



Our Ref: DOC21/134200
Your Ref: DA 10.2021.5.1

General Manager
Byron Shire Council
PO Box 219
Mullumbimby NSW 2482

Attention: Mr Ben Grant

Dear Mr Arnold

RE: DA 10.2021.5.1 – 75 Rifle Range Road, Bangalow

Thank you for your e-mail dated 22 February 2021 about the development application at 75 Rifle Range Road, Bangalow, seeking comments from the Biodiversity and Conservation Division (BCD) of the Biodiversity, Conservation and Science Directorate in the Environment, Energy and Science Group of the Department of Planning, Industry and Environment. I appreciate the opportunity to provide input.

We have reviewed the Statement of Environmental Effects (SEE) prepared by Balanced Systems Planning Consultants dated November 2020 and provide the following comments for the Byron Shire Council's consideration.

The Biodiversity Offsets Scheme (BOS) Threshold is used to determine when it is necessary to engage an accredited assessor to apply the Biodiversity Assessment Method (the BAM) to assess the impacts of a proposal. The BCD has reviewed the two thresholds and it appears that the proposed development does not exceed these thresholds.

Proponents are also required to carry out a test of significance for all local development proposals that do not exceed the BOS Threshold. In the context of a Part 4 development (not including major projects) if the test of significance assessment indicates that there will be a significant impact, the proponent must apply the BOS to the proposed development.

The test of significance assessment should be reviewed and considered by the council. I understand the council has sought further information on the test of significance. If the test of significance does not trigger the BOS, then the council can still consider and address any biodiversity impacts associated with the proposal outside of the BOS.

The existing vegetation on site, including along Rifle Range Road, provides habitat for koalas. I understand that the vegetation consists of exotic and/or native vegetation. We note that a new entrance to the property is proposed, which will impact on existing vegetation. I understand that some, or all, of the vegetation in the area of the proposed second entrance may have already recently been cleared.

As part of the development application, the council should consider minimising the clearing of vegetation, as clearing may impact the local koala population.

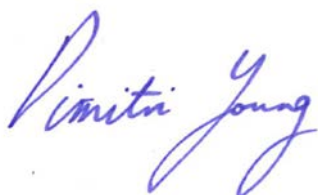
We note that the Statement of Environmental Effects proposes to include a vegetation management plan to rehabilitate the western creek riparian corridor. The BCD would support a requirement for on-site rehabilitation as part of the development to mitigate any potential impacts on biodiversity from the land use intensification of the site.

This rehabilitation should be in addition to any existing rehabilitation requirements as part of the existing development approval. Any proposed rehabilitation should also consider rehabilitating one of the two existing entrances to the property to provide habitat and connectivity for the local koala population.

As you are aware the BCD does not have a statutory role in this proposed development, however I hope that the above information can provide some assistance for council's assessment and determination of the development application.

If you have any questions about this advice, please do not hesitate to contact Mr Krister Waern, Senior Operations Officer, at krister.waern@environment.nsw.gov.au or 6640 2503.

Yours sincerely



4 March 2021

DIMITRI YOUNG
Senior Team Leader Planning, North East Branch
Biodiversity and Conservation