



THE HILLS
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL

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TO: REGIONAL PLANNING PANEL SECRETARIAT

FROM: PRINCIPAL COORDINATOR DEVELOPMENT ASSESSMENT

SUBJECT: 2019CCI032 - 1528/2019/JP – RIVERSIDE OAKS MASTERPLAN

DATE: 10 DECEMBER 2021

Further to the Panel briefing on 8 December 2021, the following response is provided by Council's Ecology staff in relation to Serious and Irreversible Impacts for the Panel's consideration in addition to the assessment report.

Panel Question

How have the principals of avoid and minimise been applied and has there been consideration of Serious and Irreversible Impacts.

Answer

The master plan is consistent with the approved planning proposal and DCP. During the planning proposal extensive ecological assessment was undertaken to identify ecological constraints and important habitat components for threatened flora and fauna. The concept plan responded by strategically avoiding and minimising impacts to the areas of highest conservation significance and maintains habitat connectivity. The highest conservation areas will be retained and protected, ensuring habitat connectivity for threatened fauna and endangered ecological communities are maintained and protected. The majority of the retained areas will be within a Stewardship site that represents the highest level of ecological protection that can be afforded to private land. It will ensure ongoing management and funding in perpetuity.

More detailed information of measures taken to avoid the direct and indirect impact on species at risk of SAI are outlined in Section 3.9 of the BDAR.

In regards to SAI the BDAR has provided a comprehensive review of SAI candidate entities (See Table 3.2 for list on candidate entities). The conclusion for all but two was that the proposed development will not result in an SAI. For the two remaining species (Large-eared Pied Bat & Eastern Cave Bat) the BDAR states that a SAI for these species is unlikely but has acknowledged that additional survey and assessment is required prior to finalising the SAI assessment. Council believes that this additional work can be undertaken as part of the individual BDAR's for precinct applications and acknowledges that where appropriate design modifications may be required to ensure an SAI for Large-eared Pied Bat & Eastern Cave Bat is avoided.

SUMMARY OF ASSESSMENT OF SERIOUS AND IIREVERSIBLE IMPACTS

Below is a summary for each SAIL candidate entity from the applicant's BDAR.

Table 3.2 of the BDAR lists SAIL Candidate entities

Species / TEC (Scientific name)	Species (Common name)	BC Act	Potential to occur
Shale Sandstone Transition Forest		E	recorded on site
Western Sydney Dry Rainforest		E	recorded on site
<i>Miniopterus schreibersii</i> subsp. <i>oceanensis</i>	Large Bent-winged Bat	E	recorded
<i>Miniopterus australis</i>	Little Bent-winged Bat	E	recorded
<i>Lathamus discolor</i>	Swift Parrot	E	✓
<i>Chalinolobus dwyeri</i>	Large-eared Pied-bat	V	✓
<i>Vespadelus troughtoni</i>	Eastern Cave Bat	V	✓
<i>Anthochaera phrygia</i>	Regent Honeyeater	E	low

Shale-Sandstone Transition Forest

The concept masterplan avoids 28.80ha out of 53.89ha of SSTF (53.44%) within the study area. The majority will form part of a biodiversity stewardship site. The proposed masterplan will impact approximately 27.23ha of SSTF. Of this 15.23ha would be impacted by the development and 12ha by APZs. SSFT within the proposed APZs would not be completely removed but instead there would be selective clearing so that the vegetation conforms with APZ requirements. In addition, residual SSTF outside of the Stewardship site and not within the development area would be managed in accordance with a vegetation management plan approved by THSC.

The proposed removal of 27.23ha of SSTF is 0.33% of the estimated extant SSTF within the Yengo IBRA sub-region (See Figure 1 for extent of WSDR proposed for removal and retention).

Conclusion: It is considered that an impact on SSTF of 27.23ha (0.33% in the subregion) in conjunction with the creation and protection of 28.19ha under a Stewardship Agreement does not constitute a SAIL.

Western Sydney Dry Rainforest

The concept masterplan avoids the majority of WSDR within the study area and allows for the retention of 9.99ha out of 10.26ha of WSDR (97.37%). The entire 9.99ha will be conserved as part of a Stewardship Site. The proposed masterplan will remove approximately 0.27ha of this vegetation within Precinct C only (See Figure 1 for extent of WSDR proposed for removal and retention).

Conclusion: It is considered that an impact on WSDR of 0.27 (0.152% in the subregion) does not constitute a SAIL.

Figure 1 (Figure 17 from BDAR) Shows distribution of SSTF (green) & WSDR (maroon) in relation to areas proposed for development (hatched).



Figure 17 - Candidate SAIL - Serious & Irreversible Impacts (SAILs)

Swift Parrot & Regent Honeyeater

The study area does not contribute to any Important Mapped Areas for Swift Parrot or Regent Honeyeater and therefore no SAI is considered likely for these species. Neither species have been recorded present in surveys to date.

Large-eared Pied Bat & Eastern Cave Bat

These two species have not been recorded present but have assumed to be present due to the absence of target microbat surveys during warmer months in the last five (5) years. No SAI is expected, based on habitat assessment to date, on these threatened fauna species however further surveys is still required to demonstrate the study area does not form important breeding habitat and to finalise the SAI assessment for these species.

Little Bent-winged Bat and Large Bent-winged Bat

The Little Bent-winged Bat and Large Bent-winged Bat were recorded foraging within the study area during passive ultrasonic surveys in 2013-2015 surveys and the Large Bent-winged Bat was recorded in 2019-2020 surveys.

‘Potential breeding habitat’ as defined by The BAM Bat Guide for these species includes caves, tunnels, mines or other structures known or suspected to be used”. The recorded overhangs within the study area are not considered to be suitable for breeding, therefore there will be no likely SAI on Little Bent-winged Bat or Large Bent-winged Bat.



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