

BIODIVERSITY VALUES

Under section 7.9(2) of the *Biodiversity Conservation (BC) Act 2016*:

*“Any such application [SSD] is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is **not likely to have any significant impact on biodiversity values.**”*

A waiver request must address clause 1.5 of the Biodiversity Conservation Act 2016 and clauses 1.4 and 6.1 of the Biodiversity Conservation Regulation 2017 as outlined below. The waiver must clearly specify and address the biodiversity values of the site in order for OEHL to be able to assess the waiver request and determine whether the proposed development is not likely to have any significant impact on biodiversity values and that there is no need for the SSD application to include a BDAR.

Biodiversity Conservation Act 2016

1.5 Biodiversity and biodiversity values for purposes of Act

(2) For the purposes of this Act, biodiversity values are the following biodiversity values:

- (a) vegetation integrity—being the degree to which the composition, structure and function of vegetation at a particular site and the surrounding landscape has been altered from a near natural state,
- (b) habitat suitability—being the degree to which the habitat needs of threatened species are present at a particular site,
- (c) biodiversity values, or biodiversity-related values, prescribed by the regulations.

Biodiversity Conservation Regulation 2017

1.4 Additional biodiversity values

The following are prescribed as additional biodiversity values for the purposes of the Act:

- (a) threatened species abundance—being the occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site,
- (b) vegetation abundance—being the occurrence and abundance of vegetation at a particular site,
- (c) habitat connectivity—being the degree to which a particular site connects different areas of habitat of threatened species to facilitate the movement of those species across their range,
- (d) threatened species movement—being the degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle,
- (e) flight path integrity—being the degree to which the flight paths of protected animals over a particular site are free from interference,
- (f) water sustainability—being the degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site.

6.1 Additional biodiversity impacts to which scheme applies (sections 6.3 and 6.6 (2))

(1) The impacts on biodiversity values of the following actions are prescribed (subject to subclause (2)) as biodiversity impacts to be assessed under the biodiversity offsets scheme:

- (a) the impacts of development on the following habitat of threatened species or ecological communities:
 - (i) karst, caves, crevices, cliffs and other geological features of significance,
 - (ii) rocks,
 - (iii) human made structures,
 - (iv) non-native vegetation,
- (b) the impacts of development on the connectivity of different areas of habitat of threatened species that facilitates the movement of those species across their range,
- (c) the impacts of development on movement of threatened species that maintains their lifecycle,
- (d) the impacts of development on water quality, water bodies and hydrological processes that sustain threatened species and threatened ecological communities (including from subsidence or upsidence resulting from underground mining or other development),
- (e) the impacts of wind turbine strikes on protected animals,
- (f) the impacts of vehicle strikes on threatened species of animals or on animals that are part of a threatened ecological community.