



# STATEMENT OF ENVIRONMENTAL EFFECTS

**Proposed Subdivision at  
180 Flowers Road, Binna Burra**

|            |                     |
|------------|---------------------|
| For:       | M. & J. Douglas     |
| Report no: | 19270 -SEE GAA.docx |
| Date:      | June 2022           |



**Greg Alderson  
Associates**



Greg Alderson  
Associates

## Contact Information

43 Main St  
Clunes NSW 2480

Telephone: 02 6629 1552

office@aldersonassociates.com.au  
www.aldersonassociates.com.au

## Document Information

Project name    Proposed Subdivision

Reference        19270 -SEE GAA.docx

Revision  
summary

## CONTENTS

|  |    |
|--|----|
| 1. INTRODUCTION .....  | 5  |
| 1.1. Summary.....  | 5  |
| 1.2. Public Notification.....  | 5  |
| 1.3. Integrated Development.....   | 5  |
| 2. SITE DESCRIPTION.....   | 6  |
| 2.1. Location and Property Description .....   | 6  |
| 2.2. Site Characteristics.....   | 7  |
| 3. PROPOSED DEVELOPMENT .....  | 7  |
| 4. STATUTORY ASSESSMENT.....   | 9  |
| 4.1. Byron Local Environmental Plan 2014 (BLEP 2014) and Byron Local Environmental Plan 1988 (BLEP 1988) ..... | 9  |
| 4.2. Development Control Plan 2014 .....   | 12 |
| 4.2.1. Chapter B2 – Preservation of Trees and Other Vegetation .....   | 12 |
| 4.2.2. Chapter B3 – Services.....  | 12 |
| 4.2.3. Chapter B4 – Traffic Planning, Vehicle Parking, Circulation and Access .....                            | 12 |
| 4.2.4. Chapter B5 – Providing for Cycling .....  | 13 |
| 4.2.5. Chapter B6 – Buffers and Minimising Land Use Conflict .....   | 13 |
| 4.2.6. Chapter B7 – Mosquitoes and Biting Midges.....  | 14 |
| 4.2.7. Chapter B8 – Waste Minimisation and Management.....   | 14 |
| 4.2.8. Chapter B9 – Landscaping .....  | 14 |
| 4.2.9. Chapter B10 – Signage.....  | 14 |
| 4.2.10. Chapter B13 – Access and Mobility .....  | 14 |
| 4.2.11. Chapter D6 – Subdivision.....  | 14 |
| 4.3. BASIX.....  | 17 |
| 5. ENVIRONMENTAL EFFECTS.....  | 17 |
| 5.1. Flooding, drainage, landslip, soil erosion, bushfire and any other risks.....                             | 17 |
| 5.2. Scenic Quality .....  | 18 |
| 5.3. Existing and Future Amenity .....   | 18 |
| 5.4. Traffic .....   | 18 |
| 5.5. Waste Disposal .....  | 18 |
| 5.6. Stormwater and Wastewater Disposal .....  | 19 |
| 5.7. Availability of Utility Services.....   | 19 |
| 5.8. Acid Sulfate Soils .....  | 19 |
| 5.9. Contaminated Land .....   | 19 |

|       |  |    |
|-------|--|----|
| 5.10. | Social and Economic Effects .....                                | 19 |
| 5.11. | Noise .....  | 19 |
| 5.12. | Historical and Aboriginal Heritage, Archaeological Aspects. .... | 19 |
| 5.13. | Flora and Fauna.....   | 20 |
| 5.14. | Design and External Appearance .....                             | 21 |
| 5.15. | Privacy, Daylight and Views .....                                | 21 |
| 5.16. | Disabled Access.....   | 21 |
| 5.17. | Site Access.....   | 21 |
| 6.    | CONCLUSION .....   | 21 |

**Appendix A – Subdivision Plans**

**Appendix B – AHIMS Search Results**

**Appendix C – On-site Wastewater Management Assessment**

**Appendix D – Preliminary Contaminated Land Assessment**

**Appendix E – Bushfire Assessment**

## 1. INTRODUCTION

Greg Alderson and Associates have been commissioned by Michael & Jayne Douglas to provide a Statement of Environmental Effects (SEE) as part of Development Application documentation required for the proposed subdivision of one lot into 2 at 180 Flowers Road, Binna Burra.

The purpose of this report is to assess the consistency of the proposed development with relevant planning and other legislation and identify potential environmental impacts and management requirements to mitigate those impacts.

### 1.1. Summary

|                      |   |
|----------------------|---|
|                      |   |
| Applicant            | Michael & Jayne Douglas   |
| Owner                | Michael & Jayne Douglas   |
| Address              | 180 Flowers Road, Binna Burra   |
| Lot & DP             | Lot 3 DP 1259194  |
| Zoning               | RU1 – Primary Production<br>RU2 – Rural Landscape<br>DM – Deferred Matter         |
| Site Area            | 86.27ha   |
| Proposal             | Subdivision into 2 lots<br><br>Proposed Lot 1 – 41.5ha<br>Proposed Lot 2 – 44.7ha |
| Existing Development | Two storey brick dwelling and farm sheds  |

### 1.2. Public Notification

As per Appendix C of the Byron Shire Council Community Participation Plan, subdivisions that result in the creation of 2 – 5 lots require Level 1 notification.

### 1.3. Integrated Development

The proposed development is will be integrated under Section 100B of the Rural Fires Act 1997 and require referral to the NSW Rural Fire Service.

## 2. SITE DESCRIPTION

### 2.1. Location and Property Description

The subject site is a large rural lot with an area of 86.2 hectares known as Lot 3 DP 1259194, 180 Flowers Road, Binna Burra. The site has vehicular access from Flowers Road, as well as a right of way over an existing track on the northern part of the site from Friday Hut Road. Flowers Road terminates at the property boundary, although, a road reserve continues to the neighbouring property (210 Flowers Road) and also provides access to the farm shed.

The rail corridor runs through the north-western part of the site, and parts of the site adjoin Byron Creek to the north and Skinners Creek to the south.

There is an existing 2-storey brick dwelling located in the south-eastern part of the site as well as a farm shed. Large portions of the site have been planted with forestry as part of a carbon offset agreement.

Surrounding properties consist of a mix of rural residential and agricultural properties.

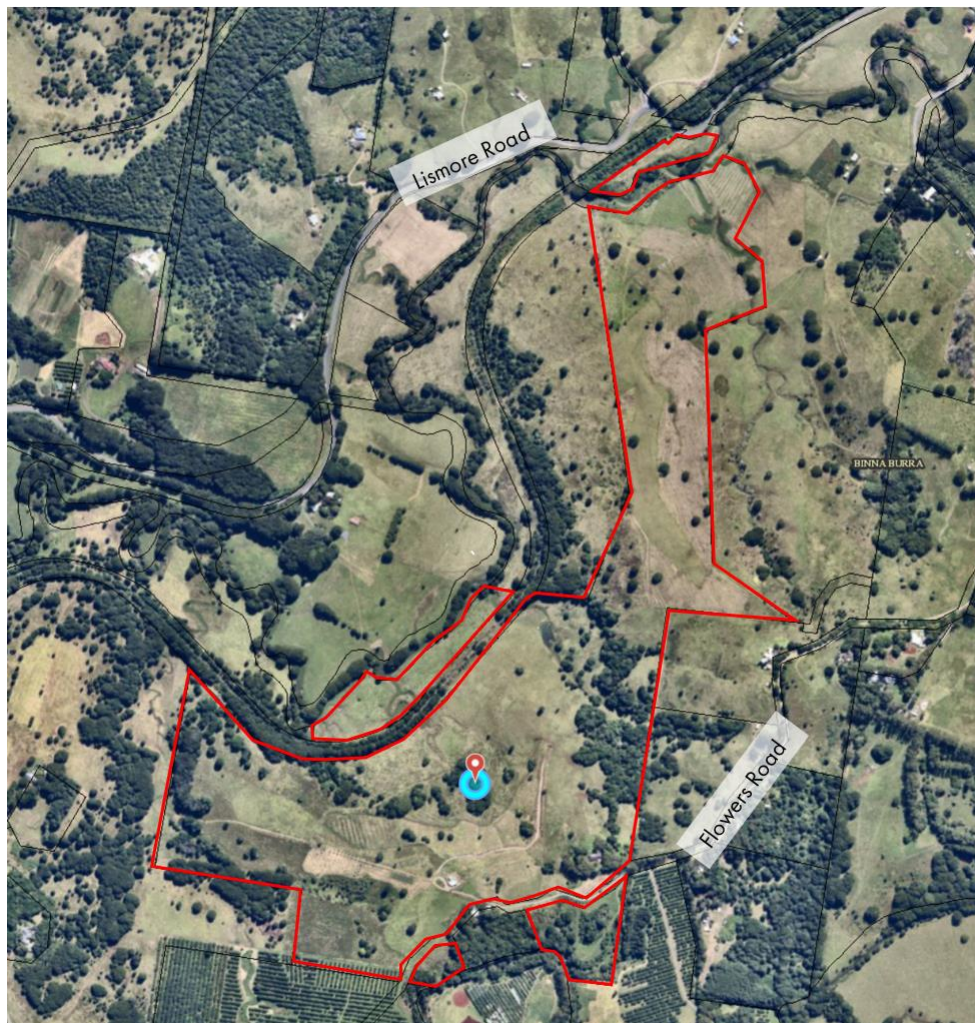


Figure 1: Site location (Byron Online Maps 2021)



## 2.2. Site Characteristics

The site has been used as farming land since the late 1800's. This is understood to have been dairy, pigs and modest agriculture. Currently, the property is mainly used for cattle grazing, with some small agricultural enterprises and carbon offset.

There are several remnant forest stands on the property. Management plans and current farm activity is endeavouring to improve the environmental value of the land through remnant restoration, control of large and woody weeds, revegetation and reforestation, establishment and restoration of waterways through cattle exclusion and planting.

As outlined above, the property encompasses Byron Creek and Skinner's Creek. An active program of restoration of these waterways is currently underway.

## 3. PROPOSED DEVELOPMENT

The proposed development involves the subdivision of the existing lot into two (2) lots.

The proposed lots are described below:

| Address        | Proposed Area | Notes   |
|----------------|---------------|---|
| Proposed Lot 1 | 41.5 ha       | Existing dwelling located on a knoll with existing access from Flowers Rd.  |
| Proposed Lot 2 | 44.7 ha       | Existing farm shed. Proposed building envelope located to south of the farm shed.<br>Right of carriageway 6m wide to provide farm access to Proposed Lot 1. |

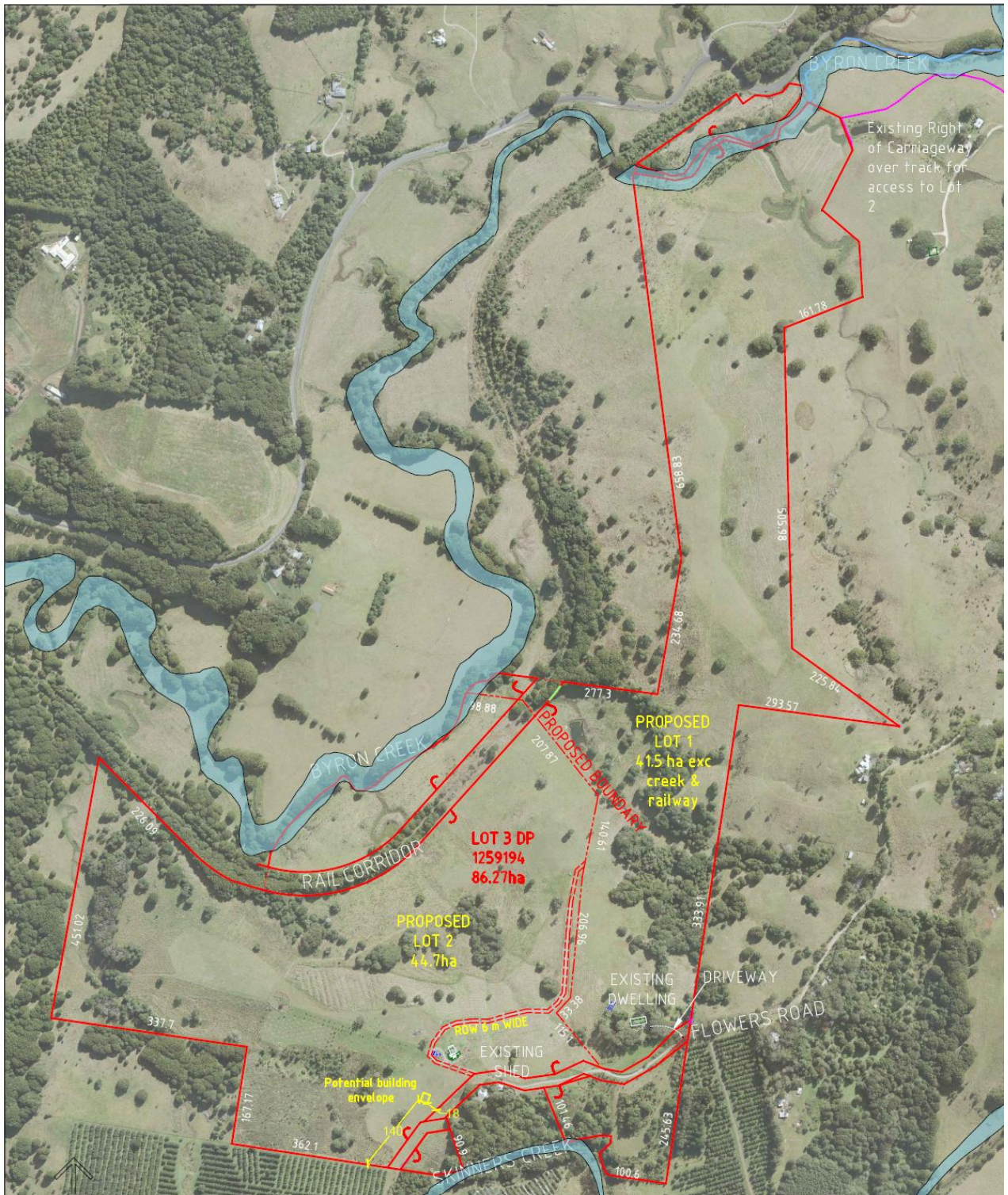


Figure 2: Proposed Subdivision Layout



## 4. STATUTORY ASSESSMENT

The following provides an assessment of the proposed development in accordance with matters under Section 4.15 of the Environmental Planning & Assessment Act. 1979:

### 4.15 Evaluation

*(1) Matters for consideration—general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

*(a) the provisions of:*

*(i) any environmental planning instrument, and*

*(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

*(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*

*(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*

*that apply to the land to which the development application relates,*

*(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

*(c) the suitability of the site for the development,*

*(d) any submissions made in accordance with this Act or the regulations,*

*(e) the public interest.*

### 4.1. Byron Local Environmental Plan 2014 (BLEP 2014) and Byron Local Environmental Plan 1988 (BLEP 1988)

The subject property is located within the RU1 – Primary Production, RU2 – Rural Landscape and DM – Deferred Matter zones, and therefore the provisions of the LEP 2014 are applicable to the proposed development.

The Deferred Matter areas are zoned as 1A – General Rural under the BLEP 1988.

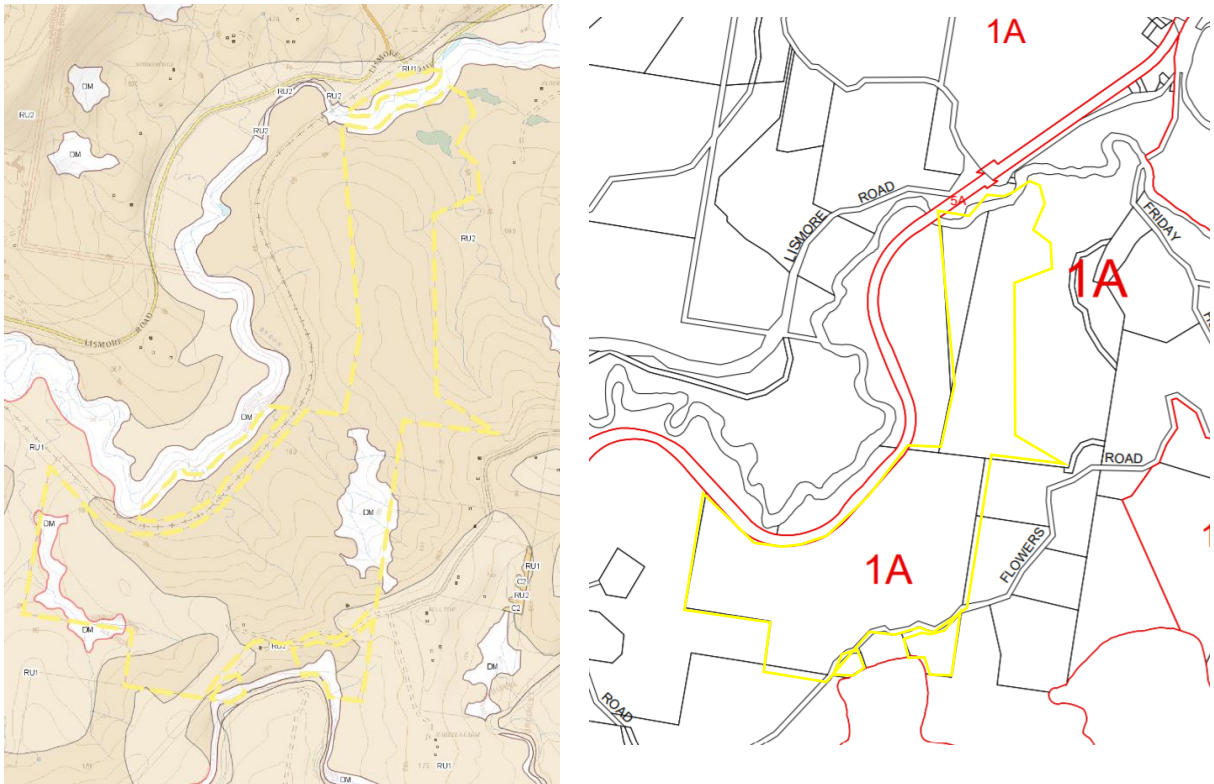


Figure 2: Byron Local Environmental Plan 2014 Land Zoning Map (NSW Crown Copyright – Department of Planning and Environment 2019) and Byron Local Environmental Plan 1988

### **Zone RU1 Primary Production**

#### **1 Objectives of zone**

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage consolidation of lots for the purposes of primary industry production.
- To enable the provision of tourist accommodation, facilities and other small-scale rural tourism uses associated with primary production and environmental conservation consistent with the rural character of the locality.
- To protect significant scenic landscapes and to minimise impacts on the scenic quality of the locality.

#### **2 Permitted without consent**

Environmental protection works; Extensive agriculture; Home-based child care; Home occupations

#### **3 Permitted with consent**

Agriculture; Airstrips; Animal boarding or training establishments; Aquaculture; Business identification signs; Camping grounds; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Extractive industries; Farm buildings; Flood mitigation works; Forestry; Helipads; Home businesses; Home industries; Industrial retail outlets; Industrial training facilities; Intensive livestock agriculture; Intensive plant agriculture; Landscaping material supplies; Open cut

*mining; Places of public worship; Plant nurseries; Recreation areas; Restaurants or cafes; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Tourist and visitor accommodation; Veterinary hospitals*

#### **4 Prohibited**

*Backpackers' accommodation; Hotel or motel accommodation; Serviced apartments; Any other development not specified in item 2 or 3*

### **Zone RU2 Rural Landscape**

#### **1 Objectives of zone**

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To enable the provision of tourist accommodation, facilities and other small-scale rural tourism uses associated with primary production and environmental conservation consistent with the rural character of the locality.*
- *To protect significant scenic landscapes and to minimise impacts on the scenic quality of the locality.*

#### **2 Permitted without consent**

*Environmental protection works; Extensive agriculture; Home-based child care; Home occupations*

#### **3 Permitted with consent**

*Agricultural produce industries; Agriculture; Airstrips; Animal boarding or training establishments; Aquaculture; Artisan food and drink industries; Business identification signs; Camping grounds; Cemeteries; Centre-based child care facilities; Community facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Flood mitigation works; Forestry; Funeral homes; Garden centres; Health consulting rooms; Helipads; Home businesses; Home industries; Hostels; Industrial retail outlets; Industrial training facilities; Information and education facilities; Landscaping material supplies; Livestock processing industries; Neighbourhood shops; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Rural workers' dwellings; Secondary dwellings; Stock and sale yards; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Veterinary hospitals; Warehouse or distribution centres*

#### **4 Prohibited**

*Backpackers' accommodation; Hotel or motel accommodation; Serviced apartments; Any other development not specified in item 2 or 3*

The proposed subdivision is consistent with the objectives of both the RU1 and RU2 zones, as it will not impact on the natural resource base, fragment agricultural land or result in any land use conflicts.

### **Clause 4.1 – Minimum Subdivision Lot size**

The minimum lot size is mapped a 40ha. The proposed subdivision will result in one lot of 44.7ha and one of 41.5ha, and is compliant with this clause.

### **Clause 6.5 – Drinking Water Catchment**

The site is within the identified drinking water catchment; however, as there will be no changes to the existing development on the site there will be no adverse impacts on the quality or quantity of water entering the drinking water storage. The wastewater management system for the future dwelling on the proposed vacant lot will be in accordance with Council's requirements and will achieve all required setbacks. The existing dwelling also has wastewater and stormwater managed currently on site with appropriate setbacks achieved.

#### 4.2. Development Control Plan 2014

##### 4.2.1. Chapter B2 – Preservation of Trees and Other Vegetation

The site has been extensively cleared in past farming practices, however there are existing remnant patches of native vegetation and these are currently being actively managed. Revegetation with rainforest species remains a priority for each parcel of land, and currently an active program. There will be no clearing of trees.

##### 4.2.2. Chapter B3 – Services

| B3.2.1 Provision of Essential Services |  |          |
|--|--|----------|
| Prescriptive Measures                  | Comment  |          |
| Water Supply                           | The existing water supply for the dwelling at 180 Flowers Road is harvest from rainwater catchment and back-up with bore water. This does not change in the proposal.  | Complies |
| Electricity Supply                     | Grid electricity is connected to the existing dwelling.  |          |
| Telecommunications                     | The existing dwelling has access to mobile networks and National Broadband Network.  |          |
| Sewage Management                      | There is an existing on-site sewage management system for the dwelling on Flowers Road. The proposed new property boundaries will leave sufficient set back distance from existing wastewater management area. A suitable area is available for wastewater management at the proposed building envelope for Lot 2. |          |
| Stormwater and Drainage                | There will be no change to the existing stormwater management measures on the site.  |          |
| Road Access                            | There is existing vehicular access to the dwelling on 180 Flowers Road. A road reserve runs past the house to the existing farm shed, and will provide access to the proposed building envelope.   |          |

##### 4.2.3. Chapter B4 – Traffic Planning, Vehicle Parking, Circulation and Access

There will be no additional traffic generation as part of the subdivision. Future development on the proposed lot will require a separate development application.



#### 4.2.4. Chapter B5 – Providing for Cycling

This matter is not applicable for this development. However, should the “Rail trail” ever become a reality, the development will happily integrate with such a facility.

#### 4.2.5. Chapter B6 – Buffers and Minimising Land Use Conflict

The proposed building envelope on Lot 2 is located more than 150m from the macadamia plantation to the south-west, as shown below. It is noted that whilst this does not meet the recommended buffer of 200m from rural dwellings to horticulture, however, there is an existing forestry plantation located between the proposed building envelope and the macadamias which provides a buffer of 45m width.

Due to the existing forestry plantation buffer and spatial separation, it is considered that the risk of spray drift from the neighbouring plantation would be negligible. The forestry plantation is approximately 45m wide, and is part of a 100-year lease agreement.

Additionally, the proposed building envelope may not be the exact location chosen for a dwelling in the future, as this will be subject to a future development application.

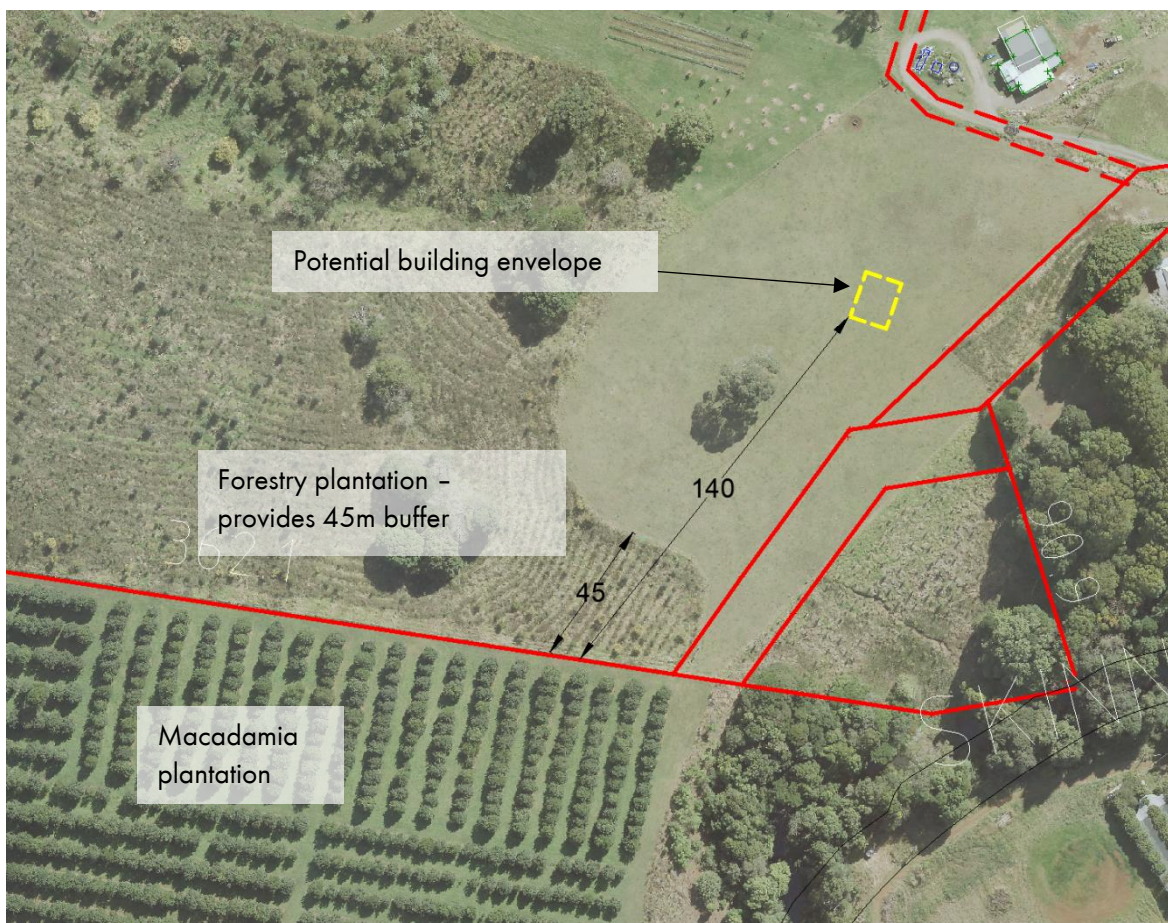


Figure 3: Surrounding Land Uses

4.2.6. Chapter B7 — Mosquitoes and Biting Midges

The site is not identified as within the mosquito habitat risk zone.

4.2.7. Chapter B8 — Waste Minimisation and Management

There is no new construction planned at the time of this application. A rubbish collection service is provided to the existing dwelling. A site waste minimisation assessment will be undertaken for the new dwelling on the proposed vacant lot at the time of the DA for that dwelling.

4.2.8. Chapter B9 — Landscaping

Not applicable.

4.2.9. Chapter B10 — Signage

Signage is not proposed with this development application

4.2.10. Chapter B13 — Access and Mobility

There is no new construction at this time to warrant mobility and access consideration.

4.2.11. Chapter D6 — Subdivision

D6.3 Rural Subdivision

D6.3.1 Lot Size, Shape and Configuration

| DCP Section and element   | Comment   | Compliance             |
|---|---|------------------------|
| <p><b>Performance Criteria</b></p> <p><i>Land suitable for agriculture is both a limited resource and an important part of the Shire's economy. Rural subdivisions must be designed to avoid conflicts between neighbouring land uses and consequently must demonstrate compliance with Chapter B6 Buffers and Minimising Land Use Conflict. Where a subdivision is proposed near an area where land is used or has potential for agriculture, Council will give particular consideration to the likely social, economic and environmental consequences of the proposal and to the following principles:</i></p> <p><i>a) New lots must have dwelling sites protected from noise, dust, odours, spraying, etc, considering wind direction</i></p> | <p>Compliance with Chapter B6 has been discussed above,</p> <p>The proposed dwelling envelope is located approximately 160m from the neighbouring macadamia plantation to the south. It is noted that the recommended buffer is 200m, however, there is</p> | <p><b>Complies</b></p> |

| DCP Section and element   | Comment  | Compliance |
|---|--|------------|
| <p><i>and topography in relation to nearby agricultural uses.</i></p> <p><i>b) Ridgelines, vegetation and distance can provide effective buffers.</i></p> <p><i>2. Lots intended to accommodate a dwelling in rural areas must have an identified dwelling site that:</i></p> <p><i>a) has access by two wheel drive vehicle to a constructed public road;</i></p> <p><i>b) is not affected by significant environmental constraints;</i></p> <p><i>c) is not at or below the flood planning level;</i></p> <p><i>d) complies with bushfire provisions under the requirements of Planning for Bushfire Protection as in force at the time of the proposed development;</i></p> <p><i>e) has adequate solar access;</i></p> <p><i>f) will not create conflicts with or adverse impacts on nearby farming or rural activities;</i></p> <p><i>g) is not subject to slip or subsidence.</i></p> | <p>an existing forestry plantation which provides a buffer.</p> <p>The existing plantaiton provides a vegetated buffer between the macadamia plantation and proposed building envelope.</p> <p>A new dwelling envelope is proposed on Lot 2, and complies as follows:</p> <p>There is existing two wheel drive access from Flowers Road which allows access to the existing dwelling and to the existing shed on proposed Lot 2. The proposed dwelling envelope will also utilise this existing access.</p> <p>The proposed dwelling site is not affected by environmental constraints;</p> <p>The site is not mapped as flood prone land;</p> <p>The proposed dwelling envelope can meet the requirements of Planning for Bushfire Protection and achieve BAL 12.5 or less;</p> <p>Adequate solar access is available;</p> <p>The proposed dwelling envelope is in proximity to the existing farm shed and will allow for future occupants to supervise farm operations, and will not impact on nearby farming or rural activities;</p> <p>The proposed dwelling envelope is generally level and not subject to slip or subsidence.</p> |            |

| DCP Section and element  | Comment  | Compliance |
|--|--|------------|
| <p><b>Prescriptive Measures</b></p> <p>1. <i>Lot sizes must not be less than the minimum area specified in Byron LEP 2014 on the lot size map.</i></p> <p>2. <i>Battle-axe or hatchet-shaped lots may be permitted in rural zones and the R5 Zone provided the access handle is of sufficient width to accommodate an access driveway, associated drainage, services and landscaping that conforms to the existing landform. The minimum road frontage of each allotment must be 7 metres. This may translate as 3.5 metres frontage each if reciprocal rights of carriageway provide shared access to two or more adjoining lots. Pavement widths are to be in accordance with Northern Rivers Development and Design Manual.</i></p> <p>3. <i>Applications for rural subdivision for primary production purposes in accordance with Clause 4.2 of Byron LEP 2014 are to include written information from either the Department of Primary Industries (or its successor) or an accredited expert in the field of agriculture confirming that the proposed lot(s) is suited for viable agricultural activity of the type proposed. Splays of 4 m x 4 m should generally be provided on corner lots, except in site specific circumstances where increased sight lines are required.</i></p> <p>4. <i>Splayed corners must be provided and dedicated to Council at existing and new road intersections in accordance with the following schedule: a) At the junction of a local road with a main road. (note Main</i></p> | <p>Both of the proposed lots area greater than the minimum lot size of 40ha.</p> <p>No battle-axe or hatchet lots are proposed.</p> <p>N/A – the application is not made under clause 4.2</p> <p>N/A</p> |            |



| DCP Section and element  | Comment | Compliance |
|--|---------|------------|
| Road has the same meaning as Main Road under the Roads Act 1993) |         |            |

#### D6.3.2 Stormwater Management

The site is a large rural lot and all stormwater can be managed on site without causing negative impacts.

The dwelling envelope is not located in a flood planning area.

#### D6.3.3 Road Design and Construction

No new road construction is required for the subdivision, as Flowers Road provides access to both of the proposed lots.

#### D6.3.4 Sewage Management

No reticulated sewer service is available to the site.

A feasibility assessment for the on-site management of wastewater has been prepared (**Appendix C**), and demonstrates that the proposed dwelling envelope is unconstrained and can accommodate a wastewater system for a future dwelling (subject to development approval).

#### 4.3. BASIX

A BASIX is not required as no new construction is proposed as part of this DA.

## 5. ENVIRONMENTAL EFFECTS

The following is an appraisal of the environmental effects Byron Shire Council details in relation to the suitability of the site for the proposed development.

#### 5.1. Flooding, drainage, landslip, soil erosion, bushfire and any other risks

The river flats are subject to flooding; however, the proposal does not involve any construction or access in this area.

Small sections of the lot are mapped as bushfire prone land, and an assessment has been prepared under Section 100B of the *Rural Fires Act 1997*. A bushfire assessment has been undertaken (**Appendix E**) and determines that the existing dwelling and proposed dwelling envelope can achieve a bushfire attack level (BAL) of less than 29.



Figure 3: Bushfire prone land (Byron Online Maps)

## 5.2. Scenic Quality

The scenic quality of the area will not be impacted upon by the proposed development as it only for a subdivision, and no construction is proposed.

### 5.3. Existing and Future Amenity

The impact on the existing and future amenity of the locality will not change. The only changes are to lot boundaries only. There will be no change in material use of the land. It is not expected that any land use conflicts will arise as a result of this development.

## 5.4. Traffic

There will be no change to the existing dwelling and no additional construction as part of this DA, therefore, no change to traffic generation.

### 5.5. Waste Disposal

Normal household waste will be collected by Council as is typical in the rural area of Byron Shire.

**5.6. Stormwater and Wastewater Disposal**

There will be no change to the existing stormwater and wastewater arrangements for the existing dwelling.

**5.7. Availability of Utility Services**

All utility services are connected to the existing dwelling.

It is anticipated that all required services can be connected to the potential dwelling location on proposed Lot 2.

**5.8. Acid Sulfate Soils**

The site is not identified as containing acid sulfate soils.

**5.9. Contaminated Land**

A preliminary contaminated land assessment under SEPP (Resilience and Hazards) 2021 has been undertaken for the proposed building envelope on Proposed Lot 2 by staff of this office in accordance with NEPM 1999 (2013) and the report is attached in **Appendix D**.

This report concludes that the proposed building envelope can be considered uncontaminated, and that based on the known history of the site and soil sampling regime no further contamination assessment is required in the investigation area.

**5.10. Social and Economic Effects**

The proposed alterations and additions will not contribute any negative social or economic impacts to the area.

**5.11. Noise**

The proposed development will not contribute any excessive or undue noise to the surrounding environment, as it is for a subdivision only. No construction is proposed under this application.

**5.12. Historical and Aboriginal Heritage, Archaeological Aspects.**

The site contains an existing shed. A search on the AHIMS website found that:

*0 - Aboriginal sites are recorded in or near the above location.*

*0 - Aboriginal places have been declared in or near the above location.*

A copy of the search result is included in **Appendix B**.

5.13. Flora and Fauna.

The predominant vegetation around the proposed dwelling envelope is maintained paddock grass. An area of rainforest vegetation is located on the neighbouring property to the east, and rainforest planting have been undertaken on the site to the west. No vegetation removal is required to achieve the asset protection zones (APZs) for the proposed dwelling envelope.

The Biodiversity Offset Scheme (BOS) Entry Threshold Map was generated and a BDAR is not triggered.

An assessment in accordance with section 7.3 of the *Biodiversity Conservation Act 2017* to determine whether the proposed development or activity is likely to significantly affect threatened species or ecological communities or their habitats is provided below.

- a) In the case of a threatened species, whether the action proposed is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction**

Comment: The proposal is not expected to have an adverse effect on populations of threatened species as no native vegetation is to be removed.

- b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:**
- a) is likely to have an adverse effect on the extent of the ecological community such that it's local occurrence is likely to be placed at risk of extinction, or**
  - ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction**

Comment: The proposal is not expected to have an adverse effect on any endangered ecological community or critically endangered ecological community.

- c) in relation to the habitat of a threatened species or ecological community:**
- i) the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and**
  - ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and**
  - iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,**

Comment: The proposed development will not remove habitat or isolate or fragment any ecological community.

- d) whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)**

Comment: There is no declared area of outstanding biodiversity value that will be affected by the proposed development.



- e) **whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.**

Comment: The proposed development is not likely to fragment or isolate areas of habitat and is not a key threatening process.

**5.14. Design and External Appearance**

There will be no change as there is no new construction.

**5.15. Privacy, Daylight and Views**

There will be no impacts to solar access, privacy or views for neighbouring sites as there will be no change to the existing buildings or new construction.

**5.16. Disabled Access**

Not applicable as there is no new construction.

**5.17. Site Access**

There will be no change to the existing site access from Flowers Road to proposed Lot 2 via the existing driveway access to the shed. The access to the existing site will remain the same.

## **6. CONCLUSION**

This statement of environmental effects accompanies development application documentation and seeks the approval for a proposed subdivision of one lot into two allotments, at 180 Flowers Road, Binna Burra.

The minimum lot size for the site is 40 hectares. The proposed lots meet this minimum, being 41.5ha and 44.7ha. The proposed development is permitted with consent and consistent with the requirements of both the LEP and DCP. The site will allow for an existing dwelling to be accommodated on proposed Lot 1 and a vacant allotment with dwelling entitlement on proposed Lot 2. A dwelling envelope has been shown on proposed Lot 2 which can accommodate a building envelope, wastewater management, meets bushfire requirements and has suitable site access.

This SEE has identified that the proposal is not likely to cause any significant adverse impacts or land use conflicts, and therefore it is recommended that the development be approved.

End of Report

Greg Alderson & Associates

Chartered Professional Engineer

**APPENDIX A – SUBDIVISION PLANS**

APPENDIX B – AHIMS SEARCH RESULTS



**AHIMS Web Services (AWS)**  
**Search Result**

Your Ref/PO Number : 19270  
Client Service ID : 666295

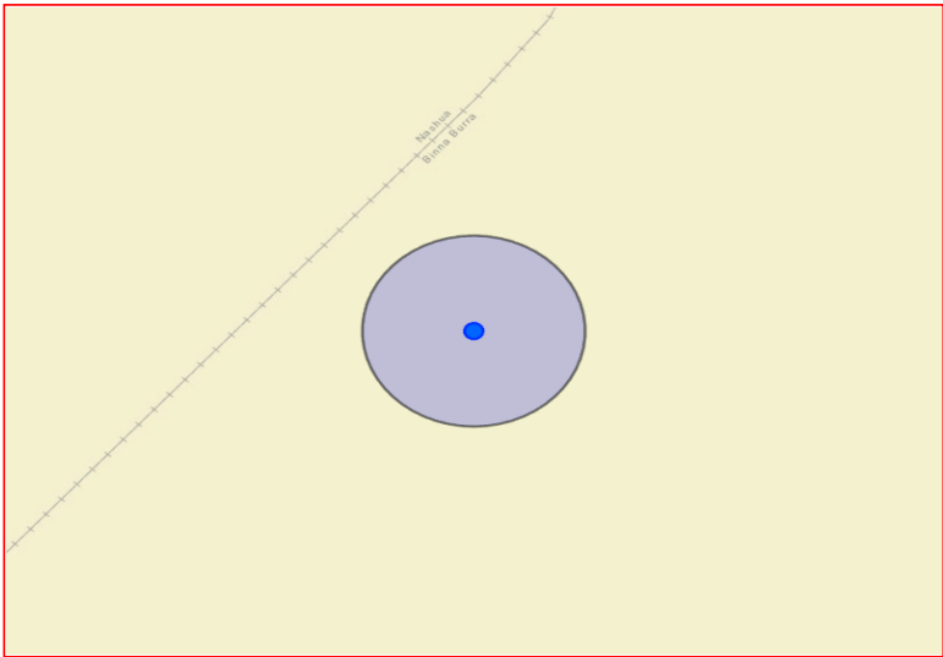
Greg Alderson & Associates Pty Ltd

Date: 10 March 2022

Attention: Greg Alderson  
Email: office@aldersonassociates.com.au  
Dear Sir or Madam:

**AHIMS Web Service search for the following area at Address : 180 FLOWERS ROAD BINNA BURRA 2479 with a Buffer of 50 meters, conducted by Greg Alderson on 10 March 2022.**

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



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

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

**APPENDIX C – ON-SITE WASTEWATER MANAGEMENT ASSESSMENT**



**APPENDIX D – PRELIMINARY CONTAMINATED LAND ASSESSMENT (SEPP 55)**

**APPENDIX E – BUSHFIRE ASSESSMENT**



# Greg Alderson Associates

Greg Alderson and Associates

ABN 58 594 160 789

43 Main Street

Clunes NSW 2480

T: 02 6629 1552

[office@aldersonassociates.com.au](mailto:office@aldersonassociates.com.au)



## Civil Engineering

Roads  
Driveways  
Stormwater  
Flooding  
Traffic  
Earthworks



## Structural Engineering

New Structures  
Additions and Alterations  
including:  
Foundations  
Wind Bracing & Tie Down  
Framing  
Retaining Walls  
House Plan Drafting  
BASIX Certificates



## Environmental Assessments

Contaminated Land Assessments  
(SEPP 55)  
Acoustics & Noise Assessments  
Wastewater Management  
Acid Sulfate Soil Assessments  
Water Quality Assessment