

# EPBC Act referral



Australian Government  
Department of Agriculture, Water and the Environment

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<b>Title of proposal</b>	<b>2021/8965 - Woodbury Ridge Estate, Sutton, NSW</b>
<b>Section 1</b>	
<b>Summary of your proposed action</b>	
<b>1.1 Project industry type</b>	Residential Development
<b>1.2 Provide a detailed description of the proposed action, including all proposed activities</b>	
<p>Capital Plus 1 Woodbury Ridge Pty Ltd is currently progressing the planning and approval process for the proposed subdivision of Woodbury Ridge Estate (Lot 5 DP838497), Sutton, NSW (the 'proposed development' of the 'proposed action area'). The proposed action area for this referral is 186.94 ha and encompasses the whole of Lot 5 DP838497, Sutton, NSW, and a portion of the adjacent Guise Street road reserve. The development footprint encompasses a total area of 50.53 ha, which equates to approximately 27% of the proposed action area.</p> <p>As described in the Civil Report (Spiire 2020a), 'The project is proposed to be created as a Community Title subdivision, with public roads and a community owned non-potable water supply network supplied by a community owned bore reticulation system. Cartwright Family Holdings Pty Ltd propose to deliver 19 lots zoned RU5 Village with minimum lot sizes of 5,000 m<sup>2</sup> and 43 lots zoned R5 Large Lot Residential with average lot sizes of 1.5 hectares(*). Approximately 100ha of Woodbury Ridge Estate will be conserved in 4 stewardship sites, protected in perpetuity with three minimum sizes of 20ha and one of 40ha within the zoned E3 Environmental Management. A total of 66 residential and stewardship lots across the Site is proposed. In addition to this, almost 2 hectares of communal open space is proposed for a park, river-side corridor and equestrian trails'.</p> <p>As outlined in the Statement of Environmental Effects (Planned 2020), the 66 residential and rural residential allotments will be developed over four stages.</p> <ul style="list-style-type: none"><li>• Stage 1 – Nineteen (19) residential and four (4) rural residential allotments.</li><li>• Stage 2 – Eighteen (18) rural residential allotments, including one (1) stewardship allotment.</li><li>• Stage 3 – Eleven (11) rural residential allotments.</li><li>• Stage 4 – Fourteen (14) rural residential allotments, including three (3) stewardship allotments</li></ul> <p>One community association allotment is to be delivered in part over the four stages. As part of the delivery of the new Estate, it is proposed to upgrade Guise Street along the frontage of the Estate to the point of second access (the easternmost access) so as to provide a consistent road cross section and smooth transition.</p> <p>Each lot contains a building envelope within which a dwelling and all ancillary infrastructure will be contained. Each lot also contains an Indicative or Special Effluent Management Zone (EMZ). On approximately half of the lots, the effluent disposal area may be located within the identified building envelope and/or the 1,250 m<sup>2</sup> Indicative EMZ. On lots that require a Special EMZ:</p> <ul style="list-style-type: none"><li>• effluent disposal will be restricted to the Special EMZ only; and</li><li>• owners will be required to install Secondary Treatment Systems (including disinfection), to maximise the quality of effluent produced and to minimise potential impacts to surface or groundwater systems;</li><li>• effluent irrigation systems shall be permanent – fixed or semi-fixed systems, which cannot be moved to areas outside of the identified Special EMZ, to minimise the contamination risk to surface or groundwater systems on neighbouring properties; and</li><li>• effluent disposal must be via subsurface drip irrigation to areas of fully managed lawn</li></ul> <p>A survey of all existing trees within the proposed action area shaped the concept design process (Veris 2020). Internal road alignments, driveways, building envelopes, and effluent disposal areas were located in order to reduce the number of trees impacted by the proposed development. As a result, a maximum of 34 (4%) of the 757 remnant trees that occur in the proposed action area will be removed. Subject to detailed design, this number may be further reduced to approximately 30 trees.</p> <p>As detailed in EcoLogical Australia (2020), the design of the proposed development and location of building envelopes in open areas also reduces the impacts associated with Asset Protection Zones (APZs). The identified APZs therefore do not currently support a high canopy cover or substantial regeneration of the overstorey. When combined with an absent midstorey and shrubstorey across proposed action area, the required management actions within APZs will therefore not require the removal of remnant trees or substantial impacts to any other strata.</p> <p>As mentioned previously, the development footprint relates only to the portions of the proposed action area that will be directly impacted by the proposed development. The development footprint encompasses the impacts associated with:</p> <ul style="list-style-type: none"><li>• roads, fire trails, pedestrian paths, and the equestrian trail, including impacts from grading, batters, and cut and fill;</li></ul>	



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- upgrades to Guise Street, including a 1.5 m footpath between Sutton Road and the first entrance to the proposed estate;
- building envelopes, 4.0 m wide driveways, and Indicative and Special EMZs;
- 2.0 m wide fencing corridors;
- the community association lot;
- indicative water tank locations; and
- site compounds, haulage tracks, and stockpile locations.

Indicative and Special EMZs, fencing corridors, the Guise Street footpath, and the community association lot will only impact the groundstorey vegetation and associated threatened species habitat (i.e. Golden Sun Moth and Silky Swainson-pea). All other impacts are assumed to entirely clear all vegetation and habitat. As mentioned previously, the management actions associated APZs will not require the removal of remnant trees or substantial impacts to any other strata; APZs are therefore not included in the development footprint. However, APZs are excluded from the credit calculations associated with the four proposed Biodiversity Stewardship Sites as the required management actions are likely to limit the expected conservation gains.

As discussed in detail in later sections of this referral, the residual vegetation and habitat within 'R5 – Large Lot Residential' zoned lots will be retained and protected through a combination of a Section 88b instrument and specific environmental protection by-laws to be written as part of the proposed Woodbury Ridge Community Management Statement. With respect to tree protection and vegetation management, the Woodbury Ridge Community Management Statement for the project will take on board the requirements of the Development Application and BCAR approvals. The retained vegetation and habitat are therefore not included in impact calculations.

The development footprint therefore encompasses a total area of 50.53 ha, which equates to approximately 27% of the proposed action area. Of that, 12.89 ha will only impact groundstorey vegetation and associated habitat; the remaining 37.64 ha is assumed to clear all of the vegetation and habitat that occurs within the development footprint.

**1.3 What is the extent and location of your proposed action?**

See Appendix B

**1.5 Provide a brief physical description of the property on which the proposed action will take place and the location of the proposed action (e.g. proximity to major towns, or for off-shore actions, shortest distance to mainland)**

The proposed action area for this referral is 186.94 ha and encompasses the whole of Lot 5 DP838497, Sutton, NSW, and a portion of the adjacent Guise Street road reserve. The proposed action area is bordered by:

- the existing township of Sutton to the north;
- Sutton Road to the west, beyond which is RU1 zoned agricultural land;
- Yass River to the east, beyond which is RU1 zoned agricultural land; and
- the Federal Highway to the south, beyond which is RU1 zoned agricultural land.

Located in the Yass Valley Local Government Area (LGA), pursuant to the Yass Valley Local Environmental Plan 2013, the proposed action area is zoned 'RU5 – Village', 'R5 – Large Lot Residential', and 'E3 – Environmental Management', with a minimum lot size of 'X1 – 5,000 m<sup>2</sup>', 'Y2 – 1.5 ha', and 'AB3 – 20 ha' and 'AB5 – 40 ha', respectively.

**1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)?**

Proposed action area = 186.94 ha  
Proposed action area (development footprint) = 50.53 ha  
Proposed action area (avoidance footprint) = 134.97 ha.

**1.7 Proposed action location**

Lot - Lot 5 DP838497

**1.8 Primary jurisdiction**

New South Wales

**1.9 Has the person proposing to take the action received any Australian Government grant funding to undertake this project?**

Yes  No



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<b>1.10 Is the proposed action subject to local government planning approval?</b>					
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No				
<b>1.10.1 Is there a local government area and council contact for the proposal?</b>					
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No				
<b>1.10.1.0 Council contact officer details</b>					
1.10.1.1 Name of relevant council contact officer	Kate Baker				
1.10.1.2 E-mail	Kate.Baker@yass.nsw.gov.au				
1.10.1.3 Telephone Number	+61 (0)2 6226 1477				
<b>1.11 Provide an estimated start and estimated end date for the proposed action</b>	<table> <tr> <td>Start Date</td> <td>01/01/2022</td> </tr> <tr> <td>End Date</td> <td>31/12/2025</td> </tr> </table>	Start Date	01/01/2022	End Date	31/12/2025
Start Date	01/01/2022				
End Date	31/12/2025				
<b>1.12 Provide details of the context, planning framework and state and/or local Government requirements</b>					
<p>The DA for the constituent project which forms the proposed action shall be assessed under Part 4 of the NSW Environmental Planning and Assessment Act 1979 (EP&amp;A Act).</p> <p>Under Part 4.46 of the EP&amp;A Act, the development proposal is categorised as 'integrated development' as it requires development consent as well as the following approvals:</p> <ul style="list-style-type: none"> <li>A Bushfire Safety Authority from the NSW Rural Fire Service pursuant to Section 100B of the Rural Fires Act. The basis for this approval is that the development proposed involves the subdivision of 'bushfire prone land' that could lawfully be used for residential/rural residential purposes.</li> <li>An approval from Transport for NSW pursuant to Section 138 of the Roads Act 1993 as the development proposed includes works within the Old Federal Highway and adjacent to and within Sutton Road, which are classified regional roads.</li> </ul> <p>The development proposed is not considered to be defined as either 'designated' or 'State significant' development under the EP&amp;A Act or EP&amp;A Regulation.</p>					
<b>1.13 Describe any public consultation that has been, is being or will be undertaken, including with Indigenous stakeholders</b>					
<p>The current Development Application seeks to develop the land in accordance with a previously approved re-zoning Planning Proposal, which was uplifted (via amendments) into the Yass Valley Local Environmental Plan 2013 (YVLEP) on 8 May 2020. It is noted that the Planning Proposal was publicly exhibited by YVC and included a conceptual development scheme for the site, which was not too dissimilar to the subdivision layout plan forming part of the current Development Application (Place Logic 2020b). During the public exhibition period for the re-zoning Planning Proposal, a total of ten (10) public submissions were received. The main issues raised in objection to the Planning Proposal related to biodiversity implications, traffic, capacity of local services and amenities, water supply and security, loss of agricultural land, property values, and consistency with the character of Sutton village.</p> <p>It is important to note that the re-zoning Planning Proposal went through a number of iterations prior to the amendments being gazetted in the YVLEP. These iterations were in response to the matters raised by the YVC and relevant NSW Government agencies as well as the public submissions.</p> <p>The current Development Application was publicly exhibited by YVC from 22 January 2021 to 12 February 2021. During the public exhibition of the Development Application, four (4) public submissions were received. The submissions did not seek to expressly oppose or support the proposal, but rather offered opinion as to how it could be improved. The Proponent prepared and submitted a considered response back to YVC to assist them in progressing the assessment of the Development Application. Whilst the response considered that the development as proposed should remain unchanged to that as originally submitted, the Proponent did concede to work with Council to accept suitably worded consent conditions in relation to the following:</p> <ul style="list-style-type: none"> <li>The installation of a gate to the southern boundary of the proposed allotment fronting the Yass River, so as to create a pedestrian/equestrian linkage along the Old Federal Highway to proposed Fire Trail 02.</li> <li>Re-alignment of the common boundary between proposed allotments 'bj' and 'bk' so that it does not traverse the identified Potential Aboriginal Archaeological Deposit.</li> <li>The upgrading and sealing of Guise Street for its entire length (i.e., to its eastern most extent as it adjoins the subject site).</li> <li>The provision of a landscaping strip for planting and establishment of suitable endemic species within the part of the site with frontage to Sutton Road.</li> <li>The installation of appropriate signposting identifying the use of the proposed subdivision roads by pedestrians and cyclists.</li> <li>Removal of the proposed 'Woodbury Ridge Estate' entry signage (only if directly required by YVC).</li> <li>The re-planting of native trees (of semi-mature stock) within the Guise Street verge post completion of the road</li> </ul>					



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upgrade works.

In addition to the above, the Proponent initiated a number of direct meetings with the Sutton and District Community Association Inc. (SDCA) and its members through the re-zoning Planning Proposal process and as part of the current Development Application. Finally, it is to be noted that no direct consultation with the Local Aboriginal Land Council (LALC) has been conducted. This was on the basis of the recommendations made in Aboriginal Due Diligence Report prepared by Past Traces Heritage Consultants (dated 3 November 2020), that no areas of potential archaeological deposits or heritage sites were identified within the development area and that the potential for Aboriginal or historical heritage objects within the development area was assessed as low.

**1.14 Describe any environmental impact assessments that have been or will be carried out under Commonwealth, State or Territory legislation including relevant impacts of the project**

The environmental assessments are detailed in the attached Biodiversity Certification Assessment Report (Att A) and Planning Proposal Ecological Investigation (Att B). These two references have been uploaded in Section 2.14.

**1.15 Is this action part of a staged development (or a component of a larger project)?**

Yes  No

**1.16 Is the proposed action related to other actions or proposals in the region?**

Yes  No



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## Section 2

### Matters of national environmental significance

2.1 Is the proposed action likely to have any direct or indirect impact on the values of any World Heritage properties?

Yes  No

2.2 Is the proposed action likely to have any direct or indirect impact on the values of any National Heritage places?

Yes  No

2.3 Is the proposed action likely to have any direct or indirect impact on the ecological character of a Ramsar wetland?

Yes  No

2.4 Is the proposed action likely to have any direct or indirect impact on the members of any listed species or any threatened ecological community, or their habitat?

Yes  No

### Species or threatened ecological community

White Box Yellow Box Blakely's Red Gum Woodland and Derived Native Grassland (Box-Gum Woodland)

### Impact

The impact of the proposed action is discussed in detail in the attached BCAR (Att A , Section 3.2, Pg. 96 and Att A, Appendix I, Pg. 170). The proposed action area is estimated to support 57.35 ha of EPBC Act Box-Gum Woodland (i.e. 19.54 ha of PCT1330 Zone 1, 25.93 ha of PC1330 Zone 2, and 11.88 ha of PCT1330 Zone 5). Of this, 50.94 ha (89%) will be conserved in the proposed Biodiversity Stewardship Sites, and a further 4.08 ha (7%) will be retained and protected within the proposed residential lots. Therefore, 2.10 ha (3.66%) of EPBC Act listed Box-Gum Woodland is proposed to be impacted by the proposed action. The loss of 2.10 ha is therefore considered unlikely to have a 'significant impact' on upon the EPBC Act listed endangered ecological community.

### Species or threatened ecological community

Superb Parrot *Polytelis swainsonii*

### Impact

The impact of the proposed action is discussed in detail in the attached BCAR (Att A , Section 3.2, Pg. 96 and Att A, Appendix I, Pg. 158). Superb Parrots were observed on 12 occasions across all surveys. The majority of these observations were of individual birds or small flocks of birds foraging or flying through the canopy. However, there were three observations of individual birds or pairs of birds entering or residing in Scribbly Gum *Eucalyptus rossii* hollows. These observations were taken to be indications of breeding activity. Superb Parrot breeding habitat in the proposed action area was estimated by applying a 100 m buffer around each nest tree.

The proposed action area was therefore estimated to support 9.18 ha of Superb Parrot breeding habitat. While the proposed action will not directly impact any nest trees, it is assumed to indirectly impact one nest tree. This results in an indirect impact to 3.39 ha (37%) of the Superb Parrot breeding habitat, comprised of 0.16 ha in PCT1093 Zone 1, 1.04 ha in PCT1093 Zone 2, 0.50 ha in PCT1330 Zone 2, and 1.69 ha in PCT1330 Zone 3. The remaining 5.79 ha (63%) of the Superb Parrot breeding habitat will be protected and managed within the proposed Biodiversity Stewardship Sites.

The indirect impact to 3.39 ha of the Superb Parrot breeding habitat in the proposed action area is likely to represent a small proportion of the Superb Parrot breeding habitat that occurs between Canberra, Yass, Sutton, and Gundaroo and an



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even smaller proportion of that which occurs across the species' range. This loss or disturbance of habitat is considered unlikely to have a 'significant impact' on the Superb Parrot.

### Species or threatened ecological community

Golden Sun Moth *Synemon plana*

### Impact

The impact of the proposed action is discussed in detail in the attached BCAR (Att A , Section 3.2, Pg. 96 and Att A, Appendix I, Pg. 168). A total of 247 Golden Sun Moths were recorded in the proposed action area across four surveys. Golden Sun Moths were recorded at low density across the entire proposed action area, with the only exception being the recently cultivated paddock in the north-eastern corner. The proposed action area is therefore estimated to support 168.89 ha of Golden Sun Moth habitat. Of this, 128.88 ha (76%) of Golden Sun Moth habitat in the proposed action area will either be protected, managed, and enhanced in the proposed Biodiversity Stewardship Sites (91.51 ha or 54%) or protected and maintained in large lots (37.37 ha or 22%).

Therefore, the proposed development will impact 38.68 ha (23%) of the Golden Sun Moth habitat that occurs in the proposed action area, comprised of 0.28 ha in PCT1093 Zone 1, 2.43 ha in PCT1093 Zone 2, 0.44 ha in PCT1330 Zone 1, 1.19 ha in PCT1330 Zone 2, 4.92 ha in PCT1330 Zone 3, 7.50 ha in PCT1330 Zone 4, 0.47 ha in PCT1330 Zone 5, 6.46 ha in PCT1330 Zone 6, and 14.99 ha in PCT1330 Zone 7.

Despite the substantial avoidance, minimisation, and mitigation measures that have been incorporated into the location and design of the proposed development, the proposed action would result in the loss of more than 0.5 ha of habitat from a total habitat area over 10 ha. Accordingly, with regard to the above EPBC Act Policy Statement 3.12 thresholds, the proposed action is likely to significantly impact the species.

#### 2.4.2 Do you consider this impact to be significant?

Yes  No

#### 2.5 Is the proposed action likely to have any direct or indirect impact on the members of any listed migratory species or their habitat?

Yes  No

#### 2.6 Is the proposed action to be undertaken in a marine environment (outside Commonwealth marine areas)?

Yes  No

#### 2.7 Is the proposed action likely to be taken on or near Commonwealth land?

Yes  No

#### 2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park?

Yes  No

#### 2.9 Is the proposed action likely to have any direct or indirect impact on a water resource from coal seam gas or large coal mining development?

Yes  No

#### 2.10 Is the proposed action a nuclear action?

Yes  No

#### 2.11 Is the proposed action to be taken by a Commonwealth agency?

Yes  No



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**2.12 Is the proposed action to be undertaken in a Commonwealth Heritage place overseas?**

Yes       No

**2.13 Is the proposed action likely to have any direct or indirect impact on any part of the environment in the Commonwealth marine area?**

Yes       No



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## Section 3

### Description of the project area

#### 3.1 Describe the flora and fauna relevant to the project area

The flora and fauna values present in the proposed action area are described in detail in the attached BCAR (Att A , Section 2.1-2.3, Pg. 28-88 and Att A, Appendix I, Pg. 158-175).

Woodbury Ridge supports the following significant flora values.

- 57.35 ha of EPBC Act listed Box-Gum Woodland.

Woodbury Ridge supports the following significant fauna values.

- 9.18 ha of Superb Parrot breeding habitat.
- 168.89 ha of Golden Sun Moth habitat.

#### 3.2 Describe the hydrology relevant to the project area (including water flows)

The proposed action area contains one drainage line associated with a dam, and one tributary that flows along the south-eastern boundary and then into Yass River. The drainage line and tributary were dry at the time of survey, are only likely to convey water following substantial rain events, and do not support any riparian vegetation. There are four large dams and four small dams in the proposed action area. All of the dams held a small to moderate amount water at the time of survey. As mentioned previously, the north-eastern boundary of the proposed action area borders Yass River and includes a small section of the associated riparian vegetation.

As described in Soil and Water (2020) (Att C, Section 'Hydrology', Pg. 12), the fine silty/sandy loam textured topsoil across the proposed action area has a moderate permeability, of 0.5 to 1.5 m/day. The clay loam to light clay subsoils have a lower permeability in the range of 0.06-0.5 m/day (from table M1 of ANZ STD 1547:2012). Approximately 5-10% of annual rainfall forms surface runoff, although in individual high intensity storm events over 50% of rainfall may form runoff.

#### 3.3 Describe the soil and vegetation characteristics relevant to the project area

##### Soil

As described in Soil and Water (2020) (Att C, Section 'Landscape/Landform', Pg. 11), the Soil Landscape on the majority of the proposed action area is described as the Bywong Unit in the Soil Landscapes of the Canberra 1:100,000 Sheet. Jenkins, B.R. (2000) Department of Land and Water Conservation. This landscape is typified by rolling to undulating low hills, rises and minor flats with gently to moderately inclined slopes (3-20%). Local relief is 30-90 m with elevations ranging between 600-920 m. Vegetation in this landscape ranges from open forest to woodland communities and has been extensively cleared to allow for grazing.

There are small areas of the Winnunga and Gundaroo Soil Landscapes associated with the flatter alluvial river flats adjacent to the Yass River boundary.

As described in Soil and Water (2020) (Att C, Section 'Soils', Pg. 13), Red Chromosols occur in upper slopes with Brown Chromosols occurring on lower slopes in the landscape. These were formed in situ and on alluvial and colluvial material derived from the metamorphosed Ordovician and Silurian sedimentary parent material.

Soils comprise a massive, fine sandy loam to silty loam textured upper layer overlying a weak to moderately structured yellow-brown -grey coloured silty to sandy light clay loam subsoil. Soil depth varies considerably but is typically 60-100 cm, with shallower soil in the localised areas of rock outcrop. The undulating to hilly areas coincide with Ordovician and some Devonian and Lower Silurian metasediments which are heavily folded and in parts isoclinal resulting in the occurrence of deep and very shallow soils in the same landform element.

##### Vegetation

As described in the attached BCAR (Att A, Section 2.2.4, Pg. 43), before European occupation the proposed action area would have been characterised by a dry sclerophyll forest along the elevated areas in the south-west that merged with an open grassy woodland lower in the landscape.

However, the proposed action area has been modified by its current and past land use, which has primarily been grazing. Approximately 50% of the original woody vegetation (canopy, midstorey, and shrubstorey) has been historically cleared across the proposed action area to promote pastoral productivity. The areas which have retained a woody overstorey have, in general, still undergone historic thinning and lack a midstorey and shrubstorey. Despite the history of grazing, the groundstorey across the majority of the proposed action area is largely dominated by native species. The exceptions to this are a recently cultivated paddock in the north-east of the proposed action area that is dominated by exotic species (especially *Phalaris aquatica*), and a historically cultivated paddock in the north-west of the proposed action area that is





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dominated by a mix of native and exotic species (particularly Phalaris, Tall Speargrass *Austrostipa bigeniculata*, Red-leg Grass *Bothriochloa macra*, and Wallaby Grasses *Rhytidosperma* spp.).

In general, the areas that have retained a native groundstorey are dominated by a mix of Speargrasses *Austrostipa* spp., Red-leg Grass, and Wallaby Grasses, and support a low diversity of native species. However, two substantial patches of vegetation in the south-east and south-west of the proposed action area are dominated by Kangaroo Grass *Themeda triandra* and support a moderate to high diversity of native species; these areas largely occur within the proposed Biodiversity Stewardship Sites and will therefore be protected, managed, and enhanced.

The riparian vegetation in the proposed action area is limited to a small section along the north-eastern boundary adjacent to Yass River. This vegetation is composed of a variety of exotic trees, shrubs, grasses, and broadleaf weeds.

### 3.4 Describe any outstanding natural features and/or any other important or unique values relevant to the project area

The proposed action area does not contain/support any outstanding natural features or any other particularly important or unique values.

### 3.5 Describe the status of native vegetation relevant to the project area

The native vegetation in the proposed action area was classified into two Plant Community Types (PCTs), each of which consist of a number of 'vegetation zones' indicating condition.

PCT1093 – Red Stringybark - Brittle Gum - Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highlands Bioregion.

- PCT1093 Zone 1 – mature canopy, native dominant understorey, and moderate to high native forb diversity.
- PCT1093 Zone 2 – mature canopy, native dominant understorey, and low native forb diversity.

PCT1330 – Yellow Box - Blakely's Red Gum grassy woodland on the tablelands, South Eastern Highlands Bioregion.

- PCT1330 Zone 1 – mature canopy, regeneration, native dominant understorey, and moderate to high native forb diversity (EPBC Act and BC Act Box-Gum Woodland).
- PCT1330 Zone 2 – mature canopy, regeneration, native dominant understorey, and low native forb diversity (EPBC Act and BC Act Box-Gum Woodland).
- PCT1330 Zone 3 – mature canopy, native dominant understorey, and low native forb diversity (BC Act Box-Gum Woodland).
- PCT1330 Zone 4 – mature canopy, exotic dominant understorey, and low native forb diversity (BC Act Box-Gum Woodland).
- PCT1330 Zone 5 – no canopy, native dominant understorey, and moderate to high native forb diversity (EPBC Act and BC Act Box-Gum Woodland).
- PCT1330 Zone 6 – no canopy, native dominant understorey, and low native forb diversity (BC Act Box-Gum Woodland).
- PCT1330 Zone 7 – no canopy, exotic dominant understorey, and low native forb diversity.

All zones apart from PCT1330 Zone 7 are considered to be 'native vegetation' (according to the BC Act definition). PCT1330 Zone 7 does not meet the definition of BC Act 'native vegetation' as it has a groundstorey clearly dominated by exotic grasses and forbs (i.e. > 65% perennial exotic) and does not contain a cover of native trees and/or shrubs.

### 3.6 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area

The proposed action area comprises a range of slope gradients, ranging from very gentle ( 3%) to moderately sloping (10-15%). The topography across the proposed action area falls relatively steadily from 678 m Australian Height Datum (AHD) in the south-western corner to 633 m AHD in the south-eastern corner, 615 m AHD in the north-western corner, and 606 m in the north-eastern corner adjacent to Yass River.

### 3.7 Describe the current condition of the environment relevant to the project area

- Relatively intact woodland and derived grassland vegetation (i.e. PCT1330), parts of which meet the listing criteria for EPBC Act listed Box-Gum Woodland.
- Relatively intact dry sclerophyll forest (i.e. PCT1093).
- There are signs that portions of the proposed action area have historically been cleared or thinned. The proposed action area is currently grazed by stock and Eastern Grey Kangaroos.
- There are signs that portions of the proposed action area have historically pasture improved and/or cultivated.
- Overall low density of significant weed species, with some moderate density areas (e.g. Serrated Tussock, St John's Wort, Briar Rose, Blackberry, Chilean Needlegrass, Patterson's Curse, and Saffron Thistle).



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**3.8 Describe any Commonwealth Heritage places or other places recognised as having heritage values relevant to the project**

The potential impact on non-indigenous heritage and culture was considered as part of the preceding re-zoning Planning Proposal Application by way of site-specific investigation and reporting. The process culminated in the preparation of a report prepared by EcoLogical Australia entitled 'Lot 5 DP 838497 Sutton Road – Historic Heritage' dated 29 May 2018 (Att D, attached in Section 1.13.1 of this referral).

**3.9 Describe any Indigenous heritage values relevant to the project area**

The potential impact on indigenous heritage and culture was initially considered as part of the preceding Planning Proposal and current Development Application by way of site-specific investigation and reporting. The process culminated in the preparation of a report prepared by EcoLogical Australia entitled 'Aboriginal Heritage Due Diligence Assessment – Lot 5 DP 838497' dated 29 May 2018 (Att E, attached in Section 1.13.1 of this referral).

The reporting identified sites (indigenous) that are archaeologically sensitive to the extent that they would require further investigation as part of any subsequent application for the subdivision of the land.

Based on the findings of the Att E, supplementary Aboriginal due diligence advice was sought for the current Development Application. This process culminated in the preparation of a short-form report prepared by Past Traces (2020) dated 3 November 2020 (Att F, attached in Section 1.13.1 of this referral), which provided the following recommendations:

- The development proposal should be able to proceed with no additional archaeological investigations. No areas of potential archaeological deposits or heritage sites have been identified within the development area and the potential for Aboriginal or historical heritage objects within the development area has been assessed as low.
- Two areas of PAD have been identified within the project boundary, which will not be impacted by any of the proposed development. PAD areas must not be impacted by any development. If, in the future, the private owners wish to impact these areas, further investigations will be required, consisting of subsurface testing. Alternatively, the developer could undertake these further works prior to selling to determine if heritage sites are present in these two locations.
- All Aboriginal objects are protected under the NSW National Parks and Wildlife Act 1974. It is an offence to disturb an Aboriginal site without a consent permit issued by NSW Heritage. Should any Aboriginal objects be encountered during works then works must cease and the find should not be moved until assessed by a qualified archaeologist.
- In the unlikely event that human remains are discovered during the construction, all work must cease. NSW Heritage the local police and the appropriate Local Aboriginal Land Council (LALC) should be notified. Further assessment would be required to determine if the remains are Aboriginal or non-Aboriginal.

**3.10 Describe the tenure of the action area (e.g. freehold, leasehold) relevant to the project area**

Freehold.

**3.11 Describe any existing or any proposed uses relevant to the project area**

Woodbury Ridge is currently used for agricultural activities (grazing).

The proposed action aims to establish 66 residential lots, consisting of 19 residential and 47 rural residential allotments. Four of these allotments (encompassing a total of 92.37 ha) will be established as Biodiversity Stewardship Sites under the BC Act.

The 50.53 ha development footprint encompasses the impacts associated with:

- roads, fire trails, pedestrian paths, and the equestrian trail, including impacts from grading, batters, and cut and fill;
- upgrades to Guise Street, including a 1.5 m footpath between Sutton Road and the first entrance to the proposed estate;
- building envelopes, 4.0 m wide driveways, and Indicative and Special EMZs;
- 2.0 m wide fencing corridors;
- the community association lot;
- indicative water tank locations; and
- site compounds, haulage tracks, and stockpile locations.



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

## Section 4

### Measures to avoid or reduce impacts

#### 4.1 Describe the measures you will undertake to avoid or reduce impact from your proposed action

(1) The design of the proposed action was informed by previous ecological investigations of the proposed action area (Att B) and by the surveys performed for the BCAR (Att A). As a result, the design of the proposed action has been altered to reduce impacts on high biodiversity values. For example, the findings from EcoLogical Australia (2018) (Att B, Section 2.3, Pg. 2) were used to revise a previous concept plan in order to avoid and minimise impacts to the identified significant ecological values that occur in the proposed action area. This resulted in an increase to the extent of conservation offset areas from 40 ha to 95.27 ha and included the highest biodiversity value land.

In its current design, the proposed action incorporates the following measures to reduce the impact on biodiversity.

- The establishment of four Biodiversity Stewardship Sites that encompass approximately 49% of the proposed action area. These areas will retain the majority of the high condition vegetation and habitat.
- The retention of approximately 23% of the vegetation and habitat in lots.
- Locating roads, building envelopes, EMZs, driveways, and fences to reduce the removal of remnant trees.

By reducing the clearing footprint, the proposed development avoids impacts to:

- 96% (720) of the 757 remnant trees;
- 96% of the EPBC Act Box-Gum Woodland;
- 77% of the moderate to high diversity dry sclerophyll forest;
- 76% of the Golden Sun Moth habitat;
- 63% of the Superb Parrot breeding habitat;
- habitat for Silky Swainson-pea Swainsona sericea (BC Act vulnerable); and
- habitat for a variety of threatened woodland birds, bats, and other native fauna.

(2) The portions of the proposed action area that have retained a native overstorey are likely to comprise part of a recognised biodiversity corridor and be important for habitat connectivity throughout the locality for highly mobile species. Accordingly, the proposed action includes the following measures to reduce the potential impact on connectivity.

- The establishment of four Biodiversity Stewardship Sites that encompass approximately 49% of the proposed action area. These areas retain the majority of the high condition vegetation and habitat and ensure connectivity is maintained to both the north/south and east/west.
- The retention of approximately 23% of the vegetation and habitat in lots. The retention of this vegetation and habitat will help minimise the impact of the proposed action on connectivity, especially with respect to maintaining an unbroken canopy cover to both the north/south and east/west.
- The retention of 720 (96%) of the 757 remnant trees that occur in the proposed action area. This will help maintain habitat connectivity for highly mobile species, such as the Superb Parrot.
- A landscaping plan that will utilise local endemic and non-invasive species that are sympathetic with the adjacent areas of environmental conservation significance. This will help maintain habitat connectivity for highly mobile species, such as the Superb Parrot.
- A communal open space (approx. 8,000 m<sup>2</sup>) along the Estate's frontage to the Yass River. This area will form part of a Rehabilitation Management Plan to improve the environmental integrity of the Yass River (as it adjoins the proposed action area), and will include the removal of noxious weed species, bank stabilisation, and revegetation with appropriate native species. This will help maintain habitat connectivity along the Yass River for a wide variety of native species.
- A fencing strategy that relies on 'post and rail' boundary fencing and 'wire fencing with ring lock' block fencing. This strategy will help reduce the potential impact on Golden Sun Moth habitat connectivity between areas of retained habitat.

(3) Given that the proposed action is located immediately adjacent to existing similar residential development, many of the biodiversity impacts associated with a new development will be reduced (i.e. impacts related to services, roads, bushfire protection, flood planning, etc.). In addition, all ancillary infrastructure associated with the construction and operation of the proposed action will be located to avoid all of the significant biodiversity values that will be retained.

(4) Potential indirect impacts will be minimised and mitigated during construction and occupation. In summary, these measures:

- control potential sedimentation of receiving waterways during construction and operation;
- control noise, vibration, and dust spill during construction;
- control weed introduction and/or spread during construction and occupation;
- control incidental damage of retained native vegetation and habitat during construction and occupation;
- control pest animal populations as a result of increased human activity during occupation; and
- control edge effects due to increased human activity during occupation.



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

**4.2 For matters protected by the EPBC Act that may be affected by the proposed action, describe the proposed environmental outcomes to be achieved**

The proposed action includes the establishment of four Biodiversity Stewardship Sites that will encompass 92.37 ha (49%) of the proposed action area. The biodiversity values that the proposed Biodiversity Stewardship Sites support will be detailed in separate Biodiversity Stewardship Site Assessment Reports. In brief, the proposed Biodiversity Stewardship Sites will protect, manage, and enhance the majority of the significant ecological values that occur within the proposed action area, including the following.

- 50.94 ha (89%) of the EPBC Act Box-Gum Woodland.
- 91.51 ha (54%) of the Golden Sun Moth habitat.
- 5.79 ha (63%) of the Superb Parrot breeding habitat.
- Habitat for a variety of threatened woodland birds, bats, and other native fauna.

In addition to the proposed Biodiversity Stewardship Sites, 42.60 ha (23%) of the vegetation and habitat that occurs in the proposed action area will be protected and managed through a combination of a Section 88b instrument and Woodbury Ridge Community Management Statement by-laws.

Woodbury Ridge is to be developed as a Community Scheme pursuant to the NSW Community Land Development Act 1989. The proponents have selected this tenure scheme as it is considered to provide superior opportunities (compared to a Torrens Title project) to apply specific enforceable by-laws with respect to a number of matters, including, of relevance, by-laws and management plans to identify and protect significant vegetation and habitats. The Development Application notes this intent, and also includes the definition on plan of limited building envelopes and effluent disposal areas on all proposed lots within areas of significant habitat. Upon approval of the Development Application and BCAR, Capital Ecology will prepare a Biodiversity Management Plan (BMP) for inclusion in the by-laws for all other lots. This BMP will stipulate the conservation-focused management measures that the responsible party (i.e. the owner of the relevant private lot) will implement. In combination with a Section 88b instrument, the by-laws will provide the best available legal mechanisms to achieve the environmental protection aspirations of the proposal.

At a minimum, the BMP management measures will include the following.

- Mandatory measures – such as targeted weed control, feral animal control, grazing control, biomass control, protection of native vegetation and threatened species habitat. The key aims of the mandatory measures will be to protect the retained ecological values and reduce the impact of known threatening processes.
- Mandatory controls – such as restrictions on the location and species of plant that may be planted and restrictions on the type of animals that may be kept in lots. The key aims of the mandatory controls will be to reduce the impact of human occupation on the retained ecological values. Given the proximity of Superb Parrot breeding habitat, a prohibition on keeping uncontained cats will be included in the mandatory controls.
- Optional measures – such as rehabilitation activities to improve native fauna habitat and other biodiversity values. These measures will be specific to the requirements of each lot.

These measures will protect and manage:

- 4.08 ha (7%) of the EPBC Act Box-Gum Woodland;
- 37.37 ha (22%) of the Golden Sun Moth habitat;
- indirect impacts to 3.39 ha of Superb Parrot breeding habitat; and
- habitat for a variety of threatened woodland birds, bats, and other native fauna.



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

## Section 5

### Conclusion on the likelihood of significant impacts

#### 5.1 You indicated the below ticked items to be of significant impact and therefore you consider the action to be a controlled action

- World Heritage properties
- National Heritage places
- Wetlands of international importance (declared Ramsar wetlands)
- Listed threatened species or any threatened ecological community
- Listed migratory species
- Marine environment outside Commonwealth marine areas
- Protection of the environment from actions involving Commonwealth land
- Great Barrier Reef Marine Park
- A water resource, in relation to coal seam gas development and large coal mining development
- Protection of the environment from nuclear actions
- Protection of the environment from Commonwealth actions
- Commonwealth Heritage places overseas
- Commonwealth marine areas

#### 5.2 If no significant matters are identified, provide the key reasons why you think the proposed action is not likely to have a significant impact on a matter protected under the EPBC Act and therefore not a controlled action

See Appendix F of the attached BCAR (Att A, Appendix I, Pg. 158-175) for an assessment against the EPBC Act Significant Impact Criteria. The summary of the likely significance of the impacts of the proposed action on the relevant MNES are as follows.

##### Box-Gum Woodland (Att A, Appendix I, Pg. 170-175)

The proposed action will impact 2.10 ha of EPBC Act Box-Gum Woodland, which represents approximately 4% of that which occurs in the proposed action area. In contrast, 50.94 ha (89%) of the EPBC Act Box-Gum Woodland that occurs in the proposed action area will be protected, managed, and enhanced through establishing four Biodiversity Stewardship Sites, and 4.08 ha (7%) will be protected and managed in large lots via a combination of a Section 88b instrument and Woodbury Ridge Community Management Statement by-laws. The loss of 2.10 ha is therefore considered unlikely to have a 'significant impact' on upon the EPBC Act listed endangered ecological community.

##### Superb Parrot (Att A, Appendix I, Pg. 158-167)

The proposed action area contains three Superb Parrot nesting trees and is estimated to support 9.18 ha of Superb Parrot breeding habitat. While the proposed action will not directly impact any nest trees, it is assumed to indirectly impact one nest tree. This results in an indirect impact to 3.39 ha of the Superb Parrot breeding habitat in the proposed action area, which is likely to represent a small proportion of the Superb Parrot breeding habitat that occurs between Canberra, Yass, Sutton, and Gundaroo and an even smaller proportion of that which occurs across the species' range. This loss or disturbance of habitat is considered unlikely to have a 'significant impact' on the Superb Parrot.

##### Golden Sun Moth (Att A, Appendix I, Pg. 168-169)

Despite the substantial avoidance, minimisation, and mitigation measures that have been incorporated into the location and design of the proposed action, the proposed action would result in the loss of more than 0.5 ha of habitat from a total habitat area over 10 ha. Accordingly, with regard to the EPBC Act Policy Statement 3.12 thresholds, the proposed action is likely to significantly impact the species.



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

## Section 6

### Environmental record of the person proposing to take the action

#### 6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Explain in further detail

Yes.

Capital Plus 1 Woodbury Ridge Pty Ltd is a special purpose entity created to undertake the proposed development; its directors include David Maxwell. David Maxwell is also a Director of Riverview Projects (ACT) Pty Ltd. In this capacity, Mr Maxwell has responsibility for the implementation of the works and associated recommendations pursuant to the West Belconnen Strategic Assessment, which was completed to an exemplary standard across three jurisdictions – Commonwealth, ACT, and NSW. It is now in the implementation phase with the first annual report having been completed in August of 2020.

David Maxwell is also a Director of Poplars Development Pty Ltd. The associated Poplars Development was referred to the DAWE on 28 September 2020 (Referral No. 2020/8801, determined to be a controlled action to be assessed by preliminary documentation). From the early planning stages, the Poplars Development has been designed around the existing ecological values that the land supports.

#### 6.2 Provide details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against either (a) the person proposing to take the action or, (b) if a permit has been applied for in relation to the action – the person making the application

There are no such proceedings.

#### 6.3 If it is a corporation undertaking the action will the action be taken in accordance with the corporation's environmental policy and framework?

Yes  No

#### 6.3.1 If the person taking the action is a corporation, provide details of the corporation's environmental policy and planning framework

Capital Plus 1 Woodbury Ridge Pty Ltd is committed to sustainable development. The corporation has engaged recognised specialists to plan and design the development to minimise environmental impacts. Capital Plus 1 Woodbury Ridge Pty Ltd is a special purpose entity created to undertake the Woodbury Ridge Estate development; this environmental assessment will set the parameters for environmental actions and controls for the project and will in effect be the environmental policy and framework for the company.

#### 6.4 Has the person taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?

Yes  No

#### 6.4.1 EPBC Act No and/or Name of Proposal

SA.024 – West Belconnen Strategic Assessment.

David Maxwell, a Director of Capital Plus 1 Woodbury Ridge Pty Ltd, is also a Director of Riverview Projects (ACT) Pty Ltd. Riverview Projects is the approval holder for the West Belconnen Strategic Assessment (approved September 2017) and has responsibility for the implementation of the West Belconnen project as Development Manager for the project and, inter alia, compliance with the conditions of the EPBC Act approval.

EPBC Act Referral No. 2020/8801 – The Poplars Development, Jerrabomberra, NSW.

David Maxwell is also a Director of Poplars Development Pty Ltd. Poplars Development Pty Ltd will be the approval holder for the Poplars Development and therefore will have responsibility for the implementation of the project as Development Manager and, inter alia, compliance with the conditions of the EPBC Act approval.



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

## Section 7

### Information sources

#### Reference source

Capital Ecology (2021). Woodbury Ridge Estate, Sutton, NSW – Biodiversity Certification Assessment Report. Draft 03 – April 2021. Prepared for Woodbury Ridge Estate Pty Ltd. Authors: S. Reid, S. Thompson, C. Ross, and R. Speirs. Project no. 2980.

#### Reliability

Reliability. High – Completed by professional ecological consultants with expertise in the threatened species and ecological communities in the South Eastern Highlands.

#### Uncertainties

Uncertainties. There are no known uncertainties.

#### Reference source

EcoLogical Australia (2018). Planning Proposal Ecological Investigation. Prepared for Tony Carey Consulting, July 2018

#### Reliability

Reliability. High – Completed by professional ecological consultants with expertise in the threatened species and ecological communities in the South Eastern Highlands.

#### Uncertainties

Uncertainties. There are no known uncertainties.

#### Reference source

Spiire (2020a). Woodbury Ridge Estate Civil Engineering Report. Report for Woodbury Ridge Estate Pty Ltd. Issue Date 10/12/2020, Rev No. 1.

#### Reliability

Reliability. High – Completed by professional consultants with expertise in the region.

#### Uncertainties

Uncertainties. There are no known uncertainties.

#### Reference source

Spiire (2020b). Woodbury Ridge Estate Civil Engineering Plans (Sheets 1 – 64). Report for Woodbury Ridge Estate Pty Ltd. Issue Date 10/12/2020

#### Reliability

Reliability. High – Completed by professional consultants with expertise in the region.

#### Uncertainties

Uncertainties. There are no known uncertainties.

#### Reference source

Planned (2020). Statement of Environmental Effects. Prepared for Cartwright Family Holdings Pty Ltd, Presented 11/12/2020, Rev: Final

#### Reliability

Reliability. High – Completed by professional consultants with expertise in the region

#### Uncertainties

Uncertainties. There are no known uncertainties



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

**Reference source**

Veris (2020). Plan of Detail Survey – Lot 5 DP 838497 – 2090 Sutton Road, Sutton, NSW. Drawn 24/06/2020, Rev 22020.054\_DT\_01.dwg, Project No. 22020.054

**Reliability**

Reliability. High – Completed by professional consultants with expertise in the region.

**Uncertainties**

Uncertainties. There are no known uncertainties

**Reference source**

Place Logic (2020a). Woodbury Ridge Estate, Sutton, NSW – Landscape Master Plan. Date: 09/12/20, Rev B, Drawing No. 401.0.

**Reliability**

Reliability. High – Completed by professional consultants with expertise in the region.

**Uncertainties**

Uncertainties. There are no known uncertainties.

**Reference source**

Place Logic (2020b). Woodbury Ridge Estate, Sutton, NSW – Subdivision DA Layout Plan. Date: 09/12/20, Rev 10, Drawing No. 106.0.

**Reliability**

Reliability. High – Completed by professional consultants with expertise in the region

**Uncertainties**

Uncertainties. There are no known uncertainties.

**Reference source**

Place Logic (2020c). Woodbury Ridge Estate, Sutton, NSW. Tree Impact Plan. Drawing No. 106.1, Revision B, 09/12/20.

**Reliability**

Reliability. High – Completed by professional consultants with expertise in the region

**Uncertainties**

Uncertainties. There are no known uncertainties.

**Reference source**

EcoLogical Australia (2020). Bushfire Protection Assessment – Subdivision – Woodbury Ridge Estate Lot 5 DP 838497 Sutton. Prepared for Woodbury Ridge Estate, December 2020

**Reliability**

Reliability. High – Completed by professional consultants with expertise in the region

**Uncertainties**

Uncertainties. There are no known uncertainties.

**Reference source**

EcoLogical Australia (2018a). Aboriginal Heritage Due Diligence Assessment – Lot 5 DP 838497. Prepared for Woodbury Ridge Estate Pty Ltd, 29 May 2018

**Reliability**

Reliability. High – Completed by professional archaeologist with extensive experience in the region.





Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

**Uncertainties**

Uncertainties. There are no known uncertainties.

**Reference source**

EcoLogical Australia (2018b). Lot 5 DP 838497 Sutton Road – Historic Heritage. Prepared for Woodbury Ridge Estate Pty Ltd, 29 May 2018

**Reliability**

Reliability. High – Completed by professional archaeologist with extensive experience in the region

**Uncertainties**

Uncertainties. There are no known uncertainties.

**Reference source**

Past Traces (2020). Aboriginal Due Diligence Assessment Report – Woodbury Ridge Estate Sutton NSW. Prepared for Planned, 3 November 2020

**Reliability**

Reliability. High – Completed by professional archaeologist with extensive experience in the region

**Uncertainties**

Uncertainties. There are no known uncertainties

**Reference source**

Soil and Water (2020). Lot 5 DP 838497, Sutton. Version 2, 11 December 2020. Franklin Consulting Australia Pty Limited

**Reliability**

Reliability. High – Completed by professional archaeologist with extensive experience in the region

**Uncertainties**

Uncertainties. There are no known uncertainties.

**Reference source**

Murrang Earth Sciences (2018). Preliminary site investigation of Lot 5 DP 838497, Sutton. MES2059-R01, 25 May 2018.

**Reliability**

Reliability. High – Completed by professional archaeologist with extensive experience in the region.

**Uncertainties**

Uncertainties. There are no known uncertainties



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

## Section 8

### Proposed alternatives

Do you have any feasible alternatives to taking the proposed action?

Yes



No



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

**Section 9**

**Person proposing the action**

9.1.1 Is the person proposing the action an organisation or business?  
 Yes       No

**Organisation**

Organisation name (as registered for ABN/ACN)      CAPITAL PLUS 1 WOODBURY RIDGE PTY LTD  
 Business name  
 ABN  
 ACN      650185407  
 Business address      3/28 Bougainville St, Griffith, 2603, ACT, Australia  
 Postal address  
 Main Phone number      0404 829 048  
 Fax  
 Primary email address      david@riverviewgroup.com.au  
 Secondary email address

9.1.2 I qualify for exemption from fees under Regulation 5.23(1)(ii) of the EPBC Regulations because I am:  
 Small business  
 Not applicable

9.1.2.2 I would like to apply for a waiver of full or partial fees under Regulation 5.21A of the EPBC Regulations  
 Yes       No

**9.1.3 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)**

First name      David  
 Last name      Maxwell  
 Job title      Director  
 Phone      0404 829 048  
 Mobile      0404 829 048  
 Fax  
 Email      david@riverviewgroup.com.au  
 Primary address      3/28 Bougainville St, Griffith, 2603, ACT, Australia  
 Address

**Declaration: Person proposing the action (To be signed by the person at 9.1.3)**

I, DAVID MAXWELL, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf or for the benefit of any other person or entity.

Signature: [Signature] Date: 10/6/21

I, DAVID MAXWELL, the person proposing the action, consent to the designation of Capital Plus 1 Woodbury Ridge Pty Ltd as the proponent for the purposes of the action described in this EPBC Act Referral.

Signature: [Signature] Date: 10/6/21



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

**Proposed designated proponent**

9.2.1 Is the proposed designated proponent an organisation or business?  
 Yes       No

**Organisation**  
 Organisation name (as registered for ABN/ACN) CAPITAL PLUS 1 WOODBURY RIDGE PTY LTD  
 Business name  
 ABN  
 ACN 650185407  
 Business address 3/28 Bougainville St, Griffith, 2603, ACT, Australia  
 Postal address  
 Main Phone number 0404 829 048  
 Fax  
 Primary email address david@riverviewgroup.com.au  
 Secondary email address

9.2.2 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)

First name David  
 Last name Maxwell  
 Job title Director  
 Phone 0404 829 048  
 Mobile 0404 829 048  
 Fax  
 Email david@riverviewgroup.com.au  
 Primary address 3/28 Bougainville St, Griffith, 2603, ACT, Australia  
 Address

**Declaration: Proposed Designated Proponent**

I, DAVID MAXWELL, the proposed designated proponent, consent to the designation of myself as the proponent for the purposes of the action described in this EPBC Act Referral.

Signature:  Date: 10/6/21



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

<b>Referring party (person preparing the information)</b>	
<b>9.3.1 Is the referring party an organisation or a business?</b>	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Organisation</b>	
Organisation name (as registered for ABN/ACN)	CAPITAL ECOLOGY PTY LTD
Business name	
ABN	50607364358
ACN	
Business address	PO Box 854, Gungahlin, 2912, ACT, Australia
Postal address	
Main Phone number	0412474415
Fax	
Primary email address	rob@capitalecology.com.au
Secondary email address	
<b>9.3.2 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)</b>	
First name	Robert
Last name	Speirs
Job title	Principal Ecologist
Phone	0412474415
Mobile	
Fax	
Email	rob@capitalecology.com.au
Primary address	PO Box 854, Gungahlin, 2912, ACT, Australia
Address	
<b>Declaration: Referring party (person preparing the information)</b>	
I, <u>ROBERT SPEIRS</u> , declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence.	
Signature: <u></u>	Date: <u>10/6/2021</u>



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Appendix A	
Attachment	
Document Type	File Name
action_area_images	Avoidance Footprint - Biodiversity Stewardship Sites - GDA94.shp
action_area_images	Avoidance Footprint - Retained in Lots and APZ - GDA94.shp
action_area_images	Development Footprint - GDA94.shp
action_area_images	EPBC Act Box-Gum Woodland - GDA94.shp
action_area_images	Golden Sun Moth habitat - GDA94.shp
action_area_images	Superb Parrot breeding habitat - GDA94.shp
action_area_images	CapitalEcology2021 - BCAR - Figure 3. Proposed Action Area.pdf
action_area_images	CapitalEcology2021 - BCAR - Figure 15. Avoidance - Vegetation.pdf
action_area_images	CapitalEcology2021 - BCAR - Figure 16. Avoidance - Threatened Species.pdf
action_area_images	CapitalEcology2021 - BCAR - Figure 17. Residual Impacts.pdf
public_consultation_reports	<b>NOT PUBLISHED - SUPERSEDED</b> Rezoning - Response to Submissions.pdf
public_consultation_reports	<b>NOT PUBLISHED - SUPERSEDED</b> DA - Response to Public Submissions.pdf
public_consultation_reports	Att D-Heritage Statement - EcoLogicalAustralia2018b.pdf
public_consultation_reports	<b>NOT PUBLISHED - SENSITIVE</b> Att F-Aboriginal Due Diligence-PastTraces2020.pdf
public_consultation_reports	Att E-AboriginalDueDiligence-EcoLogicalAustralia2018a.pdf
public_consultation_reports	Att G-Rezoning-Response to Submissions.pdf
public_consultation_reports	Att H-DA-Response to Submissions.pdf
supporting_tech_reports	<b>NOT PUBLISHED - SUPERSEDED</b> CapitalEcology2021 - 2980.WoodburyRidgeEstate.BCAR.Dft03.20210430.pdf
supporting_tech_reports	<b>NOT PUBLISHED - SUPERSEDED</b> EcoLogicalAustralia-2018 - Planning Proposal Ecology.pdf
supporting_tech_reports	Att A-BCAR Ecology-CapitalEcology2021.pdf
supporting_tech_reports	Att B-Planning Proposal Ecology-EcoLogicalAustralia2018.pdf
hydro_investigation_files	<b>NOT PUBLISHED - SUPERSEDED</b> Soil_and_Water2020 - Land Capability.pdf
hydro_investigation_files	Att C-Land Capability-Soil_and_Water2020.pdf

Appendix B	
Coordinates	
Area 1	
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-35.177209230586,149.27008432933	
-35.177340080616,149.27030316767	
-35.178806342861,149.26658576887	
-35.178806093115,149.26658484992	
-35.179058735668,149.26577003796	
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-35.166665420665,149.25452380687
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