



*Hamilton Environmental Services*  
ABN: 89 108 410 911



## TEST OF SIGNIFICANCE – 58 BROUGHANS ROAD PINE LODGE



**RDC**  
ENGINEERS

AGRICULTURAL  
ENVIRONMENTAL  
PROJECT MANAGEMENT

## Test of Significance – 58 Broughans Road, Pine Lodge

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**Cover Photo:** The existing dwelling and a section of the remnant vegetation on the assessed property.

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## 1. INTRODUCTION

In April 2024, Hamilton Environmental Services (HES) was engaged by the landholders of 58 Broughan Road, Pine Lodge, through RDC Engineers, to undertake a Biodiversity Assessment to complete a Test of Significance under Part 7 Division 1 Section 7.3 of the *Biodiversity Conservation Act 2016* to support an Environmental Impact Statement (EIS) for a proposed expansion of a beef cattle feedlot from 999 head to 3200 head. While there is no proposed new infrastructure associated with the proposed development, the increase in cattle will be met with a reduction in stocking density and utilisation of an approved sheep feedlot pen, and existing cropping land will be used for manure/effluent utilisation/spread from the feedlot facilities (Rod Davis pers. comm. 2024).

Field assessment of the site was conducted on the 6<sup>th</sup> May 2024 by Dr. Steve Hamilton, and this report presents these findings.

## 2. BACKGROUND

### 2.1 Consultant Background

#### Steve Hamilton (Dr.)

*AssocDipAppBiol, BAppSc(AppBiol), MAppSc (RMIT), PhD (University of Melbourne), BAM accredited Assessor (DPIE/DPE/DCCEEWS NSW), Vegetation Quality Assessment Certified (DSE/DEPI/DELWP/DEECA Victoria), Bush Broker Assessor (DELWP/DEECA Victoria), Certificate IV in Training and Assessment.*

Steve is an ecologist specialising in flora and fauna inventory, auditing, monitoring and surveying, as well as soil typing, analysis and mapping. He has 20 years consulting experience, associated with a range of ecological evaluations and monitoring processes across all of Victoria, and southern and western New South Wales, which includes assessing and mapping vegetation condition, vegetation type, targeted threatened species surveys, habitat quality assessment (in Victoria, Habitat Hectares assessment and 'Net Loss and Gain' evaluations), across the range of terrestrial, riparian and wetland ecosystems.

He has vast experience in the assessment of native vegetation and species, and habitat loss assessment, for irrigation, residential, infrastructure and mining (including sand, rock and ore extraction) developments, and the successful negotiation of the appropriate legislative, regulatory and statutory frameworks across the three levels of Government to provide suitable outcomes for clients across both States to allow developments to proceed. In Victoria, this involves the production of Net Loss Reports, Vegetation Offset Management Plans and Work Plans, and in NSW, reporting for potential native vegetation/habitat losses and threatened species threats in Development Applications (DAs), and in more detailed situations where Tests of Significance, Biodiversity Development Assessment Reports (BDARs), Director General Requirements (or Secretary's Environmental Assessment Requirements; SEARs) are specified, Environmental Impact Statements (EISs) or Reviews of Environmental Factors (REFs).

Beyond statutory requirements and reporting, Steve is often called upon to provide technical reporting into particular issues, such as research/survey investigations into vegetation-soil-fauna management issues in natural areas or for development proposals, such as weed management surveys and strategies, kangaroo survey and management, potential mining pollution impacts, sustainability of timber resources, soil mapping and land capability assessment, ecosystem restoration, or revegetation design.



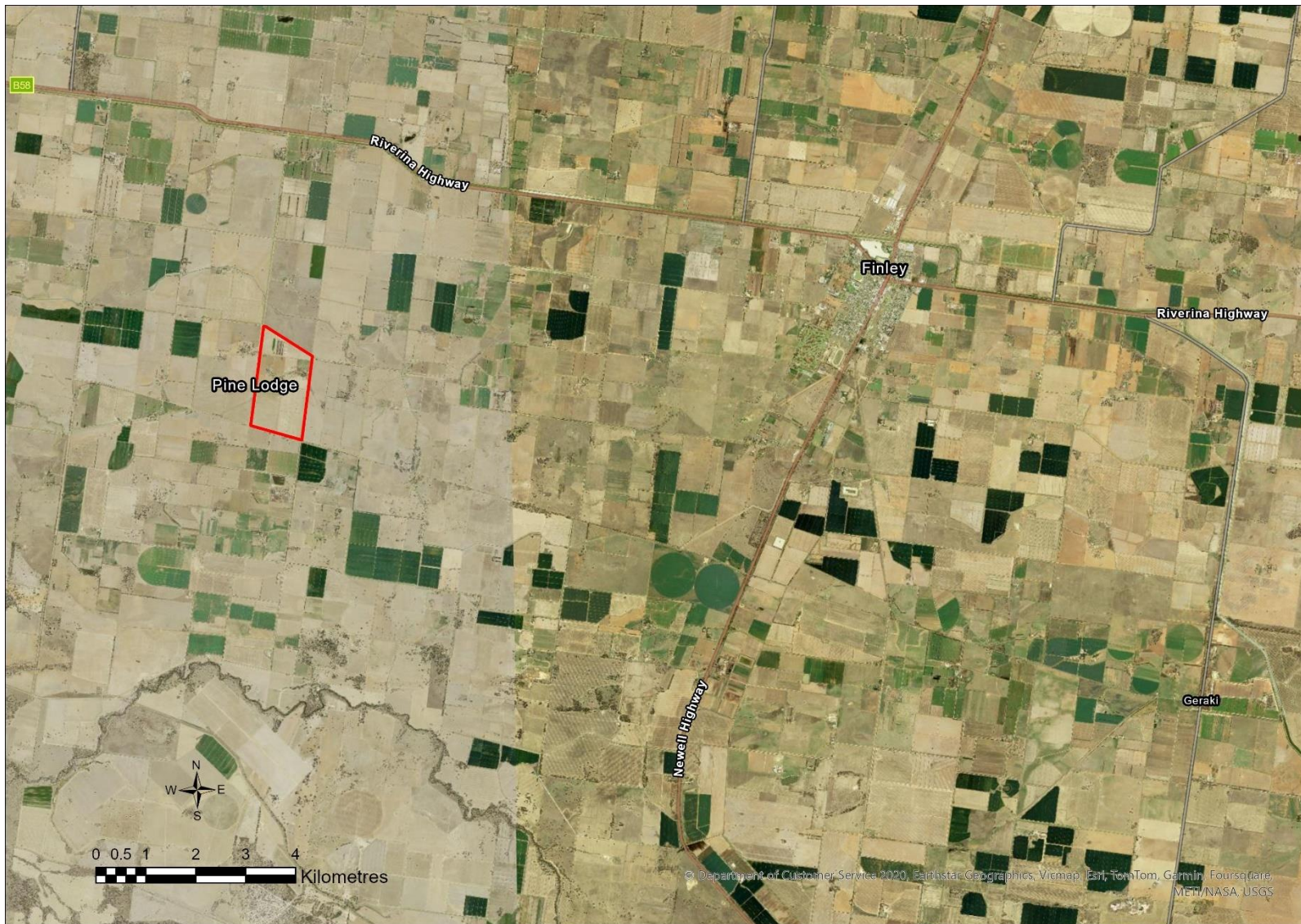


Figure 2-1 Aerial image showing the location of the assessed property within the district (Image from ESRI Australia 2024).





**Figure 2-2** Aerial image showing the proposed development area relative to remnant native vegetation patches and scattered remnant trees (Image from ESRI Australia 2024).



## Test of Significance – 58 Broughans Road, Pine Lodge

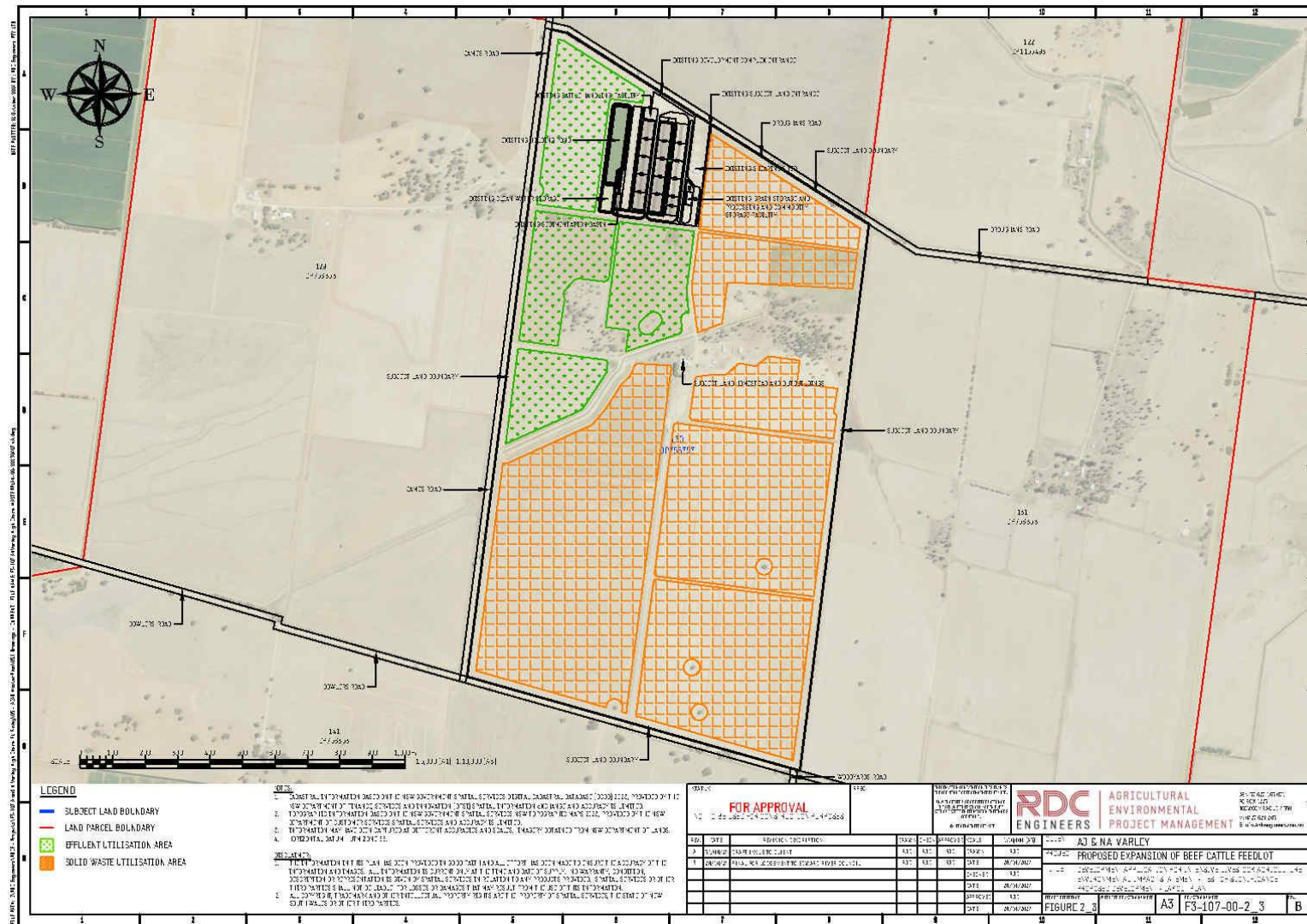


Figure 2-3 Layout Plan for the proposed development (from RDC Engineers, Revision B, dated 28<sup>th</sup> October 2024).

Prior to consulting, Steve spent 20 years as a senior teaching/research academic, and has more than 30 peer-reviewed papers and many technical reports, most focussing on the impacts of disturbance on the ecology and floristics of woodlands and grasslands.

## 2.2 Location and Description

The location of the proposed development relative to the district can be seen in Fig. 2-1; the 193 ha property where development is proposed is found 12.2 km west of the centre of Finley, with the property having Broughans Road on its northern boundary, James Road on its western boundary, and Bowlers Road as its southern boundary, and freehold land on its eastern boundary (see Fig. 2-2).

The property has largely been cleared of native vegetation, except for a series of patches of mature White Cypress-pine (*Callitris glaucophylla*) woodland in the north-central section of the property, and a small number of scattered mature Grey Box (*Eucalyptus microcarpa*)(see Fig. 2-2).

There is an existing cattle feedlot in the north-western corner of the property, and an existing dwelling and garden area in the centre of the property, amidst the White Cypress-pine woodland patches (see Fig. 2-2); most of the paddocks have established irrigation bays and there are servicing irrigation channels across the property, and at the time of assessment, the majority of these paddocks had been sown to crop.

Because of the recent cultivation, much of the ground layer across the property at the time of assessment was bare earth; however, any ground layer vegetation present across the property – including the woodland patches - was an array of introduced species.

As indicated, the existing cropping land has been used and will continue to be used for manure/effluent utilisation/spread from the feedlot facilities (Rod Davis pers. comm. 2024); an area of 33.3 ha in the north-western corner of the property is proposed for effluent spreading and utilisation, and an area of 92.5 ha is proposed for manure spreading and utilisation (see Fig. 2-2).

The Layout Plan for the proposed development can be seen in Fig. 2-3.

## 3. METHODOLOGY

### 3.1 Desktop Review

The following desktop information was gathered prior to field assessment:

- Aerial imagery and base map from Land and Property Information New South Wales;
- Determination of a general species list for the area (NSW Department of Climate Change, Energy, the Environment and Water [DCCEEW] 2024a);
- Matters of National Significance reporting for the 10 km radius around the property (Commonwealth DCCEEW] 2024);
- Flora, fauna and threatened species lists, sighting records and information for the district was obtained from *BioNet – Website of the Atlas of NSW Wildlife* (DCCEEW 2024b).

### 3.2 General Site Assessment

On the 6<sup>th</sup> May 2024, Dr. Steve Hamilton (BAAS 18106) visited the site to undertake the assessment. On this day, air temperatures were between 21 and 22°C, skies were clear, and the winds were light (Bureau of Meteorology 2024).

The entire site was traversed by foot, and continuous active searching was conducted over a total period of 1 ½ hours.



In a general sense, the following assessments were undertaken across the assessed area:

- Vascular plant species were identified and noted according to zone, with an overall cover/abundance value recorded for each species in each zone completed post-field assessment (see Table 3-1);
- The species, location, diameter, health and basic hollow characteristics of all assessed tree individuals was recorded, and an image of the tree taken;
- Opportunistic recording of any fauna;
- Digital images across the site taken.

One hundred and two (102) images were taken across the area during the assessment.

### 3.3 Taxonomy

#### 3.3.1 Flora

Vascular plants that could not be identified in the field, specimens and images were collected for identification using the *Flora of New South Wales* (Harden 1990, 1991, 1992, 1993), and *PlantNet Flora On-line* (Royal Botanic Gardens Sydney 2024).

#### 3.3.2 Fauna

Any fauna observed were recorded, with the nomenclature based variously on the compilations of Hero *et al.* (1991), Menkhorst (1995), Cogger (1996) and Simpson and Day (1998), utilising Triggs (1996) for identification using indirect methods, such as the presence of scats or tracks.

**Table 3-1 Modified Braun-Blanquet scale applied to assessment to each vascular plant species identified.**

Visual assessment of cover/abundance	
<i>Symbol</i>	<i>Description</i>
+	rare, cover < 5%
1	Uncommon, cover < 5 %
2	Very common, cover < 5 % or cover 5-25 % with any number of individuals
3	Cover 25-50 % with any number of individuals
4	Cover 50-75 % with any number of individuals
5	Cover 75-100 % with any number of individuals

## 4. EXISTING ENVIRONMENT

### 4.1 Vegetation

A total of 13 vascular plant species were recorded across the assessed site and its surrounds; 11 of these species were introduced, and 2 indigenous (the indigenous tree species observed).

There were no rare or threatened species observed (after NSW DCCEW 2024a).

As indicated, the property has largely been cleared of native vegetation, except for a series of patches of mature White Cypress-pine woodland in the north-central section of the property, and a small number of scattered mature Grey Box.

There is an existing cattle feedlot in the north-western corner of the property, and an existing dwelling and garden area in the centre of the property, amidst the White Cypress-pine woodland patches (see Fig. 2-2); most of the paddocks have established irrigation bays and there are servicing

irrigation channels across the property, and at the time of assessment, the majority of these paddocks had been sown to crop.



**Plate 4-1** Views across the assessed area: looking across the south-western corner (top left), looking across the south-eastern corner (top right), the central western areas of the property (middle left), the central eastern area of the property (middle right), the north-eastern corner of the property (bottom left), and the north-western corner of the property (bottom). Pertinent tree numbers are shown in white. Images taken by author 6/5/24.

Because of the recent cultivation, much of the ground layer across the property at the time of assessment was bare earth (50 % cover); however, beyond the emerging sown crop species, any ground layer vegetation present – including under the canopy of the White Cypress-pine woodland patches - was wholly an array of introduced species, such as Bathurst Burr (*Xanthium spinosum*),

Caltrop (*Tribulus terrestris*), Hen's-bit (*Lamium amplexicaule*), Small-flowered Mallow (*Malva parvifolium*), Capeweed (*Arctotheca calendula*), Mediterranean Turnip (*Brassica tournefortii*), Sheep Sorrel (*Acetosella vulgaris*), Water Couch (*Paspalum distichum*) and Common Heliotrope (*Heliotropium europeum*)(50 % projective foliage cover).



**Plate 4-2** Views of the patches of White Cypress-pine woodland in the central north of the property: the existing house and the patches to the west (top), and the patches to the east (bottom). Images taken by author 6/5/24.

While the assessed site is mapped as former NSW Plant Community Type (PCT) 76 – *Western Grey Box tall grassy woodland on alluvial loam and clay soils in the NSW South Western Slopes and Riverina Bioregions*, based on the remaining native vegetation (extant remnant tree blocks and scattered remnant paddock trees) on the property and surrounds, it is more likely that the former



PCT is PCT 80 - *Western Grey Box - White Cypress Pine tall woodland on loam soil on alluvial plains of NSW South Western Slopes Bioregion and Riverina Bioregion* (from Environment and Heritage 2012 and NSW DCCEE 2024d); however, this community within and surrounding the assessed area is now only represented by some remnant blocks of White Cypress-pine in the centre of the assessed property and some scattered mature Grey Box in mostly cleared paddocks.

## 4.2 Remnant Trees

A total of 5 tree individuals were assessed across the site, and the details on all of these individuals can be viewed in Table 4-1 below.

The location of all assessed trees can be seen across Figures 4-1 to 4-3.

**Table 4-1 Attributes of the 5 assessed trees across the assessed area.**

Tree number	Common name	Scientific name	Diameter <sup>1</sup>	Tree location <sup>2</sup>	
				Easting	Northing
1	Grey Box	<i>Eucalyptus microcarpa</i>	120	359537	6052538
2	Grey Box	<i>Eucalyptus microcarpa</i>	160	359316	6052229
3	Grey Box	<i>Eucalyptus microcarpa</i>	130 (dead)	359077	6052106
4	Grey Box	<i>Eucalyptus microcarpa</i>	160	359340	6052090
5	Grey Box	<i>Eucalyptus microcarpa</i>	90	358834	6053697

1. Diameter at breast height (dbh) in cm (1.3 m height);
2. Easting and northings are MGAz55.

Construction projects that involve earthworks or soil disturbance can cause indirect losses of native vegetation that are retained during construction due to root damage and soil modification within the zone where roots occur. Of particular concern is the longer-term impact of soil compaction and excavation (e.g. trenching for pipelines) close to trees and the effects of this on immediate and longer-term tree health. Standards Australia (2009) has provided guidance and clarity on this issue, and has defined an acceptable distance for tree retention in order to prevent indirect losses of native vegetation during and after construction activities as a guiding principle. These designated Tree Protection Zones (TPZs) should be implemented for the duration of construction activities (Standards Australia 2009) as part of the development conditions.

A TPZ is a specific area above and below the ground, with a radius 12 times the Diameter at Breast Height (dbh; 1.3 m) of any individual tree; the TPZ of trees should be no less than 2 m or greater than 15 m, and it is recommended that physical barriers be erected to delineate the TPZ during construction activities. Should a development impinge on the TPZ area for > 10 % of its area, the tree shall be considered a loss, and will have to be offset (Standards Australia 2009).

Of these 5 individuals:

- All 5 trees are remnant mature Grey Box and hollow-bearing;
- Tree 3 is a standing dead tree, and is contained within the proposed development area;
- Trees 1, 2, 3, 4 and 5 are contained within or near the proposed development area:
  - Trees 1, 2 and 4 will be contained within a 25 m radius buffer around them where manure will not be spread, and will therefore none will be considered a loss;

- Tree 5 is on the edge of the proposed development, and also will be contained within a 25 m radius buffer around it where effluent will not be spread, and will also not be considered a loss;
- Tree 3 is a standing dead tree, and as such, no buffer will be placed around it, as the spread of manure around it will not impact its condition.
- In summary, while 4 large hollow-bearing trees will be contained within the proposed development area, because a 25 m radius buffer will be applied around the living trees (Trees 1, 2, 4 and 5) that will not see manure/effluent spread, and the other tree is a standing dead tree.

### **4.3 Fauna**

There were 4 species of fauna observed only – Galah, Australian Magpie and Australian Raven and Common Starling - the latter of which is an introduced species.

There were no rare or threatened species observed (after NSW DCCEEW 2024a).

As indicated, the property has largely been cleared of native vegetation, except for a series of patches of mature White Cypress-pine woodland in the north-central section of the property, and a small number of scattered mature hollow-bearing Grey Box.

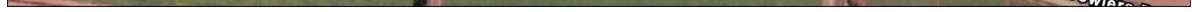
There is an existing cattle feedlot in the north-western corner of the property, and an existing dwelling and garden area in the centre of the property, amidst the White Cypress-pine woodland patches; most of the paddocks have established irrigation bays and there are servicing irrigation channels across the property, and at the time of assessment, the majority of these paddocks had been sown to crop.

Because of the recent cultivation, much of the ground layer across the property at the time of assessment was bare earth (50 % cover); however, beyond the emerging sown crop species, any ground layer vegetation present – including under the canopy of the White Cypress-pine woodland patches - was wholly an array of introduced species (50 % projective foliage cover).

The Tuppall Creek and its narrow treed corridor is located less than 5 km south of the proposed development site, and there is no vegetation connectivity to this corridor. Furthermore, other than Tuppall Creek, there are no further significant blocks or corridors within 20 km of the site, as the district has been mostly cleared of woody vegetation; even the surrounding road reserve of Broughans Road, Bowlers Road and James Road have been substantially cleared of woody vegetation, and have only a small number of scattered remnant trees. The site clearly maintains a poor landscape connectivity.

Despite a small number of scattered mature hollow-bearing paddock trees and the central White Cypress-pine woodland patches, the limited observed species diversity around the assessed site is not surprising, given:

- the cleared and highly modified and simplified vegetation structure across the site, which provides minimal habitat for mammal, reptile, bat and bird species residency;
- a compacted and disturbed soil surface dominated by introduced species where any ground layer vegetation is present, with no indigenous ground layer;
- no fallen timber, which results in a poor habitat for mammal, reptile, bat and bird species residency;
- the poor site connectivity.







**Figure 4-2** Aerial image of the northern section of the assessed property, showing areas of proposed development relative to assessed trees, extent of remnant vegetation and plantations. Numbers refer to the tree characteristics outlined in Sec. 4.2. Image from ESRI Australia (2024).





**Figure 4-3** Aerial image of the southern section of the assessed property, showing areas of proposed development relative to assessed trees, extent of remnant vegetation and plantations. Numbers refer to the tree characteristics outlined in Sec. 4.2. Image from ESRI Australia (2024).

On this basis, the assessed area provides minimal habitat for most fauna because of its degraded condition. The poor connectivity of the site probably severely restricts the utilisation of the scattered paddock trees and White Cypress-pine woodland patches by even mobile fauna, that may struggle to find the site.

Given that no native vegetation is proposed for removal with the proposed development, the development will have no impact on the fauna of the surrounding area.



**Plate 4-3** Views of the assessed trees: Tree 1 (top left), Tree 2 (middle top), Tree 3 (top right), Tree 4 (bottom left) and Tree 5 (bottom right). Images taken by author 6/5/24.

## **4.4 Threatened Species and Communities**

### **4.4.1 Threatened community likelihood**

Threatened Ecological Communities (TECs) are listed in the schedules of the *Biodiversity Conservation Act 2016*; *Inland Grey Box Woodland in the Riverina, NSW South Western Slopes, Cobar Penepplain, Nandewar and Brigalow Belt South Bioregions*, the *Allocasuarina luehmannii* Woodland in the Riverina and Murray-Darling Depression Bioregions, the *Sandhill Pine Woodland in the Riverina, Murray-Darling Depression and NSW South Western Slopes Bioregions*, and *White Box-Yellow Box-Blakely's Red Gum Woodland* are listed as *Endangered* under the Act (NSW DCCEW 2024b).

Matters of National Environmental Significance searching reveals that the nationally critically endangered *White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland* community, and the nationally endangered *Natural Grasslands of the Murray Valley Plains, Grey Box Grassy Woodlands and Derived Native Grasslands of South-eastern Australia, Buloke Woodlands of the Riverina and Murray-Darling Depression Bioregions* and the *Weeping Myall Woodlands* communities occur within a 20 km radius of the site (Commonwealth DCCEW 2024).



While the assessed site is mapped as former NSW Plant Community Type (PCT) 76 – *Western Grey Box tall grassy woodland on alluvial loam and clay soils in the NSW South Western Slopes and Riverina Bioregions*, based on the remaining native vegetation (extant remnant tree blocks and scattered remnant paddock trees) on the property and surrounds, it is more likely that the former PCT is PCT 80 - *Western Grey Box - White Cypress Pine tall woodland on loam soil on alluvial plains of NSW South Western Slopes Bioregion and Riverina Bioregion* (from Environment and Heritage 2012 and NSW DCCEEW 2024d); however, this community within and surrounding the assessed area is now only represented by some remnant blocks of White Cypress-pine in the centre of the assessed property and some scattered mature Grey Box in mostly cleared paddocks.

#### **4.4.2 Threatened species likelihood**

The likelihood of presence for all recorded threatened species within a 10 km radius of the site has been considered (NSW DCCEEW 2024a).

*BioNet – Website of the Atlas of NSW Wildlife and Matters of National Environmental Significance* searches revealed that there were records or predicted occurrences of twenty one (21) threatened fauna species within a 10 km radius of the site (NSW DCCEEW 2024a, Commonwealth DCCEEW 2024; Appendix A).

*BioNet – Website of the Atlas of NSW Wildlife and Matters of National Environmental Significance* revealed that there were eight (8) records or predicted occurrences of threatened flora species within a 10 km radius of the site (NSW DCCEEW 2024a, Commonwealth DCCEEW 2024; Appendix A).

The likelihood of the presence of these species and their likelihood of utilisation of the proposed development area was considered, and rated based on the habitat preferences of the species, the habitat quality of the surrounding site and the lack of quality of the proposed development site, the excellent landscape connectivity, known records for species and the currency of these records, and the composition, abundance and structure of the vegetation of the site (Appendix A).

Given the highly disturbed and modified condition of the proposed development area and the poor landscape connectivity of the site, it is considered that none of the threatened flora and fauna species were likely to utilise the proposed development area, and the development of the site will not result in the removal of any further native vegetation, and therefore, there will be no impact on any of these species.

#### **4.4.3 Assessment of Significance**

Part 7 Division 1 Section 7.3 of the *Biodiversity Conservation Act 2016* sets out five parameters that a determining authority must consider in deciding whether an activity is likely to have a significant effect on threatened species, populations, or ecological communities, or their habitats.

As indicated, the property has largely been cleared of native vegetation, except for a series of patches of mature White Cypress-pine woodland in the north-central section of the property, and a small number of scattered mature hollow-bearing Grey Box.

There is an existing cattle feedlot in the north-western corner of the property, and an existing dwelling and garden area in the centre of the property, amidst the White Cypress-pine woodland patches; most of the paddocks have established irrigation bays and there are servicing irrigation channels across the property, and at the time of assessment, the majority of these paddocks had been sown to crop.

Because of the recent cultivation, much of the ground layer across the property at the time of assessment was bare earth (50 % cover); however, beyond the emerging sown crop species, any ground layer vegetation present – including under the canopy of the White Cypress-pine woodland patches - was wholly an array of introduced species (50 % projective foliage cover).

The Tuppall Creek and its narrow treed corridor is located less than 5 km south of the proposed development site, and there is no vegetation connectivity to this corridor. Furthermore, other than Tuppall Creek, there are no further significant blocks or corridors within 20 km of the site, as the district has been mostly cleared of woody vegetation; even the surrounding road reserve of Broughans Road, Bowlers Road and James Road have been substantially cleared of woody vegetation, and have only a small number of scattered remnant trees. The site clearly maintains a poor landscape connectivity.

While 4 large hollow-bearing paddock trees will be contained within the proposed development area, because a 25 m radius buffer will be applied around the living trees (Trees 1, 2, 4 and 5) that will not see manure/effluent spread, and the other tree is a standing dead tree, and as such, no buffer will be placed around it, as the spread of manure around it will not impact its condition.

Five threatened communities, eight threatened species of flora and twenty one species of fauna have been recorded within a 10 km radius of the site (DPE 2023a), or are known or predicted to occur within 10 km of the site (NSW DCCEEW 2024)(Appendix A).

After likelihood assessment, given the highly disturbed and modified condition of the proposed development area and the poor landscape connectivity of the site, it is considered that none of the threatened flora and fauna species were likely to utilise the proposed development area.

The development of the site will not result in the removal of any further native vegetation.

Given that the development will have no impact on any native vegetation – and with no impact on any threatened species or communities - the five parameters of Part 7 Division 1 Section 7.3 of the *Biodiversity Conservation Act 2016* have not been applied to any threatened flora, fauna or communities.

## **5. AVOIDANCE AND MINIMISATION OF NATIVE VEGETATION**

As indicated, the existing cropping land has been used and will continue to be used for manure/effluent utilisation/spread from the feedlot facilities (Rod Davis pers. comm. 2024); an area of 33.3 ha in the north-western corner of the property is proposed for effluent spreading and utilisation, and an area of 115.5 ha is proposed for manure spreading and utilisation.

Clearly, the potential impact on native vegetation of such a proposed action is nutrient enhancement around trees, in particular, notwithstanding that the application of manure and effluent is an already existing management practice in the proposed areas.

All of the patches of White Cypress-pine woodland have been excluded from the development.

While 4 large hollow-bearing paddock trees will be contained within the proposed development area, because a 25 m radius buffer will be applied around the living trees (Trees 1, 2, 4 and 5) that will not see manure/effluent spread, and the other tree is a standing dead tree, and as such, no buffer will be placed around it, as the spread of manure around it will not impact its condition.

It is considered that a 25 m buffer – which represents two canopy widths – provides a sufficient distance to ensure that the health of such trees are negligibly affected by the application of the nutrient, if at all.

The surrounding road reserves of Broughans Road, Bowlers Road and James Road have been substantially cleared of woody vegetation, and have only a small number of scattered remnant trees. The typical distance between the spread of manure or effluent appears to have been between 10 to 15 m; it would be prudent to ensure that the spread of manure or effluent in the vicinity of these trees be consistently managed at a minimum of 25 m from the road reserve trees.

## 6. RECOMMENDATION

As indicated, the existing cropping land has been used and will continue to be used for manure/effluent utilisation/spread from the feedlot facilities (Rod Davis pers. comm. 2024); an area of 33.3 ha in the north-western corner of the property is proposed for effluent spreading and utilisation, and an area of 115.5 ha is proposed for manure spreading and utilisation.

The property where the development is proposed is not in a declared area of outstanding biodiversity value, the proposed development area is not mapped as *Vulnerable or Sensitive Regulated Land* according to the Section 60F of the *Local Land Services Act 2013*, and is also not mapped as an area of Biodiversity Value (NSW DCCEEW 2024e; see Appendix A), and a BDAR is not triggered on the basis of this mechanism.

The generation of a Biodiversity Offset Scheme Entry Threshold Report (BOSET Report)(NSW DCCEEW 2024f) reveals that the minimum Lot Size according to the *Conargo Local Environmental Plan 2013* (New South Wales Government 2024) is 40 ha, and that the Area Clearing Threshold required to enter the Biodiversity Offset Scheme (BOS), and for a Biodiversity Development Assessment Report (BDAR) to be completed, is 1.0 ha.

Therefore, for development to avoid entering the BOS and requiring a BDAR to be undertaken, native vegetation clearance must be < 1 ha; as there is no native vegetation to be removed with the development, the total native vegetation loss is less than the clearance threshold of 1 ha, and a BDAR is not triggered by this mechanism.

After likelihood assessment, given the highly disturbed and modified condition of the proposed development area and the poor landscape connectivity of the site, it is considered that none of the threatened flora and fauna species were likely to utilise the proposed development area.

Given that the development will have no impact on any native vegetation – and with no impact on any threatened species or communities - the five parameters of Part 7 Division 1 Section 7.3 of the *Biodiversity Conservation Act 2016* have not been applied to any threatened flora, fauna or communities, and a BDAR is not triggered by this mechanism.

The surrounding road reserves of Broughans Road, Bowlers Road and James Road have been substantially cleared of woody vegetation, and have only a small number of scattered remnant trees. The typical distance between the spread of manure or effluent appears to have been between 10 to 15 m; it would be prudent to ensure that the spread of manure or effluent in the vicinity of the trees be consistently managed at 25 m from the road reserve trees.

## 7. REFERENCES

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## 7.1 Personal communications

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## **APPENDIX A      THREATENED SPECIES LIKELIHOOD OF PRESENCE**

List of threatened communities, and flora and fauna species recorded by the BioNet - Atlas of NSW Wildlife and by Matters of National Environmental Significance search of a 10 km radius from the proposed development site, their status, and their likelihood of occurrence on the site (NSW DCCEEW 2024b; Commonwealth DCCEEW 2024).

Common Name	Scientific name	Conservation Status (NSW) <sup>1</sup>	Conservation Status (Comm) <sup>2</sup>	Likelihood of Occurrence <sup>3</sup>	Five Part Test
<b>Vegetation community</b>					
Buloke Woodlands of the Riverina and Murray-Darling Depression Bioregions		e	E	While this TEC is represented within the district, the proposed works area is former Grey Box-White Cypress-pine woodland. <b>Likelihood: Not present</b>	No
Grey Box Grassy Woodlands and Derived Native Grasslands of South-eastern Australia		e	E	The property is likely a former area of the TEC; the TEC is now only represented on the property by highly modified White Cypress-pine woodland patches and scattered Grey Box, all of which are being avoided and are found outside of the proposed development area. <b>Likelihood: Not present</b>	No
Natural Grasslands of the Murray Valley Plains		e	CE	While this TEC is represented within the district, the proposed works area is former Grey Box-White Cypress-pine woodland. <b>Likelihood: Not present</b>	No
Weeping Myall Woodlands		e	E	While this TEC is represented within the district, the proposed works area is former Grey Box-White Cypress-pine woodland. <b>Likelihood: Not present</b>	No
Grassy Box Gum Woodland		e	CE	While this TEC is represented within the district, the proposed works area is former Grey Box-White Cypress-pine woodland. <b>Likelihood: Not present</b>	No
<b>Flora</b>					
Floating Swamp Wallaby-grass	<i>Amphibromus fluitans</i>	v	V	The species grows mostly in permanent swamps. The species needs wetlands which are at least moderately fertile and which have some bare ground, conditions which are produced by seasonally-fluctuating water levels. Suitable habitat is not found on the site. No records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
A Spear-grass	<i>Austrostipa wakoolica</i>	e	E	Grows on floodplains of the Murray River tributaries, in open woodland on grey, silty clay or sandy loam soils. While the site was once probably suitable habitat, the site has been heavily disturbed, and is now unsuitable. Four records within 10 km up to 2020. <b>Likelihood: Highly unlikely to be present</b>	No
<i>Brachyscome muelleroides</i>	Mueller Daisy	e	V	A small annual herb restricted to the mid-Murray/Murrumbidgee Rivers region in NSW and Victoria. It occurs in seasonally wet depressions, and relies on seasonal inundation. The species is now restricted to only 10 known populations, of which Naringaringalook Grassland is the closest. While the site was once probably suitable habitat, the site has been heavily disturbed, and is now unsuitable. No records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
Winged Pepper-cress	<i>Lepidium monoplacoides</i>	e	E	Occurs on seasonally moist to waterlogged sites, on heavy fertile soils, with a mean annual rainfall of around 300-500 mm. Predominant vegetation is usually an open woodland dominated Buloke and/or eucalypts, particularly Black Box or Poplar Box. Suitable habitat is not found on the site. No records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
Chariot Wheels	<i>Maireana cheelii</i>	v	E	Usually found on heavier, grey clay soils on the Hay Plains. Tends to grow in shallow depressions, often on eroded or scalded surfaces, and does not extend to the higher soils in the habitat. While the site was once probably suitable habitat, the site has been heavily disturbed, and is now unsuitable. No records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No



## Test of Significance – 58 Broughans Road, Pine Lodge

Common Name	Scientific name	Conservation Status (NSW) <sup>1</sup>	Conservation Status (Comm) <sup>2</sup>	Likelihood of Occurrence <sup>3</sup>	Five Part Test
Turnip Copperburr	<i>Sclerolaena napiformis</i>	e	E	Confined to remnant grassland habitats on clay-loam soils. Grows on level plains in tussock grassland of <i>Austrostipa nodosa</i> and <i>Chloris truncata</i> , in grey cracking clay to red-brown loamy clay. Known from only a few small populations in remnant grassland in the southern Riverina of NSW and north-central Victoria. NSW populations are confined to the area between Jerilderie and Moama on travelling stock routes and road reserves. While the site was once probably suitable habitat, the site has been heavily disturbed, and is now unsuitable. No records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
Slender Darling-pea	<i>Swainsona murrayana</i>	v	E	The species has been collected from clay-based soils, ranging from grey, red and brown cracking clays to red-brown earths and loams. Found throughout NSW, it has been recorded in the Jerilderie and Deniliquin areas of the southern riverine plain, the Hay plain as far north as Willandra National Park, near Broken Hill and in various localities between Dubbo and Moree. While the site was once probably suitable habitat, the site has been heavily disturbed, and is now unsuitable. No records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
Red Darling-pea	<i>Swainsona plagiotropis</i>	v	V	Grassland and Grassy Woodland plant in sites prone to seasonal inundation. While the site was once probably suitable habitat, the site has been heavily disturbed, and is now unsuitable. No records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
<b>Fauna</b>					
Australian Painted Snipe	<i>Rostratala australis</i>	e	E	The Australian Painted Snipe inhabits many different types of shallow, brackish or freshwater terrestrial wetlands, especially temporary ones which have muddy margins and small, low-lying islands. Suitable wetlands usually support a mosaic of low, patchy vegetation, as well as lignum and canegrass. within 10 km. Site is not suitable habitat. One record within 10 km in 1982. <b>Likelihood: Highly unlikely to be present</b>	No
Brolga	<i>Grus rubicunda</i>	v,L		The Brolga inhabits large open wetlands, grassy plains, coastal mudflats and irrigated croplands and, less frequently, mangrove-studded creeks and estuaries. It is less common in arid and semi-arid regions, but will occur close to water. The development site itself is largely devoid of native vegetation, there is no further native vegetation proposed for removal, and the site is very poorly connected within the landscape; there are no records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
Brown Treecreeper (eastern ssp.)	<i>Climacteris picumnus victoriae</i>	v		Occurs in intact woodlands, and adjacent agricultural land. The development site itself is largely devoid of native vegetation, there is no further native vegetation proposed for removal, and the site is very poorly connected within the landscape; there are 5 records within 10 km up to 2016. <b>Likelihood: Highly unlikely to be present</b>	No
Diamond Firetail	<i>Stagonopleura guttata</i>	v		Occurs in woodlands, and adjacent agricultural land. The development site itself is largely devoid of native vegetation, there is no further native vegetation proposed for removal, and the site is very poorly connected within the landscape; there are no records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	Yes

## Test of Significance – 58 Broughans Road, Pine Lodge

Common Name	Scientific name	Conservation Status (NSW) <sup>1</sup>	Conservation Status (Comm) <sup>2</sup>	Likelihood of Occurrence <sup>3</sup>	Five Part Test
Flame Robin	<i>Petroica phoenicea</i>	v		Breeds in upland tall moist eucalypt forests and woodlands, often on ridges and slopes. Prefers clearings or areas with open understoreys. The ground layer of the breeding habitat is dominated by native grasses and the shrub layer may be either sparse or dense. The development site itself is largely devoid of native vegetation, there is no further native vegetation proposed for removal, and the site is very poorly connected within the landscape; there are 9 records within 10 km up to 2014. <b>Likelihood: Highly unlikely to be present</b>	No
Freckled Duck	<i>Stictonetta naevosa</i>	e		Wetland/riparian species. No suitable habitat occurs on site. The development site itself is largely devoid of native vegetation, there is no further native vegetation proposed for removal, and the site is very poorly connected within the landscape; there are no records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
Grey-crowned Babbler (eastern subspecies)	<i>Pomatostomus temporalis temporalis</i>	v		Prefers extensive intact woodlands with significant shrub and litter layers. The development site itself is largely devoid of native vegetation, there is no further native vegetation proposed for removal, and the site is very poorly connected within the landscape; there are 5 records within 10 km up to 2021. <b>Likelihood: Highly unlikely to be present</b>	No
Grey-headed Flying-fox	<i>Pteropus poliocephalus</i>	v	V	Australia's only endemic flying-fox and occurs in a coastal belt from south-eastern Queensland to Melbourne, Victoria. It is a canopy-feeding frugivore and nectivore, which utilises vegetation communities including rainforests, open forests, closed and open woodlands, Melaleuca swamps and Banksia woodlands. No suitable habitat occurs on site. The development site itself is largely devoid of native vegetation, there is no further native vegetation proposed for removal, and the site is very poorly connected within the landscape; there are no records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
Hooded Robin	<i>Melanodryas cucullata cucullata</i>	v		Occurs in intact woodlands, and adjacent agricultural land. They occupy a wide range of Eucalypt woodlands, Acacia shrublands and open forests. In temperate woodlands, the species favours open areas adjoining large woodland blocks, with areas of dead timber and sparse shrub cover. The development site itself is largely devoid of native vegetation, there is no further native vegetation proposed for removal, and the site is very poorly connected within the landscape; there are no records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
Koala	<i>Phascolarctus cinereus</i>	v	V	Inhabit eucalypt woodlands and forests. Spend most of their time in trees, but will descend and traverse open ground to move between trees. The development site itself is largely devoid of native vegetation, there is no further native vegetation proposed for removal, and the site is very poorly connected within the landscape; there are 5 records within 10 km up to 2022. <b>Likelihood: Highly unlikely to be present</b>	No
Magpie Goose	<i>Anseranas semipalmata</i>	v		The Magpie Goose is still relatively common in the Australian northern tropics, but had disappeared from south-east Australia by 1920 due to drainage and overgrazing of reed swamps used for breeding. Mainly found in shallow wetlands (less than 1 m deep) with dense growth of rushes or sedges. Site is not suitable habitat. One record within 10 km in 2006. <b>Likelihood: Highly unlikely to be present</b>	No

## Test of Significance – 58 Broughans Road, Pine Lodge

Common Name	Scientific name	Conservation Status (NSW) <sup>1</sup>	Conservation Status (Comm) <sup>2</sup>	Likelihood of Occurrence <sup>3</sup>	Five Part Test
Painted Honeyeater	<i>Grantiella picta</i>	v	V	The greatest concentrations of the bird and almost all breeding occurs on the inland slopes of the Great Dividing Range in NSW, Victoria and southern Queensland. Inhabits Boree/ Weeping Myall, Brigalow and Box-Gum Woodlands and Box-Ironbark Forests, particularly those infested with mistletoe. No suitable habitat occurs on site. The development site itself is largely devoid of native vegetation, there is no further native vegetation proposed for removal, and the site is very poorly connected within the landscape; there are no records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
Plains-wanderer	<i>Pedionomus torquatus</i>	e	CE	Occurs in extensive quality riparian grasslands and plains woodlands, and adjacent agricultural land. Site is not suitable habitat. No records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
Regent Honeyeater	<i>Anthochaera phrygia</i>	e	CE	Occurs in woodlands, and adjacent agricultural land. . The development site itself is largely devoid of native vegetation, there is no further native vegetation proposed for removal, and the site is very poorly connected within the landscape; there are no records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
Scarlet Robin	<i>Petroica boodang</i>	v		In NSW, it occurs from the coast to the inland slopes. After breeding, some Scarlet Robins disperse to the lower valleys and plains of the tablelands and slopes. Some birds may appear as far west as the eastern edges of the inland plains in autumn and winter. The Scarlet Robin lives in dry eucalypt forests and woodlands. The development site itself is largely devoid of native vegetation, there is no further native vegetation proposed for removal, and the site is very poorly connected within the landscape; there are no records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
Sloane's Froglet	<i>Crinia sloanei</i>	v		Sloane's Froglet has been recorded from widely scattered sites in the floodplains of the Murray-Darling Basin, with the majority of records in the Darling Riverine Plains, NSW South Western Slopes and Riverina bioregions in New South Wales. It has not been recorded recently in the northern part of its range and has only been recorded infrequently in the southern part of its range in NSW. At a number of sites where records are verified by museum specimens, the species has not been subsequently detected during more recent frog surveys in the vicinity (e.g. Holbrook, Nyngan, Wagga Wagga and Tocumwal). It is typically associated with periodically inundated areas in grassland, woodland and disturbed habitats. No suitable habitat occurs on site; no records within 10 km. <b>Likelihood: Highly unlikely to be present</b>	No
Southern Bell Frog	<i>Litoria raniformis</i>	e	V	In NSW the species was once distributed along the Murray and Murrumbidgee Rivers and their tributaries, the southern slopes of the Monaro district and the central southern tablelands as far north as Tarana, near Bathurst. Currently, the species is known to exist only in isolated populations in the Coleambally Irrigation Area, the Lowbidgee floodplain and around Lake Victoria. No records within 10 km. <b>Likelihood: Unlikely to be present</b>	No
Southern Whiteface	<i>Aphelocephala leucopsis</i>	v	V	Dry open forests and woodland and inland scrubs of mallee, mulga and saltbush are the preferred habitat of Southern Whiteface, especially areas with fallen timber or dead trees and stumps. The development site is not suitable habitat. One records within 10 km in 1961. <b>Likelihood: Highly unlikely to be present</b>	No



## Test of Significance – 58 Broughans Road, Pine Lodge

Common Name	Scientific name	Conservation Status (NSW) <sup>1</sup>	Conservation Status (Comm) <sup>2</sup>	Likelihood of Occurrence <sup>3</sup>	Five Part Test
Spotted Harrier	<i>Circus assimilis</i>	v		Found in mainland Australia and Indonesia. It is widespread but sparsely distributed. Found in open wooded country in tropical and temperate Australia, particularly in arid and semi-arid areas. There has been only 1 record for the species within 10 km of the site; well south of the site in 2021. While the site is suitable habitat, the record is at a location disconnected from the proposed development. <b>Likelihood: Unlikely to be present</b>	No
Superb Parrot	<i>Polytelis swainsonii</i>	v	V	Occurs in riparian woodlands and forest, and adjacent woodlands and agricultural land. . The area surrounding the development site is suitable habitat, but the development site itself is largely devoid of native vegetation, and there is no further native vegetation proposed for removal; there are no records for the species within 10 km. <b>Likelihood: Unlikely to be present</b>	No
White-fronted Chat	<i>Epthianura albifrons</i>	v		The White-fronted Chat is found across the southern half of Australia. In NSW, it occurs mostly in the southern half of the state, in damp open habitats along the coast, and near waterways in the western part of the state. The development site itself is largely devoid of native vegetation, there is no further native vegetation proposed for removal, and the site is very poorly connected within the landscape; there is 1 record within 10 km in 1980. <b>Likelihood: Highly unlikely to be present</b>	No

1. x = presumed extinct in NSW; e = endangered in NSW; v = vulnerable in NSW; ce = critically endangered in NSW (from NSW DCCEEW 2024b).
2. V = vulnerable nationally; E = endangered nationally; CE = critically endangered nationally (Commonwealth DCCEEW 2024).

**APPENDIX B    BIODIVERSITY OFFSET SCHEME  
ENTRY THRESHOLD (BOSET) TOOL  
REPORT DATED 21<sup>ST</sup> JUNE 2024**

## Biodiversity Values Map and Threshold Report

This report is generated using the Biodiversity Values Map and Threshold (BMAT) tool. The BMAT tool is used by proponents to supply evidence to your local council to determine whether or not a Biodiversity Development Assessment Report (BDAR) is required under [the Biodiversity Conservation Regulation 2017 \(Cl. 7.2 & 7.3\)](#).

The report provides results for the proposed development footprint area identified by the user and displayed within the blue boundary on the map.

There are two pathways for determining whether a BDAR is required for the proposed development:

1. Is there Biodiversity Values Mapping?
2. Is the 'clearing of native vegetation area threshold' exceeded?

Biodiversity Values Map and Threshold Report		
Date of Report Generation		21/06/2024 4:33 PM
1. Biodiversity Values (BV) Map - Results Summary (Biodiversity Conservation Regulation Section 7.3)		
1.1	Does the development Footprint intersect with BV mapping?	no
1.2	Was <u>ALL</u> BV Mapping within the development footprinted added in the last 90 days? (dark purple mapping only, no light purple mapping present)	no
1.3	Date of expiry of dark purple 90 day mapping	N/A
1.4	Is the Biodiversity Values Map threshold exceeded?	no
2. Area Clearing Threshold - Results Summary (Biodiversity Conservation Regulation Section 7.2)		
2.1	Size of the development or clearing footprint	1,930,459.3 sqm
2.2	Native Vegetation Area Clearing Estimate (NVACE) (within development/clearing footprint)	69,819.9 sqm
2.3	Method for determining Minimum Lot Size	LEP
2.4	Minimum Lot Size (10,000sqm = 1ha)	400,000 sqm
2.5	Area Clearing Threshold (10,000sqm = 1ha)	10,000 sqm
2.6	Does the estimate exceed the Area Clearing Threshold? (NVACE results are an estimate and can be reviewed using the <a href="#">Guidance</a> )	no
REPORT RESULT: Is the Biodiversity Offset Scheme (BOS) Threshold exceeded for the proposed development footprint area? (Your local council will determine if a BDAR is required)		no



## What do I do with this report?

- If the result above indicates the BOS Threshold has been exceeded, your local council **may require** a Biodiversity Development Assessment Report with your development application. Seek further advice from Council. An accredited assessor can apply the Biodiversity Assessment Method and prepare a BDAR for you. For a list of accredited assessors go to: <https://customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor>.
- If the result above indicates the BOS Threshold has not been exceeded, you may not require a Biodiversity Development Assessment Report. This BMAT report can be provided to Council to support your development application. Council can advise how the area clearing threshold results should be considered. Council will review these results and make a determination if a BDAR is required. Council may ask you to review the area clearing threshold results. You may also be required to assess whether the development is “likely to significantly affect threatened species” as determined under the test in Section 7.3 of the *Biodiversity Conservation Act 2016*.
- If a BDAR is not required by Council, you may still require a permit to clear vegetation from your local council.
- If **all** Biodiversity Values mapping within your development footprint was less than 90 days old, i.e. areas are displayed as dark purple on the BV map, a BDAR may not be required if your Development Application is submitted within that 90 day period. Any BV mapping less than 90 days old on this report will expire on the date provided in Line item 1.3 above.

For more detailed advice about actions required, refer to the **Interpreting the evaluation report** section of the [Biodiversity Values Map Threshold Tool User Guide](#) .

## Review Options:

- If you believe the Biodiversity Values mapping is incorrect please refer to our [BV Map Review webpage](#) for further information.
- If you or Council disagree with the area clearing threshold estimate results from the NVACE in Line Item 2.6 above (i.e. area of Native Vegetation within the Development footprint proposed to be cleared), review the results using the [Guide for reviewing area clearing threshold results from the BMAT Tool](#).

## Acknowledgement

**I, as the applicant for this development, submit that I have correctly depicted the area that will be impacted or likely to be impacted as a result of the proposed development.**

Signature: \_\_\_\_\_

(Typing your name in the signature field will be considered as your signature for the purposes of this form)

Date: \_\_\_\_\_

21/06/2024 04:33 PM

## Biodiversity Values Map and Threshold Tool

The Biodiversity Values (BV) Map and Threshold Tool identifies land with high biodiversity value, particularly sensitive to impacts from development and clearing.

The BV map forms part of the Biodiversity Offsets Scheme threshold, which is one of the factors for determining whether the Scheme applies to a clearing or development proposal. You have used the Threshold Tool in the map viewer to generate this BV Threshold Report for your nominated area. This report calculates results for your proposed development footprint and indicates whether Council may require you to engage an accredited assessor to prepare a Biodiversity Development Assessment Report (BDAR) for your development.

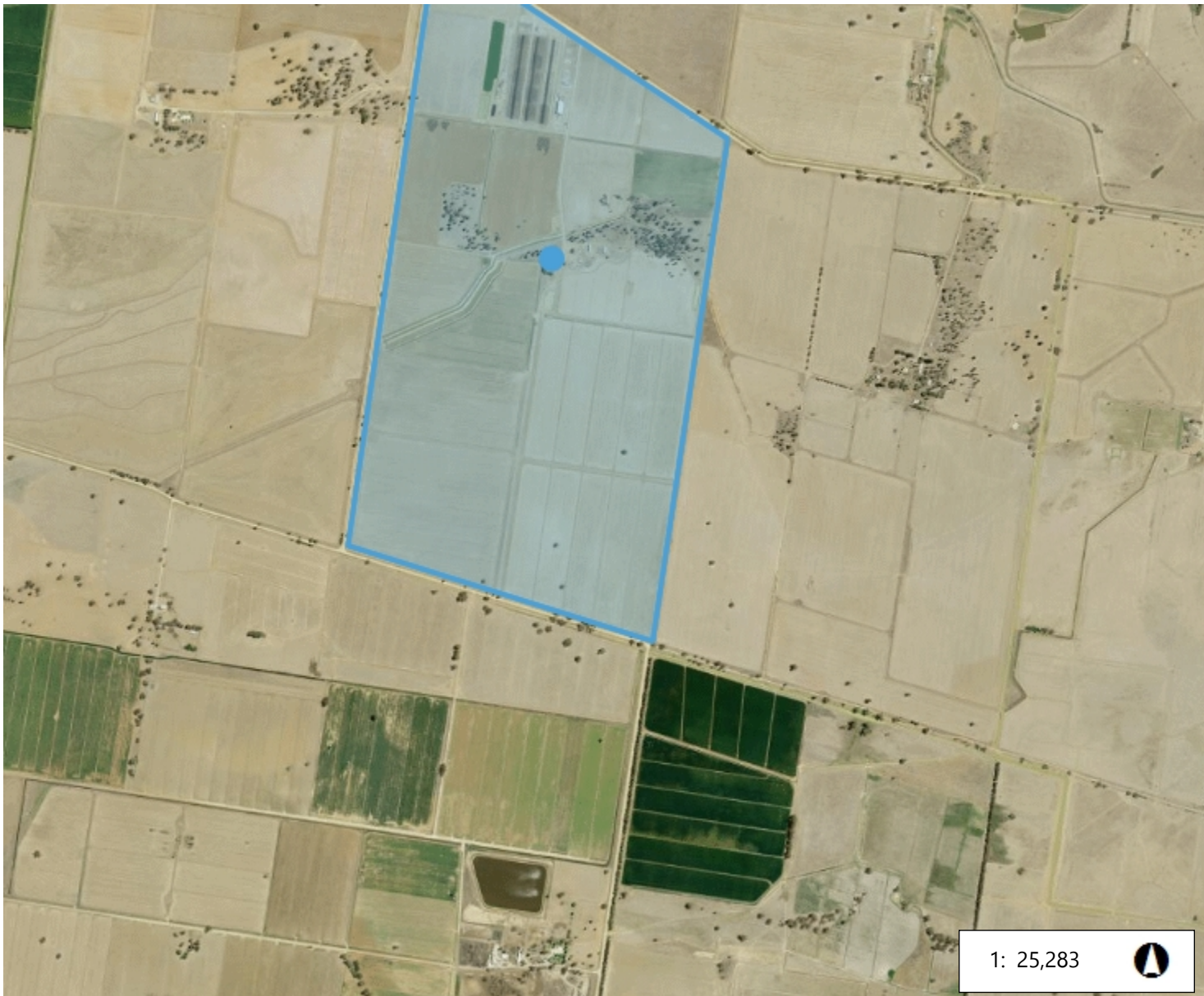
This report may be used as evidence for development applications submitted to councils. You may also use this report when considering native vegetation clearing under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 2 vegetation in non-rural areas.

**What's new?** For more information about the latest updates to the Biodiversity Values Map and Threshold Tool go to the updates section on the [Biodiversity Values Map webpage](#).

**Map Review:** Landholders can request a review of the BV Map where they consider there is an error in the mapping on their property. For more information about the map review process and an application form for a review go to the [Biodiversity Values Map Review webpage](#).

If you need help using this map tool see our [Biodiversity Values Map and Threshold Tool User Guide](#) or contact the Map Review Team at [map.review@environment.nsw.gov.au](mailto:map.review@environment.nsw.gov.au) or on 1800 001 490.





# Biodiversity Values Map



1,284.4 0 642.20 1,284.4 Metres

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

Legend

-  Biodiversity Values that have been mapped for more than 90 days
-  Biodiversity Values added within last 90 days
-  Native Vegetation Area Clearing Estimate (NVACE)
-  Development area selected by proponent

21/06/2024 04:33 PM

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Imagery © Airbus DS/Spot Image 2016

© NSW Department of Customer Service, Basemaps 2019

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The results provided in this tool are generated using the best available mapping and knowledge of species habitat requirements.

This map is valid as at the date the report was generated. Checking the [Biodiversity Values Map viewer](#) for mapping updates is recommended.