



The General Manager  
Bega Valley Shire Council  
PO Box 492  
BEGA NSW 2550

Our ref: DOC21/911643-8

Your ref: PP-2021-4929

Attention: Sophie Thomson  
[council@begavalley.nsw.gov.au](mailto:council@begavalley.nsw.gov.au)

Dear Ms Thomson

**Planning Proposal– 3900 Princes Highway, Greigs Flat**

Thank you for referring the above planning proposal to the Biodiversity and Conservation Division (BCD). We have reviewed and have the following comments:

We have no objection to the rezoning of the residual allotment (proposed Lot 1) to E2 Environmental Protection with minimum lot size (MLS) of 120 hectares and the remainder of the site to E4 Environmental Living with MLS of 8000 square metres.

BCD are satisfied that the planning proposal is consistent with the requirements of Ministerial Directions 2.1 and 5.10. As previously advised in our pre-gateway letter dated 12 March 2021, there is potential for the subsequent development application to trigger the Biodiversity Offsets Scheme (BOS) requiring the preparation of a Biodiversity Development Assessment Report (BDAR). We are also satisfied that the planning proposal now states that upon rezoning, the individual paddock trees which are likely to be koala feed trees, will be protected through Section 5.6 Tree and Vegetation Preservation in the *Bega Valley Development Control Plan 2013*.

For floodplain risk management, we recommend that Council refer to our previous advice dated 12 March 2021, and when making its determination, be satisfied that the planning proposal is consistent with the Section 9.1 Ministerial Direction 4.3 - Flood Prone Land, principles of the NSW Floodplain Development Manual (2005) and *Bega Valley Local Environmental Plan 2013*.

In addition, we note that Council have considered the impact of rezoning on the Coastal Use Area but have not addressed considerations for development within the Coastal Environment Area under the SEPP (Coastal Management). Both these areas apply to this planning proposal and should be considered to ensure that it is consistent with Ministerial Direction 2.2 Coastal Management. We refer Council to our previous advice detailed in our letter dated 12 March 2021.

Please contact Lyndal Walters, Senior Conservation Planning Officer, South East on 02 6229 7157 if you would like to discuss our comments.

Yours sincerely

9/11/2021

**MICHAEL SAXON**  
**Director South East**  
**Biodiversity and Conservation Division**

Cc: Graham Judge – Planning & Assessment, DPIE