

Appendix K

Flora and Fauna Assessment / EPBC Act

Flora & Fauna Report

Seniors Living Proposal

Main Rd, Toukley

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1.0 the proposal

A SEPP Seniors Living development is proposed on a 5300m² urban site in Toukley.

The site has been fully cleared and developed. Buildings on 4 of the lots have been removed, a dwelling house remains on the 5th lot. The site is maintained but apart from lawn areas is mainly remnant landscaping.

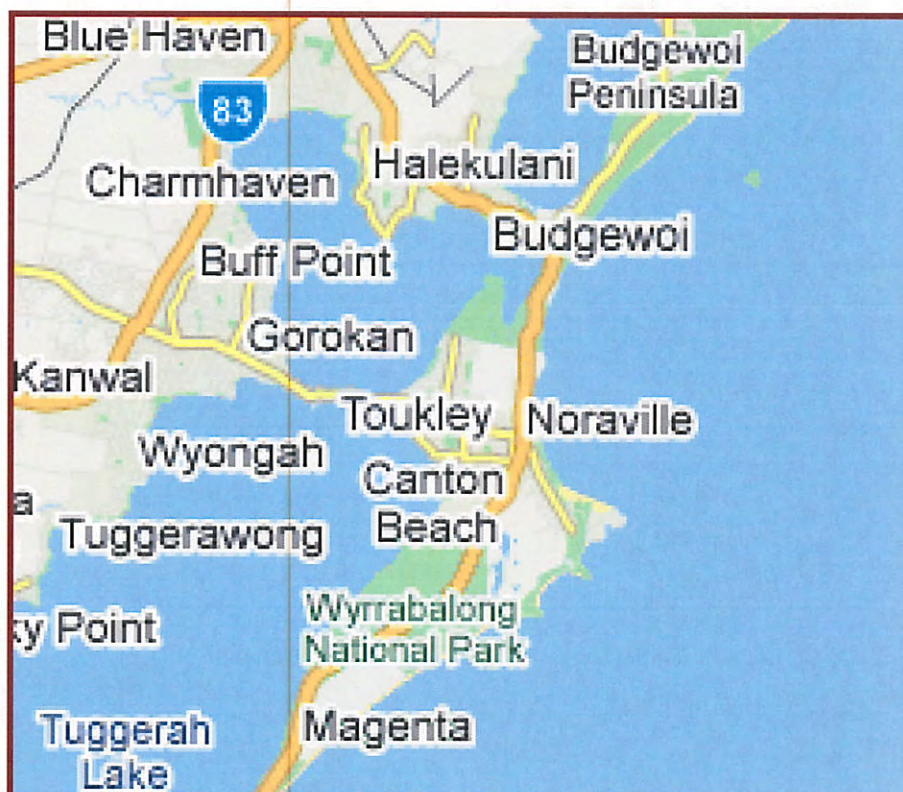


Figure 1 - Toukley location

The proposed SEPP SL will result in the removal of most of the site vegetation including several large trees and the alteration of the land form.

2.0 the site

The site is some 5300 square metres of urban land sitting between Main Rd Toukley and Lake Budgewoi. The site comprises 5 lots, 4 of which are vacant. The 5th lot off Rowland Terrace is occupied by a dwelling. The other 4 lots have had buildings removed.



Photo 1 – The development site

The site has been fully cleared. The vegetation on the site is what remains of landscape plantings and some opportunistic regrowth of casuarinas and eucalypts. The property boundary ends before the shoreline.

The land form has been altered by development. There has been excavation and fill appears to have been placed along the foreshore. Footings and driveways from past buildings can be seen. It appears that some of the land near the original shoreline has been reclaimed as part of past developments. A site survey is provided as Attachment 1.

The foreshore area is Crown land outside the property boundary.

The estuary areas adjoining the shoreline are very shallow. There are no inter tidal mud or sand flats on or near the shoreline adjoining the site. The estuary foreshore is composed mainly of decaying seagrass and the resulting organic ooze.

2.1 VEGETATION AND HABITAT

The site is vacant urban land. The original vegetation appears to have been completely removed.



Photo 2 -

Several large Forest Red Gum (*Eucalyptus teriticornis*) are located on a steep embankment just east of the Beachcomber tennis court. Several large Swamp oak (*Casuarina glauca*) are located on the site.

The Wyong Conservation Strategy 2003 suggests that the pre 1750 site vegetation would have been Narrabeen Foreshore Redgum Ironbark Forest. This is consistent with the soils of the site as determined by the geotechnical report. *Casuarina glauca* is not listed as occurring within this vegetation type

There was no evidence on the site of:

- rainforest or littoral rainforest;
- wetlands or swamps;
- dams or ponds with emergent vegetation;

- saltmarsh; and
- trees with hollows.

No local keystone species, such as Swamp Mahogany, were identified on the site.

The site is not identified as a wild life corridor in the Wyong Conservation Strategy 2003.

2.2 POTENTIAL THREATENED SPECIES

The site is not critical habitat.

None of the development site vegetation is considered to be an endangered ecological community.

The site may be used for foraging by threatened bat species but is unlikely to be significant due to the small size of the site and the absence of connecting vegetation. The Wildlife Atlas of NSW showed a general absence of recordings of threatened bat species in and around Toukley. The site is generally unsuitable for other animal species including reptiles and amphibians.

Casuarina Glauca is a food tree for the Glossy Black Cockatoo (*Calyptorhynchus lathamii*). The Forest Red Gum is a winter flowering species that is potentially a food source for the Regent Honey Eater (*Xanthomyza phrygia*) and the Swift Parrot (*Lathamus discolor*).

The Glossy black cockatoo has been recorded at Toukley in the extensive area of Estuarine Swamp Oak Forest some 2km east and north east of the site (Flora and Fauna Guidelines for Development, Wyong Shire). The species habitat preference is for woodland and forest areas where ever Casuarinas are found. It is unlikely that species would utilise the site for feeding. The local conservation goal for the species is conservation of breeding sites and hollows, there are no suitable hollows on the site.

The Regent Honey Eater has been recorded in Wyong Shire west of the Tuggerah Lakes, the species has a habitat preference for Dry Sclerophyll and Eucalyptus forest formations (Flora and Fauna Guidelines for Development, Wyong Shire) which are not occurring on the site. It is unlikely that the site is used by the species.

The Swift Parrot has been recorded in Toukley and in Noraville to the east of the site. There are extensive recordings around the Tuggerah Lakes. The DECC threatened species profile identifies the following habitat preferences.

- On the mainland they occur in areas where eucalypts are flowering profusely or where there are abundant lerp (from sap-sucking bugs) infestations.
- Favoured feed trees include winter flowering species such as Swamp Mahogany Eucalyptus robusta, Spotted Gum *Corymbia maculata*, Red Bloodwood *C. gummifera*, Mugga Ironbark *E. sideroxylon*, and White Box *E. albens*.
- Commonly used lerp infested trees include Grey Box *E. microcarpa*, Grey Box *E. moluccana* and Blackbutt *E. pilularis*.

The conservation priority for the species is conservation of habitat. The Wyong Conservation Strategy identifies Swamp Forest, Dry Woodland and Dry Schlerophyll Forests as the key local habitat relationships for the Swift Parrot. The site might be utilised by, but is unlikely to be important for, the Swift Parrot as the site vegetation is not an identified key local habitat relationship.

2.3 EFFECT ON THREATENED SPECIES

The potential effect on threatened species is assessed via the 7 Part Test.

The 7 part test is based on the potential occurrence of threatened species on the development site and the discussion of the habitat requirements of the Glossy Black Cockatoo, Regent Honey Eater and Swift Parrot in the preceding section.

(a) in the case of a threatened species, whether the action proposed is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,

No threatened species are likely to rely on the site to the extent that a viable local population will be placed at risk of extinction. The site is not significant habitat.

(b) in the case of an endangered population, whether the action proposed is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction,

No endangered populations will be affected by the proposal.

(c) in the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:

No EECs or critically endangered ecological communities will be affected by the proposal.

(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or

NA

(ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,

NA

(d) in relation to the habitat of a threatened species, population or ecological community:

(i) the extent to which habitat is likely to be removed or modified as a result of the action proposed, and

No significant threatened species habitat or EEC is likely to be removed or affected by the proposal .

(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action, and

No fragmentation or isolation of habitat will occur as the site has been cleared and is within a developed urban area.

(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality,

No significant habitat will be removed or modified .

(e) whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly),

There is no declared critical habitat in the locality.

(f) whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan,

The recovery plan for the Swift Parrot does not address developed urban sites.

(g) whether the action proposed constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

Redevelopment of this urban site for seniors living does not involve any key threatening processes.

2.4 ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT

An EPBC Protected Matters Report was obtained for the site see Attachment 2 .

The report identifies a range of a species potentially affected by development of the site. The Swift Parrot is identified as potentially occurring within the 1km zone around the site. The likely effect on the swift parrot has been assessed as unlikely to be significant. The proposal involves the removal of 3 potential feed trees in a wholly urban location.

There is absence of natural habitat on the site and a low likelihood of significant effects on the adjoining lake and foreshore areas. The action proposed is highly unlikely to affect protected matters. Referral is required if a significant impact is likely.

A significant impact is an impact which is important, notable, or of consequence, having regard to its context or intensity. Whether or not an action is likely to have a significant impact depends upon the sensitivity, value, and quality of the environment which is impacted, and upon the intensity, duration, magnitude and geographic extent of the impacts.

The site as habitat is not sensitive, valuable or of high quality. Accordingly the proposed action is unlikely to have a significant effect and the proposed development does not require referral under the EPBC Act as a potential controlled action.

3 CONCLUSION

A SEPP SL development is proposed on an urban infill site.

The site has been developed and the original vegetation removed. Although there some large trees present, there are no significant threatened species habitat and no endangered ecological communities on the site.

The proposed development will remove vegetation currently on the site but this is unlikely to have a significant effect. Targeted flora and fauna surveys are not justified in the circumstances. A Species Impact Statement is not required.

The proposal will not have an effect on matters of National Environmental Significance. The matter does not require referral as a potential controlled action under the Commonwealth Environmental Protection and Biodiversity Conservation Act.

No specific flora and fauna management requirements should apply to the proposal.

ATTACHMENT 1 SITE SURVEY