying authority	As defined in the <i>Environmental Planning and Assessment Act 1979</i> , those with authority to issue Part 6 certificates and Complying Development Certificates (CDCs).
Complying development	Complying development is a combined planning and construction approval for straightforward development that can be determined through a fast track assessment by a council or private accredited certifier.
Consent authority	As defined in the <i>Environmental Planning and Assessment Act 1979</i> , in relation to development consents, usually the local council.
Defendable space	An area adjoining an asset that is managed to reduce combustible elements and is free from constructed impediments. It is a safe working environment in which active firefighting can be undertaken to defend the structure, before and after the passage of a bushfire.
Development	As defined in the <i>Environmental Planning and Assessment Act 1979</i> .
Development application (DA)	An application for consent to carry out development such as building, subdivision, or the use of a building or land. Applications are normally made to the local council.
Development footprint	The building envelope or area shown on a plan over which any buildings and associated asset protection zones may be constructed.

Ecologically sustainable development	As defined in section 6 of the <i>Protection of the Environment Administration Act (NSW) 1991</i> .
Effective slope	The land beneath the vegetation which most significantly affects fire behaviour, having regard to the vegetation present.
Exit	A doorway opening to a road or open space, as defined in the National Construction Code (NCC).
Fire Danger Index (FDI)	The chance of a fire starting, its rate of spread, its intensity and the difficulty of its suppression, according to various combinations of air temperature, relative humidity, wind speed and both the long- and short-term drought effects. Note: FDI in PBP refers to the Forest Fire Danger Index calculated by the McArthur Mk 5 Forest Fire Danger Meter using the equations published by Noble, I.R., Bary, G.A.V., and Gill, A.M., 1980. Grassland Fire Danger Index (GFDI) values are calculated by the McArthur Mk 4 Grassland Fire Danger Meter using the equations published by Purton, C.M., 1982.
Flame zone	The distance from a bushfire at which there is deemed to be significant potential for sustained flame contact to a building. The flame zone is determined by the calculated distance at which the radiant heat from the design fire exceeds 40kW/m ² .
Grasslands	Grassed areas capable of sustaining a fire. Under Australian Standard 3959, this is identified as low open shrubland, hummock grassland, closed tussock grassland, tussock grassland, open tussock, sparse open tussock, dense sown pasture, sown pasture, open herbfield, and sparse open herb field. Grass, whether exotic or native, which is regularly maintained at or below 10cm in height (including maintained lawns, golf courses, maintained public reserves, parklands, nature strips and commercial nurseries) is regarded as managed land.
Grassland deeming provision	An acceptable solution applying to properties in grassland hazard areas which replaces the site assessment procedure in AS 3959.
Infill development	Refers to the development of land by the erection of or addition to, a building (or buildings), which is within an existing allotment and does not require the spatial extension of services. Existing services may include public roads, electricity, water or sewerage.
Inner protection area (IPA)	The component of an asset protection zone which is closest to the asset (measured from drip line). It consists of an area maintained to minimal fuel loads so that a fire path is not created between the hazard and the building.
Integrated development	As referred to under s4.46 (formerly S91) of the <i>Environmental Planning and Assessment Act 1979</i> , an integrated development is one that requires development consent and approval from one or more government agencies, and is not a state significant development (SSD) or complying development.
Isolated development	Development which is located predominantly in native bushland or is considered to be within a remote area. Access and evacuation may be challenging due to distances that are required to be travelled through bushfire prone areas.
Local Environmental Plan (LEP)	An environmental planning instrument prepared under Part 3 of the <i>Environmental Planning and Assessment Act 1979</i> . Local environmental plans guide planning decisions and the ways in which land is used through zoning and development controls.
Managed land	Land that has vegetation removed or maintained to a level that limits the spread and impact of bushfire. It may include existing developed land (residential, commercial or industrial), roads, golf course fairways, playgrounds, sports fields, vineyards, orchards, cultivated ornamental gardens and commercial nurseries. Most common will be gardens and lawns within curtilage of buildings. These areas will be managed to meet the requirements of an asset protection zone.
National Construction Code (NCC)	The National Construction Code, published by the Australian Building Codes Board, comprising the Building Code of Australia as Volumes One and Two, and the Plumbing Code of Australia as Volume Three.
Outer protection area (OPA)	The outer component of an asset protection zone, where fuel loads are maintained at a level where the intensity of an approaching bushfire would be significantly reduced. Applies to forest vegetation only.
Performance-based solution	A method of complying with the Performance Criteria other than by an acceptable solution.
Primitive camping	A predetermined site which is part of a commercially operated venture where there may already be a site for a tent and a fire pit.

Setback	The distance required through planning provisions to separate a building from the bushfire hazard, street frontage or from adjacent buildings or property boundary.
Short fire run	A fire run which has a single point of ignition and a short distance to travel, where the calculated resultant head width is less than 100 metres.
Special fire protection purpose (SFPP) developments	Developments where the vulnerable nature of the occupants means a lower radiant heat threshold is required in order to allow the evacuation of occupants, and emergency services to operate in support of those occupants.
State Environmental Planning Policy (SEPP)	An environmental planning instrument prepared under Part 3 of the <i>Environmental Planning and Assessment Act 1979</i> .
Subdivision	As defined in the <i>Environmental Planning and Assessment Act 1979</i> .
Tourist accommodation	A building or place that provides temporary or short-term accommodation on a commercial basis including backpackers accommodation, bed and breakfast accommodation, farm stay accommodation, hotel or motel accommodation and serviced apartments.
Vegetation classification	Vegetation type identified using the formations and classifications within <i>Ocean Shores to Desert Dunes: The Native Vegetation of New South Wales and the ACT (Keith, 2004)</i> .

1 FRAMEWORK

Below are relevant extracts of the document “Planning for Bushfire Protection 2019” (PBP-2019). Sections have been suitably modified to reflect the scope of this proposed development and its relationship with the relevant legislation.

1.1 Legal Framework

The *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Rural Fires Act 1997* (RF Act) were amended on 1 August 2002 to enhance bushfire protection in the development assessment process.

The NSW land use planning framework provides, in broad terms, two main phases: strategic planning and development assessment.

PBP-2019 provides the foundation for the application of bushfire protection during both of these phases of development. Appropriate consideration of bushfire hazards at the strategic planning phase is required by the EP&A Act s.9.1(2) (Ministerial Directions) and PBP-2019 should be considered in applying the Section 9.1 Direction.

At the development assessment phase, development on land that is identified as being bushfire prone must comply with PBP-2019. Some types of development on BPL can be undertaken as Complying Development and must also comply with PBP-2019.

A bushfire safety authority (BSA) is required from the NSW RFS for residential and rural residential subdivision and SFPP developments on BPL. An application for a BSA must address the extent to which the development complies with PBP-2019.

Building work on BPL must also comply with the requirements of the National Construction Code (NCC). The NCC contains the technical provisions for the design and construction of buildings. Under the Deemed to Satisfy provisions of the NCC, building work on BPL must comply with *Australian Standard 3959:2018 Construction of buildings in bushfire-prone areas* (AS 3959) or the *National Association of Steel Framed Housing (2014) Steel Framed Construction in Bushfire Areas* (NASH Standard). This does not apply however in Bushfire Attack Level - Flame Zone (BAL-FZ), or where modified by the specific conditions of the relevant development consent.

1.2 Bushfire Prone Land Mapping

The identification of Bushfire Prone Land in NSW is required under the EP&A Act s.10.3. BPL Maps provide the trigger for the various development assessment provisions.

The Commissioner of the NSW RFS designates what constitutes BPL and how it is to be mapped. Each council prepares a map in accordance with the guidelines and submits the map to the NSW RFS for certification by the Commissioner. These maps are required to be recertified at least every five years and the Commissioner may make direct changes to a BPL Map at any time.

Guidelines for the mapping of BPL can be found on the NSW RFS website at www.rfs.nsw.gov.au.

You can determine whether a site is mapped as being bushfire prone by referring to the BPL Map which is held by the local council, or on the NSW RFS website.

The BPL Map is a trigger for the consideration of BPL Maps for new development. It is not intended as a detailed measure of risk. The map does not form part of the site assessment process, which must be carried out in accordance with Appendix 1 of *PBP-2019*. A consent authority can refer a development application (DA) to the NSW RFS under the provisions of *EP&A Act s.4.15*, even where it is not mapped as BPL.

The subject property has been identified as BPL by the Coffs Harbour City Council's BPL map, an extract of which is provided below.



Figure 1: extract of CHCC's BPLM

1.3 Strategic planning

Strategic planning is the preparation of planning instruments and policies and includes the making of Local Environmental Plans (LEPs), Development Control Plans (DCPs), housing strategies and other planning instruments that identify proposed uses and land zonings. This also includes any associated strategic proposals and studies.

The strategic planning phase of development is particularly important in contributing to the creation of safer and sustainable communities (COAG 2011). It is an effective way of achieving bushfire protection objectives in new developments.

Strategic bushfire planning and studies are needed to avoid high risk areas, ensure that zoning is appropriate to allow for adequate emergency access, egress, and water supplies, and to ensure that future compliance with this document is achievable.

The most important objective for strategic planning is to identify whether new development is appropriate subject to the identified bushfire risk on a landscape scale. An assessment of proposed land uses and potential for development to impact on existing infrastructure is also a key element of the strategic planning process in bushfire prone areas. Land use planning policies can be introduced to limit the number of people exposed to unacceptable risk.

Planning instruments and policies can ensure bushfire management principles are given appropriate consideration at all stages of the planning and development process.

Once development has been assessed as being appropriate in its bushfire prone context, it will need to be capable of complying with *PBP-2019*. The ability of proposed land uses and associated future developments to comply with *PBP-2019* will be assessed at the strategic planning stage. The expectation will be that the development will be able to comply with *PBP-2019* at the DA stage.

1.4 Development assessment

The provisions of *PBP-2019* apply to all development on land which is bushfire prone (see section 2.2 of *PBP-2019*). *PBP-2019* may also apply where proposals are referred to the NSW RFS under other referral instruments such as *EP&A Act* s.4.15.

If a development of a type not specifically addressed in this document is proposed on BPL, the development must meet the *Aim* and *Objectives* of *PBP-2019* and the consent authority can refer the proposal to the NSW RFS for advice. The NSW RFS will advise which specific standards apply to that development. In these circumstances, the development proposal will be a performance-based solution and in more complex cases, this may be achieved collaboratively through the BDB process.

The vast majority of DAs in NSW are assessed by local councils. Councils may assess DAs for certain developments on BPL that are compliant with this document without the need to refer the proposal to the NSW RFS.

In certain cases building work may not require development consent and can proceed through the Exempt or Complying Development process if the development type is covered by a State Environmental Planning Policy (SEPP) or the relevant LEP.

For further information on development types, please contact the local council or the NSW Department of Planning, Industry and Environment (DPIE).

1.4.1 Development requiring a Bushfire Safety Authority

Proposals for subdivision and *SFPP* development on BPL require an approval from the NSW RFS in the form of a BSA under *RF Act* s.100B.

Development requiring a BSA is considered Integrated Development under *EP&A Act* s.4.46.

The BSA is critical in ensuring these key developments are designed and located in a manner that is suitable to protect human life and facilitate appropriate operational firefighting arrangements. This is a means by which the NSW RFS Commissioner fulfills their statutory obligation to ensure the protection of the community, including firefighters from the impacts of bushfire.

1.4.2 State significant development and infrastructure

In September 2011, EP&A Act pt. 3A was repealed, leading to the creation of two new major project development categories: state significant infrastructure (SSI) and state significant development (SSD).

Because of their size, complexity, importance and/or potential impact, DPIE is predominantly responsible for assessing these DAs. The Minister for Planning and Public Spaces is the consent authority for SSI and SSD applications.

Applications under the now-repealed Part 3A of the EP&A Act and state significant projects are exempt from requiring a BSA and are not required to be assessed under EP&A Act s4.14.

Given the scale of SSI and SSD projects, the requirements of this document should still be applied, and seeking advice from the NSW RFS is encouraged. Even where comments have been provided by the NSW RFS at the strategic planning stage, future DAs may benefit from further advice from the NSW RFS.

1.4.3 Streamlining development assessment

The NSW Government has provided a pathway for streamlined assessment to occur under the *Environmental Planning and Assessment Regulation 2021* (EP&A Reg) cl.272 for new lots in Urban Release Areas (URAs) that are located on BPL.

The streamlining process allows the assessment of bushfire provisions at subdivision stage within URAs and may exempt the lots from reassessment of bushfire issues when land owners are ready to develop their lots. Post-Subdivision Bushfire Attack Level Certificates may be issued assigning BALs to all individual lots within the subdivision. An applicant can rely on this Post-Subdivision BAL Certificate for Complying Development up to and including BAL-29.

The option to use Complying Development also allows for a streamlined process for developing on BPL.

1.4.4 Infill and other development

The EP&A Act s.4.14 requires that the consent authority be satisfied that the relevant specifications and requirements of this document are complied with for development on BPL. This applies to any development other than subdivision of land that could lawfully be

used for residential purposes or development for a *SFPP*. This can be achieved by the following means:

- a. the consent authority is satisfied that the development conforms to the specifications and requirements of *PBP-2019*; or
- b. the consent authority has been provided with a certificate by a person who is recognised by the NSW RFS as a qualified consultant in bushfire risk assessment stating that the development conforms to the relevant specifications and requirements; or
- c. If the consent authority is satisfied that the development does not conform to the relevant requirements of *PBP-2019*, it may still grant consent to the development but only after it has consulted with the Commissioner of the NSW RFS concerning measures to be taken with respect to the development to protect persons, property and the environment from danger that may arise from a bushfire.

1.4.5 Exempt and Complying Development

Some straightforward residential, commercial and industrial development can be undertaken as Exempt or Complying Development under various SEPPs and LEPs.

Exempt Development is minor building works that can be carried out without development approval, such as decks, garden sheds, carports and fences.

Complying Development can be undertaken on lower risk BPL up to and including BAL-29 where the appropriate construction requirements and all other relevant development standards have been met. Complying Development is not permitted on higher risk BPL (BAL-40 or BAL-FZ) and a DA is required in these circumstances.

Specified development requirements and standards apply to new development, including alterations and additions, to ensure the relevant provisions of this document are met. This allows for Complying Development on BPL, while maintaining an appropriate assessment regime for managing bushfire risk.

In certain circumstances, a BAL Certificate must be obtained from the local council or a person recognised by the NSW RFS as a suitably qualified consultant in bushfire assessment, stating that the development is not located in BAL-40 or BAL-FZ.

The development must also meet the identified development standards within the relevant SEPP or LEPs.

1.5 Construction provisions: the National Construction Code (NCC) and bushfire standards

The NCC is a performance-based code which comprises the Building Code of Australia (BCA) as Volumes 1 and 2 and the Plumbing Code of Australia as Volume 3.

The NCC contains Performance Requirements and Deemed-to-Satisfy provisions relating to the construction of buildings in bushfire prone areas. In NSW, these provisions apply to Class 1, 2 and 3 buildings, Class 4 parts of a building, Class 9 buildings that are SFPPs, and associated class 10a buildings and decks.

The construction requirements of AS 3959 and the *NASH Standard* are a Deemed-to-Satisfy solutions in the NCC, as varied in NSW, for buildings in designated bushfire prone areas.

1.6 Planning for Bushfire Protection

1.6.1 Aim and objectives

All development on BPL must satisfy the *Aim and Objectives* of PBP-2019.

The *Aim* of PBP-2019 is to provide for the protection of human life and minimise impacts on property from the threat of bushfire, while having due regard to development potential, site characteristics and protection of the environment.

The *Objectives* are to:

- afford buildings and their occupants protection from exposure to a bushfire;
- provide for a defensible space to be located around buildings;
- provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent the likely fire spread to buildings;
- ensure that appropriate operational access and egress for emergency service personnel and occupants is available;
- provide for ongoing management and maintenance of BPMs; and
- ensure that utility services are adequate to meet the needs of firefighters.

1.6.2 Bushfire protection principles

Bushfire protection can be achieved through a combination of strategies which are based on the following principles:

- control the types of development permissible in bushfire prone areas;
- minimise the impact of radiant heat and direct flame contact by separating development from bushfire hazards;
- minimise the vulnerability of buildings to ignition and fire spread from flames, radiation and embers;
- enable appropriate access and egress for the public and firefighters;
- provide adequate water supplies for bushfire suppression operations;
- focus on property preparedness, including emergency planning and property maintenance requirements; and

- facilitate the maintenance of Asset Protection Zones (APZs), fire trails, access for firefighting and on site equipment for fire suppression.

1.6.3 How to use PBP

Applications for development on BPL should include a bushfire assessment report. This report must demonstrate that the proposal satisfies the requirements of PBP-2019. All applications must meet the *Aim and Objectives of PBP-2019*.

PBP-2019 uses a performance-based approach, and identifies objectives and detailed *performance criteria* to satisfy desired outcomes and meet the *Aim and Objectives*. Ultimately, any performance-based approach must demonstrate that bushfire protection is afforded to a proposed development commensurate with the assessed level of bushfire risk and the characteristics of the occupants.

This can be achieved by either applying the identified *acceptable solutions*, or by preparing a performance-based solution.

A performance-based solution must be designed to achieve the appropriate level of protection by tailoring a package of measures which meet the intent and *performance criteria* relevant to the proposed development.

BPMs are set out in Chapter 3 of PBP-2019. *Performance criteria* and *acceptable solutions* are shown for each specified development type in Chapters 5 - 8.

1.6.3.1 Bushfire protection measures

BPM's are the relevant specifications and requirements that need to be satisfied to improve life safety, property protection and community resilience to bushfire attack.

They include:

- APZs;
- Access;
- Construction, siting and design;
- Landscaping;
- Services; and
- Emergency and evacuation planning.

1.6.3.2 Intent

For each BPM, a broad intent is outlined. The ensuing *performance criteria* and *acceptable solutions* are designed to ensure that the general intent for each BPM is met.

1.6.3.3 *Performance criteria*

Performance criteria are the outcomes that need to be achieved to satisfy the intent. The *performance criteria* can be satisfied in one of the following ways:

- *acceptable solutions*; or
- performance-based solution; or
- the combination of the above.

1.6.3.4 *Acceptable solutions*

Chapters 5 - 8 identify *acceptable solutions* which are considered by the NSW RFS as meeting the *performance criteria*.

1.6.3.5 *Performance based solutions*

Performance-based solutions allow flexibility and innovation in responding to site-specific opportunities and constraints while still meeting the identified *performance criteria*. They also allow the consideration of a broad range of issues and information, including bushfire risk, community expectations, environmental protection and the application of new science, processes and technologies.

Performance-based solutions must provide substantiated evidence and clearly demonstrate how the specific *objectives* and *performance criteria* are to be satisfied.

When performance-based solutions are proposed, they will be assessed on their merits and individual circumstances. In these circumstances, a Bushfire Design Brief (BDB) process can be undertaken which would involve early agreement on the key elements and acceptance criteria from all stakeholders including the NSW RFS.

Performance-based solutions may be undertaken for any of the BPMs detailed in Chapter 3 and supported in accordance with the submission requirements in Appendix 2 of PBP-2019.

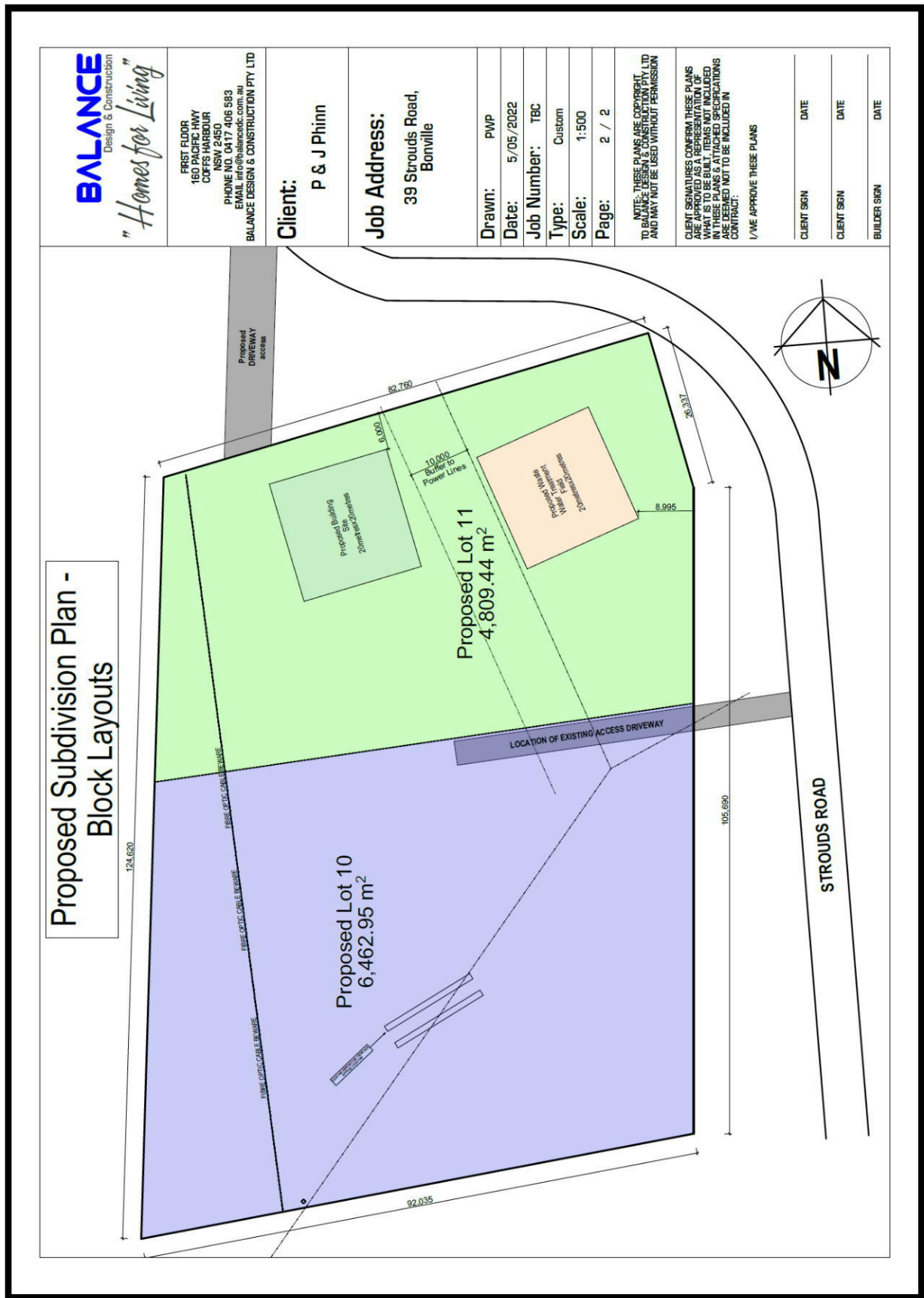


Figure 2: proposed subdivision plan (Balance Design & Construction, 5/5/2022)

2 BUSHFIRE STRATEGIC STUDY

2.1 Bushfire Landscape Assessment

A bush fire landscape assessment considers the likelihood of a bush fire, its potential severity and intensity and the potential impact on life and property in the context of the broader surrounding landscape.

Some of the information provided below has been extracted from the Mid North Coast Bushfire Risk Management Plan (MNC BRMP). The aim of the MNC BRMP is to minimise the risk of adverse impact of bushfires on life, property and the environment. The objectives of the MNC BRMP are to:

- reduce the number of human-induced bush fire ignitions that cause damage to life, property and the environment;
- manage fuel to reduce the rate of spread and intensity of bush fires, while minimising environmental/ecological impacts;
- reduce the community's vulnerability to bush fires by improving its preparedness; and
- effectively contain fires with a potential to cause damage to life, property and the environment.

Chapter 4 of the MNC BRMP states that the Plan must be reviewed and updated within each successive five-year period from the constitution of the Bush Fire Management Committee. The BFMC will also review this plan as necessary to account for any changes in context or risk. This may be triggered by a range of circumstances, including but not limited to:

- changes to the BFMC area, organisational responsibilities or legislation;
- changes to the bushfire risk in the area; or
- following a major wildfire event.

The current Plan was signed by the Chairperson of the BFMC on 2/8/2017, and then 'signed off' by the Bush Fire Coordinating Committee on 23/5/2018, meaning that the BRMP is current at the time of preparing this Study.

2.1.1 The bush fire hazard in the surrounding area, including: Vegetation; Topography; Weather

2.1.1.1 Vegetation

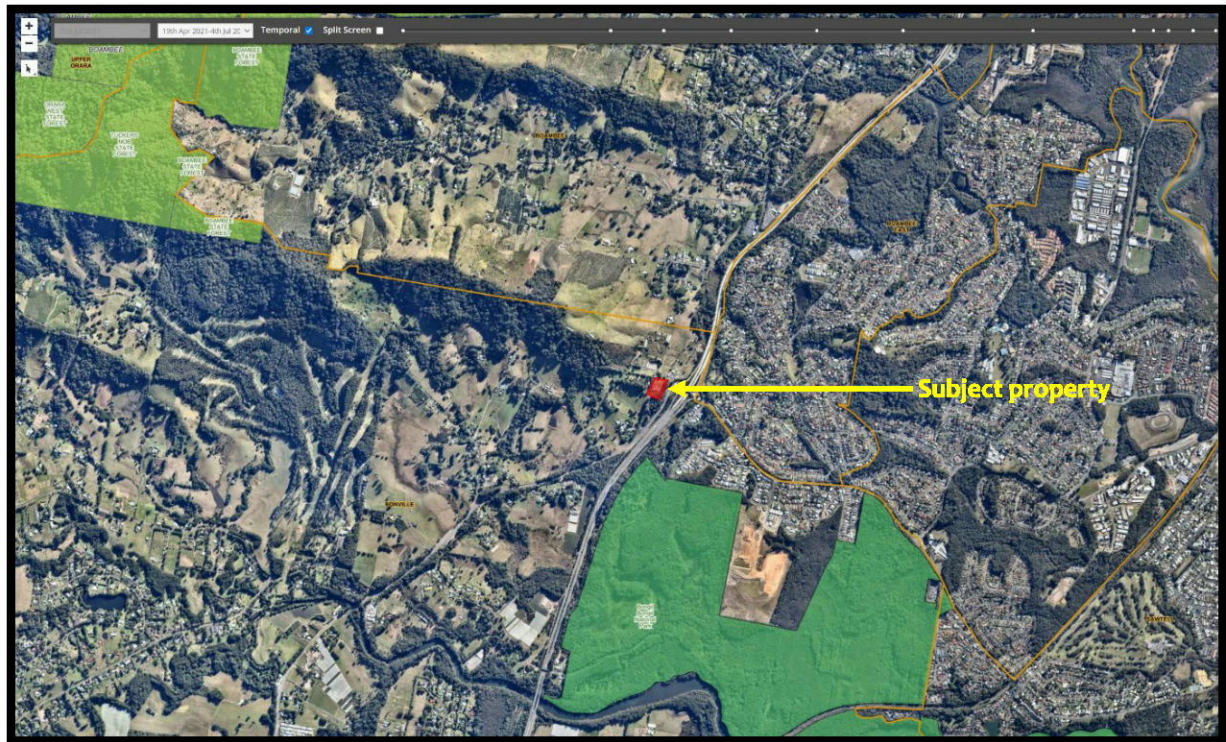


Figure 3: aerial image showing vegetation surrounding property

The site is located immediately west of the Pacific Motorway at Bonville on the NSW Mid North Coast. The rural area of Bonville is located on the western side of the motorway, Boambee and Sawtell are located on the eastern side of the motorway.

Predominant landuse in the vicinity of the property is rural or rural-residential living, with scattered light-agricultural and other commercial pursuits.

The extract of the BPL Map as Figure 1 of this Study fairly accurately represents the Category of vegetation constraining the property. Forest located to the west of the property at a distance of approximately 350 m, forest located to the east of the property at a distance of approximately 280 m, and the Bongil Bongil National Park located approximately 380 m to the south of the property, are the nearest significant areas of bushfire hazard vegetation impacting on the property. The Boambee State Forest is located approximately 2.7 km to the west of the property. All other areas are generally either paddocks, remnants within private properties forming windbreaks or visual buffers, or unmanaged roadside vegetation.

The risk posed by grassfires is different to that of fires in most other vegetation types. Grassfires burn at a higher intensity and spread more rapidly with a shorter residence time.

Embers produced by grassfires are smaller and fewer in number than those produced from forest fires.

Due to the size and shape of areas of remnant vegetation, the potential fire run distances in remnants are shorter than for other bushfire-prone areas. This results in small fuel-controlled fires that rarely reach their potential full intensities. In recognition of these lower-risk vegetation groups, *PBP-2019* imposes smaller setbacks from these types of vegetation.

2.1.1.2 Topography

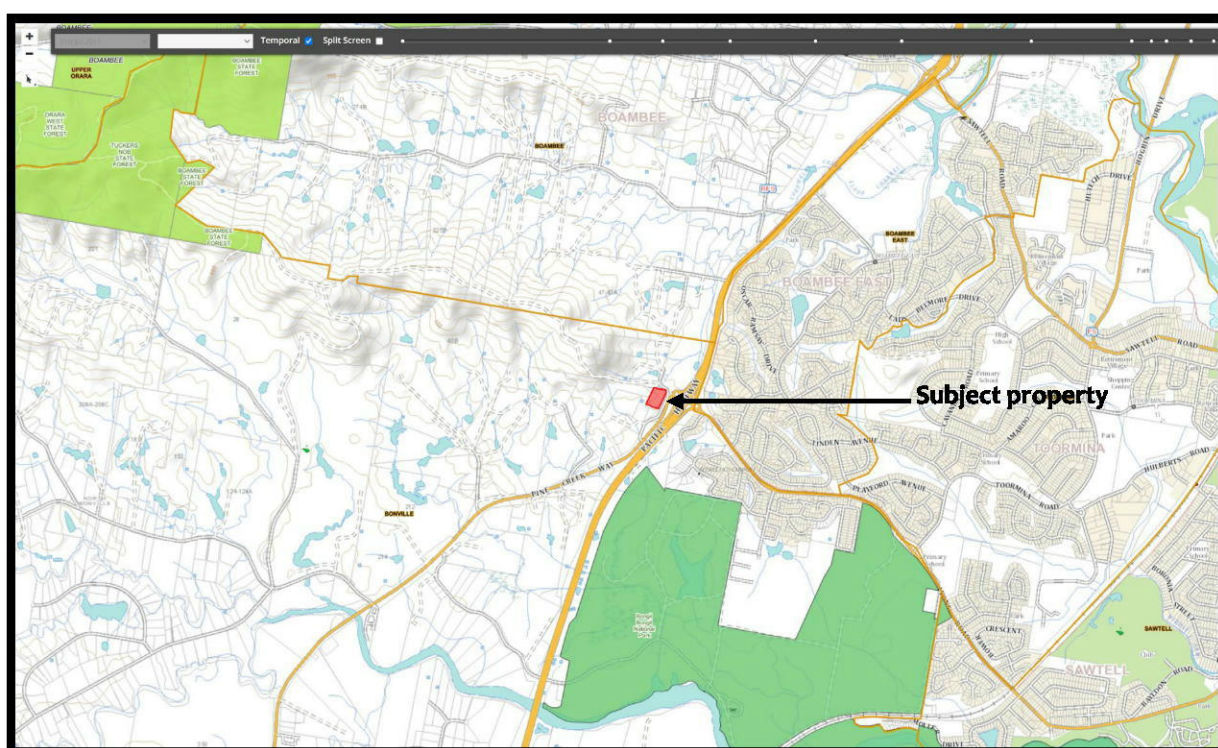


Figure 4: contour image showing gradients surrounding property

Slopes on the property generally range between 5° and 15°. Except for steep roadside embankments, the slopes immediately surrounding the site are also generally within this range.

Further west the general landform is all upslope to the west within the forest-type vegetation formations. On the cleared areas, slope varies as gully lines are traversed. As gradients become inconsistent, so does wildfire behaviour.

A slope analysis of the site and immediate surrounds, including 100 m beyond the property boundaries, has been undertaken. This slope analysis has been conducted in accordance with the methodology in Appendix 1 of *PBP-2019* for the purpose of assessing the proposed subdivision against the provisions of Chapter 5 of *PBP-2019*.

2.1.1.3 Weather

The typical/average climate in the Mid North Coast BFMC area is sub-tropical, characterised by warm, wet summers, and the bushfire season generally runs from September to January.

The NSW statutory Bushfire Danger Period is from 1st October to 31st March each year, however it may vary due to local conditions. It is not unusual, however, for the NSW Rural Fire Service to commence early, or extend, the Bushfire Danger Period due to localised climatic conditions.

The extension of the Bushfire Danger Period is not necessarily the result from the expectation of the extreme bushfire weather conditions usually associated with mid-summer, but rather is due to the weather conditions for these other periods being unusually warm or dry (or both) for that period of the year. The Bushfire Danger Period is the period within which permits must be obtained from the fire authorities for certain types of fires; it does not prohibit the lighting of fires. In the Mid North Coast BFMC area, the issuing of fire permits is not permitted from midnight 22nd December to midnight 5th January.

Prevailing weather conditions conducive to erratic bushfire conditions in the Mid North Coast BFMC area are strong west to north-west winds, accompanied by high temperatures and lower relative humidity.

Between 1994 – 2006 only 3 occurrences were recorded at the Coffs Harbour Bureau of Meteorology weather station where the FFDIs was ≥ 80 , with all of these instances coinciding with a westerly wind influence (western quarter).

Table 1: Occurrences at Coffs Harbour where FFDI was 80 or more (from 1994 to 2006)

Date	FFDI	Wind Speed	Wind Direction	Rel. Humidity	Air Temp	DF Forest	DF Scrub	KBDI	Rainfall	Days Since Rain
27/9/2003	87.3	46.4	260 (W)	7.1	32.9	10	12	151	0	14
2/1/2002	83.7	38.9	300 (NW)	8.3	39	9.7	10	151	0	2
12/1/2002	112.1	42.5	270 (W)	6.8	42.7	10	12	167	0	2

2.1.2 Potential Bushfire Behaviour (based on vegetation, topography, weather)

Refer to 2.1.4 below.

2.1.3 Bushfire History in the Area

Recent requests have been made to the NSW Rural Fire Service for the supply of any relevant wildfire history for the general vicinity of Coffs Harbour. The information requested has not been provided before the completion of this Study.

The Mid North Coast BFMC area has on average 185 bushfires per year, of which two on average can be considered to be major fires. The main sources of ignition in the Mid North Coast BFMC area are:

- Escaped private hazard reduction burns;
- Lightning strikes;
- Arson.

2.1.4 Potential Fire Runs and their Intensities

Significant fires in the area generally travel in an easterly direction under the influence of westerly winds. Southerly (and/or easterly) weather changes also have the potential to intensify wildfire, converting a fire's flank to a head-fire.

Preventing the ignition of wildfires by human activities, particularly on days when severe weather conditions prevail, is an important strategy for managing wildfires (refer to 2.1.3 above). To put effective ignition management programs in place, it is important to understand the patterns and major sources of ignition in the area.

Potentially the most credible wildfire scenarios likely to impact the site are listed below:

From the north – through the grasslands on, or from, the occupied properties. These lands are generally all grasslands for approximately 1.3 km, and slopes vary but are generally downslope in the vicinity of the property. Fires from this direction can only impact the site as spot fires, having to jump the road and several driveways to impact on the site.

From the east – there are no credible wildfire scenarios likely to have a significant impact on the subject property. The vast majority of the lands to the east are occupied by urban development.

From the south – the southern exposure is generally split in to two areas:

- East of the Pacific Motorway, and
- West of the Pacific Motorway.

The Bongil Bongil National Park is located approximately 380 m from the property. The NP is generally forested wetland or swamp sclerophyll forest on land that is generally flat. A fire within the NP impacting on the property would occur under a southerly wind influence, i.e., mild fire weather conditions. Due to the landuse to the west of the motorway, there is little chance of a W – E running fire south of the subject property being impacted by a southerly change, and having the northern flank change to the fire head.

The lands to the south on the western side of the motorway are generally all occupied small rural holdings (along Pine Creek Way, Irvines Road, Titans Close and Strouds Road) within a mosaic of remnant native vegetation. Fires from this direction would most likely be grass fires with erratic behaviour due to the mixed areas of APZs and remnants. The

adjoining properties to the immediate south of the subject property are occupied with managed APZs.

From the west – the lands to the west are generally all occupied small rural holdings with predominantly grasslands as paddocks. Remnant native vegetation occupies fence lines, steep areas (including gullies) and the southern slopes of prominent ridge lines. Fires from this direction would most likely be grassfires with more predictable behaviour based on slope.

2.1.5 The difficulty in Accessing and Suppressing a Fire, the Continuity of Bushfire Hazards or the Fragmentation of Landscape Fuels and the Complexity of the Associated Terrain

The discontinuity of the wildfire hazards does not pose any specific substantial difficulty in suppressing wildfires in the vicinity. The mosaic nature of the existing rural-living development actually provides a separation, and creates mosaics of bushfire fuels, which would benefit suppression activities.

Due to the steep nature of the landscape to the west of the subject site, emergency vehicle access to properties beyond the homes or rural shed is problematic. Fire truck access onto the individual properties beyond the established APZs is only available where slopes are not steep. Two-wheel drive access to the larger areas of remnant vegetation on the steep slopes is problematic. Access in smaller 4WD vehicles such as Category 9 and Category 7 tankers would have access to most of the registered trails within the SF and NP.

Access into the State Forest in order to carry out firefighting activities would be ideally done only after plantation harvesting within the SF. The large cleared areas provide a significantly safer environment than if no recent harvesting had occurred. Recent experiences (Canberra, Jan 2003; Kian Road, Oct-Nov 2019) have resulted in an acceptance that terrain can severely hamper firefighting operations (extinguishment). A single-point ignition (such as from a lightning strike) in a similarly contoured landscape can be difficult to extinguish by ground-crews, resulting in a gradual fire spread over days or weeks. Larger established wildfires, during extreme fire weather conditions, pose a firefighter safety risk.

The proper maintenance of the fire trail network could aid in the preparation and undertaking of hazard reduction burning, should that be deemed appropriate depending on the life-cycle of the plantation at that point in time. However, as previously stated, accessing these steep areas during a wildfire event is not only problematic and requires a thorough risk assessment, it does not provide any degree of certainty that fire containment and extinguishment could occur.

The MNC BRMP identifies "Strategic Fire Advantage Zones" (SFAZ) to the north-west of the subject site within the Boambee State Forest. These SFAZ provides limited benefit to the subject site due to the distance between the site and the SFAZ.

The NP to the south of the property does not pose the same access issues as the SF to the west. During periods of dry weather, there are not considered to be any access issues onto the NP to maintain the trail network.

2.2 Land Use Assessment

The land use assessment will identify the most appropriate locations within the masterplan area or site layout for the proposed land uses.

2.2.1 The risk profile of different areas of the development layout based on the above landscape study

Due to the scale of the proposal (2-lot subdivision), this matter is best dealt with at section 3.1.1 of this Study.

2.2.2 The proposed land use zones and permitted uses

Council's LEP provides:

Zone R5 Large Lot Residential

1 Objectives of zone

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

2 Permitted without consent

Building identification signs; Extensive agriculture; Home-based child care; Home occupations

3 Permitted with consent

Animal boarding or training establishments; Bed and breakfast accommodation; Bee keeping; Boat launching ramps; Business identification signs; Camping grounds; Cellar door premises; Centre-based child care facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Farm buildings; Farm stay accommodation; Flood mitigation works; Group homes; Home businesses; Home industries; Horticulture; Information and education facilities; Jetties; Kiosks; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Research stations; Respite day care centres; Restaurants or cafes; Roads; Roadside stalls; Self-storage units; Tank-based aquaculture; Veterinary hospitals; Water recreation structures; Water storage facilities

4 Prohibited

Any development not specified in item 2 or 3

The assessment of the subdivision against the provisions of PBP-2019 at section 3.1 of this Study is done so on the assumption that the new lot will accommodate a new dwelling. No other landuse has been considered by this office.

2.2.3 The most appropriate siting of different land uses based on risk profiles within the site (i.e. not locating development on ridge tops, SFPP development to be located in lower risk areas of the site)

The proposed lot will have an area of 4,809.44 m². An indicative DE has been identified on the plan as Figure 2 of this Study. The indicative DE has an area of 400 m² (20 m x 20 m). The siting of the dwelling will be assessed against the APZ and BAL provisions of PBP-2019, given the scale of the proposal.

The BPMs from PBP-2019 that are applied to home-based childcare are commensurate with the "residential" requirements rather than the *Special Fire Protection Purpose* requirements. Therefore, the fact that home-based childcare can occur on the lot without consent, the RFS views this type of occupancy in the same light as normal single-dwelling residential use (with the exception that a *Bushfire Emergency Response Plan* needs to be prepared for home-based childcare premises).

The plan provided above as Figure 10 demonstrates that the D-t-S provision of PBP-2019 has been satisfied in relation to siting. This is discussed in further detail in Section 3.1.1 of this Study.

2.2.4 The impact of the siting of these uses on APZ provision

As a residential or rural-residential subdivision, only residential-sized APZs will be provided between the proposed dwelling envelope (DE) and the lot boundaries. The plan provided as Figure 10 demonstrates that the D-t-S provision of PBP-2019 has been satisfied in relation to siting. This is discussed in further detail in section 3.1.1 of this Report.

There are no known reasons why the minimum required APZs can not be accommodated within the site boundaries.

2.3 Access and Egress

A study of the existing and proposed road networks both within and external to the masterplan area or site layout

2.3.1 The capacity for the proposed road network to deal with evacuating residents and responding emergency services, based on the existing and proposed community profile

No new roads are proposed as part of this proposal.

The existing road network in the vicinity of the property is easily able to cope with any likely increase in traffic created by the extra lot.

Access from the property directly on to Strouds Road will be provided by a new access point located along the northern boundary of the proposed lot. Strouds Road is a bitumen sealed road with a pavement width of 6 m.

From the new property access road to Pine Creek Way is a distance of approximately 460 m. Pine Creek Way is the old Pacific Highway and has a proven capacity to handle heavy volumes of traffic, including heavy vehicles.

Pine Creek Way links with either Lyons Road to Sawtell, or the Pacific Motorway where travel in either a northerly or southerly direction is afforded.



Figure 5: looking east along Strouds Road near new property access road



Figure 6: looking south along Strouds Road near existing property access road



Figure 7: looking north along Pine Creek Way at Strouds Road intersection

2.3.2 The location of key access routes and direction of travel

Refer to section 2.3.1 above.

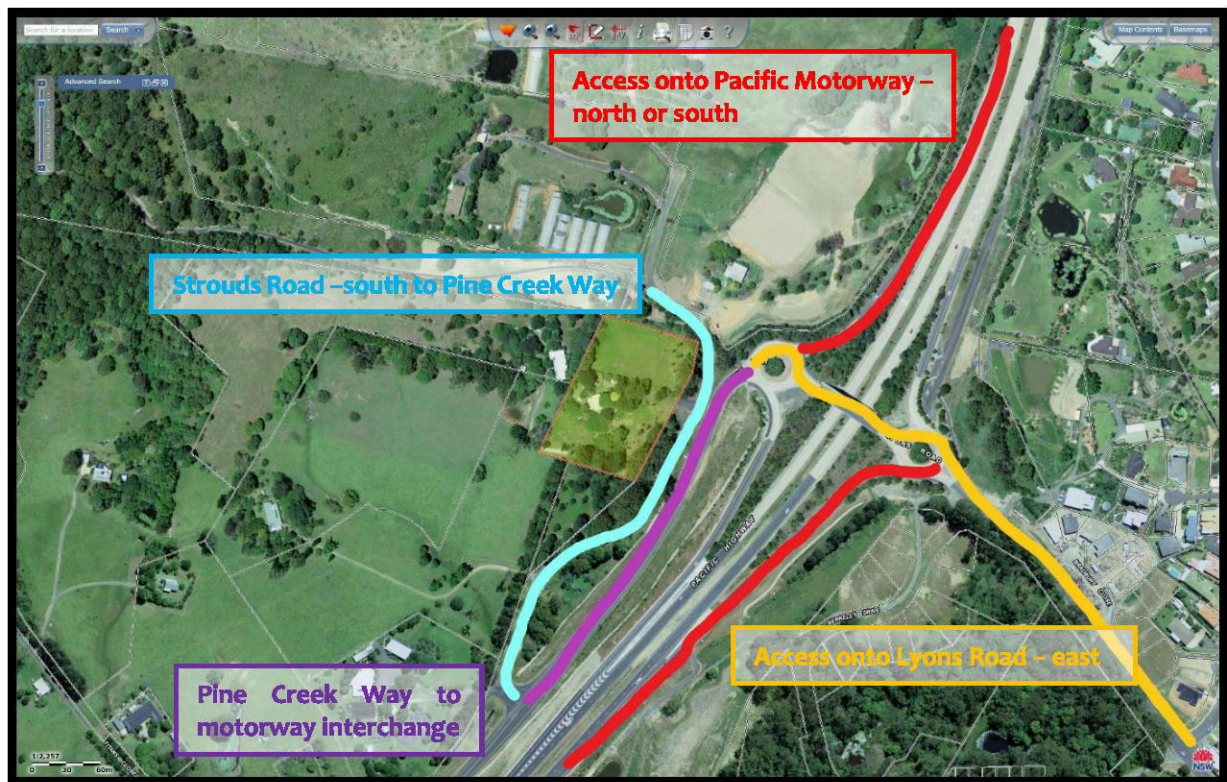


Figure 8: key access routes from property

2.3.3 The potential for development to be isolated in the event of a bush fire

Given the landscape around the property (generally grasslands and discontinuous wildfire fuels), and the proximity of the property to the Pacific Motorway, it is highly unlikely that the property would be isolated in the event of a wildfire in the vicinity.

2.4 Emergency Services

An assessment of the future impact of new development on emergency services.

2.4.1 Consideration of the increase in demand for emergency services responding to a bush fire emergency including the need for new stations/brigades

The scale of the proposal is unlikely to create any significant increase in demand on emergency services.

As more of the rural lands are developed, the amount of land able to support a wildfire is reduced. It could quite possibly be the case that developments such as these provide a benefit to surrounding areas, and ultimately reduce the demand on emergency services.

2.4.2 Impact on the ability of emergency services to carry out fire suppression in a bush fire emergency

The proposal does not adversely impact on the ability of emergency services to suppress wildfire in the vicinity of the property. Emergency service access onto adjoining lands is not compromised by the creation of the extra lot.

2.5 Infrastructure

An assessment of the issues associated with infrastructure and utilities.

2.5.1 The ability of the reticulated water system to deal with a major bush fire event in terms of pressures, flows, and spacing of hydrants

The property is not serviced by the Council's reticulated water supply. The new lot will be provided with an independent, on-site static water supply. Section 3.1.3 of this Report deals with the water supply in more detail.

If a wildfire was impacting on the land surrounding the property, firefighting vehicles could be refilled from the reticulated supply from hydrants located in the nature strips around the area of Berkeley Drive or Bradbury Close, off Lyons Road east of the Pacific Motorway.

2.5.2 Life safety issues associated with fire and proximity to high voltage power lines, natural gas supply lines etc

There is not known to be fibre optic cables or other electronic communication infrastructure on or around the vicinity of the property.

Overhead electricity transmission lines traverse the property, as indicated in the plan attached as Figure 2 of this Study. Vegetation clearances around the transmission lines will be maintained within the proposed lot, therefore the proposal will not have an adverse impact on service delivery.

There are no (existing or proposed) major infrastructure services that are likely to affect life-safety.

2.6 Adjoining Land

The impact of new development on adjoining landowners and their ability to undertake bush fire management.

2.6.1 Consideration of the implications of a change in land use on adjoining land including increased pressure on BPMs through the implementation of Bush Fire Management Plans

This proposed creation of the extra lot does not pose any pressure on surrounding lands, from a wildfire-perspective.

To the contrary, the proposed development increases the level of bushfire-protection to the adjoining lands, as the suite of BPMs are provided within the development site. If the proposal did not proceed then the only reduction of wildfire threat from the property would be through a Hazard Reduction notice process (s.66 of the *Rural Fires Act*) as there is no other legislative process to ensure wildfire threat from the property is reduced.

All of the BPMs required to be provided for the proposed development will be provided within the boundaries of the property being developed.

3 MINISTERIAL DIRECTIONS (SECTION 9.1(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979)

4.4 Planning for Bushfire Protection

Objectives

- (1) The objectives of this direction are:
- (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and
- (b) to encourage sound management of bush fire prone areas.

Where this direction applies

- (2) This direction applies to all local government areas in which the responsible Council is required to prepare a bush fire prone land map under section 10.3 of the Environmental Planning and Assessment Act 1979 (the EP&A Act), or, until such a map has been certified by the Commissioner of the NSW Rural Fire Service, a map referred to in Schedule 6 of that Act.

When this direction applies

- (3) This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.

What a relevant planning authority must do if this direction applies

- (4) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of Schedule 1, clause 4 of the Act, and take into account any comments so made,
- (5) A planning proposal must:
 - (a) have regard to Planning for Bushfire Protection 2019,
 - (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and
 - (c) ensure that bushfire hazard reduction is not prohibited within the APZ.
- (6) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:
 - (a) provide an Asset Protection Zone (APZ) incorporating at a minimum:
 - (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and
 - (ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,
 - (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with,
 - (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,
 - (d) contain provisions for adequate water supply for firefighting purposes,
 - (e) minimise the perimeter of the area of land interfacing the hazard which may be developed,
 - (f) introduce controls on the placement of combustible materials in the Inner Protection Area.

Consistency

- (7) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service, to the effect that, notwithstanding the noncompliance, the NSW Rural Fire Service does not object to the progression of the planning proposal

The Ministerial Directions, and the preamble to *PBP-2019*, state that through the strategic planning process, a degree of certainty is required to ensure future development can meet the needs of *PBP-2019*. Whilst it may seem premature or even superfluous to assess a potential future subdivision against the requirements of *PBP-2019* at the 'Planning Proposal' stage, it does ensure that the future lots are able to accommodate development with confidence.

3.1 A planning proposal must have regard to Planning for Bushfire Protection 2019

3.1.1 Asset Protection Zones

Below is a table setting out the *Performance Criteria* and *Acceptable Solutions* for residential and rural-residential subdivisions as required by Chapter 5 of *PBP-2019*, and a statement as to whether the proposal meets the *Acceptable Solution*.

Table 2

	Performance Criteria	Acceptable Solution	Complies / Does not comply
Asset Protection Zones	[1] Potential building footprints must not be exposed to radiant heat levels exceeding 29 kW/m ² on each proposed lot.	[1.1] APZs are provided in accordance with Tables A1.12.2 and A1.12.3 based on the FFDI.	Complies
	[2] APZs are managed and maintained to prevent the spread of a fire towards the building.	[2.1] APZs are managed in accordance with the requirements of Appendix 4.	Able to comply
	[3] The APZs is provided in perpetuity.	[3.1] APZs are wholly within the boundaries of the development site	Complies
	[4] APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is minimised.	[4.1] APZs are located on lands with a slope less than 18 degrees.	Complies
Landscaping	[5] Landscaping is designed and managed to minimise flame contact and radiant heat to buildings, and the potential for wind-driven embers to cause ignitions.	[5.1] Landscaping is in accordance with Appendix 4; and	Able to comply
		[5.2] Fencing is constructed in accordance with section 7.6.	Able to comply

In relation to *Acceptable Solution* [1.1], the minimum setbacks or APZ required by *PBP-2019* are set out in Table A1.12.3, provided below.

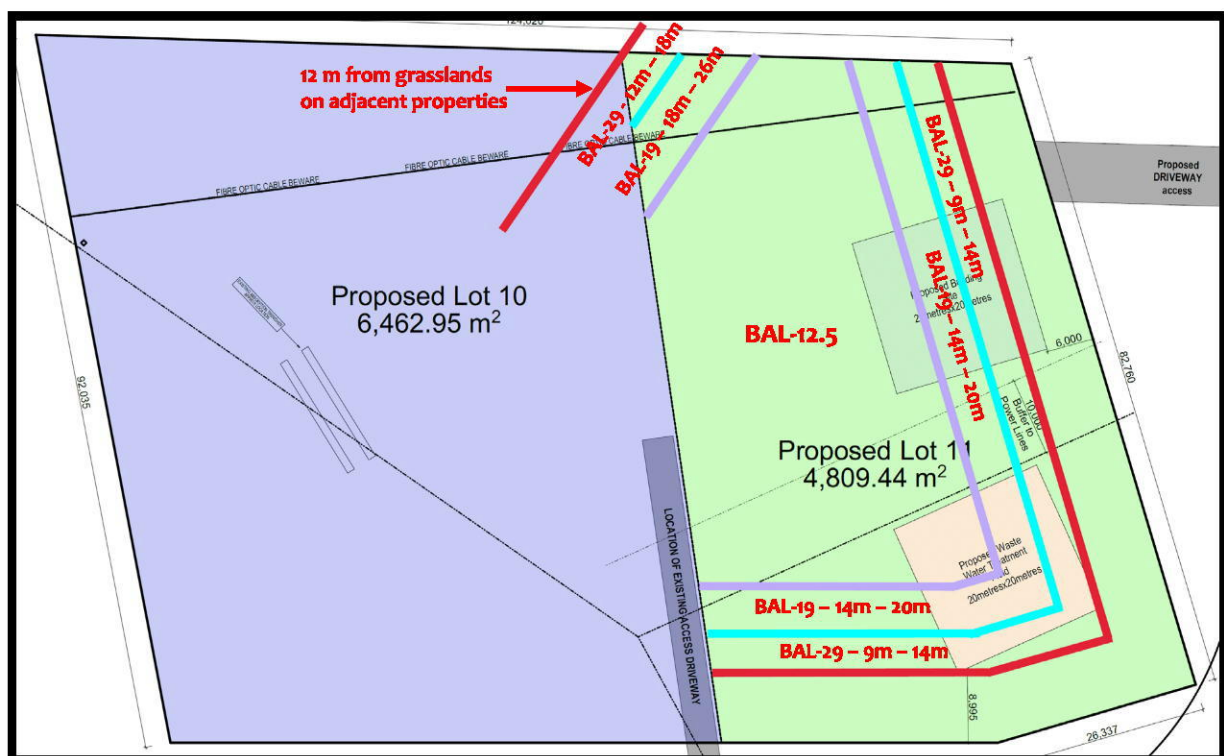
Table A1.12.3Minimum distances for APZs – residential development, FFDI 80 areas ($\leq 29\text{kW/m}^2$, 1090K)

KEITH VEGETATION FORMATION	EFFECTIVE SLOPE				
	Up slopes and flat	>0°-5°	>5°-10°	>10°-15°	>15°-20°
Distance (m) from the asset to the predominant vegetation formation					
Rainforest	9	12	15	20	25
Forest (wet and dry sclerophyll) including Coastal Swamp Forest, Pine Plantations and Sub-Alpine Woodland	20	25	31	39	48
Grassy and Semi-Arid Woodland (including Mallee)	11	13	17	21	27
Forested Wetland (excluding Coastal Swamp Forest)	8	10	13	17	22
Tall Heath	16	18	20	22	25
Short Heath	9	10	12	13	15
Arid-Shrublands (acacia and chenopod)	6	7	8	9	10
Freshwater Wetlands	5	6	6	7	8
Grassland	10	11	12	14	16

Figure 9: Table A1.12.3 of PBP-2019**Note 1**

The roadside vegetation along the eastern and northern boundaries of the proposed lot are separated from other wildfire-hazard vegetation, and are of a size that affords it the classification of a “remnant” under Appendix 1 of PBP-2019. In such circumstances, remnants are given the vegetation classification of “rainforest”.

In addition to the minimum APZ setbacks, the BAL zones across the proposed lot have been included in the following Figure.

**Figure 10: plan showing minimum APZ and BAL zones across new lot**

In relation to *Acceptable Solution* [2.1] & [5.1], there are parts of the property not currently managed as APZ in accordance with NSW Rural Fire Service standards for APZs. Specifically along the northern and western boundaries of the proposed lot. It is understood that the vegetation along the western boundary provides a visual buffer between adjacent homes, however the visual buffer can be maintained whilst also meeting APZ standards for landscaping.



Figure 11: vegetation along northern and western boundaries

The vegetation along the western boundary has not been included in the setbacks shown in Figure 10 as it is assumed that this vegetation buffer will be managed as APZ. The vegetation along the northern and eastern boundaries has been included in the setbacks shown in Figure 10 as this vegetation is not located on the subject property.

The standards for APZs are attached as Appendix A of this Study.

In relation to *Acceptable Solution* [5.2], PBP-2019 states:

7.6 Fences and gates

Fences and gates in bush fire prone areas may play a significant role in the vulnerability of structures during bush fires. In this regard, all fences in bush fire prone areas should be made of either hardwood or non-combustible material.

However, in circumstances where the fence is within 6m of a building or in areas of BAL-29 or greater, they should be made of non-combustible material only.

3.1.2 Access

Below is a table setting out the *Performance Criteria* and *Acceptable Solutions* for residential and rural-residential subdivisions as required by Chapter 5 of PBP-2019, and a statement as to whether the proposal meets the *Acceptable Solution*.

Table 3

	Performance Criteria	Acceptable Solution	Complies / Does not comply
General Access Requirements	[6] Firefighting vehicles are provided with safe, all-weather access to structures.	[6.1] Property access roads are two-wheel drive, all-weather roads;	Not applicable
		[6.2] Perimeter roads are provided for residential subdivisions of three or more allotments;	Not applicable
		[6.3] Subdivisions of three or more allotments have more than one access in and out of the development;	Not applicable
		[6.4] Traffic management devices are constructed to not prohibit access by emergency services vehicles;	Not applicable
		[6.5] Maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient;	Not applicable
		[6.6] All roads are through roads;	Not applicable
		[6.7] Dead end roads are not recommended, but if unavoidable, are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end;	Not applicable

		<p>[6.8] Where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road;</p> <p>[6.9] Where access/egress can only be achieved through forest, woodland and heath vegetation, secondary access shall be provided to an alternate point on the existing public road system; and</p> <p>[6.10] One way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression.</p>	<p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p>
	[7] The capacity of access roads is adequate for firefighting vehicles.	[7.1] The capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges/ causeways are to clearly indicate load rating.	Not applicable
	[8] There is appropriate access to water supply.	[8.1] Hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;	Not applicable
		[8.2] Hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - <i>Fire hydrant installations System design, installation and commissioning</i> ; and	Not applicable
		[8.3] There is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available	Not applicable

Perimeter Roads	<p>[9] Access roads are designed to allow safe access and egress for firefighting vehicles while residents are evacuating as well as providing a safe operational environment for emergency service personnel during firefighting and emergency management on the interface</p>	<p>[9.1] Are two-way sealed roads;</p> <p>[9.2] Minimum 8m carriageway width kerb to kerb;</p> <p>[9.3] Parking is provided outside of the carriageway width;</p> <p>[9.4] Hydrants are located clear of parking areas;</p> <p>[9.5] Are through roads, and these are linked to the internal road system at an interval of no greater than 500m;</p> <p>[9.6] Curves of roads have a minimum inner radius of 6m;</p> <p>[9.7] The maximum grade road is 15 degrees and average grade of not more than 10 degrees;</p> <p>[9.8] The road crossfall does not exceed 3 degrees; and</p> <p>[9.9] A minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.</p>	<p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p>
Non-Perimeter Roads	<p>[10] Access roads are designed to allow safe access and egress for firefighting vehicles while residents are evacuating.</p>	<p>[10.1] Minimum 5.5m carriageway width kerb to kerb;</p> <p>[10.2] Parking is provided outside of the carriageway width;</p> <p>[10.3] Hydrants are located clear of parking areas;</p> <p>[10.4] Roads are through roads, and these are linked to the internal road system at an interval of no greater than 500m;</p> <p>[10.5] Curves of roads have a minimum inner radius of 6m;</p> <p>[10.6] The road crossfall does not exceed 3 degrees; and</p>	<p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p>

		[10.7] A minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.	Not applicable
Property Access Roads	[11] Firefighting vehicles can access the dwelling and exit the property safely.	[11.1] There are no specific access requirements in an urban area where an unobstructed path (no greater than 70m) is provided between the most distant external part of the proposed dwelling and the nearest part of the public access road (where the road speed limit is not greater than 70kph) that supports the operational use of emergency firefighting vehicles. In circumstances where this cannot occur, the following requirements apply:	Not applicable
		[11.2] Minimum 4m carriageway width;	Able to comply
		[11.3] In forest, woodland and heath situations, rural property access roads have passing bays every 200m that are 20m long by 2m wide, making a minimum trafficable width of 6m at the passing bay;	Not applicable
		[11.4] A minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;	Able to comply
		[11.5] Provide a suitable turning area in accordance with Appendix 3;	Able to comply
		[11.6] Curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;	Able to comply
		[11.7] The minimum distance between inner and outer curves is 6m;	Able to comply
		[11.8] The crossfall is not more than 10 degrees;	Able to comply

3.1.3 Utility Services

Below is a table setting out the *Performance Criteria* and *Acceptable Solutions* for residential and rural-residential subdivisions as required by Chapter 5 of PBP-2019, and a statement as to whether the proposal meets the *Acceptable Solution*.

Table 4

	Performance Criteria	Acceptable Solution	Complies / Does not comply
Water Supplies	[12] Adequate water supplies is provided for firefighting purposes	<p>[12.1] Reticulated water is to be provided to the development where available;</p> <p>[12.2] A static water and hydrant supply is provided for non-reticulated developments or where reticulated water supply cannot be guaranteed; and</p> <p>[12.3] Static water supplies shall comply with Table 5.3d of PBP-2019.</p>	<p>Not applicable</p> <p>Able to comply</p> <p>Able to comply</p>
	<p>[13a] Water supplies are located at regular intervals; and</p> <p>[13b] The water supply is accessible and reliable for firefighting operations.</p>	<p>[13.1] Fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;</p> <p>[13.2] Hydrants are not located within any road carriageway; and</p> <p>[13.3] Reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads.</p>	<p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p>
	[14] Flows and pressure are appropriate.	[14.1] Fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005	Not applicable
	[15] The integrity of the water supply is maintained.	[15.1] All above-ground water service pipes are metal, including and up to any taps; and	Able to comply
		[15.2] Above-ground water storage tanks shall be of concrete or metal	Able to comply

Electricity Services	[16] Location of electricity services limits the possibility of ignition of surrounding bush land or the fabric of buildings.	<p>[16.1] Where practicable, electrical transmission lines are underground;</p> <p>Where overhead, electrical transmission lines are proposed as follows:</p> <ul style="list-style-type: none"> * lines are installed with short pole spacing of 30m, unless crossing gullies, gorges or riparian areas; and * no part of a tree is closer to a power line than the distance set out in <i>ISSC3 Guideline for Managing Vegetation Near Power Lines</i>. 	Complies
Gas Services	[17] Location and design of gas services will not lead to ignition of surrounding bushland or the fabric of buildings.	<p>[17.1] Reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - <i>The storage and handling of LP Gas</i>, the requirements of relevant authorities, and metal piping is used;</p> <p>[17.2] All fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;</p> <p>[17.3] Connections to and from gas cylinders are metal;</p> <p>[17.4] Polymer-sheathed flexible gas supply lines are not used; and</p> <p>[17.5] Above-ground gas service pipes are metal, including and up to any outlets.</p>	<p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Complies</p>

In relation to *Acceptable Solution* [12.3], the proposed lot has an area of < 10,000 m², therefore 10,000 litres of on-site firefighting water supply shall be provided.

In relation to electricity, a new pole will be located within the existing overhead electricity corridor, and underground supply will be provided to the future dwelling from this pole.

In relation to LPG supplies, the relevant *Acceptable Solutions* are able to be complied with at construction stage of the future dwelling.

3.2 A planning proposal must introduce controls that avoid placing inappropriate developments in hazardous areas

Refer to section 2.2 of this Study in reference to suitable land uses.

3.3 A planning proposal must ensure that bushfire hazard reduction is not prohibited within the APZ

There are no environmental constraints known to be on the property that would prohibit the creation and maintenance of APZs.

3.4 A planning proposal must, where development is proposed, comply with the following provisions, as appropriate - provide an Asset Protection Zone (APZ) incorporating at a minimum an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property

This has been discussed in more detail at section 3.1.1 above.

3.5 A planning proposal must, where development is proposed, comply with the following provisions, as appropriate - an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road

This has been discussed in more detail at section 3.1.1 above.

3.6 For infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with

There is an existing dwelling on the property. An assessment of this dwelling has been carried out in relation to the suit of bushfire protection measures available using the NSW Rural Fire Service document "Protection of existing buildings". The following tables set out the results of that assessment.

Table 5

BUILDING ELEMENT	MINIMAL PROTECTION MEASURES	COMMENTS
GENERAL	Seal all gaps (>3mm) around the house (excluding subfloor) with: <ul style="list-style-type: none"> appropriate joining strips; flexible silicon based sealant; or mesh with a maximum aperture of 2mm, made from corrosion resistant steel, bronze or aluminium. 	Recommended. The existing home is in good general condition and well sealed against possible ember attack.
WALLS	Install sarking with a flammability index of not more than 5 behind weatherboards or other external cladding when they are being replaced for maintenance or other reasons.	Recommended
SUBFLOOR	Removal of combustible materials and keeping areas clear and accessible.	Recommended
DOORS	Install weather strips, draught excluders or draught seals at the base of side-hung doors.	Recommended
VENTS & WEEPHOLES	Seal vents and weepholes in external walls with mesh (with an aperture size of 2 mm) of corrosion resistant steel, bronze or aluminium.	
ROOFS	Seal around roofing and roof penetrations with a non-combustible material.	Recommended
	Install sarking with a flammability index of not more than 5 beneath existing roofing when it is being replaced for maintenance or other reasons. If installed, gutter and valley leaf guards shall be non-combustible.	Recommended

WINDOWS	Install mesh with a maximum aperture of 2mm, made from corrosion resistant steel, bronze or aluminium to all external doors and openable windows	Recommended
EXTERNAL STRUCTURES		Due to the low wildfire threat to the home, the proximity of the home to the garage / shed should not be seen as an issue requiring rectification.
DECKING		

Table 6

APZ Dimensions	~ 6 m to the proposed northern boundary. ~ 50 m to the roadside vegetation to the east. ~ 37 m to the southern boundary. ~ 20 m to the western boundary.
Landscaping	Landscaping does not currently meet NSW Rural Fire Service standards.
Vehicular Access	Driveway is short, straight and bitumen sealed. It provides access to a flat manoeuvring area at the front of the garage / shed at the eastern exposure.
Water Supply	Three (3) above-ground poly tanks are provided in the southern APZ (1 x 3000 gal, 2 x 5000 gal = ~ 58,500 litres. A 65 mm Storz fitting with a gate valve should be provided on at least one of the tanks so that firefighters can access the on-site supply.
Electricity Supply	Located underground from the power pole located within the property.
LPG Supply	Two (2) fixed cylinders are located in the southern APZ, shielded behind the 3 water tanks. A compliance plate is attached and visible above-ground pipework is metal.

3.7 Contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks

No new public roads are proposed as part of this subdivision.

3.8 Contain provisions for adequate water supply for firefighting purposes

This has been discussed in more detail at section 3.1.3 above.

3.9 Minimise the perimeter of the area of land interfacing the hazard which may be developed

This is a criteria that is difficult to influence.

3.10 Introduce controls on the placement of combustible materials in the Inner Protection Area

This has been discussed in more detail at section 2.2 & 3.1.1 above.

4 CONCLUSION AND RECOMMENDATIONS

This Bushfire Strategic Study assesses the rezoning of a 1.1272 hectare lot from RU2 (rural landscape) to R5 (large lot residential), and the subdivision of the lot to create 2 new lots. Proposed lot 10 will retain the existing dwelling on a 0.646295 Ha lot, while proposed lot 11 has been assessed against the provisions of *PBP-2019* for subdivision development.

The property is located in a semi-rural location with landuse being primarily a mix of rural-living and agriculture. The wildfire threat to the property from a landscape perspective is from grazed farmland and roadside remnant vegetation. Significant wildfire vegetation is located 350 m to the west, and 280 m to the south of the property.

Traffic links to major traffic routes are located in close proximity to the property. Connection to the Pacific Motorway is provided within several hundred metres of the property.

The proposed new lot has been assessed against the provisions of *PBP-2019*, and all of the relevant *Acceptable Solutions* have been, or are able to be, met.

I support the proposed rezoning and subdivision subject to the following specific recommendations.

1. At the issue of subdivision certificate and in perpetuity, the entirety of both lots are to be managed as APZ in accordance with the NSW Rural Fire Service standards (attached Appendix A). Proposed lot 10 is to be managed as IPA; proposed lot 11 to be managed as OPA until such time as construction of the future dwelling is approved.
2. The future dwelling on proposed lot 11 is to comply with the specifications listed in *AS 3959 Construction of buildings in bushfire-prone areas*. The BAL of the future dwelling is to be determined based on Figure 10 of this Study.

4.1 Limitation

- 4.1.1 This Report and the subsequent recommendations reflect the reasonable and practical efforts of the author. It is important to note that the author (and State and Local Government authorities) cannot guarantee that bushfire ignition and subsequent bushfire damage will not occur.
- 4.1.2 Current legislation is essentially 'silent' in relation to the maintenance of bushfire protection measures. Maintenance is a major factor in the effectiveness of any BPM provided/installed. The extent to which the BPMs are implemented and maintained will affect the probability of achieving adequate bushfire safety margins.

- 4.1.3 Given the natural phenomenon of bushfires, and limitations in technology and research, a system to guarantee the survival of life and property cannot be made. This is reflected in the following statements of limitations:

The goal of 'absolute' or '100%' safety is not attainable and there will always be a finite risk of injury, death or property damage. (IFEG-2005)

No development in a bushfire prone area can be guaranteed to be entirely safe from bushfires. (PBP-2001)

Notwithstanding the precautions adopted, it should always be remembered that bushfires burn under a wide range of conditions and an element of risk, no matter how small, always remains. (PBP-2001)



6/06/2022

Holiday Coast Bushfire Solutions
Grad. Dip. Design in Bushfire Prone Areas (UWS)

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NSW Rural Fire Service (2012), *Practice note 4/12 - 'In principle' masterplan agreements in bushfire prone areas*, Sydney.

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6 APPENDICES

Appendix A - Standards for APZs (RFS 2005) and Appendix 4 of PBP-2019.

Appendix B - Appendix 3 of PBP-2019 (access requirements for firefighting vehicles)

PHINN-2022-30 APPENDIX A

STANDARDS FOR ASSET PROTECTION ZONES

REZONING & SUBDIVISION.

**LOT 1 IN DP 416381,
39 STROUDS ROAD,
BONVILLE, NSW.**

APPENDIX 4

ASSET PROTECTION ZONE REQUIREMENTS

In combination with other BPMs, a bush fire hazard can be reduced by implementing simple steps to reduce vegetation levels. This can be done by designing and managing landscaping to implement an APZ around the property.

Careful attention should be paid to species selection, their location relative to their flammability, minimising continuity of vegetation (horizontally and vertically), and ongoing maintenance to remove flammable fuels (leaf litter, twigs and debris).

This Appendix sets the standards which need to be met within an APZ.

A4.1 Asset Protection Zones

An APZ is a fuel-reduced area surrounding a building or structure. It is located between the building or structure and the bush fire hazard.

For a complete guide to APZs and landscaping, download the NSW RFS document *Standards for Asset Protection Zones* at the NSW RFS Website www.rfs.nsw.gov.au.

An APZ provides:

- a buffer zone between a bush fire hazard and an asset;
- an area of reduced bush fire fuel that allows for suppression of fire;
- an area from which backburning or hazard reduction can be conducted; and
- an area which allows emergency services access and provides a relatively safe area for firefighters and home owners to defend their property.

Bush fire fuels should be minimised within an APZ. This is so that the vegetation within the zone does not provide a path for the spread of fire to the building, either from the ground level or through the tree canopy.

An APZ, if designed correctly and maintained regularly, will reduce the risk of:

- direct flame contact on the building;
- damage to the building asset from intense radiant heat; and
- ember attack.

The methodology for calculating the required APZ distance is contained within Appendix 1. The width of the APZ required will depend upon the development type and bush fire threat. APZs for new development are set out within Chapters 5, 6 and 7 of this document.

In forest vegetation, the APZ can be made up of an Inner Protection Area (IPA) and an Outer Protection Area (OPA).

A4.1.1 Inner Protection Areas (IPAs)

The IPA is the area closest to the building and creates a fuel-managed area which can minimise the impact of direct flame contact and radiant heat on the development and act as a defensible space. Vegetation within the IPA should be kept to a minimum level. Litter fuels within the IPA should be kept below 1cm in height and be discontinuous.

In practical terms the IPA is typically the curtilage around the building, consisting of a mown lawn and well maintained gardens.

When establishing and maintaining an IPA the following requirements apply:

Trees

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2m above the ground;
- tree canopies should be separated by 2 to 5m; and
- preference should be given to smooth barked and evergreen trees.

Shrubs

- create large discontinuities or gaps in the vegetation to slow down or break the progress of fire towards buildings should be provided;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover; and
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.

Grass

- grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed.

A4.1.2 Outer Protection Areas (OPAs)

An OPA is located between the IPA and the unmanaged vegetation. It is an area where there is maintenance of the understorey and some separation in the canopy. The reduction of fuel in this area aims to decrease the intensity of an approaching fire and restricts the potential for fire spread from crowns; reducing the level of direct flame, radiant heat and ember attack on the IPA.

Because of the nature of an OPA, they are only applicable in forest vegetation.

When establishing and maintaining an OPA the following requirements apply:

Trees

- tree canopy cover should be less than 30%; and
- canopies should be separated by 2 to 5m.

Shrubs

- shrubs should not form a continuous canopy; and
- shrubs should form no more than 20% of ground cover.

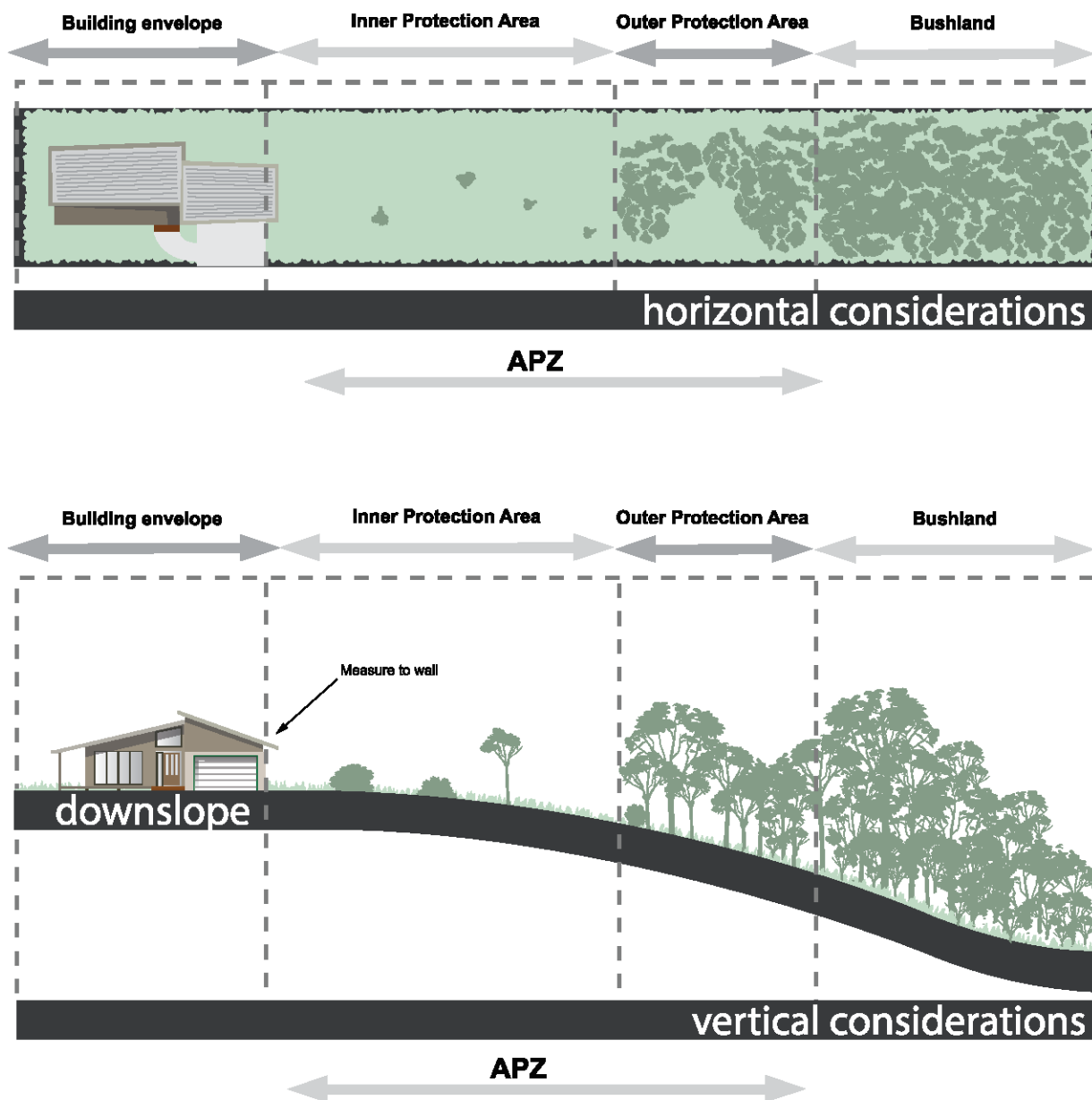
Grass

- grass should be kept mown to a height of less than 100mm; and
- leaf and other debris should be removed.

An APZ should be maintained in perpetuity to ensure ongoing protection from the impact of bush fires. Maintenance of the IPA and OPA as described above should be undertaken regularly, particularly in advance of the bush fire season.

Figure A4.1

Typical Inner and Outer Protection Areas.



for asset protection zones

protection

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STANDARDS FOR ASSET PROTECTION ZONES

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INTRODUCTION

For thousands of years bush fires have been a natural part of the Australian landscape. They are inevitable and essential, as many Australian plants and animals have adapted to fire as part of their life cycle.

In recent years developments in bushland areas have increased the risk of bush fires harming people and their homes and property. But landowners can significantly reduce the impact of bush fires on their property by identifying and minimising bush fire hazards. There are a number of ways to reduce the level of hazard to your property, but one of the most important is the creation and maintenance of an Asset Protection Zone (APZ).

A well located and maintained APZ should be used in conjunction with other preparations such as good property maintenance, appropriate building materials and developing a family action plan.

WHAT IS AN ASSET PROTECTION ZONE?

An Asset Protection Zone (APZ) is a fuel reduced area surrounding a built asset or structure. This can include any residential building or major building such as farm and machinery sheds, or industrial, commercial or heritage buildings.

An APZ provides:

- a buffer zone between a bush fire hazard and an asset;
- an area of reduced bush fire fuel that allows suppression of fire;
- an area from which backburning may be conducted; and
- an area which allows emergency services access and provides a relatively safe area for firefighters and home owners to defend their property.

Potential bush fire fuels should be minimised within an APZ. This is so that the vegetation within the planned zone does not provide a path for the transfer of fire to the asset either from the ground level or through the tree canopy.

WHAT WILL THE APZ DO?

An APZ, if designed correctly and maintained regularly, will reduce the risk of:

- direct flame contact on the asset;
- damage to the built asset from intense radiant heat; and
- ember attack on the asset.

WHERE SHOULD I PUT AN APZ?

An APZ is located between an asset and a bush fire hazard.

The APZ should be located wholly within your land. You cannot undertake any clearing of vegetation on a neighbour's property, including National Park estate, Crown land or land under the management of your local council, unless you have written approval.

If you believe that the land adjacent to your property is a bush fire hazard and should be part of an APZ, you can have the matter investigated by contacting the NSW Rural Fire Service [RFS].

There are six steps to creating and maintaining an APZ. These are:

1. Determine if an APZ is required;
2. Determine what approvals are required for constructing your APZ;
3. Determine the APZ width required;
4. Determine what hazard reduction method is required to reduce bush fire fuel in your APZ;
5. Take measures to prevent soil erosion in your APZ; and
6. Landscape and regularly monitor in your APZ for fuel regrowth.

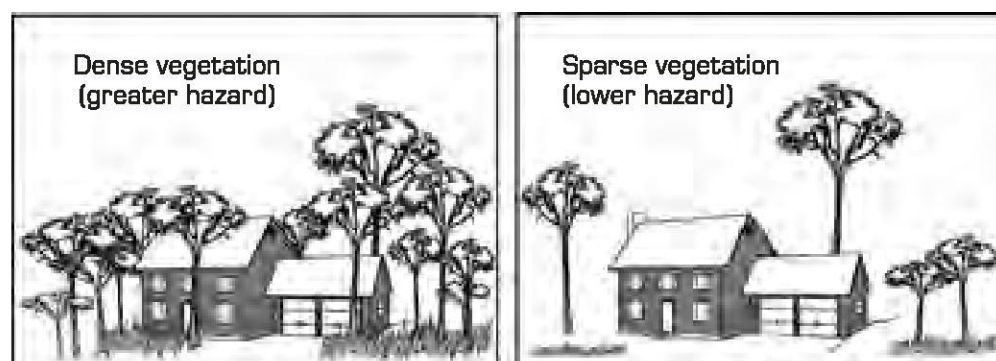
STEP 1. DETERMINE IF AN APZ IS REQUIRED

Recognising that a bush fire hazard exists is the first step in developing an APZ for your property.

If you have vegetation close to your asset and you live in a bush fire prone or high risk area, you should consider creating and maintaining an APZ.

Generally, the more flammable and dense the vegetation, the greater the hazard will be. However, the hazard potential is also influenced by factors such as slope.

- A large area of continuous vegetation on sloping land may increase the potential bush fire hazard.
- The amount of vegetation around a house will influence the intensity and severity of a bush fire.
- The higher the available fuel the more intense a fire will be.



Isolated areas of vegetation are generally not a bush fire hazard, as they are not large enough to produce fire of an intensity that will threaten dwellings.

This includes:

- bushland areas of less than one hectare that are isolated from large bushland areas; and
- narrow strips of vegetation along road and river corridors.

If you are not sure if there is a bush fire hazard in or around your property, contact your local NSW Rural Fire Service Fire Control Centre or your local council for advice.

STEP 2. DETERMINE WHAT APPROVALS ARE REQUIRED FOR CONSTRUCTING YOUR APZ

If you intend to undertake bush fire hazard reduction works to create or maintain an APZ you must gain the written consent of the landowner.

Subdivided land or construction of a new dwelling

If you are constructing an APZ for a new dwelling you will need to comply with the requirements in *Planning for Bushfire Protection*. Any approvals required will have to be obtained as part of the Development Application process.

Existing asset

If you wish to create or maintain an APZ for an existing structure you may need to obtain an environmental approval. The RFS offers a free environmental assessment and certificate issuing service for essential hazard reduction works. For more information see the RFS document *Application Instructions for a Bush Fire Hazard Reduction Certificate* or contact your local RFS Fire Control Centre to determine if you can use this approval process.

Bear in mind that all work undertaken must be consistent with any existing land management agreements (e.g. a conservation agreement, or property vegetation plan) entered into by the property owner.

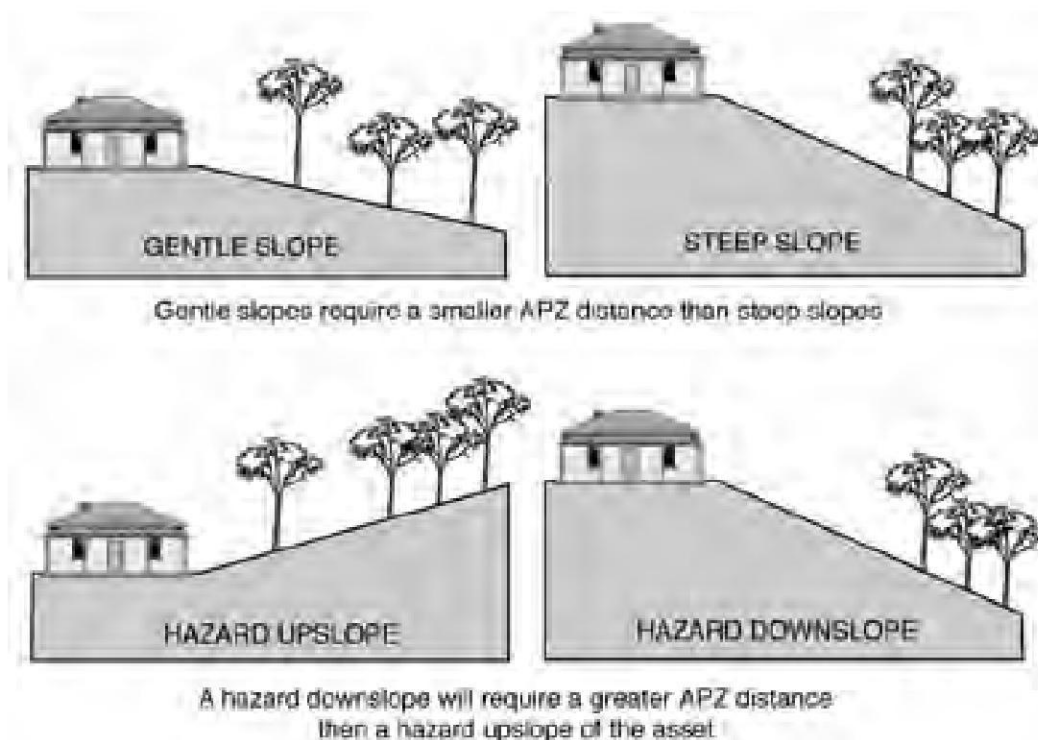
If your current development consent provides for an APZ, you do not need further approvals for works that are consistent with this consent.

If you intend to burn off to reduce fuel levels on your property you may also need to obtain a Fire Permit through the RFS or NSW Fire Brigades. See the RFS document *Before You Light That Fire* for an explanation of when a permit is required.

STEP 3. DETERMINE THE APZ WIDTH

The size of the APZ required around your asset depends on the nature of the asset, the slope of the area, the type and structure of nearby vegetation and whether the vegetation is managed.

Fires burn faster uphill than downhill, so the APZ will need to be larger if the hazard is downslope of the asset.



Different types of vegetation (for example, forests, rainforests, woodlands, grasslands) behave differently during a bush fire. For example, a forest with shrubby understorey is likely to result in a higher intensity fire than a woodland with a grassy understorey and would therefore require a greater APZ width.

A key benefit of an APZ is that it reduces radiant heat and the potential for direct flame contact on homes and other buildings. Residential dwellings require a wider APZ than sheds or stockyards because the dwelling is more likely to be used as a refuge during bush fire.

Subdivided land or construction of a new dwelling

If you are constructing a new asset, the principles of *Planning for Bushfire Protection* should be applied. Your Development Application approval will detail the exact APZ distance required.

Existing asset

If you wish to create an APZ around an existing asset and you require environmental approval, the Bush Fire Environmental Assessment Code provides a streamlined assessment process. Your Bush Fire Hazard Reduction Certificate (or alternate environmental approval) will specify the maximum APZ width allowed.

For further information on APZ widths see *Planning for Bushfire Protection* or the *Bush Fire Environmental Assessment Code* (available on the RFS website), or contact your local RFS Fire Control Centre.

STEP 4. DETERMINE WHAT HAZARD REDUCTION METHOD IS REQUIRED TO REDUCE BUSH FIRE FUEL IN YOUR APZ

The intensity of bush fires can be greatly reduced where there is little to no available fuel for burning. In order to control bush fire fuels you can reduce, remove or change the state of the fuel through several means.

Reduction of fuel does not require removal of all vegetation, which would cause environmental damage. Also, trees and plants can provide you with some bush fire protection from strong winds, intense heat and flying embers (by filtering embers) and changing wind patterns. Some ground cover is also needed to prevent soil erosion.

Fuels can be controlled by:

1. raking or manual removal of fine fuels

Ground fuels such as fallen leaves, twigs (less than 6 mm in diameter) and bark should be removed on a regular basis. This is fuel that burns quickly and increases the intensity of a fire.

Fine fuels can be removed by hand or with tools such as rakes, hoes and shovels.

2. mowing or grazing of grass

Grass needs to be kept short and, where possible, green.

3. removal or pruning of trees, shrubs and understorey

The control of existing vegetation involves both selective fuel reduction (removal, thinning and pruning) and the retention of vegetation.

Prune or remove trees so that you do not have a continuous tree canopy leading from the hazard to the asset. Separate tree crowns by two to five metres. A canopy should not overhang within two to five metres of a dwelling.

Native trees and shrubs should be retained as clumps or islands and should maintain a covering of no more than 20% of the area.

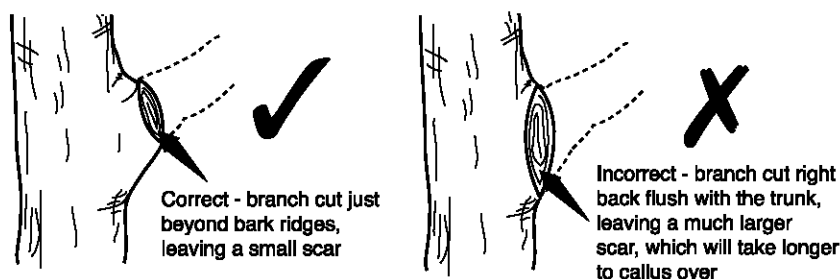
When choosing plants for removal, the following basic rules should be followed:

1. Remove noxious and environmental weeds first. Your local council can provide you with a list of environmental weeds or 'undesirable species'. Alternatively, a list of noxious weeds can be obtained at www.agric.nsw.gov.au/noxweed/;
2. Remove more flammable species such as those with rough, flaky or stringy bark; and
3. Remove or thin understorey plants, trees and shrubs less than three metres in height

The removal of significant native species should be avoided.

Prune in accordance with the following standards:

- Use sharp tools. These will enable clean cuts and will minimise damage to the tree.
- Decide which branches are to be removed before commencing work. Ensure that you maintain a balanced, natural distribution of foliage and branches.
- Remove only what is necessary.
- Cut branches just beyond bark ridges, leaving a small scar.
- Remove smaller branches and deadwood first.



There are three primary methods of pruning trees in APZs:

1. Crown lifting (skirting)

Remove the lowest branches (up to two metres from the ground). Crown lifting may inhibit the transfer of fire between the ground fuel and the tree canopy.

2. Thinning

Remove smaller secondary branches whilst retaining the main structural branches of the tree. Thinning may minimise the intensity of a fire.

3. Selective pruning

Remove branches that are specifically identified as creating a bush fire hazard (such as those overhanging assets or those which create a continuous tree canopy). Selective pruning can be used to prevent direct flame contact between trees and assets.

Your Bush Fire Hazard Reduction Certificate or local council may restrict the amount or method of pruning allowed in your APZ.

See the *Australian Standard 4373 (Pruning of Amenity Trees)* for more information on tree pruning.

4. Slashing and trittering

Slashing and trittering are economical methods of fuel reduction for large APZs that have good access. However, these methods may leave large amounts of slashed fuels (grass clippings etc) which, when dry, may become a fire hazard. For slashing or trittering to be effective, the cut material must be removed or allowed to decompose well before summer starts.

If clippings are removed, dispose of them in a green waste bin if available or compost on site (dumping clippings in the bush is illegal and it increases the bush fire hazard on your or your neighbour's property).

Although slashing and trittering are effective in inhibiting the growth of weeds, it is preferable that weeds are completely removed.

Care must be taken not to leave sharp stakes and stumps that may be a safety hazard.

5. Ploughing and grading

Ploughing and grading can produce effective firebreaks. However, in areas where this method is applied, frequent maintenance may be required to minimise the potential for erosion. Loose soil from ploughed or graded ground may erode in steep areas, particularly where there is high rainfall and strong winds.

6. Burning (hazard reduction burning)

Hazard reduction burning is a method of removing ground litter and fine fuels by fire. Hazard reduction burning of vegetation is often used by land management agencies for broad area bush fire control, or to provide a fuel reduced buffer around urban areas.

Any hazard reduction burning, including pile burns, must be planned carefully and carried out with extreme caution under correct weather conditions. Otherwise there is a real danger that the fire will become out of control. More bush fires result from escaped burning off work than from any other single cause.

It is YOUR responsibility to contain any fire lit on your property. If the fire escapes your property boundaries you may be liable for the damage it causes.

Hazard reduction burns must therefore be carefully planned to ensure that they are safe, controlled, effective and environmentally sound. There are many factors that need to be considered in a burn plan. These include smoke control, scorch height, frequency of burning and cut off points (or control lines) for the fire. For further information see the RFS document *Standards for Low Intensity Bush Fire Hazard Reduction Burning*, or contact your local RFS for advice.

7. Burning (pile burning)

In some cases, where fuel removal is impractical due to the terrain, or where material cannot be disposed of by the normal garbage collection or composted on site, you may use pile burning to dispose of material that has been removed in creating or maintaining an APZ.

For further information on pile burning, see the RFS document *Standards for Pile Burning*.

In areas where smoke regulations control burning in the open, you will need to obtain a Bush Fire Hazard Reduction Certificate or written approval from Council for burning. During the bush fire danger period a Fire Permit will also be required. See the RFS document *Before You Light that Fire* for further details.

STEP 5. TAKE MEASURES TO PREVENT SOIL EROSION

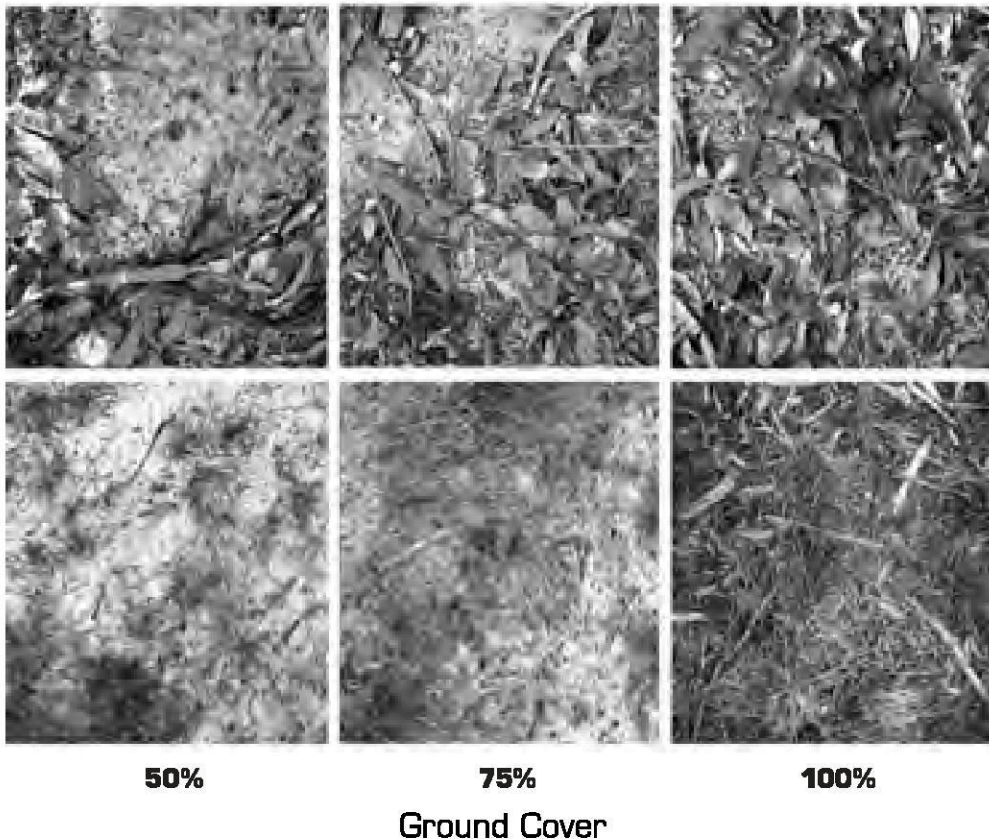
While the removal of fuel is necessary to reduce a bush fire hazard, you also need to consider soil stability, particularly on sloping areas.

Soil erosion can greatly reduce the quality of your land through:

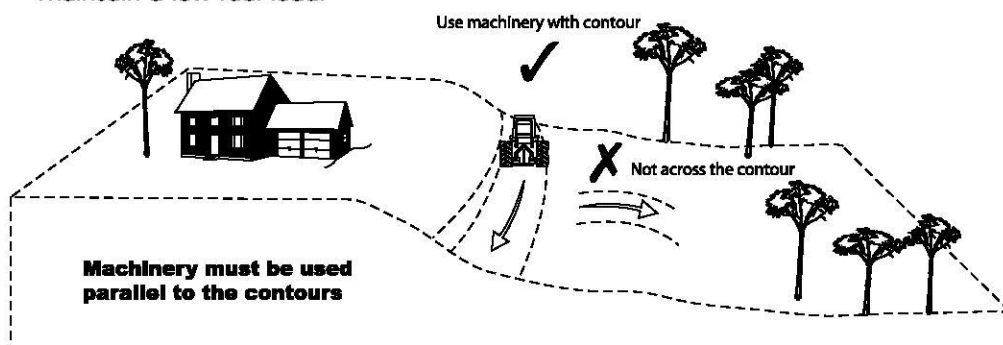
- loss of top soil, nutrients, vegetation and seeds
- reduced soil structure, stability and quality
- blocking and polluting water courses and drainage lines

A small amount of ground cover can greatly improve soil stability and does not constitute a significant bush fire hazard. Ground cover includes any material which directly covers the soil surface such as vegetation, twigs, leaf litter, clippings or rocks. A permanent ground cover should be established (for example, short grass). This will provide an area that is easy to maintain and prevent soil erosion.

When using mechanical hazard reduction methods, you should retain a ground cover of at least 75% to prevent soil erosion. However, if your area is particularly susceptible to soil erosion, your Hazard Reduction Certificate may require that 90% ground cover be retained.



To reduce the incidence of soil erosion caused by the use of heavy machinery such as ploughs, dozers and graders, machinery must be used parallel to the contours. Vegetation should be allowed to regenerate, but be managed to maintain a low fuel load.



STEP 6. ONGOING MANAGEMENT AND LANDSCAPING

Your home and garden can blend with the natural environment and be landscaped to minimise the impact of fire at the same time. To provide an effective APZ, you need to plan the layout of your garden to include features such as fire resistant plants, radiant heat barriers and windbreaks.

Layout of gardens in an APZ

When creating and maintaining a garden that is part of an APZ you should:

- ensure that vegetation does not provide a continuous path to the house;
- remove all noxious and environmental weeds;
- plant or clear vegetation into clumps rather than continuous rows;
- prune low branches two metres from the ground to prevent a ground fire from spreading into trees;
- locate vegetation far enough away from the asset so that plants will not ignite the asset by direct flame contact or radiant heat emission;
- plant and maintain short green grass around the house as this will slow the fire and reduce fire intensity. Alternatively, provide non-flammable pathways directly around the dwelling;
- ensure that shrubs and other plants do not directly abut the dwelling. Where this does occur, gardens should contain low-flammability plants and non flammable ground cover such as pebbles and crush tile; and
- avoid erecting brush type fencing and planting "pencil pine" type trees next to buildings, as these are highly flammable.



Removal of other materials

Woodpiles, wooden sheds, combustible material, storage areas, large quantities of garden mulch, stacked flammable building materials etc. should be located away from the house. These items should preferably be located in a designated cleared location with no direct contact with bush fire hazard vegetation.

Other protective features

You can also take advantage of existing or proposed protective features such as fire trails, gravel paths, rows of trees, dams, creeks, swimming pools, tennis courts and vegetable gardens as part of the property's APZ.

PLANTS FOR BUSH FIRE PRONE GARDENS

When designing your garden it is important to consider the type of plant species and their flammability as well as their placement and arrangement.

Given the right conditions, all plants will burn. However, some plants are less flammable than others.

Trees with loose, fibrous or stringy bark should be avoided. These trees can easily ignite and encourage the ground fire to spread up to, and then through, the crown of the trees.

Plants that are less flammable, have the following features:

- high moisture content
- high levels of salt
- low volatile oil content of leaves
- smooth barks without "ribbons" hanging from branches or trunks; and
- dense crown and elevated branches.

When choosing less flammable plants, be sure not to introduce noxious or environmental weed species into your garden that can cause greater long-term environmental damage.

For further information on appropriate plant species for your locality, contact your local council, plant nurseries or plant society.

If you require information on how to care for fire damaged trees, refer to the Firewise brochure *Trees and Fire Resistance; Regeneration and care of fire damaged trees*.

WIND BREAKS

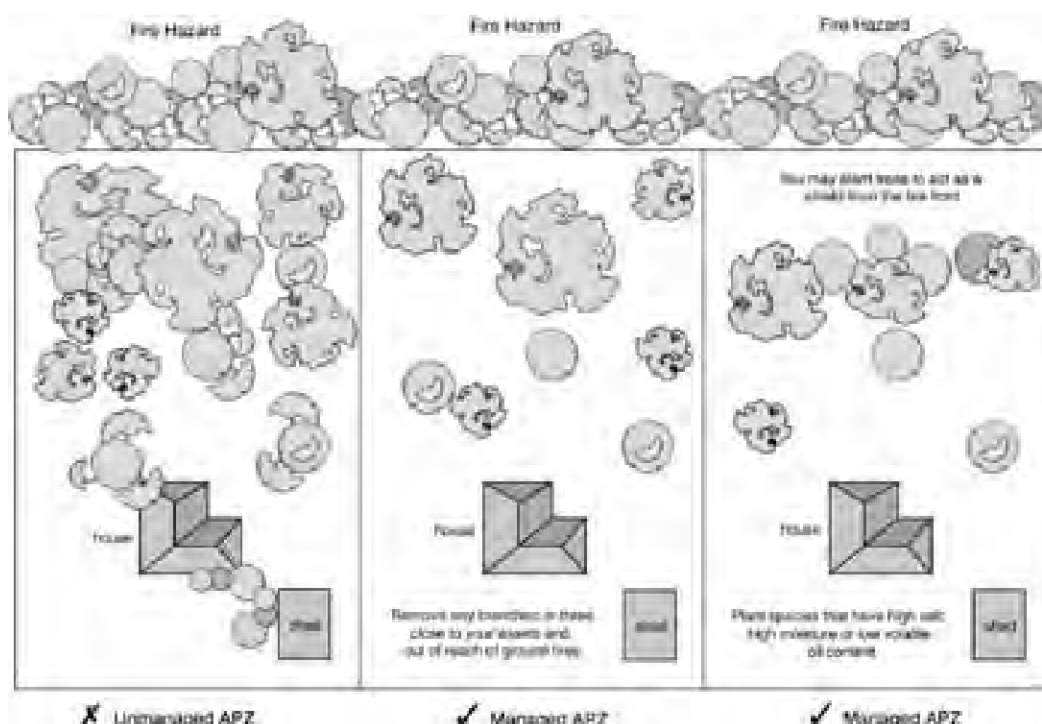
Rows of trees can provide a wind break to trap embers and flying debris that could otherwise reach the house or asset.

You need to be aware of local wind conditions associated with bush fires and position the wind break accordingly. Your local RFS Fire Control Centre can provide you with further advice.

When choosing trees and shrubs, make sure you seek advice as to their maximum height. Their height may vary depending on location of planting and local conditions. As a general rule, plant trees at the same distance away from the asset as their maximum height.

When creating a wind break, remember that the object is to slow the wind and to catch embers rather than trying to block the wind. In trying to block the wind, turbulence is created on both sides of the wind break making fire behaviour erratic.

11



HOW CAN I FIND OUT MORE?

The following documents are available from your local Fire Control Centre and from the NSW RFS website at **www.rfs.nsw.gov.au**.

- Before You Light That Fire
- Standards for Low Intensity Bush Fire Hazard Reduction Burning
- Standards for Pile Burning
- Application Instructions for a Bush Fire Hazard Reduction Certificate

If you require any further information please contact:

- your local NSW Rural Fire Service Fire Control Centre.
Location details are available on the RFS website or
- call the NSW RFS Enquiry Line 1800 679 737
(Monday to Friday, 9am to 5pm), or
- the NSW RFS website at **www.rfs.nsw.gov.au**.

**Produced by the NSW Rural Fire Service, Locked Mail Bag 17,
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PHINN-2022-30 APPENDIX B

ACCESS PROVISIONS FROM APPENDIX 3 OF PBP-2019.

REZONING & SUBDIVISION.

**LOT 1 IN DP 416381,
39 STROUDS ROAD,
BONVILLE, NSW.**

APPENDIX 3

ACCESS

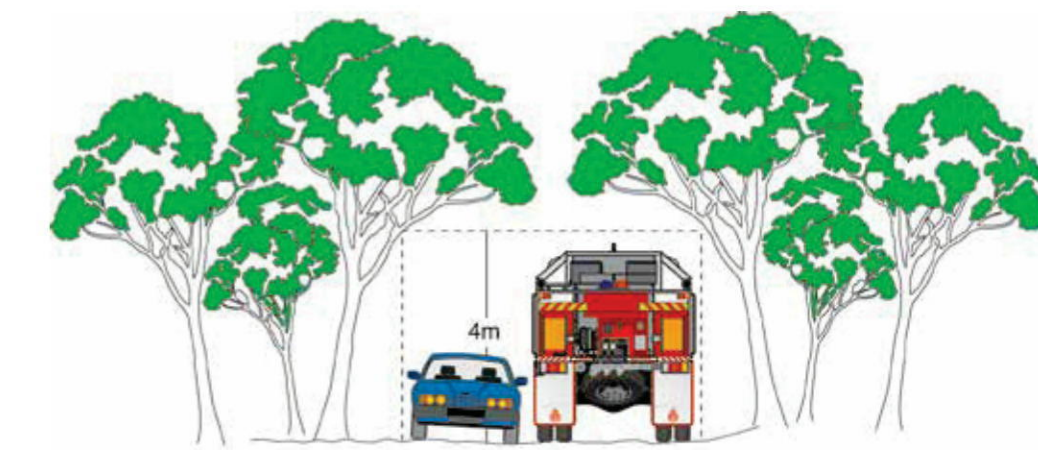
This appendix provides design principles for emergency service vehicle access.

A3.1 Vertical clearance

An unobstructed clearance height of 4 metres should be maintained above all access ways including clearance from building construction, archways, gateways and overhanging structures (e.g. ducts, pipes, sprinklers, walkways, signs and beams). This also applies to vegetation overhanging roads.

Figure A3.1

Vertical clearance.



A3.2 Vehicle turning requirements

Curved carriageways should be constructed using the minimum swept path as outlined in Table A3.2.

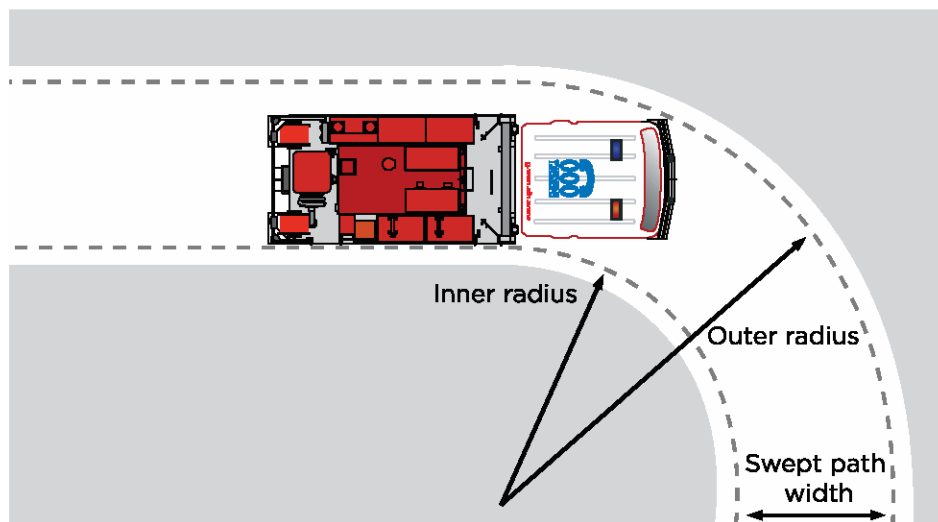
Table A3.2

Minimum curve radius for turning vehicles.

Curve radius (inside edge in metres)	Swept path (metres width)
< 40	4.0
40 - 69	3.0
70 - 100	2.7
> 100	2.5

Figure A3.2a

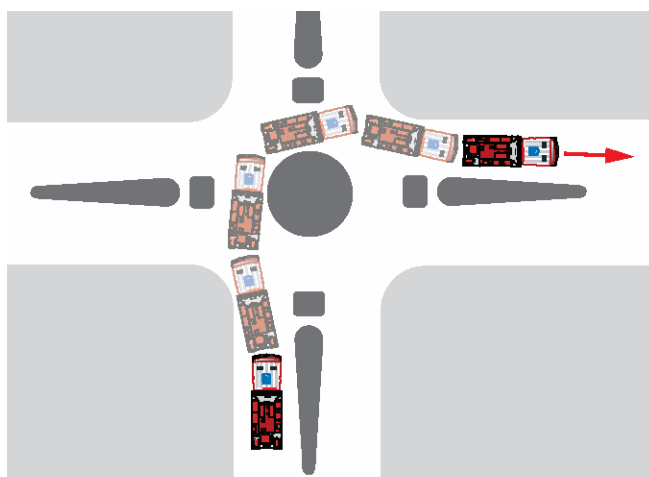
Swept path width for turning vehicles.



The radius dimensions given are for wall to wall clearance where body overhangs travel a wider arc than the wheel tracks (vehicle swept path). The swept path shall include an additional 500mm clearance either side of the vehicle.

Figure A3.2b

Roundabout swept path.



Example of a swept path as applied to a roundabout. The distance between inner and outer turning arcs allows for expected vehicle body swing of front and rear overhanging sections (the swept path).

A3.3 Vehicle turning head requirements

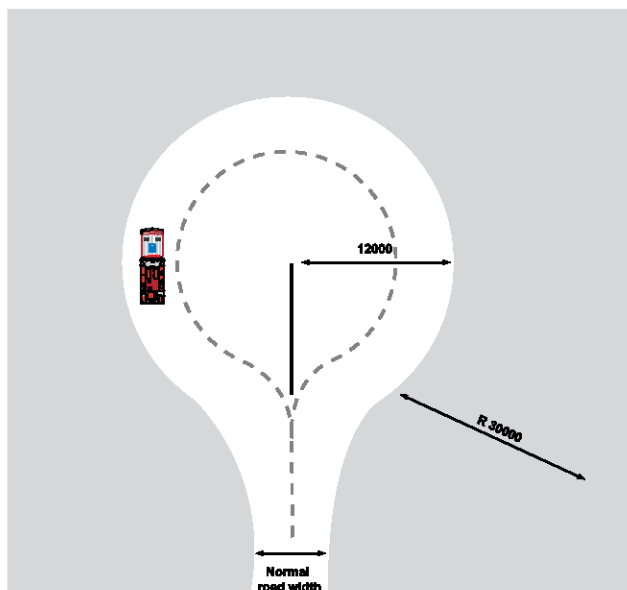
Dead ends that are longer than 200m must be provided with a turning head area that avoids multipoint turns. "No parking" signs are to be erected within the turning head.

The minimum turning radius shall be in accordance with Table A3.2. Where multipoint turning is proposed the NSW RFS will consider the following options:

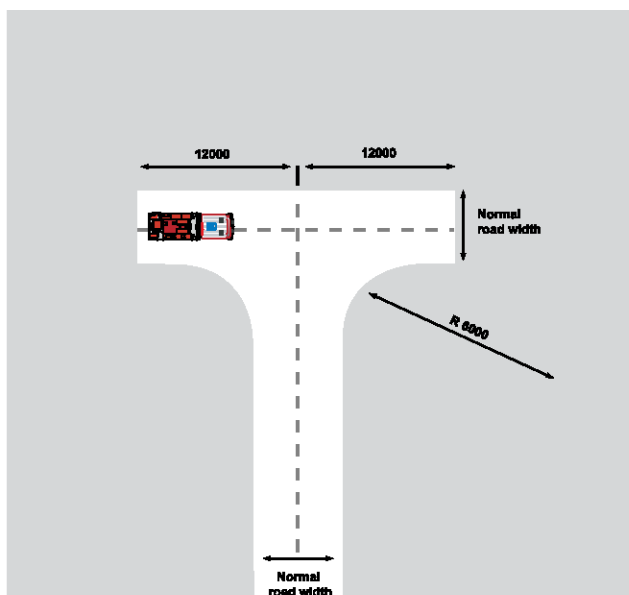
Figure A3.3

Multipoint turning options.

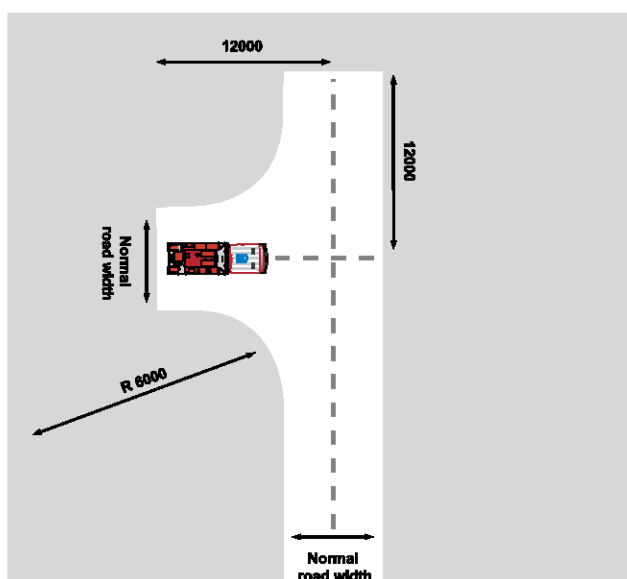
Type A



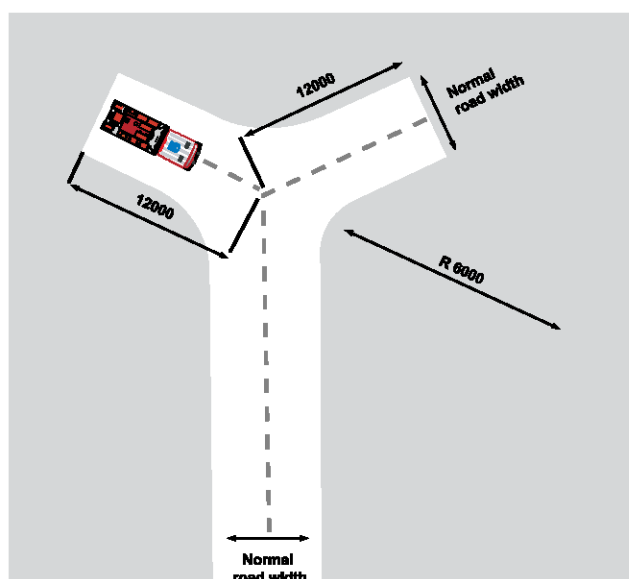
Type B



Type C



Type D



A3.4 Passing bays

The construction of passing bays, where required, shall be 20m in length and provide a minimum trafficable width at the passing point of 6m.

Figure A3.4

Passing bays can provide advantages when designed correctly. Poor design can and does severely impede access.



A3.5 Parking

Parking can create a pinch point in required access. The location of parking should be carefully considered to ensure fire appliance access is unimpeded. Hydrants shall be located outside of access ways and any parking areas to ensure that access is available at all times.

Figure A3.5

Hydrants and parking bays.

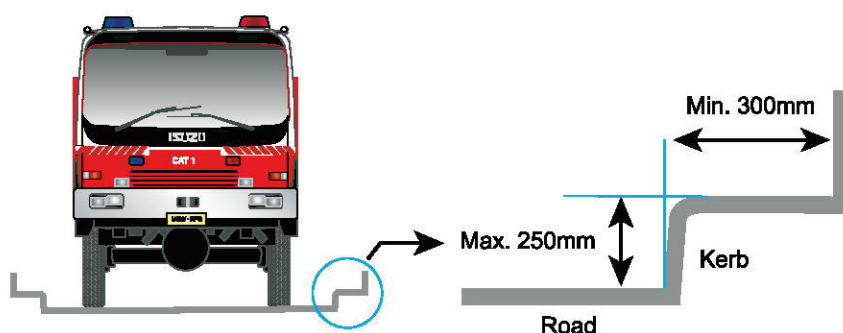


A3.6 Kerb dimensions

All kerbs constructed around access roads should be no higher than 250mm and free of vertical obstructions at least 300mm back from the kerb face to allow clearance for front and rear body overhang.

Figure A3.6

Carriageway kerb clearance dimensions.



A3.7 Services

Hydrant services should be located outside the carriageway and parking bays to permit traffic flow and access. Setup of standpipes within the carriageway may stop traffic flow. Hydrant services shall be located on the side of the road away from the bush fire threat where possible.

A3.8 Local Area Traffic Management (LATM)

The objective of LATM is to regulate traffic an acceptable level of speed and traffic volume within a local area.

Traffic engineers and planners should consider LATM devices when planning for local traffic control and their likely impact on emergency services. LATM devices by their nature are designed to restrict and impede the movement of traffic, especially large vehicles.

Where LATM devices are provided they are to be designed so that they do not impede fire vehicle access.

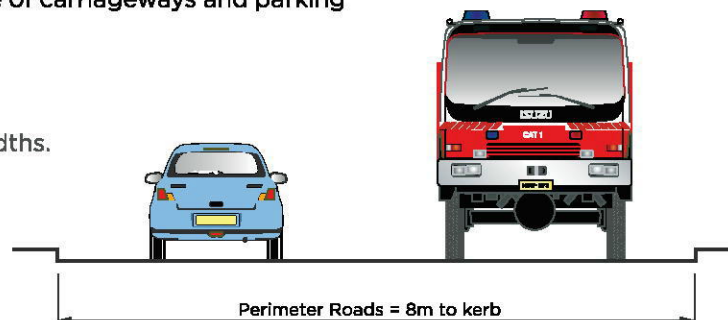
A3.9 Road types

A3.9.1 Perimeter Roads

Perimeter roads are to be provided with a minimum clear width of 8m. Parking and hydrants are to be provided outside of carriageways. Hydrants are to be located outside of carriageways and parking areas.

Figure A3.9a

Perimeter road widths.

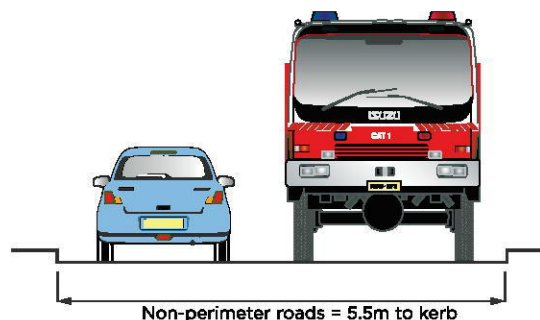


A3.9.2 Non-perimeter Roads

Non-perimeter roads shall be provided with a minimum clear width of 5.5m. Parking is to be provided outside of the carriageway and hydrants are not to be located in carriageways or parking areas.

Figure A3.9b

Non-perimeter road widths.



A3.9.3 Property access

Property access roads are to be a minimum of 4m wide.

Figure A3.9c

Property access road widths.



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39 STROUDS ROAD, BONVILLE, - PROPOSED 2 LOT SUBDIVISION. VEHICULAR ACCESS ASSESSMENT

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Executive Summary

This report presents the results of an investigation of the suitability of an existing vehicular access at 39 Strouds Road, Bonville being used as a shared access for 2 proposed lots which will result from an application to subdivide the current land holding which has a single dwelling.

At a pre-lodgement meeting with the applicant advice from Council indicated that the current access was not suitable as the existing sight distance did not meet the requirements of *AS/NZS 2890.1 Parking Facilities Part 1: Off-street car parking* and specifically the requirements of Figure 3.2.


It has been found that Council's interpretation of the minimum required sight distance from the standard does not align with the land use or vehicle operating speed in the immediate area of the access. Sight distance in both directions currently exceeds the minimum requirements of the standard and therefore, the existing access is considered to be satisfactory for the proposed subdivision.

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Document Status

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2				

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Tables

No table of figures entries found.

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1 Introduction

Weavers Consulting Group Pty Ltd (WCG) has been engaged to carry out an Engineering Assessment of the safety and compliance associated with the intention use an existing property access as a shared access for a proposed 2 lot subdivision.

2 Site Location and Description

A plan of subdivision has been prepared by Newnham Karl Weir, Surveyors, for the proposed subdivision of Lot 1 DP 416381, 39 Strouds Road, Bonville into 2 lots. It is proposed to share a common access being the existing access on the eastern frontage.

Figure 1 – Aerial Image of the site highlighted (Coffs Harbour City Council emap 2022).



The site is situated on the western side of Strouds Road at Bonville, and has a frontage of approximately 132 m to Strouds Road. The lot is approximately rectangular in shape and has a total area of 1.127 ha and an existing dwelling house and associated structures are located on the southern half of the site.

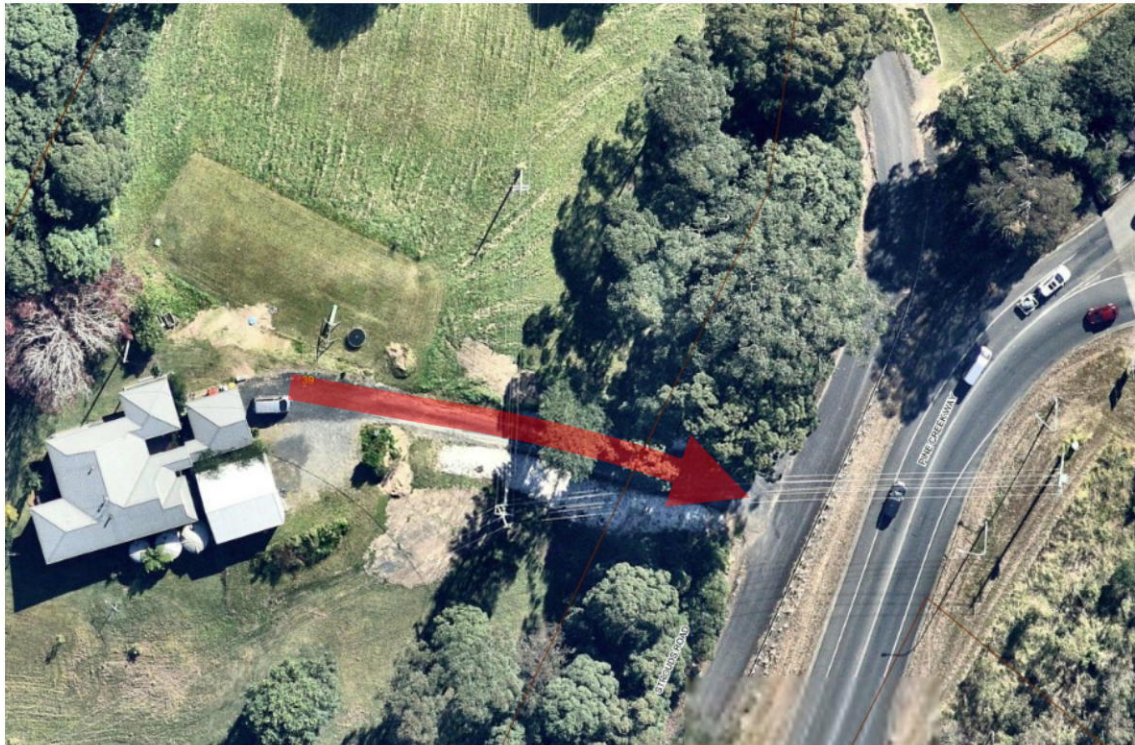
The lot is generally elevated above Strouds Road and the existing driveway has a grade of approximately 11% down to the road.

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Figure 2 – Existing access highlighted.



3 Council Advice

It is understood that Council has provided the following advice at a Pre-lodgement meeting in regard to the proposed use of the existing access for both lots:

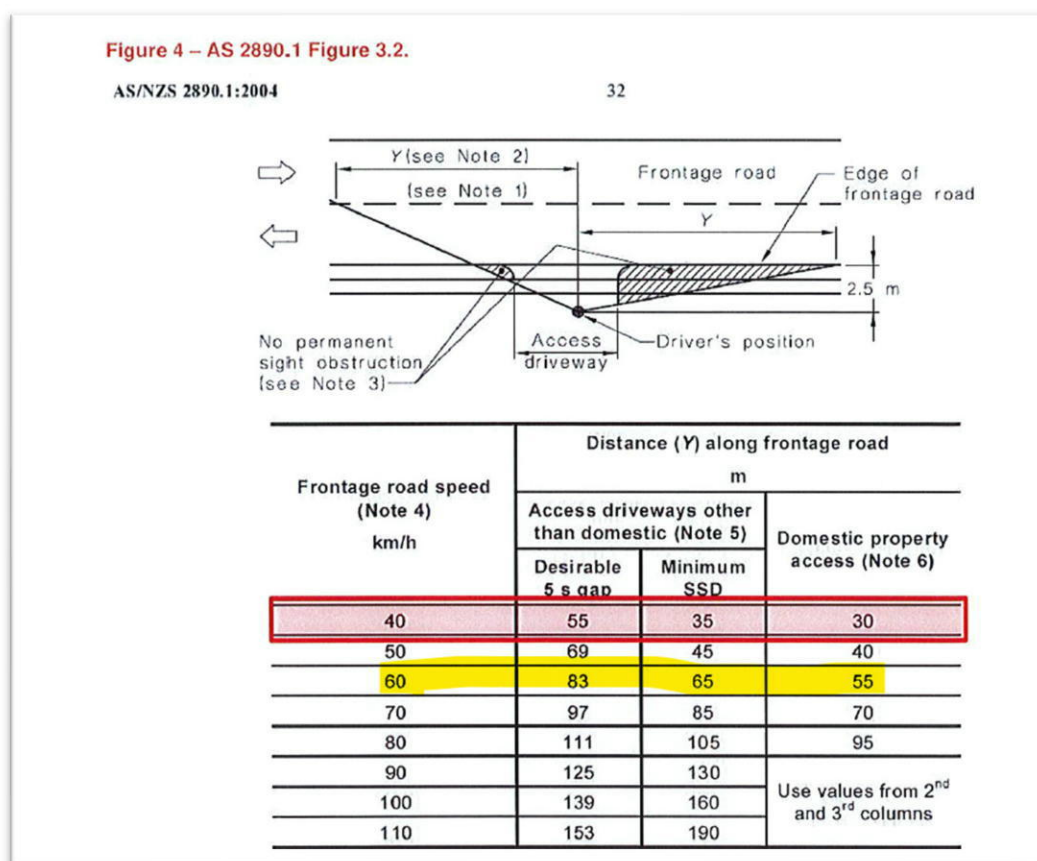
Access off Strouds Road

❑ **Lot 10** utilises the existing access servicing the existing Lot 39. The sight distance of this existing access at its intersection with Strouds Road is not achieved. Refer to AS 2890.2, Figure 3.3 which specifies the sight distance required for various speed zones. (in this case the speed zone is 60kph, and the required sight distance is 83m). If this is to be the case, the proponent needs to demonstrate how this access could be upgraded to allow the required sight distance to be achieved.

❑ **Lot 11** - This Lot uses the same existing access (existing Lot 39 access) and the same comments above apply.

❑ **Combined access** - Any common access should be structured to reflect the common ownership. In addition, a restriction should be placed on each Lot preventing any other access onto Strouds Road.

Figure 3 – Details supplied by Council for the applicant's information.



4 Site Inspection

The site was inspected on Monday 16 January 2023 to assess site conditions, sight distances and traffic operating speeds etc.

5 Existing Road and Traffic Conditions

Strouds Road is a local access road approximately 600 m long in a rural environment. The road provides access to Coffs Harbour Butterfly House close to the intersection with Pine Creek Way, 15A and 15B, No 29 and 31, No 39, a Paintball business with resident dwelling No 44, No 51, No 59 and No 65.

A definitive study for traffic generation from rural dwellings is not available. From the RMS Updated Traffic Surveys Report, TDT 2013/04a, daily vehicle trips from dwellings in regional areas amounts to 7.4 trips per day (tpd).

Excluding the Butterfly House and Paintball business, traffic generation from residential properties past No 39, from 4 dwellings would amount to approximately (4x7.4=29.6), say 30 trips per day, passing the site access. Also, based on a maximum of 0.9 trips per hour in the

evening peak hour, it would be expected that the evening peak hour would amount to 4 trips per hour. These trips would be almost entirely northbound return trips.

In summary, the traffic volume on Strouds Road passing No 39 is very low and is not expected to increase significantly due to the Paintball business.

5.1 Lane width

The sealed width of Strouds Road is generally narrow along the full length and in the area of the access a length of steel beam safety barrier commences 50 m before the access and ends 40 m past the access. On the southern side of the access, a length of concrete lined table drain and guideposts results in a trafficable width of 5.8 m to the face of the safety barrier. As vehicle drivers require some separation to a longitudinal barrier an allowance of 0.6 m would result in lanes being 2.6 m wide. The natural response of drivers in such situations is to slow when encountering a vehicle from the opposite direction.

5.2 Operating Speed

There are no speed restriction signs erected along the length of Strouds Road. Therefore, the default rural 100 km/h speed limit would apply to the length of Strouds Road however, actual travel speeds are constrained by:

- Horizontal and vertical alignment
- Pavement width
- Driver experience
- Roadside vegetation
- Longitudinal sight distance
- Terrain, etc.

Austrroads defines operating speed as *“the 85th percentile speed of cars at a time when traffic volumes are low and drivers are free to choose the speed at which they travelpast a nominated point.”* For Strouds Road, traffic volumes will be low at all times and operating speeds will only be constrained by alignment and road environment.

Weavers Consulting undertook an investigation into a proposed subdivision of 31 Strouds Road and possible access conditions at a location approximately 120 m north of the No 39 access. That investigation determined that the operating speeds each side of the proposed access to be 40 km/h.

From a further analysis of alignment for the full length of Strouds Road it is noted the operating speed would be constrained by curves each side of the access with centreline radii not greater than 50 m and design speeds of 46 km/h with allowance for superelevation. Austrroads provides a methodology for determining operating speeds on lengths of roads in Section 3.6 of AGRD Part 3. From the model it is clear that due to the short separations between curves that operating speed would be effectively correlated with curve speeds.

Due to the very low traffic volume on Strouds Road there were insufficient vehicles to permit recording of Minimum Gap Sight Distances or actual approach speeds for a statistical analysis to be performed.

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On balance, considering the road alignment and environment, an operating speed of 50 km/h is considered to be appropriate and conservative for this location.

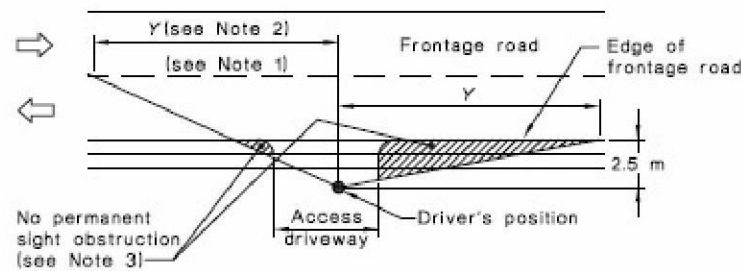
6 Measured Sight Distance

For access to residential properties, sight distance requirements are specified in Figure 3.2 of *AS/NZS 2890.1 Parking Facilities Part 1: Off-street car parking*. A copy of the full details of Figure 3.2 is enclosed below.

Figure 4 – Figure 3.2 from AS/NZS 2890.1.

AS/NZS 2890.1:2004

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Frontage road speed (Note 4) km/h	Distance (Y) along frontage road m		
	Access driveways other than domestic (Note 5)		Domestic property access (Note 6)
	Desirable 5 s gap	Minimum SSD	
40	55	35	30
50	69	45	40
60	83	65	55
70	97	85	70
80	111	105	95
90	125	130	Use values from 2 nd and 3 rd columns
100	139	160	
110	153	190	

NOTES:

- Centre-line or centre of road (undivided road), or right hand edge of right hand through lane (divided road).
- A check to the left is not required at a divided road where the median is wide enough to shelter a vehicle leaving the driveway.
- Parking on this side of the frontage road may need to be restricted on either side of the driveway so that the sight distance required by the above table to an approaching vehicle is not obstructed.
- This is the posted or general speed limit unless the 85th percentile speed is more than 5 km/h above the limit in which case the tabulated speed nearest the 85th percentile shall be adopted.
- The values in the table apply only to left turn and right turn manoeuvres into two-way roads up to four lanes wide and one-way streets regardless of width, either for a 5 s gap, desirable at lower frontage road speeds, or minimum stopping sight distance based on 2 s reaction time.
Crossing manoeuvres (e.g. from an access opposite the stem of a T-junction) over four lanes or more, and turning manoeuvres into a six lane two-way road would require longer gaps unless there was a median wide enough to store a vehicle and allow a two stage manoeuvre.
- These distances are based on stopping sight distances with reaction time of 1.5 s for traffic approaching along the frontage road and are applicable to a frontage road speed of up to 80 km/h only. Wherever practicable sight distance provided at domestic property accesses should meet the values given in the second or third columns of the Table.
- When checking sight distance the driver's eye height and the height of the object (approaching vehicle) are to be taken as 1.15 m above the road surface.

FIGURE 3.2 SIGHT DISTANCE REQUIREMENTS AT ACCESS DRIVEWAYS

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Sight distance was measured with a measuring wheel between the theoretical point of impact and the point where an approaching vehicle came into view. For both sight lines north and south the limit of sight distance was due to vegetation each side of the access on the western side of Strouds Road.

Sight distances measured were:

- 49 m to a southbound vehicle
- 61 m to a northbound vehicle

From the table above, for a 50 km/h design speed the minimum sight distance required for a domestic property access is 40 m, and for 60 km/h the sight distance required is 55 m.

It was noted that some minor vegetation management on the cut embankment on the northern side of the access would improve sight distance to say 55 m without the need for earthworks. With the current extent of vegetation each side of the access the available sight distance currently exceeds the minimum required sight distance on both approaches.

Figure 5 – Sight line from No 39 to southbound vehicles.



Figure 6 - Sight line from No 39 to northbound vehicles.



7 Response to Council's Advice

Note 4 attached to Figure 3.2 indicates that the 85th percentile speed may be used to determine the appropriate Frontage Road Speed (column 1) in the table. Consequently, the following statement is not substantiated by the investigation:

“The sight distance of this existing access at its intersection with Strouds Road is not achieved.”

The fourth sentence of Council's advice indicates: **“(in this case the speed zone is 60kph, and the required sight distance is 83m).”**

The assertion that Strouds Road has 60 km/h speed zone is not correct. There are no speed restriction signs in Strouds Road. The presence of a 60 km/h speed zone in Pine Creek Way nearby does not transfer that speed restriction onto Strouds Road. This would be verified by TfNSW.

It is also erroneous to indicate for a residential property in a 60 km/h speed zone the required sight distance is 83 m. The 83 m sight distance requirement clearly applies to non-residential land uses as indicated by Note 5. The table clearly indicates that column 4 sight distances based on Stopping Sight Distance should be used.

8 Conclusions

The proposed subdivision will create 2 lots which will be residential in nature due to their small lot area. The use of a shared driveway in accordance with a reciprocal ROC does not create a warrant to consider the access to Strouds Road as not being an access for “domestic” use.

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Based on an evaluation of the “operating speed” or 85th percentile design speed, the design speed for both approaches to the existing access is considered to be 50 km/h, and the existing sight distances to vehicles approaching from both directions is greater than the minimum required sight distance of 40 m. The currently available sight distance at the existing access is 49 m to southbound vehicles and 61 m to northbound vehicles.

The minimum required sight distance to a domestic property access with a design speed of 50 km/h is 40 m from Figure 3.2 of *AS/NZS 2890.1 Parking Facilities Part 1: Off-street car parking*.

Appendix 8 - Land Capability Assessment



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15 August 2022

General Manager
Coffs Harbour City Council
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ON-SITE SEWERAGE MANAGEMENT CAPABILITY ASSESSMENT FOR PROPOSED SUBDIVISION OF LOT 1 DP 416381, 39 STROUDS ROAD, BONVILLE

O'Meara Wood & Associates have been engaged by Paul Phinn to carry out a capability assessment for the proposed subdivision design of the above property. There is an existing dwelling on the property with an independent on-site sewerage management system (OSMS) which is to be retained and will be contained within proposed Lot 10 where the existing dwelling is located. It is proposed that up to a 5-bedroom dwelling may be constructed on the proposed Lot 11.

Proposed subdivision plans provided by the owner are attached in Appendix A below.

A site inspection was carried out on 9 June 2022 at the above site to determine indicative soil permeability values for soil in the proposed disposal field area and any other site constraints. The site investigation and design has been carried out in accordance with AS 1547-2012 – Onsite Domestic Wastewater Management.

Site

The existing site is approximately 11270m² and is proposed to be subdivided into 2 lots as shown on the subdivision plan attached. The proposed Lot 11 is largely cleared with some areas of tree stands. The site slopes down towards the north and northeast at approximately 15%.

It is proposed that a new dwelling of up to 5 bedrooms be constructed on proposed Lot 11 in the building envelope identified close to the northern boundary of the property. To service the dwelling, it is proposed to use a standard septic tank treatment system. Due to the proposed location of the dwelling, it will be necessary to pump effluent from the tank to absorption trenches in order to achieve the required buffer distances to adjacent boundaries. As such, the absorption trenches are proposed to be located to the east of the dwelling as shown on the site plan on drawing 22133-C01 attached in Appendix B.

The proposed disposal area is currently grassed with intermittent trees which are proposed to be cleared as necessary for the construction of the effluent disposal area. There are no signs of rock outcrops, slope instability or erosion of the proposed disposal area.

There are no known water sources within 100m of the proposed disposal area, with the nearest known water sources being as follows:

- An intermittent water course and site dam approximately 145m to the north
- An on-site dam approximately 150m to the west
- A groundwater bore approximately 160m to the north

Onsite Sewage Management System

It is proposed that the dwelling be serviced with a standard septic tank with a minimum capacity in accordance with AS1547-2012 – Table J1. Based on the potential 5-bedroom dwelling, a minimum 4000L septic tank should be used.

Due to the levels of the proposed disposal area, it is proposed that effluent from the treatment system is to be gravity fed to a pump sump and then pumped to a distribution box upgradient from the absorption trenches. The distribution box will then equally gravity feed all of the trenches. Prior to the distribution box, a pressure reduction device should be installed, such as a 6m length of 100mm sewer pipe or approved equivalent.

All work should be installed in accordance with AS1547, AS3500, Coffs Harbour Sewerage Management Strategy and the detail attached in Appendix B.

Soil Investigation

Three bore holes were drilled across the area of the proposed disposal area and the soil profile logged as indicated below. No evidence of the water table was present in any of the boreholes.

Bore Hole	Depth	Description	Soil Category	Indicative permeability (m/d)
1	0-300	Dark brown loam topsoil, high / moderate structure	3	1.5-3.0
	300-500	Orange / brown clay loam topsoil, high / moderate structure	4	0.5-1.5
	500-800+	Orange light clay, strong structure	5	0.12-0.5
2	0-200	Dark brown loam topsoil, high / moderate structure	3	1.5-3.0
	200-400	Orange / brown clay loam topsoil, high / moderate structure	4	0.5-1.5
	400-800+	Orange light clay, strong structure	5	0.12-0.5
3	0-200	Dark brown loam topsoil, high / moderate structure	3	1.5-3.0
	200-400	Orange / brown clay loam topsoil, high / moderate structure	4	0.5-1.5
	400-800+	Orange light clay, strong structure	5	0.12-0.5

A percolation test was also carried out in borehole 1 to confirm the suitability of the above indicative permeabilities. The results of this test indicated a soil permeability of 0.24m/day confirming the above figures of the underlying material.

A design loading rate (DLR) for the underlying material of 8mm/day has been adopted in accordance with AS 1547-2012 Table L1 for the design of the disposal field.

Design Flow

An allowance in the land capability assessment has been made for a potential 5-bedroom dwelling to be constructed on proposed Lot 11. A maximum typical occupancy of 7.5 people has been allowed for the dwelling in accordance with CHCC Onsite sewerage management strategy. In accordance with AS 1547-2012 Table H1 a design flow of 120L/person/day based on tank water supply to the dwelling giving a total design flow for the dwelling of 900L/day.

Laboratory Analysis

Laboratory analyses of a soil sample taken from borehole 1 has been carried out in accordance with CHCC Onsite Sewerage Management Strategy. Results of the analyses are included in Appendix C below and have been considered in the design of the OSMS upgrade.

Disposal Area Design

The disposal area size has been determined using the worst case of the following methods:

- Hydraulic loading of the soil in accordance with AS1547 Appendix L.
- Water balance method using local rainfall statistics
- Nitrogen nutrient balance of the disposal area based on nutrient uptake by plants
- Phosphorus nutrient balance based on plant nutrient uptake and a 50-year life of the area for phosphorus adsorbed into the soil

Hydraulic Loading

Using a design flow for of 900L/day and a typical trench width of 1200mm, a total length of absorption trench of 94m would be required for the dwelling in accordance with AS1547 2012 Appendix L.

Water Balance

Water balance calculations has been carried out for the proposed dwelling upgrade and are attached in Appendix D. Using the water balance method, 111m of 1200mm wide absorption trench would be required.

Nitrogen Nutrient Balance

A nitrogen nutrient balance has been carried out using a typical plant uptake rate of 80mg/m²/d for a kikuyu or similar grass (Centre for Environmental Training – On-Site Wastewater Management Training Course Notes). Using a typical expected Total Nitrogen concentration of 55mg/L in the effluent after primary treatment (Environment & Health Protection Guidelines for On-Site Sewage Management for Single Households Table 11), a nutrient assimilation area of 619m² would be required to ensure that there is not an excess of Nitrogen leaching into the soil. As shown on the site plan, a nutrient assimilation area has been identified showing that there is an ample amount of nitrogen nutrient assimilation area for the design flows.

Phosphorus Nutrient Balance

A phosphorus nutrient balance has also been carried out using the following details:

- Typical total phosphorous concentration of 12mg/L in the treated effluent
- Typical Phosphorus sorption rate of 16257kg P/hectare as identified by lab analysis of soil sample
- 50-year design life of disposal area

Based on the above figures and the design flow of 900L/day, a disposal area of 121m² would be required for the design flow based on the Phosphorus Nutrient Balance method.

As shown above, the water balance method yields the critical area for the disposal field and as such a 111m of absorption trench has been allowed as shown on the attached plan in 6 x 18.5m long trenches. However, it should be noted that the nutrient balance calculations are based on plant uptake of the nutrients. As such, all clippings from plants in the disposal areas should be removed so that the excess nutrients taken up by the plants are not returned to the soil in the same area.

Irrigation Field Setbacks & Buffer Zones

The buffer distances have been set at 6m to up gradient boundaries and structures and 12m to downgradient boundaries.

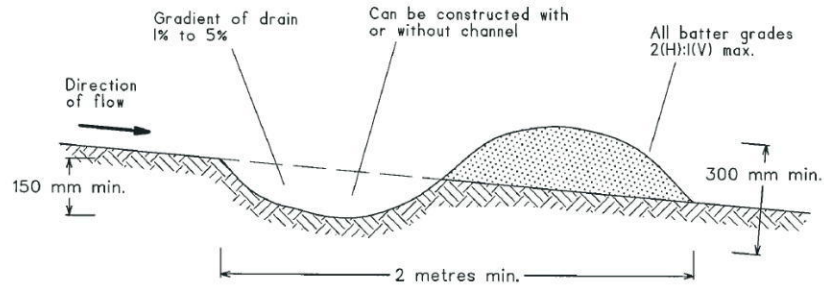
All buffer distances to water sources meet the minimum requirements of AS1547-2012 Table R1 and CHCC Onsite Sewerage Management Strategy.

Reserve Areas

A reserve area equal to the design disposal area has been shown on the site plans attached. This area would only be developed as a disposal area if required in the future should the primary area fail or if the design life of 50 years were reached.

Other Recommendations

The disposal field should have a diversion drain installed above it to divert site stormwater around the sides of the disposal field to the site drainage. Diversion drains should be installed as per the following detail from Soils & Construction – Managing Urban Stormwater 2004 and as shown on the attached site plan.



Construction Notes

1. Build with gradients between 1 percent and 5 percent.
2. Avoid removing trees and shrubs if possible - work around them.
3. Ensure the structures are free of projections or other irregularities that could impede water flow.
4. Build the drains with circular, parabolic or trapezoidal cross sections, not V shaped.
5. Ensure the banks are properly compacted to prevent failure.
6. Complete permanent or temporary stabilisation within 10 days of construction.

It is recommended that the disposal area be kept free from vehicles and livestock which could damage the system.

If there are any queries related to this matter, please do not hesitate to contact the undersigned.

Yours sincerely



Chris Wood
CPEng (1404656)
O'Meara Wood & Associates

Appendix A

Subdivision Plans

Existing Site Plan

BALANCE
Design & Construction

"Homes for Living"

FIRST FLOOR
160 PACIFIC HWY
COFFS HARBOUR
NSW 2450
PHONE NO. 0417 406 583
EMAIL info@balancedc.com.au
BALANCE DESIGN & CONSTRUCTION PTY LTD

Client:

P & J Phinn

Job Address:

39 Strouds Road,
Bonville

Drawn: PWP

Date: 5/05/2022

Job Number: TBC

Type: Custom

Scale: 1:500

Page: 1 / 2

NOTE:- THESE PLANS ARE COPYRIGHT
TO BALANCE DESIGN & CONSTRUCTION PTY LTD
AND MAY NOT BE USED WITHOUT PERMISSION

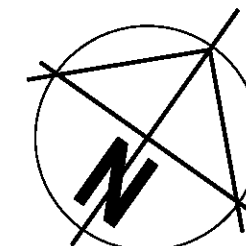
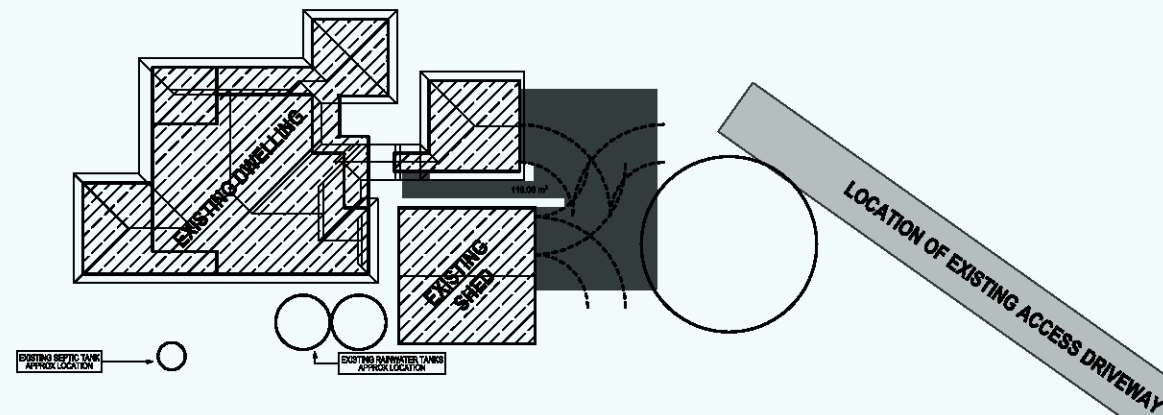
CLIENT SIGNATURES CONFIRM THESE PLANS
ARE APPROVED AS A REPRESENTATION OF
WHAT IS TO BE BUILT. ITEMS NOT INCLUDED
IN THESE PLANS & ATTACHED SPECIFICATIONS
ARE DEEMED NOT TO BE INCLUDED IN
CONTRACT:

I/WE APPROVE THESE PLANS

CLIENT SIGN DATE

CLIENT SIGN DATE

BUILDER SIGN DATE



Proposed Subdivision Plan - Block Layouts



"Homes for Living"

**FIRST FLOOR
160 PACIFIC HWY
COFFS HARBOUR
NSW 2450
PHONE NO. 0417 406 583
EMAIL info@balancedc.com.au
BALANCE DESIGN & CONSTRUCTION PTY LTD**

Client:
P & J Phinn

Job Address:
39 Strouds Road,
Bonville

Drawn: PWP

Date: 5/05/2022

Job Number: TBC

Type: Custom

Scale: 1:500

Page: 2 / 2

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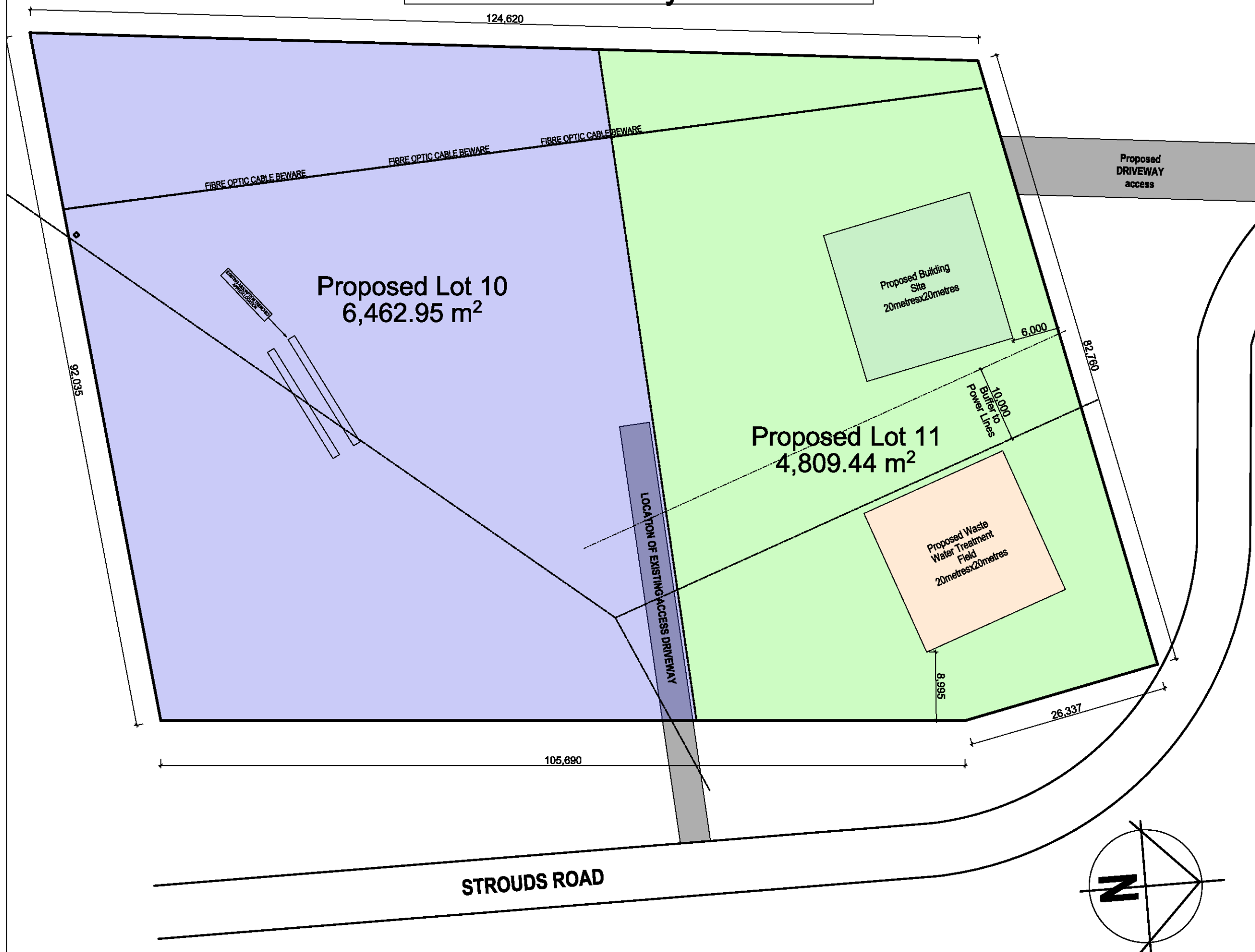
CLIENT SIGNATURES CONFIRM THESE PLANS ARE APPROVED AS A REPRESENTATION OF WHAT IS TO BE BUILT. ITEMS NOT INCLUDED IN THESE PLANS & ATTACHED SPECIFICATIONS ARE DEEMED NOT TO BE INCLUDED IN CONTRACT:

I/WE APPROVE THESE PLANS

CLIENT SIGN _____ DATE _____

CLIENT SIGN _____ DATE _____

BUILDER SIGN **DATE**



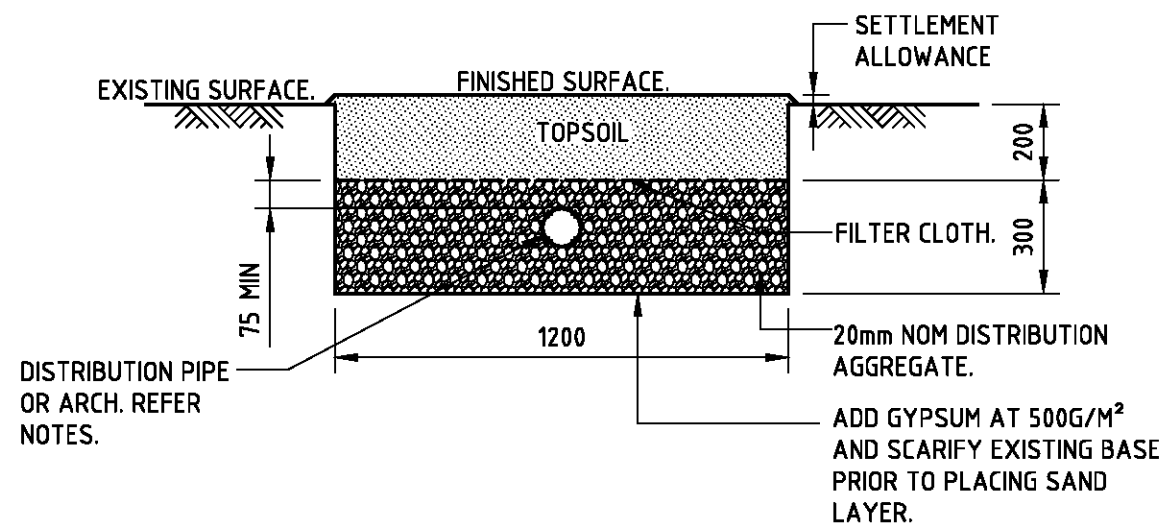
Appendix B

OSMS Site Plan & Details



OSMS SITE PLAN

©COPYRIGHT - The information contained in this document is & shall remain the property of O'Meara Wood & Associates Pty Ltd. The document may be used only for the purpose it was commissioned. Unauthorized use of this document in any form whatsoever is prohibited.					<div><div><div><div><div></div><div></div><div></div></div><div>CONSULTING ENGINEERS</div><div>O'Meara Wood & Associates Pty Ltd</div></div><div><div>PO BOX 4026</div><div>COFFS HARBOUR</div><div>NSW 2450</div></div><div><div>Ph 02 6652 3800</div><div>Fax 02 6652 3900</div></div><div>ABN 51 123 032 039</div></div></div>	DESIGNED	WOOD	CLIENT	P & J PHINN		TITLE ONSITE SEWERAGE MANAGEMENT SYSTEM SITE PLAN	
						DRAWN	WOOD					
						SCALE	1:500	PROJECT	PROPOSED SUBDIVISION LOT 1 DP 416381 39 STROUDS ROAD BONVILLE, NSW			
						CERTIFIED	C.WOOD CPENG: 1404856					
	0	FOR APPROVAL	15-08-22	CMW								
	ISSUE	DESCRIPTION	DATE	APPROVED								



CONVENTIONAL GRAVITY FED ABSORPTION BED DETAIL

NOTES:

1. BASE OF TRENCHES TO BE LEVEL TO ENSURE EVEN DISTRIBUTION OF EFFLUENT.
2. TRENCHES TO BE FED EQUALLY VIA A DISTRIBUTION BOX (OR SERIES OF DISTRIBUTION BOXES) TO ENSURE THAT ALL TRENCHES RECEIVE AN EQUAL AMOUNT OF FLOW.
3. DISTRIBUTION PIPE TO BE SLOTTED PVC PIPE OR DISTRIBUTION ARCHES TO MANUFACTURER'S SPECIFICATIONS.
4. VEGETATION TO BE ESTABLISHED ACROSS DISPOSAL AREA AS SOON AS POSSIBLE AFTER CONSTRUCTION OF TRENCHES.
5. INSPECTION PORT MADE FROM $\phi 50\text{mm}$ PVC PIPE WITH PERFORATIONS IN THE AGGREGATE LAYER OF THE TRENCH TO BE LOCATED ON DOWNHILL SIDE OF ALL TRENCHES.
6. INDIVIDUAL INSPECTION POINTS TO BE LOCATED AT EACH END OF EACH DISTRIBUTION PIPE/ARCH.
7. ALL OTHER DETAILS IN ACCORDANCE WITH CHCC ONSITE SEWERAGE MANAGEMENT STRATEGY 2015.

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0	FOR APPROVAL	15-08-22	CMW
ISSUE	DESCRIPTION	DATE	APPROVED



CONSULTING ENGINEERS
O'Meara Wood & Associates Pty Ltd

PO BOX 4026
COFFS HARBOUR
NSW 2450

Ph 02 6652 3800
Fax 02 6652 3900

ABN 51 123 032 039

DESIGNED	WOOD
DRAWN	WOOD
SCALE	1:20
CERTIFIED	C.WOOD
	CPENG: 1404856

CLIENT	P & J PHINN
PROJECT	PROPOSED SUBDIVISION LOT 1 DP 416381 39 STROUDS ROAD BONVILLE, NSW

TITLE ONSITE SEWERAGE MANAGEMENT SYSTEM DETAILS	
SHEET A3	DRG No. 22133-C02

Appendix C

Lab Analysis Results

WASTEWATER DISPOSAL SOIL ASSESSMENT

1 sample supplied by O'Meara Wood & Associates on 14/06/2022 - Lab Job No. M9551.

Analysis requested by Chris Wood. - Customer Reference: Job 22133 for Phinn

PO Box 26 COFFS HARBOUR NSW 2450

	SAMPLE 1 22133 - Phinn 450
Job No.	M9551/1
Description	Medium Clay
Moisture Content (% moisture)	20
Emerson Aggregate Stability Test (SAR 5 Solution) note 12	EAST Class 3/6, Slake 3^{see note 12}
Soil pH (1:5 CaCl₂)	4.83
Soil Conductivity (1:5 water dS/m)	3.502
Soil Conductivity (as EC_e dS/m)^{note 10}	30.117
Native NaOH Phosphorus (mg/kg P)	17.20
Residual phosphorus remaining in solution from the initial phosphate phosphorus	
Initial Phosphorus concentration (ppm P)	31.15
72 hour - 3 Day (ppm P)	7.57
120 hour - 5 Day (ppm P)	6.73
168 hour - 7 Day (ppm P)	6.57
Equilibrium Phosphorus (ppm P)	5.74
EXCHANGEABLE CATIONS	
Calcium (cmol_e/kg)	0.44
Magnesium (cmol_e/kg)	0.82
Potassium (cmol_e/kg)	0.09
Sodium (cmol_e/kg)	0.21
Aluminium (cmol_e/kg)	3.28
Hydrogen (cmol_e/kg)	3.26
ECEC (effective cation exchange capacity)(cmol_e/kg)	8.1
Exchangeable Calcium %	5.4
Exchangeable Magnesium %	10.2
Exchangeable Potassium %	1.2
Exchangeable Sodium % (ESP)	2.6
Exchangeable Aluminium %	40.5
Exchangeable Hydrogen %	40.2
Calcium/ Magnesium Ratio	0.53

Notes:

- 1: ECEC = Effective Cation Exchange Capacity = sum of the exchangeable Mg, Ca, Na, K, H and Al
- 2: Exchangeable bases determined using standard Ammonium Acetate extract (Method 15D3) with no pretreatment for soluble salts. When Conductivity ≥ 0.25 dS/m soluble salts are removed (Method 15E2).
3. ppm = mg/kg dried soil
4. Insitu P determined using 0.1 M NaOH and shaking for 24 h before determining phosphate
5. Soils were crushed using a ceramic grinding head and mill; five 1 g subsamples of each soil were used to which 40 mL of 0.1 M NaCl with 30 ppm phosphorus was added to each. The samples were shaken on an orbital shaker
6. Exchangeable sodium percentage (ESP) is calculated as sodium (cmol_e/kg) divided by ECEC
7. All results as dry weight DW - soils were dried at 60°C for 48 h prior to crushing and analysis.
8. Phosphorus Capacity method from Ryden and Pratt, 1980.
9. Aluminium detection limit is 0.05 cmol_e/kg; Hydrogen detection limit is 0.1 cmol_e/kg.
However for calculation purposes a value of 0 is used.
10. For conductivity 1 dS/m = 1 mS/cm = 1000 μ S/cm; EC_e conversions: sand loam 14, loam 9.5; clay loam 8.6; heavy clay 5.8
11. 1 cmol_e/kg = 1 meq/100g
12. Emerson Aggregate Stability Test (EAST) for Wastewater applications (see Sheet 3 - Patterson, 2015), EAST Class 1: Slaking, complete dispersion; Class 2: Slaking, some dispersion; Class 3-6*: Slaking 1 slight to 3 complete, No dispersion; Class 7: No slaking, yes swelling; Class 8: No slaking, no swelling.
13. Analysis conducted between sample arrival date and reporting date.
14. .. Denotes not requested.
15. This report is not to be reproduced except in full.
16. All services undertaken by EAL are covered by the EAL Laboratory Services Terms and Conditions (refer scu.edu.au/eal or on request).
17. This report was issued on 11/07/2022



PHOSPHORUS SORPTION TRIAL

1 sample supplied by O'Meara Wood & Associates on 14/06/2022 - Lab Job No. M9551.

Analysis requested by Chris Wood. - Customer Reference: Job 22133 for Phinn

PO Box 26 COFFS HARBOUR NSW 2450

Calculations for Equilibrium Absorption Maximum for Soil provided

I.D.	JOB NO.	Equilibrium P mg P/L (in solution)	Added P mg P/L	P Sorb at Equil. mg P/kg	Native P mg P/kg	Equilibrium P Sorption Level µg P/g soil	Divide θ (from Table)	Equilibrium Absorption Maximum (B) µg P/g soil
22133 - Phinn 450	M9551/1	5.7	31.148	1017	17	1034	0.68	1,509

Calculations for phosphorus sorption capacity

	JOB NO.	Equilibrium Absorption Maximum (B) µg P/g soil	multiply by theta of wastewater to be applied (=X)	minus the native P (=Y)	kg P sorption / hectare (to a depth of 15 cm) (1.95 is a correction factor for density, etc)	kg P sorption / hectare (to a depth of 100 cm) (1.95 is a correction factor for density, etc)
22133 - Phinn 450	M9551/1	1509	(=B x theta)	(=X - native P)	(=Y x 1.95)	(=Y x 1.95 x 100/15)

EXAMPLE 1 - Calculations for phosphorus sorption capacity using a wastewater phosphorus of 15 mg/L P

	JOB NO.	Equilibrium Absorption Maximum (B) µg P/g soil	multiply by theta of wastewater to be applied (ie. 0.84)	minus the native P (=Y)	kg P sorption / hectare (to a depth of 15 cm) (1.95 is a correction factor for density, etc)	kg P sorption / hectare (to a depth of 100 cm) (1.95 is a correction factor for density, etc)
22133 - Phinn 450	M9551/1	1509	1268	1251	2,439	16,257

Environmental Analysis Laboratory, Southern Cross University,
Tel. 02 6620 3678, website: scu.edu.au/eal



Checked:.....

Appendix D

Water Balance Calculations

Calculation of disposal field area by water balance method

Month	Pan Evaporati on E (mm/day)	Evapotran spiration ET = 0.75E (mm/day)	Evapotran spiration ET = 0.75E (mm/mon th)	Rainfall R (mm/day)	Rainfall R median(m m/month)	Retained Rainfall Rr = 0.75R (mm/mon th)	et-rr (mm/day)	Days per month	DLR (mm/day)	DLR (mm/mon th)	Disposal Rate (mm/mon th)	Effluent applied (L/day)	Effluent Applied (L/month)	Size of Area (m2)
Jan	6.3	4.7	146.5	4.9	151.2	113.4	33.1	31.0	8.0	248.0	281.1	900	27900	99.3
Feb	5.7	4.3	119.7	6.3	177.4	133.1	-13.4	28.0	8.0	224.0	210.7	900	25200	119.6
Mar	4.9	3.7	113.9	6.6	203.1	152.3	-38.4	31.0	8.0	248.0	209.6	900	27900	133.1
Apr	3.9	2.9	87.8	4.4	132.8	99.6	-11.9	30.0	8.0	240.0	228.2	900	27000	118.3
May	2.8	2.1	65.1	3.8	116.8	87.6	-22.5	31.0	8.0	248.0	225.5	900	27900	123.7
Jun	2.4	1.8	54.0	3.0	90.7	68.0	-14.0	30.0	8.0	240.0	226.0	900	27000	119.5
Jul	2.5	1.9	58.1	1.8	56.1	42.1	16.1	31.0	8.0	248.0	264.1	900	27900	105.7
Aug	3.4	2.6	79.1	1.3	41	30.8	48.3	31.0	8.0	248.0	296.3	900	27900	94.2
Sep	4.5	3.4	101.3	1.2	36.3	27.2	74.0	30.0	8.0	240.0	314.0	900	27000	86.0
Oct	5.3	4.0	123.2	2.4	74.7	56.0	67.2	31.0	8.0	248.0	315.2	900	27900	88.5
Nov	5.7	4.3	128.3	4.2	125	93.8	34.5	30.0	8.0	240.0	274.5	900	27000	98.4
Dec	6.2	4.7	144.2	3.7	114.1	85.6	58.6	31.0	8.0	248.0	306.6	900	27900	91.0

Size of area by water balance method 133
Length of 1200mm wide absorption bed required 111



Gateway Determination

Planning proposal (Department Ref: PP-2023-1816): to rezone Lot 1 DP 416381, 39-39A Strouds Road, Bonville from RU2 Rural Landscape to R5 Large Lot Residential and amend the minimum lot size

I, the Director, Hunter and Northern Region at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Coffs Harbour Local Environmental Plan 2013 to rezone Lot 1 DP 416381, 39-39A Strouds Road, Bonville from RU2 Rural Landscape to R5 Large Lot Residential and amend the minimum lot size should proceed subject to the following:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed within six months from the date of the Gateway determination.

Gateway Conditions

1. Prior to agency and community consultation, the planning proposal is to be amended to:
 - (a) identify the land is mapped as potentially containing acid sulfate soils and address the requirements of section 9.1 Direction 4.5 Acid Sulfate Soils;
 - (b) amend the discussion under Objective 3 of the North Coast Regional Plan 2041 to reference that the land contains mapped areas of potential high environmental value; and
 - (c) include discussion of potential for noise impacts from the Pacific Highway and appropriate mitigation measures, if relevant.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be

made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- NSW Rural Fire Service
- Department of Climate Change, Energy, the Environment and Water - Biodiversity, Conservation and Science Directorate
- NSW Department of Primary Industries and Regional Development - Agriculture

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 22 August 2024



Jeremy Gray
Director, Hunter and Northern Region
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces

PLANNING PROPOSAL STATUS

Stage	Version / Date (blank until achieved)
Reported to Council – Initiate s3.33	Version 1 – Pre-Exhibition 27 June 2024
Referred to DPHI s3.34(1)	Version 1 – Pre-Exhibition 12 July 2024
Gateway Determination s3.34(2)	Version 1 – Pre-Exhibition 22 August 2024
Amendments Required:	Yes
Public Exhibition – Schedule 1 Clause 4 Version 2 - Exhibition	Version 2 - Exhibition
Reported to Council – Initiate Revised PP s3.33 Version x - Re_Exhibition	
Revised PP Sent to the Minister - s3.35(1) Version x - Re_Exhibition	
Altered Gateway Determination s3.34(2) Version x - Re_Exhibition	
Public Exhibition – Schedule 1 Clause 4 Version x - Re_Exhibition	
Reported to Council – Endorsement (or Making of LEP if delegated) s3.36 Version x - Post Exhibition	
Endorsed by Council for Submission to Minister for Notification (or Making where not delegated) s3.36(2) Version x – Post Exhibition	

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APPENDICES

1	Consideration of State Environmental Planning Policies
2	Consideration of Ministerial Planning Directions
3	Concept Subdivision Lot Layout
4	Biodiversity Assessment
5	Aboriginal Cultural Heritage Site Officer Inspection Report
6	Bushfire Assessment
7	Access Assessment
8	Land Capability Assessment
9	Gateway Determination

EXECUTIVE SUMMARY & EXHIBITION INFORMATION

What is a Planning Proposal?

A planning proposal is a document that explains the intended effect of a proposed local environmental plan (LEP) and sets out the justification for making that plan. Essentially, the preparation of a planning proposal is the first step in making an amendment to Coffs Harbour LEP 2013.

A planning proposal assists those who are responsible for deciding whether an LEP amendment should proceed and is required to be prepared by a relevant planning authority. Council, as a relevant planning authority, is responsible for ensuring that the information contained within a planning proposal is accurate and accords with the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning, Housing, and Infrastructure's *Local Environmental Plan Making Guideline 2023*.

What is the Intent of this Planning Proposal?

The intent of Planning Proposal PP-2023-1816 (the planning proposal) is to amend Coffs Harbour LEP 2013 to allow large lot residential development at 39-39A Strouds Road, Bonville. The planning proposal seeks to:

- Rezone 39-39A Strouds Road, Bonville from Zone RU2 Rural Landscape to Zone R5 Large Lot Residential to allow large lot residential development.
- Amend the relevant lot size map to reduce the minimum lot size of 39-39A Strouds Road, Bonville from 40 hectares to 5000 m².
- Enable the development of the land for large lot residential purposes, having regard to the environmental attributes affecting the land.

Public Exhibition

This planning proposal is on public exhibition in accordance with the gateway determination issued by NSW Department of Planning, Housing, and Infrastructure. Copies of the planning proposal and supportive information can be viewed on the City of Coffs Harbour Have Your Say Page <https://haveyoursay.coffsharbour.nsw.gov.au/> for the duration of the exhibition period.

All interested persons are invited to view and make a submission on the planning proposal during the exhibition period. Issues raised by submissions will be reported to the Council for a final decision. Submissions can be made online, or in writing by email or post to:

The General Manager
City of Coffs Harbour
Locked Bag 155
COFFS HARBOUR NSW 2450
Email: coffs.council@chcc.nsw.gov.au

Any questions, contact:
Rachel Baker on 02 6648 4647
or email rachel.baker@chcc.nsw.gov.au

Note: The City is committed to openness and transparency in its decision-making processes. The Government Information (Public Access) Act 2009 requires the City to provide public access to information held unless there are overriding public interest considerations against disclosure. Any submissions received will be made publicly available unless the writer can demonstrate that the release of part or all of the information would not be in the public interest. However, the City would be obliged to release information as required by court order or other specific law.

Written submissions must be accompanied, where relevant, by a "Disclosure Statement of Political Donations and Gifts" in accordance with the provisions of the Local Government and Planning Legislation Amendment (Political Donations) Act 2008 No. 44. Disclosure forms are available from the City's Customer Service Section or on the City's website www.coffsharbour.nsw.gov.au/disclosurestatement.

BACKGROUND

Proposal	R5 Large Lot Residential Rezoning
Property Details	39-39A Strouds Road, Bonville (Lot 1 DP 416381)
Current Land Use Zone(s)	RU2 Rural Landscape
Proponent	Keiley Hunter
Landowner	P & J Phinn
Location	A location map is included in Figure 1

This planning proposal has been prepared in accordance with the Environmental Planning and Assessment Act 1979 and the NSW Department of Planning, Housing, and Infrastructure's *Local Environmental Plan Making Guideline 2023*

This planning proposal explains the intended effects of a proposed amendment to Coffs Harbour LEP 2013 to enable large lot residential development on land at 39-39A Strouds Road, Bonville.

The Site

This planning proposal applies to 39-39A Strouds Road, Bonville, Lot 1 DP 416381 (the subject land), which has a total area of 1.13 hectares. The location of the subject land is shown in Figure 1.

The subject land is located approximately 8 kilometres south of the Coffs Harbour Central Business District, located on the Mid-North Coast of New South Wales. Strouds Road branches off from Pine Creek Way (the former Pacific Highway), and the subject land is located approximately 3km north of the locality of Bonville.

The subject land is currently zoned RU2 Rural Landscape under LEP 2013 and is primarily used for 'lifestyle' residential purposes. Land use zones on and surrounding the subject land are shown in Figure 2.

The subject land is accessed from Strouds Road via a 4.5 m wide bitumen driveway and supports an existing, approved dwelling that is used for rural lifestyle purposes as well as an ancillary shed. The land is mostly cleared pasture with exotic landscaped vegetation and some retained remnant native vegetation. The eastern boundary of the site comprises a strip of established trees and understorey as a buffer to the Pacific Highway, located to the east of the subject land.

The land also benefits from a recently approved Development Application (0689/23DA) for a dwelling (dual occupancy – detached) with the development substantially commenced. The planning proposal will allow the subject land to be subdivided into 2 lots, each with an approved dwelling.

A concept subdivision plan is shown in Appendix 3 and shows 2 lots proposed for the subject land, each containing one dwelling, as described above.

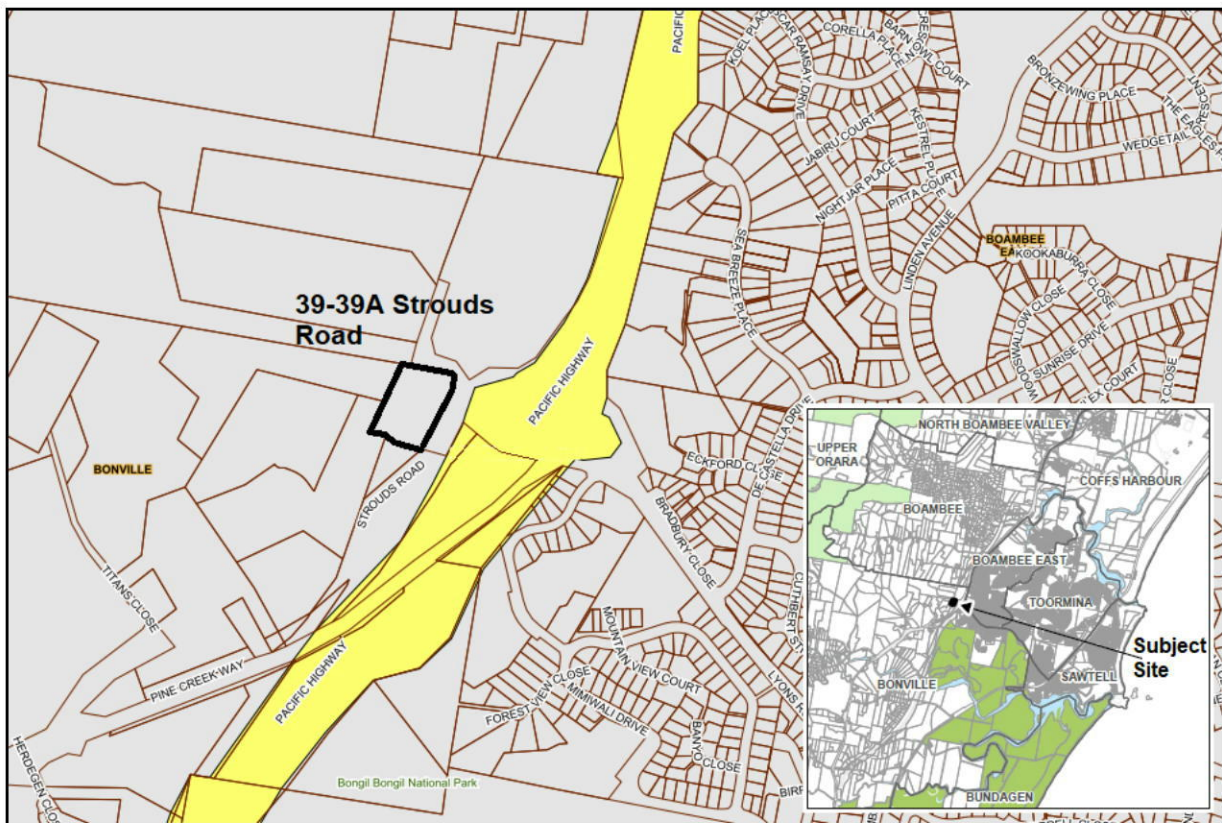


Figure 1: Location Map

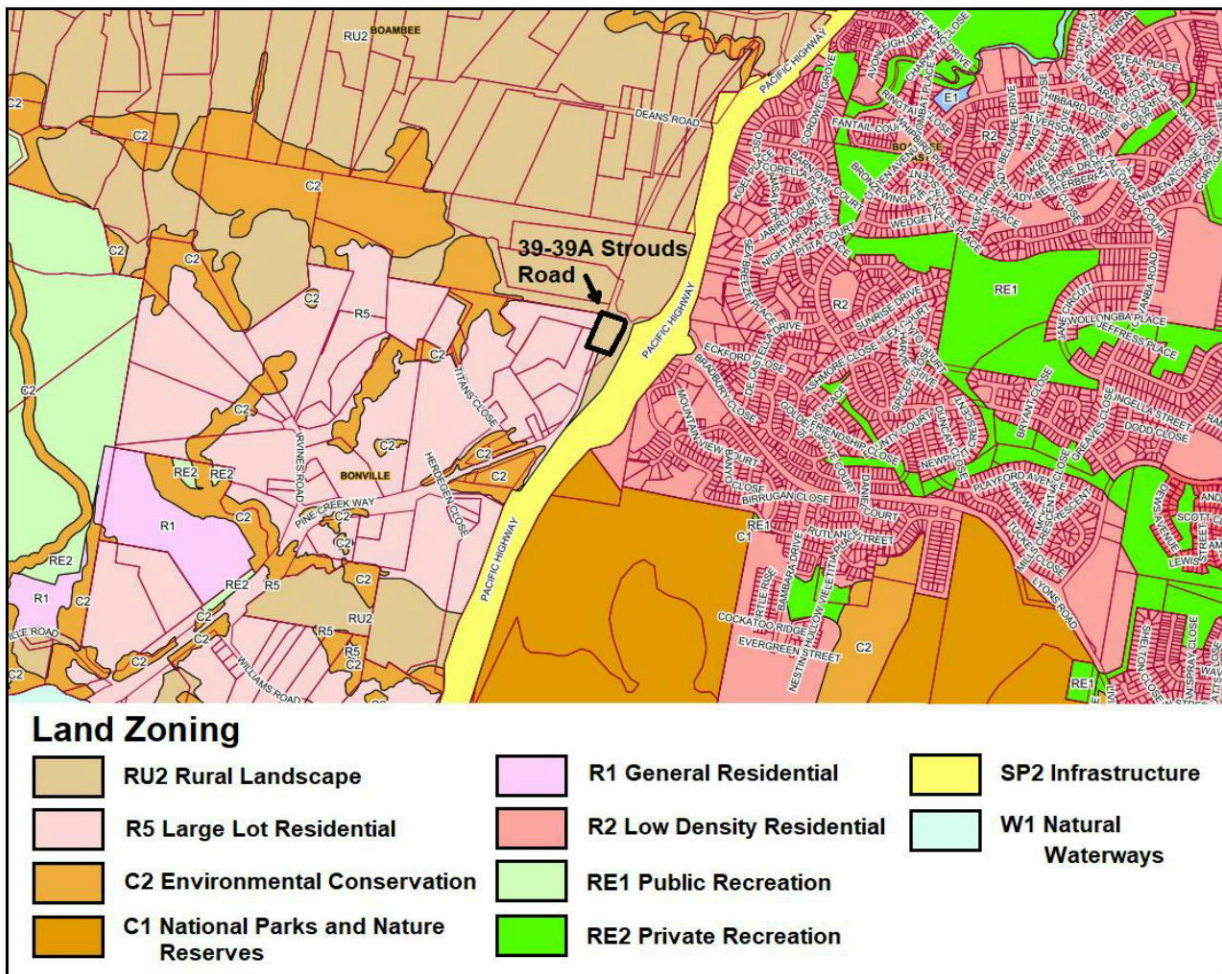


Figure 2: Surrounding Land Use Zones

Previous Large Lot Residential Investigations

The subject land has previously been included in the study area for the Bonville Large Lot Residential (formerly Rural Residential) Investigation Area Rezoning process. A brief history of the subject land and its involvement in the process is as follows:

Bonville Large Lot Residential Investigation Area

Coffs Harbour City Council endorsed a Rural Residential Strategy on 26 November 2009 with Bonville being an agreed Priority Release Area for the implementation of a 1B Rural Living (now the R5 Large Lot Residential) zone due to its locational advantage, including accessibility to the nearby centres of Boambee and Sawtell/Toormina and highway access to the Coffs Harbour city centre. The overall Bonville Large Lot Residential Investigation Area was then further divided into 'candidate areas' which were viewed as being broadly suitable for rural residential land use based on constraints analysis including land flooding, water resources, ecological significance, bushfire hazard, scenic qualities, land capability, acid sulfate and contaminated soils, regionally significant farmland, and resource protection.

An overview of the Candidate Areas is shown in Figure 3, which also depicts the subject land as being located within the study area and adjacent to Candidate Area 15.



Figure 3: Candidate Areas of the Bonville Large Lot Residential Investigation Area

Planning Proposal PP_2015_COFFS_005_00

In 2014, Planning Proposal PP_2015_COFFS_005_00 which investigated the rezoning of suitable lands within the Bonville Large Lot Residential Investigation Area was prepared to assess the capability and suitability of the land for rezoning for environmental protection and rural residential land uses. Environmental studies were prepared to clarify the extent of the land suitable for rural residential (R5 Large Lot Residential) rezoning and the extent of land that should be protected under the E2 (now C2) Environmental Conservation zone.

The environmental investigations undertaken for Planning Proposal PP_2015_COFFS_005_00 were confined to the Bonville Large Lot Investigation Area candidate area boundaries and therefore excluded 39 Strouds Road. However, the post-exhibition version of the planning proposal included the land at 39 Strouds Road as land intended to be rezoned R5 Large Lot Residential (see Figure 4).

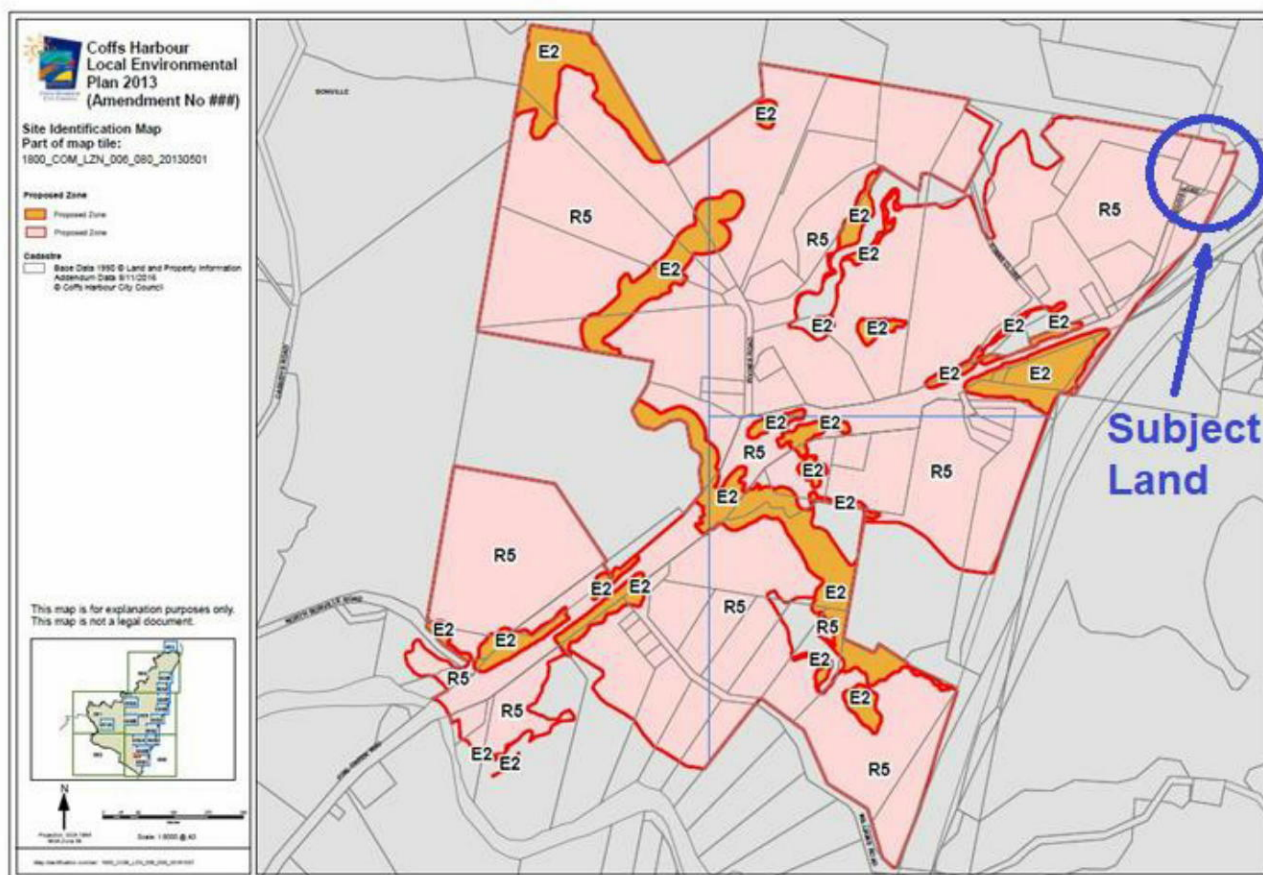


Figure 4: PP_2015_COFFS_005_00 Post Exhibition Map endorsed by Council on 8 December 2016

The post exhibition version of the planning proposal was endorsed by Council on 8 December 2016 and was referred to the then NSW Department of Planning & Environment (NSW DPE) for finalisation. NSW DPE requested that Council remove the land not previously exhibited as part of the planning proposal (including 39 Strouds Road) because the properties were not included within the original planning studies for the Bonville study area and were not captured within the initial planning proposal and therefore not subject to community consultation.

Lot 1 DP 416381 therefore remained zoned RU2 Rural Landscape, despite the rezoning of the adjoining land to R5 Large Lot Residential. It was therefore identified, during a (Request to Amend LEP 2013) pre-lodgement meeting with the City, that it would be necessary to prepare a proponent initiated planning proposal, should the landowner wish to investigate the potential to rezone the land to a zone that reflects its current land use and capability.

0689/23DA - Dwelling (dual occupancy – detached), pool and shed

An existing approved dwelling is sited on the subject land. The subject land also benefits from a development consent issued on 4 July 2023 for a dwelling (dual occupancy – detached), pool and shed, which has been substantially commenced. The concept subdivision lot layout that accompanies this planning proposal (Appendix 3) aligns with the development consent issued by The City under 0689/23DA.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objectives of this planning proposal are to amend Coffs Harbour LEP 2013 to:

- permit large lot residential development on the subject land,
- ensure that the land is developed based on sound planning and design principles, and
- ensure that the rezoning and the reduction in minimum lot size is consistent with the broad strategic direction for the locality as outlined in the North Coast Regional Plan 2041 and Chapter 6 (Large Lot Residential Lands) of the City’s Local Growth Management Strategy 2020.

PART 2 – EXPLANATION OF PROVISIONS

The intended outcomes of the planning proposal will be achieved by making the following amendments to LEP 2013 maps, as they relate to 39-39A Strouds Road, Bonville:

- Amend the spatial Land Zoning Map to change the land from Zone RU2 Rural Landscape to Zone R5 Large Lot Residential.
- Amend the Coffs Harbour Lot Size Map (Sheet LSZ_005B) to change the land from a minimum lot size provision AB 40 ha to X1 5,000 m².

All the above amendments to LEP 2013 maps are shown in Part 4 (mapping) of this planning proposal.

PART 3 – JUSTIFICATION & SITE-SPECIFIC MERIT

This part provides a response to the following matters in accordance with the *Local Environmental Plan Making Guideline 2023* (NSW Department of Planning, Housing, and Infrastructure):

- Section A: Need for the planning proposal.
- Section B: Relationship to strategic planning framework.
- Section C: Environmental, social, and economic impact.

Section A – Need for the planning proposal.

1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study, or report?

Yes. This planning proposal has been prepared in response to a “Request to Amend Coffs Harbour Local Environmental Plan (LEP) 2013” lodged on behalf of the landowners.

The planning proposal seeks to allow 39-39A Strouds Road to be subdivided into 2 lots, each with an (existing) approved dwelling.

The planning proposal is accompanied by several detailed environmental studies that apply to 39-39A Strouds Road, which are included as appendices.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The planning proposal is considered the most appropriate means of achieving the objectives and intended outcomes to amend the zoning and minimum lot size of the subject land.

3. Is there a net community benefit?

The Net Community Benefit Criteria is identified in the NSW Government's publication *The Right Place for Business and Services*. This policy document has a focus on ensuring growth within existing centres and minimising dispersed trip generating development. It applies most appropriately to planning proposals that promote significantly increased residential areas or densities, or significant increased employment areas or the like. This planning proposal will enable the subject land to be subdivided and developed for large lot residential purposes under Coffs Harbour LEP 2013, and therefore the criteria in the Net Community Benefit test cannot be properly applied to this planning proposal.

Section B – Relationship to strategic planning framework

4. Will the planning proposal give effect to the objectives and actions contained within the North Coast Regional Plan 2041?

The proposed LEP amendment is consistent with the relevant goals, objectives, activities, and actions within the North Coast Regional Plan 2041 as follows:

GOAL 1 – LIVEABLE, SUSTAINABLE AND RESILIENT

Objective 1 – Provide well located homes to meet demand.

Strategy 1.1 A 10-year supply of zoned and developable residential land is to be provided and maintained in Local Council Plans endorsed by the Department of Planning, Housing and Infrastructure.

The proposed LEP amendment is not inconsistent with this action, given that it seeks to provide additional housing stock in the LGA. The proposed LEP amendment will result in 1.127 hectares of additional R5 Large Lot Residential zoned land, with the potential to create one additional lot, which will facilitate the supply of developable land in line with the strategy.

Strategy 1.2 Local Council plans are to encourage and facilitate a range of housing options in well located areas.

The proposed LEP amendment is consistent with this strategy given that it offers additional housing choices in a compatible, well-located area.

Strategy 1.3 Undertake infrastructure service planning to establish land can be feasibly serviced prior to rezoning.

The proposed LEP amendment is not inconsistent with this strategy as the subject land can be feasibly serviced to facilitate development.

Strategy 1.4 Councils in developing their future housing strategies must prioritise new infill development to assist in meeting the region's overall 40% multi-dwelling / small lot housing target and are encouraged to work collaboratively at a subregional level to achieve the target.

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy given it offers additional (large lot residential) housing choices in a suitable location, as demonstrated in this planning proposal.

Strategy 1.5 New rural residential housing is to be located on land which has been approved in a strategy endorsed by the Department of Planning, Housing and Infrastructure and is to be directed away from the coastal strip.

The relevant strategy 'endorsed by the Department' is the Coffs Harbour Local Growth Management Strategy (LGMS) 2020, specifically Chapter 6 Large Lot Residential Lands.

The subject land is not specifically identified in chapter 6 of the LGMS 2020.

The land is also located within the coastal strip.

Coffs Harbour City Council endorsed a Rural Residential Strategy Component as part of its Local Growth Management Strategy 2009. Bonville was included within the strategy as an agreed Priority Release Area for the implementation of a rural residential zone due to its locational advantages. The subject land was included in the Study Area (and located adjacent to Candidate Area 15) of the Bonville Large Lot Residential Investigation Area that underpinned the Council initiated planning proposal that covered the wider Bonville Large Lot Residential Rezoning (PP_2015_COFFS_005_00). The environmental investigations undertaken for Planning Proposal PP_2015_COFFS_005_00 were confined to lands located within the Bonville Large Lot Residential Investigation Area candidate areas and therefore excluded 39 Strouds Road.

Despite not being included in the publicly exhibited version of PP_2015_COFFS_005_00, following further consideration the subject land was included in the post exhibition version of PP_2015_COFFS_005_00 and the associated report to / endorsement by Council on 8 December 2016. Despite being supported for inclusion by Council, the land was ultimately not included in the final LEP amendment as the NSW Department of Planning, Industry & Environment considered that the environmental studies did not fully capture the subject land, and it was therefore not publicly exhibited as such.

The subject land contains an existing approved dwelling on a 1.13 ha site. The subject land also benefits from a recent development consent (0689/23DA), issued on 4 July 2023 for a dwelling (dual occupancy – detached). The approved development has been substantially commenced and the concept subdivision lot layout that accompanies the planning proposal (Appendix 3) aligns with the development consent issued by The City under 0689/23DA. This planning proposal seeks to rezone the subject land to an R5 Large Lot Residential zone and a reduction of the minimum lot size of the land to 5000m². If this planning proposal was finalised, this would mean that the resulting (existing) land parcel would already be developed to its intended potential, and the effects on surrounding lands etc. would be neutral.

The land is fragmented and isolated rural land, not suited to agricultural pursuits, and it shares similar attributes to adjoining Zone R5 Large Lot Residential land situated to the west and south. While the subject land is located within the coastal strip, it is considered that this planning proposal represents a minor and contiguous variation to the existing Bonville large lot residential zone boundary.

Strategy 1.6 *Councils and LALCs can partner to identify areas which may be appropriate for culturally responsive housing on Country.*

The proposed LEP amendment is not inconsistent with this strategy given that it seeks to provide housing that could be used for this purpose.

Action 2 *Provide guidance to help councils plan for and manage accommodation options for seasonal and itinerant workers.*

The proposed LEP amendment is not inconsistent with this action given that it seeks to provide housing that could be used for this purpose.

Objective 2 – Provide for more affordable and low-cost housing.

Action 3 *Establish Housing Affordability Roundtables for the Mid North Coast and Northern Rivers subregions with councils, community housing providers, State agencies and the housing development industry to collaborate, build knowledge and identify measures to improve affordability and increase housing diversity.*

The proposed LEP amendment is not inconsistent with this action.

Objective 3 – Protect regional biodiversity and areas of high environmental value.

Strategy 3.1 *Strategic planning and local plans must consider opportunities to protect biodiversity values by:*

- *focusing land-use intensification away from HEV assets and implementing the ‘avoid, minimise and offset’ hierarchy in strategic plans, LEPs and planning proposals;*
- *ensuring any impacts from proposed land use intensification on adjoining reserved lands or land that is subject to a conservation agreement are assessed and avoided;*
- *encouraging and facilitating biodiversity certification by Councils at the precinct scale for high growth areas and by individual land holders at the site scale, where appropriate;*
- *updating existing biodiversity mapping with new mapping in LEPs where appropriate;*
- *identifying HEV assets within the planning area at planning proposal stage through site investigations;*
- *applying appropriate mechanisms such as conservation zones and Biodiversity Stewardship Agreements to protect HEV land within a planning area and considering climate change risks to HEV assets;*
- *developing or updating koala habitat maps to strategically conserve koala habitat to help protect, maintain and enhance koala habitat; and*
- *considering marine environments, water catchment areas and groundwater sources to avoid potential development impacts.*

The proposed LEP amendment is not inconsistent with this strategy.

The planning proposal area has been identified as containing potential High Environmental Value (HEV) assets.

A potential HEV asset was identified through site investigations. The Biodiversity Assessment Report (BAR) (Appendix 4) identifies an area of important PCT 3250 (northern foothills blackbutt grassy forest) remnant native vegetation within an over-cleared landscape, recommended for inclusion in the Preservation of Vegetation (PoV) mapping. While the BAR identifies the remnant vegetation within an over-cleared landscape, it is at a site level and PCT 3250 does not meet the definition of over-cleared vegetation types (OCVTs) which are Biometric vegetation types with more than 70% of their former extent removed within the Northern Rivers Catchment Management Area (CMA).

Clearing remnant vegetation identified as PCT 3250 occurring along the eastern boundary and the southeastern corner of the planning proposal area should be avoided. The vegetation is recommended for addition to the PoV map to trigger the requirements of the Biodiversity and Conservation SEPP 2021: Chapter 2 Vegetation in non-rural areas and Part E1.2 (1) of Development Control Plan (DCP) 2015 which outlines compensatory planting requirements for the removal of high conservation value vegetation where minimise and offset options are to be implemented.

However, the PCT 3250 vegetation does not meet the definition for Preservation of Vegetation (PoV) mapping and is therefore not eligible for inclusion. The metadata of the ‘preservation of vegetation map refers to Councils online mapping system and

comprises Freshwater Wetlands, Heathlands, Grasslands, Saline Wetlands, Endangered Ecological Communities, Over-Cleared Vegetation Types, High Value Arboreal Habitats and any Primary or Secondary Koala Habitat defined under the Coffs Harbour City Koala Plan of Management 1999' and '20m riparian buffers either side of land shown as a watercourse on the NSW 'Water Feature Corridor' dataset'.

As the potential HEV asset does not meet the definition for inclusion in the PoV mapping, the BAR suggests an alternative measure The City can implement for an avoid, minimise and offset approach. Areas mapped as PCT 3250 on the land may be protected on title under Section 88b of the Conveyancing Act 1919 'Restriction as to User'. This would exclude intact native vegetation at the site as part of the developable land use area. This will be applied to the concurrently lodged 0127/24DA for a Subdivision (2-lot).

The BAR demonstrates that the Biodiversity Offset Scheme is unlikely to be triggered at the DA stage and that impact on HEV is not likely. Strategy 3.2 *In preparing local and strategic plans Councils should:*

- embed climate change knowledge and adaptation actions; and
- consider the needs of climate refuge for threatened species and other key species.

The proposed LEP amendment is not inconsistent with this strategy.

Collaboration Activity 1:

Work with and assist councils to:

- review biodiversity mapping and related local environmental plan and development control plan provisions;
- improve access to data to enable identification of protected areas including NPWS Estate, Crown Reserves and in-perpetuity private land conservation agreements to inform local planning;
- ensure koala habitat values are included in land-use planning decisions through regional plans, local strategic planning statements and local environmental plans.

Lead Agency: NSW Biodiversity and Conservation Division

The proposed LEP amendment is not inconsistent with this activity.

A potential HEV asset was identified through site investigations. The Biodiversity Assessment Report (BAR) (Appendix 4) identifies an area of important PCT 3250 (northern foothills blackbutt grassy forest) remnant native vegetation within an over-cleared landscape.

Objective 4 – Understand, celebrate, and integrate Aboriginal culture.

Strategy 4.1 *Councils prepare cultural heritage mapping with an accompanying Aboriginal cultural management plan in collaboration with Aboriginal communities to protect culturally important sites.*

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 4.2 *Prioritise applying dual names in local Aboriginal language to important places, features or infrastructure in collaboration with the local Aboriginal community.*

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy.

Objective 5 – Manage and improve resilience to shocks and stresses, natural hazards and climate change.

Strategy 5.1 *When preparing local strategic plans, councils should be consistent with and adopt the principles outlined in the Strategic Guide to Planning for Natural Hazards.*

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 5.2 *Where significant risk from natural hazard is known or presumed, updated hazard strategies are to inform new land use strategies and be prepared in consultation with emergency service providers and Local Emergency Management Committees (LEMCs). Hazard strategies should investigate options to minimise risk such as voluntary housing buy back schemes.*

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 5.3 Use local strategic planning and local plans to adapt to climate change and reduce exposure to natural hazards by:

- identifying and assessing the impacts of place-based shocks and stresses;
- taking a risk-based approach that uses the best available science in consultation with the NSW Government, emergency service providers, local emergency management committees and bush fire risk management committees;
- locating development (including urban release areas and critical infrastructure) away from areas of known high bushfire risk, flood and coastal hazard areas to reduce the community's exposure to natural hazards;
- identifying vulnerable infrastructure assets and considering how they can be protected or adapted;
- building resilience of transport networks in regard to evacuation routes, access for emergencies and, maintaining freight connections;
- identifying industries and locations that would be negatively impacted by climate change and natural hazards and preparing strategies to mitigate negative impacts and identify new paths for growth;
- preparing, reviewing and implementing updated natural hazard management plans and Coastal Management Programs to improve community and environmental resilience which can be incorporated into planning processes early for future development;
- identifying any coastal vulnerability areas;
- updating flood studies and flood risk management plans after a major flood event incorporating new data and lessons learnt; and
- communicating natural hazard risk through updated flood studies and strategic plans.

The proposed LEP amendment is not inconsistent with this strategy. The proposed LEP amendment shall be referred to NSW Rural Fire Service for further consideration, as the subject land is located within Bushfire Prone Land.

Strategy 5.4 *Resilience and adaptation plans should consider opportunities to:*

- encourage sustainable and resilient building design and materials (such as forest products) including the use of renewable energy to displace carbon intensive or fossil fuel intensive options
- promote sustainable land management including Ecologically Sustainable Forest Management (ESFM)
- address urban heat through building and street design at precinct scale that considers climate change and future climatic conditions to ensure that buildings and public spaces are designed to protect occupants in the event of heatwaves and extreme heat events
- integrate emergency management and recovery needs into new and existing urban areas including evacuation planning, safe access and egress for emergency services personnel, buffer areas, building back better, whole-of-life cycle maintenance and operation costs for critical infrastructure for emergency management

- adopt coastal vulnerability area mapping for areas subject to coastal hazards to inform the community of current and emerging risks
- promote economic diversity, improved environmental, health and well-being outcomes and opportunities for cultural and social connections to build more resilient places and communities.

The proposed LEP amendment is not inconsistent with this strategy, and it will facilitate resilient and adaptive building and land management.

Strategy 5.5 Partner with local Aboriginal communities to develop land management agreements and policies to support cultural management practices.

The proposed LEP amendment is not inconsistent with this strategy.

Collaboration Activity 2:

Work with councils and agencies and the Transition North Coast Working Group to deliver the North Coast Enabling Regional Adaptation report to provide opportunities for climate change adaptation pathways with the aim of transitioning key regional systems to a more resilient future.

Lead Agency: NSW Office of Energy and Climate Change

The proposed LEP amendment is not inconsistent with this activity.

Objective 6 – Create a circular economy.

Strategy 6.1 Support the development of circular economy, hubs, infrastructure, and activities and consider employment opportunities that may arise from circular economies and industries that harness or develop renewable energy technologies and will aspire towards an employment profile that displays a level of economic self-reliance, and resilience to external forces.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 6.2 Use strategic planning and waste management strategies to support a circular economy, including dealing with waste from natural disasters and opportunities for new industry specialisations.

The proposed LEP amendment is not inconsistent with this strategy.

Objective 7 – Promote renewable energy opportunities.

Strategy 7.1 When reviewing LEPs and local strategic planning statements:

- ensure current land use zones encourage and promote new renewable energy infrastructure;
- identify and mitigate impacts on views, local character, and heritage where appropriate; and
- undertake detailed hazard studies.

The proposed LEP amendment is not inconsistent with this strategy.

Objective 8 – Support the productivity of agricultural land.

Strategy 8.1 Local planning should protect and maintain agricultural productive capacity in the region by directing urban, rural residential and other incompatible development away from important farmland.

The proposed LEP amendment is not inconsistent with this strategy as the land is currently used for lifestyle residential purposes and is surrounded by R5 Large Lot Residential zoned land and similar-sized properties. The area is not identified as important farmland under the Plan.

Objective 9 – Sustainably manage and conserve water resources.

Strategy 9.1 Strategic planning and local plans should consider:

- opportunities to encourage riparian and coastal floodplain restoration works;
- impacts to water quality, freshwater flows and ecological function from land use change;
- water supply availability and issues, constraints and opportunities early in the planning process;
- partnering with local Aboriginal communities to care for Country and waterways;
- locating, designing, constructing and managing new developments to minimise impacts on water catchments, including downstream waterways and groundwater resources;
- possible future diversification of town water sources, including groundwater, stormwater harvesting and recycling;
- promoting an integrated water cycle management approach to development;
- encouraging the reuse of water in new developments for urban greening and for irrigation purposes;
- improving stormwater management and water sensitive urban design;
- ensuring sustainable development of higherwater use industries by considering water availability and constraints, supporting more efficient water use and reuse, and locating development where water can be accessed without significantly impacting on other water users or the environment;
- identifying and protecting drinking water catchments and storages in strategic planning and local plans; and
- opportunities to align local plans with any certified Coastal Management Programs.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 9.2 Protect marine parks, coastal lakes and estuaries by implementing the NSW Government's Risk-Based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions, with sensitive marine parks, coastal lakes and estuaries prioritised.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 9.3 Encourage a whole of catchment approach to land use and water management across the region that considers climate change, water security, sustainable demand and growth, the natural environment and investigate options for water management through innovation.

The proposed LEP amendment is not inconsistent with this strategy.

Objective 10 – Sustainably manage the productivity of our natural resources.

Strategy 10.1 Enable the development of the region's natural, mineral and forestry resources by avoiding interfaces with land uses that are sensitive to impacts from noise, dust, and light interference.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 10.2 Plan for the ongoing productive use of lands with regionally significant construction material resources in locations with established infrastructure and resource accessibility.

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy.

GOAL 2 – PRODUCTIVE AND CONNECTED

Objective 11 – Support cities and centres and coordinate the supply of well-located employment land.

Strategy 11.1 *Local council plans will support and reinforce cities and centres as a focal point for economic growth and activity.*

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy.

Strategy 11.2 *Utilise strategic planning and land use plans to maintain and enhance the function of established commercial centres by:*

- *simplifying planning controls;*
- *developing active city streets that retain local character;*
- *facilitating a broad range of uses within centres in response to the changing retail environment; and*
- *maximising the transport and community facilities commensurate with the scale of development proposals.*

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy.

Strategy 11.3 *Support existing and new economic activities by ensuring council strategic planning and local plans:*

- *retain, manage and safeguard significant employment lands;*
- *respond to characteristics of the resident workforce and those working in the LGA and neighbouring LGAs;*
- *identify local and subregional specialisations;*
- *address freight, service and delivery considerations;*
- *identify future employment lands and align infrastructure to support these lands;*
- *provide flexibility in local planning controls;*
- *are responsive to future changes in industry to allow a transition to new opportunities;*
- *provide flexibility and facilitate a broad range of commercial, business and retail uses within centres;*
- *focus future commercial and retail activity in existing commercial centres, unless there is no other suitable site within existing centres, there is a demonstrated need, or there is positive social and economic benefit to locate activity elsewhere; and*
- *are supported by infrastructure servicing plans for new employment lands to demonstrate feasibility prior to rezoning.*

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy.

Strategy 11.4 *New employment areas are in accordance with an employment land strategy endorsed by the Department of Planning, Housing and Infrastructure.*

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy. The proposed LEP amendment only intends to enable the creation of a single additional large lot residential lot (in addition to one existing lot).

Objective 12 – Create a diverse visitor economy.

Strategy 12.1 *Council strategic planning and local plans should consider opportunities to:*

- *enhance the amenity, vibrancy and safety of centres and township precincts;*
- *create green and open spaces that are accessible and well connected and enhance existing green infrastructure in tourist and recreation facilities;*
- *support the development of places for artistic and cultural activities;*

- identify appropriate areas for tourist accommodation and tourism development;
- protect heritage, biodiversity and agriculture to enhance cultural tourism, agri-tourism and eco-tourism;
- partner with local Aboriginal communities to support cultural tourism and connect ventures across the region;
- support appropriate growth of the nighttime economy;
- provide flexibility in planning controls to allow sustainable agritourism and ecotourism;
- improve public access and connection to heritage through innovative interpretation; and
- incorporate transport planning with a focus on active transport modes to connect visitors to key destinations.

The proposed LEP amendment is not inconsistent with this strategy.

Objective 13 – Champion Aboriginal self-determination.

Strategy 13.1 Provide opportunities for the region’s LALCs, Native Title holders and community recognised Aboriginal organisations to utilise the NSW planning system to achieve development aspirations, maximising the flow of benefits generated by land rights to Aboriginal communities through strategic led planning.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 13.2 Prioritise the resolution of unresolved Aboriginal land claims on Crown land.

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy.

Strategy 13.3 Partner with community recognised Aboriginal organisations to align strategic planning and community aspirations including enhanced Aboriginal economic participation, enterprise and land, sea and water management.

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy.

Strategy 13.4 Councils consider engaging Aboriginal identified staff within their planning teams to facilitate strong relationship building between councils, Aboriginal communities, and key stakeholders such as Local Aboriginal Land Councils and local Native Title holders.

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy.

Strategy 13.5 Councils should establish a formal and transparent relationship with local recognised Aboriginal organisations and community, such as an advisory committee.

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy.

Action 5 The Department of Planning, Housing and Infrastructure will work with LALCs, Native Title holders and councils by:

- meaningfully engaging with LALCs and Native Title holders in the development and review of strategic plans to ensure aspirations are reflected in plans;
- building capacity for Aboriginal communities, LALCs and Native Title holders to utilise the planning system; and
- incorporating Aboriginal knowledge of the region into plan.

The proposed LEP amendment is not inconsistent with this action.

Objective 14 – Deliver new industries of the future.

Strategy 14.1 *Facilitate agribusiness employment and income-generating opportunities through the regular review of council planning and development controls, including suitable locations for intensive agriculture and agribusiness.*

The proposed LEP amendment is not inconsistent with this strategy. The proposed amendment will create rural (large lot) residential land, and therefore will not result in any change to agribusiness opportunities.

Strategy 14.2 *Protect established agriculture clusters and identify expansion opportunities in local plans that avoid land use conflicts, particularly with residential and rural residential land uses.*

The proposed LEP amendment is not inconsistent with this strategy given that it seeks to allow for large lot residential development immediately adjacent to a location that has been identified in a Department endorsed growth strategy (Coffs Harbour Local Growth Management Strategy 2020).

Objective 15 – Improve state and regional connectivity.

Strategy 15.1 *Protect proposed and existing transport infrastructure and corridors to ensure network opportunities are not sterilised by incompatible land uses or land fragmentation.*

The proposed LEP amendment is not inconsistent with this strategy.

Collaboration Activity 4:

To ensure that centres experiencing high growth have well planned and sustainable transport options, place-based Transport Plans will be developed for key cities and centres across the North Coast region.

Lead Agency: Transport for NSW

The proposed LEP amendment is not inconsistent with this activity.

Objective 16 – Increase active and public transport usage.

Strategy 16.1 *Encourage active and public transport use by prioritising pedestrian amenity within centres for short everyday trips.*

- *providing a legible, connected and accessible network of pedestrian and cycling facilities;*
- *delivering accessible transit stops and increasing convenience at interchanges to serve an ageing customer;*
- *incorporating emerging anchors and commuting catchments in bus contract renewals;*
- *ensuring new buildings and development include end of trip facilities;*
- *integrating the active transport network with public transport facilities; and*
- *prioritising increased infill housing in appropriate locations to support local walkability and the feasibility of public transport stops.*

While this planning proposal relates to large lot residential development, the proposed LEP amendment is not inconsistent with this strategy.

Strategy 16.2 *Local plans should encourage the integration of land use and transport and provide for environments that are highly accessible and conducive to walking, cycling and the use of public transport and encourage active travel infrastructure around key trip generators.*

While this planning proposal relates to large lot residential development, the proposed LEP amendment is not inconsistent with this strategy.

Objective 17 – Utilise new transport technology.

Strategy 17.1 *Councils should consider how new transport technology can be supported in local strategic plans, where appropriate.*

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy.

Collaboration Activity 6:

Investigate public transport improvements including on-demand services.

Lead Agency: Transport for NSW

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this activity.

GOAL 3 – GROWTH CHANGE AND OPPORTUNITY

Objective 18 – Plan for sustainable communities.

Action 6 Undertake housing and employment land reviews for the Northern Rivers and Mid North Coast subregions to assess future supply needs and locations.

The proposed LEP amendment is not inconsistent with this action.

Objective 19 – Public spaces and green infrastructure support connected and healthy communities.

Strategy 19.1 Councils should aim to undertake public space needs analysis and develop public space infrastructure strategies for improving access and quality of all public space to meet community need for public spaces. This could include:

- drawing on community feedback to identify the quantity, quality and the type of public space required;
- prioritising the delivery of new and improved quality public space to areas of most need;
- considering the needs of future and changing populations;
- identifying walkable and cycleable connectivity improvements and quality and access requirements that would improve use and enjoyment of existing infrastructure;
- consolidating, linking and enhancing high quality open spaces and recreational areas; and
- working in partnership with local Aboriginal communities to develop bespoke cultural infrastructure which responds to the needs of Aboriginal communities.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 19.2 Public space improvements and new development should consider the local conditions, including embracing opportunities for greening and applying water sensitive urban design principles.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 19.3 Encourage the use of council owned land for temporary community events and creative practices where appropriate by reviewing development controls.

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy.

Strategy 19.4 Local environmental plan amendments that propose to reclassify public open space must consider the following:

- the role or potential role of the land within the open space network;
- how the reclassification is strategically supported by local strategies such as open space or asset rationalisation strategies;
- where land sales are proposed, details of how sale of land proceeds will be managed; and
- the net benefit or net gain to open space.

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy. The proposed LEP amendment will not reclassify public open space.

Objective 20 – Celebrate local character.

Strategy 20.1 *Ensure strategic planning and local plans recognise and enhance local character through use of local character statements in local plans and in accordance with the NSW Government's Local Character and Place Guideline.*

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy.

Strategy 20.2 *Celebrate buildings of local heritage significance by:*

- retaining the existing use where possible
- establishing a common understanding of appropriate reuses
- exploring history and significance
- considering temporary uses
- designing for future change of use options.

While not directly relevant to this planning proposal, the proposed LEP amendment is not inconsistent with this strategy. There are no items of local heritage significance on the subject land.

Coffs Harbour Narrative

Regional Priorities

- *Manage and support growth in Coffs Harbour, anchored by the expanding health, education and creative industries sectors, and Coffs Harbour Airport Enterprise Park.*
- *Deliver suitable housing and job opportunities across the LGA including in Coffs Harbour, Woolgoolga, Moonee Beach, Toormina, and Sapphire Beach.*
- *Protect environmental assets that sustain the agricultural and tourism industries.*

Liveable and Resilient

- *Provide mitigation measures in response to climate change.*
- *Support environmentally sustainable development that is responsive to natural hazards.*
- *Retain and protect local biodiversity through effective management of environmental assets and ecological communities.*

Productive and Connected

- *Develop health, education and aviation precincts at the South Coffs Harbour Enterprise Area and Coffs Harbour Airport Enterprise Park, and new employment land at Woolgoolga and Bonville.*
- *Promote the sustainable use of important farmland areas through encouraging initiatives to support the development of the agricultural sector and agribusiness.*
- *Identify opportunities to expand nature based, adventure and cultural tourism assets including Solitary Islands Marine Park and other coastal, hinterland, and heritage assets, which will support the local ecotourism industry.*

Housing and Place

- *Enable 'better places' through placemaking initiatives, active transport, urban design specific to the North Coast, and facilitation of the '20 minute neighbourhood'.*
- *Deliver housing at Woolgoolga, North Boambee Valley and Bonville, and address the temporary worker housing needs associated with the Coffs Harbour Bypass.*

- Enhance the variety of housing options available by promoting a compact urban form in and around the Coffs Harbour city centre and Park Beach.

Smart, Connected and Accessible (Infrastructure)

- Increase and strengthen social, economic and strategic links with the Mid North Coast subregion including Bellingen, Clarence Valley and Nambucca LGAs, particularly regarding the delivery of additional employment lands.
- Maximise opportunities associated with the increased connectivity provided by the new Coffs Harbour Bypass.

The proposed LEP amendment is not inconsistent with this narrative.

5. Is the planning proposal consistent with Council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Coffs Harbour Local Strategic Planning Statement 2020

The proposed LEP amendment accords with *Planning Priority 5: Deliver greater housing supply, choice, and diversity*, within the Local Strategic Planning Statement:

MyCoffs Community Strategic Plan 2032

The MyCoffs Community Strategic Plan is based on four overarching themes: Community Wellbeing; Community Prosperity; A Place for Community; and Sustainable Community Leadership. Within each theme there are several sustainable development objectives and outcomes.

The planning proposal supports the vision of the MyCoffs Community Strategic Plan 'connected, sustainable, thriving' and will assist in achieving the objectives of the Plan by attracting people to work, live and visit; and by undertaking development that is environmentally, socially, and economically responsible as shown in table 1 below:

Theme	Objective	Relevant Outcomes
A Place for Community: Liveable neighbourhoods with a defined identity	We create liveable spaces that are beautiful and appealing.	The Coffs Harbour area is a place we are proud to call home. Our neighbourhoods have a strong sense of identity and are actively shaped by the local community.
		We reflect our beautiful natural setting throughout our built environment
	We undertake development that is environmentally, socially, and economically responsible	Land use planning and development protects the value and benefits provided by our natural environment
		Population growth is focussed within the existing developed footprint
		Sustainable design and best practice development provide quality housing options
A Place for Community: We collaborate to deliver opportunities for	We collaborate to deliver opportunities for housing for all	Local heritage is protected and the stories behind it shared
		Development meets the changing needs and expectations of the community

housing for all		
Sustainable Community Leadership: Our leaders give us confidence in the future	We undertake effective engagement and are informed.	All groups in our community are valued and have the opportunity to shape our future
		Decision-making processes are open and transparent

Table 1: MyCoffs Community Strategic Plan Assessment

Coffs Harbour Local Growth Management Strategy 2020

The City's Local Growth Management Strategy (LGMS) 2020 was endorsed by the (former) Department of Planning and Environment (now Department of Planning, Housing, and Infrastructure) in 2020. The purpose of the LGMS is to inform and direct growth in the City to 2040 and to inform the City's Local Strategic Planning Statement 2020.

Chapter 6 Large Lot Residential Lands, of LGMS 2020 does not specifically identify the subject land. However, the subject land was located adjacent to a Candidate Area for the Bonville Large Lot Residential Release Area (as identified in the Department endorsed Coffs Harbour Rural Residential Strategy 2009). This release area formed the basis of study within the Bonville Large Lot Residential Planning Proposal.

Following a public exhibition process, a post exhibition Bonville Large Lot Residential Planning Proposal was reported to Council on 8 December 2016. The subject land was included in the post exhibition planning proposal and recommended for rezoning within the post exhibition report to Council. However, it was ultimately not included in the final LEP amendment. The then NSW Department of Planning, Industry & Environment considered that the environmental studies supporting the planning proposal at the time did not fully capture the land and was therefore also not publicly exhibited as such.

Since the rezoning of the Bonville Large Lot Residential Release Area, the subject land has been isolated, despite sharing similar attributes to adjoining Zone R5 Large Lot Residential land situated to the west and south. The land is not suitable for agricultural activities and the likely resulting lot yield is minor due to the characteristics and size of the land. The rezoning of the subject land will not impact on the overall demand and supply of large lot residential land.

Chapter 6.9 (Large Lot Selection Principles), of the LGMS outlines the large lot selection principles which underpinned the selection of land to be investigated for large lot residential rezoning.

Although not specifically identified within the Land Release Program contained in LGMS 2020, this rezoning request aligns with many of the principles on which the large lot residential sites in chapter 6 of the LGMS are selected. It is also noted that these principles are substantially the same as those which influenced the 2009 strategy (the subject land was included in the 2009 strategy). These principles include the following:

- Strengthen the hierarchy of existing settlements in the LGA.
- Located close to existing centres (within two kilometres).
- Located away from areas that may, in the future, be needed for urban expansion.
- Future large lot residential development should be clustered with existing large lot residential areas to encourage a sense of community and for the efficient provision of services and access to higher order services.
- Fragmented development over the landscape will not be permitted.
- Located away from regionally significant farmland and intensive plant agriculture areas to minimise conflict.

- Located on land with few environmental or cultural constraints including High Environmental Value lands, High Aboriginal Cultural Heritage Value lands and lands subject to hazards.
- Located with frontage to class 1 or 2 sealed roads (or roads capable of that classification at minimal cost to Council).
- Large lot residential development will not be permitted east of the Pacific Highway alignment.
- Large lot residential development will not be permitted in the Eastern Dorrigo locality (Lowanna and Ulong).
- Landowners have some interest in proceeding with a planning proposal to enable lots to be created.

Chapter 6 – Large Lot Residential also addresses the potential reduction of minimum lot size in the R5 zone, where sufficiently justified. Section 6.7 within Chapter 6 of the LGMS states the following:

‘It is also reasonable that if undeveloped land within zone R5 can justify a reduced lot size, then it should be considered through an applicant-initiated planning proposal. This would allow a merit case for a revised minimum lot size LEP amendment request to be submitted to Council, bearing in mind the underlying reasons for the standard in the first place and the objectives of zone R5.’ (LGMS 2020 Ch. 6 p. 11)

Coffs Harbour has a range of existing large lot residential lot sizes that reflect past planning subdivision practice. In many cases, lot sizes reflected various constraints including slope, flooding, soil types and water table issues. Minimum lot size requirements were addressed in previous Development Control Plans (e.g., under LEP 2000) prior to being included as a development standard under the Standard Instrument Local Environmental Plan (LEP 2013).

A typical factor affecting lot size in Large Lot Residential zoned areas is onsite sewage management and the potential for the lot/s to be efficiently serviced by an effective onsite sewage management system. The Land Capability Assessment included with this planning proposal (see Appendix 8) has demonstrated that a minimum lot size of 5,000m² would be considered acceptable (also see section 10 of this planning proposal for further information). This issue is further examined in Section 10 below.

6. Is the planning proposal consistent with any other applicable State and Regional Study or Strategies?

Coffs Harbour Regional City Action Plan 2036

The NSW Government developed the Coffs Harbour Regional City Action Plan (the Plan) to provide a framework to manage and shape the city’s future growth. The Plan was finalised in March 2021, and it identifies 5 overarching goals which incorporate objectives and related actions. This planning proposal is consistent with the following relevant goals, objectives, and associated actions within the Plan, as shown in Table 2 below:

Goal	Objective	Actions	
Live	17. Deliver a city that responds to Coffs Harbour’s unique green cradle setting and offer housing choice.	17.1	Promote a sustainable growth footprint and enhance place-specific character and design outcomes.
		17.4	Support a greater variety and supply of affordable housing.

Table 2: Coffs Harbour Regional City Action Plan 2036

7. Is the planning proposal consistent with applicable state environmental planning policies (SEPP)?

The table provided in Appendix 1 provides an assessment of consistency against each State Environmental Planning Policy relevant to the Planning Proposal.

8. Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The table provided in Appendix 2 provides an assessment of consistency against Ministerial Planning Directions relevant to the Planning Proposal.

Section C – Environmental, social, and economic impact

9. 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?

No.

A Biodiversity Assessment Report (BAR) (Appendix 4) was provided which addresses the proposed LEP amendment. Based on the site assessment included in the BAR, the proposed rezoning and future redevelopment of the site would have relatively low impacts on biodiversity, due mainly to future development avoiding most areas of remnant native vegetation.

The subject site is not affected by the High Environmental Value (HEV) Map, Biodiversity Values Map or Koala Plan of Management Map. The planning proposal will not alter any zones or development controls in a manner that would result in a change to these maps, or result in unacceptable impacts on threatened species, populations, or ecological communities.

The BAR (Appendix 4) states that:

- No native endemic threatened flora species listed under the Biodiversity Conservation (BC) Act 2016 or Environment Protection and Biodiversity Conservation (EPBC) Act 1999 occur at the site.
- One planted non-endemic threatened species occurs; a multi-stemmed Macadamia Nut hybrid (*Macadamia integrifolia* x *tetraphylla*). The site is located >150 km south of the southern extent of these species' natural range, (north of the Richmond River or Currumbin in Queensland). This tree is not part of a natural population of *Macadamia* sp, therefore the subject tree is considered of low conservation value.
- No Threatened Ecological Communities listed under the BC or EPBC Act occur at the site.
- No State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 2 Coastal Management littoral rainforest or coastal wetlands (DPIE, 2021), over-cleared vegetation types, high-value arboreal habitats or old-growth forests (CHCC, 2021) occur at the site.
- Koala (*Phascolarctos cinereus*) scats were detected along the length of the eastern boundary beneath several Tallowwood and Blackbutt trees. Koalas are listed as Endangered under both the BC and EPBC Act.
- Part of the site provides good quality potential fauna habitats including native vegetation and hollow-bearing trees. While no significant or core habitat for threatened fauna occurs at the site, the site provides potential habitat for a number of locally occurring threatened fauna species which may use the site opportunistically or as part of their broader home range. Vegetation along the eastern boundary of the site provides connectivity and refuge for a range of fauna species likely to occur within a highly modified and fragmented landscape.

The BAR identifies an area of important PCT 3250 (northern foothills blackbutt grassy forest) remnant native vegetation occurring along the eastern boundary and the southeastern corner of the subject site. This is the location of the above-mentioned native vegetation and hollow-bearing trees providing potential habitat, connectivity and refuge for a range of species with koala scats found in this area. As such, the PCT 3250 vegetation was recommended for preservation.

The PCT 3250 and three hollow-bearing trees recorded at the site are well clear of the proposed building envelope, and where located within the proposed APZ, proposed to be retained within an outer protection area.

To minimise biodiversity impacts that may result from the planning proposal and future development of the subject site, clearing of native vegetation should be avoided in the final design of the subdivision with building envelopes, associated infrastructure, boundary fences and where possible, bushfire Asset Protection Zones to be located within previously cleared areas. The priority would be to retain intact remnant native vegetation at the site with the maintained grassland and planted ornamental and exotic species considered to be of relatively low conservation value.

Areas mapped as PCT 3250 on the land may be protected on title under Section 88b of the *Conveyancing Act 1919* 'Restriction as to User'. This would exclude intact native vegetation at the site as part of the developable land use area. This will be applied to the concurrently lodged 0127/24DA for a Subdivision (2-lot).

The BAR demonstrates that the Biodiversity Offset Scheme is unlikely to be triggered at the DA stage and that impact on threatened species or ecological communities, or their habitats is not likely.

10. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Yes. Other likely environmental effects resulting from the proposed rezoning are discussed in the following sections:

Aboriginal Cultural Heritage

An Aboriginal Cultural Heritage Site Assessment was undertaken on the subject land by a Cultural Site Officer from the Coffs Harbour and District Local Aboriginal Land Council (Appendix 5). The assessment concluded that no evidence of Aboriginal cultural material was found on the subject land.

Bushfire Risk

The land is mapped as Bushfire Prone Land and a Bushfire Risk Assessment was prepared for the planning proposal (Appendix 6), and a relevant extract from the City's bushfire mapping is below in Figure 5. The Bushfire Risk Assessment concludes that the planning proposal can meet the relevant requirements of Ministerial Direction 4.3 Planning for Bushfire Protection as well as *Planning for Bushfire Protection (PBP) 2019*. This would need to be confirmed with NSW Rural Fire Service.



Figure 5 – Bushfire Prone Land and Land Contamination

Development approval 0689/23DA for a dwelling (dual occupancy – detached) concludes that the land is currently used for residential purposes and does not have any apparent history of land use that would indicate any potential for contamination. Further, the City does not hold records that an activity that

may have likely caused contamination has been approved or licenced on the land and therefore is not mapped as such. The Development Assessment Report for 0689/23DA also mentions that:

“The following observations are made with respect to the suitability of the land for the proposed dwelling:

- The subject land is currently developed with a dwelling house, outbuilding, onsite waste management system, access driveway and is used for rural residential purposes.*
- There is no evidence of former dip sites, packing sheds or the like within or nearby the proposed building area.*
- The City of Coffs Harbour Land Contamination Map does not identify the site as being constrained by potential contamination.*
- The land is not listed on the NSW Environment Protection Authority’s contaminated land record of notices, as accessed on 18th April 2023.*

There are no readily observable indicators that the land is contaminated or potentially contaminated, and the information provided supports that the proposal is unlikely to increase the risk to health or the environment and is suitable to proceed without further investigation.”

Given that 0689/23DA is the development associated as a consequence of the planning proposal, a land contamination assessment has not been included with this planning proposal.

Land Use Conflict Risk Assessment

The land is separated from adjacent agricultural land uses by existing vegetation and topography and therefore no Land Use Conflict Risk Assessment has been supplied with the planning proposal. Mapped Important Farmland exists approximately 600 metres to the north and to the south, but there is adequate separation of these areas from the subject land.

Minimum Lot Size Analysis – Wastewater Disposal

The City’s LGMS Chapter 6 – Large Lot Residential addresses the potential reduction of Minimum Lot Size (MLS) in the R5 Large Lot Residential zone, where justification has been provided. Section 6.7 of Chapter 6 of that strategy states the following:

“Currently, the minimum lot size for the majority of large lot residential areas in Coffs Harbour is one hectare, which was set by the provisions of LEP 2000 and LEP 2013. This lot size was based on the advice of the (then) NSW Department of Health for land requirements for effluent disposal. It was also considered that this lot size provided a clear distinction in appearance between large lot residential and urban residential development. Advancements in effluent disposal systems suggest that much smaller lot sizes could satisfactorily sustain effluent disposal from large lot residential dwellings.

In 2013, Council commissioned Whitehead and Associates Environmental Consultants to undertake a wastewater assessment of the proposed Bonville large lot residential area. The desktop study provides a hazard assessment of selected sites in the Bonville area in relation to site and soil limitations that can affect on-site wastewater management and the potential for subdivision.

The report also provides a minimum lot size analysis and modelling to determine the maximum lot density for subdivision. It concluded that the recommended minimum lot size for future subdivisions at Bonville is 4,000m². Modelling indicates that lot density for subdivision allows one on-site wastewater management system per 4,000m². It further recommended that all future subdivisions require a detailed land capability assessment for on-site wastewater management to ensure any proposed subdivision can be sustainable. Council adopted a conservative position and implemented a one-hectare minimum lot size for land in Zone R5 Large Lot Residential at Bonville.

The Standard Instrument LEP allows lot sizes to be different for land within the same zone. minimum lot size of one-hectare has been assumed unless there is more detailed information that indicates a different minimum lot size.

However, this LGMS is not rigid on this and a planning proposal to rezone land should apply a minimum lot size relevant to the characteristics of the land. This will need to be based on a site-specific and detailed land capability assessment. Given that this may result in lot sizes both smaller and greater than one hectare, it is unlikely to alter lot yields overall.

It is also reasonable that if undeveloped land within zone R5 can justify a reduced lot size, then it should be considered through an applicant-initiated planning proposal. This would allow a merit case for a revised minimum lot size LEP amendment request to be submitted to Council, bearing in mind the underlying reasons for the standard in the first place and the objectives of zone R5.”

A Land Capability Assessment has been prepared (Appendix 8) to determine if the proposed minimum lot size of 5,000 m² is adequate to facilitate the onsite disposal of wastewater on 39-39A Strouds Road. The assessment found that:

- the existing dwelling (proposed Lot 10) is serviced by an onsite wastewater management system comprising a septic tank and absorption trenches located to the south of the dwelling.
- This system can be retained entirely within the proposed Lot 10.
- A building envelope and wastewater disposal field has been identified for the proposed Lot 11, the vacant lot. A 111 m² lot absorption trench is required to support a five-bedroom dwelling.
- The proposed vacant lot has an area of 5,217 m² and is sufficient to accommodate a building envelope and primary and reserve wastewater disposal fields.

The Land Capability Assessment and Concept Plan of Subdivision demonstrates that the proposed minimum lot size of 5,000 m² is suitable to accommodate an onsite wastewater management system and maintain the environmental integrity of the land adjoining land.

Further to the above, the City has approved an onsite sewage management system to be constructed within the approved lot as shown on the Concept Subdivision Plan as per its approval issued under the Local Government Act 1993 on 18 July 2023 for ‘Sewage Management Work No. 0002/24ST Proposed Dwelling (North)’.

Noise Amenity

The subject site is within 150m of the Pacific Highway with noise-sensitive land use development potentially affected by road traffic noise.

The subject site includes an approved detached dual occupancy, with each dwelling subject to a new lot under the concurrently lodged 0127/24DA for a Subdivision (2-lot). The subject site includes native vegetation as a landscaped buffer between the residential uses and the road corridor. This vegetation may be subject to Section 88b of the Conveyancing Act 1919 ‘Restriction as to User’ considered under 0127/24DA as discussed within Section B – Relationship to strategic planning framework (Objective 3) of this report. As the resulting (existing) land parcel would already be developed to its intended potential the effect of road traffic is neutral in the planning proposal.

Future development will be subject to assessment against State Environmental Planning Policy (Transport and Infrastructure) 2021 s2.120 and the Coffs Harbour Development Control Plan D1.20 Amenity Requirements.

Rural Residential Amenity

Another factor associated with the consideration of a reduced minimum lot size in the R5 Large Lot Residential zone is the need to preserve a reasonable standard of rural residential amenity. In this situation, the subject lands contain existing (and one recently approved) dwellings, located relatively close to each other. Dwellings on adjacent properties are also in relatively close proximity as well, as shown in Figure 6.

Given this fact, the proposed MLS of 5,000 m² will have no effect on the amenity experienced in the immediate area. The proposed reduced minimum lot size is compatible with other surrounding lot sizes and planned rural residential lifestyle character of the locality. The Bonville Large Lot Residential release

area is largely comprised of existing fragmented land with areas that are closely settled and characterised by large homes set within landscaped gardens.

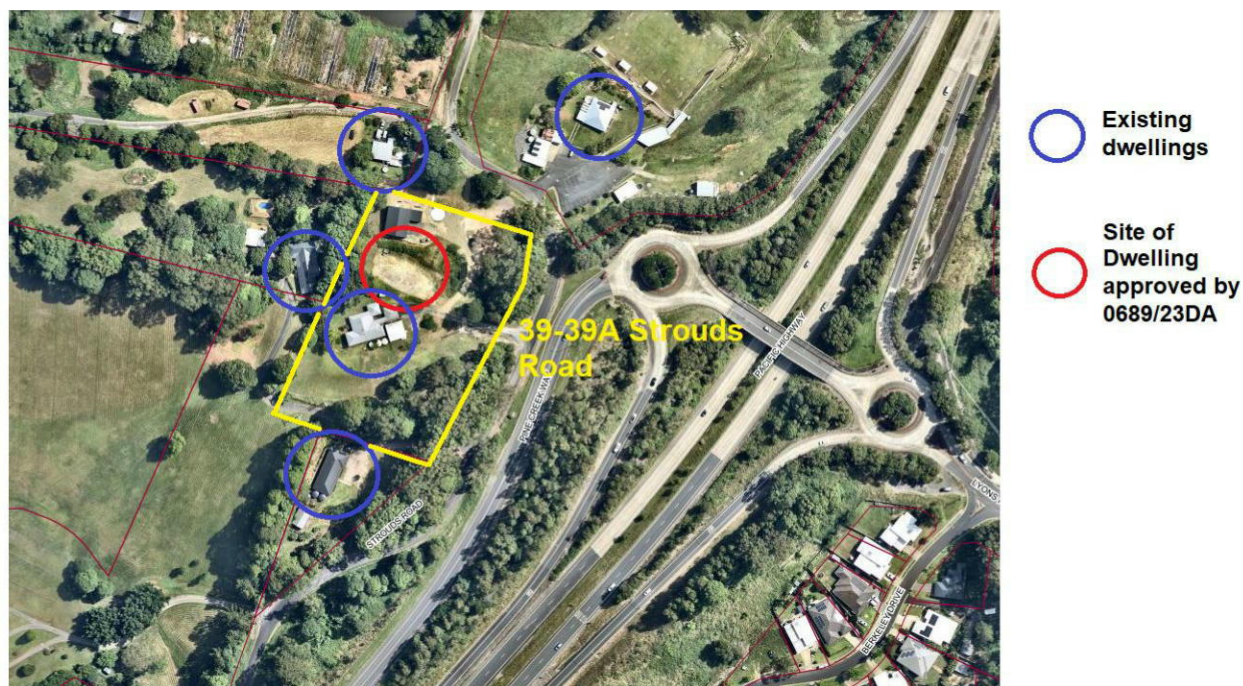


Figure 6 – Location of nearby dwellings

11. Has the planning proposal adequately addressed any social and economic effects?

Social and economic effects arising from the planning proposal are likely to be neutral, given that the rezoning effectively will not result in any additional dwellings (as all associated dwellings are either existing or recently approved). The provision of new (recently approved) housing close to services offers housing choice and diversity for existing and future residents. Consistent with The City of Coffs Harbour Local Strategic Planning Statement, coastal and hinterland villages (including Bonville) have been identified as priority areas for place-making with local character statements and place manuals.

The proposed rezoning would permit large lot residential development in an area predominantly used for hobby farming or lifestyle housing. Consideration has been given to the potential for land use conflicts resulting from the proposed rezoning and the risk of conflict has been deemed acceptable.

Section D – State and Commonwealth interests

12. Is there adequate public infrastructure for the planning proposal?

Yes.

This Planning Proposal has the capacity to provide for one (1) additional allotment which is unlikely to create significant additional demand on existing public infrastructure.

NBN fixed line telecommunications infrastructure is available to the locality and Essential Energy's overhead electrical infrastructure spans the subject land and will be extended underground to serve the proposed vacant lot. There are no Council water or sewer mains in the vicinity such that the land is reliant on harvesting rainwater and disposing of effluent onsite.

Section C1.8 of The Coffs Harbour Development Control Plan 2015 specifies that the following infrastructure is to be provided as part of subdivision proposals for land zoned R5 Large Lot Residential, in accordance with the City's Planning and Design Development Specifications:

- Roads

- Drainage
- Sealed driveways where servicing two or more resulting lots
- Underground reticulated telecommunications
- Underground reticulated electricity
- National Broadband Network (where available)

Traffic and Access

The land has frontage to the public road network. An Access Assessment (see Appendix 7) was prepared to assess the impact of the proposed rezoning and eventual subdivision of land to create one additional lot on the operation of the surrounding transport network infrastructure and services.

The Assessment concluded that the development resulting from the rezoning is satisfactory. Road standards for large lot residential development are specified in the City's Planning and Design Development Specifications and are based on predicted traffic generation because of eventual subdivision. The recent approval of 0689/23DA has assessed traffic generation and access arrangements for the new dwelling. Any augmentation to the existing infrastructure required to service a future subdivided lot would be addressed at the subdivision stage in accordance with the City's Planning and Design Development Specifications.

13. What are the views of State and federal public authorities and government agencies consulted in order to inform the Gateway determination?

The Department of Planning, Housing and Infrastructure issued a Gateway Determination for the planning proposal on 22 August 2024 (Appendix 9). The Gateway Determination requires consultation on the planning proposal with the following Government Agencies:

- NSW Rural Fire Service
- Department of Climate Change, Energy, the Environment and Water – Biodiversity and Conservation Services
- NSW Department of Primary Industries and Regional Development - Agriculture

Note: Following Exhibition this section of the planning proposal will be updated to include details of the community consultation.

PART 4 – MAPS

Proposed mapping amendments to Coffs Harbour LEP 2013, as described in Part 2 of this planning proposal, are shown in Figures 7 & 8 below.

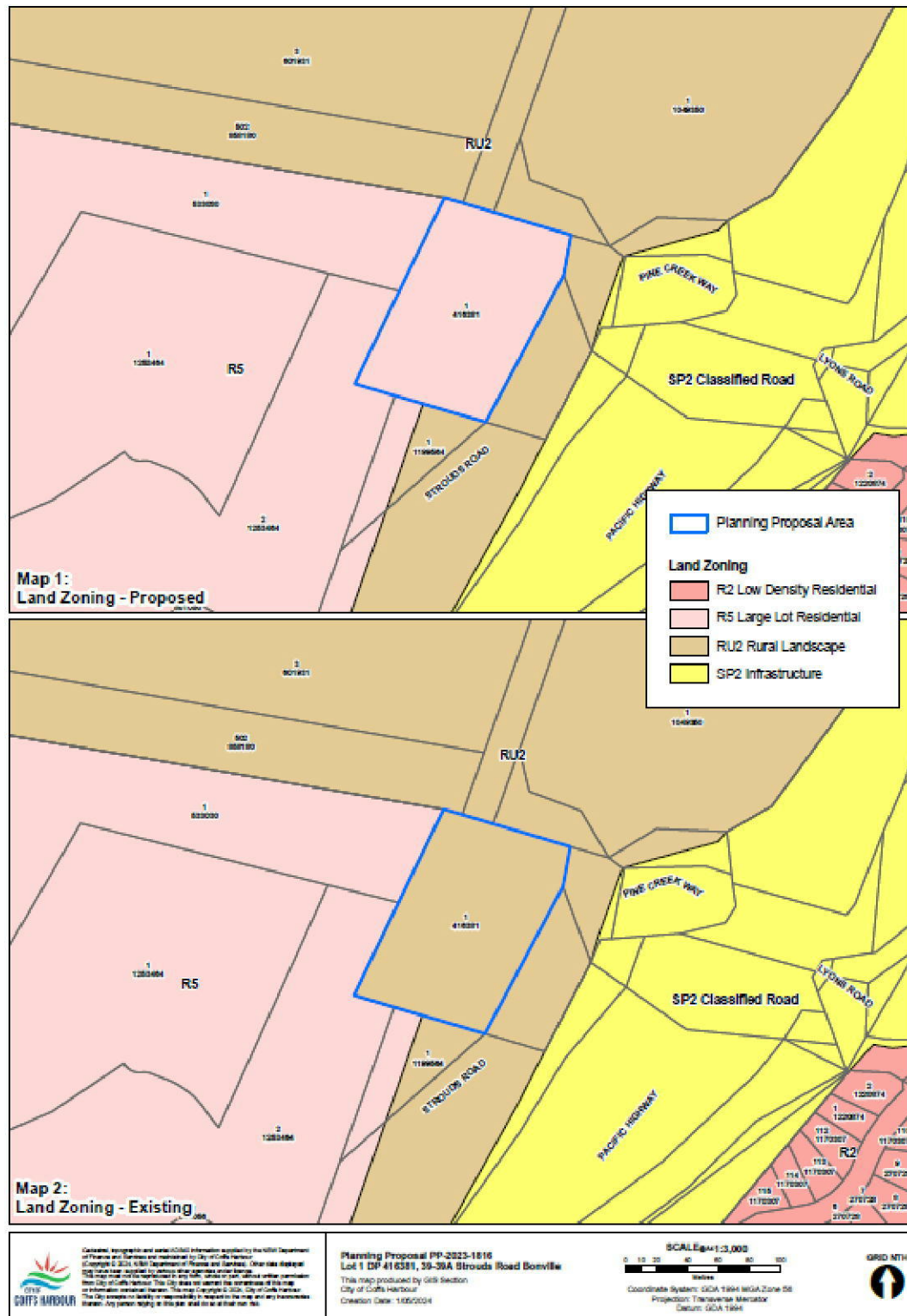


Figure 7: Combined map of proposed and existing amendments to digital Land Zoning Map

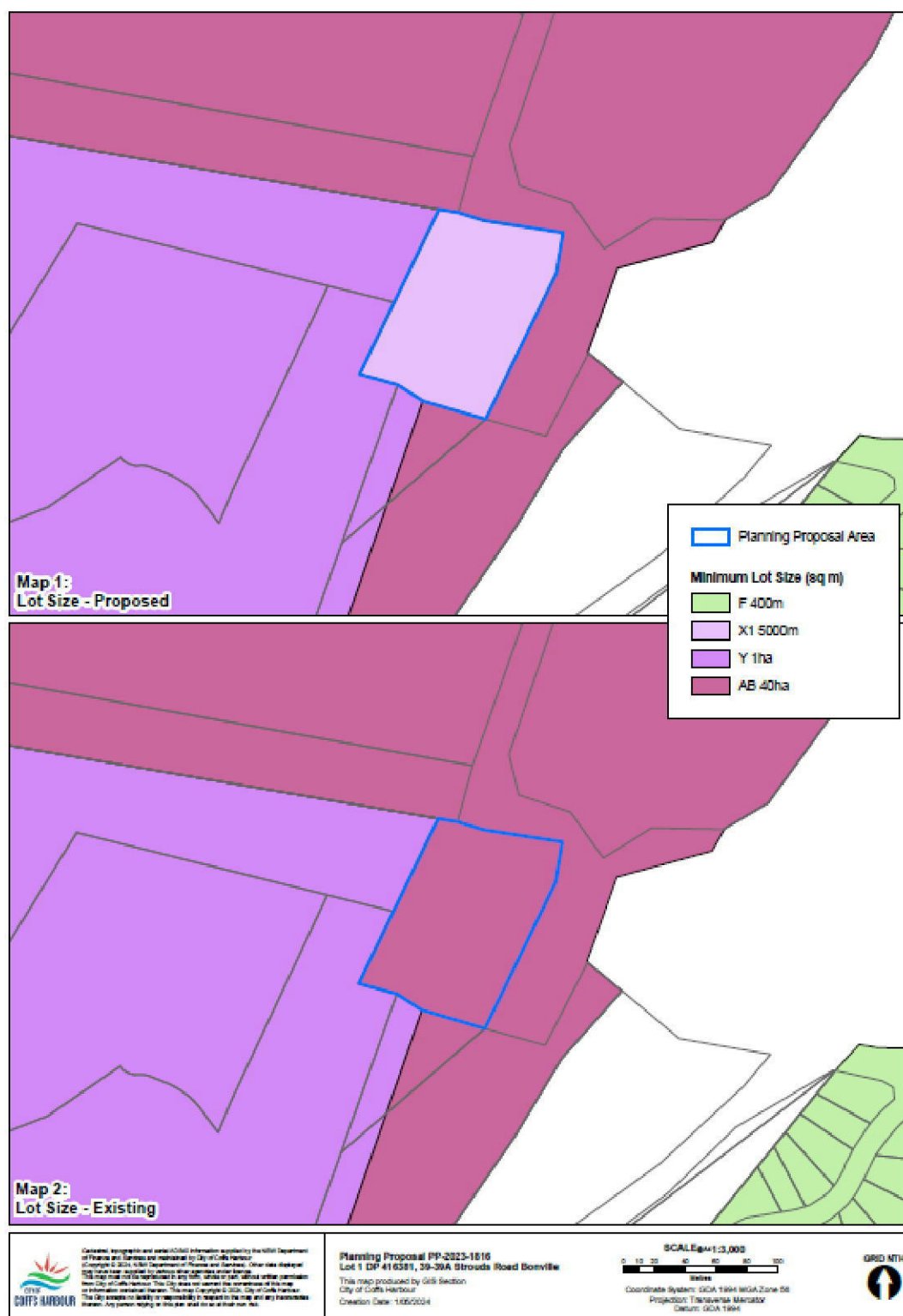


Figure 8: Combined map of proposed and existing amendments to Lot Size Map – Sheet LSZ_006B

PART 5 – COMMUNITY CONSULTATION

The Gateway determination issued by the NSW Department of Planning, Housing, and Infrastructure will specify the community consultation requirements that must be undertaken for the planning proposal. The City considers that the planning proposal should be exhibited for 28 days, given that it is not a principal LEP and does not seek to reclassify public land.

Public Exhibition of the planning proposal will include the following:

Advertisement

Placement of an online advertisement in the Coffs Newsroom.

Consultation with affected owners and adjoining landowners

Written notification of the public exhibition to the proponent, the landowners, and adjoining/adjacent landowners.

Website

The planning proposal will be made publicly available on the City's Have Your Say Website at: <https://haveyoursay.coffsharbour.nsw.gov.au/>

Note: Following public exhibition, this section of the planning proposal will be updated to include details of the community consultation.

PART 6 –PROJECT TIMELINE

Anticipated timeframes are provided in Table 3 below.

Table 3: Anticipated Timeline

Milestone	Anticipated Timeframe
Consideration by Council	June 2024
Commencement (date of Gateway determination)	August 2024
Public exhibition & agency consultation	September 2024
Consideration of submissions	November 2024
Reporting to Council for consideration	December 2024
Submission to Minister to make the plan (if not delegated) Submission to Minister for notification of the plan (if delegated)	January 2025
Gazettal of LEP Amendment	January 2025

APPENDIX 1 – CONSIDERATION OF STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Chapter 2 - Vegetation in Non-Rural Areas	No	N/A	<p>The aims of this chapter of the Policy are:</p> <ul style="list-style-type: none"> a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 3 - Koala Habitat Protection 2020	Yes	Yes	<p>The aims of this chapter of the Policy are to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:</p> <ul style="list-style-type: none"> a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and b) by encouraging the identification of areas of core koala habitat, and c) by encouraging the inclusion of areas of core koala habitat in environment protection zones. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 4 - Koala Habitat Protection 2021	Yes	Yes	<p>The aims of this chapter of the Policy are to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.</p> <p>Where an approved Comprehensive Koala Plan of Management (CKPoM) is in place the SEPP defers to this plan. The Coffs Harbour City Koala Plan of Management (CHCKPoM) was prepared in accordance with the requirements of the SEPP and introduced in January 1995.</p>

APPENDIX 1 – CONSIDERATION OF STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>The subject lands do not contain any mapped koala habitat.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 6 – Water Catchments	N/A	N/A	The City of Coffs Harbour is not listed as land to which this chapter applies.
	Chapter 13 – Strategic Conservation Planning	N/A	N/A	The City of Coffs Harbour is not listed as land to which this chapter applies.
SEPP (Exempt and Complying Development Codes) 2008	N/A – this is a standalone State Environmental Planning Policy	N/A	N/A	<p>This Policy aims to provide streamlined assessment processes for development that complies with specified development standards by:</p> <ul style="list-style-type: none"> a) providing exempt and complying development codes that have State-wide application, and b) identifying, in the exempt development codes, types of development that are of minimal environmental impact that may be carried out without the need for development consent, and c) identifying, in the complying development codes, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Act, and d) enabling the progressive extension of the types of development in this Policy, and e) providing transitional arrangements for the introduction of the State-wide codes, including the amendment of other environmental planning instruments. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.</p>
State Environmental Planning Policy (Housing) 2021	N/A – this is a standalone State Environmental Planning Policy	Yes	Yes	<p>The principles of this Policy are:</p> <ul style="list-style-type: none"> a) enabling the development of diverse housing types, including purpose-built rental housing, b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to

APPENDIX 1 – CONSIDERATION OF STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>moderate income households, seniors and people with a disability,</p> <p>c) ensuring new housing development provides residents with a reasonable level of amenity, promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,</p> <p>d) minimising adverse climate and environmental impacts of new housing development,</p> <p>e) reinforcing the importance of designing housing in a way that reflects and enhances its locality,</p> <p>f) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,</p> <p>g) mitigating the loss of existing affordable rental housing.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.</p>
State Environmental Planning Policy (Industry and Employment) 2021	Chapter 3 - Advertising and Signage	N/A	N/A	<p>This aims of this chapter of the Policy are:</p> <p>a) to ensure that signage (including advertising):</p> <p style="padding-left: 20px;">(i) is compatible with the desired amenity and visual character of an area, and</p> <p style="padding-left: 20px;">(ii) provides effective communication in suitable locations, and</p> <p style="padding-left: 20px;">(iii) is of high-quality design and finish, and</p> <p>b) to regulate signage (but not content) under Part 4 of the Act, and</p> <p>c) to provide time-limited consents for the display of certain advertisements, and</p> <p>d) to regulate the display of advertisements in transport corridors, and</p> <p>e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</p> <p>This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.</p> <p>The proposed LEP amendment does not contain provisions that contradict or</p>

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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Planning Systems) 2021.	Chapter 2 -State and Regional Development	N/A	N/A	<p>The aims of this chapter of the Policy are:</p> <ul style="list-style-type: none"> a) to identify development that is State significant development, b) to identify development that is State significant infrastructure and critical State significant infrastructure, c) to identify development that is regionally significant development. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 3 - Aboriginal Land	N/A	N/A	<p>The aims of this Chapter of the Policy are:</p> <ul style="list-style-type: none"> a) to provide for development delivery plans for areas of land owned by Aboriginal Land Councils to be considered when development applications are considered, and b) to declare specified development carried out on land owned by Aboriginal Land Councils to be regionally significant development. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 4 - Concurrences and Consents	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Precincts—Central River City) 2021	Chapter 2 -State Significant Precincts	N/A	N/A	<p>The aims of this chapter of the Policy are to:</p> <ul style="list-style-type: none"> a) to facilitate the development, redevelopment, or protection of important urban, coastal, and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State, b) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes. <p>The proposed LEP amendment does not contain provisions that contradict or</p>

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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Chapter 2 -State Significant Precincts	N/A	N/A	<p>The aims of this chapter of the Policy are to:</p> <ul style="list-style-type: none"> c) to facilitate the development, redevelopment, or protection of important urban, coastal, and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State, d) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy (Precincts—Regional) 2021	Chapter 2 -State Significant Precincts	N/A	N/A	<p>The aims of this chapter of the Policy are to:</p> <ul style="list-style-type: none"> a) to facilitate the development, redevelopment, or protection of important urban, coastal, and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State, b) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy (Primary Production) 2021	Chapter 2 - Primary Production and Rural Development	N/A	N/A	<p>The aims of this chapter of the Policy are to:</p> <ul style="list-style-type: none"> a) to facilitate the orderly economic use and development of lands for primary production,

APPENDIX 1 – CONSIDERATION OF STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity, and water resources,</p> <p>c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic, and environmental considerations,</p> <p>d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,</p> <p>e) to encourage sustainable agriculture, including sustainable aquaculture,</p> <p>f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,</p> <p>g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.</p> <p>The land does not comprise state significant agricultural land, or important farmland.</p> <p>The proposed change to an R5 Large Lot Residential zone does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 2 - Coastal Management	N/A	N/A	<p>The aim of this chapter of the Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by:</p> <p>a) managing development in the coastal zone and protecting the environmental assets of the coast, and</p> <p>b) establishing a framework for land use planning to guide decision-making in the coastal zone, and</p>

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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.</p> <p>The proposed LEP amendment is not located within the Coastal Zone footprint and therefore does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 3 – Hazardous and Offensive Development	N/A	N/A	<p>The aims of this chapter of the Policy are:</p> <ul style="list-style-type: none"> a) to amend the definitions of hazardous and offensive industries where they are used in environmental planning instruments, and b) to render ineffective a provision of any environmental planning instrument that prohibits development for the purpose of a storage facility on the ground that the facility is hazardous or offensive if it is not a hazardous or offensive storage establishment as defined in this Policy, and c) to require development consent for hazardous or offensive development proposed to be carried out in the Western Division, and d) to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are considered, and e) to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact, and f) to require the advertising of applications to carry out any such development. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 4 – Remediation of Land	Yes	Yes	<p>The aims of this chapter of the Policy are to promote the remediation of contaminated land for the purpose of</p>

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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>reducing the risk of harm to human health or any other aspect of the environment—</p> <ul style="list-style-type: none"> a) by specifying when consent is required, and when it is not required, for a remediation work, and b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work, and c) by requiring that a remediation work meet certain standards and notification requirements. <p>Development approval 0689/23DA for a dwelling (dual occupancy – detached) concludes that the land is currently used for residential purposes and does not have any apparent history of land use that would indicate any potential for contamination. Further, the City does not hold records that an activity that may have likely caused contamination has been approved or licenced on the land and therefore is not mapped as such. The Development Assessment Report for 0689/23DA also mentions that:</p> <p><i>“The following observations are made with respect to the suitability of the land for the proposed dwelling:</i></p> <ul style="list-style-type: none"> • <i>The subject land is currently developed with a dwelling house, outbuilding, onsite waste management system, access driveway and is used for rural residential purposes.</i> • <i>There is no evidence of former dip sites, packing sheds or the like within or nearby the proposed building area.</i> • <i>The City of Coffs Harbour Land Contamination Map does not identify the site as being constrained by potential contamination.</i> • <i>The land is not listed on the NSW Environment Protection Authority’s contaminated land record of notices, as accessed on 18th April 2023.</i> <p><i>There are no readily observable indicators that the land is contaminated or potentially contaminated, and</i></p>

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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p><i>the information provided supports that the proposal is unlikely to increase the risk to health or the environment and is suitable to proceed without further investigation.”</i></p> <p>Given that 0689/23DA is the development associated as a consequence of the planning proposal, a land contamination assessment has not been included with this planning proposal.</p> <p>The proposed LEP amendment therefore does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy (Resources and Energy) 2021	Chapter 2 - Mining, Petroleum Production and Extractive Industries	N/A	N/A	<p>The aims of this chapter of the Policy are, in recognition of the importance to New South Wales of mining, petroleum production and extractive industries:</p> <ul style="list-style-type: none"> a) to provide for the proper management and development of mineral, petroleum, and extractive material resources for the purpose of promoting the social and economic welfare of the State, and b) to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and b1) to promote the development of significant mineral resources, and c) to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of development of mineral, petroleum, and extractive material resources, and d) to establish a gateway assessment process for certain mining and petroleum (oil and gas) development: <ul style="list-style-type: none"> (i) to recognise the importance of agricultural resources, and (ii) to ensure protection of strategic agricultural land and water resources, and (iii) to ensure a balanced use of land by potentially competing industries, and (iv) to provide for the sustainable growth of mining, petroleum, and agricultural industries.

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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Sustainable Buildings) 2022	Chapter 2 - Standards for residential development - BASIX	N/A	N/A	<p>The aims of this SEPP are to encourage the design and delivery of sustainable buildings that minimise energy and water use.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of Chapter 2 of the SEPP.</p>
	Chapter 3 - Standards for non-residential development	N/A	N/A	<p>The aims of this SEPP are to encourage the design and delivery of sustainable buildings that minimise energy and water use.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of Chapter 3 of the SEPP.</p>

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State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2 - Infrastructure	Yes	Yes	<p>The aim of this chapter of the Policy is to facilitate the effective delivery of infrastructure across the State by:</p> <ul style="list-style-type: none"> a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and b) providing greater flexibility in the location of infrastructure and service facilities, and c) allowing for the efficient development, redevelopment, or disposal of surplus government owned land, and d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and g) providing opportunities for infrastructure to demonstrate good design outcomes. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p> <p>The subject site is within 150m of the Pacific Highway with noise-sensitive land use development potentially affected by road traffic noise.</p> <p>The subject site includes an approved detached dual occupancy, with each dwelling subject to a new lot under the concurrently lodged 0127/24DA for a Subdivision (2-lot). The subject site includes native vegetation as a landscaped buffer between the residential uses and the road corridor. This vegetation may be subject to Section 88b of the Conveyancing Act 1919 'Restriction as to User' considered under 0127/24DA as discussed within Section B – Relationship to strategic planning framework (Objective 3) of this report. As the resulting (existing) land parcel would</p>
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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>already be developed to its intended potential the effect of road traffic is neutral in the planning proposal.</p> <p>Future development will be subject to assessment against State Environmental Planning Policy (Transport and Infrastructure) 2021 s2.120 and the Coffs Harbour Development Control Plan D1.20 Amenity Requirements.</p>
	Chapter 3 - Educational Establishments and Childcare Facilities	N/A	N/A	<p>The aim of this chapter of the Policy is to facilitate the effective delivery of educational establishments and early education and care facilities across the State by:</p> <ul style="list-style-type: none"> a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and b) simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of minimal environmental impact as exempt development), and c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas, and d) allowing for the efficient development, redevelopment, or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and e) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and f) aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and g) ensuring that proponents of new developments or modified premises meet the applicable requirements of

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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and</p> <p>h) encouraging proponents of new developments or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 4 – Major Infrastructure Corridors	N/A	N/A	<p>The aims of this chapter of the Policy are:</p> <p>a) to identify land that is intended to be used in the future as an infrastructure corridor,</p> <p>b) to establish appropriate planning controls for the land for the following purposes—</p> <p>(i) to allow the ongoing use and development of the land until it is needed for the future infrastructure corridor,</p> <p>(ii) to protect the land from development that would adversely impact on or prevent the land from being used as an infrastructure corridor in the future.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>

S9.1 Direction	Applicable	Consistent	Comment
Focus area 1: Planning Systems			
1.1 Implementation of Regional Plans	<p>This direction applies to a relevant planning authority when preparing a planning proposal for land to which a Regional Plan has been released by the Minister for Planning and Public Spaces.</p> <p>Planning proposals must be consistent with a Regional Plan released by the Minister for Planning and Public Spaces.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary), that:</p> <p>(a) the extent of inconsistency with the Regional Plan is of minor significance, and</p> <p>(b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions, or actions.</p>	No	<p>The planning proposal is not consistent with the relevant goals, directions, and actions within the North Coast Regional Plan 2041, specifically:</p> <p><i>Strategy 1.5 New rural residential housing is to be located on land that has been approved in a strategy endorsed by the Department of Planning, Housing and Infrastructure and is to be directed away from the coastal strip.</i></p> <p>However, the City feels that the inconsistency is:</p> <p>(a) of minor insignificance, and</p> <p>(b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions, or actions.</p> <p>The City feels that the inconsistency with the Direction is justified when taking the following points into consideration:</p> <ul style="list-style-type: none"> • The planning proposal effectively enables the creation of a single additional large lot residential lot. • The subject land contains an existing approved dwelling on a 1.13 ha site. The subject land also benefits from a recent development consent (0689/23DA), issued on 4 July 2023 for an additional dwelling (dual occupancy – detached). The approved development has been substantially commenced and the concept subdivision lot layout that accompanies the planning proposal (Appendix 3) aligns with the development consent issued by The City under 0689/23DA. This planning

S9.1 Direction	Applicable	Consistent	Comment
			<p>proposal seeks to rezone the subject land to an R5 Large Lot Residential zone and a reduction of the minimum lot size of the land to 5000m². If this planning proposal was finalised, this would mean that the resulting land parcel would already be developed to its intended potential, and the effects on surrounding lands etc. would be neutral.</p> <ul style="list-style-type: none"> • While the land is not specifically referenced within Chapter 6 of the Coffs Harbour Local Growth Management Strategy (LGMS) 2020, the proposed rezoning will create the potential for additional rural residential housing by amending the land from Zone RU2 Rural Landscape to Zone R5 Large Lot Residential, and by reducing the minimum lot size of the land, which is an action that is prescribed by the LGMS 2020. • The land was located adjacent to a Candidate Area for the Bonville Large Lot Residential Release Area (as identified in the Coffs Harbour Rural Residential Strategy 2009) and was included in the Bonville Large Lot Residential Planning Proposal (PP_2015_COFFS_005_00) post-exhibition report to Council on 8 December 2016. <p>The land was ultimately not included in the final LEP amendment as the NSW Department of Planning, Industry & Environment considered that the environmental studies did not fully capture the land and the planning proposal was therefore not publicly exhibited as such.</p> <ul style="list-style-type: none"> • The land is fragmented and shares similar attributes to

S9.1 Direction	Applicable	Consistent	Comment
			<p>adjoining Zone R5 Large Lot Residential land which is situated to the west and south.</p> <ul style="list-style-type: none"> • The planning proposal comprises land which does not include any High Environmental Value assets. • The area is not identified as important farmland under the Plan. • While the subject land is located within the coastal strip, it is considered that this planning proposal represents a minor and contiguous variation to the existing Bonville large lot residential zone boundary. • The subject land and the surrounding R5 Large Lot Residential zoned land is currently used for lifestyle residential purposes and similar sized properties surround the land. <p>Given the above, while a minor inconsistency with the plan exists, the planning proposal does not contain provisions that significantly contradict or hinder the application of this direction. The planning proposal does not compromise the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions, or actions.</p> <p>The inconsistency with the Direction is therefore considered to be justified and confirmation is requested from the Planning Secretary (or an officer of the Department nominated by the Secretary) that this is the case.</p>
1.2 Development of Aboriginal Land Council land	This direction does not currently apply to the Coffs Harbour LGA.	N/A	This direction does not currently apply to the Coffs Harbour LGA.

Sg.1 Direction	Applicable	Consistent	Comment
1.3 Approval and Referral Requirements	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>A planning proposal to which this direction applies must:</p> <ul style="list-style-type: none"> (a) minimise the inclusion of provisions that require the concurrence, consultation, or referral of development applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: <ul style="list-style-type: none"> i. the appropriate Minister or public authority, and ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act, and (c) not identify development as designated development unless the relevant planning authority: <ul style="list-style-type: none"> i. can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the class of development is likely to have a significant impact on the environment, and ii. has obtained the approval of the Planning Secretary (or an officer of the Department nominated by the Secretary) prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act. <p>A planning proposal must be substantially consistent with the terms of this direction.</p>	Yes	<p>The planning proposal does not contain provisions that contradict or hinder the application of this direction, and therefore the planning proposal is therefore considered to be consistent with the Direction.</p>
1.4 Site Specific Provisions	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will allow a particular development to be carried out.</p> <ul style="list-style-type: none"> (1) A planning proposal that will amend another environmental planning instrument to allow development to be carried out must either: <ul style="list-style-type: none"> (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development 	Yes	<p>The planning proposal would rezone the subject land from Zone RU2 Rural Landscape to Zone R5 Large Lot Residential under Coffs Harbour LEP 2013 to permit the subdivision and development of the land for large lot residential purposes.</p> <p>The planning proposal will not impose any development standards or requirements in addition to those already contained in the principal environmental planning instrument (Coffs Harbour LEP 2013).</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>standards or requirements in addition to those already contained in that zone, or</p> <p>(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>(2) A planning proposal must not contain or refer to drawings that show details of the proposed development.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.</p>		The planning proposal does not contain provisions that contradict or hinder the application of this direction, and therefore the planning proposal is therefore considered to be consistent with the Direction.
1.4A Exclusion of Development Standards from Variation	This direction applies when a planning proposal authority prepares a planning proposal that proposes to introduce or alter an existing exclusion to clause 4.6 of a Standard Instrument LEP or an equivalent provision of any other environmental planning instrument.	N/A	The planning proposal will not introduce or alter an existing exclusion to clause 4.6 of Coffs Harbour LEP 2013.
Focus area 1: Planning Systems – Place Based			
Directions 1.5 – 1.22 do not apply to the Coffs Harbour LGA.			
Focus area 2: Design and Place			
Directions yet to be included.			
Focus area 3: Biodiversity and Conservation			
3.1 Conservation Zones	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>(1) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>(2) A planning proposal that applies to land within a conservation zone or land otherwise identified for environment conservation/protection purposes in a LEP must not reduce the conservation standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a</p>	No	<p>A Biodiversity Assessment Report (BAR) (Appendix 4) was provided which addresses the proposed LEP amendment. Based on the site assessment included in the BAR, the proposed rezoning and future redevelopment of the site would have relatively low impacts on biodiversity, due mainly to future development avoiding most areas of remnant native vegetation.</p> <p>The subject site is not affected by the High Environmental Value (HEV) Map, Biodiversity Values Map or Koala Plan of Management Map. The planning proposal will not alter</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>dwelling in accordance with Direction 9.3 (2) of “Rural Lands”.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <p>i. considers the objectives of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which considers the objectives of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which considers the objective of this direction, or</p> <p>(d) is of minor significance.</p>		<p>any zones or development controls in a manner that would result in a change to these maps, or result in unacceptable impacts on threatened species, populations, or ecological communities.</p> <p>The BAR (Appendix 4) states that:</p> <ul style="list-style-type: none"> • No native endemic threatened flora species listed under the Biodiversity Conservation (BC) Act 2016 or Environment Protection and Biodiversity Conservation (EPBC) Act 1999 occur at the site. • One planted non-endemic threatened species occurs; a multi stemmed Macadamia Nut hybrid (<i>Macadamia integrifolia</i> x <i>tetraphylla</i>). The site is located >150 km south of the southern extent of these species’ natural range, (north of the Richmond River or Currumbin in Queensland). This tree is not part of a natural population of <i>Macadamia</i> sp, therefore the subject tree is considered of low conservation value. • No Threatened Ecological Communities listed under the BC or EPBC Act occur at the site. • No State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 2 Coastal Management littoral rainforest or coastal wetlands (DPIE, 2021), over-cleared vegetation types, high value arboreal habitats or old growth forests (CHCC, 2021) occur at the site. • Koala (<i>Phascolarctos cinereus</i>) scats were detected along the length of the eastern boundary beneath several Tallowood and Blackbutt trees. Koalas are listed as Endangered under both the BC and EPBC Act. • Part of the site provides good quality potential fauna habitats including native

S9.1 Direction	Applicable	Consistent	Comment
			<p><i>vegetation and hollow-bearing trees. While no significant or core habitat for threatened fauna occurs at the site, the site provides potential habitat for a number of locally occurring threatened fauna species which may use the site opportunistically or as part of their broader home range. Vegetation along the eastern boundary of the site provides connectivity and refuge for a range of fauna species likely to occur within a highly modified and fragmented landscape.</i></p> <p>The BAR (Appendix 4) identifies an area of important PCT 3250 (northern foothills blackbutt grassy forest) remnant native vegetation occurring along the eastern boundary and the southeastern corner of the subject site. This is the location of the above-mentioned native vegetation and hollow-bearing trees providing potential habitat, connectivity and refuge for a range of species with koala scats found in this area. As such, the PCT 3250 vegetation was recommended for preservation.</p> <p>The PCT 3250 and three hollow-bearing trees recorded at the site are well clear of the proposed building envelope, and where located within the proposed APZ, proposed to be retained within an outer protection area.</p> <p>To minimise biodiversity impacts that may result from the planning proposal and future development of the subject site, clearing of native vegetation should be avoided in the final design of the subdivision with building envelopes, associated infrastructure, boundary fences and where possible, bushfire Asset Protection Zones to be</p>

S9.1 Direction	Applicable	Consistent	Comment
			<p>located within previously cleared areas. The priority would be to retain intact remnant native vegetation at the site with the maintained grassland and planted ornamental and exotic species considered to be of relatively low conservation value.</p> <p>Areas mapped as PCT 3250 on the land may be protected on title under Section 88b of the Conveyancing Act 1919 'Restriction as to User'. This would exclude intact native vegetation at the site as part of the developable land use area. This will be applied to the concurrently lodged 0127/24DA for a Subdivision (2-lot).</p> <p>The BAR demonstrates that the Biodiversity Offset Scheme is unlikely to be triggered at the DA stage and that impact on threatened species or ecological communities, or their habitats is not likely.</p>
3.2 Heritage Conservation	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(a) items, places, buildings, works, relics, moveable objects, or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural, or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and</p> <p>(c) Aboriginal areas, Aboriginal objects, Aboriginal places, or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</p>	Yes	<p>An Aboriginal Cultural Heritage Site Assessment was undertaken on the subject land by a Cultural Site Officer from the Coffs Harbour and District Local Aboriginal Land Council (Appendix 5). The assessment concluded that no evidence of Aboriginal cultural material was found on the subject land.</p> <p>The planning proposal is therefore considered to be consistent with the Direction.</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that:</p> <p>(a) the environmental or indigenous heritage significance of the item, area, object, or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or</p> <p>(b) the provisions of the planning proposal that are inconsistent are of minor significance.</p>		
3.3 Sydney Drinking Water Catchments	This direction does not currently apply to the Coffs Harbour LGA.	N/A	This direction does not currently apply to the Coffs Harbour LGA.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	This direction does not currently apply to the Coffs Harbour LGA.	N/A	This direction does not currently apply to the Coffs Harbour LGA.
3.5 Recreation Vehicle Areas	<p>A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the <i>Recreation Vehicles Act 1983</i>):</p> <p>(a) where the land is within a conservation zone,</p> <p>(b) where the land comprises a beach or a dune adjacent to or adjoining a beach,</p> <p>(c) where the land is not within an area or zone referred to in paragraphs (a) or (b) unless the relevant planning authority has taken into consideration:</p> <p>i. the provisions of the guidelines entitled <i>Guidelines for the Selection, Establishment and Maintenance of Recreation Vehicle Areas</i>, Soil Conservation Service of NSW, September 1985, and</p> <p>ii. the provisions of the guidelines entitled <i>Recreation Vehicles Act 1983, Guidelines for Selection, Design and Operation of Recreation Vehicle Areas</i>, State Pollution Control Commission, September 1985.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant</p>	N/A	The proposed LEP amendment will not facilitate recreation vehicle areas.

S9.1 Direction	Applicable	Consistent	Comment
	<p>planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <p>i. considers the objective of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which considers the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which considers the objective of this direction, or</p> <p>(d) of minor significance.</p>		
3.6 Strategic Conservation Planning	This direction does not apply to the Coffs Harbour LGA.	N/A	This direction does not apply to the Coffs Harbour LGA.
3.7 Public Bushland	This direction does not apply to the Coffs Harbour LGA.	N/A	This direction does not apply to the Coffs Harbour LGA.
3.8 Willandra Lakes Region	This direction does not apply to the Coffs Harbour LGA.	N/A	This direction does not apply to the Coffs Harbour LGA.
3.9 Sydney Harbour Foreshores and Waterways Area	This direction does not apply to the Coffs Harbour LGA.	N/A	This direction does not apply to the Coffs Harbour LGA.
3.10 Water Catchment Protection	This direction does not apply to the Coffs Harbour LGA.	N/A	This direction does not apply to the Coffs Harbour LGA.
Focus Area 4: Resilience and Hazards			
4.1 Flooding	This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes, or alters a zone or a provision that affects flood prone land.	N/A	The subject land is not affected by a mapped flood planning area.

S9.1 Direction	Applicable	Consistent	Comment
	<p>(1) A planning proposal must include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> (a) the NSW Flood Prone Land Policy, (b) the principles of the Floodplain Development Manual 2005, (c) the Considering flooding in land use planning guideline 2021, and (d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council. <p>(2) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones.</p> <p>(3) A planning proposal must not contain provisions that apply to the flood planning area which:</p> <ul style="list-style-type: none"> (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit development for the purposes of residential accommodation in high hazard areas, (d) permit a significant increase in the development and/or dwelling density of that land, (e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate, (f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent, (g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of 		

S9.1 Direction	Applicable	Consistent	Comment
	<p>road infrastructure, flood mitigation infrastructure and utilities, or</p> <p>(h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event.</p> <p>(4) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:</p> <p>(a) permit development in floodway areas,</p> <p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit a significant increase in the dwelling density of that land,</p> <p>(d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</p> <p>(e) are likely to affect the safe occupation of and efficient evacuation of the lot, or</p> <p>(f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.</p> <p>(5) For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.</p> <p>A planning proposal may be inconsistent with this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that:</p> <p>(a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in accordance with the principles and guidelines of the <i>Floodplain Development Manual 2005</i>, or</p>		

S9.1 Direction	Applicable	Consistent	Comment
	<p>(b) where there is no council adopted floodplain risk management study or plan, the planning proposal is consistent with the flood study adopted by the council prepared in accordance with the principles of the <i>Floodplain Development Manual 2005</i> or</p> <p>(c) the planning proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the principles of the <i>Floodplain Development Manual 2005</i> and consistent with the relevant planning authorities' requirements, or</p> <p>(d) the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.</p>		
4.2 Coastal Management	<p>This direction applies when a planning proposal authority prepares a planning proposal that applies to land that is within the coastal zone, as defined under the <i>Coastal Management Act 2016</i> -comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area and coastal use area -and as identified by chapter 3 of the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>.</p> <p>(1) A planning proposal must include provisions that give effect to and are consistent with:</p> <p>(a) the objects of the <i>Coastal Management Act 2016</i> and the objectives of the relevant coastal management areas;</p> <p>(b) the NSW Coastal Management Manual and associated Toolkit;</p> <p>(c) NSW Coastal Design Guidelines 2003; and</p> <p>(d) any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the <i>Coastal Protection Act 1979</i> that continues to have effect under clause 4 of Schedule 3 to the <i>Coastal Management Act 2016</i>, that applies to the land.</p> <p>(2) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land:</p> <p>(a) within a coastal vulnerability area identified by the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>; or</p> <p>(b) that has been identified as land affected by a current or future coastal hazard in a local environmental plan or development</p>	N/A	The subject land is not located within the coastal zone.

S9.1 Direction	Applicable	Consistent	Comment
	<p>control plan, or a study or assessment undertaken:</p> <ul style="list-style-type: none"> i. by or on behalf of the relevant planning authority and the planning proposal authority, or ii. by or on behalf of a public authority and provided to the relevant planning authority and the planning proposal authority. <p>(3) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land within a coastal wetlands and littoral rainforests area identified by chapter 3 of the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>.</p> <p>(4) A planning proposal for a local environmental plan may propose to amend the following maps, including increasing or decreasing the land within these maps, under the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>:</p> <ul style="list-style-type: none"> (a) Coastal wetlands and littoral rainforests area map. (b) Coastal vulnerability area map. (c) Coastal environment area map. (d) Coastal use area map. <p>Such a planning proposal must be supported by evidence in a relevant Coastal Management Program that has been certified by the Minister, or by a <i>Coastal Zone Management Plan</i> under the <i>Coastal Protection Act 1979</i> that continues to have effect under clause 4 of Schedule 3 to the <i>Coastal Management Act 2016</i>.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a study or strategy prepared in support of the planning proposal which considers the objective of this direction, or (b) in accordance with any relevant Regional Strategic Plan or District Strategic Plan, prepared under Division 3.1 of the EP&A Act by the relevant strategic planning authority, which considers the objective of this direction, or (c) of minor significance. 		

S9.1 Direction	Applicable	Consistent	Comment
4.3 Planning for Bushfire Protection	<p>This direction applies to all local government areas when a relevant planning authority prepares a planning proposal that will affect or is in proximity to land mapped as bushfire prone land.</p> <p>In the preparation of a planning proposal, the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a Gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act and consider any comments so made.</p> <p>A planning proposal must:</p> <ul style="list-style-type: none"> (a) have regard to <i>Planning for Bushfire Protection 2019</i>, (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and (c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ). <p>A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <ul style="list-style-type: none"> (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: <ul style="list-style-type: none"> (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and (ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the <i>Rural Fires Act 1997</i>), the APZ provisions must be complied with, (c) contain provisions for two-way access roads which link to perimeter roads and/or to fire trail networks, (d) contain provisions for adequate water supply for firefighting purposes, 	No	<p>The site is mapped as bushfire prone land.</p> <p>The Bushfire Risk Assessment (Appendix 6) demonstrates that future development of the site by way of subdivision can comply with Planning for Bushfire Protection 2019.</p> <p>The Gateway Determination (Appendix 9) issued on 22nd August 2024; consultation is required with the NSW Rural Fire Service to comply with the requirements of applicable directions of the Minister under section 9 of the Act.</p> <p>The planning proposal is currently inconsistent with this Direction. Until consultation with NSW RFS has occurred the inconsistency with the Direction is unresolved.</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,</p> <p>(f) introduce controls on the placement of combustible materials in the Inner Protection Area.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.</p>		
4.4 Remediation of Contaminated Land	<p>This direction applies when a planning proposal authority prepares a planning proposal that applies to:</p> <p>(a) land that is within an investigation area within the meaning of the <i>Contaminated Land Management Act 1997</i>,</p> <p>(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,</p> <p>(c) the extent to which it is proposed to carry out development on it for residential, educational, recreational, or childcare purposes, or for the purposes of a hospital – land:</p> <p>i. in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</p> <p>ii. on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</p> <p>(1) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land, unless:</p> <p>(a) the planning proposal authority has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state</p>	No	A Preliminary Environmental Site Assessment (PESA) has not been included with this planning proposal.

S9.1 Direction	Applicable	Consistent	Comment
	<p>(or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</p> <p>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.</p> <p>To satisfy itself as to paragraph 1(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</p> <p>(2) Before including any land to which this direction applies in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.</p>		
4.5 Acid Sulfate Soils	<p>This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils when preparing a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps held by the Department of Planning, Housing and Infrastructure.</p> <p>(1) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</p> <p>(2) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:</p> <p>(a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary, or</p> <p>(b) other such provisions provided by the Planning Secretary that are consistent with the Acid Sulfate Soils Planning Guidelines.</p> <p>(3) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid</p>	Yes	<p>The planning proposal area is mapped as Acid Sulfate Soils (ASS) Class 5 with an area of ASS Class 3 located less than 500m to the south.</p> <p>The Acid Sulfate Soils Planning Guidelines recommend that works within areas mapped as Class 5 within 500m of Class 1-4 areas should be supported by a preliminary hydrology study to determine activity is not likely to affect groundwater levels.</p> <p>The planning proposal area includes an approved detached dual occupancy, with each dwelling subject to a new lot under the concurrently lodged 0127/24DA for a Subdivision (2-lot). Future development will be subject to assessment against Coffs Harbour Local Environmental Plan clause 7.1.</p> <p>It is considered the future land uses permitted with consent under the proposed R5 Zoning would not involve the disturbance of more than 1 tonne of soil and would be unlikely to lower the water table.</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Planning Secretary prior to undertaking community consultation in satisfaction of clause 4 of Schedule 1 to the Act.</p> <p>(4) Where provisions referred to under 2(a) and 2(b) above of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with 2(a) and 2(b).</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a study prepared in support of the planning proposal which considers the objective of this direction, or</p> <p>(b) of minor significance.</p>		<p>The planning proposal is inconsistent with the terms of this direction; however, the ASS constraint of the land intensification is considered to be of minor significance.</p>
<p>4.6 Mine Subsidence and Unstable Land</p>	<p>This direction applies when a relevant planning authority prepares a planning proposal that permits development on land that is within a declared mine subsidence district in the Coal Mine Subsidence Compensation Regulation 2017 pursuant to section 20 of the Coal Mine Subsidence Compensation Act 2017, or has been identified as unstable in a study, strategy or other assessment undertaken by or on behalf of the relevant planning authority or by or on behalf of a public authority and provided to the relevant planning authority.</p> <p>(1) When preparing a planning proposal that would permit development on land that is within a declared mine subsidence district, a relevant planning authority must:</p> <p>(a) consult Subsidence Advisory NSW to ascertain:</p> <p>i. if Subsidence Advisory NSW has any objection to the draft local environmental plan, and the reason for such an objection, and</p>	<p>N/A</p>	<p>Mine subsidence issues have not been identified at the subject land.</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>ii. the scale, density and type of development that is appropriate for the potential level of subsidence, and</p> <p>(b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under 1(a)(ii), and</p> <p>(c) include a copy of any information received from Subsidence Advisory NSW with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary prior to undertaking community consultation in satisfaction of Schedule 1 to the Act.</p> <p>(2) A planning proposal must not permit development on land that has been identified as unstable as referred to in the application section of this direction.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <p>i. considers the objective of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which considers the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which considers the objective of this direction, or</p> <p>(d) of minor significance.</p>		
Focus Area 5: Transport and Infrastructure			
5.1 Integrating Land Use and Transport	This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter, or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	No	The planning proposal would alter a provision relating to rural land proposed to be zoned residential, and by reducing the applicable minimum lot size.

S9.1 Direction	Applicable	Consistent	Comment
	<p>(1) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives, and principles of:</p> <p>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</p> <p>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <p>i. considers the objective of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which considers the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which considers the objective of this direction, or</p> <p>(d) of minor significance.</p>		<p>The proposal is consistent with the Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and The Right Place for Business and Services – Planning Policy (DUAP 2001).</p> <p>The proposal is deemed to be of minor significance as it will not result in a substantial increase of movement due to the potential of one additional lot that already benefits from an approval to construct a dwelling.</p> <p>The inconsistency with the Direction is therefore considered to be justified and confirmation is requested from the Planning Secretary (or an officer of the Department nominated by the Secretary) that this is the case.</p>
5.2 Reserving Land for Public Purposes	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>(1) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary (or an officer of the Department nominated by the Secretary).</p> <p>(2) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must:</p> <p>(a) reserve the land in accordance with the request, and</p>	N/A	The proposed LEP amendment will not affect land reserved for a public purpose.

S9.1 Direction	Applicable	Consistent	Comment
	<p>(b) include the land in a zone appropriate to its intended future use or a zone advised by the Planning Secretary (or an officer of the Department nominated by the Secretary), and</p> <p>(c) identify the relevant acquiring authority for the land.</p> <p>(3) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must:</p> <p>(a) include the requested provisions, or</p> <p>(b) take such other action as advised by the Planning Secretary (or an officer of the Department nominated by the Secretary) with respect to the use of the land before it is acquired.</p> <p>(4) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that:</p> <p>(a) with respect to a request referred to in paragraph (4), further information is required before appropriate planning controls for the land can be determined, or</p> <p>(b) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.</p>		
5.3 Development Near Regulated Airports and Defence Airfields	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.</p> <p>(1) In the preparation of a planning proposal that sets controls for development of land near a regulated airport, the relevant planning authority must:</p> <p>(a) consult with the lessee/operator of that airport;</p>	N/A	The subject lands are not located near to a regulated airport or defence airfield.

S9.1 Direction	Applicable	Consistent	Comment
	<p>(b) take into consideration the operational airspace and any advice from the lessee/operator of that airport;</p> <p>(c) for land affected by the operational airspace, prepare appropriate development standards, such as height controls.</p> <p>(d) not allow development types that are incompatible with the current and future operation of that airport.</p> <p>(2) In the preparation of a planning proposal that sets controls for development of land near a core regulated airport, the relevant planning authority must:</p> <p>(a) consult with the Department of the Commonwealth responsible for airports and the lessee/operator of that airport;</p> <p>(b) for land affected by the prescribed airspace (as defined in clause 6(1) of the <i>Airports (Protection of Airspace) Regulation 1996</i>, prepare appropriate development standards, such as height controls.</p> <p>(c) not allow development types that are incompatible with the current and future operation of that airport.</p> <p>(d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal seeks to allow, as permissible with consent, development that would constitute a controlled activity as defined in section 182 of the <i>Airports Act 1996</i>. This permission must be obtained prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</p> <p>(3) In the preparation of a planning proposal that sets controls for the development of land near a defence airfield, the relevant planning authority must:</p> <p>(a) consult with the Department of Defence if:</p> <p>i. the planning proposal seeks to exceed the height provisions contained in the <i>Defence Regulations 2016 – Defence Aviation Areas</i> for that airfield; or</p> <p>ii. no height provisions exist in the <i>Defence Regulations 2016 – Defence Aviation Areas</i> for the airfield and the proposal is within 15km of the airfield.</p> <p>(b) for land affected by the operational airspace, prepare appropriate</p>		

S9.1 Direction	Applicable	Consistent	Comment
	<p>development standards, such as height controls.</p> <p>(c) not allow development types that are incompatible with the current and future operation of that airfield.</p> <p>(4) A planning proposal must include a provision to ensure that development meets <i>Australian Standard 2021 – 2015, Acoustic-Aircraft Noise Intrusion – Building siting and construction</i> with respect to interior noise levels, if the proposal seeks to rezone land:</p> <p>(a) for residential purposes or to increase residential densities in areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25; or</p> <p>(b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or</p> <p>(c) for commercial or industrial purposes where the ANEF is above 30.</p> <p>(5) A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 Australian Noise Exposure Concept (ANEC)/ANEF contour for Western Sydney Airport.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary, which:</p> <ol style="list-style-type: none"> i. considers the objectives of this direction; and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or <p>(b) justified by a study prepared in support of the planning proposal which considers the objectives of this direction; or</p> <p>(c) in accordance with the relevant Regional Plan prepared by the Department of Planning, Housing and Infrastructure which considers the objectives of this direction.</p>		
5.4 Shooting Ranges	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect, create, alter, or remove a zone or a provision relating to land	N/A	The subject land does not lie adjacent to or adjoining an existing shooting range.

S9.1 Direction	Applicable	Consistent	Comment
	<p>adjacent to and/ or adjoining an existing shooting range.</p> <p>(1) A planning proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of:</p> <p>(a) permitting more intensive land uses than those which are permitted under the existing zone; or</p> <p>(b) permitting land uses that are incompatible with the noise emitted by the existing shooting range.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary, which:</p> <p>i. considers the objectives of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which considers the objective of this direction, or</p> <p>(c) is of minor significance.</p>		
Focus area 6: Housing			
6.1 Residential Zones	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary), or any other zone in which significant residential development is permitted or proposed to be permitted.</p> <p>(1) A planning proposal must include provisions that encourage the provision of housing that will:</p> <p>(a) broaden the choice of building types and locations available in the housing market, and</p> <p>(b) make more efficient use of existing infrastructure and services, and</p>	No	<p>The proposed amendment will facilitate the creation of additional large lot residential land (effectively one additional allotment), which will contribute to the supply of vacant land and increase lifestyle choices in the LGA. The planning proposal is however inconsistent with the Direction in that it will not make more efficient use of existing infrastructure and services, nor reduce the consumption of land for housing and associated urban development on the urban fringe.</p> <p>It is considered the inconsistency with the Direction can be justified as of minor</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p> <p>(2) A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <p>i. considers the objective of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which considers the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which considers the objective of this direction, or</p> <p>(d) of minor significance.</p>		<p>significance due to the following:</p> <ul style="list-style-type: none"> • The planning proposal effectively enables the creation of a single additional large lot residential lot. • The single additional lot referenced above contains a recently approved dwelling, and therefore the planning proposal will effectively not be enabling additional dwellings. <p>The inconsistency with the Direction is considered to be justified and confirmation is requested from the Planning Secretary (or an officer of the Department nominated by the Secretary) is sought.</p>
6.2 Caravan Parks and Manufactured Home Estates	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>This direction does not apply to Crown land reserved or dedicated for any purposes under the <i>Crown Land Management Act 2016</i>, except Crown land reserved for accommodation purposes, or land dedicated or reserved under the <i>National Parks and Wildlife Act 1974</i>.</p> <p>(1) In identifying suitable zones, locations, and provisions for caravan parks in a planning proposal, the relevant planning authority must:</p>	Yes	<p>Caravan Parks and Manufactured Home Estates are not permissible land uses within the R5 Large Lot Residential zone. This planning proposal does not seek to facilitate the permissibility of either land use on this land.</p> <p>The planning proposal does not contain provisions that contradict or hinder the application of this direction, and therefore the planning proposal</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>(a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and</p> <p>(b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the <i>Standard Instrument (Local Environmental Plans) Order 2006</i> that would facilitate the retention of the existing caravan park.</p> <p>(2) In identifying suitable zones, locations, and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:</p> <p>(a) consider the categories of land set out in Schedule 6 of <i>State Environmental Planning Policy (Housing)</i> as to where MHEs should not be located,</p> <p>(b) consider the principles listed in clause 9 Schedule 5 of <i>State Environmental Planning Policy (Housing)</i> (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and</p> <p>(c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the <i>Community Land Development Act 1989</i> be permissible with consent.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <ul style="list-style-type: none"> i. considers the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or <p>(b) justified by a study prepared in support of the planning proposal which considers the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which considers the objective of this direction, or</p>		<p>is therefore considered to be consistent with the Direction.</p>

S9.1 Direction	Applicable	Consistent	Comment
	(d) of minor significance.		
Focus area 7: Industry and Employment			
7.1 Employment Zones	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</p> <p>A planning proposal must:</p> <ul style="list-style-type: none"> (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Planning Secretary. <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy approved by the Planning Secretary, which: <ul style="list-style-type: none"> i. considers the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study (prepared in support of the planning proposal) which considers the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which considers the objective of this direction, or (d) of minor significance. 	N/A	This planning proposal does not affect land within an existing or proposed business or industrial zone.
7.2 Reduction in non-hosted short-term rental	This direction does not currently apply to the Coffs Harbour LGA.	N/A	

S9.1 Direction	Applicable	Consistent	Comment
accommodation period			
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	<p>Applies when a relevant planning authority prepares a planning proposal for land in the vicinity of the existing and/or proposed alignment of the Pacific Highway.</p> <p>(1) A planning proposal that applies to land located on “within town” segments of the Pacific Highway must provide that:</p> <p>(a) new commercial or retail development must be concentrated within district centres rather than spread along the highway;</p> <p>(b) development with frontage to the Pacific Highway must consider impacts that the development has on the safety and efficiency of the highway; and</p> <p>(c) for the purposes of this paragraph, “within town” means areas which prior to the draft LEP have an urban zone (e.g. Village, residential, tourist, commercial and industrial etc.) and where the Pacific Highway is less than 80km/hour.</p> <p>(2) A planning proposal that applies to land located on “out-of-town” segments of the Pacific Highway must provide that:</p> <p>(a) new commercial or retail development must not be established near the Pacific Highway if this proximity would be inconsistent with the objectives of this Direction.</p> <p>(b) development with frontage to the Pacific Highway must consider the impact the development has on the safety and efficiency of the highway.</p> <p>(c) For the purposes of this paragraph, “out-of-town” means areas which, prior to the draft local environmental plan, do not have an urban zone (e.g.: “village”, “residential”, “tourist”, “commercial”, “industrial”, etc.) or are in areas where the Pacific Highway speed limit is 80 km/hour or greater.</p> <p>(3) Notwithstanding the requirements of paragraphs (4) and (5), the establishment of highway service centres may be permitted at the localities listed in Table 1, provided that the Roads and Traffic Authority is satisfied that the highway service centre(s) can be safely and efficiently integrated into the highway interchange(s) at those localities.</p>	N/A	This planning proposal does not constitute commercial and/or retail development along the Pacific Highway.

S9.1 Direction	Applicable	Consistent	Comment
	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.		
Focus area 8: Resources and Energy			
8.1 Mining, Petroleum Production and Extractive Industries	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that would have the effect of:</p> <p>(a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or</p> <p>(b) restricting the potential development of resources of coal, other minerals, petroleum, or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.</p> <p>(1) In the preparation of a planning proposal affected by this direction, the relevant planning authority must:</p> <p>(a) consult the Secretary of the Department of Primary Industries (DPI) to identify any:</p> <p>i. resources of coal, other minerals, petroleum, or extractive material that are of either State or regional significance, and</p> <p>ii. existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and</p> <p>(b) seek advice from the Secretary of DPI on the development potential of resources identified under (1)(a)(i), and</p> <p>(c) identify and take into consideration issues likely to lead to land use conflict between other land uses and:</p> <p>i. development of resources identified under (1)(a)(i), or</p> <p>ii. existing development identified under (1)(a)(ii).</p> <p>(2) Where a planning proposal prohibits or restricts development of resources identified under (1)(a)(i), or proposes land uses that may create land use conflicts identified under (1)(c), the relevant planning authority must:</p>	No	<p>The planning proposal is inconsistent with this Direction as the change in zoning from RU2 Rural Landscape to R5 Large Lot Residential will have the effect of prohibiting extractive industries on the land.</p> <p>While the inconsistency is considered to be of minor significance due to the characteristics of the area and the existing and likely future uses making extractive industries unlikely to be viable, the consistency of the proposal with this Direction remains unresolved until (likely) consultation can be undertaken with NSW Mining, Exploration and Geoscience.</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>(a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions,</p> <p>(b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</p> <p>(c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary before undertaking community consultation in satisfaction of Schedule 1 to the Act.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary), that the provisions of the planning proposal that are inconsistent are of minor significance.</p>		
Focus area 9: Primary Production			
9.1 Rural Zones	<p>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).</p> <p>A planning proposal must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <ol style="list-style-type: none"> considers the objectives of this direction, and identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or <p>(b) justified by a study prepared in support of the planning proposal which considers the objectives of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan</p>	No	<p>The planning proposal is inconsistent with this Direction as it rezones land from a rural zone to a residential zone.</p> <p>The inconsistency is considered to be of minor significance, due to the following:</p> <ul style="list-style-type: none"> The planning proposal effectively enables the creation of a single additional large lot residential lot. The single additional lot referenced above contains a recently approved dwelling, and therefore the planning proposal will effectively not be enabling additional dwellings. <p>The inconsistency with the Direction is therefore considered to be justified and confirmation is requested from the Planning Secretary (or an officer of the Department nominated by the Secretary) that this is the case.</p>

S9.1 Direction	Applicable	Consistent	Comment
	prepared by the Department of Planning, Housing and Infrastructure which considers the objective of this direction, or (d) is of minor significance.		
9.2 Rural Lands	<p>This direction applies when a relevant planning authority prepares a planning proposal for land outside the local government areas of Lake Macquarie, Newcastle, Wollongong and LGAs in the Greater Sydney Region (as defined in the <i>Greater Sydney Commission Act 2015</i>) other than Wollondilly and Hawkesbury, that:</p> <p>(a) will affect land within an existing or proposed rural or conservation zone (including the alteration of any existing rural or conservation zone boundary) or</p> <p>(b) changes the existing minimum lot size on land within a rural or conservation zone.</p> <p>(1) A planning proposal must:</p> <p>(a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Planning Secretary, and any applicable local strategic planning statement</p> <p>(b) consider the significance of agriculture and primary production to the State and rural communities</p> <p>(c) 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</p> <p>(d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions</p> <p>(e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities</p> <p>(f) support farmers in exercising their right to farm</p> <p>(g) 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 use</p> <p>(h) consider State significant agricultural land identified in chapter 2 of the <i>State Environmental Planning Policy (Primary Production) 2021</i> for the purpose of ensuring the ongoing viability of this land</p>	No	<p>The planning proposal is inconsistent with this Direction as it does not promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities; support farmers in exercising their right to farm; or 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.</p> <p>The proposal is however considered to be consistent with the Rural Subdivision Principles set out in the Coffs Harbour LEP 2013.</p> <p>The inconsistency is considered to be of minor significance, due to the following:</p> <ul style="list-style-type: none"> • The planning proposal effectively enables the creation of a single additional large lot residential lot. • The single additional lot referenced above contains a recently approved dwelling, and therefore the planning proposal will effectively not be enabling additional dwellings. • The land is fragmented and relatively isolated from other rural lands, • The land is non-productive agricultural land that is not mapped as important farmland. <p>The inconsistency with the Direction is therefore considered to be justified and confirmation is requested from the Planning Secretary (or an officer of the Department nominated by the Secretary) that this is the case.</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>(i) consider the social, economic and environmental interests of the community.</p> <p>(2) A planning proposal that changes the existing minimum lot size on land within a rural or conservation zone must demonstrate that it:</p> <p>(a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses</p> <p>(b) 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</p> <p>(c) where it is for rural residential purposes:</p> <p>i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres</p> <p>ii. is necessary taking account of existing and future demand and supply of rural residential land.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary and is in force which:</p> <p>i. gives consideration to the objectives of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) is of minor significance.</p>		
9.3 Oyster Aquaculture	<p>This direction applies to any relevant planning authority when preparing a planning proposal in 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area as identified in the <i>NSW Oyster Industry Sustainable Aquaculture Strategy (2006)</i> ("the Strategy"), when proposing a change in land use which could result in:</p> <p>(a) adverse impacts on a 'Priority Oyster Aquaculture Area' or a "current oyster aquaculture lease in the national parks estate", or</p>	N/A	<p>The planning proposal is not located within a Priority Oyster Aquaculture Area, or an area identified in the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i>.</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>(b) incompatible use of land between oyster aquaculture in a 'Priority Oyster Aquaculture Area' or a "current oyster aquaculture lease in the national parks estate" and other land uses.</p> <p>(1) In the preparation of a planning proposal the relevant planning authority must:</p> <p>(a) identify any 'Priority Oyster Aquaculture Areas' and oyster aquaculture leases outside such an area, as shown the maps to the Strategy, to which the planning proposal would apply,</p> <p>(b) identify any proposed land uses which could result in any adverse impact on a 'Priority Oyster Aquaculture Area' or oyster aquaculture leases outside such an area,</p> <p>(c) identify and take into consideration any issues likely to lead to an incompatible use of land between oyster aquaculture and other land uses and identify and evaluate measures to avoid or minimise such land use in compatibility,</p> <p>(d) consult with the Secretary of the Department of Primary Industries (DPI) of the proposed changes in the preparation of the planning proposal, and</p> <p>(e) ensure the planning proposal is consistent with the Strategy.</p> <p>(2) Where a planning proposal proposes land uses that may result in adverse impacts identified under (1)(b) and (1)(c), relevant planning authority must:</p> <p>(a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions,</p> <p>(b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</p> <p>(c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary before undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the</p>		

S9.1 Direction	Applicable	Consistent	Comment
	provisions of the planning proposal that are inconsistent are of minor significance.		
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	This direction does not currently apply to the Coffs Harbour LGA.	N/A	This direction does not currently apply to the Coffs Harbour LGA.