



Ecological Assessment Report (EAR):

Project Name: *9 Armstrong Street, Rylstone*

Prepared for: Steve Shaw

July 2024



**LOCAL
GOVERNMENT
PROCUREMENT**
APPROVED CONTRACTOR

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Prepared for: Name: Steve Shaw Ph.: 0423 669 821	Prepared by: Renae Hill Christopher Botfield Access EP Ph: 0429 944 430 Email: chris@accessep.com.au		

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1. Introduction

This Ecological Assessment Report (EAR) has been prepared by Access Environmental Planning for Steve Shaw with respect to the proposed construction of a residential dwelling house at 9 Armstrong Street, Rylstone (Lot 3 / DP 1010093), within Rylstone township (**Figure 1**).

Future site works will involve house construction and connection to services, such as sewer and stormwater systems.

This report addresses the impact of the proposed development on the vegetation and ecological values. Even though there is remnant native vegetation this Lot is not identified in the Mid-Western Regional Council (MWRC) Terrestrial Biodiversity mapping (**Appendix F**). A test of significance as prescribed by the Biodiversity Conservation Act 2016 is included in this report.

In accordance with the Environment Protection and Biodiversity Conservation Act of 1999 (EPBC Act) an EPBC Act Protected Matters Search was performed on 09/05/2024 from which an EPBC Act Protected Matters Report was rendered. Details regarding the search are included later in this report.

A Bionet Atlas search was performed to establish which potential threatened species have previously been recorded in or near the proposed site. The Bionet search performed on 09/05/2024 returned a total of 206 records of 13 species, within a 10 km² area around the site. The site vegetation has been altered by weed incursion and historical disturbance to trees and the consequent lack of nests and hollows limit resources available for potential threatened species.

Any erosion and sediment control measures implemented will be in accordance with the “Blue Book” (Managing Urban Stormwater: Soils and construction – Volume 1 (4th edition)).

Table 1: Proponent details

Project Name	9 Armstrong Street, Rylstone – Residential house
Proponent Name	Mr. Steve Shaw
Project Manager	Mr. Steve Shaw
Contact Details	P: 0423 669 821

2. Site Details

2.1. Project Location and Context

- Street address is 9 Armstrong Street, Rylstone, which is formally identified as Lot 3 of DP 1010093 (**Figure 1**).
- Mid-Western Regional Council (MWRC) Local Government Area (LGA).
- Located within Rylstone village.

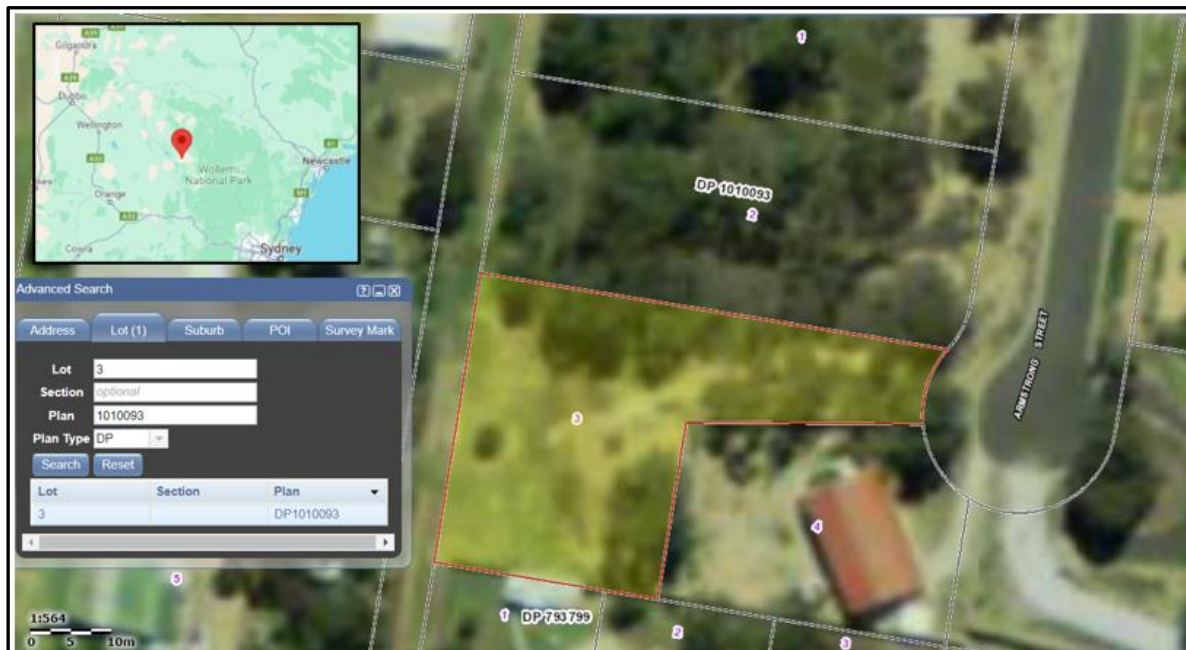


Figure 1: Site aerial (Source SiX Maps/Google)

The Lot is 0.14 ha (approximately 1400 m²) in size and is mostly regular in shape with an elongated section for access. The Lot slopes to the west, down from the street access. There are no water courses on the Lot. The property has remnant smooth barked gums, with some shrubs and many exotic plants in the understorey. The proposed house will result in development activities predominantly in the existing cleared zone in the western portion of the lot.

Approximate mid-point of site: latitude: -32.8050, longitude: 149.9724.

The site is in the NSW South Western Slopes bioregion and the Capertee Valley sub-region of the Interim Biogeographic Regionalisation for Australia (IBRA) classification.

The site is zoned RU5 Village and is surrounded by RU5 zoned land and established houses.

2.2. Project Description and Background

2.2.1. Detailed Scope of Works

The proponent plans the development which is construction of a dwelling house.

These works will be undertaken by the proponent or workers contracted by the proponent. To satisfactorily complete the work the building contractor will:

- Implement erosion and sediment control measures to prevent runoff
- Remove all rubbish and debris from the site
- Apply appropriately qualified tradespeople to the tasks.

3. Statutory and Planning Framework

3.1. Environmental Planning and Assessment Act 1979

Assessment of the proposal against the provisions of Clause 4.15 of the Environmental Planning and Assessment Act and related planning instruments (Local Environment Plan (LEP), any Development Control Plan (DCP) and appropriate state environmental planning policies (SEPPs)) has been addressed in a separate Statement of Environmental Effects.

3.2. Other Environmental Legislation

Table 2: Summary of other environmental legislation

Legislation	Relevance to the Proposed Activity
COMMONWEALTH LEGISLATION	
<i>Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act)</i>	The EPBC Act protects matters of <u>National Environmental Significance</u> (MNES), such as threatened species and ecological communities, migratory species (protected under international agreements), and National Heritage places (among others). There will be no significant impacts to any MNES.
STATE LEGISLATION	
<i>Biodiversity Conservation Act 2016 (BC Act)</i>	Part 7 of the BC Act provides the environmental assessment requirements for activities being assessed under Part 4 of the EP&A Act 1979, where the Biodiversity Offset Scheme (BOS) is not applicable. If a significant impact is likely, a Species Impact Statement is required. A test of significance has been completed for those threatened species that may potentially use the site (Appendix B).
<i>Local Land Services Act 2013 (LLS Act)</i>	The objects of the LLS Act include 'to ensure the proper management of natural resources in the social, economic and environmental interests of the State, consistently with the principles of ecologically sustainable development. Rural village areas are excluded from LLS Act provisions and development is considered under the local Council policies and control plans.
<i>Fisheries Management Act 1995 (FM Act)</i>	FM Act provides for the protection, conservation, and recovery of threatened species, populations and ecological communities of fish and marine vegetation and fish habitats, as well as promoting the development and sharing of fishery resources in NSW. Key fish habitat areas that are protected under the Fisheries Management Act do not occur near the site.
<i>Heritage Act 1977</i>	The proposed activity does not involve an item or place listed on the <u>NSW State Heritage Register</u> or the subject of an interim heritage order or listing and is therefore not a controlled activity. Approval of works on the site is therefore not required under Part 4 of the Heritage Act.

<p>Protection of the Environment Operations Act 1997 (POEO Act)</p>	<p>The POEO Act is the key environmental protection and pollution statute, administered by the EPA with a licensing regime for waste, air, water and pollution. Any work potentially resulting in pollution must comply with the POEO Act. Relevant licences must be obtained if required.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>[No licences have been identified as being required including an Environmental Protection Licence (EPL).]</p> </div>
<p>Water Management Act 2000 (WM Act)</p>	<p>The WM Act's main objective is to manage NSW water in a sustainable and integrated manner that will benefit today's generations without compromising future generations' ability to meet their needs. Section 91E of the Act establishes an approval regime for controlled activities within waterfront land. As the site is not on waterfront land approval under the WM Act is not required.</p>
<p>Biosecurity Act 2015</p>	<p>The <i>Biosecurity Act 2015</i> and regulations provide requirements for state level priority weeds. The Act regulates all plants, with a general biosecurity duty to prevent, eliminate or minimise any biosecurity risk they may pose. No priority weeds were observed at the site.</p>
<p>State Environmental Planning Policy (Biodiversity and Conservation) 2021</p>	<p>Aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas. Chapter 4 relating to koala habitat protection (2021) is the applicable chapter due to RU5 land zoning on land that has an area of less than 1 ha, in MWRC LGA. The site vegetation is not core koala habitat because koalas do not occur there and have not been recorded at the site in the preceding 18 years.</p>

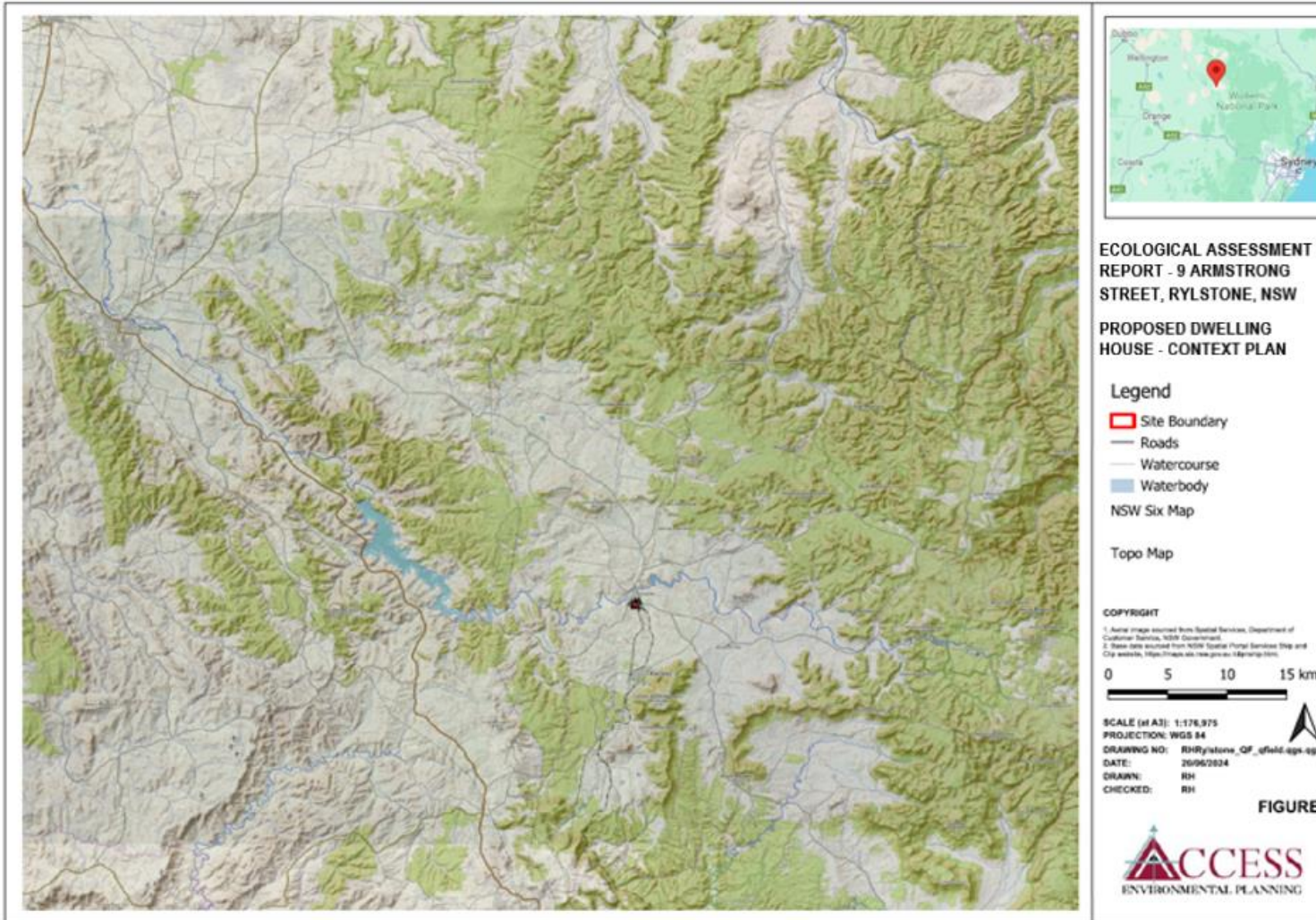


Figure 2: Location of proposed development site.



Figure 3: Site plan showing woody vegetation (waypoint (WP) details in **Appendix A**).

4. Ecological Assessment

The site was inspected by pedestrian survey (using random meander technique) and trees in the impact zone with diameter at breast height (dbh) over 15 cm were examined (**Figure 3**).

3.1 Vegetation

Plant species identified in vegetation survey are shown below:

Trees

Scientific name	Common name
<i>Eucalyptus dawsonii</i>	Slaty gum
<i>Eucalyptus mannifera</i>	Brittle gum
<i>Eucalyptus rubida</i>	Candlebark
<i>Eucalyptus melliodora</i>	Yellow box

Shrubs

Scientific name	Common name
<i>Acacia baileyana</i>	Cootamundra wattle
<i>Acacia caesiella</i>	Tableland wattle
<i>Cassinia sifton</i>	Sifton bush
<i>Pultenaea laxiflora</i>	Bush pea
<i>Grevillea juniperina</i> 'Molonglo'	-
<i>Melichrus urceolatus</i>	Melichrus

Ferns

Scientific name	Common name
<i>Cheilanthes tenuifolia</i>	Rock fern

Non-natives

Scientific name	Common name
<i>Gleditsia triacanthos</i>	Honey locust
<i>Ligustrum lucidum</i>	Broad leaved privet
<i>Chamaecytisus palmensis</i>	Tagasaste
<i>Rubus fruticosus</i>	Blackberry
<i>Senecio jacobaea</i>	Common ragwort
<i>Verbena bonariensis</i>	Purple top
<i>Plantago lanceolata</i>	Plantain
<i>Rubus fruticosus</i>	Blackberry
<i>Stellaria media</i>	Chick weed
<i>Medicago spp.</i>	Burr medic
<i>Paspalum dilatatum</i>	Paspalum
<i>Pennisetum clandestinum</i>	Kikuyu
<i>Lolium spp.</i>	Annual rye grass

Grass like plants

Scientific name	Common name
<i>Themeda triandra</i>	Kangaroo grass
<i>Austrodanthonia caespitosa</i>	Wallaby grass
<i>Cynodon dactylon</i>	Couch
<i>Lomandra filiformis</i>	Wattle mat rush
<i>Lomandra multiflora</i>	Many-flowered mat rush
<i>Carex inversa</i>	Knob sedge

Forbs

Scientific name	Common name
<i>Dichondra repens</i>	Kidney weed
<i>Euphorbia drummondii</i>	Caustic weed
<i>Portulaca oleracea</i>	Pigweed
<i>Calotis cuneifolia</i>	Purple burr daisy

Fauna species incidentally observed:

Birds

Scientific name	Common name
<i>Corvus coronoides</i>	Australian raven
<i>Gymnorhina tibicen</i>	Australian magpie
<i>Eolophus roseicapilla</i>	Galah
<i>Strepera graculina</i>	Pied currawong
	Sulphur crested
<i>Cacatua galerita</i>	cockatoo
<i>Alisterus scapularis</i>	King parrot
<i>Platycercus eximius</i>	Eastern rosella
<i>Anthochaera carunculata</i>	Red wattle bird
<i>Trichoglossus</i>	
<i>moluccanus</i>	Rainbow lorriikeet
<i>Cacatua sanguinea</i>	Little corella

The majority of assessed trees within the Lot had dbh less than 30 cm. Construction of a residential house will not disturb the majority of trees across the site.

No plant community types (PCTs) are identified by State Vegetation Type Mapping (SVTM) available using the Sharing and Enabling Environmental Data (SEED) online portal.

Plant species and location details at the site were used to assess a likely fit for a known plant community type which was determined as PCT 3731 Capertee conglomerate grey gum – stringybark forest.

This PCT is described as a tall, occasionally very tall, sclerophyll open forest with a mid-stratum of dry shrubs and a ground layer of grasses and graminoids. This PCT occurs on dry quartz-rich Permian sediments exposed on foothill ranges of the Capertee and Wolgan valleys, western Blue Mountains. The tree canopy very frequently includes a high cover of *Eucalyptus punctata* and one or more species from the stringybark eucalypt group. Other eucalypts can include localised patches of *Eucalyptus polyanthemos* or *Eucalyptus mannifera*. There is typically a sparse to mid-dense shrub layer with small forbs and graminoids such as *Dianella revoluta* and *Lomandra filiformis*. This PCT occurs across a topographically diverse landscape. This varies from steep, dry and rocky escarpment talus slopes, or on gently sloping crests on plateaus or lower-elevation valley floors. It occurs at mid to high elevations which experience cool tableland temperatures.

It is 27 % cleared in NSW.

It has no associated threatened ecological communities (TEC).



Photo 1: Typical vegetation at the site.



Photo 2: Small diameter tree regrowth, often multi-stemmed, indicates previous cutting.

3.2 Biodiversity Values Map

Clearing of any vegetation identified on the biodiversity values map (BVM) (**Figure 4**) immediately triggers entry into the Biodiversity Offset Scheme (BOS), requiring assessment and reporting using the Biodiversity Assessment Method (BAM) 2020 framework. In this case, the site is not on the BVM and no clearing or modification to any vegetation identified on the BVM will occur.

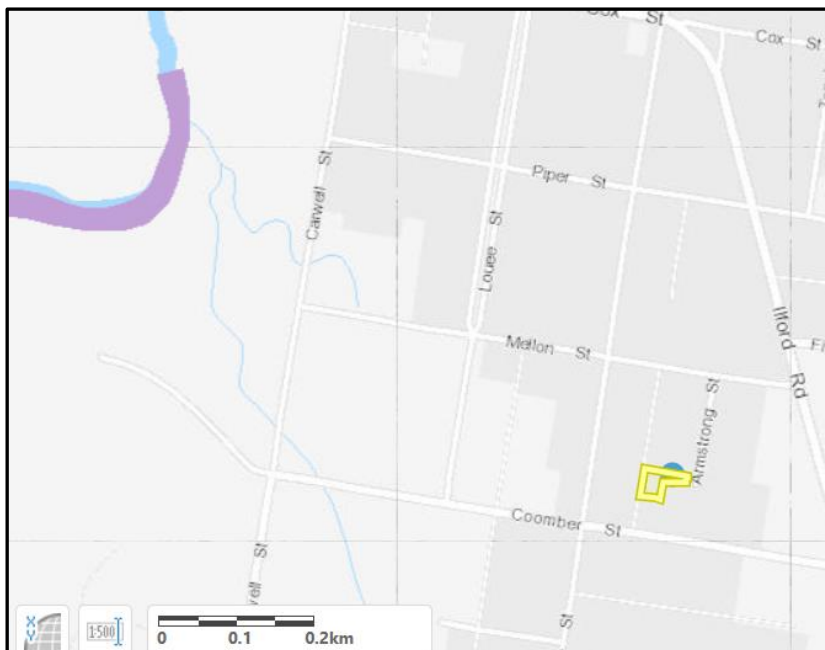


Figure 4: BVM does not identify any areas on the subject land.

The other trigger for the BOS is an area threshold based on the minimum Lot size for the landholding. For this subject Lot, up to 0.25 ha (2500 m²) is allowed clearing before the BOS would be triggered and a Biodiversity Development Assessment Report (BDAR) required. As the entire Lot is 0.14 ha even if all vegetation is cleared it is less vegetation modification than the area clearing threshold trigger.

Minimum lot size associated with the property	Threshold for clearing, above which the Biodiversity Assessment Method and Biodiversity Offsets Scheme apply
Less than 1 ha	0.25 ha or more
1 ha to less than 40 ha	0.5 ha or more
40 ha to less than 1000 ha	1 ha or more
1,000 ha or more	2 ha or more

3.3 Koala Habitat

The Koala State Environmental Planning Policy (SEPP) 2021 (Chapter 4 of the Biodiversity and Conservation SEPP 2021) applies to the land due to its RU5 zoning and location in the Mid-Western Regional Council area. The land has an area much less than 1 ha and therefore development can

be considered where there is no approved koala plan of management and the land is not identified as core koala habitat.

Core koala habitat is defined in the SEPP as:

- (a) an area of land which has been assessed by a suitably qualified and experienced person as being highly suitable koala habitat and where koalas are recorded as being present at the time of assessment of the land as highly suitable koala habitat, or
- (b) an area of land which has been assessed by a suitably qualified and experienced person as being highly suitable koala habitat and where koalas have been recorded as being present in the previous 18 years.

The land is not highly suitable koala habitat even though a number of trees are regionally relevant species because no koalas were recorded at the time of the site visit and there are also no previous records of koalas within 10 km² of the site (Bionet Atlas search results). Development on the land can therefore be considered as there is no approved koala plan of management and it does not satisfy the constraints relating to the definition of core koala habitat.

3.4 Test of Significance

The assessment of significance must be completed when a threatened species may be impacted in accordance with the requirements of section 1.7 of the *Environmental Planning and Assessment Act 1979* and the Assessment of Significance under Section 7.3 the *Biodiversity Conservation Act 2016*.

A list of potential threatened species was generated by a threatened species search based on IBRA bioregion and subregion. The area was assessed according to the impact of the proposed works on habitat and potential habitat for threatened species that may use or are likely to utilise the subject site.

Assessment of Significance (NSW BC Act 2016)

As per section 7.3 the *Biodiversity Conservation Act 2016*, the following factors must be taken into account when making a determination of an activity or development:

- (a) in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,**

Threatened species that may occur at the site are considered below:

Plants

Scientific Name	Common Name
<i>Acacia bynoeana</i>	Bynoe's Wattle
<i>Darwinia peduncularis</i>	Darwinia peduncularis
<i>Eucalyptus alligatrix</i> subsp. <i>alligatrix</i>	Eucalyptus alligatrix subsp. Alligatrix
<i>Eucalyptus cannonii</i>	Capertee Stringybark
<i>Euphrasia arguta</i>	Euphrasia arguta
<i>Grevillea evansiana</i>	Evans Grevillea
<i>Grevillea obtusiflora</i>	Grevillea obtusiflora
<i>Persoonia hirsuta</i>	Hairy Geebung
<i>Persoonia marginata</i>	Clandulla Geebung
<i>Phebalium bifidum</i>	Phebalium bifidum
<i>Pomaderris brunnea</i>	Brown Pomaderris

<i>Prostanthera cryptandroides</i> subsp. <i>cryptandroides</i>	Wollemi Mint-bush
<i>Prostanthera stricta</i>	Mount Vincent Mint-bush
<i>Pultenaea</i> sp. <i>Olinda</i>	Pultenaea sp. <i>Olinda</i>
<i>Swainsona recta</i>	Small Purple-pea
<i>Swainsona sericea</i>	Silky Swainson-pea

Random meander searching of the proposed development site was undertaken and areas of proposed disturbance were traversed looking for potential threatened species. No threatened plants were observed during the site visit. There are limitations to the site inspection – as some species may not have been encountered due to possible plant senescence, seasonal timing and existing vegetation obscuring visibility. The location of the site in a village setting with indicators of previous tree cutting and disturbance support a decreased likelihood that a threatened plant would exist at the site.

Birds of Prey

Scientific Name	Common Name
<i>Circus assimilis</i>	Spotted Harrier
<i>Falco subniger</i>	Black Falcon
<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle
<i>Hamirostra melanosternon</i>	Black-breasted Buzzard
<i>Hieraaetus morphnoides</i>	Little Eagle
<i>Lophoictinia isura</i>	Square-tailed Kite

Birds of prey typically have large hunting ranges and can search for prey in cleared areas. This site is very small and exists surrounded by houses with distances of greater than 100 m to small adjacent patches of native vegetation. Proposed dwelling house construction will modify mainly groundcover vegetation but it is unlikely to have significant effects as it consists of a high proportion of exotic species.

Owls

Scientific Name	Common Name
<i>Ninox connivens</i>	Barking Owl
<i>Ninox strenua</i>	Powerful Owl
<i>Tyto novaehollandiae</i>	Masked Owl

Owls require mature trees with large hollows (more than 20 cm across) – no trees containing adequately sized hollows exist at the site.

Woodland Birds

Scientific Name	Common Name
<i>Anthochaera phrygia</i>	Regent Honeyeater
<i>Aphelocephala leucopsis</i>	Southern Whiteface
<i>Artamus cyanopterus cyanopterus</i>	Dusky Woodswallow
<i>Chthonicola sagittata</i>	Speckled Warbler
<i>Climacteris picumnus victoriae</i>	Brown Treecreeper (eastern subspecies)
<i>Daphoenositta chrysoptera</i>	Varied Sittella
<i>Glossopsitta pusilla</i>	Little Lorikeet
<i>Grantiella picta</i>	Painted Honeyeater
<i>Hirundapus caudacutus</i>	White-throated Needle-tail
<i>Lathamus discolor</i>	Swift Parrot

<i>Melanodryas cucullata cucullata</i>	South-eastern Hooded Robin
<i>Melithreptus gularis gularis</i>	Black-chinned Honeyeater (eastern subspecies)
<i>Neophema pulchella</i>	Turquoise Parrot
<i>Pachycephala inornata</i>	Gilbert's Whistler
<i>Petroica boodang</i>	Scarlet Robin
<i>Petroica phoenicea</i>	Flame Robin
<i>Pomatostomus temporalis temporalis</i>	Grey-crowned Babbler (eastern subspecies)
<i>Stagonopleura guttata</i>	Diamond Firetail

Woodland birds require structural diversity in plant communities, flowering understorey plants and access to native grasses. Most of the site has introduced grassy groundcover. Eucalypts that produce high volumes of nectar such as mugga ironbark, white box and swamp mahogany do not occur at the site. Nor do stringybarks, other ironbarks or mistletoes. It is not expected that the three immature yellow box trees that exist at the site will need to be disturbed for house construction. As these types of resources either do not occur or will not be disturbed, the regent honeyeater, swift parrot, painted honeyeater, black-chinned honeyeater, turquoise parrot and little lorikeet are unlikely to be affected by activities at the site.

Smaller birds like the scarlet and flame robin appreciate an open grassy understorey with few scattered shrubs and abundant logs and fallen timber which are not characteristic of site features. Grass diversity and abundance is lacking at the site which would also limit the diamond firetail, dusky woodswallow and south-eastern hooded robin habitat availability.

The southern whiteface utilises mallee, mulga and saltbush forests and woodlands typical of more arid locations and this vegetation is not found at the site.

The speckled warbler requires a sparse shrub layer and large remnant parcels of native vegetation to be able to persist in an area so is unlikely to permanently inhabit the site. Woodlands dominated by stringybarks and other rough barked eucalypts without a dense shrub layer are required features for the brown tree creeper and varied sitella, which contrasts with available attributes, reducing the likelihood of their reliance on the site.

The small size of the site and isolation from other patches of woody vegetation mean grey-crowned babbler are unlikely to be able to utilise the subject land for breeding or foraging. Gilbert's whistler usually occurs in mallee shrublands, box-ironbark woodlands, cypress pine and belah woodlands and river red gum forests, none of which is the type of vegetation prevalent at the site.

The white throated needletails are migratory, not breeding in Australia and while they are largely aerial they sometimes utilise trees for roosting. Few trees at the site will be disturbed making any potential effect exceedingly small.

Due to the existing vegetation composition and condition, site location and the existing small extent of woody native plants, modification of site flora will be relatively minor in the landscape context and significant impacts on life cycle processes for these species are unlikely.

Cockatoos

Scientific Name	Common Name
<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo
<i>Calyptorhynchus lathami lathami</i>	South-eastern Glossy Black-Cockatoo

Allocasuarinas, the preferred feed species for the glossy black cockatoo, are not on site and the lack of water access would limit site use by the gang-gang cockatoo. Changes to site ecological resources are therefore unlikely to reduce habitat required for these species.

Water Birds

Scientific Name	Common Name
<i>Epthianura albifrons</i>	White-fronted Chat
<i>Ixobrychus flavicollis</i>	Black Bittern
<i>Rostratula australis</i>	Australian Painted Snipe

These birds require swamps, wetlands or ephemeral wet areas which do not exist at the site and will not be affected by site activities.

Amphibians

Scientific Name	Common Name
<i>Mixophyes balbus</i>	Stuttering Frog

Found in rainforest or wet open forest, there are no areas that may support refuge for this frog and therefore no possible effect on its' life cycle.

Reptiles

Scientific Name	Common Name
<i>Hoplocephalus bungaroides</i>	Broad-headed Snake

Shelters in rock crevices and under flat sandstone rocks on exposed cliff edges. As there is negligible habitat on site, adverse effects on the life cycle of such species, jeopardising a viable local population, is unlikely.

Mammals

Scientific Name	Common Name
<i>Petauroides volans</i>	Southern Greater Glider
<i>Petaurus norfolcensis</i>	Squirrel Glider
<i>Dasyurus maculatus</i>	Spotted-tailed Quoll
<i>Phascolarctos cinereus</i>	Koala

The site does not contain core koala habitat and there will be minimal disturbance to the existing trees. The gliders require tree spacing that allows movement between stems, nominally less than 50 m. As the site is isolated and surrounded by residential development, gliders would be unable to cross over to the subject land from the closest patch of remnant woody vegetation. The spotted tailed quoll requires rock platforms for den sites – no rock platforms occur at the site.

Bats

Scientific Name	Common Name
<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat
<i>Falsistrellus tasmaniensis</i>	Eastern False Pipistrelle
<i>Micronomus norfolkensis</i>	Eastern Coastal Free-tailed Bat
<i>Miniopterus australis</i>	Little Bent-winged Bat
<i>Miniopterus orianae oceanensis</i>	Large Bent-winged Bat
<i>Nyctophilus corbeni</i>	Corben's Long-eared Bat
<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox
<i>Saccolaimus flaviventris</i>	Yellow-bellied Sheathtail-bat
<i>Scoteanax rueppellii</i>	Greater Broad-nosed Bat

The types of ecological resources used are tree hollows, loose bark, buildings or other man-made structures, caves and derelict mines. Food sources include beetles, moths, flying insects, nectar and pollen. There are no trees with hollows at the site and it is not expected changes to the subject vegetation would create a significant impact on any viable local population.

- (b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:**
- (i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or**
 - (i) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction.**

The endangered ecological communities (EECs) identified as potentially occurring at the site are:

- Fuzzy Box Woodland on alluvial Soils of the South Western Slopes, Darling Riverine Plains and Brigalow Belt South Bioregions – no fuzzy box trees occur at the site.
- Genowlan Point *Allocasuarina nana* Heathland - vegetation at the site is not a dwarf low closed heath community dominated by *Allocasuarina nana*.
- 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 - the subject land does not contain white box or Blakely’s red gum trees. Yellow box trees do occur but the other tree species (*Eucalyptus dawsonii*, *E. mannifera* and *E. rubida*) are not characteristic of box-gum grassy woodland, meaning this community does not occur on the subject land.

As these possible endangered or critically endangered ecological communities do not occur on the subject land there can be no effect on the extent or composition of any such community.

- (c) in relation to the habitat of a threatened species, population or ecological community:**
- (i) the extent to which habitat is likely to be removed or modified as a result of the action propose, and**
 - (ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action, and**
 - (iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality.**

Disturbance resulting from the proposed development is minor as the majority of the vegetation at the site is exotic groundcover and the existing trees will have minimal disturbance. The site vegetation has reduced ecological value because in the landscape context it is surrounded by human development.

Additional fragmentation and isolation effects are minimal because the site already exists within village housing. The site is not connected to other remnant vegetation.

The vegetation that may be removed or impacted by site activities is not critically important because the majority of it is introduced groundcover plants. Also, the trees are immature and have not developed hollows to enhance the habitat value.

(d) whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly).

There are no nearby declared areas of outstanding biodiversity value within or surrounding the subject site.

(e) whether the proposed development or activity constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process (KTP).

The KTPs applicable to this development include:

Clearing of native vegetation – the construction of a dwelling house may require the removal of some trees on the site but most of the trees will remain undisturbed. Construction effects will be very localised. The site exists in an area set aside for human habitation, with development already surrounding it, so the overall contribution to this KTP is minor.

Competition and environmental degradation by feral animals including the rabbit, fox, goat, deer, pig, dog, cat – the proposed activity will not introduce feral animals and will not improve any reproductive or competitive life cycle advantage for existing pest animals that may occur at the site.

High frequency fire resulting in the disruption of life cycle processes in plants and animals and loss of vegetation structure and composition – the use of the site for a residential dwelling house is likely to reduce the frequency and potentially the severity of fire in the area. Therefore effects on life cycle processes for plants and animals will not be exacerbated by the proposed development.

Invasion and establishment of exotic plants, perennial grasses, vines and scramblers – Introduction of weedy species, garden escapee plants, non-native perennial grasses and foreign vines and scramblers is unlikely because the site is small and isolated from other remnant bushland patches, limiting pathways for invasive exotic plants to propagate in nearby native bush.

Loss of Hollow-bearing Trees - no hollow bearing trees exist at the site.

Removal of dead wood and dead trees –dead wood and dead trees are important for habitat and nutrient cycling for plants and animals but there is minimal occurrence of dead or fallen trees at the site. The small extent of the development means the contribution to this KTP is not significant.

Anthropogenic Climate Change – materials and construction processes to build a dwelling house will add to climate change effects. This contribution is minimised by using more sustainable building materials and principles, solar power options and water tanks for the residential arrangements and the use of emerging non-fossil fuel for vehicular transport. Any contribution to climate change effects would be negligible due to the scale of the project.

The proposed development will therefore not add significantly to any of the relevant KTPs.

Conclusion regarding significance under the NSW BC Act listed species, ecological communities or populations

As the proposed activities are being undertaken on areas of land meant for human habitation and the extent of possible clearing or thinning for the provision of the residential dwelling house is minor (1400 m²) significant impact to any threatened species or their habitat, EEC or CEEC is not expected and contribution to KTPs is negligible.

5. Summary

Table 3: Summary of environmental safeguards to be implemented

Safeguards for the proposed work	
General	<p>All project workers will be inducted on the environmental sensitivities of the work site(s) and relevant safeguards prior to commencement.</p> <p>Removal of trees should only occur to the minimal necessary extent. Wherever possible conserve existing large diameter trees (dbh over 30 cm).</p> <p>Site management will comply with the provisions of Landcom’s “<u>Blue Book</u> (Managing Urban Stormwater: Soils and construction - Volume 1 (4th edition).</p> <p>Sediment will be prevented from moving off the site and no sediment laden water will enter drainage lines or watercourses. Any fuels or chemicals must be stored in bunded areas with functional spill kits and containment procedures available for use.</p> <p>Should unexpected, threatened fauna be located at any time during the work, work will stop to prevent further harm to the individual and professional advice will be sought.</p> <p>Works are not to harm threatened fauna or impede fauna movement. Construction machinery should be cleaned before entering and leaving the site to ensure biosecurity risks are minimised.</p> <p>Waste and excess materials should be removed to a licensed waste disposal facility and the site and ground surfaces restored at the completion of building activity.</p>

6. Certification, Review and Decision

This Ecological Assessment Report (EAR) provides a true and fair review of the ecological attributes of the proposed development site and the proposal in relation to its potential effects on the environment. It addresses to the fullest extent possible all matters affecting or likely to affect the environment as a result of the proposal. It identifies the likely impacts of the proposal on the environment and details the environmental safeguards and mitigation measures to be implemented to minimise the potential impact to the environment. In light of the above assessment of the proposed activity, it is considered that the overall impact on the environment is likely to be minimal and therefore acceptable.

EAR Author

Name: Renae Hill

Title: Project Manager – Access Environmental Planning

Date: 15th August 2024

Reviewed by:

Name: Liz Mansfield and Aaron Anane

Title: Administration and Project Officer – Access Environmental Planning

Date: 15th August 2024

7. References

- NSW Department of Environment and Climate Change (2008). Managing Urban Stormwater: Soils and construction - Volume 2C (Unsealed roads) (<https://www.environment.nsw.gov.au/research-and-publications/publications-search/managing-urban-stormwater-soils-and-construction-volume-2c-unsealed-roads>)
- NSW Department of Climate Change, Energy, the Environment and Water. (2024). Sharing and Enabling Environmental Data (SEED)
- NSW Department of Planning, Industry and Environment. (2021). Koala SEPP 2021 Factsheet. NSW Department of Planning, Industry and Environment.

Appendix A – Site Details

Waypoint (WP) details:

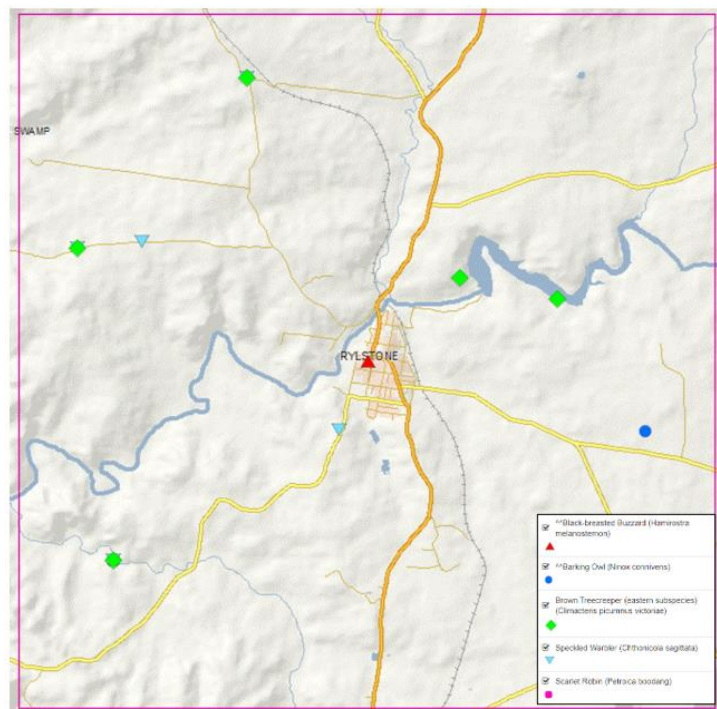
WP	Comments	Stem Size (cm)	Latitude	Longitude
10	Slaty gum dbh 20cm	20	-32.8050	149.97284
11	Slaty gum dbh 24cm	24	-32.8050	149.97286
12	<i>E. mannifera gum</i> dbh 30cm	30	-32.8050	149.97285
13	<i>E. melliodora</i> dbh 33cm	33	-32.8050	149.97276
14	<i>E. melliodora</i> dbh 23cm	23	-32.8050	149.97273
15	<i>E. mannifera</i> dbh 26 cm	26	-32.8050	149.97267
16	<i>E. rubida</i> dbh 50cm	50	-32.8051	149.97249
17	<i>E. rubida</i> dbh 20cm	20	-32.8051	149.97235
26	<i>E. melliodora</i> dbh 27cm	27	-32.8049	149.97245
37	<i>E. mannifera</i> dbh 30cm	30	-32.8051	149.97268
42	Slaty gum dbh 23cm	23	-32.8050	149.97265
44	Slaty gum dbh 36cm	36	-32.8051	149.97260

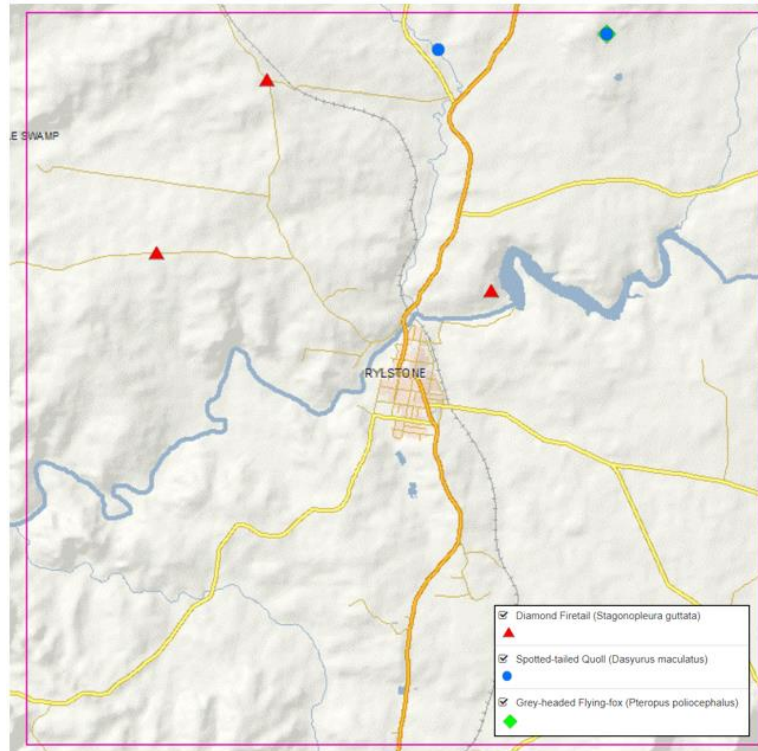
Appendix B – Bionet Atlas Search Results

Data from the BioNet Atlas website, which holds records from a number of custodians. The data are only indicative and cannot be considered a comprehensive inventory, and may contain errors and omissions. Species listed under the Sensitive Species Data Policy may have their locations denatured (^ rounded to 0.1°C; ^^ rounded to 0.01°C. Copyright the State of NSW through the Department of Planning, Industry and Environment. Search criteria : Public Report of all Valid Records of Threatened (listed on BC Act 2016) ,Commonwealth listed ,CAMBA listed ,JAMBA listed or ROKAMBA listed Entities in selected area [North: -32.75 West: 149.92 East: 150.02 South: -32.85] returned a total of 206 records of 13 species.
Report generated on 9/05/2024 12:33 PM

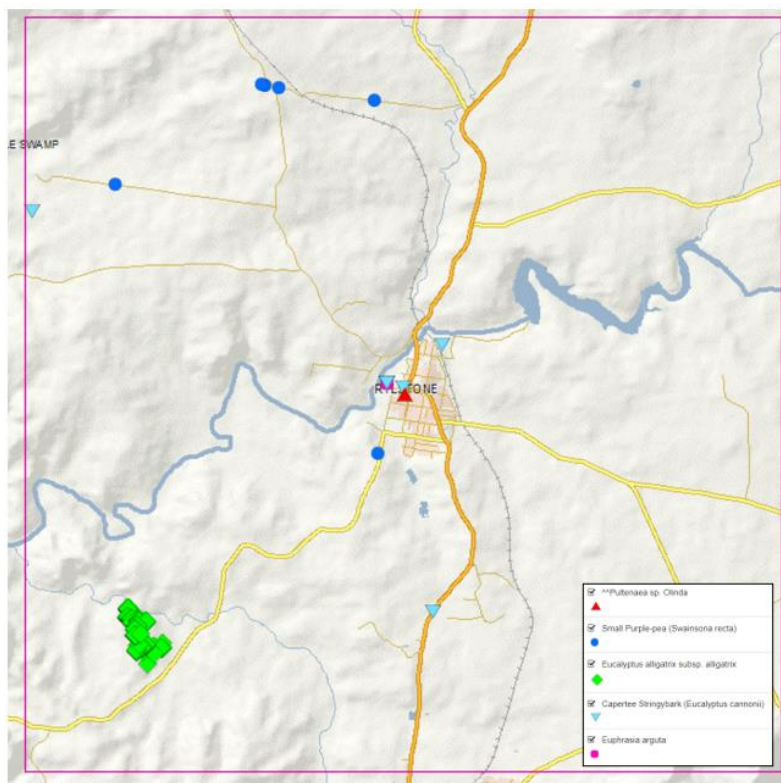
Class	Species Code	Scientific Name	Common Name	NSW status	Comm. status	Records
Aves	0231	^^ <i>Hamirostra melanosternon</i>	Black-breasted Buzzard	V,P,3		1
Aves	0246	^^ <i>Ninox connivens</i>	Barking Owl	V,P,3		1
Aves	8127	<i>Climacteris picumnus victoriae</i>	Brown Treecreeper (eastern subspecies)	V,P	V	5
Aves	0504	<i>Chthonicola sagittata</i>	Speckled Warbler	V,P		5
Aves	0380	<i>Petroica boodang</i>	Scarlet Robin	V,P		1
Aves	0652	<i>Stagonopleura guttata</i>	Diamond Firetail	V,P	V	3
Mammalia	1008	<i>Dasyurus maculatus</i>	Spotted-tailed Quoll	V,P	E	2
Mammalia	1280	<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	V,P	V	1
Flora	9979	^^ <i>Pultenaea sp. Olinda</i>		E1,3		1
Flora	3056	<i>Swainsona recta</i>	Small Purple-pea	E1	E	6
Flora	10949	<i>Eucalyptus alligatrix subsp. alligatrix</i>		V	V	171
Flora	8326	<i>Eucalyptus cannonii</i>	Capertee Stringybark	V		8
Flora	5954	<i>Euphrasia arguta</i>		E4A	CE	1

Fauna





Flora



Appendix C – Threatened Species Search

For the NSW South Western Slopes IBRA bioregion and Capertee Valley IBRA subregion:

Scientific Name	Common Name	Type Of Species	NSW Status	Occurrence
<i>Acacia bynoeana</i>	Bynoe's Wattle	Plant>Shrubs	Endangered	Known
<i>Acacia meiantha</i>	Barradam-bang Wattle	Plant>Shrubs	Endangered	Predicted
<i>Anthochaera phrygia</i>	Regent Honeyeater	Animal>Birds	Critically Endangered	Known
<i>Aphelocephala leucopsis</i>	Southern Whiteface	Animal>Birds	Vulnerable	Known
<i>Artamus cyanopterus cyanopterus</i>	Dusky Woodswallow	Animal>Birds	Vulnerable	Known
<i>Astrotricha crassifolia</i>	Thick-leaf Star-hair	Plant>Shrubs	Vulnerable	Predicted
<i>Botaurus poiciloptilus</i>	Australasian Bittern	Animal>Birds	Endangered	Predicted
<i>Burhinus grallarius</i>	Bush Stone-curlew	Animal>Birds	Endangered	Predicted
<i>Caladenia attenuata</i>	Duramana Fingers	Plant>Orchids	Critically Endangered	Predicted
<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo	Animal>Birds	Endangered	Known
<i>Calyptorhynchus lathami lathami</i>	South-eastern Glossy Black-Cockatoo	Animal>Birds	Vulnerable	Known
<i>Cercartetus nanus</i>	Eastern Pygmy-possum	Animal>Marsupials	Vulnerable	Predicted
<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat	Animal>Bats	Vulnerable	Known
<i>Chthonicola sagittata</i>	Speckled Warbler	Animal>Birds	Vulnerable	Known
<i>Circus assimilis</i>	Spotted Harrier	Animal>Birds	Vulnerable	Known
<i>Climacteris picumnus victoriae</i>	Brown Treecreeper (eastern subspecies)	Animal>Birds	Vulnerable	Known
<i>Daphoenositta chrysoptera</i>	Varied Sittella	Animal>Birds	Vulnerable	Known
<i>Darwinia peduncularis</i>	<i>Darwinia peduncularis</i>	Plant>Shrubs	Vulnerable	Known
<i>Dasyurus maculatus</i>	Spotted-tailed Quoll	Animal>Marsupials	Vulnerable	Known
<i>Ephippiorhynchus asiaticus</i>	Black-necked Stork	Animal>Birds	Endangered	Predicted
<i>Epthianura albifrons</i>	White-fronted Chat	Animal>Birds	Vulnerable	Known
<i>Eucalyptus aggregata</i>	Black Gum	Plant>Trees	Vulnerable	Predicted
<i>Eucalyptus alligatrix subsp. alligatrix</i>	<i>Eucalyptus alligatrix subsp. Alligatrix</i>	Plant>Trees	Vulnerable	Known
<i>Eucalyptus cannonii</i>	Capertee Stringybark	Plant>Trees	Vulnerable	Known
<i>Eucalyptus pulverulenta</i>	Silver-leafed Gum	Plant>Mallees	Vulnerable	Predicted
<i>Euphrasia arguta</i>	<i>Euphrasia arguta</i>	Plant>Herbs and Forbs	Critically Endangered	Known
<i>Falco subniger</i>	Black Falcon	Animal>Birds	Vulnerable	Known
<i>Falsistrellus tasmaniensis</i>	Eastern False Pipistrelle	Animal>Bats	Vulnerable	Known
<i>Glossopsitta pusilla</i>	Little Lorikeet	Animal>Birds	Vulnerable	Known
<i>Grantiella picta</i>	Painted Honeyeater	Animal>Birds	Vulnerable	Known
<i>Grevillea divaricata</i>	<i>Grevillea divaricata</i>	Plant>Shrubs	Endangered	Predicted
<i>Grevillea evansiana</i>	Evans Grevillea	Plant>Shrubs	Vulnerable	Known
<i>Grevillea obtusiflora</i>	<i>Grevillea obtusiflora</i>	Plant>Shrubs	Endangered	Known

<i>Grus rubicunda</i>	Brolga	Animal>Birds	Vulnerable	Predicted
<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle	Animal>Birds	Vulnerable	Known
<i>Hamirostra melanosternon</i>	Black-breasted Buzzard	Animal>Birds	Vulnerable	Known
<i>Heleioporus australiacus</i>	Giant Burrowing Frog	Animal>Amphibians	Vulnerable	Predicted
<i>Hieraaetus morphnoides</i>	Little Eagle	Animal>Birds	Vulnerable	Known
<i>Hirundapus caudacutus</i>	White-throated Needletail	Animal>Birds	Vulnerable	Known
<i>Hoplocephalus bungaroides</i>	Broad-headed Snake	Animal>Reptiles	Endangered	Known
<i>Ixobrychus flavicollis</i>	Black Bittern	Animal>Birds	Vulnerable	Known
<i>Lathamus discolor</i>	Swift Parrot	Animal>Birds	Endangered	Known
<i>Leionema sympetalum</i>	Rylstone Bell	Plant>Shrubs	Vulnerable	Predicted
<i>Leucochrysum albicans</i> subsp. <i>tricolor</i>	Hoary Sunray	Plant>Herbs and Forbs	Endangered	Predicted
<i>Limosa limosa</i>	Black-tailed Godwit	Animal>Birds	Vulnerable	Predicted
<i>Litoria aurea</i>	Green and Golden Bell Frog	Animal>Amphibians	Endangered	Predicted
<i>Litoria booroolongensis</i>	Booroolong Frog	Animal>Amphibians	Endangered	Predicted
<i>Litoria littlejohni</i>	Littlejohn's Tree Frog	Animal>Amphibians	Endangered	Predicted
<i>Lophoictinia isura</i>	Square-tailed Kite	Animal>Birds	Vulnerable	Known
<i>Melanodryas cucullata cucullata</i>	South-eastern Hooded Robin	Animal>Birds	Endangered	Known
<i>Melithreptus gularis gularis</i>	Black-chinned Honeyeater (eastern subspecies)	Animal>Birds	Vulnerable	Known
<i>Micronomus norfolkensis</i>	Eastern Coastal Free-tailed Bat	Animal>Bats	Vulnerable	Known
<i>Miniopterus australis</i>	Little Bent-winged Bat	Animal>Bats	Vulnerable	Known
<i>Miniopterus orianae oceanensis</i>	Large Bent-winged Bat	Animal>Bats	Vulnerable	Known
<i>Mixophyes balbus</i>	Stuttering Frog	Animal>Amphibians	Endangered	Known
<i>Myotis macropus</i>	Southern Myotis	Animal>Bats	Vulnerable	Predicted
<i>Neophema pulchella</i>	Turquoise Parrot	Animal>Birds	Vulnerable	Known
<i>Ninox connivens</i>	Barking Owl	Animal>Birds	Vulnerable	Known
<i>Ninox strenua</i>	Powerful Owl	Animal>Birds	Vulnerable	Known
<i>Nyctophilus corbeni</i>	Corben's Long-eared Bat	Animal>Bats	Vulnerable	Known
<i>Pachycephala inornata</i>	Gilbert's Whistler	Animal>Birds	Vulnerable	Known
<i>Paralucia spinifera</i>	Purple Copper Butterfly, Bathurst Copper Butterfly	Animal>Invertebrates	Endangered	Predicted
<i>Persoonia hirsuta</i>	Hairy Geebung	Plant>Shrubs	Endangered	Known
<i>Persoonia marginata</i>	Clandulla Geebung	Plant>Shrubs	Vulnerable	Known
<i>Petauroides volans</i>	Southern Greater Glider	Animal>Marsupials	Endangered	Known
<i>Petaurus australis</i>	Yellow-bellied Glider	Animal>Marsupials	Vulnerable	Predicted
<i>Petaurus norfolcensis</i>	Squirrel Glider	Animal>Marsupials	Vulnerable	Known
<i>Petrogale penicillata</i>	Brush-tailed Rock-wallaby	Animal>Marsupials	Endangered	Predicted

<i>Petroica boodang</i>	Scarlet Robin	Animal>Birds	Vulnerable	Known
<i>Petroica phoenicea</i>	Flame Robin	Animal>Birds	Vulnerable	Known
<i>Phascogale tapoatafa</i>	Brush-tailed Phascogale	Animal>Marsupials	Vulnerable	Predicted
<i>Phascolarctos cinereus</i>	Koala	Animal>Marsupials	Endangered	Known
<i>Phebalium bifidum</i>	<i>Phebalium bifidum</i>	Plant>Shrubs	Endangered	Known
<i>Pomaderris brunnea</i>	Brown Pomaderris	Plant>Shrubs	Endangered	Known
<i>Pomaderris cotoneaster</i>	Cotoneaster Pomaderris	Plant>Shrubs	Endangered	Predicted
<i>Pomatostomus temporalis temporalis</i>	Grey-crowned Babbler (eastern subspecies)	Animal>Birds	Vulnerable	Known
<i>Prasophyllum petilum</i>	Tarengo Leek Orchid	Plant>Orchids	Endangered	Predicted
<i>Prostanthera cryptandroides</i> subsp. <i>cryptandroides</i>	Wollemi Mint-bush	Plant>Shrubs	Vulnerable	Known
<i>Prostanthera stricta</i>	Mount Vincent Mint-bush	Plant>Shrubs	Vulnerable	Known
<i>Pseudophryne australis</i>	Red-crowned Toadlet	Animal>Amphibians	Vulnerable	Predicted
<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	Animal>Bats	Vulnerable	Known
<i>Pultenaea</i> sp. Genowlan Point	<i>Pultenaea</i> sp. Genowlan Point	Plant>Shrubs	Critically Endangered	Predicted
<i>Pultenaea</i> sp. Olinda	<i>Pultenaea</i> sp. Olinda	Plant>Shrubs	Endangered	Known
<i>Rostratula australis</i>	Australian Painted Snipe	Animal>Birds	Endangered	Known
<i>Saccolaimus flaviventris</i>	Yellow-bellied Sheath-tail-bat	Animal>Bats	Vulnerable	Known
<i>Scoteanax rueppellii</i>	Greater Broad-nosed Bat	Animal>Bats	Vulnerable	Known
<i>Stagonopleura guttata</i>	Diamond Firetail	Animal>Birds	Vulnerable	Known
<i>Swainsona recta</i>	Small Purple-pea	Plant>Herbs and Forbs	Endangered	Known
<i>Swainsona sericea</i>	Silky Swainson-pea	Plant>Herbs and Forbs	Vulnerable	Known
<i>Thesium australe</i>	Austral Toadflax	Plant>Herbs and Forbs	Vulnerable	Predicted
<i>Tyto novaehollandiae</i>	Masked Owl	Animal>Birds	Vulnerable	Known
<i>Tyto tenebricosa</i>	Sooty Owl	Animal>Birds	Vulnerable	Predicted
<i>Varanus rosenbergi</i>	Rosenberg's Goanna	Animal>Reptiles	Vulnerable	Predicted
<i>Veronica blakelyi</i>	<i>Veronica blakelyi</i>	Plant>Shrubs	Endangered	Predicted
<i>Vespadelus troughtoni</i>	Eastern Cave Bat	Animal>Bats	Vulnerable	Predicted

Fuzzy Box Woodland on alluvial Soils of the South Western Slopes, Darling Riverine Plains and Brigalow Belt South Bioregions	EEC	Known
Genowlan Point Allocasuarina nana Heathland	EEC	Known
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	Critically EEC	Known

Aggressive exclusion of birds from woodland and forest habitat by abundant Noisy Miners, <i>Manorina melanocephala</i> (Latham, 1802)	KTP	Predicted
Alteration of habitat following subsidence due to longwall mining	KTP	Predicted
Alteration to the natural flow regimes of rivers and streams and their floodplains and wetlands	KTP	Predicted
Anthropogenic Climate Change	KTP	Predicted
Bushrock removal	KTP	Predicted
Clearing of native vegetation	KTP	Predicted
Competition and grazing by the feral European Rabbit, <i>Oryctolagus cuniculus</i> (L.)	KTP	Predicted
Competition and habitat degradation by Feral Goats, <i>Capra hircus</i> Linnaeus 1758	KTP	Predicted
Competition from feral honey bees, <i>Apis mellifera</i> L.	KTP	Predicted
Forest eucalypt dieback associated with over-abundant psyllids and Bell Miners	KTP	Predicted
Habitat degradation and loss by Feral Horses (brumbies, wild horses), <i>Equus caballus</i> Linnaeus 1758	KTP	Predicted
Herbivory and environmental degradation caused by feral deer	KTP	Predicted
High frequency fire resulting in the disruption of life cycle processes in plants and animals and loss of vegetation structure and composition	KTP	Predicted
Importation of Red Imported Fire Ants <i>Solenopsis invicta</i> Buren 1972	KTP	Predicted
Infection by Psittacine Circoviral (beak and feather) Disease affecting endangered psittacine species and populations	KTP	Predicted
Infection of frogs by amphibian chytrid causing the disease chytridiomycosis	KTP	Predicted
Infection of native plants by <i>Phytophthora cinnamomi</i>	KTP	Predicted
Introduction of the Large Earth Bumblebee <i>Bombus terrestris</i> (L.)	KTP	Predicted
Invasion and establishment of exotic vines and scramblers	KTP	Predicted
Invasion and establishment of Scotch Broom (<i>Cytisus scoparius</i>)	KTP	Predicted
Invasion and establishment of the Cane Toad (<i>Bufo marinus</i>)	KTP	Predicted
Invasion of native plant communities by African Olive <i>Olea europaea</i> subsp. <i>cuspidata</i> (Wall. ex G. Don) Cif.	KTP	Predicted
Invasion of native plant communities by <i>Chrysanthemoides monilifera</i>	KTP	Predicted
Invasion of native plant communities by exotic perennial grasses	KTP	Predicted
Invasion of the Yellow Crazy Ant, <i>Anoplolepis gracilipes</i> (Fr. Smith) into NSW	KTP	Predicted
Invasion, establishment and spread of Lantana (<i>Lantana camara</i> L. sens. Lat)	KTP	Predicted
Loss and degradation of native plant and animal habitat by invasion of escaped garden plants, including aquatic plants	KTP	Predicted
Loss of Hollow-bearing Trees	KTP	Predicted
Loss or degradation (or both) of sites used for hill-topping by butterflies	KTP	Predicted
Predation and hybridisation by Feral Dogs, <i>Canis lupus familiaris</i>	KTP	Predicted
Predation by <i>Gambusia holbrooki</i> Girard, 1859 (Plague Minnow or Mosquito Fish)	KTP	Predicted
Predation by the European Red Fox <i>Vulpes Vulpes</i> (Linnaeus, 1758)	KTP	Predicted
Predation by the Feral Cat <i>Felis catus</i> (Linnaeus, 1758)	KTP	Predicted
Predation, habitat degradation, competition and disease transmission by Feral Pigs, <i>Sus scrofa</i> Linnaeus 1758	KTP	Predicted
Removal of dead wood and dead trees	KTP	Predicted

Appendix D – Protected Matters Search



Australian Government
Department of Climate Change, Energy,
the Environment and Water

EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected. Please see the caveat for interpretation of information provided here.

Report created: 09-May-2024

[Summary](#)

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[Matters of NES](#)

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World Heritage Properties:	None
National Heritage Places:	None
Wetlands of International Importance (Ramsar)	4
Great Barrier Reef Marine Park:	None
Commonwealth Marine Area:	None
Listed Threatened Ecological Communities:	2
Listed Threatened Species:	42
Listed Migratory Species:	11

Commonwealth Lands:	None
Commonwealth Heritage Places:	None
Listed Marine Species:	19
Whales and Other Cetaceans:	None
Critical Habitats:	None
Commonwealth Reserves Terrestrial:	None
Australian Marine Parks:	None
Habitat Critical to the Survival of Marine Turtles:	None

Wetlands of International Importance (Ramsar Wetlands)		[Resource Information]
Ramsar Site Name	Proximity	Buffer Status
Banrock station wetland complex	900 - 1000km upstream from Ramsar site	In feature area
Riverland	800 - 900km upstream from Ramsar site	In feature area
The coorong, and lakes alexandrina and albert wetland	1000 - 1100km upstream from Ramsar site	In feature area
The macquarie marshes	200 - 300km upstream from Ramsar site	In feature area

Listed Threatened Ecological Communities [Resource Information]

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Status of Vulnerable, Disallowed and Ineligible are not MNES under the EPBC Act.

Community Name	Threatened Category	Presence Text
Natural Temperate Grassland of the South Eastern Highlands	Critically Endangered	Community may occur within area
White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland	Critically Endangered	Community may occur within area

Listed Threatened Species -

Species ID	Scientific Name	Common Name	Class	Simple Presence	Threatened Category
84745	<i>Galaxias rostratus</i>	Flathead Galaxias, Beaked Minnow, Flat-headed Galaxias, Flat-headed Jollytail, Flat-headed Minnow	Fish	May	CE
4325	<i>Euphrasia arguta</i>	null	Plant	May	CE
744	<i>Lathamus discolor</i>	Swift Parrot	Bird	May	CE
82338	<i>Anthochaera phrygia</i>	Regent Honeyeater	Bird	Known	CE
81964	<i>Prasophyllum sp. Wybong (C.Phelps ORG 5269)</i>	a leek-orchid	Plant	May	CE
856	<i>Calidris ferruginea</i>	Curlew Sandpiper	Bird	May	CE
55144	<i>Prasophyllum petilum</i>	Tarengo Leek Orchid	Plant	May	E
75184	<i>Dasyurus maculatus maculatus (SE mainland population)</i>	Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population)	Mammal	Likely	E
7580	<i>Swainsona recta</i>	Small Purple-pea, Mountain Swainson-pea, Small Purple Pea	Plant	May	E

768	<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo	Bird	Likely	E
77037	<i>Rostratula australis</i>	Australian Painted Snipe	Bird	Likely	E
67093	<i>Melanodryas cucullata cucullata</i>	South-eastern Hooded Robin, Hooded Robin (south-eastern)	Bird	Likely	E
89104	<i>Leucochrysum albicans subsp. tricolor</i>	Hoary Sunray, Grassland Paper-daisy	Plant	May	E
183	<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat, Large Pied Bat	Mammal	Likely	E
26171	<i>Maccullochella macquariensis</i>	Trout Cod	Fish	May	E
66632	<i>Macquaria australasica</i>	Macquarie Perch	Fish	May	E
1844	<i>Litoria booroolongensis</i>	Booroolong Frog	Frog	Likely	E
1001	<i>Botaurus poiciloptilus</i>	Australasian Bittern	Bird	May	E
85104	<i>Phascolarctos cinereus (combined populations of Qld, NSW and the ACT)</i>	Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)	Mammal	Likely	E
96	<i>Pseudomys novaehollandiae</i>	New Holland Mouse, Pookila	Mammal	May	V
87600	<i>Petaurus australis australis</i>	Yellow-bellied Glider (south-eastern)	Mammal	May	V
12974	<i>Homoranthus darwinioides</i>	null	Plant	Likely	V
67036	<i>Calyptorhynchus lathami lathami</i>	South-eastern Glossy Black-Cockatoo	Bird	Likely	V
525	<i>Pycnoptilus floccosus</i>	Pilotbird	Bird	May	V
1649	<i>Delma impar</i>	Striped Legless Lizard, Striped Snake-lizard	Reptile	Likely	V
15202	<i>Thesium australe</i>	Austral Toadflax, Toadflax	Plant	May	V
863	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe	Bird	May	V
529	<i>Aphelocephala leucopsis</i>	Southern Whiteface	Bird	Likely	V
934	<i>Leipoa ocellata</i>	Malleefowl	Bird	May	V
14159	<i>Dichanthium setosum</i>	bluegrass	Plant	Likely	V
83395	<i>Nyctophilus corbeni</i>	Corben's Long-eared Bat, South-eastern Long-eared Bat	Mammal	May	V
186	<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	Mammal	May	V
874	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper	Bird	May	V
67062	<i>Climacteris picumnus victoriae</i>	Brown Treecreeper (south-eastern)	Bird	Likely	V
16845	<i>Pomaderris brunnea</i>	Rufous Pomaderris, Brown Pomaderris	Plant	May	V
738	<i>Polytelis swainsonii</i>	Superb Parrot	Bird	Likely	V
59398	<i>Stagonopleura guttata</i>	Diamond Firetail	Bird	Known	V
470	<i>Grantiella picta</i>	Painted Honeyeater	Bird	Likely	V
929	<i>Falco hypoleucos</i>	Grey Falcon	Bird	Likely	V
726	<i>Neophema chrysostoma</i>	Blue-winged Parrot	Bird	May	V

1665	<i>Aprasia parapulchella</i>	Pink-tailed Worm-lizard, Pink-tailed Legless Lizard	Reptile	Likely	V
682	<i>Hirundapus caudacutus</i>	White-throated Needletail	Bird	Likely	V

Listed Migratory Species

Species ID	Scientific Name	Common Name	Presence Text	Threatened Category
863	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe	Species or species habitat may occur within area	Vulnerable
678	<i>Apus pacificus</i>	Fork-tailed Swift	Species or species habitat likely to occur within area	
612	<i>Myiagra cyanoleuca</i>	Satin Flycatcher	Species or species habitat likely to occur within area	
592	<i>Rhipidura rufifrons</i>	Rufous Fantail	Species or species habitat likely to occur within area	
609	<i>Monarcha melanopsis</i>	Black-faced Monarch	Species or species habitat may occur within area	
874	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper	Species or species habitat may occur within area	Vulnerable
59309	<i>Actitis hypoleucos</i>	Common Sandpiper	Species or species habitat may occur within area	
856	<i>Calidris ferruginea</i>	Curlew Sandpiper	Species or species habitat may occur within area	Critically Endangered
858	<i>Calidris melanotos</i>	Pectoral Sandpiper	Species or species habitat may occur within area	
682	<i>Hirundapus caudacutus</i>	White-throated Needletail	Species or species habitat known to occur within area	Vulnerable
644	<i>Motacilla flava</i>	Yellow Wagtail	Species or species habitat may occur within area	

Appendix E – Assessment of Significance - EPBC

Assessment of Significance (Commonwealth EPBC Act 1999)

As per Part 3 of the Environment Protection and *Biodiversity Conservation Act 2016*, the following factors must be taken into account when making considering whether the matter is a controlled activity and whether the matter needs to be referred to the Commonwealth Minister for the Environment:

- (a) Are there any matters of national environmental significance located in the area of the proposed action?

The protected matters search listed 2 possible endangered ecological communities (EEC) and 42 threatened species (9 plant species and 33 animal species) that may occur in the area.

Of the 2 potential EEC:

Natural Temperate Grassland of the South Eastern Highlands (critically endangered)

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

- the species composition and structure of the vegetation on site does not satisfy the characteristics of any of these communities and they do not occur on the subject land.

- (b) Considering the proposed action at its broadest scope (that is, considering all stages and components of the action, and all related activities and infrastructure), is there potential for impacts, including indirect impacts, on matters of national environmental significance?

Potential impacts are minor due to the small scale of disturbance and the vegetation at the site being composed of predominantly exotic groundcover with a small number of immature native trees, without nests or hollows.

- (c) Are there any proposed measures to avoid or reduce impacts on matters of national environmental significance (and if so, is the effectiveness of these measures certain enough to reduce the level of impact below the 'significant impact' threshold)?

Standard sediment and erosion control measures which are industry accepted best practice.

- (d) Are any impacts of the proposed action on matters of national environmental significance likely to be significant impacts (important, notable, or of consequence, having regard to their context or intensity)?

There will be no significant impacts on matters of national significance.

Critically endangered species:

Species ID	Scientific Name	Common Name	Class
81964	<i>Prasophyllum sp. Wybong</i> (<i>C.Phelps</i> ORG 5269)	a leek-orchid	Plant
84745	<i>Galaxias rostratus</i>	Flathead Galaxias, Beaked Minnow, Flat-headed Galaxias, Flat-headed Jollytail, Flat-headed Minnow	Fish
4325	<i>Euphrasia arguta</i>	null	Plant
744	<i>Lathamus discolor</i>	Swift Parrot	Bird
856	<i>Calidris ferruginea</i>	Curlew Sandpiper	Bird
82338	<i>Anthochaera phrygia</i>	Regent Honeyeater	Bird

Endangered species:

Species ID	Scientific Name	Common Name	Class
183	<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat, Large Pied Bat	Mammal
89104	<i>Leucochrysum albicans subsp. tricolor</i>	Hoary Sunray, Grassland Paper-daisy	Plant
77037	<i>Rostratula australis</i>	Australian Painted Snipe	Bird
7580	<i>Swainsona recta</i>	Small Purple-pea, Mountain Swainson-pea, Small Purple Pea	Plant
75184	<i>Dasyurus maculatus maculatus (SE mainland population)</i>	Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population)	Mammal
768	<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo	Bird
67093	<i>Melanodryas cucullata cucullata</i>	South-eastern Hooded Robin, Hooded Robin (south-eastern)	Bird
26171	<i>Maccullochella macquariensis</i>	Trout Cod	Fish
66632	<i>Macquaria australasica</i>	Macquarie Perch	Fish
1844	<i>Litoria booroolongensis</i>	Booroolong Frog	Frog
85104	<i>Phascolarctos cinereus (combined populations of Qld, NSW and the ACT)</i>	Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)	Mammal
55144	<i>Prasophyllum petilum</i>	Tarengo Leek Orchid	Plant
1001	<i>Botaurus poiciloptilus</i>	Australasian Bittern	Bird

Significant Impact Criteria for Critically Endangered and Endangered Species

- | |
|---|
| a. Will it lead to a long-term decrease in the size of a population of a species
There is no known population of any such species at the site. |
| b. Will it reduce the area of occupancy of the species
Not applicable (N/A). |
| c. Will it fragment an existing important population into two or more populations
N/A. |
| d. Will it adversely affect habitat critical to the survival of a species
No. |
| e. Will it disrupt the breeding cycle of a population
Breeding resources at the site are inadequate. |
| f. Will it modify, destroy, remove or isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline
The extent of habitat modification is small and there are no known populations of threatened species. |

g. Will it result in invasive species that are harmful to a critically endangered or endangered species becoming established in the critically endangered or endangered species' habitat

Proposed site use will not increase the prevalence of invasive species.

h. Will it introduce disease that may cause the species to decline, or

Proposed site use will not introduce disease.

i. Will it interfere substantially with the recovery of the species?

N/A

Vulnerable species:

Species ID	Scientific Name	Common Name	Class
12974	<i>Homoranthus darwinioides</i>	null	Plant
96	<i>Pseudomys novaehollandiae</i>	New Holland Mouse, Pookila	Mammal
67062	<i>Climacteris picumnus victoriae</i>	Brown Treecreeper (south-eastern)	Bird
863	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe	Bird
67036	<i>Calyptorhynchus lathami lathami</i>	South-eastern Glossy Black-Cockatoo	Bird
186	<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	Mammal
738	<i>Polytelis swainsonii</i>	Superb Parrot	Bird
529	<i>Aphelocephala leucopsis</i>	Southern Whiteface	Bird
934	<i>Leipoa ocellata</i>	Malleefowl	Bird
525	<i>Pycnoptilus floccosus</i>	Pilotbird	Bird
1665	<i>Aprasia parapulchella</i>	Pink-tailed Worm-lizard, Pink-tailed Legless Lizard	Reptile
14159	<i>Dichanthium setosum</i>	bluegrass	Plant
1649	<i>Delma impar</i>	Striped Legless Lizard, Striped Snake-lizard	Reptile
874	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper	Bird
87600	<i>Petaurus australis australis</i>	Yellow-bellied Glider (south-eastern)	Mammal
16845	<i>Pomaderris brunnea</i>	Rufous Pomaderris, Brown Pomaderris	Plant
59398	<i>Stagonopleura guttata</i>	Diamond Firetail	Bird
470	<i>Grantiella picta</i>	Painted Honeyeater	Bird
83395	<i>Nyctophilus corbeni</i>	Corben's Long-eared Bat, South-eastern Long-eared Bat	Mammal
929	<i>Falco hypoleucos</i>	Grey Falcon	Bird
726	<i>Neophema chrysostoma</i>	Blue-winged Parrot	Bird
15202	<i>Thesium australe</i>	Austral Toadflax, Toadflax	Plant
682	<i>Hirundapus caudacutus</i>	White-throated Needletail	Bird

Significant Impact Criteria for Vulnerable Species
<p>a. Will it lead to a long-term decrease in the size of an important population of a species The site does not contain or support an important population.</p>
<p>b. Will it reduce the area of occupancy of an important population Proposed site activities may impact a minimal number of native trees but no important population of threatened species has been identified.</p>
<p>c. Will it fragment an existing important population into two or more populations It will not fragment an existing important population.</p>
<p>d. Will it adversely affect habitat critical to the survival of a species The site is a small patch of vegetation existing in a town residential area and due to species composition, immature tree growth and site location it does not represent habitat critical to the survival of a species.</p>
<p>e. Will it disrupt the breeding cycle of an important population Ecological resources important for breeding (nests, hollows, remnant dead wood and riparian zones) will not be affected by the proposed site activities.</p>
<p>f. Will it modify, destroy, remove or isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline The effects of proposed site use on habitat quality and quantity will be minor because of exotic species incursion and young woody vegetation having reduced ecological value.</p>
<p>g. Will it result in invasive species that are harmful to a vulnerable species becoming established in the vulnerable species' habitat Invasive species will not be encouraged by proposed site activities and may be actively controlled to reduce pest numbers.</p>
<p>h. Will it introduce disease that may cause the species to decline, or The activity is unlikely to introduce or spread disease that would result in the decline of a vulnerable species. .</p>
<p>i. Will it interfere substantially with the recovery of the species? N/A</p>

No EPBC listed critically endangered or endangered ecological communities exist at the site.

Significant Impact Criteria for Critically Endangered and Endangered Communities
<p>a. Will it reduce the extent of an ecological community</p>
<p>b. Will it fragment or increase fragmentation of an ecological community, for example by clearing vegetation for roads or transmission lines</p>
<p>c. Will it adversely affect habitat critical to the survival of an ecological community</p>
<p>d. Will it modify, destroy abiotic (non-living) factors (such as water, nutrients, or soil) necessary for an ecological community's survival. including reduction of groundwater levels, or substantial alteration of surface water drainage patterns</p>
<p>e. Will it cause a substantial change in the species composition of an occurrence of an ecological community, including causing a decline or loss of functionally important species, for example through regular burning or flora or fauna harvesting</p>

- | |
|---|
| <p>f. Will it cause a substantial reduction in the quality or integrity of an occurrence of an ecological community, including, but not limited to</p> <ul style="list-style-type: none"> - Assisting invasive species, which are harmful to the listed ecological community, to become established, or - Causing regular mobilisation of fertilisers, herbicides or other chemicals or pollutants into the ecological community which kill or inhibit the growth of species in the ecological community. |
| <p>g. Will it interfere with the recovery of an ecological community?</p> |

Conclusion regarding significance under the Commonwealth EPBC Act listed species, ecological communities or populations.

The Protected Matters Report listed potential for 42 threatened species, 11 migratory species and 2 threatened ecological communities to utilize the site.

Works are unlikely to have a significant impact on a threatened species due to the small size of the disturbance. No endangered ecological community was observed at the site.

Remnant woody vegetation would be reduced by a minor extent – with potential disturbance to a 1400 m² area of mostly exotic groundcover and limited impact to a small number of endemic trees.

Additional fragmentation effects are limited because the location is already compromised by surrounding housing and human development.

Potential adverse effects to important habitat are not significant in the context of the existing landscape.

The planned site activities will not influence or disrupt breeding cycles for any threatened species or entities in an endangered community.

Habitat will not be modified, destroyed, removed or isolated to the extent that a species or ecological community will decline markedly or lose structure or functionality.

Invasive species will not be assisted in access or reproduction success or be provided with any competitive advantage through proposed site development or ongoing use.

Proposed works will not introduce disease or increase the potential for fertilizer, herbicides, chemicals or pollutants to accumulate in more biologically sensitive areas.

The proposed development is to be conducted on previously modified land that is zoned for village purposes. Given that activities will modify an isolated, small patch of vegetation it is highly unlikely that any of the listed species will be impacted by the proposed site use.

Appendix F – Council LEP Maps

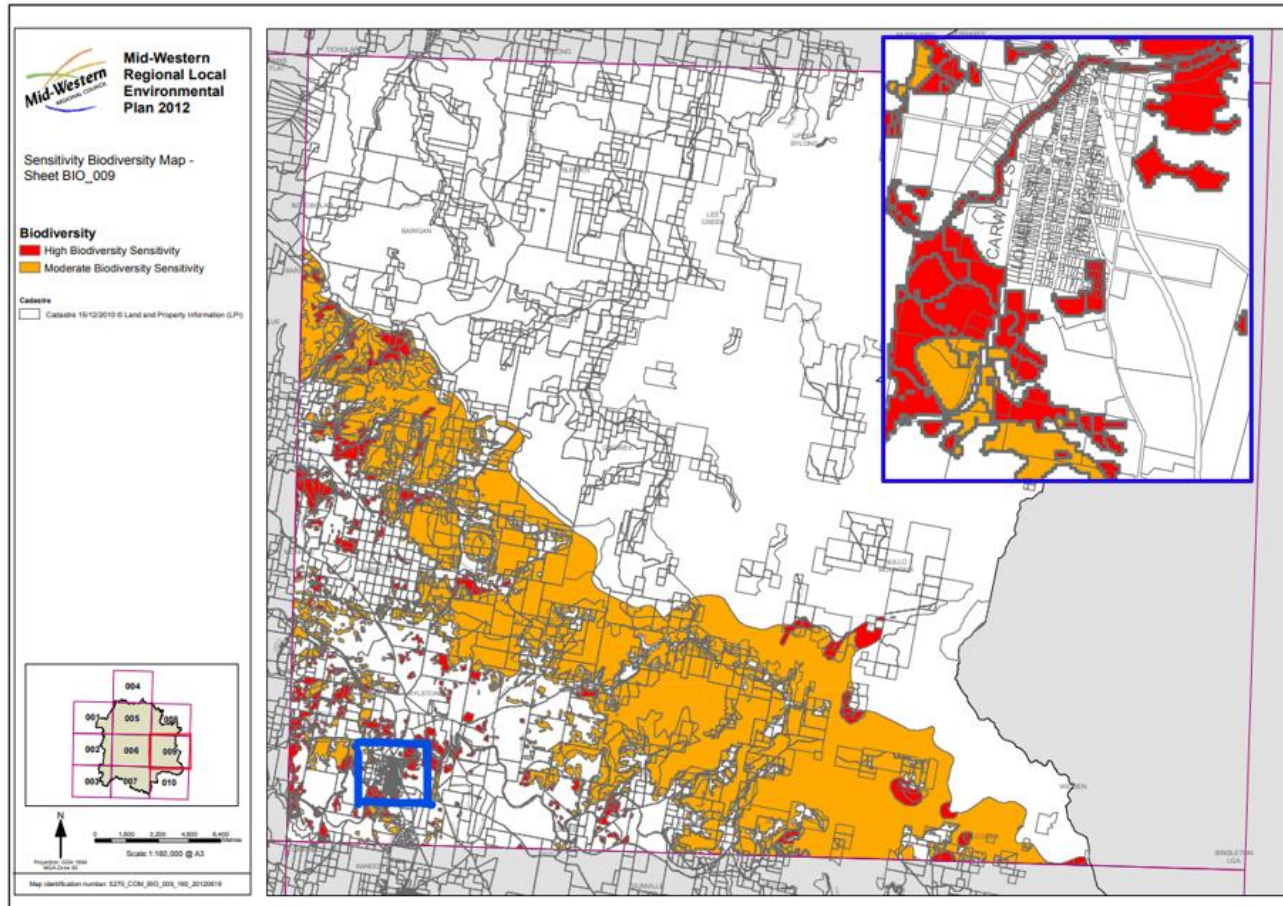


Figure 5: Terrestrial biodiversity sensitivity, not identified at the site.