

EUROBODALLA SHIRE COUNCIL

PUBLIC FORUM

All members of the community who have registered have been advised that they have a **maximum of five minutes** to put their case.

Ordinary Meeting of Council on 12 March 2019

| Name | Subject/Comments |
|-------------------------------|---|
| Public Forum – 10.00am | |
| Kathryn Maxwell | QON19/002 Carbon Audit |
| Deborah Stephenson | QON19/003 DA508/17 New Dwelling Lot 63 DP1194047 George Bass Drive, Mossy Point |
| David Grice | QON19/003 DA508/17 New Dwelling Lot 63 DP1194047 George Bass Drive, Mossy Point |
| Brett Stephenson | QON19/003 DA508/17 New Dwelling Lot 63 DP1194047 George Bass Drive, Mossy Point |

Nature Coast Alliance - protecting our landscape and heritage

Hello mayor, councillors, and members of the community

I am speaking about Cr Pat McGinlay's Question on Notice.

Well what a summer we have had. A dust storm that dropped red earth all over the region. Bush fires just north of Moruya and in the north of the Eurobodalla. Then there was the heat and high humidity and we experienced many long hot sleepless nights. With the heat and the recent dry the region keenly looks forward to cooler weather.

The Bureau of Meteorology reports that Australia had the hottest recorded December and January ever and Bateman's Bay mean temperature was 2 degrees above the long term usual. Sadly the Bureau of Meteorology tells us we will have a warmer and drier Autumn.

Climate change is here with a vengeance. It is astonishing that we have the Eurobodalla Council developing a planning proposal known as the rural lands strategy which takes no account of climate change. If signed off by the NSW government we would have a local environment plan that ignores the reality of climate change.

Instead this draft plan would result in extensive clearing of our big carbon sinks, our amazing native forests on private land. These forests also hold the carbon in the soil, stop erosion and keep our agricultural lands fertile. Farmers west of the divide are envious of what we have.

We have got some short sighted councillors who are not operating in the best interests of the country and in particular

the Eurobodalla community including our recreational fisheries, our oyster farmers, our Agricultural industries (DPI Agriculture and Local Land Services submissions), and our nature based tourism industry.

Thankfully this plan needs sign off from the NSW government. The NSW election is on Saturday week the 23 March.

Leanne Atkinson, Labor candidate for Bega and William Douglas Greens candidate for Bega, have given a public commitment that if elected their parties would send the draft Rural Lands Strategy back to Council to properly and comprehensively accept and address the concerns and objections of six state government agencies. They will also instigate a review the Councils consultation processes to develop the Rural Lands Strategy.

Unfortunately Andrew Constance from NSW Liberals has said he will ensure the draft Rural Lands Strategy gets signed off after the Rural Fire Service concerns are addressed. We think all the other 5 agency concerns also need to be accepted and addressed. We deserve better. We can have development that does not destroy the nature coast and that does not just benefit a small group of developers and a few large land owners at the expense of everyone else.

Look what happened to the fish, and the water supply of the towns along the lower Darling River when the expert advice of the Fisheries agency was ignored. We must not repeat the mistake of ignoring expert agency advice here in the Eurobodalla. A healthy environment is critical to the health of the people.

Every vote will count on Saturday 23 March as there is so much at stake. Our carbon sinks, our native forests are critical to our future survival with the reality of climate change.

Presentation to Eurobodalla Council on QON19/003 from Anthony Mayne re: DA508/17 subdivision and new dwelling Lot 63 DP1194047 George Bass Drive, Mossy Point

My interest in this matter

- I am new resident attracted to the region by the natural beauty of the Eurobodalla Shire
- I have extensive experience in biodiversity assessment and management, as well as environmental planning and compliance at both State and Commonwealth levels which involved working with Councils across NSW on large development projects and planning proposals, including Biobanking and Biocertification proposals

The site (Figure 1)

- Lot 15 DP1248291 (previously Lot 63 DP1194047)
- heavily vegetated and bordered by the Tomaga River

Site constraints

1. Acid Sulphate Soils (ASS) (Figure 2)

- the site is mapped as Class 2 indicating that ASS are present relatively close to the surface and may be disturbed by works at the site

2. Significant Wetlands (Figure 2)

- the site directly adjoins a State Significant wetland (previously State Environmental Planning Policy 14 Wetland No. 187 now identified under the Coastal Management State Environmental Planning Policy)

3. Bushfire (Figure 3)

- the site is mapped as Bushfire Prone Land of the highest category because it is fully forested.

4. Biodiversity (Figures 4, 5 and 6)

- surveys in 2016 identified the following threatened species and communities on site: 3 Endangered Ecological Communities - the Bangalay Sand Forest, Swamp Sclerophyll Forest and Coastal Saltmarsh; a resident family of Yellow-bellied Glider (feeding and denning trees are present); Greater Broad-nosed Bat, Southern Myotis; and Grey-headed Flying Fox. There is potential habitat on site for at least another 13 threatened species, which would not have been picked up during the short survey period (1 day and 5 nights) or which were not targeted as part of the survey's work.

5. Flooding and Sea Level Rise

- the site is less than 10m above Sea Level at its highest point and has been mapped by Council as flood prone.
- Eurobodalla Rural LEP 1987 requires Council to take into consideration the potential impacts of climate change, including sea level rise, when considering whether to grant consent to development on land to which 7(1f) Environmental (Coastal) Protection applies. This site was initially zoned 7(1f).

6. Aboriginal heritage

- the site is adjacent to a coastal estuary and extensive wetlands which would have been favoured by local Aboriginal people in the past and it is therefore likely to have important values and contain many objects of significance to Aboriginal people.

The approved development (Figure 7)

The location of the dwelling and associated infrastructure maximizes environmental impacts on the site. The Asset Protection Zone requires clearing for 32m around the dwelling and a loop road or turning circle must be provided for firefighting vehicles. The access road from Annetts Parade cuts through the forest for 720m and will need to have 3 passing bays constructed to comply with fire fighting requirements. An alternative emergency access road 120m long will also need to be provided from George Bass Drive to the dwelling. In addition, the dwelling will need to be connected to services which will require further disturbance to the endangered vegetation at the site.

The endangered vegetation on site is in excellent condition except for the development site which has had large trees removed and is regularly slashed despite it having been listed for protection under the Threatened Species Conservation Act (Figure 8).

Zoning history of the site

Past zoning (Figure 9)

- the whole site was originally zoned 7(f1) Environmental Protection (Coastal Lands Protection) under the 1987 Eurobodalla Rural LEP, which seems appropriate given its constraints
- in 1992, against the advice of NSW NPWS and a number of other state government agencies, the land was rezoned 1(c) Rural Small Holdings. Five years later in 1997 it became part of a proposed 81 lot subdivision to the west and east of George Bass Drive – the Estuary Estate. NSW NPWS strongly opposed the rezoning of this area to the east of George Bass Drive, which they stressed was in an extremely sensitive location adjacent to a state significant wetland and the Tomaga River. The site also supported an important remnant of natural vegetation which was not well-conserved and which provided habitat for a number of endangered fauna. The site was subsequently removed from the proposed subdivision, but was not given any form of protection.

Current zoning (Figure 10)

- under the Eurobodalla LEP 2012, the site was designated a Deferred Matter which meant that development continued to be guided by the 1987 Eurobodalla Rural LEP zoning i.e. Rural 1(c) and the Development Control Plan that applied to the land prior to the implementation of Eurobodalla LEP 2012.
- However, in recognition of its sensitive nature and the constraints present on the site, the site was subsequently zoned E2 Environmental Conservation under the Rural Land Review Planning Proposal 2018. This was consistent with advice provided by OEH in 2016 which described it as 'a rare coastal remnant in natural condition that lies in an extremely sensitive location'. The land was seen as unsuitable for development due to its conservation and wetland buffer values.

Questions to Council :

1. Why has Council worked so strenuously to zone this land for development given its highly constrained nature and the strong objections from NPWS/OEH, as well as other state agencies?

2. Why did Council approve development in the most sensitive part of the site, which is proposed to be zoned E2 Environmental Conservation under the RLR Planning Proposal, and not the area of land along Annetts Parade which is proposed to be zoned E4 Environmental Living under that Planning Proposal? OEH actually supported limited development in this area because it does not support endangered vegetation and is adjacent to other residential areas and associated infrastructure.

3. In determining to issue consent to this development what weight did Council give to the Eurobodalla RLR Planning Proposal which zones the site E2 Environment Protection? Section 4.15 of the Environmental Planning and Assessment Act expressly requires a consent authority, when assessing any development application, to take into consideration the provisions of any proposed planning instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority, in this case the Department of Planning.

4. Did Council require an updated Aboriginal Cultural Impact Heritage assessment for this development proposal because the last study in the area was undertaken over 20 years ago and there have been major changes to the legislation which protects Aboriginal heritage since then, as well as a greater awareness of the importance of the Tomakin area for Aboriginal people? If not, who is supposed to identify any Aboriginal relics or objects uncovered during works on the site, as advised in the Development Consent, and how will they do this?.

5. What stage is the development subject to DA no. 508/17 at (Council's DA tracker has been off line for 4 months since December 2018)? Has a Subdivision Certificate been issued? Has the Construction Certificate been issued? Have works formally commenced? If so, where can the public view copies of:

- the final Vegetation Management Plan (VMP)
- the s.88B instrument which is registered on the title of the land and under which the VMP will be implemented
- the Acid Sulfate Soil Assessment and Management Plan
- the Construction Management Plan
- the Asset Protection Zone Tree Plan

all of which are meant to be in place before any works can commence at the site.

6. What measures have been put in place to effectively control soil erosion on the site to prevent silt discharge into the Tomaga River and the adjacent wetland? Has a temporary fence/barrier been installed between the development area and the riparian reserve to prevent spillage of material onto these lands?

7. Clearing of an Endangered Ecological Community prior to August 2018 required either a valid consent under the Environmental Planning and Assessment Act or a licence under the Threatened Species Act or, if the land was zoned Rural and subject to the Native Vegetation Act, the need to protect an asset on the land such as a fence line or building. There are no assets on the development site, so what approvals did the owner/s of the site have to undertake the slashing and tree removal works in the Bangalay Sand Forest Endangered Ecological Community (see Figure 8)? Does this site have a history of illegal clearing?

This development throws into doubt the ability of Council to make sensible planning decisions in heavily constrained, highly sensitive areas. This will only become a more frequent occurrence if the Eurobodalla RLR Planning Proposal 2018 is approved as it currently stands, since there are no E3 Environmental Management zones and the protections afforded by E2 Environmental Conservation zones have been watered down. The removal of overlays from the LEP and the substantial increase in permitted uses across rural zones that accompany the Eurobodalla RLR Planning Proposal will only exacerbate this situation. Eurobodalla will go from being the Nature Coast to being just another over-developed coastal strip.

My comments on Council's responses to QoN 19

- I have provided comments on Council's responses to Cllr Anthony Mayne's Questions on Notice based on my professional experience and research. Please see **Attachment 1: Edited responses to QON19/003 DA508/17 NEW DWELLING LOT 63 DP1194047 GEORGE BASS DRIVE, MOSSY POINT**

Presentation to Eurobodalla Council QON19/003

12 March 2019

Deborah Stevenson

Figure 1: Location of site

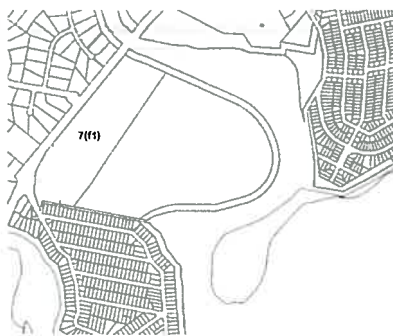






Figure 8: Photo taken in 2016 of the development site which has been regularly slashed and cleared of large trees despite being listed as an Endangered Ecological Community under State legislation

Figure 9: Past zoning changes at the site



1987 Eurobodalla Rural LEP
7(f1) = Environmental Protection (Coastal Lands Protection)

1992 Rezoned under 1987 Eurobodalla Rural LEP
1(c) = Rural Small Holdings (dwellings allowed)
7(a) = Environmental (no dwellings allowed)

ATTACHMENT 1

Edited responses to QON19/003 DA508/17 NEW DWELLING LOT 63 DP1194047 GEORGE BASS DRIVE, MOSSY POINT

E17.1041

Responsible Officer: Anthony Mayne - Councillor

Attachments: Nil

The following question on notice was received from Councillor Anthony Mayne:

Question

A number of residents from the Broulee and Mossy Point area have raised concerns about the removal of trees on the large block of land at the corner of George Bass and Annetts Parade, Mossy Point.

1. Could Council outline the DA process in relation to the specific block in question, being DA Number 508/17 New Dwelling Lot 63 DP 1194047 George Bass Drive, Mossy Point, NSW?

2. Could Council please outline its role as it remains the consent authority and OEH as an advisory role, which appears to have been disregarded to a large extent. OEH has objected to development on the subject land in 1992, 1997 and most recently July 2016 in the Eurobodalla Rural Land Review Planning Proposal. 3. How has Council addressed these concerns through the DA process?

4. How does Council ensure that the rare coastal remnant Bangalay Sand Forest, an endangered ecological community, which provides wetland and conservation buffer values, is appropriately managed through the process?

Response

Development Application 508/17 was lodged in March 2017 seeking to build a dwelling on the subject land. The application was determined in June 2018 (*prior to the Biodiveristy Conservation Act and Local Land Services Act amendments coming into force in August 2018*) after an amended proposal was provided to Council. The original application was referred to the NSW Office of Environment and Heritage (OEH) as the land contains an (3) Endangered Ecological Community (EEC) (*and provides known habitat for Yellow Bellied Glider and a number of other listed threatened species*). The advice received is detailed in the letter attached to the Question on Notice. Following the advice received from OEH and Council's internal assessment, a request for further information was sent to the applicant in April 2017 and an amended proposal was received in 2018. There were a number of discussions between Council and the applicant/applicant's consultants in preparing the amended application. (*This amended application does not address OEH's concerns about the proposed development*).

The original and revised application were both supported by various reports, including a flora/fauna assessment undertaken in accordance with the relevant NSW Government legislation. The revised assessment addressed the concerns raised by OEH (*no it didn't*) and concluded that the impacts were not significant, and therefore no grounds to refuse the Development Application (*there were more than sufficient grounds on a range of issues from Threatened Species/HCV vegetation, to Aboriginal Heritage, to Bushfire Risk, to ASS, to Flooding and SL Rise, to lack of services and the proposed zoning for the site under the RSL Planning Proposal, which is E2 Environmental Conservation*). It is important to note that the flora/fauna assessment was carried out by a qualified ecologist, who is an accredited assessor under the OEH's own accreditation scheme (*a threatened species assessment by a qualified ecologist - known as an Assessment of Significance - is a legislative requirement under the TSC and EPA Acts which the proponent was obliged to undertake and*

habitat and inevitably lead to their degradation/loss) of the land. A dwelling has been approved on the land and there are some impacts associated with that use but this has been offset (this is not consistent with the definition of an offset which is additional to any losses see OEH's Principles for the use of Biodiversity Offsets in NSW) by the remainder of the site being protected (not securely in the form of a covenant in perpetuity) and measures put in place to actively conserve the Endangered Ecological Community (Is there a final VMP for the site and who will implement and monitor it?).

RECOMMENDATION that the response to the question regarding DA508/17 New Dwelling Lot 63 DP1194047 George Bass Drive, Mossy Point raised by Councillor Anthony

Mossy Point DA508/17 QON

My name is David Grice and I will address the Mossy Point DA508/17 QON

OEH described the subject land as a rare coastal remnant in a natural condition that lies in an extremely sensitive location. The land was seen as unsuitable for development due to its conservation and wetland buffer values. The site has a large intact area of Bangalay Sand Forest Endangered Ecological Community (EEC) and is in close proximity to a large SEPP 14 Wetland No. 187. (State Environmental Planning Policy No 14—Coastal Wetlands)

OEH (8 May 2017) states that “the dwelling site currently chosen **maximises** the environmental impacts associated with the dwelling siting, bushfire asset protection zone and associated roads and infrastructure.” **This was not accepted by Council.**

OEH (8 May 2017) states that “the best building site [is] on land close by Annetts Parade and the existing Mossy Point residential zoning.” OEH suggests if this site was chosen then “There is more scope to minimise impacts, avoid the EEC vegetation and avoid construction of a long access road (over 600 metres) and connect directly to existing services in this location.” **This was not accepted by Council.**

OEH (8 May 2017) has continually reiterated its objection to the clearing of **any** EEC on the land. **This was not accepted by Council.**

OEH (8 May 2017) “noted that a Dwelling House is a prohibited use in E2 Conservation Zones and it was hard to see how the planning amendment can now proceed”. **This was not accepted by Council.**

OEH (8 May 2017 and 22 June 2018) has expressed concern that the loss of 1 to 2 hectare of intact Bangalay Sand Forest EEC is a **substantial loss** to a 13 hectare remnant patch. **This was not accepted by Council.** In terms of essential understorey habitat, the clearing of this habitat component would be at least double that. (with a NSW average sized new home (ABS 2010)) for a recommended 50m APZ – with sheds it would be even greater.)

OEH (8 May 2017) states “There is no consideration of the indirect impacts of allowing the dwelling to be built. A dwelling increases the potential for impacts such as introduced weeds and domestic animals.” OEH states that introduced dogs and cats have the potential to significantly impact on a population of the vulnerable White-footed dunnart. **This was not accepted by Council.**

On the basis of all the above, OEH strongly objected to the development in 1992, 1997, July 2016, 8 May 2017, and 22 June 2018. The 2018 documents state: “Given that **none** of the changes that we suggested in our 2016 submission on this planning proposal have been adopted, we **still** retain a number of objections to the proposal.”

The Council’s response to the Question on Notice contains a large number of troubling disclosures. For a start, the council response failed to mention the continuing 2017 and 2018 OEH strong objections. I want to stress that council staff are doing an admirable job in the confronting circumstances they find themselves in, and I in no way want to criticise individuals. I criticise the process, not the staff.

The Council's response indicated that after the numerous times of continuous strong objections by OEH, ... that an amended proposal was received sometime in 2018.

The Council then states that: "The revised assessment **addressed the concerns raised by OEH** and concluded that the impacts were not significant, and therefore no grounds to refuse the Development Application." I call on council to provide evidence of this from OEH.

How can anyone have confidence in the DA process protecting sensitive areas?

The Rural Lands Strategy involves upto an 170% increase in the number of possible land uses (I(a1) to RU1) and is implemented on 23% of the shire. How will the DA process be monitored in more remote locations when this blatant disregard of impacts is allowed to happen in the well observed Mossy Point area?

We were continually told during the RLS briefings that the DA would address destructive impact concerns expressed by the community and 6 government agencies. The Mossy Point example and the Long Beach examples show this is not true.

The Council states "The advice from OEH was not ignored." It is plainly obvious to anyone that the OEH advice was **not accepted**. The OEH objections are so strong that **no** development in the chosen area of construction would be possible. In anyone's common understanding -- not accepting the advice from the highly experienced subject-matter state agency experts with an accumulated knowledge base of hundreds of years of research, understanding and experience ... is in fact ignoring and disregarding that advice. All this knowledge is put up against one accredited assessor. Council needs to provide evidence from OEH that OEH now considers their concerns have been addressed -- as stated in the Council response.

I wonder who is forcing the usually diligent council staff to over-ride all these substantial concerns?

Some people may sneer at the fact that threatening impacts could wipe out, **forever**, these vulnerable and endangered species and communities. What needs to be considered is that these species have not been here for a mere 50 years, not 100 years, not 200 years, not 500 years, not 1,000 years, not 10,000 years, not 100,000 years, not 500,000 years, not one million years ... They have been here for millions and millions of years. The modern human species has only been here for 200,000 odd years and **I** have only been here for a pathetic 60 years ... how many pathetic years have any of **you** been here?? ... And yet for the sake of one person getting close to water views for a few years, Council is prepared to allow these threatening impacts to occur. The vast magnitude of the arrogance of that is absolutely mind blowing.

The detailed OEH concerns have been dismissed by the council because the council thought they understood the environmental and site specific considerations better . If environmental concerns were to be taken seriously, it is obvious significantly more trained DA staff as well as compliance officers are required. What the land planners actually need to do, is accept the advice of the specialist agency experts, who have the more relevant expertise and experience, and then very cleverly and creatively incorporate that advice into planning proposals.

Presentation Relating to QON19/003 by Brett Stevenson – Tuesday 12th March 2019

Councillors,

I wish to identify significant issues and seek further information regarding the development consent for DA508/17 NEW DWELLING LOT 63 DP1194047 GEORGE BASS DRIVE, MOSSY POINT. The subject land is highly constrained by a multitude of natural resource management, environmental and heritage issues. I will focus on the land use, acid sulphate soil, flooding and Aboriginal heritage aspects, but there are many other issues of great concern relevant this parcel of land and DA508/17.

Background

First some brief background information extracted from Council's own documents and relevant legislation :

1) The application was determined based on provisions of the 1987 Eurobodalla Rural LEP and associated DCP 156, since it was identified as a Deferred Matter under the 2012 LEP. Under the 1987 Eurobodalla Rural LEP, the subject land is zoned 1(c) Rural Small Holdings Zone, for which key objectives are :

- i) to provide opportunities for small scale agricultural activity,
- ii) to provide residential opportunities while retaining the scenic quality and overall character of the land and the environmental quality of any adjoining waterways, wetlands, rainforest or other environmentally sensitive areas,
- iii) to ensure that environmental impacts of development and the impact of development on land or activity in surrounding zones are fully considered in advance of any significant development,

2) Clause 17 (2)d of the 1987 Eurobodalla Rural LEP requires :

Before determining a development application for the subdivision of land to which this clause applies, the Council shall examine the risk of flooding

3) Eurobodalla Council's current Acid Sulphate Soil (ASS) policy (approved on the 23rd April 2013) references the NSW Acid Sulphate Soil Manual as its principal methodology. Clause 3 of Council's ASS Policy states :

Development consent must not be granted under this policy for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.

4) Clause 28A of the 1987 Eurobodalla Rural LEP requires :

Before granting consent for development that is likely to have an impact on a place of Aboriginal heritage significance or a potential place of Aboriginal heritage significance, or that will be carried out on an archaeological site of a relic that has Aboriginal heritage significance, the consent authority must:

(a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the place or site and any relic known or reasonably likely to be located at the place or site, and

(b) except where the proposed development is integrated development, notify the local Aboriginal communities (in such way as it thinks appropriate) of its intention to do so and take into consideration any comments received in response within 21 days after the relevant notice is sent.

5) The attached table extracted from Council's development consent summarises the studies taken into account in assessing DA508/17 :

| Council Stamp No. | Document title | Date of document | Prepared by |
|-------------------|-------------------------------------|------------------|--|
| 508/17 | Flora and Fauna Assessment | 19 June 2017 | Ecological Australia |
| 508/17 | Planning Report and SoEE | March 2017 | urPlan Consulting |
| 508/17 | Bushfire Hazard Assessment | 11 December 2017 | Ecological Australia |
| 508/17 | Coastal Hazard Assessment | December 2016 | South east Engineering and Environmental |
| 508/17 | Planning Report Addendum | June 2017 | urPlan Consulting |
| 508/17 | DA Revisions and Information Update | December 2017 | urPlan Consulting |
| 508/17 | Draft Vegetation Management Plan | October 2017 | Ecological Australia |

Questions Arising

6) It is now pertinent to explore Council's development consent against the legislative and policy requirements outlined above. Specific questions for each issue are listed separately to assist preparation of responses to each enquiry.

Question 1 - Acid Sulphate Soils

Given that Council's own policy, and the NSW Acid Sulphate Soil Manual, requires an ASS Management Plan to be prepared and considered before development consent can be granted, why has no study been prepared and submitted for consideration as part of the documents referenced in Council's consent? (Note: the only reference in the development consent to ASS is for an assessment and management plan to be submitted prior to a construction certificate being considered. This is too late in the planning cycle to satisfy requirements of Council's own policy and the mandated NSW Government ASS Manual).

Question 2 - Flooding

Given that Clause 17(2)d of the 1987 Eurobodalla Rural LEP requires Council to consider flooding before determining a development application, why is there no flood assessment included in the studies referenced in Council's development consent? (Note: the only reference in the development consent to flooding is for building material

documentation to be submitted prior to a construction certificate being considered. This is too late in the planning cycle to satisfy 1987 LEP legislative requirements).

Question 3 - Heritage Assessment

Given that Clause 28(A) of the 1987 Eurobodalla Rural LEP requires Council to both consider a heritage impact statement and consult with local Aboriginal communities before granting consent, why is there no relevant study or consultation included in the studies referenced in Council's development consent? If relevant activities/studies have occurred, can Council provide copies of all relevant material and advice provided to communities (and any responses received)?

Question 4 – Land Use Objectives & Management

One of the primary stated objectives of Rural 1(c) zoning is to provide opportunities for small scale agricultural activity while retaining the scenic quality and overall character of the land and the environmental quality of any adjoining waterways, wetlands, rainforest or other environmentally sensitive areas. It also aims to ensure that environmental impacts of development and the impact of development on land or activity in surrounding zones are fully considered in advance of any significant development. In view of these requirements, can Council advise :

- i) What small scale agricultural activities did Council assume the subject block would be used for?;
- ii) In what way is the proposed dwelling integral to these projected activities?; and
- iii) How the envisaged agricultural activities would impact the significant populations of threatened flora and fauna and intact native vegetation on the subject land?

Question 5 - Landuse Planning

Council's DA Tracker has been offline for more than 3 months, and Council's GIS facility is currently also offline. Can Council give an undertaking and make sure that both of these facilities are restored to full functionality and transparency with respect to planning matters as a matter of urgency?

Thank you for your attention. I look forward to Council's responses to the questions outlined above.

Yours sincerely,

Brett Stevenson
B.Sc. (Hons 1), Ph.D. Science