



Office of  
Environment  
& Heritage

DOC 18/403075-1  
SSI 9022

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Dear David

**OEH Review of Environmental Impact Statement: New Maitland Hospital (Concept Proposal and Stage 1) – SSI 9022 – Maitland LGA**

I refer to your letter dated 18 June 2018, seeking comments on the Environmental Impact Statement for the New Maitland Hospital (Concept Proposal and Stage 1) proposal, on Lot 7314 in DP 1162607 and Part Lot 401 DP 755237, located on the eastern side of Metford Road near East Maitland (known as the 'Metford Triangle'), in the Maitland local government area.

OEH has reviewed the Environmental Impact Statement, including relevant appendices, annexures, attachments and parts of the document titled '*New Maitland Hospital Stage 1 (Concept Design and Early Works) Environmental Impact Statement*' (Prepared by Pitt and Sherry, and dated 7 June 2018) in relation to impacts on biodiversity.

OEH's recommendations are provided in **Attachment A** and detailed comments are provided in **Attachment B**. If you require any further information regarding this matter, please contact Steven Cox, Senior Team Leader Planning, on 4927 3140.

Yours sincerely

**SHARON MOLLOY**  
Director Hunter Central Coast Branch  
Conservation and Regional Delivery Division

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Enclosure: Attachments A and B

## OEH's recommendations

### New Maitland Hospital (Concept Proposal and Stage 1) (SSI 9022)

#### Biodiversity

1. OEH recommends that the proponent includes a *freshwater wetland on man-made ponds* vegetation zone (and identifies the appropriate plant community type) in the biodiversity assessment report and re-runs the credit calculator.
2. OEH recommends that the proponent include *native plantings* as a separate vegetation zone and re-runs the credit calculator to determine a revised credit yield.
3. OEH recommends that the Biobank plots on Figure 7 are labelled to include the BioBank plot number (identifier).
4. OEH recommends that the level of native overstorey cover and mid-storey cover in the connectivity assessment section of the credit calculator are entered as 'within benchmark' and the credit calculator is re-run.
5. OEH recommends that the reduction of the threatened species offset multipliers of the barking owls and powerful owl are removed from the biodiversity assessment report.
6. OEH recommends the removal of all the species entered as species credit species from the biodiversity assessment report and the credit calculator.
7. Once the credit yield is re-calculated, OEH recommends that a condition of consent is included which requires the proponent to retire all ecosystem credits, in accordance with the proposed biodiversity offset strategy.

#### Aboriginal cultural heritage

8. OEH is satisfied with the Aboriginal cultural heritage assessment provided and no further assessment is required.

#### Flooding

9. OEH is satisfied with the flooding assessment provided and no further flooding assessment is required.

## OEH's detailed comments

### New Maitland Hospital (Concept Proposal and Stage 1) (SSI 9022)

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#### Biodiversity

1. OEH recommends a *freshwater wetland on man-made ponds* vegetation zone is included

OEH's review of the biodiversity assessment report and site inspection identified a *freshwater wetland on man-made ponds* vegetation zone that should have been identified in the biodiversity assessment report.

*Freshwater wetland on man-made ponds* may not have been identified as a vegetation zone due to the small size of the ponds recorded on the site. This community is dominated by native wetland genera, such as *Baumea*, *Casuarina* (as a tree 'emergent'), *Eleocharis*, *Juncea*, *Phragmites* and *Typha* and is characteristic of many potential wetland Plant Community Types (PCTs).

OEH noted approximately 30% exotic species cover associated with the ponds during the site inspection. Notable weeds included: *Cortaderia selloana* (Pampas Grass), *Lantana camara* (Lantana), *Megathyrsus maximus* (Guinea Grass), *Pavonia hastata* (Spear-leaf Swamp-mallow) and other common annual/biennial weeds.

The BioBanking Assessment Methodology (BBAM) allows vegetation zones that are smaller than 0.25 hectares to be combined with adjacent larger vegetation zones. The BAR indicates that two of these freshwater ponds occur within the development footprint, but does not specify their sizes. If the total of these two ponds is less than 0.25 hectares then they could be included in the adjoining vegetation zone. However, given that freshwater wetlands PCTs are uniquely different from the adjoining dry sclerophyll forest vegetation types, OEH recommends that *freshwater wetland on man-made ponds* is included as a separate vegetation zone.

#### Recommendation 1

OEH recommends that the proponent includes a *freshwater wetland on man-made ponds* vegetation zone (and identifies the appropriate plant community type) in the biodiversity assessment report and re-runs the credit calculator.

2. OEH recommends the inclusion of vegetation zone: Native plantings as a low condition variant of PCT 1592.

OEH's review of the biodiversity assessment report and site inspection indicated that a *native plantings* vegetation zone (a low condition variant of PCT 1592) should have been identified in the biodiversity assessment report.

*Native plantings* was dominated by regeneration, rather than specific replanting. Only some minor eucalypts and scattered *Melaleuca armillaris* were the notable plantings. *Acacia elongata*, *Acacia parvipinnula*, *Daviesia ulicifolia*, *Dillwynia retorta* and *Pultenaea villosa* were the dominant regeneration species and are characteristic shrub species of the adjacent vegetation zone – PCT 1592: *spotted gum – red ironbark – grey gum shrub-grass open forest of the lower Hunter*. OEH recommends that native plantings are mapped as a low condition variant of PCT 1592. Existing BBAM plot data can be used for this vegetation community, as per those shown on Figure 7 in the biodiversity assessment report.

#### Recommendation 2

OEH recommends that the proponent include *native plantings* as a separate vegetation zone and re-runs the credit calculator to determine a revised credit yield.



### 3. Biobank plots should be labelled on Figure 7

Figure 7 within the biodiversity assessment report depicts the vegetation zones and the biobank plots. However, the biobank plots are not labelled or numbered making it difficult to match the plots to the data sheets provided. OEH recommends that Figure 7 be updated to include the plot number (identifier).

#### Recommendation 3

OEH recommends that the Biobank plots on Figure 7 are labelled to include the BioBank plot number (identifier).

### 4. Native overstorey and mid-storey connectivity values should be at benchmark

As part of the connectivity assessment in the credit calculator, the accredited assessor has entered the level of *native overstorey cover* as 'PFC > than the lower benchmark' and *mid-storey cover* as 'no mid-storey / groundcover'. However, there is no reduction to the overall connectivity condition before or after development due to the small scale of the proposed disturbance (i.e. a combination of minor broad-scale clearing and clearing for bushfire asset protection zones). The connectivity value *after development* in the credit calculator should be entered as 'within benchmark' for both overstorey and mid-storey cover.

#### Recommendation 4

OEH recommends that the level of native overstorey cover and mid-storey cover in the connectivity assessment section of the credit calculator are entered as 'within benchmark' and the credit calculator is re-run.

### 5. The threatened species offset multipliers of the masked owl and powerful owl should not be reduced

Section 2.5 of the biodiversity assessment report indicates that the threatened species offset multiplier for the masked owl and powerful owl has been discounted by approximately 30 per cent. This approach is inconsistent with the Biodiversity Assessment Method.

The threatened species offset multiplier is calculated based on the  $T_G$  score of a species. The  $T_G$  score is based on the ability of a species to respond to improvement in site value with management actions at a biobank site; where it is based on an assessment of, the effectiveness of management actions, life history characteristics, naturally very rare species, and very poorly known species. Any proposed change to a threatened species offset multiplier must be justified by demonstrating that there is more appropriate local data that indicates one or more of the  $T_G$  components should be changed.

The proponents proposed 30 per cent reduction in the threatened species offset multiplier due to a lack of hollows and other habitat components does not address any of the criteria used to calculate the  $T_G$  score.

As there is at least one other species with an equal threatened species offset multiplier, the proposed reduction of the threatened species offset multiplier for the masked owl and powerful owl will not impact on the number of credits generated by vegetation zones. OEH is noting this methodological error for the consultant so that it doesn't occur in future assessments.

#### Recommendation 5

OEH recommends that the reduction of the threatened species offset multipliers of the barking owls and powerful owl are removed from the biodiversity assessment report.

### 6. No species credit species should be generated for the proposal

The assessor has incorrectly applied the criteria for generating 'species credits' under the BBAM. The assessor has added the species as 'species credits' on the basis they were recorded during previous field surveys (as per Table 12 in the biodiversity assessment report).

'Species credit' species are identified in OEH's Threatened Species Profile Database on the basis of specific breeding and foraging habitat requirements. They are not based on the presence of a species during a field survey.

#### Recommendation 6

OEH recommends the removal of all the species entered as species credit species from the biodiversity assessment report and the credit calculator.

#### 7. OEH recommends appropriate offsetting be incorporated into the conditions of consent.

The proposal requires the retirement of 83 ecosystem credits, equivalent to PCT 1592 *Spotted Gum – Red Ironbark – Grey Gum – grassy open forest of the Lower Hunter*. The proponent in their EIS have committed to a biodiversity offset strategy, which states that the 83 credits will be retired via:

- a. purchase of 'like-for-like' credits from a registered biobanking / stewardship site
- b. establishment of a stewardship site (and retire the credits), or
- c. payment into the Biodiversity Conservation Trust.

OEH is satisfied with the above approach as it is consistent with Framework for Biodiversity Assessment, but notes that the number of credits will change given that the calculator must be re-run in accordance with the recommendations above. OEH recommends that the Department of Planning and Environment include a condition of consent to retire all ecosystem credits in accordance with the proposed biodiversity offset strategy.

#### Recommendation 7

Once the credit yield is re-calculated, OEH recommends that a condition of consent is included which requires the proponent to retire all ecosystem credits, in accordance with the proposed biodiversity offset strategy.

## **Aboriginal cultural heritage**

#### 8. OEH is satisfied with the Aboriginal cultural heritage assessment provided.

The Aboriginal cultural heritage assessment provided to support the Maitland Hospital (Concept Proposal and Stage 1) (SSI 9022) adequately addresses the Aboriginal cultural heritage potential of the site. OEH has no additional comments with respect to the Aboriginal cultural heritage and the proposed development of Maitland Hospital.

#### Recommendation 8

OEH is satisfied with the Aboriginal cultural heritage assessment provided and no further assessment is required.

## **Flooding**

#### 9. OEH is satisfied with the flood impact assessment provided.

OEH is satisfied the project will have no significant flooding impacts on or near the site. No further assessment of flooding is required.

#### Recommendation 9

OEH is satisfied with the flooding assessment provided and no further flooding assessment is required.