

WRITTEN RESPONSE TO THE EIS (Appendix E - Biodiversity development assessment report)

1. The report ignores the habitat value of the planted gardens. Trees that have been planted on the site are categorised as non-native even when they are Australian natives and wildlife attracting. Non-threatened wildlife is ignored and therefore the plants that attract them are under valued.

The report diminishes the food source and linkage values of the planted gardens and concludes that the removal of this landscape would have a minimal impact on a threatened species. This would seem at odds with our understanding of Squirrel Gliders. The report acknowledges that a threatened species, Squirrel Glider is present on site. With a distribution range that extends from Southern Victoria to Northern Queensland, the habitat and food source for Squirrel Gliders is not confined to this bioregion. Some of the “Non-native” plant species that are identified in the report include *Grevillea robusta*, *Corymbia maculata* and several *Acacia* spp. Lake Macquarie City Council states in regard to *Corymbia maculata* that *‘Important vegetation communities in Lake Macquarie LGA for squirrel gliders are those containing Spotted Gum. (Corymbia maculata).’* The EIS also concedes *‘Silky Oak (Grevillea robusta)... may be used as a food resource’*. It is highly likely the large “grove” of silky oaks along with other garden species would be a valuable pollen and nectar source for gliders and other species. It is commonly known that during droughts this species flower prolifically when other species such as Eucalypts are not in flower.



Grove of *Grevillea robusta*, EIS

Insects are a primary staple of the Squirrel Glider’s diet. The report makes no mention of the fact that the planted gardens support a diversity of insect species.

The planted vegetation also contributes to the native corridor allowing movement of wildlife. The report states that *‘with the removal of the planted, non-native vegetation on site, there will be very limited opportunity for movements across the site by native fauna’*. (8.3.5 Vehicle strikes)

It is disappointing that the report determines the extensive removal of vegetation will be of minimal impact on the Gliders. *‘There are areas of non-native vegetation that will be removed...and have potential to be used by Squirrel Glider. This loss is very minor and is not expected to impact the presence of gliders at VZ1’*. (Chapter 6 Prescribed Impacts (Table 6-1). This ignores any of the benefits that I have outlined above and there is no doubt that the proposal will seriously impact other wildlife species such as the birdlife.

2. The EIS disregards native wildlife that is not listed as threatened. To anyone who has ever visited the beautiful ‘Lanark’ property it is obvious that the gardens provide a valuable habitat and sanctuary to a diversity of wildlife. This is in stark contrast to some of the naturally degraded rural landscapes that surround the site. Understandably the methodology of the report follows due process in accordance with the BAM focusing on threatened species. However, it would seem

reasonable that the EIS would consider the impact on ‘non-threatened’ species some of which like the smaller birds are in decline. The **Planning Secretary’s Environmental Assessment Requirements** state that the assessment should include ‘a description of the existing environment likely to be affected by the development using sufficient baseline data.’ A complete **fauna survey** should be undertaken to provide a greater understanding of the site’s wildlife. and its relationship with the site vegetation that was identified in the floristic survey.

3. It is unclear which trees will be removed or retained. In Figure 8-1 (Vegetation impacted by the Project) there is little detail or clarification on the impact on trees that straddle the blue dotted line that delineates the extent of impact (see figure below). Does the “area of disturbance” include trees outside the earthworks but still impacted as works may occur within their dripline. Given a considerable amount of vegetation occurs along this extent line, a more detailed tree set out is necessary to identify trees that will be retained or removed. The **Planning Secretary’s Environmental Assessment Requirements** states that there should be a ‘*high quality site plan at an adequate scale.*’ At this detail we can see little in terms of the design’s intent in regard to tree protection.

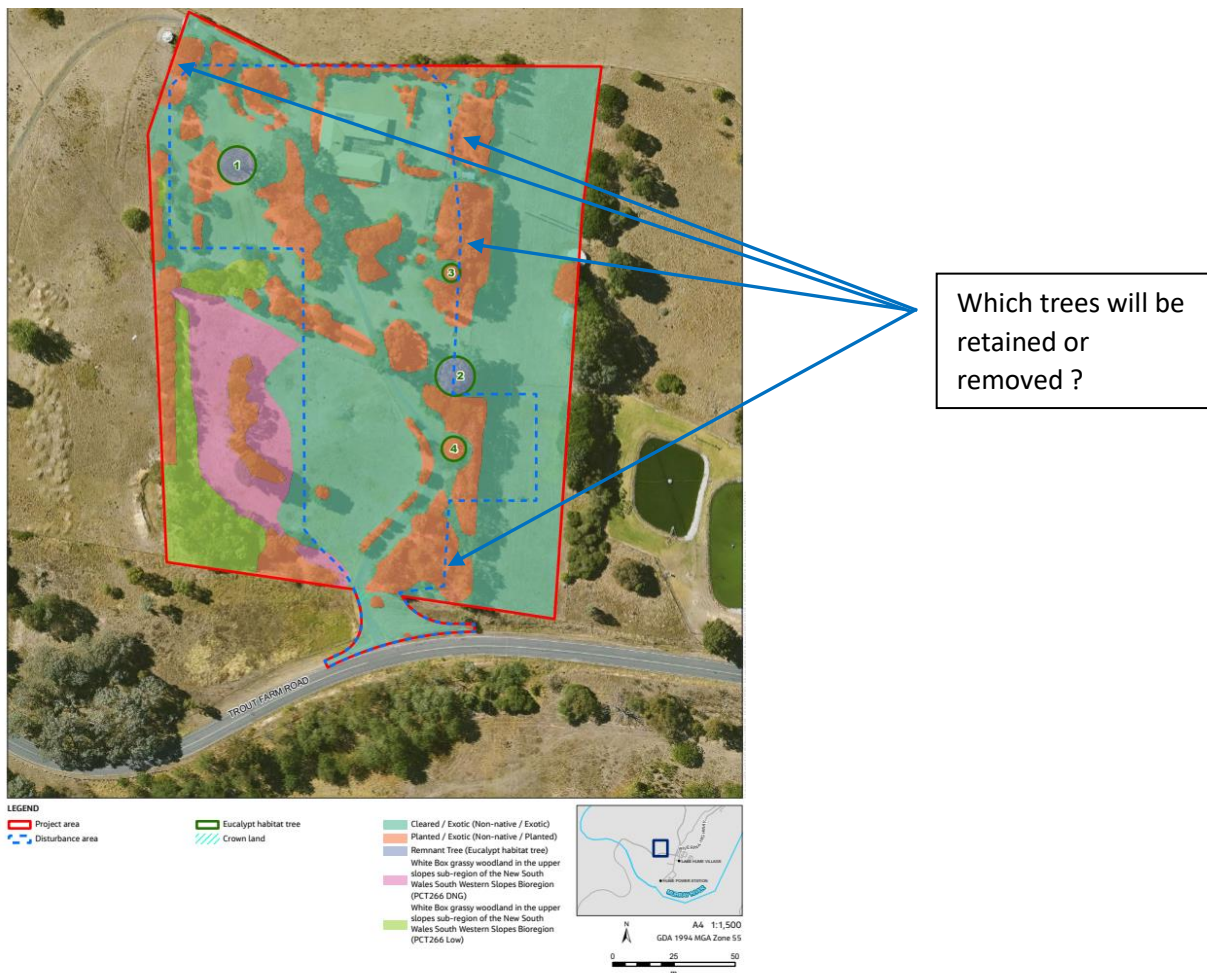


Figure 8-1. Vegetation impacted by the Project

Data Sources: NSW Department of Planning and Environment (2023); Imagery Sources: ESRI Online Imagery Services; JACOBUS (2023); Victorian Government (2023); Department of Transport NSW (2023)

4. The EIS cannot confirm the presence or discount the potential for other threatened species on the site. *'The garden shed and woodshed, are open and were inspected at the time of the survey, but unable to be confirmed if bats were absent.'* (Chapter 6.1 Impacts to human made structures).

Tree hollows are seen to have the "potential" for roosting sites for Threatened species. *'Tree 1 and Tree 2 (remnant) were both observed to have hollows...., both trees do provide potential roosting and nest sites for threatened highly mobile species including microbats and hollow-nesting birds.* (6.2 Impacts to non-native vegetation and isolated trees)

These findings are inconsistent with the conclusion *'the project area does not comprise habitat for threatened species as confirmed by the survey, with the exception of Squirrel Glider.* (7.1.1 Project location).

5. The use of Barbed wire is unacceptable in any circumstances as it considered a major threat to Squirrel Gliders. The report does not decisively rule out its use repeating the term where possible. The report states that during construction *'Where possible, barbed wire fencing would not be used on any new boundary fencing.'* (4 Mitigating residual impacts – management measures and implementation). Again, stating *'While a security fence will be constructed, the fence will be designed to avoid impacts on Squirrel Gliders where possible'.* (8.3.3 Habitat connectivity).

The report should note that Barb wire will not be used in any instance during construction or in the operation of the facility. Anything less would be an action prescribed as an impact on a threatened species (Clause 6.1 of the Biodiversity Conservation regulation 2017).

6. The risks of the different stages of development on the onsite Gliders is not explained or resolved. There is an assumption *'Squirrel Gliders are expected to continue using the retained habitat within the Project area'.* (8.3.3 Habitat connectivity). Contradictory to this statement and disturbingly the report suggests that Gliders will simply relocate back to the river corridor *'There are considerably large areas of native vegetation to the south of the site and associated with the riparian areas along the Murray River, and the loss of the non-native vegetation is considered negligible in terms of extent,'* (8.3.2 Non-native vegetation). This statement ignores the threatened species territorial attributes and competitiveness for reduced habitat especially considering *'Squirrel gliders have a home range of 3-5 hectares... Many squirrel gliders have a strong affinity with their home range and even if clearing claims most of the home range they will not move to adjacent vegetation'.* (Wildlife Preservation Society of Qld).

There is a detail assessment of risks to humans in relation to environmental irritants such as dust, light and noise but little discussion of these impacts or the mitigation of these impacts for gliders. What are the necessary landscape buffers or barriers required to ensure there will be no impacts to the onsite population?

7. A Qualified Arborist is required onsite to ensure tree protection procedures are to best work practice. The report states *'Vehicle movements and materials storage will be restricted to the disturbance footprint, so that native vegetation disturbance is minimised as much as possible'* (Table 8-4. Summary of proposed mitigation and management measures for residual impacts). The report has stated that any planted vegetation is "not native" so this statement refers to very little of the

vegetation onsite. The '*as much as possible*' statement is not definitive and importantly without the involvement of an onsite Arborist this proposed mitigation would be ineffective.