

# **ENVIRONMENTAL ASSESSMENT REPORT**



**PROPOSED SUBDIVISION OF PART PORTIONS 24, 25 &  
88 PARISH OF BEGA and PORTION 158 PARISH OF  
WALLAGOOT.**

**JUNE 2008**

**STATEMENT OF VALIDITY**

**Environmental Assessment prepared by**

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**Declaration**

I certify that I have prepared the contents of the Environmental Assessment in accordance the requirements of the Environmental Planning & Assessment Act 1979 and that, to the best of my knowledge, the information contained in this report is not false or misleading.

**Signature** .....

**Name** Michael Collins

**Date**

## EXECUTIVE SUMMARY

This Environmental Assessment report has been prepared in response to a Development Application (MP 06-0195) lodged with the Department of Planning and the subsequent request from the department for an environmental assessment.

The subject site is rural land located between the regional centre of Bega and the coastal village of Tathra.

The proposal is for the creation of 6 dwelling (concessional) lots and a residue lot in accordance with the *Bega Valley LEP 2002*.

The proposal has been designed in sympathy with the site constraints, and to provide positive outcomes for the natural and agricultural environments.

The development is permissible under all the relevant planning instruments governing the site.



## **1. SITE ANALYSIS**

### 1.1 Context:

The subject site comprises four parcels of land. It is located adjacent to the intersection of Tathra Road and Wallagoot Lane, approximately 6 kilometres east of Bega and 9 kilometres inland from Tathra.

The land straddles Wallagoot Lane and in part fronts Tathra Road as shown on the sketch. The northern and eastern sections of the property are comprised of river flats and the eastern boundary abuts a small drainage line.

### 1.2 Drainage:

There is a SEPP 14 wetland located adjacent to the northern boundary of the land west of Wallagoot Lane, as can be seen from the aerial photograph. This wetland is intermittently wet and dry and at present is substantially dry.

The site has a generally north to north eastern aspect. The land rises to the south, with a relief of approximately 50 metres over the entire property.

Part of the property is subject to inundation during a 1 in 100 year flood event. The approximate level for this is 12.9 metres AHD and is indicated on the Site Analysis plan.

There are two well defined drainage lines passing south to north through the subject land that flow into the wetland.

### 1.3 Agriculture:

The land is virtually all open grassland. It has been owned and operated for several generations by the same family. The land is currently used as a mix of light grazing on the higher areas, and cropping of the river flats. These flats are very fertile and productive.

The land is classified as a mix of Class 1, 2, 3, 4 and 5 agricultural lands according the Department of Agriculture *Land Classification Atlas*. The river flats are generally Class 1 & 2, while the steeper less productive areas are Class 3 or higher.



River flats within Lot H

#### 1.4 Access:

Wallagoot Lane is a council maintained, two wheel drive bitumen sealed and gravel road in excellent condition. It is sealed up to and including the frontage of proposed Lot F, and gravel from that point on. It is a through road, approximately 8 kilometres long, connecting to Sapphire Coast Drive at its southern end.



View north along Wallagoot Lane, Lot F to the left.

1.5 Services:

There are phone lines and overhead powerlines along Wallagoot Lane. There is no reticulated water supply or centralised sewerage system.

1.6 Existing developments in the vicinity:

There are two dwellings on the land, both occupied. There are several sheds and some stockyards south of one of the dwellings.

There are also two dwellings located immediately adjoining to the south, also occupied.

There is a Rural Residential 1(c) subdivision approximately 400 metres to the north and another Rural Residential 1(c) subdivision approximately 1 kilometre to the east.



View of Rural Residential estate to the north of the subject land.

## 2. DESCRIPTION OF DEVELOPMENT PROPOSAL

This is a proposal to create 6 concessional (dwelling) lots pursuant to Clause 16 of the *Bega Valley LEP 2002*, and a residue lot, all via a staged subdivision.

### 2.1 Proposed Lots:

The concessional lots, proposed Lots A – F, range in size from 2.1 hectares to 4.1 hectares approximately.

The Residue Lot H has an area of approximately 106 hectares and comprises all the Class 1 and Class 2 agricultural land river flats and part of the Class 4 land west of Wallagoot Lane and the wetland.

Potential house sites have been selected for the concessional lots and the residue lot in locations that are above the 1 in 100 year flood level, have suitable areas adjacent to them for on site sewage disposal and provide for suitable access and privacy.

Lots B & F have existing dwellings already located on them.

The existing yards and sheds are to remain with the residue lot as they can still serve as useful infrastructure.

### 2.2 Access:

Access to all lots will be from Wallagoot Lane. Lots F & H have direct access from this road, while the other lots will gain access via a new Right of Carriageway. It is intended that this Right of Carriageway will be constructed to Bega Valley Shire Council standards. This would entail a 4 metre wide gravel formation for Stage 1 of the subdivision, being subsequently expanded to a 6.4 metre wide formation when Stage 3 is undertaken.

It is also intended to create a Right of Carriageway adjacent to the southern boundary of Lot D as a future alternative access to Lot H, if required. It is not intended to construct this particular easement at this time however, as Lot H does have frontage to Wallagoot Lane.

### 2.3 Servicing:

Overhead power is located along Wallagoot Lane. It is already connected to the dwellings on Lots B & F. Given the open nature of the subject land, simple short overhead connections can be provided to the other lots in consultation with Country Energy.

Telstra lines are laid within Wallagoot Lane. Telstra, through their local contractor Downer Engineering, only require that prior to construction works being commenced that they are notified to allow them to schedule upgrade and extension works to the existing system.

Town water is not available in the area. Any proposed dwellings will have to rely on capture of water, normally by collecting rainwater as per the existing dwellings.

It is normal to require the installation of a tank with at least a 20,000 litre capacity with a 10,000 litre reserve for fire fighting. In many cases a second tank is installed to cater for dry periods and this can be further supplemented by carting in water in extreme times.

Disposal of sewer will be via on-site means. This has been addressed in the “On-Site Sewage Management Report” in Appendix 1.

#### 2.4 Justification for the development:

This application is in accordance with all relevant planning instruments pertaining to this site.

The public interest is served by providing dwelling lots within commuting distance of the major regional centre of Bega, and the coastal towns of Merimbula and Tathra. Room for development is extremely limited in the coastal towns and this proposal will in a small way help alleviate some of that pressure.

Also, all the prime agricultural land has been retained in one lot. There has been no fragmentation of the prime river flats.

### **3. RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS & GUIDELINES**

#### **3.1 Planning Instruments.**

The following planning controls apply to the subject site.

##### 3.1.1 State Environmental Planning Policies. (SEPP)

1. State Environmental Planning Policy 14 – Coastal Wetlands.
2. State Environmental Planning Policy 71 – Coastal Protection.
3. State Environmental Planning Policy (Major Projects) 2005.

##### 3.1.2 Local Environmental Plans. (LEP)

1. Bega Valley LEP 2002.

##### 3.1.3 Development Control Plans (DCP)

1. DCP 2 – Subdivision Standards.
2. DCP 5 – On Site Sewage Management.
3. DCP 6 – Minimum Setbacks to Roads & Nominated Waterways.

##### 3.1.4 Planning for Bushfire Protection, 2006 – NSW Rural Fire Service.

##### 3.1.5 Draft South Coast Regional Strategy.

##### 3.1.6 Bega River Estuary Management Plan.

## **3.2 Consideration and Compliance with Planning Instruments.**

### **3.2.1 State Environmental Planning Policies. (SEPP)**

#### **3.2.1.1 State Environmental Planning Policy 14 – Coastal Wetlands.**

The aim of this policy is to ensure that the coastal wetlands are preserved and protected in the environmental and economic interests of the State.

None of the works listed in Clause 7 of the SEPP are being undertaken on the land subject to the SEPP, thereby ensuring compliance with this policy.

#### **3.2.1.2 State Environmental Planning Policy 71 – Coastal Protection.**

##### *Part 2 - Matters for Consideration*

- b) The subject land is approximately 9 kilometres from the coastal foreshore. There is no impact by this development on pedestrian access to and along the foreshore.
- c) As outlined above, this land will not have any influence on access to the coastal foreshore. There is no opportunity raised by this development to provide new public access to the foreshore.
- d) Subject land adjoins a Rural 1(c) estate. The subject development is of a lower density and has fewer lots than this adjoining estate. The proposed dwelling lots have been located within the agricultural land classified as Classes 3 & 4 leaving the prime agricultural land for primary production. The development complies with the current LEP and DCPs. Existing infrastructure such as roads and overhead powerlines can be readily extended to service the development. The subject development is suitable given its design and relationship with the surrounding area.
- e) The proposed development will not have any detrimental impact on the amenity of the coastal foreshore.
- f) As mentioned at e) above, this development will not adversely affect views of the foreshore.
- g) The land is virtually completely cleared of timber and has been farmed for many years. There is no evidence of the presence of threatened species on the site nor are they likely to occur given the current developed nature of the site. There are no substantial pockets of vegetation and the land does not appear to provide significant habitat or food supply for native animals. Generally the site is dominated by improved pastures.



View looking south west over Lot B towards Lots C, D & F.

- h) All of the proposed dwellings are to be located approximately 200 metres from bodies of water. Any significant water bodies will remain part of the residue lot with no change in land management practices, meaning no detrimental impact will be caused by this development.
- i) There are no wildlife corridors on the site. In particular, see the aerial photo attached to the report.
- j) Due to the distance from the coast, this development will not affect nor be affected by coastal processes or hazards.
- k) There is no potential for conflict between land based and water based coastal activities.
- l) The subject land does not contain any known places or items of significance to the local aboriginals.
- m) This development will have no impact on coastal waterbodies. It is in proximity to an existing lagoon which is intermittently opened to the Bega River. The current farming practices already generate a base load of nutrients into this waterbody. The average annual export rates of nitrogen and phosphorus have been estimated for the site pre- and post – development using NEXSYS (CSIRO) software. Based on the site conditions of slope, groundcover, proximity to water body amongst others, there is no discernible change in the rates.
- n) There are no items of heritage, archaeological or historic significance on the site.

## *Part 4 – Development Control*

Public access.

This issue has been detailed above under “Matters for Consideration”.

Effluent Disposal.

This has been addressed by the On Site Sewage Management report. Generally, the site is suitable for on site disposal with adequate area for each proposed dwelling to have two independent sites, either site being capable of handling the expected effluent load without leading to off site discharge.

Stormwater.

This issue has been addressed above under “Matters for Consideration”, below under “Aims & Objectives of Bega Valley LEP 2002” and also 4.2 below.

### 3.2.1.3 State Environmental Planning Policy (Major Projects) 2005.

This application and response to the Director-General’s Environmental Assessment Requirements is part of the process to ensure compliance with this SEPP.

### 3.2.2 Local Environmental Plans. (LEP)

#### 3.2.2.1 Bega Valley LEP 2002.

Aims and Objectives of *Bega Valley Local Environmental Plan 2002*.

1. “*To encourage continued growth in the areas rural economic base.*”

Given the climate and weather patterns for the past 5 years, the only viable mechanism by which the present owners can maintain and develop the farm is to excise less productive land to continue a positive cash flow. The current negative cash flow, imposed by external conditions, can not be sustained indefinitely. If it were to continue, it is likely that the better agricultural land would be over utilised leading to long term degradation.

2. *“To encourage other forms of development, including tourism, that are compatible with agricultural activities and do not create undesirable environmental and cultural impacts.”*

This development is compatible with the agricultural activities of the property. The prime agricultural land, mainly river flats, is being retained as part of the farm and the proposed dwelling lots are not located near operational aspects of the farm. There are no known sites of environmental or cultural significance on the subject land.

3. *“To protect and conserve the productive potential of prime crop and pasture land.”*

All proposed concessional lots are located outside of areas classed as prime agricultural land (Classes 1 & 2) as mapped by Department of Agriculture in their atlas.

4. *“To maintain the scenic amenity and landscape quality of the area.”*

Given the topography of the site, the main scenic amenity is to be appreciated by viewing the area from the north, along Tathra Road. This is also the busiest road in terms of traffic load. Once dwellings are erected, the scenic amenity will still be unblemished. The main feature in the view is the existing residence and outbuildings in the left foreground. Proposed dwelling sites are located well away from Tathra Road and well off Wallagoot Lane.



5. *“To promote the protection and the preservation and enhancement of natural ecological systems and processes.”*

The land is generally degraded as regards natural ecological systems, due to long term agricultural activities. The main system is the waterbody adjacent to the northern boundary. Proposed dwelling sites have been located over 150 metres away from the

waters edge, and any effluent disposal systems must be of a standard at least equal to that recommended in the On Site Sewage Management Report.

A buffer of approximately 80 metres has also been provided between the boundaries of the concessional lots and the waterbody. This buffer will be retained in the residue, ensuring access is limited to only those people who currently enjoy access.



View of dried out water body. Agricultural flats in background.

6. *“To provide proper and coordinated use and protection of rivers, riparian corridors and water catchment areas.”*

See comments above.

7. *“To promote the economic provision of services compatible with the nature and intensity of development and the character of the area.”*

The only service required will be overhead electricity. This can be economically provided by extensions to the existing powerline within Wallagoot Lane. This will also be at the cost of the developer and there is no burden on public funds.

8. *“To ensure that development and management of the land has minimal impact on water quality and environmental flows of receiving waters.”*

See comments above.

9. *“To maintain significant features of natural and cultural heritage.”*

There are no known features on the site.

Clause 16(7) – *Bega Valley Local Environmental Plan 2002*. Concessional Lot Guidelines.

- a) All lots have a suitable dwelling house site as shown on the attached sketch.
- b) This proposal does not adversely affect the economic viability of existing farmland. The land being proposed for the concessional lots is not prime agricultural land. It is classified as 3 & 4 under the “Agricultural Land Classification Atlas”.
- c) There are no operational aspects of the farm located near the proposed concessional lots.
- d) All proposed concessional lots are located on land classified as Class 3 or 4 under the “Agricultural Land Classification Atlas”.
- e) The land is not part of an inholding within a national park.
- f) The proposed dwellings would not be located within 100 metres of a national park boundary.
- g) All proposed lots will gain access from Wallagoot Lane which is council maintained, or via Rights of Carriageway leading from that road.
- h) There will be no access onto a state highway.
- i) A separate bushfire report has been prepared for lodgement with Rural Fire Service.
- j) All proposed lots can be readily connected to the existing electricity reticulation network by short connections.
- k) A separate On-Site Sewage Management Report has been prepared and is attached to this application.
- l) These lots do not contain or adjoin perennial streams and do not have access by easement for drawing water from perennial streams.

3.2.3 Development Control Plans (DCP)

3.2.3.1 DCP 2 – Subdivision Standards.

Clause 8, 9 & 10 govern the proposed subdivision of the subject land.

Clause 8 has been complied with by consideration of the other planning instruments listed here.

Clause 9 requires that each lot has a reasonable standard of legal and practical access provided. Access will be provided in the form of a formal right of Carriageway constructed to council standards.

Clause 10 restates the requirements of Bega Valley LEP 2002 as regards the size and density of lots within the 1(a) zone. These requirements have been addressed above.

#### 3.2.3.2 DCP 5 – On Site Sewage Management.

This has been addressed by On Site Sewage Management report prepared for the original application. A copy has been attached to this document.

#### 3.2.3.3 DCP 6 – Minimum Setbacks to Roads & Nominated Waterways.

Clause 5 specifies a minimum setback of dwellings from public roads as 20 metres. This has been accommodated on the proposed layout.

#### 3.2.4 Planning for Bushfire Protection, 2006 – NSW Rural Fire Service.

This has been addressed by the Bushfire report prepared for the original application and a copy has been attached to this document. In summary, each lot has adequate room to accommodate the required Asset Protection Zones.

### 3.2.5 Draft South Coast Regional Strategy.

#### *1. Infrastructure Provision*

Electricity is the only service to be provided to the proposed lots. It is readily available to the site with an existing overhead service in Wallagoot Lane.

#### *2. Access.*

The land has frontage to Wallagoot Lane which is a council maintained road. The new internal access will be constructed by the developer to council standards. There will be no negative impact on the performance of the existing network.

#### *3. Housing diversity.*

This subdivision will contribute to the spread of housing choice available within the area. Smaller fully serviced lots are available at the “Glen Mia” estate on the edge of Bega, intermediate size lots are being developed along Kerrisons Lane south of Bega, and these proposed lots provide for a slighter larger size.

#### *4. Employment lands.*

This proposal will not have any detrimental effect of employment lands.

#### *5. Avoidance of risk.*

The proposed house sites are well above the 1 in 100 year flood level. They are not located on steep slopes, and bushfire risk is minimal given the cleared nature of the land.

#### *6. Natural Resources.*

These lots do not front, nor have easements, to allow the drawing of water from any perennial watercourses. They are not located on land classified as “prime” by the Department of Agriculture.

#### *7. Environmental protection.*

The subject land is not land identified as “Sensitive Urban Lands” under the strategy.

Issues concerning protection of the water quality entering the wetland are addressed below at 4.2, but bear in mind that the nearest proposed house sites are located 150 metres from the wetland and it is recommended that secondary treatment systems, at a minimum, be installed for on site sewage management.

This land is not identified as a “Habitat Corridor” under the strategy.

This proposal should not have any negative impact on air quality.

Areas have been identified as potentially containing aboriginal artifacts by Bega Traditional Aboriginal Elders Inc. See Appendix 3. During construction phase in

those areas, local aboriginals will be contracted as monitors to ensure any artifacts found would be dealt with appropriately.

### 3.2.6 Bega River Estuary Management Plan (Draft)

The objectives of the plan in relation to development are:-

1. "Future development shall not degrade the scenic amenity of the estuary."

The nearest proposed house site to the Bega River is 1.3 kilometres. Issues of scenic amenity have also been addressed above under *Aims and Objectives of BVLEP 2002*.

2. "Future development shall be ecologically sustainable."

Issues of stormwater management and protection of the SEPP 14 wetland are addressed below at paragraph 4.2.

There will also be reduction in the land subject to grazing and the traffic of hoofed animals, and given the distance to the estuarine environment, this development should not adversely affect the estuary.

3. "Future development shall be prohibited from areas of unsuitable capability."

This proposed development will not occur on steep slopes or within important existing habitats.

"Strategies for Estuary Management" as detailed in the management plan.

P-2: Prevent development on steep slopes. To protect scenic values and limit erosion.

None of the proposed house sites are located on prominent ridges and given the distance to the Bega River, the scenic value will not be adversely impacted. Proposed Lots C & E are located on the steepest sites; Lot C has a slope of approximately 5% while Lot E has a slope of approximately 18%. Given the small footprint that each house site will have on the lots, the length of grass covered slopes to the nearest drainage line and the measures council will require as part of any building approval, the likelihood of erosion is minimal.

P-3: Prevent clearing and inappropriate vegetation removal.

There are no trees on the site and the vegetation removal will only account for approximately 5% of the site. This includes buildings and access ways.

P-4: No net increase in runoff and pollutant loads.

This has been demonstrated by the discharge calculations and the pollutant load estimates in Appendix 6.

P-5: Ensure the use of appropriate sewage treatment measures.

This has been addressed by the On Site Sewage Management Report in Appendix 2.

P-7: Require developer contributions to recreational and foreshore facilities.

Contributions will be applied as part of the normal development assessment process.

P-8: Ensure adequate environmental flows to maintain ecosystem function.

This development will not reduce environmental flows as indicated by the calculations in Appendix 6.

## 4. DRAFT STATEMENT OF COMMITMENTS

Relevant to the proposed development, this statement of commitments relate to on site sewage management and stormwater management. The commitments proposed below identify the general risk associated with the development and provides solutions to mitigate the risk.

### 4.1 On Site Sewage Management

Effluent disposal on site will be via secondary treatment systems at a minimum. Tertiary systems involving the use of sand filters may be installed by individual lot owners if desired.

Land Application Areas (LAA) taking the treated waste from the abovementioned systems will be located a minimum of 150 metres from the wetland and a minimum of 40 metres from other drainage lines as per Table 5 of “On-Site Sewage Management for Single Households” February 1998 (NSW Government).

Also, area equal to 200% of that calculated within the On-Site Sewage Management report has been provided on each proposed lot to enable for the provision of an alternative LAA if needed, or to allow alternate dosing of 2 sites. This further reduces the effluent load on any one area.

### 4.2 Water Quality Protection & Stormwater Management

Potential sources of nutrient and sediment loads are

1. Access, both during construction and post construction,
2. On site sewage land application areas, and
3. Runoff from the house and surrounding gardens.

In particular, coarse sediments(>2mm), phosphorus, nitrogen and oxygen demanding substances are those elements of concern.

Coarse sediments can be addressed by filter strips and grass swales, phosphorus and nitrogen by a combination of filter strips, grass swales and porous pavements, and oxygen demanding substances can be addressed by infiltration trenches and porous pavements.

Measures to be put into place to address the above sources include:

1. The access to Lots A - E will be constructed in accordance with the requirements of Bega Valley Shire Council, notably DCP2 and the *Design and Construction Specifications*.

There are two phases to stormwater management; first during construction, and second post construction.

During construction, erosion and sediment control measures in strict accord with “Soils and Construction”, March 2004 (Blue Book) will be put in place to ensure only clean runoff leaves the construction site, and to minimize the amount of water

entering the site. These measures will be part of the design drawings to be presented to council for their approval as part of the Construction Certificate application.

Measures to be used would include erection of sediment filter fences, the installation of rock aprons on the outlets of all piped culverts, swales to act as infiltration devices and to redirect flows to constructed sediment basins, and ensuring the disturbed areas are kept to a minimum.

Following construction, the establishment of vegetation over all disturbed sites would be a priority. The sediment basins could be converted to small wetlands and the swales would be grassed over and continue directing overland flows to the basins.

The design will incorporate the construction of table drains and culverts. Any culverts needed for the Right of Carriageway will be sized to accommodate a 1 in 5 year storm, with outlet protection to prevent erosion. Table drains will be to council specifications, and on steeper sections will be rock lined to prevent erosion.

2. Measures to be incorporated for OSSM land application areas are:
  - a. Swales upslope of the land application area so as to reduce run-on water.
  - b. The use of secondary treatment systems as a minimum such as aerated systems. Ideally, on Lots A & D, tertiary systems incorporating sand filters would be installed.
  - c. The installation of filter strips and vigorous vegetation between the application area and the natural wetland.
  - d. Minimum setbacks from the wetland of 150 metres for the land application areas. It is noted that the former Department of Natural Resources recommended a Core Riparian Zone (CRZ) setback of at least 40 metres from the top of the bank of the wetland plus an additional 10 metre buffer to protect the CRZ.
  
3. Measures to be incorporated around the proposed house sites include:
  - a. Install rainwater tanks to receive roof run-off. This will normally be a requirement given that there will not be any reticulated water supply.
  - b. Provide grassed swales directing run-off into gardens and other landscaped areas.
  - c. Wherever possible, pavements are to be constructed from porous materials.

## 5. KEY ISSUES

### 1. Design, Visual Impacts & Public Access

- i. The most visually sensitive panorama will be that viewed from Tathra Road. The bulk of passing traffic is along this road and this also provides the most panoramic view of the development site.



View from Tathra Road & Wallagoot Lane intersection looking south. Existing house and buildings in foreground. Potential dwellings superimposed in background.

As can be seen from the photo above, the development will not have a significant impact on the visual amenity. The existing dwellings located on the rural residential estate to the north have a larger impact than the lots proposed here.

- ii. The proposal has been designed in accordance with Development Control Plans 2 & 6.
- iii. This proposal does not have any impact on public access.

### 2. Existing Buildings

- i. The existing house has no cultural heritage being a relatively recent construction. But it is in good condition and is to be retained. Currently occupied by the developers/owners and is intended to be for the foreseeable future.
- ii. Sheds and yards. The sheds and yards are in reasonable condition and are still functional. All will be retained for the foreseeable future as they form part of the infrastructure for the current farm. Most of them will be located within the residue lot where they will likely to

be used by future owners. The remainder will be in Lot F, which is to be retained by the current owners.

3. Agricultural value

- i. The concessional lots are located on the marginal Class 3 & 4 land. The prime agricultural land is to be retained within the residue lot. None of the prime land will be removed from production.

4. Subdivision entitlements

- i. The subject land comprises an intact holding of 127 hectares. This entitles the land to 6 concessional lots and a residue, there being no concessionals previously granted.

5. Traffic & Access

- i. Internal access will be constructed in accordance with Bega Valley Shire Council's DCP 2. The site can satisfactorily accommodate their requirements.

6. Riparian & Wetland Management

- i. Core Riparian Zone of 50 metres has been provided from the top of the bank of the SEPP 14 wetland. See map.

7. On site effluent disposal

- i. See OSSM report and map.

8. Stormwater & floodplain management.

- i. The 1 in 100 year flood level is approximately 12.9 metres AHD. All proposed house sites and effluent disposal areas can be located at a level greater than 13.5 metres AHD.

9. Infrastructure and Utilities

- i. Overhead electricity. Existing service within Wallagoot Lane. The two existing dwellings are already connected and an overhead extension of approximately 300 metres is all that is required to connect all other proposed lots.
- ii. Telstra exists within Wallagoot Lane. Telstra, through their contractors Downer Engineering, extend phone services in conjunction with the civil contractors employed by the developers at the time works are undertaken for the subdivision. In this particular case, as the Right of Carriageway is being constructed, Telstra lines will be placed in trenches adjacent to the new formation.

10. Bushfire.

- i. This has been addressed by the bushfire report attached to the initial application. Asset Protection Zones have been determined in accordance with Planning for Bushfire Protection 2006 and are indicated on the attached map. All APZ's can be accommodated on the subject land.

11. Flora & Fauna.
  - i. For a detailed assessment see **Appendix 1**. Searches have been made of the NSW NPWS *Atlas of NSW Wildlife* for threatened or vulnerable flora or fauna in the area. The only species found in the area was the Eastern Ground Parrot. It was sighted in 1998 adjacent to the eastern boundary of the subject land. This site is within the residue Lot H, on flood prone land, and is more than 1 kilometre from the nearest proposed residence. There are existing residences located within approximately 500 metres outside the subject land. This development will not have any impact on that site.
  
12. Cultural heritage
  - i. Bega Traditional Aboriginal Elders Council Inc. have conducted an on site inspection of the proposal, and a copy of their report is attached. They determined that there are no constraints to the proposed subdivision, with the proviso that disturbances along the proposed access within Lot B and the entry to Lot E be monitored.
  
13. Soils & contamination.
  - i. There are no known occurrences of Acid Sulfate Soil in the immediate locality according to the Bega River Estuary Management Plan (July 2006).

## 6. CONSULTATIONS

### Department of Environment & Climate Change. (Ref. QUF 7964)

1. Environmental impacts.
  - a. Water quality. See 4.2 “Water Quality Protection & Stormwater Management” above.
  - b. Contaminated land. There are no known or observed contaminated sites within the area to be developed. The area has been used for grazing of cattle for an extended period by several generations of the one family.
  - c. Noise.

The complete development will involve the eventual construction of 4 additional dwellings and a common right of access to serve them.

It is unlikely that all four dwellings would be constructed simultaneously given the proposed staging of the subdivision. Given the open and undulating nature of the site, the fact that the nearest neighbouring dwelling is over 200 metres away, and the construction noise is temporary, the impact will be insignificant.

The level of noise after construction, for residents of adjoining properties, would be so low as to not impact on them.
2. Threatened Species.

See Appendix 1 below for detailed site assessment.

With regard to the wetland mentioned on page 3 of the department’s letter, the potential impact by the development and the measures to mitigate the same are detailed under 4.2 above and as depicted on the “Stormwater Management” plan below.
3. Aboriginal consultation.

Consultation with the Bega Traditional Aboriginal Elders Council, including a site inspection, is documented in Appendix 4 below.

### Department of Natural Resources.

This department has been integrated into the new Department of Environment & Climate Change listed above.

Correspondence received from the department dated 9<sup>th</sup> August 2006 (Ref. ERM 2006/04417); contact Mr. Bob Britten. Comments relating to Wetland Management and Stormwater Management have incorporated into item 4.2 above.

### Department of Primary Industries.

Further to the comments raised in the department’s letter dated 2<sup>nd</sup> July 2007, with regard to Items 1 & 2, the layout of the proposal has been amended to

consolidate the original agricultural Lot G with the residue Lot H. This consolidated lot has an area of approximately 106 hectares and contains all of the Class 1 and Class 2 agricultural land.

With regard to Item 3 (Class 3 agricultural land), Lots B & F are already occupied by residences, while that part of Lot A that is Class 3 is a narrow strip provided for access.

With regard to Item 4, the prime river flats being Classes 1 & 2, will be contained in one lot as mentioned above. Also the majority of the Class 3 land is contained within lots that have existing dwellings.

#### NSW Rural Fire Service.

A report prepared in accordance with Planning for Bushfire Protection 2006 has been prepared and is attached to this document as per the letter from RFS dated 3<sup>rd</sup> August 2006. A copy will be forwarded to the RFS as part of the development application assessment. See **Appendix 3**.

#### Local Aboriginal Land Council

An on site assessment and heritage survey was undertaken by Mr. John Dixon of the Bega Traditional Aboriginal Elders Council Incorporated in January 2007. The report of that survey is contained in **Appendix 4**.

#### Roads & Traffic Authority

A copy of this environmental assessment has been forwarded to the Wollongong office of the RTA for their comments. At the time of writing (26/11/07) no comments had been received.

#### Department of Lands

A copy of this environmental assessment has been forwarded to the Nowra office of the department for their comments. At the time of writing (26/11/07) no comments had been received.