



Sue Higginson

NSW GREENS MP

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The Hon Tanya Plibersek

Minister for the Environment

By email: Minister.Plibersek@dcceew.gov.au

Cc. The Hon Paul Scully, NSW Minister for Planning, office@scully.minister.nsw.gov.au

Dear Minister

Controlled Action - DA No 10.2021.575.1 at 15 Torakina Rd, Brunswick Heads

On 16 May 2023 the NSW Northern Regional Planning Panel approved DA No 10.2021.575.1 being a subdivision to create 131 Lots comprising of 124 Residential Lots, 3 Medium Density Lots, 1 Residual Lot and 3 Public Reserves, together with associated Removal of 233 trees, Earthworks and Construction of Infrastructure.

I'm writing to you today to request that you exercise your powers to call the development in for referral under the Environment Protection and Biodiversity Act (EPBC Act) for the likely significant impact on Matters of National Environmental Significance that the development will have.

The area where the development has been approved has recorded sightings of nationally listed threatened species including the critically endangered Mitchell's Rainforest Snail and the Wallum Sedge Frog. Reviews conducted by the local community indicate that priority species under your Threatened Species Action Plan occur in or are likely to inhabit the area including the Koala, Native Guava and the Australasian Bittern.

The likely significant impact on threatened species that are present within the area of the approval demands that a referral be made and section 67 of the EPBC Act provides that this should be declared as a controlled action for the likely significant impact on these species.

For convenience, I have copied in your NSW colleague, the Hon Paul Scully, and am further requesting that he refer the development under sections 69(1) and 70(1) of the EPBC Act.

I would be grateful if you could take action to address these matters as a matter of priority as the MNES are under imminent threat. Please also do not hesitate to contact me directly on 0428 227 363 to discuss these matters further. I look forward to your timely response on this very important matter.

Yours sincerely

Sue Higginson

Member of the Legislative Council & Solicitor