

FLORA AND FAUNA IMPACT ASSESSMENT

Residential subdivision at 292 Rosemont Road, Boxers Creek, NSW 2580

Report prepared by Land Eco Consulting on behalf of M. Taylor

30 March 2022

Reviewed by Brian Faulkner, Environment & Biodiversity Assessment Officer, GMC

The Flora and Fauna Impact Assessment report provides an assessment of potential impacts on biodiversity of a Planning Proposal and DA for a subdivision at 292 Rosemont Road, Boxers Creek, NSW 2580.

The Planning Proposal is to rezone the land from RU6 to R5 and C2 (100 m buffers from riparian land) with a minimum lot size of 2 hectares (R5) AND 100 hectares (C2).

The report identifies that the land has been historically cleared and managed for agricultural use. Most of the land has been pasture improved and is now dominated by exotic pasture species and weeds. However some remnant native trees remain, comprising Yellow Box (*Eucalyptus melliodora*) and the land is identified as containing a small amount of highly degraded PCT 1330 Yellow Box – Blakely's Red Gum grassy woodland on the tablelands, South Eastern Highlands Bioregion.

This is a component of the ecological community known as **White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland in the NSW North Coast, New England Tableland, Nandewar, Brigalow Belt South, Sydney Basin, South Eastern Highlands, NSW South Western Slopes, South East Corner and Riverina Bioregions.**

This ecological community is listed as Critically Endangered under both NSW and Commonwealth legislation. Proposed subdivision design has placed locations of access tracks and building envelopes to avoid impacts on remnant White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland.

The report identifies that no native vegetation belonging to PCT 1330 (or any other native vegetation community) will be removed for the proposed development. Two drainage lines flow from north east to south west, merging into one creek line near the western boundary. This is a tributary of the Gundry Creek. The drainage lines and adjacent lands are proposed to be rezoned C2 and will not be impacted by the proposed development.

Two threatened fauna species were found to be present on the property, these being Dusky Woodswallow (*Artamus cyanopterus cyanopterus*) and Diamond Firetail (*Stagonopleura guttata*). A further 11 threatened species have been assessed as possibly present, these being:

Regent Honeyeater (*Anthochaera phrygia*)

Little Lorikeet (*Glossopsitta pusilla*)

Swift Parrot (*Lathamus discolor*)

Gang Gang Cockatoo (*Callocephalon fimbriatum*)

Scarlet Robin (*Petroica boodang*)

Flame Robin (*Petroica phoenica*)

Eastern False Pipistrelle (*Falsistrellus tasmaniensis*)

Corben's Long Eared Bat (*Nyctophilus corbeni*)

Greater Broad Nosed Bat (*Scoteanax rueppellii*)

Eastern Coastal Free Tail Bat (*Micronomus norfolkensis*)

Yellow Bellied Sheathtail Bat (*Saccolaimus flaviventris*)

A Threatened Species Test of Significance has been conducted for possible impacts on these threatened species and for White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland. The TOS has determined that there is not likely to be any significant impact on any threatened species.

Approximately 4.19 hectares of exotic dominated grassland, 20 exotic shrubs and 2 dead trees are to be removed. The BOS area clearing threshold is not triggered.

Potential for Koala (*Phascolarctos cinereus*) to be present on the land has been assessed and it has been determined that the remnant trees do not provide sufficient breeding or foraging habitat, and are not connected to substantial suitable Koala habitat.

The report concludes that the proposed development will of no significant consequence to biodiversity in the locality, region or bioregion.

Review comments

The report is well researched and presented. Desktop and field surveys have been conducted appropriately. Review of the available data and Threatened Species Test of Significance conclusions are supported. Field surveys have followed BAM requirements and the appropriate number of BAM plots have been utilised to collect data.

IBRA, Sub IBRA and Mitchell Landscapes have been identified correctly.

A site inspection was conducted by GMC Officers Brian Faulkner (Environment & Biodiversity Assessment Officer) and David Kiernan (Senior Strategic Planner) on 27/04/2022 to ground truth and verify findings of the report.

This has confirmed findings of the report. Remnant canopy trees in the areas proposed to be rezoned R5 are Yellow Box (*Eucalyptus melliodora*).

The groundcover is almost entirely dominated by exotic species and there is a significant component of weed species including Chilean Needle Grass (*Nassella neesiana*), Buchan Weed (*Hirschfeldia incana*), Fleabane (*Conyza* sp.), St John's Wort (*Hypericum perforatum*), Spear Thistle (*Cirsium vulgare*) and Saffron Thistle (*Carthamus lanatus*).

Woody weeds on the site include African Box Thorn (*Lycium ferocissimum*), Hawthorn (*Crataegus monogyna*), Sweet Briar (*Rosa rubiginosa*) and Blackberry (*Rubus fruticosus* aggregate).

The findings of the report that the proposed development will not involve removal of native vegetation is supported. Areas to be impacted are clearly dominated by exotic species. No threatened species of flora or fauna were found to be present during the site inspection.

Drainage lines were found to have scattered remnant Ribbon Gum (*Eucalyptus viminalis*). Some of these are large trees and provide significant potential habitat for fauna. These are not likely to be impacted by the proposed development, but it is recommended that if the proposed development is to be approved, formal measures are put into place to provide protection for these remnant trees.

Ribbon Gum is listed as a Koala feed tree under SEPP (Koala Habitat Protection) 2020 and a Koala use tree under SEPP (Koala Habitat Protection) 2021. However the trees are isolated from any significant Koala habitat, no Koalas have been found to be in the area and there are no records of Koalas within 10 km of the property. It is unlikely that Koalas are present on the site.

The drainage lines are mapped as Key Fish Habitat. As such they are protected under the Fisheries Management Act 1994.

Areas adjacent to drainage lines have potential to contain Aboriginal artefacts, but as already noted, these areas are not likely to be adversely impacted by the proposed rezoning and subdivision.

Based on the available information and the findings of the site inspection, the conclusion of the report that the proposed development will of no significant adverse consequence to biodiversity in the locality, region or bioregion is broadly supported.

However it is recommended that if the proposed subdivision is approved, a S88B Instrument be created over each lot, with the following suggested wording:

All trees and all native vegetation on the burdened lot are protected for conservation purposes.

A person must not remove, cut down, damage, kill, ringbark, poison, burn, top, lop or trim any trees or native vegetation on the burdened lot without a permit granted by Council.

For the purposes of this instrument, native vegetation is as defined under the NSW Local Land Services Act 2013:

60B Meaning of “native vegetation”

(1) For the purposes of this Part, native vegetation means any of the following types of plants native to New South Wales—

- (a) trees (including any sapling or shrub or any scrub),*
- (b) understorey plants,*
- (c) groundcover (being any type of herbaceous vegetation),*
- (d) plants occurring in a wetland.*

(2) A plant is native to New South Wales if it was established in New South Wales before European settlement. The regulations may authorise conclusive presumptions to be made of the species of plants native to New South Wales by adopting any relevant classification in an official database of plants that is publicly accessible.

SUPPORTING PHOTOGRAPHS

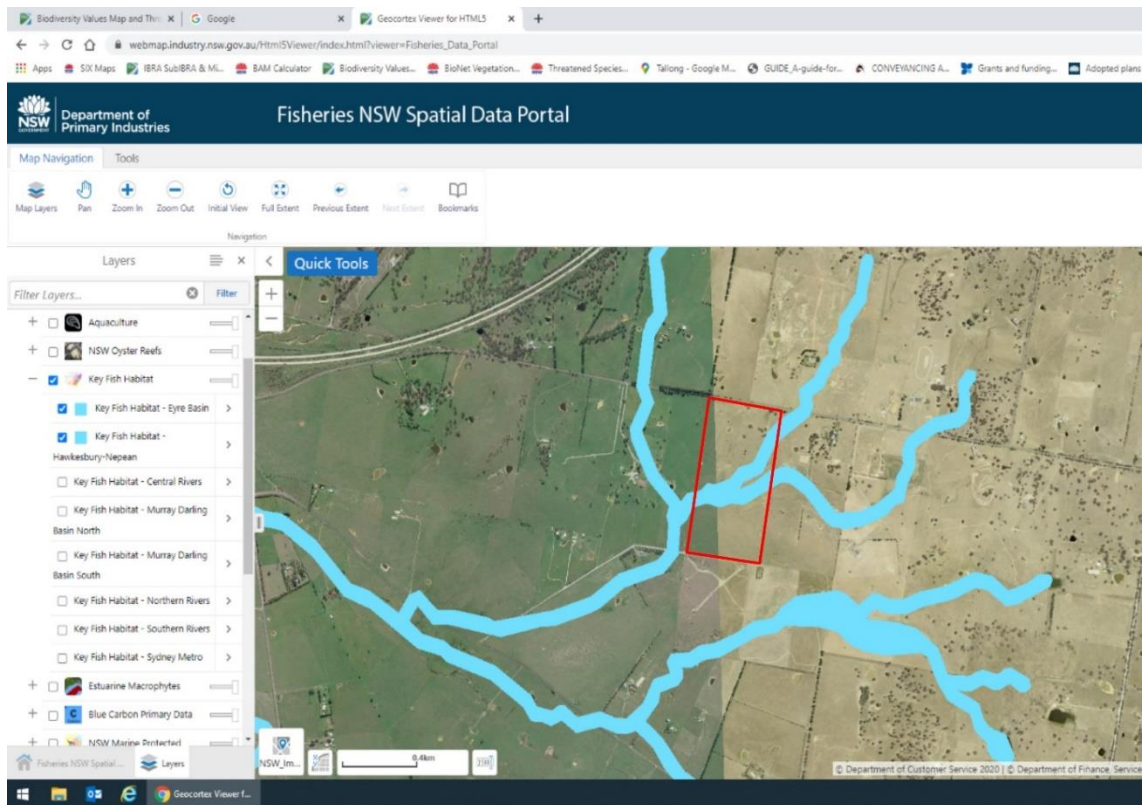
Remnant Yellow Box (*Eucalyptus melliodora*). Groundcover layer dominated by exotic species.



Most of the property has been cleared and is now dominated by exotic pasture species.



Drainage lines are mapped as Key Fish Habitat





Below: Remnant Ribbon Gum (*Eucalyptus viminalis*). These trees should be protected.

