



PLANNING PROPOSAL – NATIVE VEGETATION REFERRAL

DATE OF REVIEW: 5 SEPTEMBER 2023

ASSESSING OFFICER: BRIAN FAULKNER

PROPERTY DESCRIPTION: 44 Middle Arm Road, Middle Arm, NSW 2580

DESCRIPTION OF DEVELOPMENT: Planning proposal to rezone RU6 land for future subdivision and residential development.

NATIVE VEGETATION OFFICER REFERRAL

Preliminary Biodiversity Development Assessment Report – Planning proposal to rezone for residential development, Lot 2 DP 569505, 44 Middle Arm Road, Middle Arm

Hayes Environmental (Reference 22017)

May 2023

Preliminary information

- The land is zoned RU 6 and comprises approximately 11.5 hectares.
- There is an existing dwelling and some farm sheds on the property.
- No parts of the land are marked on the Biodiversity Values Map.
- The BOS area clearing threshold for the land is 0.5 hectares.
- SEED Extant PCT mapping suggests parts of the land support PCT 3376 Southern Tableland Grassy Box Woodland, which is a component of the Critically Endangered Ecological Community NSW White Box Yellow Box Blakely's Red Gum Woodland and may relate to the Commonwealth White Box Yellow Box Blakely's Red Gum Woodland TEC where it meets condition criteria as per section 4 of the Listing Advice.
- The land is currently used for grazing by cattle.

Review comments

The BAM appears to have been applied correctly. The BDAR has been prepared following BAM guidelines for *Part 4 Developments – (Small Area)*.

Desktop and field surveys have been adequate.

Field surveys were conducted 17/08/2022, 18/10/2022, 15/11/2022, 29/03/2023 and 29/03/2023.

Surveys have confirmed presence of PCT 3376 Southern Tableland Grassy Box Woodland on the land, and the extent of this plant community is mapped in Figure 3 of the report.

The ground cover layer has been modified by agricultural practices and almost entirely replaced by exotic pasture species and weeds. The plant community on the site is largely represented only by scattered remnant canopy trees, which include mostly Yellow Box *Eucalyptus melliodora*, Blakely's Red Gum *Eucalyptus blakelyi* and some Cabbage Gum *Eucalyptus amplifolia*.

There is a strip of planted Paddy's River Box *Eucalyptus macarthurii* along the main driveway, which comprises a private road located on the southern boundary, that also provides access to the adjoining property on the eastern side of the land.

Although no parts of the land are marked on the Biodiversity Values Map, entry into the BOS is triggered as the proposed activity will require removal of approximately 0.66 hectares of PCT 3376 and this exceeds the area clearing threshold of 0.5 hectares.

Note also, even if the area clearing threshold is not exceeded, the presence of a CEEC and proposal to remove this, even if in a highly degraded state, would be considered to be likely to be a significant impact on the local occurrence of the community and would also trigger entry into the BOS.

DPE BAM Guidelines for assessing planted native vegetation confirm that the strip of planted *Eucalyptus macarthurii* does not need to be considered when calculating biodiversity offset credits.

However, consideration should be given to the habitat values of the planted vegetation and whether its removal is likely to have a significant impact on threatened fauna. As the trees are relatively young and do not have nesting hollows, it is not likely that their removal would constitute a significant impact on any threatened fauna species.

The proposed eventual subdivision design has taken into consideration the requirement to apply the biodiversity hierarchy of Avoid – Minimise – Mitigate. This has been applied via mechanisms described in the report:

- Retention of native trees along the western part of the southern boundary (including retention of seven individuals of *Eucalyptus macarthurii*).
- Retention of native trees in private lots along the eastern boundary. Encumbered lots would have a restriction placed on title pertaining to the retention of specified trees.
- Retention of the group of native trees within a road reserve in the southeastern corner, with a private access formed through the trees. The access would be designed in consultation with an Arborist to minimise and mitigate impacts.
- Retention of native trees, where practicable, on boundaries within private lots. Encumbered lots would have a restriction placed on title pertaining to the retention of specified trees.
- Designation of revegetation zones for compensatory replanting (with a combined area of approximately 0.89ha).

Additional mitigation measure that are proposed include:

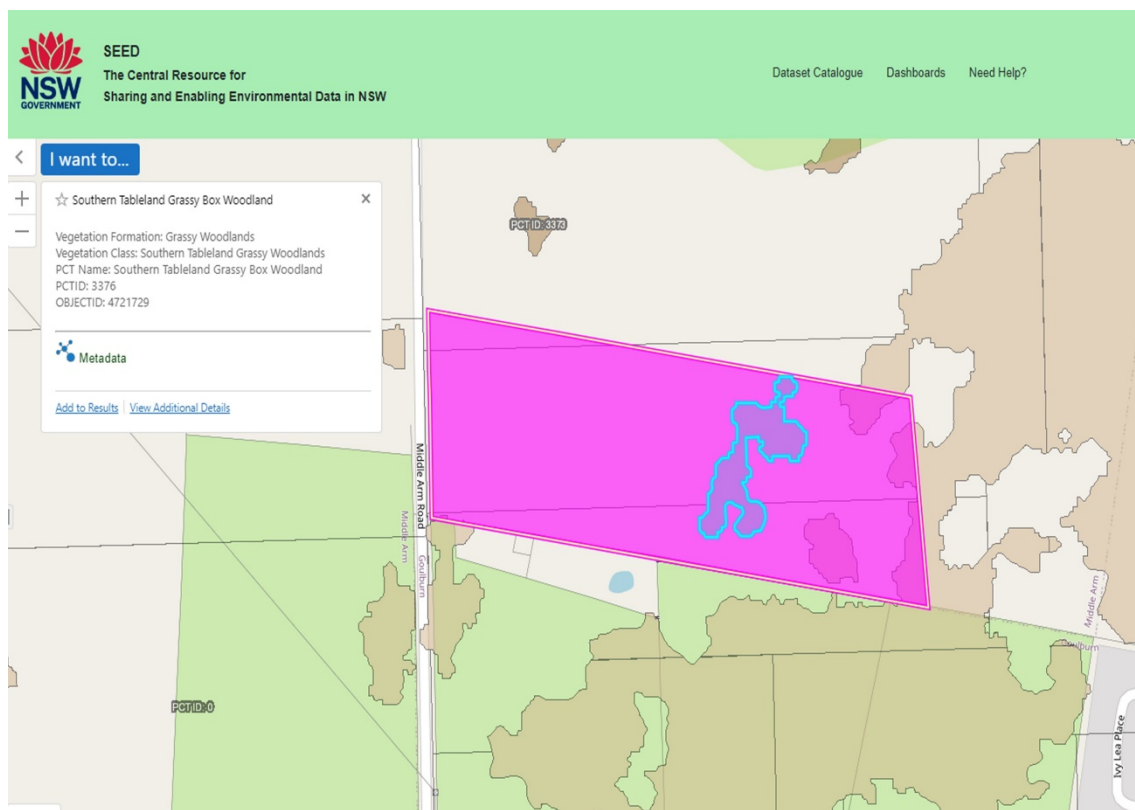
- Implementation of a tree removal protocol to avoid injury to individual animals at the time of clearing.
- Revegetation of reserves (as shown in Figure 4 of the report) within the subject land to include box-gum woodland species appropriate to the conditions and compatible with other uses of the reserves.
- Collection of propagules from planted individuals of Paddy's River Box *Eucalyptus macarthurii* within the subject land, for propagation and replanting within the subdivision, or in other conservation projects.

The report has determined that 10 ecosystem credits for PCT 3376 Southern Tableland Grassy Box Woodland (or equivalent as specified in the Biodiversity Credit Report) would be required to meet offset requirements for the project if implemented as described. No species credit offsets are required.

Site inspection by Brian Faulkner (GMC Environment and Biodiversity Assessment Officer) on Tuesday 5/09/2023 has confirmed that the vegetation on the site, and its condition, has been assessed and identified correctly. The findings of the Preliminary BDAR are broadly supported.

However, it is noted that the report is a preliminary BDAR that has not been finalised and that it will require review and finalisation prior to approval of the proposed subdivision.

This may require some changes to the outcomes of the BDAR if threatened species listings change, relevant legislation changes, or if further surveys/updated records show presence of any threatened species not recorded previously.



During the site inspection it was noted that some of the larger remnant trees on the site had obvious trunk scars and that these trees had the potential to be Aboriginal Scar Trees.

However, reference to the Aboriginal Cultural Heritage Assessment Report submitted to support the proposed activity by Black Mountain Projects Heritage Consultants (May 2023), found that all such trees on the site have been clearly identified and assessed, in conjunction with Pejar Aboriginal Land Council.

Assessment has determined that the trees are not Aboriginal Scar Trees and that the scarring is not due to Aboriginal cultural practices.





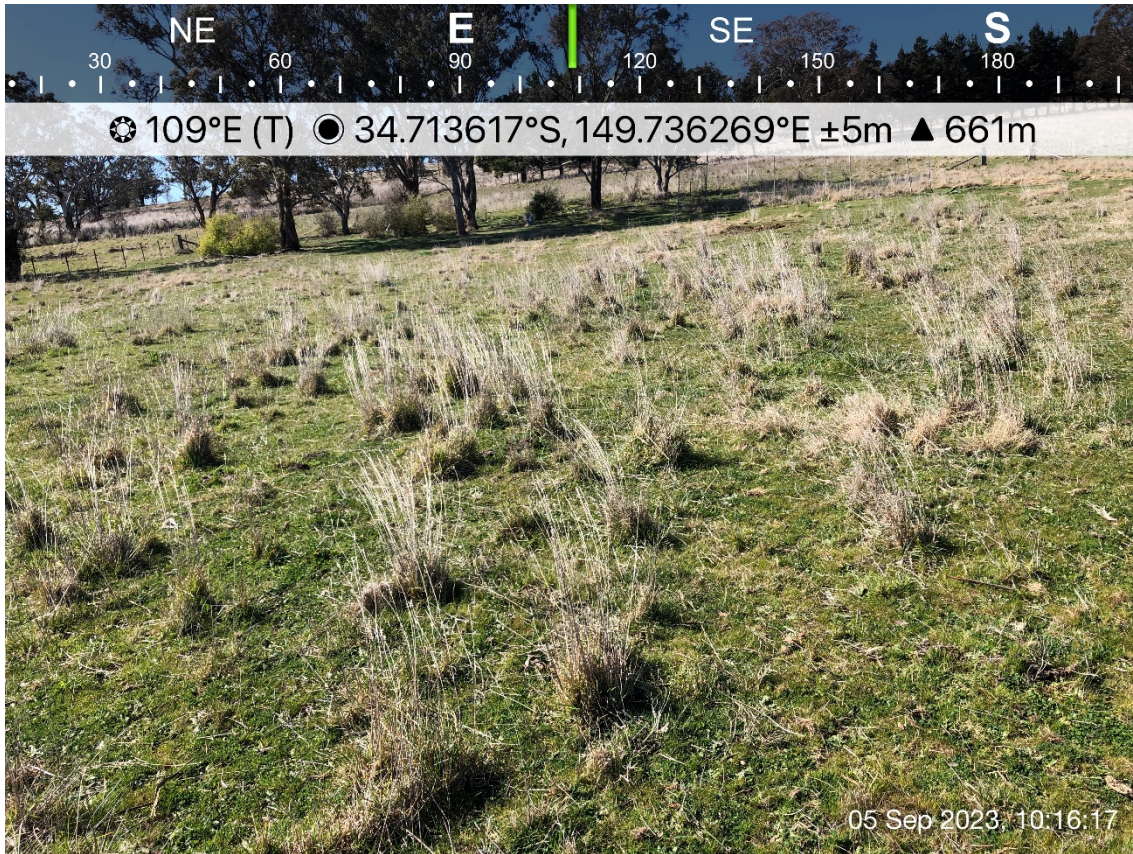
☼ 228°SW (T) ● 34.714453°S, 149.737431°E ±5m ▲ 668m



☼ 281°W (T) ● 34.713720°S, 149.737185°E ±5m ▲ 664m







South East Elevation

☼ 318°NW (T) ● 34.714091°S, 149.735127°E ±5m ▲ 659m



☼ 158°(null) (T) ● 34.713713°S, 149.734725°E ±5m ▲ 656m





East Elevation

☉ 279°W (T) ☉ 34.714409°S, 149.734805°E ±5m ▲ 659m



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