EPBC Referral 2014/7217 Preliminary Documentation Public Submissions Response Summary 82, 69, 9A Myall Road, Hillsborough, NSW.

Submissions Received:

- **For:** One (1) submission (Submission 22) received supporting the EPBC Referral.
- **Against:** 75 submissions received not supporting the EPBC Referral (note 2 were repeated).

Summary of Submissions

Key issues that have been identified include:

- Impacts to threatened species and ecological communities on site;
- Impacts to other potential species' impacts noted in the application and subject to the EPBC Act;
- Fragmentation, connectivity and edge effects; and
- Potential impact to the long-term viability and survival of the remaining individuals onsite.

Considerations towards Avoid, Minimise and Offsetting

It is to be noted that avoid, minimise and offsetting strategies have been implemented from the commencement of the project, including what has now become the Stewardship Site that was proposed for development. The Stewardship Site lands have been identified to provide a substantial portion of Like for Like habitat required to offset the impacts of the residential subdivision.

The Australian Government Department of the Environment have identified that biodiversity offsets are required for impacts to *T. juncea*. The proposed biodiversity offsets package will result in the offsetting of land adjacent to and surrounding the site of the proposed development. In total 27.11 hectares of land are proposed as a biodiversity offset within the total Study Area of 37.51ha.

Assessment of the adequacy of the proposed *T. juncea* offset utilising the EPBC Act Biodiversity Offset Guide calculator has determined that 115.41% of the proposed impact will be offset. The offset package will result in the retention and future management of 27.11 hectares of occupied *T. juncea* habitat within the Stewardship Site with 10.4ha impacted within the Development Site.

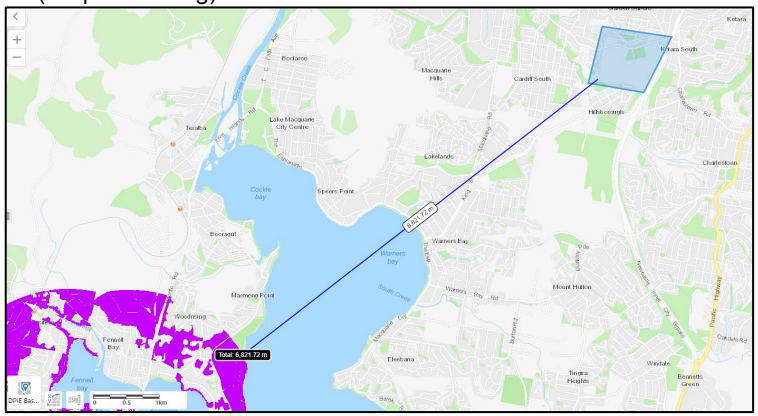
Additionally, the Avoid and Minimise measures proposed for the residential subdivision that includes; retention of lands and key habitat areas, maintenance of existing pollinator connectivity, vegetation maintenance and mine remediation, further addresses the Avoid and Minimise requirements of the Biodiversity Assessment.

Individual consideration was provided to each submission received and within the tables below please find AEP's recognition and comments for each submission applicable to this EPBC referral documentation.

Regards

Ecology Project Manager

kelly@andersonep.com.au

Submission Number (Table 1)	Submission text	Response
Submission 1	73 years old, lifelong resident of the Lake Macquarie/Newcastle area	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Over his life has observed many areas destroyed by housing, loss of trees and wildlife	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	As a child would be taken birdwatching in Minmi, where the Swift Parrot would fly into each year until the land was cleared	There are no listed records of Swift parrot in the area. The following image is an excerpt from the Swift Parrot Important Area Habitat Map as under the NSW *Biodiversity Conservation Act 2016.* As displayed within the image, the site in question (blue rectangle) is over 6.8km away from the nearest mapped Area of Important Swift Parrot Habitat (Purple Shading). 
	Wildlife in Myall Road needs bushland, and he asks Landcom to look at other areas around Newcastle and Lake Macquarie to understand the impact of clearing	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors**

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		• Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** • Overall retention of 72% of vegetated habitats for threatened fauna species.
	Is not a member of any community group, but feels a responsibility to ask others to look after our country.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 2	I strongly object to the above proposal for the following reasons I object to the movement of more traffic to Myall Road and surrounding streets	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

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	I object to the destruction of many hectares of bush land as well as the clearing of land that is occupied by animals that will be moved on to find new habitat	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls**

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	3 No new local parks, playgrounds will be provided in the proposed development.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 3	Garden Suburb is a small community - this proposed development, with the inclusion of 2x lots for medium density housing will see that almost double in terms of dwellings, residents, required parking, cars on the road etc.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	WE DO NOT HAVE THE INFURSTRUCTURE TO SUPPORT IT.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Garden Suburb Primary is currently home to a number of supported learning places, with 2 dedicated classrooms, the smaller, community focused school is best placed for this. The school as it currently is cannot sustain a large increase in numbers - it would have a detrimental affect on all the local children, particularly those in supported learning.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Myall Rd has already experienced an unprecedented increase in traffic since opening Munibung Rd to the Westlakes areas, the addition of a new housing development - particularly the inclusion of 2x medium density lots would create an absolute nightmare for current residents.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Particularly the former Forest Hill Estate et al Estate areas that currently have only one exit/entry point.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	The proposed plans show a 'roundabout' as the possible solution. This would create an exuberant amount of backed up traffic through what are currently quiet residential streets.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Streets where kids can ride bikes and access the park area. This proposal will completely decimate this lifestyle/way of living for current residents, some of whom have lived there for 20+ years.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Traffic is already at a 'crawl' from 7:00am til 9:15am Monday - Friday along Myall Rd. With traffic backing up along Gymea Drive and Prospect Rd.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Not to mention the new development is proposing funnelling all traffic for the development to the exact same point. The assumption is it would create the same issue on that side of the road as no other exits have been identified.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

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	Lastly there have been numerous reports and evidence provided regarding the severe impact to the local environment that this proposed development would cause. There is cleared land in the Hunter/LMCC already ready to go for housing, that meets environmental protection standards, this development DOES NOT.	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls**

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Submission 4	Whilst I acknowledge the pressing demand for housing, there are other sites that housing can be built- on land that is already cleared. Munibung Road, for example, has large areas of cleared land (on the Boolaroo end) that could be repurposed without destroying natural bushland.	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area.

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	The area for the proposal is one in which the endangered "black-eyed Susan" still grows naturally, not to mention the presence of native mammals such as possums, sugar-gliders and countless small reptiles. In this age where biodiversity is in crisis, where extinctions are at record levels (habitat loss and Climate Change) and native flora and fauna have been pushed into small pockets of bushland- can we please stop the destruction and look for suitable, cleared sites to repurpose as residential developments?	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of

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		detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea*.
Submission 5	The development proposal aims to destroy a significant proportion of an urban natural bushland remnant. The destruction would bisect the bushland remnant amplifying the damage which with 'edging' effects around the sides of the development would lead to much more than damage.	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur.

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	This bushland remnant is an important wildlife corridor where native animals move around urban areas and is an intersection of corridors. Its destruction would have a very damaging effect on wildlife that currently live in or move through this area.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south.

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		Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
	There are many native species that live in this area including powerful owls with nesting trees. A number of powerful owl nesting trees needed to be removed to allow for the freeway passing around John Hunter Hospital. A mitigating factor for the removal of these nesting trees was that some still existed at Myall Rd, but this development would remove many of those also having a devastating effect on the powerful owls. The Myall Road development proposal also referred to other nesting trees in the area which would be the ones near John Hunter that were set to be removed. The Black Eyed Susan plant is also located in the remnant.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of

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	An Environmental Impact Statement should have been required and the impacts of the development on the environment properly assessed.	The TSC Act under which this application was prepared and submitted applied *Part 7AA* of the TSC Act and *Part 3* of the *Threatened Species Conservation (Biobanking Agreement) Regulations 2008*, for the preparation of the Vegetation Planning Agreement for the retained lands. The agreement required the retained lands to be managed under BSSA.
	The area is also used recreationally by many families for a bushwalk, walking the dog, bike riding. It is an important natural recreation area for the community and should not be destroyed for a small development.	27.11ha of retained vegetation will be managed in perpetuity. The management actions outlined for the retained land, include restoring pathways and ensuring connection throughout the site for recreational activities such as walking, running, etc. Some tracks will be upgraded to provide access for fire vehicles others will remain small pedestrian tracks. All to be managed.
	This bushland remnant is a significant resource for our community and the flora and fauna. Its value as a natural resource far outweighs its value for a housing subdivision.	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas**

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	There is already cleared land in the area that can be used for housing including the large site at Boolaroo and the area around the old golf driving range at Cardiff. Developments should be undertaken in these cleared areas rather than destroying natural bushland.	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees**

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	I have attached The Save the Myall Road Bushland Incorporated (SMRBI) document *Proposed Environmental Management Plan for Myall Road Bushland (DA/1284/2013)* and Appendices which outline our concerns about the development in detail	Refer response prepared under Submission 76.
	I note that the period for comment was extremely short and the wrong email address was given for responses, this does not give the appearance of a good faith consultation.	Noted: the period for exhibition is determined by the legalisation. Section 95A(4) of the EPBC Act, outlines timeframes and requirements for exhibition. The email provided in the Exhibition notice for was correct.
Submission 6	We object to the Landcom housing development, Myall Rd, Garden Suburb, DA/ 1284/2013. We object to the project for the following reasons.	Noted

Submission Number (Table 1)	Submission text	Response
	The risk to threatened native animal species. The land clearing required for this project presents a clear danger to the ongoing survival and wellbeing of State-listed vulnerable fauna species. Specifically, we draw attention to the significant long-term risks to identified local populations of The Powerful Owl, Squirrel Glider, and Little Bent-Winged Bat. The proposed removal of 64 hollow bearing trees and 6/14 high priority forest owl trees is viewed as particularly counter-productive.	The Biodiversity Assessment Report assessed and identified the location of the Powerful owl Nest tree, which is proposed to be located within the Retained land and protected in perpetuity. The management actions required to regenerate the retained lands will significantly improve the habitat for the species with targets set to regenerate to benchmark levels. All Hollow bearing trees to be removed will be replaced within the retained lands at a 2:1 ratio. Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur.

Submission Number (Table 1)	Submission text	Response
		• The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species
	The risk to the identified population of threatened native flora species, Black Eyed Susan (Tetratheca juncea).	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?**

Submission Number (Table 1)	Submission text	Response
		It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea*.
	Wildlife corridor connectivity. The bushland slated for removal plays a vital role as a connective piece of wildlife corridor that links adjacent native habitat remnants. This role is clearly evidenced by the map below. This map demonstrates that urban development under DA1284/2013 should be assessed within the context of linked bushland remnants. We cannot overstress the importance of maintaining patent wildlife corridors that mitigate increasing urbanization and local bushland loss. Wildlife corridor protection is essential for the safe movement of native fauna, especially in suburban contexts, where a buffer between native fauna and the resident human population is essential. We do not support the further fragmentation of remnant bushland habitat in the Garden Suburb/ Cardiff area, that the proposed housing development represents.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south.

Submission Number (Table 1)	Submission text	Response
		Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
	Concern that biodiversity assessments that underpin approval of this project are outdated. Perusal of environmental assessment documentation indicates that this project is predicated largely on environmental surveys completed in 2009 (Conacher, 2013) with limited subsequent targeted flora surveys (AEP6, 2023). These surveys focus on threatened species.	The assessment has been undertaken within the Study Area were undertaken in accordance with the legislative requirements when application have been lodge being the Threatened Species Conservation Act, 1995, (TSC Act) when the application was lodge with Lake Macquarie City Council. The TSC Act referred to the guidelines for assessment methods and requirements. The application prepared by Conacher in 2013, meet these requirements. The application lodged for referral under the EPBC Act has been prepared in accordance with Chapter 2 Division 1—Requirements relating to matters of national environmental significance, Subdivision C—Listed threatened species and communities, Clause 18 Actions with significant impact on listed threatened species or endangered community prohibited without approval and Clause 19 Certain actions relating to listed threatened species and listed threatened ecological communities not prohibited. This application has been prepared to assess the impact on *Tetratheca juncea*. Due consideration for the community which the species is identified within has been undertaken and it was determined that the proposed Stewardship land will provide management actions to ensure the species thrives at the site.
	Comparative reading of environmental surveys compiled more recently by local community groups indicate significantly more natural assets are at stake within the proposed development area and surrounds. An important difference is that these community surveys focus on the entirety of existing natural assets, not just threatened species and are thus more comprehensive. Save Myall Rd Bush Inc (2022, pp 41-50) identifies the presence of 46 native bird species and 116 plant species that are potentially impacted by the proposed development.	The assessment has been undertaken within the Study Area were undertaken in accordance with the legislative requirements when application have been lodge being the Threatened Species Conservation Act, 1995, (TSC Act) when the application was lodge with Lake Macquarie City Council. The TSC Act referred to the guidelines for assessment methods and requirements. The application prepared by Conacher in 2013, meet these requirements. The application lodged for referral under the EPBC Act has been prepared in accordance with Chapter 2 Division 1—Requirements relating to matters of national environmental significance, Subdivision C—Listed threatened species and communities, Clause 18 Actions with significant impact on listed threatened species or endangered community prohibited without approval and Clause 19 Certain actions relating to listed threatened species and listed threatened ecological communities not prohibited.

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		This application has been prepared to assess the impact on *Tetratheca juncea*. Due consideration for the community which the species is identified within has been undertaken and it was determined that the proposed Stewardship land will provide management actions to ensure the species thrives at the site.
	Offset provisions: We note that the 11 ha of development area are conditionally offset by 28ha of bush in the same location and that the offset land will be managed under a Biodiversity Stewardship agreement (BSA). The Land Clearing Committee has 2 concerns regarding the offset provisions: (a) The offset land could be construed as a "Claytons offset". The fauna and flora population being used as offset are not a separate population that replaces lost natural assets. They constitute part of the existing population potentially impacted by the housing development. The same animal population will be simply restricted within the smaller remaining footprint (28% less) (b) The Land Clearing Committee has not been able to confirm the written, fine point details of the BSA. We can only assume that the Biodiversity Stewardship Agreement is still subject to formulation.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds;

Submission Number (Table 1)	Submission text	Response
		• Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme.
Submission 7	In ADDITION to the threatened species *Tetratheca juncea* (black-eyed susan), the remnant is home to at least 130 plant species in at least 3 plant communities. Maintenance of such biodiversity is vitally important to prevent individual species from becoming rare or threatened.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?**

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		Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	The remnant is home to the Powerful Owl, and this species has nested and raised chicks in suitable trees. The protection of forest owls in urban areas has not been considered in this development proposal. There have been recent protection measures developed for forest owls, however, there has been no effort to re-assess this proposal, which is now more than 10 years old.	The Biodiversity Assessment Report assessed and identified the location of the Powerful owl Nest tree, which is proposed to be located within the Retained land and protected in perpetuity. The BSSAR prepared for the retained land has prepared Management actions, such as no fire management, weeding, regeneration. The regeneration the retained lands will significantly improve the habitat for the species with targets set to regenerate to benchmark levels. The assessment for the EPBC Act does not require further assessment for the Powerful Owl, hence no further assessment was undertaken for this application.
	In order to protect both fauna and flora, the integrity of the plant communities and the remnant as a whole needs to be protected from fragmentation and other disturbance. Healthy populations of fauna and flora in this remnant require structural variation, from large trees down to the ground layer.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on*

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		Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme.
	The remnant provides a very important green space in an increasingly crowded urban environment, and which is highly valued by the people living in the surrounding suburbs. It has been especially important during the covid pandemic for improving or maintaining mental health, as it provided a peaceful and safe place for exercise and connecting with nature.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS).

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		Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity.

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		The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme.
	I understand that we need housing for an ever-growing population, however there are large areas of land which are already cleared. Why destroy a beautiful patch of bush when land already cleared could be used instead?	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area.

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		• The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** • Overall retention of 72% of vegetated habitats for threatened fauna species.
	The process by which an offset area has been allocated is, in my opinion, extremely dubious and is not transparent. Having an offset area immediately adjacent to the proposed development site is highly irregular, and should the development go ahead, the responsible management of the offset area is seemingly not addressed. The offset area requires a vegetation management plan which will address issues of weed control, erosion control, recreational paths and protection from old mining activities.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management;

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		• Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. • The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme.
	The local community surrounding the remnant is greatly concerned and upset by the idea that this important and beautiful patch of bush may be destroyed and degraded if this development is allowed to go ahead. This concern is evidenced by the formation of the Save Myall Road Bushland Incorporated (SMRBI) community group who are doing all they can in a vacuum of little or no transparency or consultation. Surely the concerns of the local community count for something. I urge you to act now to stop this development and save this precious remnant for the benefit of our community and those that follow.	All submissions and issues raised have been addressed in this response.
Submission 8	We need to reverse urban sprawl and stop clearing ASAP. Urban sprawl is too costly: A 2009 Curtin uni study shows infrastructure (road, water, NBN, electricity etc) costs for a new suburb are $684,000 per dwelling (Curtin_Sustainability_Paper_0209). Buses / active transport (improves body and mind health) work better in well planned higher density cities (with enough green spaces intermixed). With the "extra" money the gov could even build more social housing (experts say this is a priority to make housing more affordable). Like climate change, real government action starts 40 years too late.	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal.

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	Why not listen to the experts now? Who wants to help solve the rental crisis, climate crisis, health crisis, fringe farm crisis? The 105 dwellings is pitiful. We need medium density apartments ASAP, low density is not efficient and very wasteful of resources The Save the Myall Road Bushland and the Plants & Animals that live there have been speaking out against the destruction of a beautiful area of bushland in Cardiff pitched for development for many years now. Habitat for a range of threatened and non-threatened species is provided by this bit of bushland, including for Squirrel gliders, Powerful owls which have just lost a hefty area of habitat due to the Jesmond bush bypass. I love the area and how destruction will impact the flora and fauna like the threatened black eyed susan plant. Of course we could also talk about the powerful owl, the squirrel gliders or the little bent wing bat, we all need housing but not in this valuable bushland, there is cleared land in the hunter already ready to go for housing, we can have both, housing and environmental protection and this development does not deliver both.	**Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
Submission 9	This low yield development proposal will impact the threatened species in this bushland, the powerful owls, the squirrel gliders, the micro bats and others. We need housing, we have a supply crisis, but this development will destroy high value bushland for low yield. Landcom should develop already disturbed land, former farm land and industrial land where theycan get greater density. Destroying 13 hectares for 100 lots is dumb, we can do better.	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors**

Submission Number (Table 1)	Submission text	Response
	You wouldn't bulldoze Glenrock, so why is it okay to bulldoze this high value bushland?	• The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
Submission 10	Firstly, I question the need for additional housing in that area. Cardiff is already well populated and traffic in the area is a nightmare most of the time. Yet this proposal will inject even	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

Submission Number (Table 1)	Submission text	Response
	more traffic movements onto Myall Road every day. In the morning peak, Myall Road is mostly bumper-to-bumper from before 8am until after 9am now. What will it be like after this subdivision is done? Traffic lights creating even more bottlenecks? Or will you make people who want to go east drive west to the roundabout at Newcastle Road to turn around to go east again?	
	There are of course many more reasons why this idea is ridiculous. One is that the plans I have seen fragment what bushland will be left, despite claiming to the federal Minister for the Environment that "the proposed development will not contribute to further fragmentation of the local population".	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur.

Submission Number (Table 1)	Submission text	Response
		• The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	Secondly, it is astonishing that you can propose as an "off-site offset", adjacent land that is already bushland and protected from development. If it is already there, what actual change is going to happen? It seems like you are going to clear a lot of bush without adding any new bush to the public estate.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include;

Submission Number (Table 1)	Submission text	Response
		• Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme.
	In these days where we need as many trees as possible to help manage climate change gases, cutting down a large number of them for the sake of houses just seems backwards	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Thirdly, and most importantly, is that the development will destroy an area of *Tetratheca Juncea (*Black-Eyed Susan), a plant that is listed as threatened. The site of the subdivision will destroy the most dense area of the plant in that bushland. I gather that you intend to plant the "offset area" with *Tetratheca Juncea* with a claimed success rate of over 80%. No evidence or references are provided of this success rate anywhere for any plant. Important factors have not been stated, like over what period this was measured. 80% success a month or two after planting means nothing. It needs to be years for a threatened species, taking into account soil conditions, usage patterns, fires, etc. Yet there is nothing to support the claimed success rate!	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent.

Submission Number (Table 1)	Submission text	Response
		The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea*.
Submission 11	For the sake of the electorate and for the wildlife I ask you to STOP with this thoughtless development for many reasons including the following:	
	The development is considered likely to modify, destroy and/or isolate or decrease the availability and quality of habitat to the extent that the species as a whole is likely to decline as it further divides the land parcels, allows sections to be considered as not important enough to keep and subject to further development due to a lack of protection. Even though there are areas said to be promised to be protected into perpetuity, the addition of new housing development in this location will see further encroachment of human activity into the spaces resulting in degradation.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas.

Submission Number (Table 1)	Submission text	Response
		Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
	The development is likely to have a significant impact on threatened species, populations or ecological communities or their habitats, as listed under the Threatened Species Conservation Act 1995 (TSC Act 1995), and a Species Impact Statement is required according to the relevant protective provisions.	The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors**
	The development of the site will result in an negative impact on the threatened species within the site, the applicant (Landcom) has not even identified some protected species within the site and has not followed the correct tests of significance.	

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		• Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	AREAS OF OCCUPIED TETRATHECA JUNCEA HABITAT THAT WILL BE REMOVED BY THE DEVELOPMENT ON THE SITE have been underestimated, and therefore are unreliable when considering the impact of the development on this plant species.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea*

Submission Number (Table 1)	Submission text	Response
		will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	Regarding Tetratheca juncea (Black-eyed Susan), your application to the federal department claims that when you divide up this 38.8hectare site and clear between 10.6 and 13 hectares of the site, add humans and associated impacts that it won't further fragment the species in this local population? Your statement is not credible. The development will bring a vast number of people who will trample through this landscape and destroy the vegetation, including the threatened black eyed susan.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC):

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		• 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within

Submission Number (Table 1)	Submission text	Response
		the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme.
	Regarding replanting of native flowering plants in parts of the development footprint as a form of mitigation to the destruction that the landcom development will cause. The measure proposed is for a greater than 80% success rate of survival for these plantings, can Landcom indicate where they have achieved this in any other locations of theIr developments, providing evidence of this being achieved by Landcom at all?	A landscape plan which will be conditioned with reporting requirements to Council will ensure all plantings are maintained.
	Please explain as destroying the hundreds of hollow trees within this site will impact the roosting location and habitat of the federally protected threatened species, the powerful owl.	The proposed development indicates that removal of 64 hollow bearing trees will be required for the proposal. The proposal includes 2:1 replacement within the BSSAR Land. It is also noted that the powerful roosting tree is not being impacted by the proposed development, it has been identified within the BSSAR land and management actions to protect the site in perpetuity.
	Through your consultations process residents have been led to believe that around 10 hectares of bushland would be destroyed by the development, however your application to the Federal Department of Climate Change, Energy, the Environment and Water regarding your development states that around 13 hectares will be destroyed. What should the community believe that you are misleading us or the department? Both statements cannot be true.	There was an error in the application 10.4ha is proposed for removal and 27.11ha is proposed for retention and management under the BSSAR. Refer to Figure 1 attached.
	A statement of environmental effects should never be enough to destroy 12 hectares and impact another 26 hectares negatively, I/we demand an environmental impact statement be prepared for this site and a cumulative impact assessment be consider in light of the other bushland destroying activities in the near surrounds. Anything less is unacceptable from a state government body hoping to destroy high value bushland.	Noted. The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation.
	Initially there was meant to be an off-site off set. Landcom has not honoured this promise. as an off set. Instead we are expected to accept part of the existing site This is unacceptable and does not make up for lost habitat.	The retained land will be managed and maintained in perpetuity under a BSSAR as per the conditions of consent.

Submission Number (Table 1)	Submission text	Response
	The proposed offset site does not even meet the basic criteria for the offset size.	The TSC Act under which this application was prepared and submitted applied *Part 7AA* of the TSC Act and *Part 3* of the *Threatened Species Conservation (Biobanking Agreement) Regulations 2008*, for the preparation of the Vegetation Planning Agreement for the retained lands. The agreement required the retained lands to be managed under BSSA. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control;

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		• Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. The Management Actions for the vegetation within the BSSAR land area as follows: • Primary Weeding; • Undertake primary removal of HTE and other weed species in areas mapped as low density; • 80% reduction in cover of HTEs; • Maintenance Weeding; • Undertake ongoing maintenance of HTE and other weed species in areas mapped as low density; • Increase in species abundance from natural regeneration following primary treatment; and Retain and manage vegetation: ensure appropriate protection of vegetation during all management actions on site, including during ecological burns.
	Who will ultimately be responsible for the effective management of the off site? The answer is local rate payers, We are told that the transfer of proposed biodiversity offset areas on the site to Local Council ownership as Community Land for conservation of natural features, bushland and threatened species habitats in perpetuity with a developer funded management plan will cover ongoing management requirements, however the Council can't even currently remove illegally dumped waste near the development that sits on their land without being pestered and pursued by local residents. This is state government transferring their responsibilities to manage state owned community land to the local council for them to try and manage, when Council can't	Transfer of proposed biodiversity offset areas on the site to Local Council ownership as Community Land for conservation of natural features, bushland and threatened species habitats in perpetuity with a developer funded vegetation management plan which will cover ongoing management requirements under the NSW Local Government Act (1993).

Submission Number (Table 1)	Submission text	Response
	effectively manage their own land now. NSW Government needs to act to retain remnants like this of high quality bushland, not destroy them.	
Submission 12	The Powerful owls Have been breading recently in the area. The Charlestown bypass has put a lot of pressure on our community of powerful owls since it was built. The powerful owl as lost a lot of bushland home for breeding and roadkill has increased greatly. The powerful owl has also lost of a lot of habitats in the West of Lake Macquarie and in the new extended Newcastle bypass from Rankin Park to Jesmond. This development should have been a tunnel to protect this vital urban bushland. Also new development is happening at Munibung hill which is also Breeding Habitat for powerful Owls in this area.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Micro bats live and nest in this area. They use old growth trees to live and nest. These trees can take up to 100 years to achieve the right conditions for nesting.	The BAR assessed for all listed microbats within the Study meeting the guidelines for assessment methods and timeframes and concluded: It is considered that suitable foraging habitat for this species exists on the subject site, however, there was no identified breeding or roosting habitat located within the Subject Site. The species was not observed on the site during surveys. Therefore, it is considered that the action proposed is not 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.
	lots of native wildflowers and this area is relatively free of invasive species. I am an active Landcare member in this area. I find this particular plot of bush land to be relative free of invasive species and full of native flowers. I cannot understand destroying good bushland full of Biodiversity when I am volunteering my time to try increase biodiversity in my area.	As previously discussed, other options were investigated. Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors**

Submission Number (Table 1)	Submission text	Response
		• Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	Traffic congestion is already terrible in this area adding to it seems very counterproductive.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	I here all the time that governments are trying to retain green areas in local suburbs. This is a green area used extensively by people in this suburb. I believe it needs to be retained for the wellbeing of the local people.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

Submission Number (Table 1)	Submission text	Response
	Mine subsidence is a problem in the area I am not sure how building properties is going to help without a great deal of money being spent to rectify the problem.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Aboriginal History is also present in the area along a creek line. History that I see being erased on a regular basis. We need to preserve what little history we have left	A field investigation undertaken by an accredited archaeologist identified no Aboriginal objects or places within the study area.
	Connectivity for local wildlife. This bushland is a proven link along a wildlife corridor in this area. The wildlife corridor has been slowly decreasing for many years and I believe this would be a finally destroy the last remaining link in the area that is already under huge strain because of increased traffic and urbanisation.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna

Submission Number (Table 1)	Submission text	Response
		species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
	The accumulation of habit loss. When the Charlestown bypass was completed, the area witnessed a huge loss of powerful owls and other native species. This has continued to this day. With the Bypass now being put threw straight throw Powerful owl habitat and destroying a number of nests this loss of life will increase greatly. The accumulated effect of this loss could spell the end for the species in this area. We need to conserve any powerful owl habitat left in the area as a matter of urgency. Both bypasses should have been tunnels.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Old growth nesting trees. Can take up to 100 years for trees to be big enough for bird nests. We have a lot of trees in this area that are already homes to birds, Micro bats and native bees.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	little impact to the area in relation to housing affordability or social housing. I fail to see how the development that has been proposed will help to relieve any pressures on housing in the area. Landcom is trying to make money from this development not build badly needed social and affordable housing.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Lake Macquarie City Council is already struggling to support the infrastructure in our area. This development will add to an already overburdened local council. I fail to see how the small amounts of rate revenue will help with the increased cost to council that a new development will cause. I believe increasing development in already built areas would be much more cost effective in the long run.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Increased emissions.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

Submission Number (Table 1)	Submission text	Response
	Increased runoff pollution into lake Macquarie. Residents will be using herbicides and pesticides in this area. They will also cause increased nitrogen from over fertilization and pet excrement. This will cause increased pressure on an already overburdened catchment of winding creek which feeds into Lake Macquarie. I realise measure will be put into place to try and mitigate this issue, But as super storms seem more regular in our area the catchment dams are much less effective.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided. It is noted that the application is supported by a Stormwater Management Plan that has been prepared to meet if not exceeds Council requirements for water quality and quality.
	Increased chance of flash flooding in Cardiff town centre with extra Runoff. The residents at the bottom of the winding creek catchment already face increased risk of flooding when we have rain events such as East coast lows.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Increased pressure on already over full local schools. I hear a lot publicised about the local primary and high schools being put under pressure in this area. Improving these Schools will incur another cost to the state government which would further any economic gain from this development.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Increasing the local temperature and adding to urban sprawl. Council has identified Cardiff as one of the worst local heat sinks in Lake Macquarie. cutting down bushland will only further increase The temperatures during heat waves that we are predicted to have increase in frequency and extreme. Some residents are scrambling to get trees planted to help with this situation and it seems pointless without the support of Government who seems to be adding to the problem.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Huge impact to local pollinator and bee populations that have been put under pressure by the verroa mite. The Cardiff Area Sustainable Neighbourhood Group has been trying to establish a pollinator corridor in this area for a number of years. This development would destroy any work we have done for the pollinators as native bushland supplies the majority of food for our pollinators. The money made from the development for the state Government in the short term would not come close to what will be needed to rehabilitate land for the local pollinator community. Newcastle City council have been trying to plant gardens for pollinators, but realistically this bush land would be much more advantages for our pollinator community. Native bee populations are totally reliant an old bushland. This development would be devastating to any populations left.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

Submission Number (Table 1)	Submission text	Response
Submission 13	I object due to the following points: I don't want to see this beautiful piece of bushland destroyed because it provides a place for our residents to exercise or enjoy family time in a natural environment. It is next to the Garden Suburb soccer field and has been used by countless generations of kids on sports days for some fun and exploration in a bush environment. People walk their dogs and families have picnics. You would be robbing our Suburb of a special place.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	It provides a corridor, nesting areas and food source for a large number and variety of birds in our area. Kookaburras, king parrots, lorikeets, rosellas, whip birds, magpies, black and white cockatoos, galahs, owls and tawny frogmouths. I know this to be true because all these birds visit my yard on a regular basis and I'm sure if you destroy this habitat, many will die.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas

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		of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
	There is an abundance of land that has already been cleared which could be used for building. Why would you clear existing bushland when you have other expanses of cleared land ? The land around the old driving range at Cardiff. The old smelter land near the Bunnings at Boolaroo. The combination of these two available sites FAR exceeds our Myall Road bushland. It doesn't make sense to clear bush when you already have cleared land. It is environmentally criminal.	Options investigations were undertaken during the planning process. Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur.

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		• The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** • Overall retention of 72% of vegetated habitats for threatened fauna species.
	The additional traffic onto Myall Road will be horrendous. I can barely get out of the estate in the morning now. How much more will be spilling onto that section of road? It doesn't just affect Garden Suburb residents either. It negatively affects anyone in other suburbs who use that road to travel to work? Has a traffic survey been carried out? If not there certainly should be.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 14	I am writing to you to oppose the proposal for the Myall Road Development. The Myall Road Bushland is a place for kids to play and families to enjoy picnics in a great natural environment. Our community use this land to walk their dogs, ride bikes and have picnics and kids parties.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment.
	It provides a habitat for much of our local wildlife. Clearing this bushland will result in many to perish. It doesn't make sense when you have cleared land elsewhere, and our wildlife already has limited places to live.	

Submission Number (Table 1)	Submission text	Response
		Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme.
	There is lots of existing cleared land in the area that could be used for building new estates. Clearing a small parcel of bushland doesn't make sense. The old driving range at Cardiff has been used to build Hammond Care where my grandfather is. There is still plenty of land. The Pasminco land near the Glendale Bunnings is also cleared. It doesn't make good environmental sense to clear our bushland when you already have cleared land.	Options investigations were undertaken during the planning process. Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors**

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	I have to turn left onto Myall Road to get to school and my job. Some days I can barely get out of the estate. How much more traffic will be on the road with the new estate?	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 15	I totally oppose the development of the land on Myall road and the total destruction of our bushland. This bushland is the home to many species of wildlife. I have observed the Powerful Owl and Sugar gliders as well as numerous varieties of birdlife, to name a few that make the bush their home.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities

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	This area is used by locals for walking paths with children and is a valuable piece of bushland for pleasure for the community.	have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity.

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		The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	The traffic up Myall road, especially in school hours, can be like a parking lot. Adding more traffic with the housing would be horrendous for the residence and those regularly using this road.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	I am a local resident and a regular walker with my dogs on leash in this area. Please don't destroy our peaceful and happy community because of money.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 16	The community extensively use the Myall Rd bushland currently marked for development by you. Bike riders, joggers , dog walkers, all enjoy the beauty and peace of this bush, in what is a very busy arterial road environs.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time.
	We all love the diverse and plentiful bird life, including many parrots. We feel blessed to have access to this wonderful bush environment. And I feel we respect it.	

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		In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	So it is a great community resource, and is well valued. Quality of life, in conjunction with nature, is a rare blessing.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Your nature management plans are ok. But when you lose the volume of bush we currently have in this ecosystem, it will become a shadow of its former self.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC):

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		• 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the

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		Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	This is not NIMBY ism . The community has a treasure in our bushland, and value it. It is worth preserving.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 17	I am writing in response to the invitation by Landcom to provide comment on the proposed development at Myall Road Cardiff, in particular in relation to the vulnerable plant species Tetratheca juncea.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences).
	I am opposed to this development going ahead for a number of reasons. The proposed offset area does not have a clear management strategy put in place. The area of bushland that is proposed to be cleared includes a large number of the vulnerable species Tetratheca juncea and the development if it goes ahead will have a negative impact on the remaining offset area. The impact on other vulnerable species such as the Powerful Owl which nests in the area has not been taken into consideration.	

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		In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea*.
	While it is important to increase housing stock in the area, land that is already degraded or cleared should be prioritised for development so that remnant intact bushland that provides critical habitat for vulnerable species as well as amenity for the surrounding suburbs can be protected.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 18	I am writing to express my concern about the proposed development on Myall Road. We walk regularly in this area and the bushland is a treasured part of our community.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include;
	It is the only local bushland area where we can walk our dog.	

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		• Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	The Black-eyed Susan (Tetratheca juncea) needs to be retained in full on this site.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act

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		Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	Is there a proper environmental impact statement done that addresses the conservation of the flora and fauna.	Noted. The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation.
	This area should be preserved so that the community and future generations can enjoy the area. There are other areas without established thriving bushland that could be used for development.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*);

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Submission 19	I am writing to strongly oppose the Myall Road Development project. I have lived here for 23 years and the bushland is an important part of the reason why we moved here.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	My seven children have all played in the bushland and continue to play there. The bushland is important as there are few other areas for my children to play near where we live.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	As a legally blind person, I cannot drive to other parks or bushland. It is difficult for me to walk long distances. It would be very tiring for my children to walk to other places where they can play and enjoy similar experiences to those they have in the Myall Road bushland.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	My children walk and play in this bushland area every day. Please do not proceed with the development of the bushland area as it is a well-used area and cannot be replaced. Children need more areas to play, not less. It would be a backward step to remove this bushland area as there are no similar areas nearby. The park beautifies an area that is otherwise dense with housing. I would like my children to grow up and play in an area that is not just streets and houses. Having been brought up myself in an area where there were no parks, I know how much less enjoyable it is to play on roads, as well as much more dangerous.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**.

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Submission 20	We are both 87 years old and have lived in Garden Suburb since 1958. During this time we have witnessed a great number of developments in this area that have greatly reduced the size of the bush land and native animal habitat. The huge reduction of native trees will have made a disastrous contribution to global warming.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	With the ongoing carnage of virgin bush land in the greater Newcastle area we are strongly opposed to any removal of bush land that effects climate change and animal habitat. We particularly oppose this Myall Road development which, if approved, will further reduce the available native bushland and animal habitat. We appreciate the current need for more housing, surely there are other options that don't destroy our remaining bush land and native fauna.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC):

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		Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
Submission 21	There are many threatened species that depend on this land such as: Powerful Owl Feather Tailed Glider Little Bent Wing Bat and other flora and fauna	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management;

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		• Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	The land is community land and should not be sold for development.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	There is cleared land locally to suit this housing development without destroying valued bushland.	Options investigations were undertaken during the planning process. Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas**

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		• Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	No new local park, playground or other community benefits will be delivered from this destruction.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	The development will result in an increase in traffic which the current roads cannot handle. The task of getting on and off Myall road will become virtually impossible in peak hours.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	The proposed affordable housing will lower the status of the area causing property prices to drop and owners will see a drop in the equity of their homes.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 22	I want to express my SUPPORT for this project. I am VERY happy with the size of the development and the individual lot sizes that are planned. I believe Landcom have taken a lot of time to consult with, and listen to the public and feel a vocal MINORITY have been unreasonably obstructive. I am also appreciative of the roadworks associated with the project on Myall Road.	Noted – Proposal supported.

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Submission 23	There has been protest action around this area due to endangered species being in this area such as the Powerful owl, glider possums and various flora species.	Options investigations were undertaken during the planning process. Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained.

Submission Number (Table 1)	Submission text	Response
		Forest Owls • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	I understand we need housing but this is one of the last bush remnants in the area.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	There is no compromise with these new developers, there is just a mass bull dozing to create as many blocks of land as they can sell. I watched with horror as every single tree was razed in the development of Cameron Grove nearby.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	When I was younger blocks of land were sold with trees still standing and some of these needed to remain standing due to the recognised need for mature species for birds and animals to live in as well as erosion.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Since the clearing around Cameron Park has expanded I have seen more dead wild life in this area than ever before. Even a wallaby which had been hit and killed on Munibung Rd outside Cardiff Wests Club.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	We are seeing more bird species locally than ever due to the lack of mature trees for them. In these new estates I also note that they all seem to be planting curb side trees of a species which is not naturally endemic to the area, Cupaniopsis anacardioides usually. There is no foresight here. We are already impacted by tree clearing in this area, if ever you are in the car park at Cardiff shopping centre in the evening you will be deafened by the sound of the birds trying to find a spot to roost, there used to be more mature trees in Harrison street but they have been removed without being replaced but the birds still need a place to live.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	I agree we need more housing; I have two adult children still here at home, but every living thing needs a place to live. We need to look forward, look into high rise that are affordable, ensure they are close to hubs such as shopping centres. But we also should look at land that has already been cleared and repurpose it for housing. The chicken processing plant is still sitting empty, a high rise development was built on an old carpark just across from this why not build another?	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

Submission Number (Table 1)	Submission text	Response
	We have a terrible track record of extinction here. You might reply and tell me that the developers are under obligation to leave x amount of trees; however go for a drive, look at Cameron Grove, look where Morisset Golf Club once stood, not a single tree remains.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	We need innovation, we need new ideas, but most of all we need trees and all of the living things that are not people need a home too. We need this bush and we need pockets that connect to allow the animals to move for sustainable breeding.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	As an side it has been shown through scientific investigation https://www.nature.com/articles/d41586-020-02341-1 clearing of small pockets of natural habitat increase the chance of cross species infection such as what occurred with COVID and most probably Ebola. It is better to leave areas so the native fauna does not have to move into human dwelling areas.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 24	I want to help maintain as viable the flora and fauna of this area. I am worried that the wildlife I see when walking through this bushland will lose their corridor.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment.
	2. When I walk through this bushland, I see many people of all ages doing the same, especially the young on bicycles. It is a hilly area. There are not many viable walking spaces in the area.	

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		Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	We do need housing but there is already cleared land available within the area.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	The traffic on Myall Rd is already dense. It often comes to a stop towards the top of the road around Gymea Ave and the soccer ground. It is difficult for pedestrians to get across this road already to access the housing or soccer ground or nursing home. These are all within 250 yards of the proposed entrance to the new estate. Traffic usage on this road has already changed for the worse given the opening of the new roundabout at the end of the road in Boolaroo (near Bunnings). Another	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

Submission Number (Table 1)	Submission text	Response
	addition along this road will make this road very difficult for all users and nearby residents.	
	I am astounded that no new recreation area will be provided by the developer to compensate for the acquisition of this recreational area.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and

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		• Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	Does this land have cultural significance too?? I would be surprised if not, given the Kirinari Youth Hostel next to the soccer ground.	A field investigation undertaken by an accredited archaeologist identified no Aboriginal objects or places within the study area.
Submission 25	I believe that Landcom has conditional approval for the Myall Road development.	Noted
	I strongly oppose the destruction of this beautiful bush on Myall Road Birds, animals and insects need somewhere to live and balance the environment. It is home to a number of endangered species.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*.
	Please leave some green space in our suburb. It is needed for our general physical and mental health.	

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		The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	Traffic on Myall Road is increasing at a dangerous rate.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Too much bushland has been destroyed	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 26	It appears Landcom only sought public comment about the threatened native shrub, Blackeyed Susan on 22/5/2023 with a deadline for comment 5pm 2/6/2023. That seems a totally inadequate time frame. A paltry 12 days if you count the day of	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application.

Submission Number (Table 1)	Submission text	Response
	Landcom's media release. It seems the only way Landcom announced this public comment opportunity was via a Media Release, which is on their website. I did a quick google search of the Myall Road Development and did not see any Newcastle/Lake Macquarie media organisation stories on the Landcom Media Release of 22/5/2023. It makes you wonder did Landcom make a genuine effort to engage local media organisations? The only reason I know about this matter is I received a little booklet/flyer in my letterbox from the local residents group 'Save the Myall Rd Bushland', of which I am not a member but soon will be. I received no information from Landcom and I assume neither did any other local resident. I think Landcom could do a whole lot better with their community engagement than this seemingly poor effort.	The assessment for *Tetratheca juncea* in accordance with the Assessment *Addressing the Referral Guidelines for the EPBC* Act concluded: The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	I want the Black-eyed Susan plant retained in full on the proposed development site. It appears they are planning to destroy this threatened plant over the 13-hectare site. Is Landcom proposing to relocate the Black-eyed Susan shrubs to the adjoining residue 38 hectares? Does Landcom have	Section 5.7 of the Biodiversity Assessment Report summaries the impacts to *Tetratheca juncea:* • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect.

Submission Number (Table 1)	Submission text	Response
	scientific evidence such disturbance and relocation of these plants will be successful?	The population within the retained lands is likely to improve in health and distribution with the required management actions proposed in the BSSAR.
	I note the AEP Consultant report dated 16/3/2023 on the Landcom website connected to this public comment seems to be stating that additional environment surveys of the site for flora will be required. There is comment in this report that, "should the Leafless Tongue orchid and the Newcastle Double tail be found during additional surveys….", makes me wonder whether the thoroughness and veracity of surveys conducted to date are adequate. It suggests that there are still questions about what flora and indeed fauna may be on the site. It seems a proper environmental impact statement is required and still to be completed.	• This comment is from the original EPBC Preliminary Referral dated July 2014. • This has been addressed and surveyed for within the impact area by Conacher (**Refer to Section 1B,** Ecological Information Report For Preliminary Documentation Package Proposed Myall Road Residential Subdivision EP&BC Act Referral 2014/7217, September 2014) • Whilst suitable habitat is present, neither of these species were observed during these survey efforts and as such no impacts to either species are likely to occur.
	It is not clear to me what Landcom is proposing as its Terrestial Biodiversity Offset Strategy. In the AEP Report there is talk of such options as "Purchasing and retiring like-for-like ecosystem species credits from the Biodiversity Credits Register." This sounds like a clear fiddle the books option, even if legal. If Landcom is planning to utilise those options I think that is a very poor outcome for the actual people who will have to live with the many consequences of this development forever. Is there any beneficial offset planned in the immediate vicinity? I think we need to look not just at a no net- loss approach but rather raise the standard to a net local benefit.	As per the JRPP conditions of consent, the residue lands will be placed under a Biodiversity Stewardship agreement. The State of NSW and Department of Planning and Environment, 2023, Probity and transparency arrangements, has been developed to ensure the management of all Stewardship site are undertaken in a transparent and ethical manner. The Taskforce recognises that management of probity issues is critical to the successful operation of the Supply Fund and public confidence in the Biodiversity Offsets Scheme and biodiversity credits market more generally. The work of the Taskforce will therefore be guided by the following principles: • processes and decisions are fair and ethical • operations are undertaken with full transparency: • public disclosure of information about Taskforce decisions and processes subject to legislative, government and commercial confidentiality requirements; • appropriate record keeping and records management to ensure decision making is clear and auditable; • strong governance and role clarity to ensure accountability for decision making in accordance with delegations and decision-making frameworks • conflicts of interest are proactively identified, managed and addressed • purchase and sales activities occur within a clear decision-making framework, without competing priorities that could undermine efforts to improve market functioning, and are fair to buyers and sellers, without profit to the Taskforce. The Taskforce will both apply and comply with requirements of the Biodiversity Conservation Act 2016 (NSW) and associated regulatory instruments. The Taskforce and its employees will also comply with: • the NSW Government's Code of Ethics and Conduct

Submission Number (Table 1)	Submission text	Response
		• the Department of Planning and Environment's Code of Ethics and Conduct – March 2022 and its conflict-of-interest requirements relating to the NSW Biodiversity Offsets Scheme protocol • the NSW Government's Procurement Policy Framework • the NSW Government's policy on competitive neutrality.
	I understand public consultation on this project was conducted by Landcom way back in July 2012. That is 11 years ago. 11 years. I was way too busy with work and family life then to engage in whatever the process was at that time. I'm sure I'm not the only one. Shouldn't Landcom, after such a long time, be required, obligated, to conduct an updated community consultation? Goodness knows what may have changed since then? Certainly, the Myall Rd traffic has got a whole lot worse. Why do I have to play detective to find out what is happening with this development when Landcom should be obligated to provide an update consultation process given the 11 years that have elapsed. I do not have an environmental science degree to trawl through copious and complicated documents on the Landcom website. Landcom should be making a much better effort to properly inform stakeholders, including the community. Uploading a wad of longwinded documents on your website is important for transparency but it should not be the main consultation tool. Summarise and simplify in plain English this large mass of documentation and provide updates via public briefings are a few other useful consultation methods. The fact that no development has been approved or started suggests there are many unresolved issues. Community expectations have changed, have raised considerably I would suggest, over the past 11 years.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Local residents no matter where they reside in Australia are entitled to have ready access to native bushland to enjoy. Are locals in Garden Suburb somehow seen as second-class citizens that we don't deserve to retain the undamaged amenity of this tract of bush. I pick up any small items of rubbish on my walks on the sand tracks in the site as I am proud of this area and wish to have it retained, not destroyed.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Density of living is an issue. Surely, we as a society have learnt that by now. I believe people are happier and healthier when they have green areas to view and access within walking	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

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	distance from their home. Housing is important however it needs to be a mix of development carefully balanced with preserving natural bushland. This bushland in Garden Suburb is an amenity worth preserving. The planned development would be OVERDEVELOPMENT in my view. The case for the project just doesn't stack up. The many risks to destroying it are too great.	
	Don't start me on the heavy traffic on Myall Road. The last thing anyone needs is more traffic on Myall Road which is already a mess both ways in peak hours. Every morning on ABC radio when they have reports from the Traffic Management Centre Myall Road and Garden Suburb is mentioned as a problem. The traffic is a total mess and Landcom folk in Sydney want to make it worse.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	I trust Aboriginal Cultural Values were properly assessed 11 years ago? I think a lot has changed in terms of community expectation in that respect over the last 11 years. The community expectation is now I argue to respect and preserve, not devalue or minimise cultural values. I don't know but I sincerely trust that the views of the Kirinari Aboriginal Hostel, located just metres from the proposed development, and the Aboriginal Yamuloong Centre, bush tucker facility in nearby Prospect Road, Garden Suburb have been properly sought and factored into the proposal. Have these organisations been specifically contacted by Landcom as part of this latest exercise to seek public comment? I hope so.	Aboriginal consultation is not required for an investigation under the due diligence code (DECCW 2010:3). Community consultation is only required once Aboriginal objects have been detected and an Aboriginal Heritage Impact Permit (AHIP) is deemed necessary. A site investigation identified no Aboriginal objects or places within the study area, therefore dan Aboriginal Heritage Impact Permit was not required for the proposed activity.
Submission 27	Please find attached my submission opposing the proposed development on Myall Rd, Hillsborough, NSW in response to the publicly advertised notification of preliminary documentation EPBC Referral 2014/7217, under DA/1284/2013. The development is strongly opposed by the local community and has been for over 10 years this development has been threatening the bushland of Garden Suburb. The local community formed the Save Myall Road Bush Incorporated (SMBI) group to advocate for its environmental survival. SMBI has written a report and associated appendix of flora and fauna on why this development is wrong, and how this NSW Crown land should be used for the protection of the vulnerable flora and fauna and the enduring benefit of the community. This is attached for reference and inclusion in my submission.	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors**

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		• Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS).

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		Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity.

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		The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	We must stop clear-felling bushland as the easy fix for more for housing, especially the last patchwork remnants that have managed to remain somewhat intact in what is now almost a relatively inner-city suburb, due to the continuing westward spread of the population in Newcastle and Lake Macquarie local government areas.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Unsure why the suburb locally given by Landcom is given as "Hillsborough" when this section of Myall Rd is very clearly part of Garden Suburb. My home address is Garden Suburb, and my back fence borders Myall Rd, directly across from the development site.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	I have copied in the local member for Charlestown, Jodie Harrison, and the Federal Member for Shortland, Pat Conroy, in the hope that this destruction of the last part of bush in Garden Suburb can be stopped, and that it can be made into an area saved for the flora and fauna and for future generations, so that it does represent a "Garden" suburb.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 28	I am emailing you to express my deepest opposition to the destruction of the Myall Road, Bushland. This bushland is a much-loved part of Cardiff/Lake Macquarie area. Not only does the bushland provide a home to precious flora and fauna, it is also a popular recreation space for the local community, used by walkers, joggers, bike riders and dog walkers. Indeed, it was a lifeline for many people during lockdown restrictions.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and

Submission Number (Table 1)	Submission text	Response
		• 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	I strongly believe that the plans to build homes in this area are ill thought out and do not consider the impact on the population increase will have on Garden Suburbs Public School and Cardiff	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

Submission Number (Table 1)	Submission text	Response
	High (where class numbers are already at capacity). They also do not factor in the impact it will have on the Myall Road rush hour traffic (which is already very problematic). Finally, Gillian and Lois Crescent are not wide enough to be used as access or exit roads. They are already very difficult to exit from.	
Submission 29	I completely object the proposed Hillsborough Residential Master Plan + Medium Density Development plans.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	If these plans go ahead we will lose countless flora and fauna.	Options investigations were undertaken during the planning process. Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that

Submission Number (Table 1)	Submission text	Response
		retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	Myself, my family and the community will also lose our local bush walks and nature observing. As a uni student the bush walks help reduce stress from study and exams. Please reconsider these plans. This bush land is extremely valuable to our community	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time.

Submission Number (Table 1)	Submission text	Response
		In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
Submission 30	I abhor the considerations you have for your development. Just to give you a few reasons and for you to understand why I feel like this, let me state. I grew up in this area, moving here when I was five years old. Back then, Garden Suburb had only 12 houses so you can understand the other kids and I had ALL the bushland around as our playground. It was a wonderful area to learn about the birds, the wildlife gentle and wild, and to paddle and play in the creeks that flowed throughout the bush. How many children will have this lifestyle if the bushland along Myall Road is demolished? How often do we hear that children should be outside playing rather than inside on their electrical devices? Where are the children going to go to play if this bushland is no longer. As a child I chased cicadas, built cubby houses, went	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

Submission Number (Table 1)	Submission text	Response
	crawchie (yabby) hunting, all over the area. Yes, we made our own fun, but children of today will never know of these things if they are no longer available.	
	Of course, your argument is that people have to have houses in which to live, and if there is a building space available why not use it. Are you thinking of anything other than money? Do you not consider birds and small animals who at the moment live in this bushland? Where will they end up. I can tell you that where I live there are none of the birds I grew up with as so much land has been cleared for housing. We had blue wrens, yellow robins, Willy wagtails even peewees. We have none of these now. Sparrows were everywhere. All of the mentioned tiny birds have disappeared. How many more do you want to be responsible for?	Options investigations were undertaken during the planning process. Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area.

Submission Number (Table 1)	Submission text	Response
		• The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	Apart from my angst regarding the environment, how much more traffic will congest Myall Road. Have you ever tried to get out of Garden Suburb between 8 and 9 20 am onto Myall Road? It is a nightmare. As you are probably aware, a family of four or five often have that same number of cars. Parking on the road limits the size of the traffic lane and if buses are also using these roads, it will be very difficult to travel along them.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 31	I am writing to you due to my deep concern for the Myall Road Bushland. This development should not go ahead.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	This small portion of bushland is incredibly diverse with flora from the endangered Tetratheca juncea through to many species of rare terrestrial orchids. It is the only place I've seen Christmas Bells in this area. It is a nesting area for the Powerful Owl, Ninox Strenua.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?**

Submission Number (Table 1)	Submission text	Response
		The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	I walk through this area daily and am frequently amazed at the diversity still hanging on in this apparent impoverished and depauperate area.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	A proper environmental impact statement, at the very least, is called for.	Noted. The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation.
	This area is also an essential connecting corridor for all wildlife. It connects through to the Charlestown bushland and several other bush areas in multiple directions.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a

Submission Number (Table 1)	Submission text	Response
		corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
	Please leave this area alone. Many thanks	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 32	Please stop any construction on this bush land in the middle of suburb.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	There are plenty of land on outskirts area available, then why this bush land?	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Myall road traffic is already very bad during peak hour and any habitat will put further pressure on this.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

Submission Number (Table 1)	Submission text	Response
	This bushland provide an excellent ecosystem to whole area. Please stop any construction on this land.	Options investigations were undertaken during the planning process. Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained.

Submission Number (Table 1)	Submission text	Response
		Forest Owls • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
Submission 33	Please don't take down the bush because people like walking and riding bikes. And I don't want to kill animals like powerful owls and others.	Options investigations were undertaken during the planning process. Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect.

Submission Number (Table 1)	Submission text	Response
		Squirrel Glider • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	I am eight years old.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 34	I am writing to indicate that I vehemently OPPOSE the Proposal for the Myall Road Development. Whilst I acknowledge the pressing demand for housing, there are other sites that housing can be built on land that is already cleared. Munibung Road, for example, has large areas of cleared land (on the Boolaroo end) that could be repurposed without destroying natural bushland.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	The area for the proposal is one in which the endangered "black-eyed Susan" still grows naturally, not to mention the presence of native mammals such as possums, sugar-gliders and countless small reptiles. In this age where biodiversity is in crisis, where extinctions are at record levels (habitat loss and Climate Change) and native flora and fauna have been pushed into small pockets of bushland, can we please stop the destruction and look for suitable, cleared sites to repurpose as residential developments?	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent.

Submission Number (Table 1)	Submission text	Response
		The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	And please don't fob me off with tales of your dedicated environmental impact team having researched the area and finding that there will be no long-term damage to the native bushland. You know that is rubbish. For once please just realise that destroying bushland creates damage to that area way beyond what is visible to the eye and causes irreversible longterm destruction to countless native species in the area. Have a backbone and a conscience for goodness sake. When do you think enough is enough???	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 35	I am writing to oppose the Landcom Myall Road development. The NSW government needs to protect and preserve this bush land. This bush land is home to threatened species of wildlife and also many plant species, specifically the black eyed Susan which is threatened.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application.
	I walk past this bush land regularly and the bush is full of beautiful native plants and I see very few weeds. This is an	The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:*

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	opportunity to protect the area for the future and save some of the original bush land ecosystem of Lake Macquarie.	The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
Submission 36	It is extremely concerning to see what you propose doing to our fabulous bush land. One of the major reasons I chose to buy a house here is the reserve, bushland, walking tracks, mountain bike riding tracks which many many children in our young family neighbourhood enjoy regularly. I walk in the bush daily with my dog and it's part of our daily routine.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	There are many beautiful trees, bushes, wildflowers and especially the black eyed susan which is a threatened species	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in

Submission Number (Table 1)	Submission text	Response
	and NEEDS to be protected NOT destroyed. It is abhorrent to learn you will destroy all this beautiful land which all us as residents enjoy in many aspects!	detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application.
	My family, friends and neighbours really love the space, and we are a community group who feel strongly and are passionately fighting to protect and save OUR bushland. It is so important to get our kids off social media and out in the sunshine and outdoor bush, this benefits us all in several aspects - social, environmental and health and mental health.	The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	I was advised there was meant to be an off site off set, Landcom has not honoured this promise! Who is responsible for managing	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT.

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	the off site and is our hard earned $ paying for rates being spent in this development?	The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR.

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		Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	Has an environmental impact statement been prepared for this site and an impact assessment been considered in light of the other bushland destroying activities nearby?	Noted. The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation.
	We want the site to be managed by state government for our community benefits that bushland provides and not be destroyed by development.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time.

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		In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	Whilst I understand there is a need for new housing, there is cleared land ready to go in the Hunter for housing and remaining bushland of high environmental value needs to be saved. Why not build on already cleared land? This is sensible and cares about our land and people who enjoy its current use. All the trees clean the air, this is especially important being near an expressway.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Through your consultations process residents have been led to believe that around 10 hectares of bushland would be destroyed by the development, however your application to the Federal Department of Climate Change, Energy, the Environment and Water regarding your development states that around 13 hectares will be destroyed. What should the community believe	There was an error in the application as shown in Figure 1 attached, 27.11ha will be retained and managed under a Stewardship Agreement with 10.4ha of land proposed for development.

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	that you are misleading us or the department? Both statements cannot be true. Please explain as destroying the hundreds of hollow trees within this site will impact the roosting location and habitat of the federally protected threatened species, the powerful owl.	
Submission 37	This bushland has such great and unique biodiversity and beauty that needs to be protected not destroyed by development. The vulnerable plant Black-eyed Susan (Tetratheca juncea) is in abundance on the site to be developed. This supports the fact that this area has great biodiversity. The NSW government Dept of Office of Environment and Heritage states " Large populations of this species are particularly important." *So why are they being ignored.This plant supports Native Bees and other vital insects that live in these woodlands.*	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences).

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		In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea*.
	No one seems to be considering all the bush that is being destroyed in close proximity but in different council areas. The environmental impact statement for where the Newcastle inner city bypass refers to the bush at Hillsborough as being available for the Powerful Owl habitat and the Landcom impact statement states that the bush around John Hunter is available to the Powerful Owl as Habitat. Large areas of the bush around John Hunter has been cleared and the Habitat (Old Hollow trees) and hunting area hugely impacted. No one seems to be looking after the whole area outside of Council boundaries. The powerful Owl needs a large area to hunt and support the family. The Myall Rd woodlands provides this at the moment. If the development goes ahead the area will not be large enough according to studies to support a family of Powerful Owls. This would be a great loss to the area.	The assessment that have been undertaken within the Study Area were undertaken in accordance with the legislative requirements when application have been lodge being the Threatened Species Conservation Act, 1995, (TSC Act) when the application was lodge with Lake Macquarie City Council. The TSC Act referred to the guidelines for assessment methods and requirements. The application prepared by Conacher in 2013, meet these requirements. The application lodged for referral under the EPBC Act has been prepared in accordance with Chapter 2 Division 1—Requirements relating to matters of national environmental significance, Subdivision C—Listed threatened species and communities, Clause 18 Actions with significant impact on listed threatened species or endangered community prohibited without approval and Clause 19 Certain actions relating to listed threatened species and listed threatened ecological communities not prohibited. This application has been prepared to assess the impact on *Tetratheca juncea*. Due consideration for the community which the species is identified within has been undertaken and it was determined that the proposed Stewardship land will provide management actions to ensure the species thrives at the site. Forest Owls were detected within the Study Area and the establishment of the BSSAR lands were prepared in accordance with requirements of the NSW Department to protect active nest and roost trees for forest owls.
	This woodland area serves as a location where the native fauna uses to dwell in. It has connections to corridors of bushland to different areas of the Newcastle area.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas.

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		Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
Submission 38	The loss of bush land. The local bush makes this area great. Native species will lose their homes. Myall Rd is currently a kill zone for local possums, it will only increase with this development.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	It is hard to believe this development is going ahead when all governments are forcing us to go green eg carbon neutral, but the trees that soak up the carbon will be cut down to make for houses that will be increasing the carbon footprint. Governments are concerned about climate change, but are prepared to allow this development to go ahead. Where is the carbon offset plan and zero emissions plan for this development?	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	In 2007 and later on my property in View St was subjected to flooding caused by development. The local creeks and storm water systems could not cope. Tickhole creek flooded and the	As outlined in the Biodiversity Assessment Report and approved conditions the hydrology will be managed un accordance with Approved Stormwater management Plan.

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	same with Winding Creek which it flows into also backed up. By removing the habitat will only increase the pressure on the storm water system. Retaining dams are ok, but they can fail and need maintenance to work.	It is also noted that the watercourse within the Study Area has been avoided and projected within the BSSAR lands and managed in accordance with the management action.
	I note in documents about Fire Management. I have lived in the area for 20 years and not once seen a hazard reduction burn take place on this land that is being proposed for development. Why until now with the development has no one been concerned?	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	I frequently use Government Rd, Cardiff to turn onto Myall Rd, Cardiff. The traffic at times especially during peak times can be horrendous to get out of this street. Sometimes you are fortunate to have people let you in. otherwise you can easily sit there for 10 minutes plus every day of the week. If the development proceeds there will be increased traffic on Myall Rd causing greater traffic issues for this intersection.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 39	I live about 500 metres from the site and have done so since 2006. Prior to this I lived in another house also in Garden Suburb (one of the affected suburbs) since about 1986. This bushland, now targeted for destruction and other green areas, was a major factor in my wife and I deciding to live in Garden Suburb. Over those many years I have enjoyed walking through the bushland now earmarked for clearing and destruction by Landcom. I enjoy the visual beauty, nature and peaceful tranquillity of this bushland and I can see the treetops from my house. I feel a strong connection with this bushland. I have raised my family in this suburb. My children played junior soccer at Garden Suburb Soccer Club, some attending Garden Suburb Scout Hall and all attending Garden Suburb Primary School, all withing throwing distance of the site. The bushland earmarked for destruction is an integral part of this community and our lives. Now Landcom bureaucrats, based 200 kilometres away in Sydney, wish to clear and destroy habitat that will seriously impact local fauna and flora and the enjoyment and lifestyle of residents forever.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Make no mistake this planned development will cause damage to the local environment.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Why I oppose the Myall Road Development: It appears Landcom only sought public comment about the threatened native shrub, Blackeyed Susan on 22/5/2023 with a	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in

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	deadline for comment 5pm 2/6/2023. That seems a totally inadequate time frame. A paltry 12 days if you count the day of Landcom's media release. It seems the only way Landcom announced this public comment opportunity was via a Media Release, which is on their website. I did a quick google search of the Myall Road Development and did not see any Newcastle/Lake Macquarie media organisation stories on the Landcom Media Release of 22/5/2023. It makes you wonder did Landcom make a genuine effort to engage local media organisations? The only reason I know about this matter is I received a little booklet/flyer in my letterbox from the local residents group 'Save the Myall Rd Bushland', of which I am not a member but soon will be. I received no information from Landcom and I assume neither did any other local resident. I think Landcom could do a whole lot better with their community engagement than this seemingly poor effort.	detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	I want the Black-eyed Susan plant retained in full on the proposed development site. It appears they are planning to destroy this threatened plant over the 13-hectare site. Is Landcom proposing to relocate the Black-eyed Susan shrubs to the adjoining residue 38 hectares? Does Landcom have scientific evidence such disturbance and relocation of these plants will be successful?	
	I note the AEP Consultant report dated 16/3/2023 on the Landcom website connected to this public comment seems to be stating that additional environment surveys of the site for flora	• This comment is from the original EPBC Preliminary Referral dated July 2014. • This has been addressed and surveyed for within the impact area by Conacher (**Refer to Section 1B,** Ecological Information Report For Preliminary

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	will be required. There is comment in this report that, "should the Leafless Tongueorchid and the Newcastle Double tail be found during additional surveys….", makes me wonder whether the thoroughness and veracity of surveys conducted to date are adequate. It suggests that there are still questions about what flora and indeed fauna may be on the site. It seems a proper environmental impact statement is required and still to be completed.	Documentation Package Proposed Myall Road Residential Subdivision EP&BC Act Referral 2014/7217, September 2014) • Whilst suitable habitat is present, neither of these species were observed during these survey efforts and as such no impacts to either species are likely to occur.
	It would seem the development of approximately 105 dwellings (hundreds of new people) on the site will undeniably result in more people entering and traversing through the remaining bushland, some with pets. Surely this increase in human activity has clear potential to cause damage to threatened species of flora in the remaining bushland? Blackeyed Susan plants in that area may well be trampled by increased human occupation. Is Landcom planning to restrict public access to the so-called residue lands?	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of

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		detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea*.
	It is not clear to me what Landcom is proposing as its Terrestial Biodiversity Offset Strategy. In the AEP Report there is talk of such options as "Purchasing and retiring like-for-like ecosystem species credits from the Biodiversity Credits Register." This sounds like a clear fiddle the books option, even if legal. If Landcom is planning to utilise those options I think that is a very poor outcome for the actual people who will have to live with the many consequences of this development forever. Is there any beneficial offset planned in the immediate vicinity? I think we need to look not just at a no net- loss approach but rather raise the standard to a net local benefit.	As per the JRPP conditions of consent, the residue lands will be placed under a Biodiversity Stewardship agreement. The State of NSW and Department of Planning and Environment, 2023, Probity and transparency arrangements, has been developed to ensure the management of all Stewardship site are undertaken in a transparent and ethical manner. The Taskforce recognises that management of probity issues is critical to the successful operation of the Supply Fund and public confidence in the Biodiversity Offsets Scheme and biodiversity credits market more generally. The work of the Taskforce will therefore be guided by the following principles: • processes and decisions are fair and ethical • operations are undertaken with full transparency: • public disclosure of information about Taskforce decisions and processes subject to legislative, government and commercial confidentiality requirements; • appropriate record keeping and records management to ensure decision making is clear and auditable; • strong governance and role clarity to ensure accountability for decision making in accordance with delegations and decision-making frameworks • conflicts of interest are proactively identified, managed and addressed • purchase and sales activities occur within a clear decision-making framework, without competing priorities that could undermine efforts to improve market functioning, and are fair to buyers and sellers, without profit to the Taskforce. The Taskforce will both apply and comply with requirements of the Biodiversity Conservation Act 2016 (NSW) and associated regulatory instruments. The Taskforce and its employees will also comply with: • the NSW Government's Code of Ethics and Conduct • the Department of Planning and Environment's Code of Ethics and Conduct – March 2022 and its conflict-of-interest requirements relating to the NSW Biodiversity Offsets Scheme protocol • the NSW Government's Procurement Policy Framework the NSW Government's policy on competitive neutrality.

Submission Number (Table 1)	Submission text	Response
	Observe and enjoy all manner of birdlife living in the bushland targeted for destruction. Kookaburras, Tawny Frogmouths, various owls including the Powerful Owl, Rosellas, Magpies, flocks of cockatoos of various colour including black, Little Bent Wing Bat and Masked Lapwing to name but a few. The site proposed for destruction is a vital habitat for these birds and a connecting corridor to other bush and smaller pockets of trees in the area. There are families of ducks residing less than 200 metres from the site set for destruction. I haven't even mentioned the negative impact the destruction will have on the many animal species inhabiting or which forage and move through the site. It is a complex ecosystem. How much do we know about the importance of such connecting corridors to native wildlife? All this destruction and environmental risk for about 105 dwellings-is it worth it? NO, is myview.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
	Don't start me on the heavy traffic on Myall Road. The last thing anyone needs is more traffic on Myall Road which is already a	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

Submission Number (Table 1)	Submission text	Response
	mess both ways in peak hours. Every morning on ABC radio when they have reports from the Traffic Management Centre Myall Road and Garden Suburb is mentioned as a problem. The traffic is a total mess and Landcom folk in Sydney want to make it worse.	
	I understand public consultation on this project was conducted by Landcom way back in July 2012. That is 11 years ago. 11 years. I was way too busy with work and family life then to engage in whatever the process was at that time. I'm sure I'm not the only one. Shouldn't Landcom, after such a long time, be required, obligated, to conduct an updated community consultation? Goodness knows what may have changed since then? Certainly, the Myall Rd traffic has got a whole lot worse. Why do I have to play detective to find out what is happening with this development when Landcom should be obligated to provide an update consultation process given the 11 years that have elapsed. I do not have an environmental science degree to trawl through copious and complicated documents on the Landcom website. Landcom should be making a much better effort to properly inform stakeholders, including the community. Uploading a wad of longwinded documents on your website is important for transparency but it should not be the main consultation tool. Summarise and simplify in plain English this large mass of documentation and provide updates via public briefings are a few other useful consultation methods. The fact that no development has been approved or started suggests there are many unresolved issues. Community expectations have changed, have raised considerably I would suggest, over the past 11 years.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Local residents no matter where they reside in Australia are entitled to have ready access to native bushland to enjoy. Are locals in Garden Suburb somehow seen as second-class citizens that we don't deserve to retain the undamaged amenity of this tract of bush. I pick up any small items of rubbish on my walks on the sand tracks in the site as I am proud of this area and wish to have it retained, not destroyed.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Density of living is an issue. Surely, we as a society have learnt that by now. I believe people are happier and healthier when they have green areas to view and access within walking	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

Submission Number (Table 1)	Submission text	Response
	distance from their home. Housing is important however it needs to be a mix of development carefully balanced with preserving natural bushland. This bushland in Garden Suburb is an amenity worth preserving. The planned development would be OVERDEVELOPMENT in my view. The case for the project just doesn't stack up. The many risks to destroying it are too great.	
	I trust Aboriginal Cultural Values were properly assessed 11 years ago? I think a lot has changed in terms of community expectation in that respect over the last 11 years. The community expectation is now I argue to respect and preserve, not devalue or minimise cultural values. I don't know but I sincerely trust that the views of the Kirinari Aboriginal Hostel, located just metres from the proposed development, and the Aboriginal Yamuloong Centre, bush tucker facility in nearby Prospect Road, Garden Suburb have been properly sought and factored into the proposal. Have these organisations been specifically contactedby Landcom as part of this latest exercise to seek public comment? I hope so.	Aboriginal consultation is not required for an investigation under the due diligence code (DECCW 2010:3). Community consultation is only required once Aboriginal objects have been detected and an Aboriginal Heritage Impact Permit (AHIP) is deemed necessary. A site investigation identified no Aboriginal objects or places within the study area, therefore an Aboriginal Heritage Impact Permit was not required for the proposed activity.
Submission 40	I am writing to protest against the myall road development in Cardiff and am worried about the impact it will have on the black eyed susan plant especially.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?**

Submission Number (Table 1)	Submission text	Response
		The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	I am concerned about the impact Development has on the wildlife and wellbeing of our community. I am very concerned about the destruction of Habitat and continued loss of Biodiversity in our area. I also understand that natural areas are very important to our health and wellbeing.	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained.

Submission Number (Table 1)	Submission text	Response
		Tetratheca juncea • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
Submission 41	I am writing to urge you to not demolish established bushland off of Myall Road. Please keep the bushland off Myall Road safe and protected. It houses the endangered Tetratheca Juncea plant species, as well as a number of other plants and Australian wildlife that live there. I have personally photographed a variety of flora and fauna during my time in this bush.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act

Submission Number (Table 1)	Submission text	Response
		Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	The Myall Road Bushland is a crucial ecosystem in this area and the last remaining dense bushland supporting our native flora and fauna. This bushland supports diverse wildlife and serves as a habitat for the endangered Tetratheca Juncea plant (Black-eyed Susan), as well as the Powerful Owl that nests in the hollow logs that are scattered around this bush. Recent development proposals to destroy and level the natural environment here has all local residents concerned.	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained

Submission Number (Table 1)	Submission text	Response
		Aquatic Areas • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	To address this urgent matter, I request the following actions: 1. Do not continue with this development which will destroy precious and established bushland. 2. Engage with residents to find alternative solutions that balance their needs with the preservation of the bushland and its wildlife.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Preserving the Myall Road Bushland and its unique biodiversity, including the endangered Tetratheca Juncea and Powerful owl, is crucial for our environment and future generations of this area.	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors**

Submission Number (Table 1)	Submission text	Response
		• The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
Submission 42	I am writing to urge your immediate action in safeguarding the Myall Road Bushland and protecting the endangered Tetratheca	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in

Submission Number (Table 1)	Submission text	Response
	Juncea plant species it harbors, as well as the number of other plants and Australian wildlife that live there.	detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	The Myall Road Bushland is a crucial ecosystem in this area and the last remaining dense bushland supporting our native flora and fauna. This bushland supports diverse wildlife and serves	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP)

Submission Number (Table 1)	Submission text	Response
	as a habitat for the endangered Tetratheca Juncea plant (Black-eyed Susan), as well as the Powerful Owl that nests in the hollow logs that are scattered around this bush. Recent development proposals to destroy and level the natural environment here has all of the local residents concerned.	Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.

Submission Number (Table 1)	Submission text	Response
	To address this urgent matter, I request the following actions: 1. Advocate for the immediate protection of the Myall Road Bushland as a designated protected area. To preserve and protect the native flora and fauna that call this bushland home. 2. Engage with residents to find alternative solutions that balance their needs with the preservation of the bushland and its wildlife. 3. Allocate resources and funding for habitat restoration and conservation efforts, specifically focusing on protecting Tetratheca Juncea and the Powerful Owl. Preserving the Myall Road Bushland and its unique biodiversity, including the endangered Tetratheca Juncea and Powerful owl, is crucial for our environment and future generations of this area.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring.

Submission Number (Table 1)	Submission text	Response
		Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
Submission 43	The Myall Road Bushland to be destroyed as part of this housing development is a precious native forest with significantly high value biodiversity and home to nationally listed threatened species that need protection not further fragmentation and local extinction. Especially the Black Eyed Susan and Powerful Owl	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?**

Submission Number (Table 1)	Submission text	Response
		Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea*.
	Recent destruction of neighboring bushland for road extensions saw the disappearance of hundreds of nesting hollows used by native birds, bats and mammals. The Myall Road Bushland contains incredibly important safe breeding hollows and habitat for these species. It is a critical haven and connecting green corridor.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped

Submission Number (Table 1)	Submission text	Response
		the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
	A statement of environmental effects should never be enough to destroy 12 hectares and impact another 26 hectares negatively, I request an environmental impact statement be prepared for this site please and a cumulative impact assessment be consider in light of the other bushland destroying activities in the near surrounds. Anything less is unacceptable from a state government body hoping to destroy high value bushland	Noted. The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation.
	The development of the site will result in an negative impact on the threatened species within the site, the applicant (Landcom) has not even identified some protected species within the site and has not followed the correct tests of significance.	The assessment that have been undertaken within the Study Area were undertaken in accordance with the legislative requirements when application have been lodge being the Threatened Species Conservation Act, 1995, (TSC Act) when the application was lodge with Lake Macquarie City Council. The TSC Act referred to the guidelines for assessment methods and requirements. The application prepared by Conacher in 2013, meet these requirements. The application lodged for referral under the EPBC Act has been prepared in accordance with Chapter 2 Division 1—Requirements relating to matters of national environmental significance, Subdivision C—Listed threatened species and communities, Clause 18 Actions with significant impact on listed threatened species or endangered community prohibited without approval and Clause 19 Certain actions relating to listed threatened species and listed threatened ecological communities not prohibited. This application has been prepared to assess the impact on *Tetratheca juncea*. Due consideration for the community which the species is identified within has been undertaken and it was determined that the proposed Stewardship land will provide management actions to ensure the species thrives at the site.
	The development is likely to have a significant impact on threatened species, populations or ecological communities or their habitats, as listed under the Threatened Species Conservation Act 1995 (TSC Act 1995), and a Species Impact	As stated above the assessment that have been undertaken within the Study Area were undertaken in accordance with the legislative requirements when application have been lodge being the Threatened Species Conservation Act, 1995, (TSC Act) when the application was lodge with Lake Macquarie City Council. The TSC Act

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	Statement is required according to the relevant protective provisions.	referred to the guidelines for assessment methods and requirements. The application prepared by Conacher in 2013, meet these requirements. It is noted that the application has been approved by LMCC and other state agencies demonstrating the assessment met the requirements for survey effect and impacts.
	The development is considered likely to modify, destroy and/or isolate or decrease the availability and quality of habitat to the extent that the species as a whole is likely to decline as it further divides the land parcels, allows sections to be considered as not important enough to keep and subject to further development due to a lack of protection. Even though there are areas said to be promised to be protected into perpetuity, the addition of new housing development in this location will see further encroachment of human activity into the spaces resulting in degradation.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats.

Submission Number (Table 1)	Submission text	Response
		The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
	I support new housing but there is cleared land ready to go in the Hunter for housing and remaining bushland of high environmental value needs to be saved. The Biodiversity and Climate Change Crisis demands governments take a more sensitive and considered approach to new developments. How will we achieve 30% protection of natural intact lands and marine environments by 2030 if you continue to take the easy roads and destroy precious irreplaceable Australian native forests?	A summary of Section 5.7 of the Biodiversity Assessment Report show the impact is approx. 28% with retention of 72% for protection, management, regeneration. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls**

Submission Number (Table 1)	Submission text	Response
		• No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
Submission 44	My name is Gavin Ord I am the Chairperson and nominated representative of Cardiff Area Sustainable Neighbourhood Group (CASNG). CASNG represents people in the broader Cardiff Area which includes Cardiff, Cardiff South, Garden Suburbs, Hillsborough and Cardiff Heights Area. CASNG has opposed this development since 2015 and as the nominated representative I am writing to urge your immediate action in safeguarding the Myall Road Bushland and protecting the endangered Tetratheca Juncea plant species it harbors, as well as the number of other plants and Australian wildlife that live there.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant

Submission Number (Table 1)	Submission text	Response
		effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	The Myall Road Bushland is a crucial ecosystem in this area and the last remaining dense bushland supporting our native flora and fauna. This bushland supports diverse wildlife and serves as a habitat for the endangered Tetratheca Juncea plant (Black-eyed Susan), as well as the Powerful Owl that nests in the hollow logs that are scattered around this bush. Recent development proposals to destroy and level the natural environment here has all local residents concerned.	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained.

Submission Number (Table 1)	Submission text	Response
		• No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	To address this urgent matter, I request the following actions: 1. Do not continue with this development which will destroy precious and established bushland. 2. Engage with residents to find alternative solutions that balance their needs with the preservation of the bushland and its wildlife.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Preserving the Myall Road Bushland and its unique biodiversity, including the endangered Tetratheca Juncea and Powerful owl, is crucial for our environment and future generations of this area.	Section 5.7 of the Biodiversity Assessment Report prepared undertook the required assessment of options in accordance with the habitat elements and biodiversity values listed within the LMCC (2012) Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals, at the time of the assessment was the accurate document to utilise for the application. Summary of the assessment results were as follows: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect.

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		Squirrel Glider • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
Submission 45	Of any area of the "Myall Road Bushland " which is a natural homeland for our native wildlife and also for our human species as well The need for clean air free from CO2 depends upon trees to convert the CO2 into oxygen We are already loosing the Cover of the Amazon basin the Sepic area of Papua and plans to log more of Tasmania's forest area We need to conserve our natural environment as the future cost of not doing so is too great for our children and the next generation	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 46	The Landcom project is a disaster for threatened species and animals generally. It must be ended before we have yet another disaster on our hands.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and

Submission Number (Table 1)	Submission text	Response
		• 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
Submission 47	I wish to state my objection to the destruction of this beautiful parcel of land Not only is it home to many native animals and vegetation, it is also a great learning area for the many	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

Submission Number (Table 1)	Submission text	Response
	surrounding schools. Its important for the younger generation to understand and appreciate the importance of having such a great bushland in our local area. Also the increase of traffic would cause more problems then already exist with peak hour traffic as I travel to work regularly on Myall road and between school zones and lane merging it's constantly congested. Residence from Garden Suburbs have extreme issues existing their subdivision as it is without having the same issue on the opposite side of the road.	
Submission 48	We need to take immediate action in safeguarding the Myall Road Bushland and protecting the vulnerable Tetratheca Juncea plant species it harbors, as well as the number of other plants and Australian wildlife that live there. The Myall Road Bushland is a crucial ecosystem in this area and the last remaining dense bushland supporting our native flora and fauna. This bushland supports diverse wildlife and serves as a habitat for the endangered Tetratheca Juncea plant (Black-eyed Susan), as well as the Powerful Owl that nests in the hollow logs that are scattered around this bush. Recent development proposals to destroy and level the natural environment here has all of the local residents concerned. Preserving the Myall Road Bushland and its unique biodiversity, including the endangered Tetratheca Juncea and Powerful owl, is crucial for our environment and future generations of this area.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan;

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		• Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
Submission 49	This development should not go ahead for several reasons. The vulnerable plant species Black- Eyed Susan (Tetratheca Juncea) will be seriously impacted by land clearing, as will other plants, animals, and birds, including both the threatened powerful owl and the prey species that sustain it.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act

Submission Number (Table 1)	Submission text	Response
		Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	As well as shrinking the remains of the Myall Road Bushland, the development will isolate it further from surrounding pockets and fingers of bush, and both these effects will cause a decline in all flora and fauna living there, including the two species mentioned above.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in

Submission Number (Table 1)	Submission text	Response
		vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
	While some new housing is necessary from time to time, cleared or otherwise degraded land should be used, and intact bushland should be protected to provide habitat for native species as.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*.

Submission Number (Table 1)	Submission text	Response
		The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
Submission 50	I urge your immediate action to protect the Myall Road Bushland. This land has a rich diversity of native plants and animals that are local to this area. In particular is the endemic Black-eyed Susan Tetratheca Juncea plant, whose conservation status is under threat.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:*

Submission Number (Table 1)	Submission text	Response
		The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	Currently, Lake Macquarie is a stronghold of the species, and we are very fortunate Myall Road Bushland has a healthy population of the plant. However, adding residents will change the landscape dramatically as stormwater runoff and the increase of invasive species will change the microclimate and soil composition. The Tetratheca juncea will not be able to grow or thrive in these conditions and will require specific management for the species to be secure in the wild.	Section 6.2 of the Biodiversity Assessment Report - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the

Submission Number (Table 1)	Submission text	Response
		site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas.
	A crucial point to note is that an aerial view reveals that this area is used as a wildlife corridor. It links up other bushland areas in the Lake Macquarie and Newcastle LGAs, providing connectivity for plants, animals and insect communities.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.

Submission Number (Table 1)	Submission text	Response
	An environmental impact statement should be undertaken for the entire site. Its uniqueness of biodiversity and native landscape is currently undervalued.	Noted. The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation.
Submission 51	I am opposed to the planned destruction of part of the Myall Road Bushland by Lancom due to misleading, incomplete and inadequate assessment and planning for the overall protection and care of the site, including rare and threatened species of flora and fauna.	The assessment that has been undertaken within the Study Area were undertaken in accordance with the legislative requirements when application have been lodge being the Threatened Species Conservation Act, 1995, (TSC Act) when the application was lodged with Lake Macquarie City Council. The TSC Act referred to the guidelines for assessment methods and requirements. The application prepared by Conacher in 2013, met these requirements. The application lodged for referral under the EPBC Act has been prepared in accordance with Chapter 2 Division 1—Requirements relating to matters of national environmental significance, Subdivision C—Listed threatened species and communities, Clause 18 Actions with significant impact on listed threatened species or endangered community prohibited without approval and Clause 19 Certain actions relating to listed threatened species and listed threatened ecological communities not prohibited. This application has been prepared to assess the impact on *Tetratheca juncea*. Due consideration for the community which the species is identified within has been undertaken and it was determined that the proposed Stewardship land will provide management actions to ensure the species thrives at the site.
	Considerable housing development is occurring with significant land clearing being undertaken in virtually all local suburbs that boarder Myall Road Bushland. Myall Road bushland is a relatively small development planned to clear the last remnant bushland in our suburb.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	There will always be a demand for housing – cutting down local bushland will not make demand go away. Planning for housing must be carefully and skillfully considered to ensure the ecological diversity is nurtured, maintained and given the opportunity to thrive. It is clear that this has not been the case with Lancom's flora, fauna and community assessment of the area and it's ongoing protection needs.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	This bushland is crucial to maintaining the biodiversity and diminishing wildlife survival corridors of a multitude of flora and fauna – notably the Powerful Owl, Squirrel Gliders, the Little Bent Wing Bat and flora such as the Tetratheca Juncea (Black-eyed Susan).	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors**

Submission Number (Table 1)	Submission text	Response
		• The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	Within Lake Macquarie City Council's current "Large Forest Owl Guidelines" Lancom's development plan would fail to meet	The Myall Road development application was allowed an exemption from following LLMC's large forest owl guidelines.

Submission Number (Table 1)	Submission text	Response
	adequate standard for their protection. Given the extensive delays in Lancom's development application and lack of action in addressing community concerns both then and now, (last consultation over 10 years ago) – it is appropriate for the current flora and fauna of the site and community concerns to be assessed in a current day context.	
	Plans for an effective on site off set strategy lacks serious attention to a range of identified issues and is ultimately unclear or silent about the responsible management of this land into the future.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management;

Submission Number (Table 1)	Submission text	Response
		• Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	The proposed offset areas outlined by the developer will not replace the habitat for the threatened species which currently live there. Particularly for the threatened Black-eyed Susan and the Powerful Owl. In fact while destroying a portion of the bushland it will place the rest at significant risk of damage by building households in close proximity to sensitive habitats that are crucial to these threatened species. Relocating hundreds of people to live metres away This is NOT an adequate offset strategy.	As stated above the BSSAR land will not replace the habitat lost from the development, credits will be retired under the BOS. The BSSAR lands will regenerate and protect the BSSAR lands in perpetuity.
	It is likely that they have underestimated the amount of Black-eyed Susan that will be destroyed by the development. It is also highly likely that the new residents will negatively impact the plant by using the remaining bushland for recreation. The Black-eyed Susan is a part of the forest ecology and fencing it off is not practical and limits it's ability to reproduce and flourish as a part of the forests natural biodiversity. Destroying a high percentage of the Black-eyed Susan plants and not having an adequate plan of protection for the remaining plants within the development area is not appropriate for a plant which is listed under the EPBC Act as threatened.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will

Submission Number (Table 1)	Submission text	Response
		regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	Concerns have been outlined by Save Myall Road Bushland Incorporated to highlight that Lancom's proposed management of existing sites of threatened and endangered species of flora and fauna are notably misleading, incomplete and inadequate. The Department of Climate Change, Energy, the Environment and Water should refuse the applicant approval until an environmental impact statement is undertaken of the entire site. A statement of environmental effects along with some proposed mitigations does not equal protection, approval would equal destruction.	Noted. The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation.
Submission 52	I am strongly against this proposed housing development due to the environmental impacts it will have on the bushland environment.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7:

Submission Number (Table 1)	Submission text	Response
		Habitat Corridors • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	I would like to see a complete environmental impact statement as I believe this is important to protect a certain species of plant	Noted. The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in

Submission Number (Table 1)	Submission text	Response
	known as the Tetratheca juncea which has been found in this area and populations of this plant are considered especially important for the conservation of this species.	accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation.
	This development will severely impact this as well as local wildlife including many birds which inhabit this beautiful bushland.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained.

Submission Number (Table 1)	Submission text	Response
		Forest Owls • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	Garden Suburb was developed back in the 1960's to my knowledge and the older people of this community recall the beautiful bushland surrounding this area which will be near no existent if this development is allowed to proceed.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 53	Hunter Bird Observers Club Inc opposes the proposal for a housing development at Myall Road Garden Suburb (DA1284/2013). This piece of urban woodland is part of a green belt linking from Jesmond Park to Warners Bay and serves as a wildlife corridor. As such it should be given environmental classification and set aside permanently to support biodiversity and provide for human wellbeing. Linkage of woodland areas is also essential in maintaining biodiversity and providing genetic diversity and genetic interchange.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas

Submission Number (Table 1)	Submission text	Response
		of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
	A search of Birdlife Australia's database Birdata has shown 72 species of birds recorded within a one kilometre radius of this woodland. We are aware that during 2020/21 some 92 species of birds were recorded by members of Save Myall Road Bushland Incorporated within the woodland and suburban area. This shows that the quality and diversity of the vegetation still provides foraging and nesting habitat for a significant number of species. Excising part of the woodland for housing development will increase the edge effect exposing the smaller species such as thornbills, scrubwrens and fairy-wrens to aggression or predation by more urban tolerant species such as butcherbirds, kookaburras and noisy miners. The vulnerable Powerful Owl has been recorded breeding here at least since 2005. With the boundary of the proposed development coming to within 500 metres of the nest site there is a risk of the birds abandoning the nest site. The clearing of 11.3 Ha of woodland for housing may also impact on the foraging territory sufficiently to drive the birds from the area.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT, the improvement to bird habitat should be significantly improved. The weed removal will enhance the shrub layer increasing foraging and nesting opportunities for the bird species. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan;

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		• Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	We ask that you abandon the proposed housing development and set aside the whole area as a conservation area.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 54	I am writing to oppose the development of the Myall Road Bushland and beeseech you to protect the endangered Tetratheca Juncea plant species it harbors, as well as the number of other plants and Australian wildlife that live there.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent.

Submission Number (Table 1)	Submission text	Response
		The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea*.
	The Myall Road Bushland is a crucial ecosystem in this area and the last remaining dense bushland supporting our native flora and fauna. This bushland supports diverse wildlife and serves as a habitat for the endangered Tetratheca Juncea plant (Black-eyed Susan), as well as the Powerful Owl that nests in the hollow logs that are scattered around this bush. Recent development proposals to destroy and level the natural environment here has all of the local residents concerned.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained

Submission Number (Table 1)	Submission text	Response
		Aquatic Areas • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	To address this urgent matter, I request the following actions: 1. Advocate for the immediate protection of the Myall Road Bushland as a designated protected area. To preserve and protect the native flora and fauna that call this bushland home. 2. Engage with residents to find alternative solutions that balance their needs with the preservation of the bushland and its wildlife.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and
	3. Allocate resources and funding for habitat restoration and conservation efforts, specifically focusing on protecting Tetratheca Juncea and the Powerful Owl.	
	Preserving the Myall Road Bushland and its unique biodiversity, including the endangered Tetratheca Juncea and Powerful owl, is crucial for our environment and future generations of this area.	

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		• 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
Submission 55	I'm writing to voice my opposition to the proposed development on Myall Road Cardiff, NSW. I've grown up in Cardiff, spend my youth riding, walking and playing in bushland around here. I	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT.

Submission Number (Table 1)	Submission text	Response
	recently moved back to the suburb, and have purchased a house a few hundred meters from the proposed development. I must note that the attraction of the bush was a selling point, however I was unaware of the development. I often walk and ride through this bushland with my children today. Even after a short time living here, I have observed a pair of Powerful owls, some plants on the protected species list, and other wildlife I haven't seen in bushland around here in a long time.	The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR.

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		Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
Submission 56	Not only is it a safe space for animals who are being pushed out of former bush land but it serves as a natural recreational area with many walkers and mountain bikers enjoying nature almost to themselves. Getting rid of it will force people to have to have to travel further (or miss it altogether) to find a nice quiet space where they can relax and take their mind off the busyness of the city. My kids and I regularly enjoy the mountain bike trails through the bush, sometimes with another couple of families. It's a nice quite space we can relax without having to travel an further to other bushland spots. A paved bike path along a street doesn't suffice.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include;

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		• Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
Submission 57	I would like to denounce Landcom's plans to develop the planned section of Myall Road, Garden Suburb/Hillsborough NSW. This untouched and pristine bush land nestled between established suburbs has always been a haven for walkers, bike riders and nature lovers alike. These groups of people have never taken for granted the luxury of being able to step into thick native bush from the end of their street to escape, breath in the fresh air and gain a very genuine sense of well being, deep in the bush with no eyesight to commercial buildings and their owners. It is so crucial that this pocket of native bush stays untouched!	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This

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		community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	Aside from the human activity, the bush is alive with native fauna and flora including Goannas, possums, bird life and smaller creatures. In particular the area is well known for its annual show of many native ground orchids including the Blotched Hyacinth Orchid (Dipodium Punctatum) and the Black Eyed Susan Vine.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors**

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		• The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	I live very close to the bush and have a son who spends nearly all of his time in the bush riding and making hideouts with his	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

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	friends. I walk there several days a week to distress and enjoy the thick untouched environment.	
	Yes, I could get in my car and drive half an hour to the nearest untouched bush land but I don't want to. Yes, I can still walk in the remaining bush should you go ahead with your plans. But I would like to be able to stay close to my son while he plays and and I do not want to be able to see or hear human homes with their barking dogs and their household clutter. And most of all I don't want to have to drive to the nearest bush. And I'm not the only one!	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Why does this environment need to be destroyed for developmental and financial satisfaction. Please, for once, can't native plants and animals be left alone and people come second!? When will the big guys (you)actually care for the natural environment and it's beautiful creatures?	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	This area has been a part of so many families lives and their children's lives for decades and decades. Please, please, rethink this development for human gain. There are actual lives that will be destroyed, animal, plant and human, if this development succeeds.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	This area has been a part of so many families lives and their children's lives for decades and decades. Please, please, rethink this development for human gain. There are actual lives that will be destroyed, animal, plant and human, if this development succeeds.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 58	I am vehemently opposed to your propsal for residential development of this land (Lot 9a Myall Road Hillsborough). I am a lifelong Cardiff resident and spent much of my childhood exploring and playing in the degraded bushland areas around Cardiff. I have recently spent time walking through this area and was astounded at the magnificent beauty of this remnant forest. I also noted how heavily the site was used for recreation as we passed three other groups of walkers in the short time we were there, and noticed the mountain bike tracks, clearly made by local children.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*);

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	We were lucky enough to see the pair of powerful owls, as well as black eyed susan, vines and plants whose names I don't know, and magnificent tall gums. I was completely awed by how special this place is. I knew there was a development proposal, but I hadn't realised how precious and beautiful was the site. Neither did I know how extensive the area of the proposal is. I do not trust Landcom's capacity to manage the conservation area so that the one species listed for protection can be preserved. The site will doubtless be overrun with recreational hikers once the development proceeds.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species**

Submission Number (Table 1)	Submission text	Response
		Overall retention of 72% of vegetated habitats for threatened fauna species.
	The entire site should be preserved. I know of no other site like it in surrounding areas...it is a precious forest remnant. The only formal prohibition on this development has been concerned with conserving a plant because it has been awarded the status of a threatened species. Preserving a site solely on this basis should not be the criteria in an argument for or against its conservation. Many other extremely valuable plants and animals inhabit this area.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and
	This entire site should be considered as worthy of protection, and never be sacrificed for housing. Apart from its intrinsic value, current and future generations should be able to walk this area, learn from it and enjoy its special beauty. I want to see a thorough Envirinmental Impact study performed before this development is finally approved. I regret that I did not voice my opposition earlier.	

Submission Number (Table 1)	Submission text	Response
		• Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
Submission 59	I am writing to urge your immediate action in safeguarding the Myall Road Bushland and protecting the endangered Tetratheca Juncea plant species it harbors, as well as the number of other plants and Australian wildlife that live there. The Myall Road Bushland is a crucial ecosystem in this area and the last remaining dense bushland supporting our native flora and fauna. This bushland supports diverse wildlife and serves as a habitat for the endangered Tetratheca Juncea plant (Black-eyed Susan), as well as the Powerful Owl that nests in the hollow logs that are scattered around this bush. Recent development proposals to destroy and level the natural environment here has all of the local residents concerned.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect.

Submission Number (Table 1)	Submission text	Response
		Squirrel Glider • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	To address this urgent matter, I request the following actions: 1. Advocate for the immediate protection of the Myall Road Bushland as a designated protected area. To preserve and protect the native flora and fauna that call this bushland home. 2. Engage with residents to find alternative solutions that balance their needs with the preservation of the bushland and its wildlife. 3. Allocate resources and funding for habitat restoration and conservation efforts, specifically focusing on protecting Tetratheca Juncea and the Powerful Owl.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment.
	Preserving the Myall Road Bushland and its unique biodiversity, including the endangered Tetratheca Juncea and Powerful owl, is crucial for our environment and future generations of this area.	

Submission Number (Table 1)	Submission text	Response
		Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
Submission 60	I am writing to urge your immediate action in safeguarding the Myall Road Bushland and protecting the endangered Tetratheca Juncea plant species it harbors, as well as the number of other plants and Australian wildlife that live there. The Myall Road Bushland is a crucial ecosystem in this area and the last remaining dense bushland supporting our native flora and fauna. This bushland supports diverse wildlife and serves as a habitat for the endangered Tetratheca Juncea plant (Black-eyed Susan), as well as the Powerful Owl that nests in the hollow logs that are scattered around this bush. Recent	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors**

Submission Number (Table 1)	Submission text	Response
	development proposals to destroy and level the natural environment here has all of the local residents concerned.	• Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	To address this urgent matter, I request the following actions: 1. Advocate for the immediate protection of the Myall Road Bushland as a designated protected area. To preserve and protect the native flora and fauna that call this bushland home. 2. Engage with residents to find alternative solutions that balance their needs with the preservation of the bushland and its wildlife.	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC):

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	3. Allocate resources and funding for habitat restoration and conservation efforts, specifically focusing on protecting Tetratheca Juncea and the Powerful Owl.	• 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the

Submission Number (Table 1)	Submission text	Response
		Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regeneration site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	Preserving the Myall Road Bushland and its unique biodiversity, including the endangered Tetratheca Juncea and Powerful owl, is crucial for our environment and future generations of this area.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained.
	To add to all the above, living in the area I have personally have seem the powerful owl. It would be an injustice to have this beautiful bird become extinct in this area. I plead for re consideration of the site. Enough is enough, I also understand the need for housing, but we also need to consider our environment.	

Submission Number (Table 1)	Submission text	Response
		Forest Owls • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
Submission 61	I'm a sixteen year old student who lives and was born and raised in Cardiff. I fully and strongly oppose the destruction and development of this irreplaceable Bushland. My reasoning for this is because of the value this Bushland holds, not only is it a community asset but it is also a natural haven for flora and fauna of the area. Many species such as the powerful owl, swamp wallabies, countless species of birds and the black eyed Susan which is considered a vulnerable species. All of this beautiful wildlife relies on the habitat that is already here and healthy instead of the having to be quote on quote rehomed. Recently in my biology class I take at school my teacher informed the class how territorial particular species can be and the importance of space and having a large area for wildlife to be able to flourish. Even a year 11 biology class can acknowledge the basic need for life to thrive, so simply having a 'buffer zone' for the wildlife's sake isn't good enough. Considering flora and fauna require a certain extent of land to live harmoniously.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained.

Submission Number (Table 1)	Submission text	Response
		• No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species.
	I fully acknowledge the fact that housing is a need in a growing area such a Lake Macquarie, but this space does not need to be destroyed in order for that to happen. Their are may other areas that have already been cleared and the homes can be easily built there instead of on this community and natural asset.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Destroying this Bushland would be a huge loss and incredibly sad as it would take centuries to regenerate such thick and healthy habitat. I genuinely hope that my view and perspective is taken into consideration because of how much this bush means to myself and my community especially as a young indigenous woman.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 62	Many steps in the development application process have misrepresented the evidence collected by environmental consultants (Conacher Consulting and Anderson Environment and Planning [AEP]), who were employed by Landcom and therefore not independent. They claim their evidence supports a conclusion that the development will not significantly impact populations of threatened species, including Tetratheca juncea which is listed on the federal EPBC Act 1999, and the Powerful Owl, which is listed on the NSW Biodiversity Conservation Act 2016. I will enlarge on this point below.	Noted. The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation.
	The development application process has also adroitly avoided public scrutiny, through late timing of a public consultation period by NSW Dept of Planning in 2012 and a NSW Planning Panel meeting in 2020 that gave Landcom's representatives a disproportionate time to speak to their 'evidence' compared with members of the public. This resulted in Conditional Approval being granted by the NSW Dept of Planning, Industry and Environment to Landcom.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	During the Planning Panel meeting in December 2020, Landcom claimed that the NSW Biodiversity Conservation Trust (BCT) agreed to a proposed offset for the development that is effectively two-thirds of the Myall Road Bushland (27ha) without	The 10.4ha have credits associated with the clearing, these credits are retired and funds are paid into Biodiversity Conservation Fund. Under the Biodiversity Conservation Act 2016, the BCT is to manage and control the Biodiversity Conservation Fund (BCF). In addition to general operational resources,

Submission Number (Table 1)	Submission text	Response
	replacement of the bushland proposed to be removed (11ha) - Landcom's reasoning was you couldn't find an equivalent area of the same plant community type. As urban forest remnants continue to decrease as a result of this contorted logic, strict adherence to the letter of the law will continue to support the destruction rather than protection of bush. In addition, careful rereading of a Dec 2020 letter to Landcom from the BCT would suggest that the BCT had agreed that the proposed offset could be managed for biodiversity NOT that it is an appropriate offset for the development. To my knowledge the BCT still has not had independent environmental consultants assess the proposed offset and development areas so that they can make their own assessment of the Myall Road Bushland's significance. Nor has any evidence been provided in support of the viability of 'offsets' of the type proposed for the Myall Road development.	this fund is used to hold the funds set aside and invested to be used to make annual conservation payments to holders of funded conservation agreements (CAs), which are either in-perpetuity or long-term agreements. Under the Act, a Fund Manager is to manage and control the Biodiversity Stewardship Payments Fund (BSPF). The BCT is appointed as the Fund Manager. This fund is used to hold the funds set aside and invested to be used to make annual stewardship payments to holders of biodiversity stewardship agreements (BSAs), which are all in-perpetuity. The Act requires the BCT to 'act as trustee of money or other property vested in the Trust', establishing a fiduciary duty to ensure that funds are managed prudentially, particularly the large sums of money held in the BSPF and BCF to meet future stewardship or conservation management payment obligations to agreement holders. The members of the BCT Board must fulfil their fiduciary duties to the NSW Government, the Minister, the BCT's landholders and stakeholders, and BCT itself. As directors, the members of the BCT Board also have general statutory duties of loyalty and good faith, and of care and diligence. The BSSAR for the offset has been lodged with the CST for review, site inspection will occur within 12 to 16 weeks.
	The Myall Road Bushland is a significant wildlife corridor, as evidenced for example by records of road-killed Swamp and Red-necked Wallabies beside the Bushland, which were presumably passing through it. The Myall Road Bushland currently and minimally links with other bush remnants to the north (Blackbutt Reserve, Jesmond Park), east (Glenrock SRA via the Great North Track), south (Charlestown Golf Course, Mt Hutton crown lands) and west (Munibung Hill). In a landscape where the Rankin Park bush next to Jesmond Park is being removed for construction of the Newcastle bypass and several large areas of bush to the west of Munibung Hill have been removed for housing construction (in Edgeworth, Cameron Park, West Wallsend), the Myall Road Bushland has become an increasingly important link for wildlife movement and the distribution of plant seeds by mobile herbivores. It has also become increasingly important as a refuge for the resident wildlife of these corridors.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west.

Submission Number (Table 1)	Submission text	Response
		Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
	Tetratheca juncea (Black-eyed Susan) is a native understory plant, previously locally common in the Newcastle-Lake Macquarie area. As urban development has proceeded the same 'logic' as is applied to biodiversity offsets has progressively reduced the populations and therefore genetic diversity and resilience of this threatened plant. Your consultants (AEP) claimed that 74% of the Black-eyed Susan population in the Bushland will be preserved. As they did not survey the proposed development section of the Bushland for Tetratheca juncea where this species is at least as dense as in the proposed offset area, it can only be concluded that much less than 74% of the current population would survive the development if it goes ahead.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?**

Submission Number (Table 1)	Submission text	Response
		The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	The 17 species of orchid that have been recorded in the Myall Road Bushland are distributed more sparsely, are more ephemeral and poorly surveyed than Tetratheca juncea. Conclusions by your consultants, AEP, indicate that at least one of the nationally threatened species of orchid, Caladenia tessillata and Cryptostylis hunteriana, is likely to occur in the Bushland and that survey effort has been inadequate for detecting them.	This is not a Statement from AEP. It is a comment directly from the original EPBC Preliminary Referral dated July 2014. These species were subsequently addressed and surveyed for within the impact area by Conacher (Refer to Section 1B, Ecological Information Report For Preliminary Documentation Package Proposed Myall Road Residential Subdivision EP&BC Act Referral 2014/7217, September 2014). Whilst suitable habitat is present, neither of these species were observed during these survey efforts and as such no impacts to either species are likely to occur. Impacts upon the remaining non-listed orchid species are considered as part of the overall impact of the ecosystem.
	The Powerful Owl is a keystone or indicator species for the ecological health of the Myall Road Bushland. It has been recorded to breed regularly in the proposed offset section of the Myall Road Bushland. In 2021 the resident pair successfully reared 3 offspring to fledgling. In the whole area of bushland there are currently 14 trees with hollows, regarded as suitable for nesting by Powerful Owls and other large hollow-nesting birds such as Glossy and Yellow-tailed Black Cockatoos. This number will be halved if the proposed development goes ahead. Sightings of a key prey species, the threatened Squirrel Glider, have also been recorded from this Bushland. As mentioned above, large areas of bushland nearby have recently been	The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation. As noted within this submission, this development has been granted an exemption to LMCC's large forest owl guidelines. As such these guidelines do not apply.

Submission Number (Table 1)	Submission text	Response
	cleared for major road and housing developments, significantly reducing the Bushland locally and regionally available to Powerful Owls. These birds require areas of land at least as large as the current size of the Myall Road Bushland to sustain their food supply. The Myall Road Bushland owls have occasionally been observed to hunt outside the Bushland, putting them in danger of colliding with powerlines and vehicles as well as preying on rodents and possums that have been baited by rat poisons, which eventually and painfully kill the owls as well. Removing a third of the Myall Road Bushland for a housing development will not only increase the incidence of these collisions but decrease the habitat available for hunting and nesting and for wildlife corridors that enhance the dispersal of young owls reared in the Myall Road Bushland. It has been 10 years since the original development application was submitted to Lake Macquarie City Council (LMCC) and NSW Department of Planning and it has been 9 years since LMCC's large forest owl planning and management guidelines were first published. As a result the Myall Road development application was allowed an exemption from following LLMC's large forest owl guidelines. Despite evidence that Landcom's development application contravenes these guidelines, the extended period during which the impact assessment could have been rectified and the increase in threats since the application was first submitted, your consultants (both Conacher and AEP) still have not followed the guidelines fully in considering the significance of increasing and cumulative local and regional threats to the Powerful Owl.	
	A report by an independent consultant and bat expert, Glenn Hoyte, has pointed to inadequate survey effort and interpretation of data by the developer's consultant, Conacher, particularly with regard to the threatened Little Bent-wing Bat. Due diligence has not been exercised under the NSW Biodiversity Conservation Act 2016, in considering the 7-part test for negative impacts of the proposed development on this species. The situation appears not to have been rectified by the later consultants, AEP.	The development application and associated documentation has been assessed under the legislation in force at the time of lodgement (2013), i.e. the *Threatened Species Act 1997* (NSW). It should be noted that no breeding habitat is present within the site, so whilst an impact is likely to occur to foraging habitat, breeding habitat is not likely to be impacted and hence the proposal is not considered a significant impact to the species. Ecosystems credits for impact to the foraging habitat have been applied.

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	A number of migratory bird species have been considered as likely to visit the Myall Road Bushland seasonally, but were mostly not detected, which is not surprising given that greater survey effort is required. Over the 23 years I have lived in the Garden Suburb area and walked regularly in the Myall Road Bushland, I have observed several migratory species, which are regarded as vulnerable. These and other less vulnerable species rely on the Bushland as a safe resting and foraging location during their journeys. For example, I have observed the migratory raptors Square-tailed Kite and Pacific Baza in the Bushland several times, also migratory rainforest pigeons, White-headed and Topknot Pigeons, and once a Rose-crowned Fruit-Dove feeding on fruit of a Pigeon-berry Ash. The significance of habitat patches as staging points in migration routes of shorebirds and other waterbirds is well documented but is poorly researched for land birds such as the species referred to here. Application of the Precautionary Principle to protect the habitat of these migratory species is therefore a high priority.	The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. Survey methods to undertake investigation for individual species and communities met the required guidelines when undertaken.
	In conclusion, Landcom's assessment of the importance of this urban Bushland remnant has underestimated its significance to conserving local, regional and national biodiversity. In addition, little effort has been made to consult the local Awabakal community, despite signs of their presence (a site of national significance has been referred for registration on the Aboriginal Heritage Register, see attached report) still being evident. The Myall Road Bushland is also important to more than 500 local and visiting members of the (human) community who place great personal value on recreation (bush walking and bike riding) in the Bushland. There are many benefits to both biodiversity and human existence from retaining the Myall Road Bushland as it is now. Please act now to stop the senseless destruction of this urban Bushland for a small number of in-fill housing blocks.	The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. Survey methods to undertake investigation for individual species and communities met the required guidelines when undertaken.

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Submission 63	To I ask that the both sides of the Myall Road proposed estate be reconsidered and not approved. I particularly ask that the superlot on the northern precinct listed as subject to future DA be retained 1a) or zoned R2 – Low Density Residential. The 2014 LMLED cites this precinct as a deferred matter, I ask it to be addressed.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	I will also be highlighting my concerns about the impact of threatened flora and fauna as identified by the EPBC Act. I have very serious concerns and ask you consider these as written below. I accept the southern precinct is compliant with the intent of the 1984 LEP to provide for a low density residential neighbourhood as specified 2a). This is compatible with the R2 zoning as suggested by the proposal. However, the northern precinct in the 1984 LEP was zoned as 1a) "to promote rural development and to protect against urban encroachment." Yet, the proposal unreasonably suggests to move that parcel of land from 1a) to medium density R3 which is inconsistent with surrounding areas and contravenes the very intent of the 1984 LEP. To move from this to medium density housing is unreasonable and is certainly not compatible aesthetically or pragmatically for Garden Suburb and its ethos. I therefore request the zoning panel determine the northern precinct to be classified as R2 low density housing but preferably retained as 1a). I offer the following: 6.9 Visual Impact states, "the existing vegetation to the west, along with the new landscaping, on the northern boundary, will provide an acoustic and visual screen to the development" and sit, "below the ridgeline and will not be silhouetted against the sky". This is impossible – topographically any two storey house will sit approximately 4 storeys above the existing northern boundary and look down into my back yard, kitchen and living areas and those of my neighbours. Land depreciation will be considerable given original purchase prices factored in this privacy and the natural surrounds. Vertical screening is stated only for the southern precinct. I challenge this validity, the visual impact will be considerable on existing homes.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

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	In 6.4 Traffic and Transport p32 states "no increase in significant traffic from this proposal "– the fact remains there is a SIGNIFICANT increase in traffic in Reserved Road which medium density 21 residential lots will facilitate. One home and one church compared to approx. 48 cars and their owners, not including visitors. A significant increase in traffic is obvious and destruction of wildlife habitats is extensive. I challenge the validity of traffic impact on the northern precinct. Clause 1.2 states "a range of accommodation types is required", council mandated to provide diversity in housing. The LMLEP 2014 clearly indicates both Cardiff and Charlestown have R3 zonings within walking distance to shops, occupancy data suggests vacancy rates in the existing zoning. Similarly, the southern precinct facilitates diversity due to the extensive range of block sizes. The northern precinct is not required. I request the northern precinct be zoned in this DA classified 1a) as per its original intent or if it must be developed R2 low density housing so we as a community are not threatened by the shadow of future DAs.	
	An additional point of concern which I wish to address is that the Department of Climate Change, Energy, the Environment and Water must refuse the applicant approval until an environmental impact statement is undertaken of the entire site, a statement of environmental effects along with some proposed mitigations does not equal protection, approval would equal destruction. This is poor practice and may enable an irretrievable environmental consequence. The Myall Road Bushland is a crucial ecosystem in this area and the last remaining dense bushland supporting our native flora and fauna. This bushland supports diverse wildlife and serves as a habitat for the endangered Tetratheca Juncea plant (Black-eyed Susan), as well as the Powerful Owl that nests in the hollow logs that are scattered around this bush. The recent development proposals to destroy and level the natural environment here has all of the local residents concerned.	Noted. The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation.
	To address this urgent matter, I request the following actions: 1. Advocate for the immediate protection of the Myall Road Bushland as a designated protected area. To preserve and protect the native flora and fauna that call this bushland home.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

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	2. Engage with residents to find alternative solutions that balance their needs with the preservation of the bushland and its wildlife. 3. Allocate resources and funding for habitat restoration and conservation efforts, specifically focusing on protecting Tetratheca Juncea and the Powerful Owl.	
	Preserving the Myall Road Bushland and its unique biodiversity, including the endangered *Tetratheca Juncea* and Powerful owl, is crucial for our environment and future generations of this area. Thank you for your attention to these pressing issues. I look forward to your decisive action in protecting the Myall Road Bushland as this is a matter that is making our local community extremely distressed and concerned and we believe as locals we should have an impact in the decision that is made with this beautiful native land.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area.
	I believe that you have underestimated the amount of Black Eyed Susan that will be destroyed by the development, that far more than 26% will be destroyed. The new residents will negatively impact the plant by using the remaining bushland for recreation, simply fencing off areas to protect the Black Eyed Susan is not practical and is a tokenistic and naive statement devoid of responsibility. Should your approval destroy 100% of the Black Eyed Susan plants within the development area you will have annihalated a plant which is listed under the EPBC Act as threatened. Should this be our legacy as a society and governing body? I think not. Please reconsider any proposal from Landcom to assist in this destruction and act against it.	

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		• The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species. Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**.

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		The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
Submission 64	I oppose the Myall Road Development and the destruction of the native bushland, in a time of extinction and threatened extinction of many species due to habitat destruction, It is a disgrace that one of the few remaining areas of bushland in this area is to be significantly ruined because of greed. if you lived in the area and visited the bushland you would know how much flora and fauna lived there and that it should be left undisturbed, it is a great asset to the community and will be ruined forever. I am concerned about the future of the threatened black eyed susan plant not to mention the powerful owl, squirrel gliders or the little bent wing bat. I would like to see the Black Eyed Susan (Tetratheca juncea) retained in full on this site and a proper environmental impact statement done on this site before this development, its the least we deserve.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained

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		• 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species. Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC):

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		the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
Submission 65	I am writing in opposition to the proposed Myall Road Development and urge your immediate action in safeguarding Myall Road Bushland and the Tetratheca Juncea plant species which should be retained in full on this site. The Myall Road Bushland is a crucial ecosystem in this area and the last remaining dense bushland supporting our native flora and fauna. This bushland supports a diverse wildlife and serves as a habitat for the endangered Tetratheca Juncea plant (Black-eyed Susan) as well as squirrel gliders and the Powerful Owl that nests in the hollow logs that are scattered around this bush.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained.

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		• Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	Landcom need to cease their plans for this location as the impact will be significant on the flora and fauna. I do not believe they have demonstrated how they will effectively manage the protection of the black-eyed susan or other vulnerable species. Fencing off the area will not be sufficient and will also isolate the community from further utilising this urban bushland.	Other measures must be put in place for the BSSAR such as management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR.

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		Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity.
	In addition to the Black-eyed Susan, I would be remiss to not also draw attention to the fact Landcom also plan to remove 46% of suitable habitat trees in the development area for large forest owls. The Powerful Owl is present in this bushland with a number of breeding sites recorded. Refer to environment reports under LMCC DA and emails between council and Biodiversity trust from June 2020.	As noted, this development has been granted an exemption to LMCC's large forest owl guidelines. As such these guidelines do not apply.
	I can't express enough how important it is to ensure we are protecting the last remaining habitats for vulnerable and threatened species in these urban areas. Only just months ago did clearing start for the last stage of the Newcastle Inner city Bypass between Jesmond and Rankin Park. This is a loss of approximately 51ha of trees and vegetation and only 5km from the Myall Road Development. There is also significant bushland clearing in the Cameron Park development which is approximately 10km from this site.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	To address this urgent matter, I request the following actions: A new ecological report as the data collected in the report was from 2014. It would not be unreasonable to assume that this data would no longer be current and any decision made should not rely on data from 2014. Advocate for the immediate protection of the Myall Road Bushland as a designated protected area. To preserve and protect the native flora and fauna that call this bushland home. Engage with residents to find alternative solutions that balance their needs with the preservation of the bushland and its wildlife. Allocate resources and funding for habitat restoration and conservation efforts, specifically focusing on protecting Tetratheca Juncea and the Powerful Owl.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Preserving the Myall Road Bushland and its unique biodiversity, including the endangered Tetratheca Juncea and Powerful owl, is crucial for our environment and future generations of this area. Thank you for your attention to this pressing issue. I look forward to your decisive action in protecting the Myall Road Bushland. We believe as locals we should have an impact in the decision that is made with this beautiful native land.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

Submission Number (Table 1)	Submission text	Response
Submission 66	I am writing to urge your immediate action in safeguarding the Myall Road Bushland and protecting the endangered Tetratheca Juncea plant species it harbors, as well as the number of other plants and Australian wildlife that live there. The Myall Road Bushland is a crucial ecosystem in this area and the last remaining dense bushland supporting our native flora and fauna. This bushland supports diverse wildlife and serves as a habitat for the endangered Tetratheca Juncea plant (Black-eyed Susan), as well as the Powerful Owl that nests in the hollow logs that are scattered around this bush. Recent development proposals to destroy and level the natural environment here has all of the local residents concerned.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species**

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		Overall retention of 72% of vegetated habitats for threatened fauna species. Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds;

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		• Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	To address this urgent matter, I request the following actions: 1. Advocate for the immediate protection of the Myall Road Bushland as a designated protected area. To preserve and protect the native flora and fauna that call this bushland home. 2. Engage with residents to find alternative solutions that balance their needs with the preservation of the bushland and its wildlife. Allocate resources and funding for habitat restoration and conservation efforts, specifically focusing on protecting Tetratheca Juncea and the Powerful Owl.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Preserving the Myall Road Bushland and its unique biodiversity, including the endangered Tetratheca Juncea and Powerful owl, is crucial for our environment and future generations of this area.	Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC):

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		the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	Thank you for your attention to this pressing issue. I look forward to your decisive action in protecting the Myall Road Bushland as this is a matter that is making our local community extremely distressed and concerned and we believe as locals we should have an impact in the decision that is made with this beautiful native land.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	We have lost a lot of bushland through the logging of the land for the hospital and bypass already. Please protect our local environment.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 67	I am writing in opposition to the Myall Road Development and to urge immediate action in safeguarding this bushland, the endangered Tetratheca Juncea plant species it harbors, as well as the number of other plants and Australian wildlife that live there.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect.
	The Myall Road Bushland is a crucial ecosystem in this area and the last remaining dense bushland supporting our native flora and fauna. This bushland supports diverse wildlife and serves as a habitat for the endangered Tetratheca Juncea plant (Black-eyed Susan), as well as the Powerful Owl that nests in the hollow logs that are scattered around this bush. Recent development proposals to destroy and level the natural environment here has all of the local residents concerned.	

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		Squirrel Glider • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species. Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*.

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		The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.

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	1. Advocate for the immediate protection of the Myall Road Bushland as a designated protected area. To preserve and protect the native flora and fauna that call this bushland home. 2. Engage with residents to find alternative solutions that balance their needs with the preservation of the bushland and its wildlife. Allocate resources and funding for habitat restoration and conservation efforts, specifically focusing on protecting Tetratheca Juncea and the Powerful Owl.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Preserving the Myall Road Bushland and its unique biodiversity, including the endangered Tetratheca Juncea and Powerful owl, is crucial for our environment and future generations of this area.	Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time.

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		In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	Thank you for your attention to this pressing issue. I look forward to your decisive action in protecting the Myall Road Bushland as this is a matter that is making our local community extremely distressed and concerned and we believe as locals we should have an impact in the decision that is made with this beautiful native land.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

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Submission 68	I write to express my objection to your plan for the bushland of this site, in particular destruction of the threatened native species, Tetratheca juncea (Tj), which is scattered throughout the area in it's ideal natural habitat. In my opinion it would not be possible to spare Tj in the development, despite some planned exclusion, because of the symbiotic relationship Tj has with all other flora on site. In addition, when in flower Tj is essential for native bees while the shrubs and tall eucalypts provide essential canopy cover. This relatively small area should be left intact and not disturbed.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species**

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		Overall retention of 72% of vegetated habitats for threatened fauna species. Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds;

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		• Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	These wonderful areas of bushland are the lungs of suburbia and vital for fighting air pollution. Clean air is in short supply in this whole area. This bushland also provides habitat for many important birds and small critters as well as Tj. Surely we cannot afford to lose any more vulnerable land.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	I am aware of the need for residential housing but wonder why an oxygen-giving gully would be chosen for housing. This week I drove from Lake Macquarie Fair shopping centre to Bennetts Green shopping complex via an inner road. I saw an area of sadly neglected single houses on biggish, level blocks of land (prob 'state owned') and despite looking deserted, has roads, drainage, utilities, transport, schools, many health facilities and many shops plus a reserve, all again sadly with little vegetation, certainly no Tetratheca juncea. Maybe there is opportunity to improve this area and provide more and better housing. All the infrastructure is waiting. Also in the LGA to the east there is the vacant Stockton Centre waiting to be cleaned and inhabitated again. If you want to destroy more lungs there is a very large area of land south/soouth west of Charlestown Golf Club. All possibilities I think.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

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Submission 69 (Repeated submission 53)	Hunter Bird Observers Club Inc opposes the proposal for a housing development at Myall Road Garden Suburb (DA1284/2013). This piece of urban woodland is part of a green belt linking from Jesmond Park to Warners Bay and serves as a wildlife corridor. As such it should be given environmental classification and set aside permanently to support biodiversity and provide for human wellbeing. Linkage of woodland areas is also essential in maintaining biodiversity and providing genetic diversity and genetic interchange.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
	A search of Birdlife Australia's database Birdata has shown 72 species of birds recorded within a one kilometre radius of this	Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT,

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	woodland. We are aware that during 2020/21 some 92 species of birds were recorded by members of Save Myall Road Bushland Incorporated within the woodland and suburban area. This shows that the quality and diversity of the vegetation still provides foraging and nesting habitat for a significant number of species. Excising part of the woodland for housing development will increase the edge effect exposing the smaller species such as thornbills, scrubwrens and fairy-wrens to aggression or predation by more urban tolerant species such as butcherbirds, kookaburras and noisy miners. The vulnerable Powerful Owl has been recorded breeding here at least since 2005. With the boundary of the proposed development coming to within 500 metres of the nest site there is a risk of the birds abandoning the nest site. The clearing of 11.3 Ha of woodland for housing may also impact on the foraging territory sufficiently to drive the birds from the area.	the improvement to bird habitat should be significantly improved. The weed removal will enhance the shrub layer increasing foraging and nesting opportunities for the bird species. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring.

Submission Number (Table 1)	Submission text	Response
		Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	We ask that you abandon the proposed housing development and set aside the whole area as a conservation area.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 70	I have been a resident of the local community for coming on 22 years. My 4 children were born into this community and have attended Garden Suburb Primary school and Cardiff High school. They have also played at Kingfisher's soccer club which is surrounded by the Bushland of Myall Rd.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	I am aware of the fauna in the irreplaceable old growth bush. Having seen swamp wallabies, possums, goannas and many species of birds over the years., including powerful Owls. Many of the animals and birds there rely on the old growth trees contained in this beautiful natural space . I have seen over the seasons the plants and flowers flourish and I note the significance of the site in being home to the vulnerable Black eyed Susan (Teltratheca juncea) This Bushland houses feather tail gliders and species of bats and although not threatened they form a network of biodiversity in the wider ecosystem. The destruction of this bush land and the proposed development will seriously impact the community as well as the environment.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas**

Submission Number (Table 1)	Submission text	Response
		• Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species. Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*);

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		• 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme.

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		Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	This Bushland is a significant community asset for recreational purposes, I particularly saw it as an essential community resource during COVID as so many already access it for exercise and relaxation and I saw it utilised even more during this time.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	There are many spaces of cleared land in the Newcastle and Lake Macquarie areas that can be utilised for development as opposed to clearing this small parcel of land which forms connections with other Bushland areas as essential corridors for wildlife. Locally we have had masses of Bushland clearance in our area recently including Cameron Park and the Link Road projects and developments. I have been disappointed in the lack of consultation by Landcom and the feedback which has been provided over the years by community has been ignored and not validated, with no dialogue to my knowledge between community and Landcom. Local Council additionally have disappointed in not representing the wishes of the community and acting in their best interests.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	This is our home - our neighbourhood and our environment that we live and thrive in.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	I feel strongly this land should be preserved and be treasured as a significant area for the future. I would like to see this portion of land cared for and even utilised for education for the local schools and the wider community The loss of this ancient space cannot be counted.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 71	I am writing to urge your immediate action in safeguarding the Myall Road Bushland and protecting the endangered Tetratheca Juncea plant species it harbors, as well as the number of other plants and Australian wildlife that live there.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors**
	The Myall Road Bushland is a crucial ecosystem in this area and the last remaining dense bushland supporting our native flora and fauna. This bushland supports diverse wildlife and serves as a habitat for the endangered Tetratheca Juncea plant (Black-eyed Susan), as well as the Powerful Owl that nests in the hollow logs that are scattered around this bush. Recent	

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	development proposals to destroy and level the natural environment here has all of the local residents concerned.	• Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species. Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities

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		have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity.

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		The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	To address this urgent matter, I request the following actions: 1. Advocate for the immediate protection of the Myall Road Bushland as a designated protected area. To preserve and protect the native flora and fauna that call this bushland home. 2. Engage with residents to find alternative solutions that balance their needs with the preservation of the bushland and its wildlife. Allocate resources and funding for habitat restoration and conservation efforts, specifically focusing on protecting Tetratheca Juncea and the Powerful Owl.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Preserving the Myall Road Bushland and its unique biodiversity, including the endangered Tetratheca Juncea and Powerful owl, is crucial for our environment and future generations of this area.	Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on*

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		Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	Thank you for your attention to this pressing issue. I look forward to your decisive action in protecting the Myall Road Bushland as this is a matter that is making our local community extremely distressed and concerned and we believe as locals we should	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

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	have an impact in the decision that is made with this beautiful native land.	
	To add to all the above, I plead for re consideration of the site. I understand the need for housing, but we also need to consider our environment and the fast way we are depleting the space where plants and animals thrive. There is plenty of more suitable spaces to build housing on with little to no affect on the animals and plants. Once they are gone, they will never return. Our area has already had a major impact with the destruction of the bushland near the John Hunter Hospital for the Newcastle Bypass.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 72	The Myall Road Bushland is a crucial ecosystem in this area and the last remaining dense bushland supporting our native flora and fauna. This bushland supports diverse wildlife and serves as a habitat for the endangered Tetratheca Juncea plant (Black-eyed Susan), as well as the Powerful Owl that nests in the hollow logs that are scattered around this bush. Recent development proposals to destroy and level the natural environment here has all of the local residents concerned. To address this urgent matter, I request the following actions: Advocate for the immediate protection of the Myall Road Bushland as a designated protected area. To preserve and protect the native flora and fauna that call this bushland home. Engage with residents to find alternative solutions that balance their needs with the preservation of the bushland and its wildlife. Allocate resources and funding for habitat restoration and conservation efforts, specifically focusing on protecting Tetratheca Juncea and the Powerful Owl. Preserving the Myall Road Bushland and its unique biodiversity, including the endangered Tetratheca Juncea and Powerful owl, is crucial for our environment and future generations of this area.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that

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		retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species. Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment.

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		Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
Submission 73	Please, Cease all development plans for this location as the impact will be significant on the flora and fauna.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Save the Black-eyed Susan (Tetratheca juncea) retained in full on this sit e.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site.

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		• A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species. Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT.

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		The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR.

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		Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	A proper environmental impact statement needs to he done before any development can commence.	Noted. The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation.
	Do not destroy this bushland to deliver any size development. We need to save this existing green corridor and all its wildlife.	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development

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		borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.
Submission 74	I am opposed to the planned destruction of part of the Myall Road Bushland by Lancom due to misleading, incomplete and inadequate assessment and planning for the overall protection and care of the site, including rare and threatened species of flora and fauna. Considerable housing development is occurring with significant land clearing being undertaken in virtually all local suburbs that boarder Myall Road Bushland. Myall Road bushland is a relatively small development planned to clear the last remnant bushland in our suburb.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	There will always be a demand for housing – cutting down local bushland will not make demand go away. Planning for housing must be carefully and skillfully considered to ensure the ecological diversity is nurtured, maintained and given the opportunity to thrive. It is clear that this has not been the case with Lancom's flora, fauna and community assessment of the area and it's ongoing protection needs. This bushland is crucial to maintaining the biodiversity and diminishing wildlife survival corridors of a multitude of flora and fauna – notably the Powerful Owl, Squirrel Gliders, the Little Bent Wing Bat and flora such as the Tetratheca Juncea (Black-eyed Susan).	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained

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		Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	Within Lake Macquarie City Council's current "Large Forest Owl Guidelines" Lancom's development plan would fail to meet adequate standard for their protection. Given the extensive delays in Lancom's development application and lack of action in addressing community concerns both then and now, (last consultation over 10 years ago) – it is appropriate for the current flora and fauna of the site and community concerns to be assessed in a current day context. Plans for an effective on site off set strategy lacks serious attention to a range of identified issues and is ultimately unclear or silent about the responsible management of this land into the future.	As noted, this development has been granted an exemption to LMCC's large forest owl guidelines. As such these guidelines do not apply.
	The proposed offset areas outlined by the developer will not replace the habitat for the threatened species which currently live there. Particularly for the threatened Black-eyed Susan and the Powerful Owl. In fact while destroying a portion of the bushland it will place the rest at significant risk of damage by building households in close proximity to sensitive habitats that are crucial to these threatened species. Relocating hundreds of people to live metres away This is NOT an adequate offset strategy.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps.
	It is likely that they have underestimated the amount of Black-eyed Susan that will be destroyed by the development. It is also highly likely that the new residents will negatively impact the plant by using the remaining bushland for recreation. The Black-eyed Susan is a part of the forest ecology and fencing it off is not practical and limits it's ability to reproduce and flourish as a part of the forests natural biodiversity. Destroying a high percentage of the Black-eyed Susan plants and not having an adequate plan of protection for the remaining plants within the development area is not appropriate for a plant which is listed under the EPBC Act as threatened.	

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		Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	Concerns have been outlined by Save Myall Road Bushland Incorporated to highlight that Lancom's proposed management of existing sites of threatened and endangered species of flora and fauna are notably misleading, incomplete and inadequate.	Noted. The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation.

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	The Department of Climate Change, Energy, the Environment and Water should refuse the applicant approval until an environmental impact statement is undertaken of the entire site. A statement of environmental effects along with some proposed mitigations does not equal protection, approval would equal destruction.	Noted. The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation.
Submission 75	Before I outline the reasons I am against this development let me first state that Landcom has demonstrated through this whole development proposal process a total disrespect for the community in how it has undertaken consultation.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	As the NSW Governments' development arm, we should and do expect better. Specifically for this consultation as part of the environmental approval process to destroy hectares of Tetratheca juncea the community were invited to comment on 376 pages of documents within 11 days, the community was provided with website information asking for comments/submissions, but the email address of Landcom has been incorrect for 10 of those 11 days. Landcom hasn't even been able to record their own email address correctly, no wonder Landcom has also been unable to record accurate information about the impacted parcels of land and the plants and animals that live there. I should be able to stop now and say that if we cannot trust Landcom to provide reliable information about their own email address, then how can we trust them with the management of our bushland remnants that provide such important connectivity. An additional 10 days of consultation should be afforded at a minimum and the required mandatory notices in media be repeated as anyone who read the add in the paper and went to the website for the 376 pages of content, actually got the wrong email address from the website.	Noted: the period for exhibition is determined by the legalisation. Section 95A(4) of the EPBC Act, outlines timeframes and requirements for exhibition. The email provided in the Exhibition notice for was correct.
	We demand further and more genuine consultation about this site prior to any works being undertaken and any further approval being given. We demand Landcom and other relevant stakeholders meet with the Save Myall Road Bushland Incorporated (SMRBI) group to hear their concerns and to hear why an alternative management plan for this land must be delivered.	

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	Regarding Referral No. 2014/7217 under the Environmental Protection and Biodiversity Conservation Act (1999), associated with the proposed residential subdivision at 82, 69, 9A Myall Road, Hillsborough, NSW, one of the things that annoys me the most, and I hope this is noted by the Department of Climate Change, Energy, the Environment and Water is that an environmental impact statement has never been done for this site. Only a statement of environmental effects has been prepared. So we have 12 hectares to be clear felled, nearly half the potential roosting trees of the powerful owls to be removed, hundreds of other hollow trees for other fauna including gliders, possums, and microbats to be removed, and this included declared threatened and vulnerable species and the development is not regarding as significant enough for and EIS? In fact the development has not even been referred to the NSW Government's Department of Planning and Environment for their comments on the environmental impact of this development, it has only been engaged with that department via the Planning process. Once again the tests of significance have been so manipulated to not require a 12 hectare clearing to be considered significant. Save Myall Road Bushland Incorporated of which I am President, demands that an EIS is conducted, and a cumulative impact statement for the surrounding area as other significant bushland clearing is happen in the area, should also be undertaken.	Noted. The impact of the development upon the environment has been addressed within the Biodiversity Assessment Report prepared by Conacher (2013) in accordance with the TSC Act 1997 and EPBC Act 2000. The development is not required to prepare an EIS under the legislation.
	Landcom initially told residents and the Regional Planning Panel that they would secure an off site off set to compensate for the loss of bushland from their planned broad acre clearing. After years of dithering and what could only be described as an in-genuine attempt to locate a similar off sight off set, Landcom returned to the Planing Panel and informed them that they/you would now pursue an on site off set to justify the destruction. I describe this approach as "we have to kill the bush, to save it". This is a great example of how the whole off set process in NSW has failed to deliver environmental protection and why the system has had to be recently reformed to reduce the risk of	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors**

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	negative impacts including conflicts of interest in regard to purchase of lands then to be used as off-sets.	• Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species. Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities

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	SMRBI declares the only way to effectively protect the black eyed susan is to retain the whole site, the proposed development site and the proposed off set site as a reserve for the community to enjoy in perpetuity. To initially kill a minimum of 26 percent of the clumps (a figure we believe is underestimated) is bad enough but if the development did progress, the impact of more people utilizing a reduced recreational area, edge effects, asset protection zones and fencing would all add to the demise of the prevalence of the black eyed susan in this bushland. Of course our concern is wider than the black eyed susan and we believe the proliferation of orchids within this bushland area demonstrates why it should be retained in community hands in total and not bifurcated by the proposed development footprint.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of

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		detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea*.
	Landcom has taken the opportunity on numerous occasions to suggest that somehow the BCT was supportive of a stewardship agreement for the proposed offset, when it has been made clear to SMRBI by the BCT that no such position had been taken by them. Even when presenting to the Regional Planning Panel, Landcom suggested it had an agreement in place with the BCT for a stewardship agreement. This was a mythical beast that the Panel actually saw through without publicly calling it out, the Planning panel did still reward Landcom and facilitated the fabrication by providing a conditional approval with a significant delayed commencement, rather generous to the applicant and further traumatizing the long suffering community, when instead they should have in all good conscience told Landcom that the 7 years they had previously spent preparing this 105 lot development to destroy 12 hectares was now over and they had not arranged their required ducks in order. However, here we are, Landcom still seeking to convince people that a development that risks threatened and vulnerable species including the black eyed susan is worth it, when the lot yield of their development could be delivered on a 3 hectare footprint.	The BSSAR application has been lodged and is under assessment with the Credit Supply Taskforce (new arm within the Department to undertake the assessment of BSSARs).
	SMRBI demands that DCCEEW does not provide Landcom with approval which effectively will allow them to destroy and impact 38.8 hectares of bushland where this species is prevalent and calls on Landcom to cease and desist with this development project as it is excessive in the amount of land to be damaged relative to the lots it will supply to the market. We call on Landcom to pursue, on behalf of the community, land developments that seek to repurpose land, that is already cleared or highly disturbed unlike the high value and biodiversity rich bushland that is the Myall Road Bushland.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. Figure 1 (attached) shows the area proposed for clearing (10.4ha) opposed to the area to be retained (27.11ha).

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	The proponent suggests via their consultant that they have carefully crafted the design of the development footprint to reduce the impact upon the black eyed susan, that this is some mitigation strategy, this is totally smoke and mirrors as the topography and the land, the historical nature of the land and the alignment with existing development and infrastructure have been the primary determinants of the footprint of the development and the resulting proposed stewardship area. For example the creek line to the west of the site prohibits development in that direction and development towards the eastern section of the lots is potentially more significantly affected by the mine subsidence issues across that area where significant sink holes are expected to develop on a fairly regular basis that you would not want to locate housing upon.	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*

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	SMRBI demands that the DCCEEW does not provide Landcom with approval as their mitigation measures are not based upon an assessment of what is best for the plant species survival but what is best for the proponent and their development footprint. If the opposite were true as the proponent suggests, the development footprint would not bifurcate the major parcels but sit alongside existing developments adjoining the bushland and hence reducing the need for some of the 30 metre wide assset protection zone clearings.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	The BSSAR contains costings associated with implementing offset management actions over the life of the stewardship agreement. These estimates in the opinion of SMRBI are inadequate as they are based on false assumptions about the level of work needing to be undertaken to management and mitigation on the site. The BSSAR should be reconsidered/further considered to provide the full requirements to manage this location in perpetuity. SMRBI demands that DCCEEW rejects the BSSAR assessment, refusing approval for the applicant as it is based upon false and misleading assumptions made in the applicants favour and not the communities. The short fall into the future will result in local rate payers paying the price or remediation when Council ends up managing the works after the 5 years of Landcom management.	The process under which a Stewardship site is produced and managed into perpetuity is regulated and has mechanism to ensure the site can be regenerated and maintained in to the future. The State of NSW and Department of Planning and Environment, 2023, Probity and transparency arrangements, has been developed to ensure the management of all Stewardship site are undertaken in a transparent and ethical manner. The Taskforce recognises that management of probity issues is critical to the successful operation of the Supply Fund and public confidence in the Biodiversity Offsets Scheme and biodiversity credits market more generally. The work of the Taskforce will therefore be guided by the following principles: • processes and decisions are fair and ethical • operations are undertaken with full transparency: • public disclosure of information about Taskforce decisions and processes subject to legislative, government and commercial confidentiality requirements; • appropriate record keeping and records management to ensure decision making is clear and auditable; • strong governance and role clarity to ensure accountability for decision making in accordance with delegations and decision-making frameworks • conflicts of interest are proactively identified, managed and addressed • purchase and sales activities occur within a clear decision-making framework, without competing priorities that could undermine efforts to improve market functioning, and are fair to buyers and sellers, without profit to the Taskforce. The Taskforce will both apply and comply with requirements of the Biodiversity Conservation Act 2016 (NSW) and associated regulatory instruments. The Taskforce and its employees will also comply with: • the NSW Government's Code of Ethics and Conduct • the Department of Planning and Environment's Code of Ethics and Conduct – March 2022 and its conflict-of-interest requirements relating to the NSW Biodiversity Offsets Scheme protocol

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		• the NSW Government's Procurement Policy Framework the NSW Government's policy on competitive neutrality. The assessment of BSA applications by the BSA Negotiation and Delivery team is undertaken in accordance with the requirements of the Biodiversity Conservation Act 2016 (NSW) (BC Act), with applicants required to meet the fit and proper persons test (section 5.8 of the Act). Proposed BSA sites must also meet eligibility criteria and be supported by a robust management plan for the site. The Biodiversity Stewardship Site Assessment Report (BSSAR), including the management plan, are reviewed to confirm that the assessment and identification of the number and type of biodiversity credits are based on the correct application of the Biodiversity Assessment Method. Assessment decisions are made in accordance with the Department of Planning and Environment Delegations Manual and are fully documented and auditable using the department's records management system. All biodiversity assessments commissioned by the Credit Supply Operations team are undertaken by assessors who are accredited under the BC Act to prepare BSSARs using the Biodiversity Assessment Method. Any assessment issues or outcomes that are contested by the Taskforce and the accredited assessor in a prepared BSSAR will be referred to a third-party accredited assessor for independent advice. Taskforce staff engaged in BSA processes, as well as internal and external accredited assessors, are required to formally declare any conflicts of interest. The Credit Supply Operations team also works with assessors to monitor any conflict-of-interest issues that may arise in relation to specific assessments.
	Whilst, I/we could continue to put the case of why this development in this location at such cost to the environment must not be allowed to proceed with DCCEEW approval, we understand that this approval consideration is not based on all the other factors above and beyond the black eyed susan consdieration, it still remains that this development will have a significant impact on other species within the site and that overall biodiversity must be protected as one species loss can have an impact upon another. Our contention is that where diversity of flora and fauna is flourishing, it must be encouraged and protected to the best of our ability. We cannot continue to say, things are not bad enough yet, let's wait until things get worse before we intervene to protect. This approval consideration provides an opportunity to not diminish the fleuristic character of this area where a declared threatened	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent.

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	species is prominent. SMRBI demands that the DCCEEW acts to protect this species. We welcome any chance to further state our claims and concerns and propose alternative management approaches to protect the environment and also prevent this development/destruction from	The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
Submission 76	Thank you for the opportunity to comment on the above project. As a local resident of the area who is interested in maintaining my local bushland I write to object to the above project. My main reason is the loss of the regionally important, threatened flower species Black Eyed Susan (Tetratheca juncea) that the development will cause (West Lake Macquarie Conservation Project, n.d.). I've compared the map of where the housing development will sit (paadesign, 2023) with the map of where the Black Eyed Susan (Tetratheca juncea) is known to grow (Conacher Consulting cited AEP, 2023). See Figure 1 and Figure 2. These maps clearly show that if the development is given final approval, the housing will sit directly on top of a substantial local population of Black Eyed Susan (Tetratheca juncea), which should be protected as a vulnerable species (See Figure 2- yellow shading). The smattering of remaining Black Eyed Susan	The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent.

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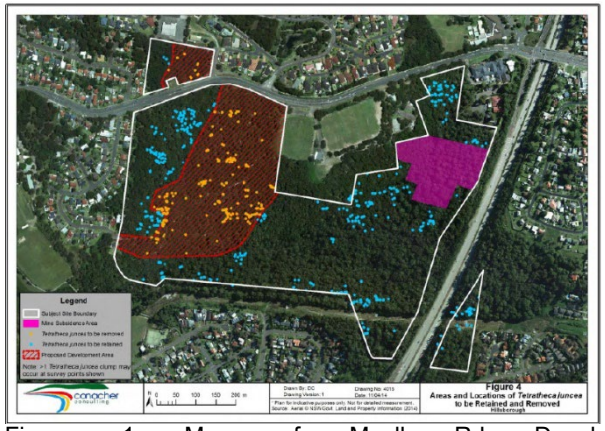
	(Tetratheca juncea), (see Figure 2 blue shading) will become isolated pockets, at risk from the increased human proximity and activity. Even mitigations like fencing off plant specimens will cause further bush loss, and require management, which is costly and requires ongoing management and resources.   Figure 1 Map of Myall Rd Development Figure 2 I Map of Tetratheca Juncea Myall Rd Subdivision	The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*

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	DA/1284/2013 (paadesign,2023) (Conacher Consulting cited AEP2023) Conclusion: I argue that the Myall Rd Residential Development (DA/1284/2013) will destroy a significant population of Black Eyed Susan (Tetratheca juncea), and put surviving scattered specimens at risk through human proximity and activity. Because we can not replace this valuable population of a regionally important, vulnerable plant species, I argue that The Myall Rd Residential Development (DA/1284/2013) should not receive final approval.	
Submission 77	Save Myall Road Bushland Incorporated (SMRBI) Proposed Environmental Management Plan for Myall Road Bushland (DA/1284/2013)	AEP provides a response to the report prepared in accordance with the legislative requirements of the EPBC Act.
	2. Key Features	An aerial imagery assessment of remnant vegetation within this section of the report accurate. It is noted that the Newcastle Bypass Road does disconnect the remnant vegetation to the east, as only highly mobile fauna are able to cross, therefore connectivity is significantly limited.
	2.2 Environmental Recreation	Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails.
	2.3 Biodiversity	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained

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		Aquatic Areas • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species. Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*);

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		• 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme.

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		Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails. The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant

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		effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	3. Key Issues	
	This remnant bushland is the last opportunity to preserve this area for the existing flora and fauna and the recreation of local Newcastle and Lake Macquarie council residents. No other piece of bushland exists like this in the north-east corner of Lake Macquarie Council area.	Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control;

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		• Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails
	The subdivision is another loss of remnant bushland in an area heavily disconnected from other remnant bushland. This includes large sections removed for the Inner-City Bypass Road installation in early 2000's, and the current continuation of this work around John Hunter Hospital.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	At the 08/12/20 Planning Panel meeting, Landcom did not present any plan on examples or processes for best-practice subdivision development in a way that minimises environmental damage to flora and fauna.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Preserving this bushland is a chance for Garden Suburb to truly be a "garden suburb".	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided. It is noted the 27.11ha will be preserved in perpetuity under the stewardship agreement.
	The proposed development conditions will endanger the continued existence of powerful owls in the area and cause the destruction of vulnerable flora.	The 27.11ha will be preserved in perpetuity under the stewardship agreement providing for the protection of known nesting and roosting tree.
	SMRBI have no confidence that the proposed conservation offset will be managed in a way that adequately protects the remnant flora and fauna for the future.	The process under which a Stewardship site is produced and managed into perpetuity is regulated and has mechanism to ensure the site can be regenerated and maintained in to the future. The State of NSW and Department of Planning and Environment, 2023, Probity and transparency arrangements, has been developed to ensure the management of all

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		Stewardship site are undertaken in a transparent and ethical manner. The Taskforce recognises that management of probity issues is critical to the successful operation of the Supply Fund and public confidence in the Biodiversity Offsets Scheme and biodiversity credits market more generally. The work of the Taskforce will therefore be guided by the following principles: • processes and decisions are fair and ethical • operations are undertaken with full transparency: • public disclosure of information about Taskforce decisions and processes subject to legislative, government and commercial confidentiality requirements; • appropriate record keeping and records management to ensure decision making is clear and auditable; • strong governance and role clarity to ensure accountability for decision making in accordance with delegations and decision-making frameworks • conflicts of interest are proactively identified, managed and addressed • purchase and sales activities occur within a clear decision-making framework, without competing priorities that could undermine efforts to improve market functioning, and are fair to buyers and sellers, without profit to the Taskforce. The Taskforce will both apply and comply with requirements of the Biodiversity Conservation Act 2016 (NSW) and associated regulatory instruments. The Taskforce and its employees will also comply with: • the NSW Government's Code of Ethics and Conduct • the Department of Planning and Environment's Code of Ethics and Conduct – March 2022 and its conflict-of-interest requirements relating to the NSW Biodiversity Offsets Scheme protocol • the NSW Government's Procurement Policy Framework the NSW Government's policy on competitive neutrality. The assessment of BSA applications by the BSA Negotiation and Delivery team is undertaken in accordance with the requirements of the Biodiversity Conservation Act 2016 (NSW) (BC Act), with applicants required to meet the fit and proper persons test (section 5.8 of the Act). Proposed BSA sites must also meet eligibility criteria and be supported by a robust management plan for the site. The Biodiversity Stewardship Site Assessment Report (BSSAR), including the management plan, are reviewed to confirm that the assessment and identification of the number and type of biodiversity credits are based on the correct application of the Biodiversity Assessment Method. Assessment decisions are made in accordance with the Department of Planning and Environment Delegations Manual and are fully documented and auditable using the department's records management system.

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		All biodiversity assessments commissioned by the Credit Supply Operations team are undertaken by assessors who are accredited under the BC Act to prepare BSSARs using the Biodiversity Assessment Method. Any assessment issues or outcomes that are contested by the Taskforce and the accredited assessor in a prepared BSSAR will be referred to a third-party accredited assessor for independent advice. Taskforce staff engaged in BSA processes, as well as internal and external accredited assessors, are required to formally declare any conflicts of interest. The Credit Supply Operations team also works with assessors to monitor any conflict of interest issues that may arise in relation to specific assessments.
	Ongoing damage - Overview	
	The whole area is being rapidly degraded by widespread bush clearing activity associated with unauthorised bike tracks.	The BSSAR proposed to formalise some of the tracks for both walking and fire vehicle access. The remaining tracks will be fenced and regenerated. This will be part of the ongoing management within these lands.
	The management of the area must include adjoining land as it is all part of the same parcel of remnant bushland.	The area of land to be managed has been identified and this has been lodged with the BSSAR.
	Uncontrolled access by unregistered motorbikes and registered motor vehicles is causing damage and a safety risk to other users of the area.	The BSSAR proposed to formalise some of the tracks for both walking and fire vehicle access. The remaining tracks will be fenced and regenerated. This will be part of the ongoing management within these lands.
	Dumping of waste items continues as there are no barriers to access from Myall Rd or Gillian Crescent	The removal of rubbish will be part of the ongoing management within the BSSAR Lands and is a requirement set in the management actions.
	Wood gathering	This action is prohibited under the BSSAR Agreement. The Management Action will be reviewed at 5 years to determine their success.
	Erosion control measures need to be taken in many areas	Sediment and erosion must be managed during construction of the proposed development. The stormwater management plan must comply with LMCC requirements and will be enforced by LMCC and EPA. With the BSSAR lands management actions are included for providing erosions controls where required. Planting of endemic species with mulch is the preferred solution in this event.
	Invasive weeds are uncontrolled in the bushland remnant	The BSSAR lands has a prepared Weed Management Plan which is being assessed by the CST.
	Fire hazard risk controls need to be implemented immediately	A Fire Management plan which includes fire vehicle access and burning regimes is within the BSSAR.
	Mine subsidence is a human hazard and an additional microhabitat	The Mine Subsidence Board will provide General Terms of Approval to reduce impacts.
	5. Damage to Vegetation within the bushland remnant	As stated above these issues are proposed to be managed under the management actions within the BSSASR lands.
	5.1. Bark removal from large trees	
	5.2. Bike track construction	
	5.3. Invasive weeds	
	5.4. Rubbish brought into the conservation area & development area	

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	5.6. Tree removal for firewood	
	Wildlife corridors - connectivity disruption	The Biodiversity Assessment Report, identified the corridors within the Study Area and provided protection through the retained lands through the requirement of a Conservation agreement in perpetuity. Each of the elements are discussed within the Report: Section 6.2 - A first order watercourse is present along the southern section of the site and an unmapped watercourse is present along the western boundary of the site. The NSW DPI Office of Water (2012) Guidelines for Riparian Corridors on Waterfront Land, recommend a Vegetated Riparian Zone of 10 metres for first order watercourses. The proposed rezoning will allow for future development which can achieve this recommendation. Watercourses will be protection in accordance with the Riparian Area Vegetation Management Plan prepared for the site. Stormwater flow will be managed through the implementation of two onsite stormwater detention basins. shows several areas. Table 2.6 - Corridors (Lake Macquarie Native Vegetation and Corridors Map) - Lake Macquarie City Council (2011) has mapped the vegetation within the subject site as a corridor of remnant native vegetation, with a riparian corridor along the southern drainage line. Corridor crossing points of 10-70m have been mapped across Myall Road to the north and Hillsborough to the south. These crossing points are breaks in vegetation however could be crossed by mobile fauna. The corridor narrows to <200m in width to the north-east and south-west. Further assessment on local connectivity was undertaken in section 5.4 Where subject site is fragmented from other areas by a four lane road (Myall Road) to the north and a six lane road (Newcastle Inner City Bypass) to the east. A cleared services easement fragments and adjoins the site to the south and existing residential development borders the site to the west. Lake Macquarie City Council's Native Vegetation and Corridors Map is provided as Figure 3.4a. Lake Macquarie City Council has mapped the site as a corridor of remnant native vegetation. A riparian corridor is mapped across the southern section of the site and crossing points narrowed to less than 200m between the site and offsite areas are mapped to the north and south. Direct vegetation connectivity exists to the south west of the site to an area containing approximately 19 hectares of vegetation and indirect connectivity is present to areas of disturbed habitat patches throughout the locality to the north, east and south. Both the direct and indirect connectivity present would facilitate movement of mobile fauna species and wind dispersed seed across the boundary of the subject site to the local occurrence of vegetation and habitats. The assessment shows that where connectivity is high it has been retained with the BSSAR lands, which as discussed will be regenerated and managed into perpetuity.

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	Creek management and water quality	Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained.
	Fire management	A Fire Management plan which includes fire vehicle access and burning regimes is within the BSSAR.
	Mine Subsidence	The Mine Subsidence Board will provide General Terms of Approval to reduce impacts.
	Community consultation mechanism	Consultation period for exhibition is determined by the legalisation. Section 95A(4) of the EPBC Act, outlines timeframes and requirements for exhibition. The email provided in the Exhibition notice for was correct.
	How will Biodiversity Conservation Trust work in the long term?	The process under which a Stewardship site is produced and managed into perpetuity is regulated and has mechanism to ensure the site can be regenerated and maintained in to the future. The State of NSW and Department of Planning and Environment, 2023, Probity and transparency arrangements, has been developed to ensure the management of all Stewardship site are undertaken in a transparent and ethical manner. The Taskforce recognises that management of probity issues is critical to the successful operation of the Supply Fund and public confidence in the Biodiversity Offsets Scheme and biodiversity credits market more generally. The work of the Taskforce will therefore be guided by the following principles: • processes and decisions are fair and ethical • operations are undertaken with full transparency: • public disclosure of information about Taskforce decisions and processes subject to legislative, government and commercial confidentiality requirements; • appropriate record keeping and records management to ensure decision making is clear and auditable; • strong governance and role clarity to ensure accountability for decision making in accordance with delegations and decision-making frameworks • conflicts of interest are proactively identified, managed and addressed • purchase and sales activities occur within a clear decision-making framework, without competing priorities that could undermine efforts to improve market functioning, and are fair to buyers and sellers, without profit to the Taskforce. The Taskforce will both apply and comply with requirements of the Biodiversity Conservation Act 2016 (NSW) and associated regulatory instruments. The Taskforce and its employees will also comply with: • the NSW Government's Code of Ethics and Conduct • the Department of Planning and Environment's Code of Ethics and Conduct – March 2022 and its conflict-of-interest requirements relating to the NSW Biodiversity Offsets Scheme protocol

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		• the NSW Government's Procurement Policy Framework the NSW Government's policy on competitive neutrality. The assessment of BSA applications by the BSA Negotiation and Delivery team is undertaken in accordance with the requirements of the Biodiversity Conservation Act 2016 (NSW) (BC Act), with applicants required to meet the fit and proper persons test (section 5.8 of the Act). Proposed BSA sites must also meet eligibility criteria and be supported by a robust management plan for the site. The Biodiversity Stewardship Site Assessment Report (BSSAR), including the management plan, are reviewed to confirm that the assessment and identification of the number and type of biodiversity credits are based on the correct application of the Biodiversity Assessment Method. Assessment decisions are made in accordance with the Department of Planning and Environment Delegations Manual and are fully documented and auditable using the department's records management system. All biodiversity assessments commissioned by the Credit Supply Operations team are undertaken by assessors who are accredited under the BC Act to prepare BSSARs using the Biodiversity Assessment Method. Any assessment issues or outcomes that are contested by the Taskforce and the accredited assessor in a prepared BSSAR will be referred to a third-party accredited assessor for independent advice. Taskforce staff engaged in BSA processes, as well as internal and external accredited assessors, are required to formally declare any conflicts of interest. The Credit Supply Operations team also works with assessors to monitor any conflict of interest issues that may arise in relation to specific assessments.
	Future mixed use	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Recommendations	
	Threatened species management should be a high priority, particularly for the Powerful Owl, Squirrel Glider and Little Bent wing Bat, flora such as Tetratheca juncea plus the many rare orchids in the Myall Road Bushland.	Threatened species habitat management has been prepared and lodged with CST as part of the BSSAR.
	Aspects of cultural significance related to the Aboriginal community should be independently investigated and sites of Aboriginal significance be referred for registration on the Aboriginal Heritage Register.	A field investigation undertaken by an accredited archaeologist identified no Aboriginal objects or places within the study area. As a result, there are no sites of Aboriginal significance which need to be referred for registration on the Aboriginal Heritage Register.
	Restoration of vegetation damaged by illegal track construction must be undertaken, and mountain bike riding restricted to DP1011323 in the south-east of the remnant. Areas should be	The BSSAR proposed to formalise some of the tracks for both walking and fire vehicle access. The remaining tracks will be fenced and regenerated. This will be part of the ongoing management within these lands.

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	revegetated with native species through regular regeneration activities.	
	Remediation and ongoing management of remnant bushland terrestrial and aquatic habitats should be commenced immediately with the removal of the heavy infestation of land and aquatic weeds from these areas and revegetation/habitat restoration, should include remnants on adjoining DPs.	Native vegetation management and Threatened species habitat management within the BSSAR include both terrestrial and aquatic habitat and have been lodged with the CST.
	All rubbish should be removed from these areas and dumping of rubbish more effectively prohibited and proactively policed with significant fines.	Management actions for Integrated weed management and control of high threat weeds and Management of human disturbance within the BSSAR have been lodged with the CST.
	The area to be monitored and maintained to prevent degradation due to damage by vehicles. The area should be appropriately fenced, sign posted and equipped with surveillance.	These management actions have not been proposed within he BSSAR lands, however at the review process may be required in the future.
	Collection of firewood from the area should be monitored, prevented and heavy fines applied for illegal firewood collection.	Management actions for Management of human disturbance within the BSSAR have been lodged with the CST.
	Conservation management plans for DP1011323 must include adjoining remnant bushland in the areas DP701651 Lot 31, DP 1249929 Lot 70, DP1010980 Lot 22, DP1010980 Lot 23 and DP755233 Lot 1730, as well as the isolated portion of DP 1011323 on the eastern side of the Newcastle Inner City Bypass.	The lands have been determined not all of these lots are included.
	The south-east portion of DP1011323 south of the power lines, which is extensively damaged by track construction and weed infestation, should be designated as a dedicated mountain bike area, with properly designed ramps, jumps and associated drainage	Management actions for Management of human disturbance within the BSSAR have been lodged with the CST
	The area between Cardiff (Gillian Crescent), Hillsborough (Percy Street), Hillsborough Road, and the southern edge of Cardiff South along the high voltage transmission line easement should be recognised and managed as a vital wildlife corridor between Warners Bay and Garden Suburb. A safe wildlife crossing must be installed over Hillsborough Rd to the bush surrounding Charlestown Golf Course.	Noted, sections of the powerline easements are located within the BSSAR land.
	Monitoring of water quality and aquatic invertebrate and frog species diversity in this and the adjacent (upstream and downstream) DPs before and after any structural and vegetation changes are made. This will give an indication of stream health.	Native vegetation management and Threatened species habitat management within the BSSAR include both terrestrial and aquatic habitat and have been lodged with the CST. Monitoring actions are included within these plans.

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	Fire hazard risk controls need to be implemented immediately.	Fire management including upgrading fire vehicle access are included in the BSSAR which has been lodged with the CST.
	Fence the areas of mine subsidence and begin mitigation work that is sensitive to the vegetation it contains while ensuring public safety and protection of the threatened Powerful Owl.	Mine Subsidence board will provide General Terms of Approval. Fencing is part of the BSSAR.
	Community consultation session should be run jointly by Landcom, the BCT and LMCC, to which SMRBI contributes.	Noted.
	The 'deferred matter' should be rezoned E2 (LMCC Local Environment Plan zoning map).	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	As the last assessment of biodiversity was more than 10 years ago (except for the targeted surveys in 2016), the Landcom or BCT needs to do a comprehensive assessment of biodiversity of the site and its connected remnants in full consultation with independent wildlife experts, including identifying the sensitive flora and fauna in the remnant and protecting all the large trees from damage.	The TSC Act under which this application was prepared and submitted applied *Part 7AA* of the TSC Act and *Part 3* of the *Threatened Species Conservation (Biobanking Agreement) Regulations 2008*, for the preparation of the Vegetation Planning Agreement for the retained lands. The agreement required the retained lands to be managed under a BSA. All assessments met the legislative requirements when they were undertaken and approved by LMCC and JRPP.
	BCT or Landcom explain how BCT would consult with the community and SMRBI to implement creek and vegetation management, and address all recommendations detailed in this report, with further expert input for water, flora and fauna-sensitive design.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	BCT or Landcom explain how BCT would undertake monitoring of the following items as part of ongoing environmental health assessments: Flora and fauna surveys, Erosion control, Feral animals, in particular cats and foxes, and weed control.	All management and monitoring actions have been prepared and submitted to the CST for review. These items have been included within the BSSAR application.
	BCT or Landcom explain how the range of recreational activities that can be undertaken within this site will be promoted and managed effectively to enable sustainable enjoyment. These include Walking, Birdwatching & plant observation, Limited access/locations for Mountain bike use.	The BSSAR have been proposed to allow for passive recreation such as walking and bird watching along the formalise pathways. These areas and others will be monitoring and actions proposed if other activities such as mountain biking outside of the areas takes place.
	The production of a brochure documenting and naming of tracks and landmarks to promote sustainable land use, on the reverse side of the brochure, flora and fauna highlights with photos and links/QR codes to species lists.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	A local responsible mountain bike group (eg. Glenrock group) should be engaged to put a proposal together for modifying DP1011323 for mountain bike riding.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.

Submission Number (Table 1)	Submission text	Response
	Local Awabakal community members should be consulted on whether and how to highlight and promote indigenous cultural features of the remnant as this has been poorly explored by the proponent of the development.	Aboriginal consultation is not required for an investigation under the due diligence code (DECCW 2010:3). Community consultation is only required once Aboriginal objects have been detected and an Aboriginal Heritage Impact Permit (AHIP) is deemed necessary. A site investigation identified no Aboriginal objects or places within the study area, therefore an Aboriginal Heritage Impact Permit was not required for the proposed activity.
Submission 77	I am putting forward a message to you to not destroy the bushland that belongs to us all. Too much is already gone. We stopped the Hillsborough Stadium and this also needs to stop.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	There are plenty of other areas that are already cleared. Traffic is at a gridlock now.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	Our wildlife is under great stress.	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors** • The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect.

Submission Number (Table 1)	Submission text	Response
		Squirrel Glider • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species. Protection of the retained land is provided under the BSSAR. Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638^{V} – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*.

Submission Number (Table 1)	Submission text	Response
		The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring. Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails. The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application.

Submission Number (Table 1)	Submission text	Response
		The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area. • **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea.*
	I know first hand as a wildlife Carer for 30 years with HUNTER WILDLIFE RESCUE.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
Submission 78	There is a huge amount of biodiversity present because the block is the size that it is. Making it smaller will only compromise and weaken the ecology. There are many threatened or vulnerable plants such as tetratheca juncea and orchids such as	A summary of Section 5.7 of the Biodiversity Assessment Report showed the impact is approx. 28% with retention of 72% which will be protected managed and regenerated. The following summaries Section 5.7: **Habitat Corridors**

Submission Number (Table 1)	Submission text	Response
	Dirius Praecox, as well as wildlife such as Petaurus Norfolcensis-Squirrel Glider and the Southern bent winged bat, which I has seen, of evening, flying out of the ground caves from the mining subsistence. There is also a large amount of vulnerable frog species, I have heard many times the Giant Barred frog call from deep in the gullies of the natural stream that runs through the forest. I'm sure that the ecological assessment that was done was not at night when most of the threatened species are active.	• The proposal will result in the site remaining connected to directly adjoining habitats to the south-west. An access road will break direct connectivity to habitats to be retained along the north-western boundary of the site. • A minimum corridor width of 50 metres will be achievable under the current proposal. **Riparian Corridors** • Riparian areas will be retained and protected within an appropriate riparian corridor in accordance with the NSW Government Office of Water Guidelines for Riparian Corridors. No endangered ecological communities occur within the site. **Habitat Trees** • 67% of habitat trees with small to medium hollows are proposed to be retained • 57% of habitat trees with large hollows are proposed to be retained **Aquatic Areas** • Riparian areas will be retained with suitable buffers and management of stormwater runoff will be undertaken in accordance with Council's requirements to ensure that the ecological function of aquatic areas is retained. ***Tetratheca juncea*** • 74% of local population will be retained. APZs will form buffers to retained plant clumps. • Assessment of Significance (7 Part Test) has determined that removal of 29% of local population is not likely to result in a significant effect. **Squirrel Glider** • The proposal will result in a road gap of <15m between habitats along the western boundary and the remainder of the site for an access road. It is expected that retention of canopy trees and future plantings adjacent to the road will ensure that a minimum gap of >35 will not occur. • The habitat patch north of Myall road is currently <4ha and no Squirrel Gliders have been observed within this area. • The habitat patch along the western boundary of the site will be retained as a 4.8 hectare patch with indirect connectivity to the patch area of the site to be retained. • No known feed trees were observed. A den tree observed within the eastern section of the site will be retained. **Forest Owls** • No active nest or roost trees for forest owls were recorded within the site. **Other Threatened Fauna Species** Overall retention of 72% of vegetated habitats for threatened fauna species. Protection of the retained land is provided under the BSSAR.

Submission Number (Table 1)	Submission text	Response
		Given the proposed development is required to retain, manage and protect in perpetuity 27.11ha Stewardship Agreement which is to be funded through the BCT. The proposed Biodiversity Stewardship Agreement will capture a diversity of ecosystem types, flora and fauna species, habitat niches and landscapes, to benefit from long term conservation and management. The following species / communities have been recorded within the Subject Site, which will generate Credits under the Biodiversity Offset Scheme (BOS). Three (3) Plant Community Types (PCTs) occur, one (1) of which are associated with Threatened Ecological Communities (TEC): • 1638[V] – *Smooth-barked Apple - Red Bloodwood - Scribbly Gum grass - shrub woodland on lowlands of the Central Coast* (Bells 2016 variant – *Kahibah Snappy Gum Forest*); • 1627 – *Smooth-barked Apple - Turpentine - Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast.* This community is not associated with a TEC; and • 1649 - *Smooth-barked Apple - Red Mahogany - Swamp Mahogany - Melaleuca sieberi heathy swamp woodland of coastal lowlands.* This community is associated with listed TEC, *Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. The BSSAR contains several habitat features which support listed species such as Hollow Bearing Tree (HBTs) and fallen logs, and an unnamed tributary which forms a first order stream in the Winding Creek Catchment. Averted loss and management will improve vegetation integrity and threatened species habitat values over time. In order to create biodiversity credits from a Stewardship Site, management actions or active restoration management actions which improve biodiversity values are to be carried out for a 20-year period in accordance with **Section 11.3** of the **BAM**. The nine (9) prescribed actions which must be considered include; • Preparation of a management plan; • Fire management; • Native vegetation management; • Threatened species habitat management; • Integrated pest animal control; • Integrated weed management and control of high threat weeds; • Grazing management; • Management of human disturbance; and • Monitoring.

Submission Number (Table 1)	Submission text	Response
		Table 18 of the BSSAR details strategies for these prescribed actions, and a Management Plan for the Site addressing all the relevant considerations has been prepared and is included as Appendix B of the BSSAR. Within the retained lands the tracks will be improved to ensure walking and fire vehicles can access the site. The BSSAR land will be managed in perpetuity. The Biodiversity credits will also be retired for the impact to the 10.4ha of impacted land. The funds will be managed and utilised to regenerate Like for Like habitat within the locality. Biodiversity credits are the common unit of measure for offsets in the Biodiversity Offsets Scheme and the previous BioBanking Scheme. Public access through the regenerate site will be maintained through improvements to tracks for both fire vehicles access and walking trails. The EBPC Act has listed species, within the Subject Site the only listed species identified is *Tetratheca juncea,* therefore this application has assessed this species in detail while other NSW listed species or species located within the retained lands have been more broadly addressed in this application. The assessment for *Tetratheca juncea in accordance with the Assessment Addressing the Referral Guidelines for the EPBC Act concluded:* The proposed development will result in the removal of approximately 658 *T. juncea* clumps within the proposed development footprint. The local population of *T. juncea* will be reduced by the proposed development to approximately 1870 clumps (74%) within areas of the subject site to be retained for conservation outside of the proposed development and asset protection zone areas. The BSSAR land approx.27.11ha will regenerate the species habitat to benchmark conditions enhancing the populations health and extent. The following assessment of the potential for the proposed action to have a significant impact on *Tetratheca juncea* has been provided in accordance with the *EP&BC* Act Referral Guidelines for the vulnerable Black-eyed Susan, *Tetratheca juncea* (SEWPAC 2011): • **Could the impacts of your action occur within the modelled distribution of *Tetratheca juncea*?** The proposal is located within the modelled distribution of *T. juncea,* therefore impacts of the proposed action will occur within this area.

Submission Number (Table 1)	Submission text	Response
		• **Could the impacts of your action affect any *Tetratheca juncea* habitat or individuals?** Yes, the proposed development will require the removal of an area of known habitat for *T. juncea*. • **Have surveys for *Tetratheca juncea* been undertaken using the recommended methods?** It is considered that the surveys undertaken have be conducted by a suitably qualified person with demonstrated skill in flora surveys, have maximised the chance of detecting the species and have accounted for uncertainty and error (such as false presences and absences). In summary it was concluded - 74% of local population will be retained. APZs will form buffers to retained plant clumps. Assessment of Significance (7 Part Test) has determined that removal of 26% of local population is not likely to result in a significant effect and the BSSAR land will regenerate, implement required management actions and protect into perpetuity the *Tetratheca juncea*.
	Myall rd will not cope with the car traffic from an additional 105 houses. Currently it is gridlocked from 8am -850am with city bound traffic, a problem that has only been getting worse the past 3 months.	Noted, the EPBC Act, does not provide legislative requirements for the issue to be assessed under, therefore no response can be provided.
	The bushland provides clean air and a tranquil recreation area for all the residents.	

Table 2- Public Submission identification

Submission number	Submission Date	Submission Name
1	29/05/23	Myall Road -- provided comments over phone
2	30/05/23	Myall Road Development
3	29/05/23	Myall Road Development
4	23/05/23	Confidential Submission for Myall Road Development
5	31/05/23	Myall Rd, Garden Suburb proposed Landcom development
6	31/05/23	Attn: Landcom Myall Road Development Team
7	01/06/23	Urgent Action Needed: Protect Myall Road Bushland and Tetratheca juncea
8	01/06/23	Landcom Myall Road Development Team : name of the project [Myall Road Development]
9	23/05/23	Myall Road development proposal
10	29/05/23	Objection to Myall Road Development
11	23/05/23	OPPOSE the Myall Road Hillsborough Development
12	31/05/23	Submission about Myall Road Development
13	22/05/23	Objection to Myall Road Development by Landcom
14	23/05/23	Myall Road Development
15	29/05/23	Myall road development
16	25/05/23	Myall Rd Cardiff Bushland
17	31/05/23	Myall road development
18	01/06/23	Myall Road Bushland
19	31/05/23	Myall Road Development project - Confidential
20	31/05/23	Lancom Myall Road Development
21	31/05/23	Myall Road Development
22	30/05/23	Myall Road Development support
23	26/05/23	New development Hillsborough/Myall Rd Cardiff
24	28/05/23	Myall Rd Development
25	28/05/23	Myall Road Development
26 & 39 (repeated submission)	01/06/23	Public Comment on Myall Road Development Project
27	01/06/23	Submission opposing the Landcom NSW development - EPBC Referral 2014/7217 - Myall Road Development, Myall Rd, Hillsborough, NSW
28	23/05/23	Myall Road, Bushland
29	28/05/23	Hillsborough Residential Master Plan + Medium Density Development
30	31/05/23	Myall Road Development
31	31/05/23	Myall Road Bushland Submission
32	28/05/23	FW: Please stop destruction of Myall road bush land
33	01/06/23	Myall Road Bushland

Submission number	Submission Date	Submission Name
34	23/05/23	Confidential Submission for Myall Road Development
35	27/05/23	Protection of Myall road bush land
36	29/05/23	Oppose the proposal to clear our bush land - Myall Road Development
37	01/06/23	Myall Rd Development
39 (repeat submission 26)	01/06/23	Public Comment on Myall Road Development Project
38	31/05/23	Myall Road Development consultation - confidential
40	01/06/23	Myall Road Development
41	31/05/23	I Oppose the development of the Myall Road Bushland
42	26/05/23	Urgent Action Needed: Protect Myall Road Bushland
43	28/05/23	Submission Opposing the Landcom Myall Road Development
44		Urgent Action Needed: Protect Myall Road Bushland and Tetratheca Juncea
45	30/05/23	Myall Road Development
46	25/05/23	Myall Road Bushland.
47	31/05/23	Myall Rd development
48	2/06/2023	Protect Myall Road Bushland
49	4/06/2023	Myall Road Development, Garden Suburb/Cardiff, NSW
50	4/06/2023	Protect Myall Road Bushland
51	4/06/2023	Submission of objection to Myall Road Development
52	4/06/2023	Confidential - Strongly Against Myall Road development
53& 69 (Repeated)	4/06/2023	Myall Road Development DA1284/2013 Submission
54	1/06/2023	Urgent Action Needed: Protect Myall Road Bushland and Tetratheca Juncea
55	2/06/2023	Myall Road Development
56	2/06/2023	Save Myall Road bush land
57	1/06/2023	Myall Road Development
58	2/06/2023	Objection to the Myall Road Development Proposal.
59	1/06/2023	Urgent Action Needed: Protect Myall Road Bushland and Tetratheca Juncea
60	3/06/2023	Urgent Action Needed: Protect Myall Road Bushland and Tetratheca Juncea
61	1/06/2023	My feedback on the myall road bush land
62	2/06/2023	Urgent Action Needed: Proposed Myall Road Development
63	2/06/2023	Submission re Landcom development on Myall Road proposed estate
64	3/06/2023	Myall Road Development
65	2/06/2023	Submission Opposing Myall Road Development
66	2/06/2023	Garden Suburb Myall Rd Bushland Urgent Action needed to Protect it.
67	2/06/2023	Urgent Action Needed: Protect Myall Road Bushland and Tetratheca Juncea

Submission number	Submission Date	Submission Name
68	4/06/2023	Myall Road Development
69 (Repeated submission 53)	4/06/2023	Myall Road Development DA1284/2013 Submission
70	1/06/2023	Myall Road Development
71	3/06/2023	Urgent Action Needed: Protect Myall Road Bushland and Tetratheca Juncea
72	1/06/2023	Myall Road development
73	1/06/2023	Confidential Submission - Save myall road bushland
74	4/06/2023	Destruction of Myall Road Bushland (DA/1284/2013)
75	1/06/2023	MYALL ROAD DEVELOPMENT
76	1/06/2023	Landcom Development – Myall Rd Development, Garden Suburb, Newcastle NSW (DA/1284/2013)
77	2/06/2023	Myall Rd Development
78	2/06/2023	Myall Road Development