

Our Ref: 24065 – Woodville Function Centre – Letter of Advice - 20240913
Via: email/ mail/ fax

Date: 13 September 2024

Attn: Catherine Coren
Albion Farm gardens
C/- Wilson Planning
PO Box 316
Waratah NSW 2298

Dear Catherine,

RE: BIODIVERSITY ASSESSMENT – ‘GRACEMERE’ FUNCTION CENTRE - 893 PATERSON RD, WOODVILLE

MJD Environmental has been engaged by Catherine Coren to provide a vegetation assessment to accompany a Planning Proposal for the ‘Gracemere’ Function Centre, at 893 Paterson Road, Woodville, hereafter referred to as the ‘site’ (Refer to **Attachment 1** – Site Location). Advice has been provided as per the Scoping Proposal requirements provided by Port Stephens Council.

Details of Proposal

The proposal relates to the expansion of the existing ‘wedding ceremony’ facility which currently operates under a ‘temporary’ (5 year) development consent. The lot is currently zoned as RU1: Primary Production whereby the operation of a ‘function centre’ is not permitted. The proposal seeks the amendment of Schedule 1 ‘Additional Permitted Uses’ pursuant to the Port Stephens Local Environmental Plan (LEP) to permit with development consent, the operation of a formal function centre to accommodate varied function types such as corporate training, workshops and wedding functions etc.

As per the Port Stephens Floodplain Risk Assessment Management Policy, west of the lot has been assessed as Flood Prone Land (FPL), the location of the Function Centre would be situated above FPL, as such, surveys were undertaken within the parcel of land located at a higher elevation.

Desktop Assessment

A desktop survey was carried out by (but not limited to):

- Current high resolution aerial imagery
- NSW historical imagery (1996)
- NSW Bionet Atlas
- NSW State Vegetation Type Mapping (SVTM)
- NSW Biodiversity Mapping tool (BVM)

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A review of the State Vegetation Type Map (SVTM) was undertaken on the 13th August 2024, identifying three Plant Community Types (PCT's) being:

- PCT 3083: *Lower Hunter Tuckeroo Riparian Rainforest*
- PCT 3975: *Southern Lower Floodplain Freshwater Wetland*
- PCT 4042: *Lower North Riverflat Eucalypt-Paperbark Forest*

PCT 3083 *Lower Hunter Tuckeroo Riparian Rainforest* is associated with state and federally listed Threatened Ecological Communities (TEC) being:

- BC Act, Vulnerable: *Lower Hunter Valley Dry Rainforest in the Sydney Basin and NSW North Coast Bioregions*
- BC Act, Endangered: *Lowland Rainforest in the NSW North Coast and Sydney Basin Bioregions*
- EPBC Act, Critically Endangered: *Lowland Rainforest of Subtropical Australia*

The Transitional Native Vegetation Regulatory Map viewer (NVRM) contains Vulnerable Regulated Land, Sensitive Regulated Land and Sensitive and Vulnerable Regulated land along the riparian vegetation of Paterson River. The remainder of the site is not mapped and as per the Land Management Framework may be categorized into two categories being Category 1 – Exempt land or Category 2 Regulated land.

As per the *Water Management Act 2000* (WM Act) and the NSW DPIE – Controlled Activities – Guidelines for riparian corridors on waterfront land (2022) potential impacts to waterfront land are to be assessed by the Natural Resources Regulator (NRAR). Waterfront land includes the bed and bank of any river, lake or estuary and all land within 40 metres of the highest bank of the river, lake or estuary.

As such, the function centre is proposed to occur further than 40 m from the Paterson River and the second order stream which runs north to southeast, east of the site and through the man-made dam at the front of the property. Therefore, the proposal will not impact any waterfront land, and no Vegetated Riparian Zone (VRZ) are required to be established in accordance with the provisions of the WM Act.

The Biodiversity Conservation Act

The Biodiversity Conservation Act and Regulation commenced on 25th November 2019, resulting in all developments and planning proposals being subject to the biodiversity assessment requirements of the *Biodiversity Conservation Act 2016* (BC Act).

The Biodiversity Conservation Act and Regulation outlines the framework for addressing impacts on biodiversity from development and land clearing. It establishes a framework to avoid, minimise and offset impacts on biodiversity through the Biodiversity Offsets Scheme (BOS).

The assessment of impacts on biodiversity values requires the review of potential triggers into the BOS. The triggers include clearing of native vegetation that exceeds the BOS threshold and/or if the site is mapped on the Biodiversity Values Map (BVM) or if a significant impact is determined to occur on a threatened entity.

As such, a review of the BVM demonstrated that the riparian vegetation along Paterson River, west of the site is mapped as containing high biodiversity values due to the vegetation potentially containing Core Koala Habitat within an approved Koala Plan of Management (Koala SEPP).

The site has a minimum lot size of 40 ha and therefore has an Area Clearing Threshold of 1 ha for BOS entry. **Any future proposal will enter the BOS if proposed native vegetation clearing exceeds 1 ha.**

Site Assessment

To determine whether the groundcover within the study is of Low Conservation Value (LCV) (Category 1 – exempt), an Ecologist from MJD Environmental attended the site on the 13th August 2024 and identified LCV using two methods –

- a) Interim Grasslands and other Groundcover Assessment Method (IGGAM) and;
- b) A 20 x 20 m floristic vegetation plot as per BAM 2020

(Refer to **Attachment 2 – Site Assessment**).

The proposed development footprint occurs over an area of pasture that is currently used for grazing cattle and has therefore been delineated to a vegetation zone equating to an area less than 2 ha. As per the survey effort for the GGAM, a single 100 m transect, and a single 20 x 20 m plot is required. Vegetation integrity was captured within the 20 x 20 m plot.

Species list (Refer to **Attachment 3 – Species List**)

Summary of Impact Assessment

The proposed footprint for the function centre contained a mix of native and exotic ground cover species, however, predominately exotic species were recorded. Canopy species within the lot are planted as either a wind break or as ornamental individuals. Furthermore, the pasture is poor condition as the paddock is actively grazed by cattle and therefore unlikely to support biodiversity.

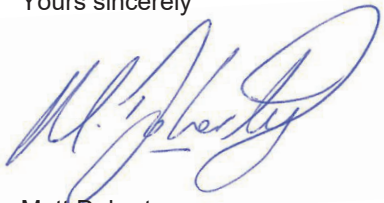
As stated above, the west of the lot has been assessed as Flood Prone Land (FPL) as per the Port Stephens Floodplain Risk Assessment Management Policy. The location of the Function Centre would be situated above FPL and as such, avoids areas containing BV mapping as well as any waterfront land.

In accordance with the requirements of the *Water Management Act 2000* and the NSW DPIE - Controlled Activities - Guidelines for riparian corridors on waterfront land (2022), no VRZ are required to be established in accordance with the provisions of the WM Act.

Due to the level of disturbance on the site and the historical land use practices it is not expected that threatened species listed under either the BC Act or the EPBC Act would be present on the site or impacted by the proposal.

We trust this is sufficient for your purposes, however, should you require any further information or clarification, please do not hesitate to contact the writer.

Yours sincerely



Matt Doherty
Director
MJD Environmental Pty Limited

Encl: **Attachment A** – Site Location
Attachment B – Site Assessment
Attachment C – Flora Species List

Attachment A – Site Location

ATTACHMENT 2: SITE ASSESSMENT

Legend

- Site Boundary
- Cadastral Boundary
- 1st Order Stream
- 2nd Order Stream
- 7th Order Stream



0 60 120 180 240
Metres
1:3000



Aerial: Nearmap (2024) | Data: MJD Environmental, NSW
Spatial Services (2024) | Datum/Projection: GDA2020 /
MGA zone 56 | Date: 2024-09-13 | Version: 1 | Z:\24065 -
Woodville Function Centre | This plan should not be relied
upon for critical design dimensions.



Attachment B – Site Survey

ATTACHMENT 2: SITE ASSESSMENT

Legend

-  Site Boundary
-  Cadastral Boundary
-  1st Order Stream
-  2nd Order Stream
-  Survey Transects



0 40 80 120 160

Metres
1:2000

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Aerial: Nearmap (2024) | Data: MJD Environmental, NSW
Spatial Services (2024) | Datum/Projection: GDA2020 /
MGA zone 56 | Date: 2024-08-29 | Version: 1 | 2424065 -
Woodville Function Centre | This plan should not be relied
upon for critical design dimensions.

Attachment C – Species List

Scientific Name	Common Name
<i>Briza Minor</i>	Shivery Grass
<i>Sporobolus creber</i>	Slender Rat's Tail Grass
<i>Cynodon dactylon</i>	Common Couch
<i>Trifolium repens</i>	White Clover
<i>Verbena bonariensis</i>	Purpletop
<i>Senecio madagascariensis</i>	Fireweed
<i>Eragrostis brownii</i>	Brown's Lovegrass
<i>Plantago lanceolata</i>	Lamb's Tongues
<i>Gamochaeta calviceps</i>	Cudweed
<i>Soliva sessilis</i>	Bindyi
<i>Erigeron bonariensis</i>	Fleabane
<i>Juncus cognatus</i>	Common rush
<i>Gomphrena celosioides</i>	Gomphrena Weed
<i>Sonchus oleraceus</i>	Common Sowthistle
<i>Portulaca oleracea</i>	Pigweed
<i>Lepidium africanum</i>	Common Peppergrass
<i>Vicia sativa</i>	Common vetch