



Scoping Report

*Request for Secretary
Environmental Assessment
Requirements (SEARs)*

For: Milton Ulladulla Small School

Lot 7 DP 809249
19 Little Forest Road
Little Forest, NSW, 2538

23 June 2021
Reference: L103940

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Attachments

Attachment 1 BOSET report

Supporting Documents

Document	Ref. No.	Dated	Prepared By
Site Plan	Plan 21 pg.2	09/06/2021	EcoView Design
Floor Plan	Plan 21 pg.1	09/06/2021	EcoView Design
Presentation Board		05/28/2021	EcoView Design

1 INTRODUCTION

This Scoping Report has been prepared by *SET Consultants Pty Ltd* for *Milton Ulladulla Small School*, in relation to new independent primary school. The subject site is legally described as Lot 7 DP809249, and known as No. 19 Little Forest Road, Little Forest. This report requests the Secretary to prepare Environmental Assessment Requirements (SEARs) to guide the preparation of an Environmental Impact Statement (EIS) for a State Significant Development (SSD) application.

As the proposal seeks consent for a new school, and regardless of the capital investment value, the proposal is classified SSD as per Schedule 1 (clause 15) of State Environmental Planning Policy (State and Regional Development) 2011 (SEPP SRD), as set out in Clause 8(1(b)) of the SEPP SRD.

To support the request for SEARs, the scoping report provides the following information:

- Site Context and proposal
- Statutory Context
- Engagement
- Potential Impacts

The proponent details are as follows:

- *Milton Ulladulla Small School*
- School contact: Peter Anderson (miltonulladulla.smallschool@gmail.com)

The school will be a registered non-government school. As per the Education Act 1990, a non-government school means a registered non-government school as registered under Part 7 of the Education Act 1990. The proposed school will therefore be a registered non-government school within the meaning of the Education Act 1990 and as defined under the Environmental Planning and Assessment Regulation 2000 and State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.

2 Site Context & Proposal

2.1 Site Context

The subject site is legally described as Lot 7 DP 809249, and known as 19 Little Forest Road, Little Forest, located within the Shoalhaven City Council local government area.

The lot is irregular in shape with a total lot area of 40ha and comprises a farm with a cattle pen and shed toward the front boundary of Little Forest Road near the proposed location. The proposed development site is approximately 0.72ha (to be leased from the farm) sited close to Little Forest Road and comprises grazing land with a cross-cutting tree-lined driveway, and vegetation to the front boundary. The site slopes to the rear southeast.

The subject site is located within a rural farming context. Little Forest Road is characterised by dwellings and structures close to the road set within a broader open rural setting. The Princes Highway defines the landscape to the east.

Figure 1 shows an image of the site within the surrounding area. Figure 2 shows an aerial image of the site's context. Figures 3 and 4 show aerial imagery of the existing site and proposed development location. Figure 5 shows photographs of the site (taken 7/6/2021).

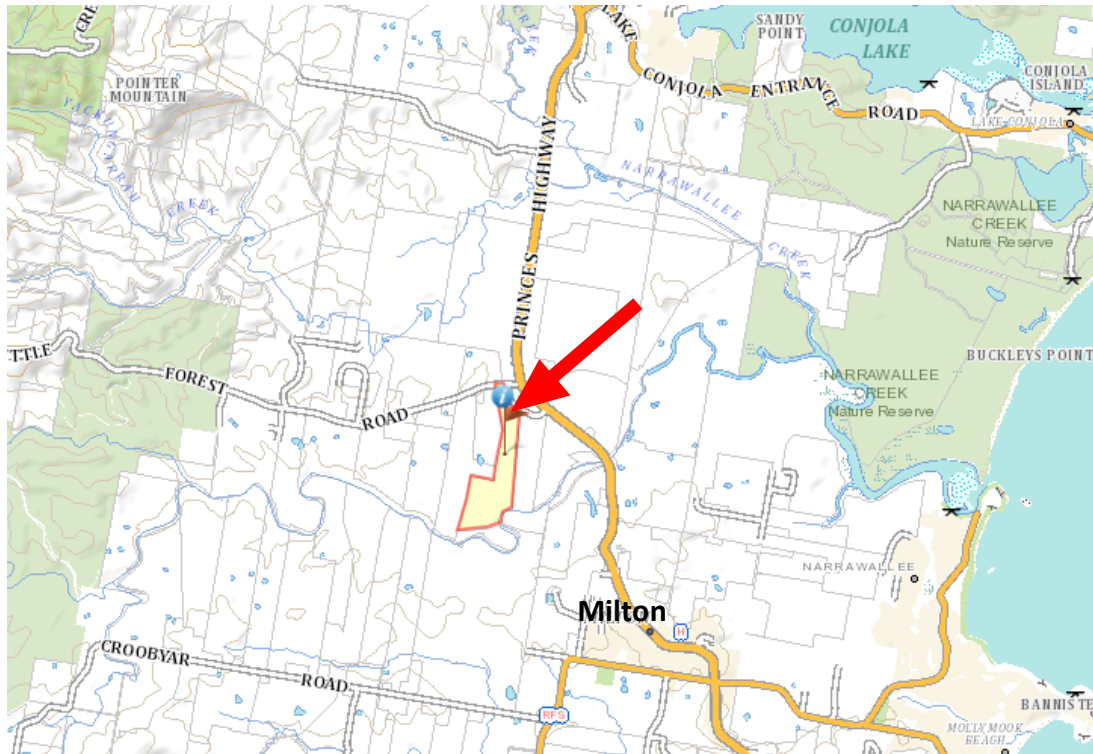


Figure 1 Location map showing the subject site marked in red (SIXMaps).

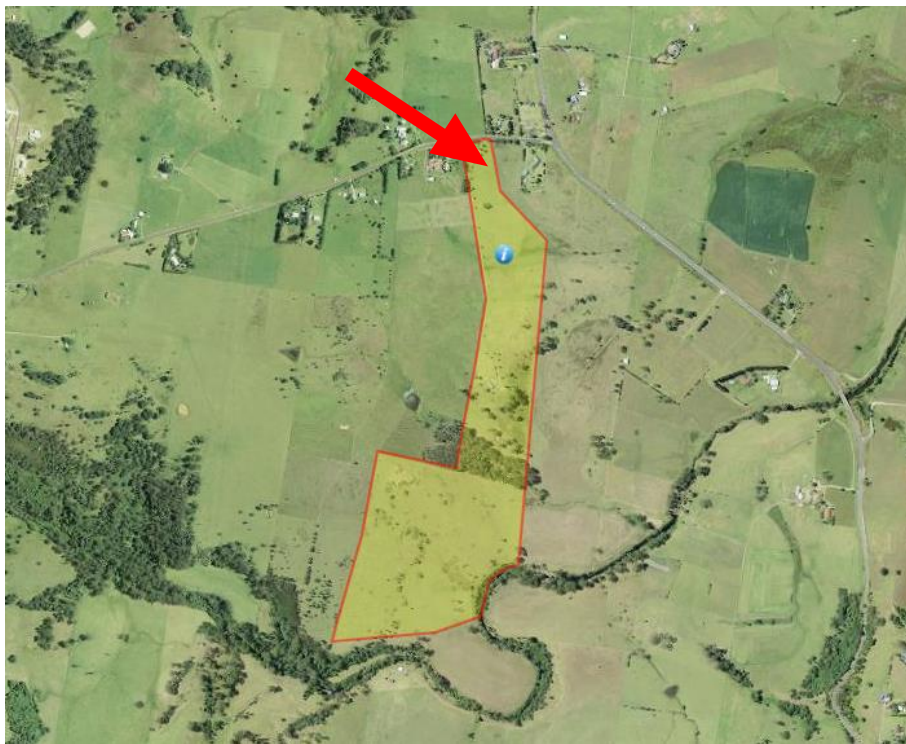


Figure 2 Aerial context photograph showing the subject lot outlined in red and development location with arrow (SIXMaps).



Figure 3 Aerial context photograph indicating the general development site location in red (Nearmap).



Figure 4 Aerial photograph showing the development site outlined in red (Nearmap).

Scoping Report - Milton Ulladulla Small School
Lot 7 DP809249, No. 19 Little Forest Road, Little Forest



Current entrance, Little Forest Road, looking west



Looking east along Little Forest Road.



Proposed school driveway/entrance.



Proposed school driveway (gate on left), looking west.



School site, looking south.



School site, looking southwest.



Site from front western boundary, looking southeast.



Site from Little Forest Road (Road to east of site), looking west over site.

Figure 5 Photographs of school site.

2.2 Proposal

The proposal relates to a new independent primary school at Little Forest (the school) set within a rural setting, known as *Milton Ulladulla Small School*. The site of the school would occupy approximately 0.72ha of land within the 40ha lot with current use as a farm. The school site would be leased from the landholder, with the farm use to continue its operation.

The proposed primary school (years K-6) would have a total of 56 students and four staff over two classrooms (and potential for 2 part time staff). The proposal includes the erection of two classrooms, new access driveway and car parking area. The new driveway will provide access to Little Forest Road to the western side boundary.

A site plan, floor plan and concept artistic impressions are indicated below in Figures 6-8:

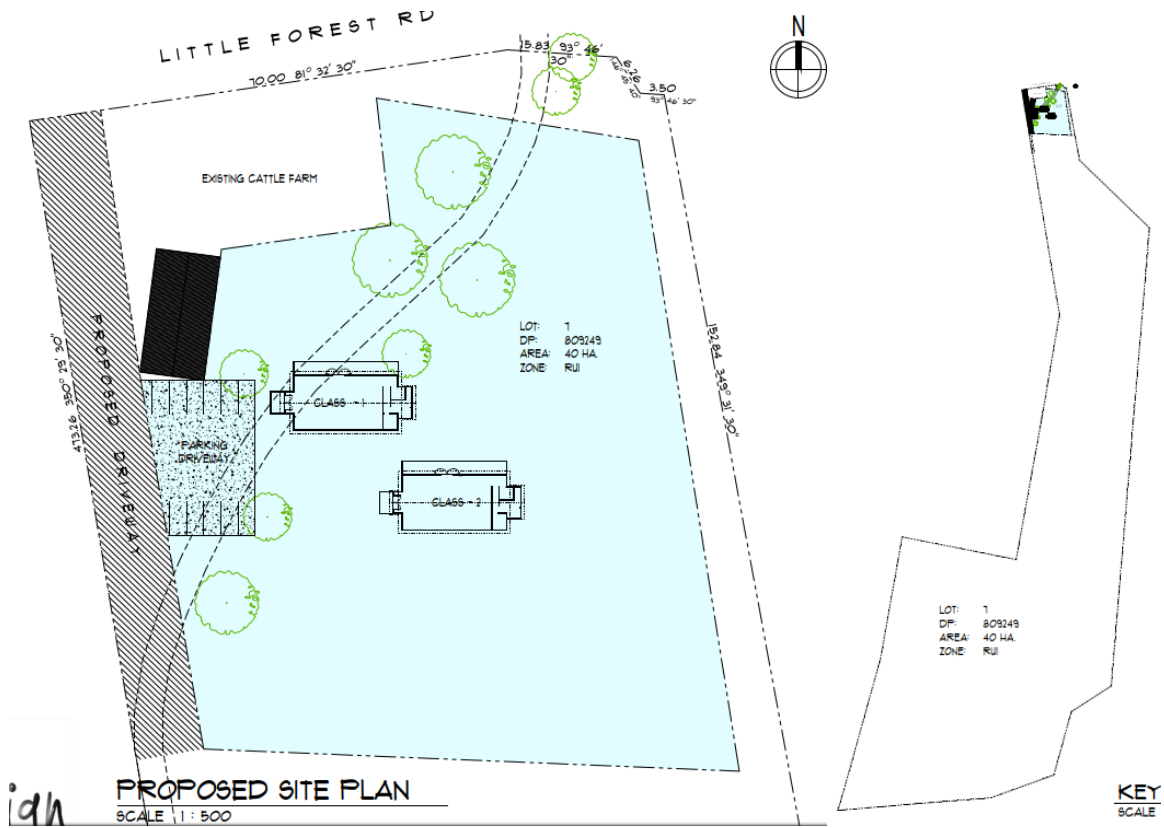


Figure 6 Proposed site plan, and site plan within the Lot context (EcoView Design).

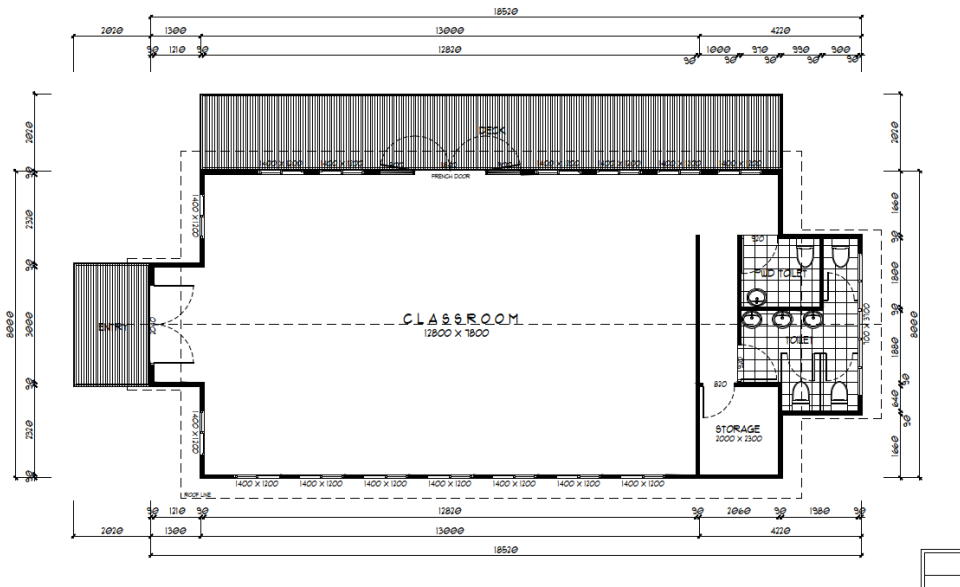


Figure 7 Proposed floor plan of the two classrooms (EcoView Design).



Figure 8 Artistic impressions (*EcoView Design*).

3 STATUTORY CONTEXT

3.1 *Rural Fires Act 1997*

The proposed school would be classified as Special Fire Protection Purpose (SFPP) development. Under RF Act s.100B, a BFA from the NSW RFS is required for SFPP development. As such, an Integrated Development approval may be required under of the EP&A Act s.4.46. A Bushfire Assessment Report will be prepared as part of the EIS. Further details on the hazard can be found in section 4.9.1 of this report., forthcoming.

3.2 *State Environmental Planning Policy (State and Regional Development) 2011*

As the proposal seeks consent for a new school, clause 8(1(b)) of SEPP SRD declares State Significant Development (SSD) within schedule 1.

Schedule 1 (clause 15) outlines SSD for educational establishments:

- (1) Development for the purpose of a new school (regardless of the capital investment value).*
- (2) Development that has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school.*
- (3) Development for the purpose of a tertiary institution (within the meaning of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017), including associated research facilities, that has a capital investment value of more than \$30 million.*

Therefore, as per Schedule 1, clause 15(1) of SEPP SRD, the proposal for a new school is SSD.

3.3 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

As the proposal is for a new school, the SEPP applies, which aims to facilitate the effective delivery of educational establishments and early education and care facilities.

Clause 6 requires the consent authority to consider Schedule 4 to be considered and whether the development is to be shared with the community.

Schedule 4 of the SEPP outlines design quality principles which would apply to the school, with details to be included in the EIS. It is preliminarily considered the proposed concept meets the principles set out in Schedule 4.

As the proposal is for more than 50 students, the proposal is traffic generating development as per clause 57, and notice to TfNSW is required.

3.4 SEPP No.55 – Remediation of Land

The aim of SEPP 55 is to provide for a State-wide planning approach to the remediation of contaminated land. Specifically, Clause 7 outlines contamination and remediation to be considered in determining development applications.

As the site is agricultural land, there is potential for contamination as agriculture is a listed activity (clause 7(4(b))). A Preliminary Contamination report would form part of the EIS as directed by SEARs, to ensure the site is suitable.

3.5 State Environmental Planning Policy (Infrastructure) 2007

The purpose of this SEPP is to ensure that effective infrastructure can be delivered across the state. The proposal will be Traffic Generating Development which is triggered under the Education SEPP (see section 3.3 above) where notice to TfNSW will be given.

3.6 Shoalhaven Local Environmental Plan 2014

The site is subject to the provisions of Shoalhaven City Council Local Environmental Plan (SLEP) 2014. The site is zoned RU1 Primary Production and as such the proposal is consistent with the controls applicable to the land under SLEP 2014, as outlined below.

Clause 2.2 – Zoning of land to which Plan applies

Clause 2.2 and 2.3 specify land use zones and permissible uses within each zone. The subject site is zoned RU1 Primary Production. An extract of the SLEP 2014 can be seen in Figure 9 with the site outlined in blue.

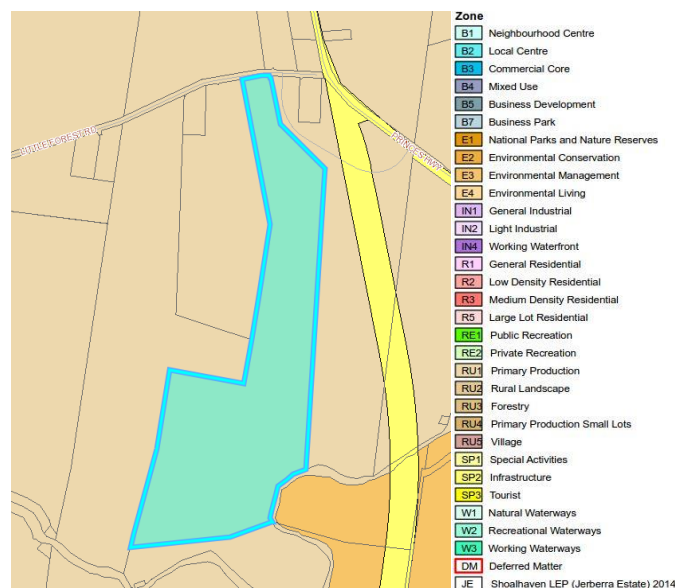


Figure 9 Zoning map showing the subject sites outlined in blue.

The objectives of the RU1 Primary Production zone are as follows:

- 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 conserve and maintain productive prime crop and pasture land.
- To conserve and maintain the economic potential of the land within this zone for extractive industries.

Within the RU1 zone the following uses are permitted with consent:-

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Artisan food and drink industries; Boat building and repair facilities; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Cellar door premises; Cemeteries; Charter and tourism boating

*facilities; Community facilities; Crematoria; Depots; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; **Educational establishments**; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Flood mitigation works; Food and drink premises; Group homes; Helipads; Home-based child care; Home businesses; Home industries; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Marinas; Markets; Mooring pens; Moorings; Offensive industries; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Rural workers' dwellings; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Water supply systems.*

This proposed school is defined as an *educational establishment* and is a permissible form of consent within this zone.

Clause 5.10 – Heritage Conservation

(1) *The objectives of this clause are as follows—*

- (a) *to conserve the environmental heritage of Shoalhaven,*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) *to conserve archaeological sites,*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

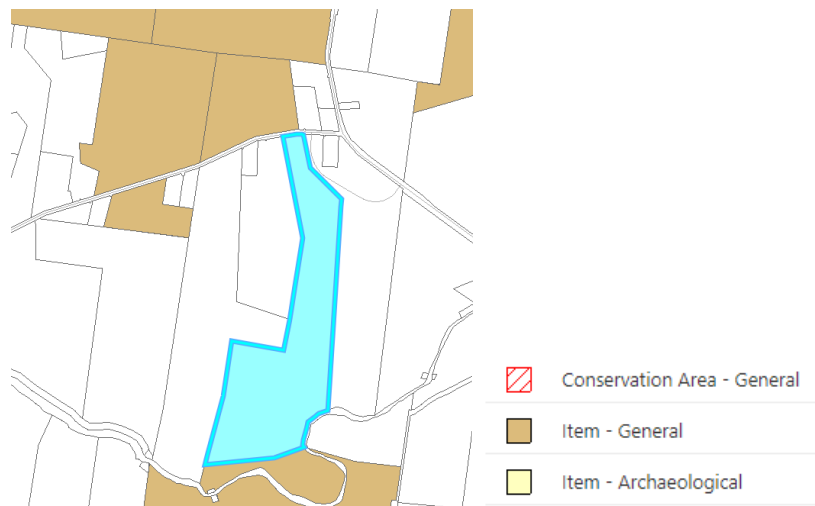


Figure 10 Shoalhaven LEP 2014 showing Heritage items with site outlined in blue

The site is adjacent to a heritage item on the opposite side of Little Forest Road, and the Lot adjoins an item to the south (see Figure 10). The closest item is *Mimosa Farm* (Victorian Georgian residence and dairy farm complex) at No. 40 Little Forest Road (Lot 11, DP 596370, Item No. 349), located opposite the road and to the west. The farmhouse is located approximately 165m west of the proposed driveway.

An AHIMS search was conducted and found no known Aboriginal sites or places recorded within a 200m buffer surrounding the site.

Any potential impacts will be addressed within the EIS, however the proposed siting, scale and relationship to heritage items are not considered to result in adverse impacts on the heritage items in accordance with clause 5.10.

Clause 7.1 – Acid Sulfate Soils

(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

The subject site is identified as Class 5 on the SLEP 2014 Acid Sulfate Soils (ASS) Maps, as seen in Figure 11. The site is greater than 500m from other Classes, with AHD level above 40m, and the works would not lower the watertable. There are no likely impacts to acid sulfate soils resulting from the proposal as described in this application.

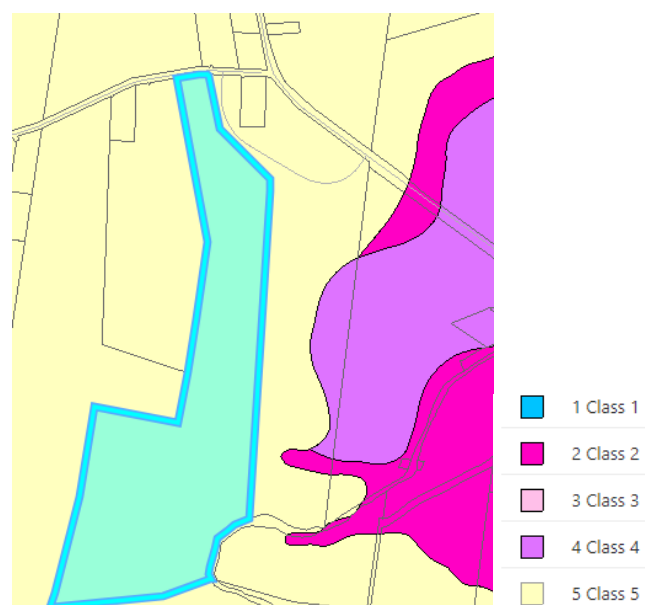


Figure 11 Shoalhaven LEP 2014 Acid Sulfate Map showing the site outlined in blue.

Clause 7.6 – Riparian land and watercourses

The Lot contains a watercourse (Category 3) to the south, however it is more than 680m from the development site. A watercourse (Category 3) is also located to the southeast and west which is more than 540m and more than 360m from the development site. See Figure 12 below.

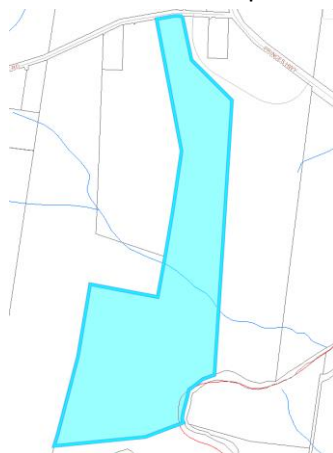


Figure 12 Riparian lands and watercourse map with lot outlined in blue

Clause 7.11 – Essential Services

- 1) *Development consent must not be granted for development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:*
 - (1) *The supply of water.*
 - (2) *The supply of electricity*
 - (3) *The disposal and management of sewerage*

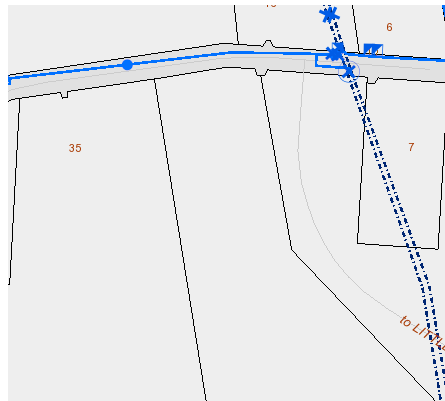


Figure 13 Shoalhaven Water map extract

The subject site has access to reticulated water and electricity, with water shown in Figure 13. Provision of onsite effluent disposal can be provided given the site area, with details to be provided in the EIS.

4 POTENTIAL IMPACTS

4.1 Air

The proposal is not considered to negatively impacts on air quality, and intends to be a carbon neutral development. Surrounding rural uses are not considered to be hazardous to air quality. Detailed assessment can be requested through SEARs to guide the EIS if appropriate.

4.2 Acoustics & Amenity

The proposal size of 56 students and set within a rural setting is unlikely to have adverse acoustic impacts on the surrounding uses. The nearest dwelling to the west is approximately 85m away. An acoustic assessment can form part of the EIS if directed as part of the SEARs.

Given the rural setting and lack of immediately adjoining dwellings, amenity impacts such as overshadowing and privacy are not considered to be adversely affected. Any required mitigation works can form part of the EIS.

4.3 Traffic, Transport & Access

A new driveway is proposed to the western side boundary, with an indicative parking area to the rear of the classrooms. The site is capable of providing ample parking with space to allow forward egress from the site onto Little Forest Road. Detailed design would be provided in the EIS.

A Traffic Impact Assessment (TIA) would form part of the EIS and address issues relating to impacts on the existing road network, parking and linkages to any public transport. It is noted that as per clause 57 of the Education SEPP, the proposal is traffic generating development as per clause 57 and notice to TfNSW is required, as the proposal is for more than 50 students.

Little Forest Road has direct access to the Princes Highway which is a recent upgrade. (see Figure 14). Public transport is limited in the surrounding area. Private vehicles are the preferred method of transport to the site. Being a small school with 56 students, it is not anticipated the impacts on the Highway junction would be adverse, the TIA will detail this within the EIS. It is noted the future Milton Ulladulla bypass has a preferred start location in the vicinity of the highway junction.



Figure 14 Aerial imagery of the site and Princes Highway junction (*Nearmap*)

4.4 Built Form

The proposed development is modest in scale, with two modestly sized classrooms that are sensitively designed to the rural setting. Indicative floor plan, site plan and impressions have been provided. Minimal earthworks are proposed. Further detail can be provided with the EIS.

4.5 Biodiversity

The development site is not mapped as containing biodiversity values (BOSET report attached). The site is vacant of vegetation, being grazing land. No vegetation removal is proposed. Therefore, no impacts on biodiversity is anticipated. A BDAR waiver request will be submitted prior to lodging the SSD application.

4.6 Effluent

The subject site is not connected to a reticulated sewer system, therefore effluent would need to be treated and disposed onsite. As part of preparing the EIS a Wastewater Assessment Report will be prepared that will include following scope of works:

- Desktop Study: An initial investigation to collate relevant information about the site and proposed development prior to the site inspection.
- Site Assessment: An onsite inspection to record land surface, site features, identify potential site constraints and define the most appropriate land application area.
- Soil Assessment: A subsoil investigation to record the soil profile and relevant soil properties within the land application area to determine potential soil limitations. Based on the primary investigation of the soils, topography and hydrology of the site observed

on the day of inspection. Soil samples and photos of the site were taken for further analysis.

- System Design: An evaluation of the expected wastewater flowrate, site and soil limitations to select, size and position a wastewater treatment unit and land application system that will provide the best practical option.

The following legislation and guidelines will be referred to when preparing this report:

- Shoalhaven City Council Development Control Plan (2014);
- Local Government Act 1993;
- Designing and Installing On-Site Wastewater Systems. A Sydney Catchment Authority Current Recommended Practice (November 2019)
- AS/NZ 1547:2012 On-site wastewater management (Standards Australia, 2012); and
- AS/NZS 3500 Plumbing and Drainage 2015 (Standards Australia, 2012).

Given the predicted number of students and staff, we proposed to use a design hydraulic flow rate of 20L/person/day. Based on 65 people (student and staff) this would equate load rate of 1,300L/per day. Based on an assumed medium clay the disposal area for subsurface area would equate to approx. 1,400m². Given size of the rural block and the environmental constraints onsite, there is adequate location available for onsite for the required disposal area.

4.7 Ecological Sustainable Development

The EIS will detail how ESD will be incorporated into the development. An aim of the school is to be carbon neutral.

4.8 Economic Impact

The proposed school will occupy approximately 0.72ha of grazing land within a 40ha cattle farm. The site is to be leased from the land owner, with the farms operations to continue. The school site is located as to have minimal impact on the farms' continuing operations, with the school boundaries leaving offset from the front and eastern lot boundaries to allow unimpeded access for the farm, as per Figure 15 below.

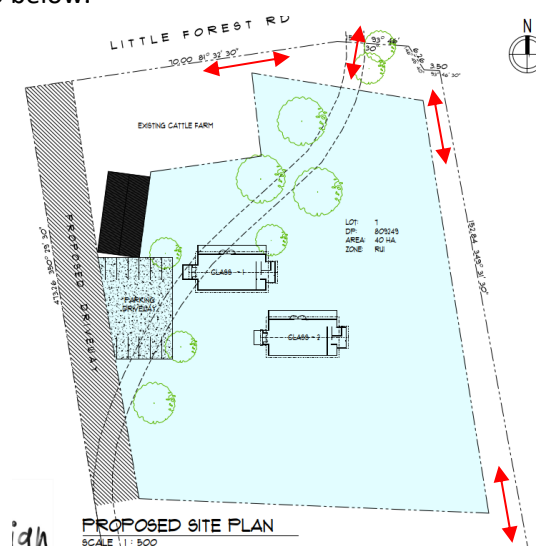


Figure 15 Excerpt from site plan showing school boundaries and farm access (EcoView Design)

4.9 Hazards & Risks

4.9.1 Bushfire

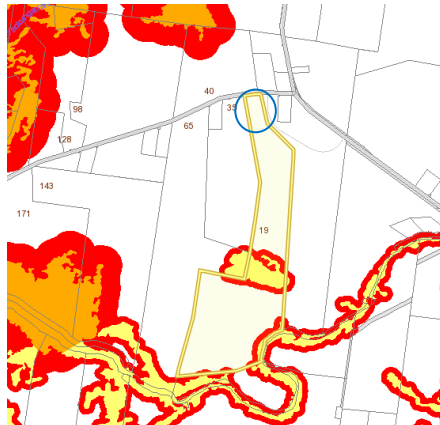


Figure 16 Bushfire Prone Land and school site indicated in blue with entire Lot highlighted yellow

The proposed school would be classified as Special Fire Protection Purpose (SFPP) development. Under RF Act s.100B, a BFSA from the NSW RFS is required for SFPP development. As such, an Integrated Development approval may be required under of the EP&A Act s.4.46. A Bushfire Assessment Report will be prepared as part of the EIS in accordance with the following legislation and guidelines:

- Planning for Bushfire Protection, A Guide for Council, Planner, Fire Authorities and Developers' (NSW Rural Fire Service (RFS) in cooperation with the Department of Planning (2019);
- Rural Fires Act 1997;
- Australian Standard 3959-2018 Construction of Buildings in Bushfire Prone Areas; and
- Rural Fires Regulation 2013.

An SFPP development is one which is occupied by people who are considered to be at-risk members of the community. In a bush fire event, these occupants may be more susceptible to the impacts of bush fire. Evacuating at-risk members of the community is more challenging because they may be physically or psychologically less able to relocate themselves or are unfamiliar with their surroundings.

According to the Shoalhaven Bushfire Prone Land Map (Figure 16), only the southern section of the property is mapped has been bushfire prone land. The proposed School is not located in an area of the site which is mapped has been bushfire prone land. However, it is noted that the current bushfire prone land map does not account for unmanaged grassland. Bushfire Protection Measures for SFPP developments should be provided to minimise the risk of fire spread to buildings and take into account the increased vulnerability of the occupants. Based on a grassland threat, the proposed School would need to maintain a 50m APZ around the proposed buildings. The subject site has adequate area available to comply with the bushfire requirements.

The final design of the development should take into the consideration the following objectives:

- minimise levels of radiant heat, localised smoke and ember attack through increased APZ, building design and siting;
- provide an appropriate operational environment for emergency service personnel during firefighting and emergency management;
- ensure the capacity of existing infrastructure (such as roads and utilities) can accommodate the increase in demand during emergencies as a result of the development; and
- ensure emergency evacuation procedures and management which provides for the special characteristics and needs of occupant.

4.9.2 Contamination

The site has historic agricultural uses, with agriculture listed an activity with potential contamination. A Preliminary investigation report would form part of the EIS.

4.10 Heritage

The site does not contain any known heritage items. The site is within the vicinity of a Heritage Item however there is considered to be negligible impact given the relationship to the proposed development and scale of proposal. An AHIMS search was conducted and found no Aboriginal sites or places within 200m. An Aboriginal Cultural Heritage Report is anticipated to form part of the EIS.

4.11 Accessibility, Fire Safety & BCA

Accessibility, Fire Safety and BCA compliance reports will form part of the EIS.

4.12 Construction and Operational Management

A Construction Management Plan will form part of the EIS and detail proposed construction management strategies. A Construction Traffic Management Plan will also be prepared to outline proposed traffic control plans and truck routes.

A Construction and Demolition Waste Management Plan and an operational Waste Management Plan will form part of the EIS to detail proposed waste and recycling practices and procedures during demolition, construction and operation.

5 ENGAGEMENT

During preparation of the EIS, we anticipate consultation will be undertaken with the following stakeholders as a minimum:

- Shoalhaven Council;
- Department of Planning, Industry and Environment;
- Roads and Maritime Services;
- Transport for New South Wales;
- Local Aboriginal Land Council;
- Surrounding landowners & community

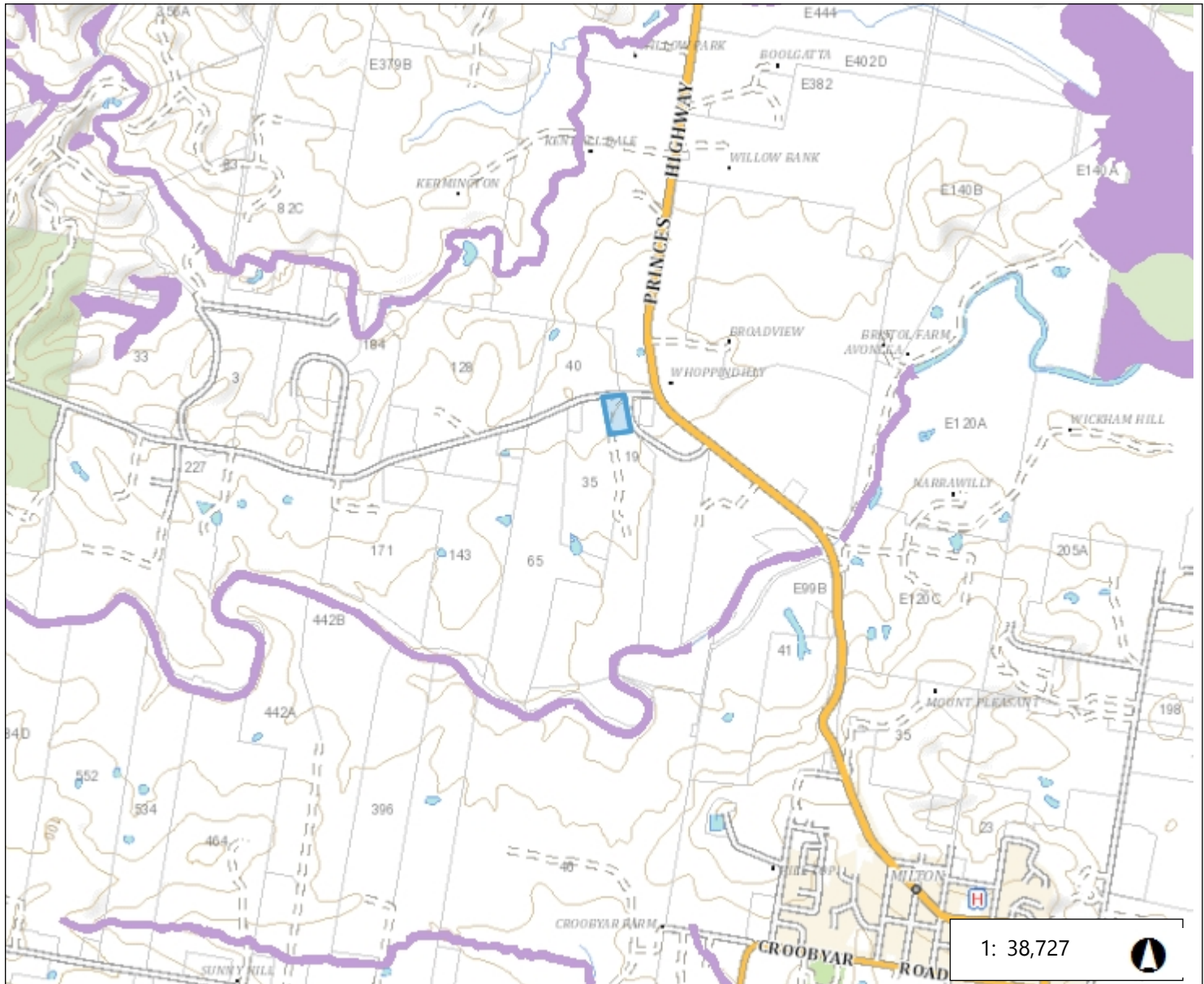
6 CONCLUSION

The proposed new school at Little Forest is classified as State Significant Development as set out Clause 15 of Schedule 1 of the SRD SEPP.

This Scoping Report requests the Secretary to issues SEARs to guide the preparation of an EIS to accompany a State Significant Development Application.

We trust the information within this document is sufficient to enable SEARs to be issued. Should you have any queries, please do not hesitate to contact David Cannon at mail@setconsultants.com.au.

Biodiversity Offset Scheme (BOS) Entry Threshold Map



1,967.3 0 983.65 1,967.3 Metres

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- Biodiversity Values that have been mapped for more than 90 days
- Biodiversity Values added within last 90 days

Notes

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NSW Environment & Heritage

Biodiversity Values Map and Threshold Report

Results Summary

Date of Calculation	23/06/2021 4:18 PM	BDAR Required*
Total Digitised Area	2.14 ha	
Minimum Lot Size Method	LEP	
Minimum Lot Size	40 ha	
Area Clearing Threshold	1 ha	
Area clearing trigger Area of native vegetation cleared	Unknown #	Unknown #
Biodiversity values map trigger Impact on biodiversity values map(not including values added within the last 90 days)?	no	no
Date of the 90 day Expiry	N/A	

*If BDAR required has:

- at least one 'Yes': you have exceeded the BOS threshold. You are now required to submit a Biodiversity Development Assessment Report with your development application. Go to <https://customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor> to access a list of assessors who are accredited to apply the Biodiversity Assessment Method and write a Biodiversity Development Assessment Report
- 'No': you have not exceeded the BOS threshold. You may still require a permit from local council. Review the development control plan and consult with council. You may still be required to assess whether the development is "likely to significantly affect threatened species' as determined under the test in s. 7.3 of the Biodiversity Conservation Act 2016. You may still be required to review the area where no vegetation mapping is available.

Where the area of impact occurs on land with no vegetation mapping available, the tool cannot determine the area of native vegetation cleared and if this exceeds the Area Threshold. You will need to work out the area of native vegetation cleared - refer to the BOSET user guide for how to do this.

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

Disclaimer

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

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

Acknowledgement

I as the applicant for this development, submit that I have correctly depicted the area that will be impacted or likely to be impacted as a result of the proposed development.

Signature _____ Date: 23/06/2021 04:18 PM