Concept Plan Approval Modification - Bevian Road Rosedale

Application Number: **02921** Commencement Date: **19/05/2025** Status: **Locked**

1. About the project

1.1 Project details

1.1.1 Project title *

Concept Plan Approval Modification - Bevian Road Rosedale

1.1.2 Project industry type *

Residential Development

1.1.3 Project industry sub-type

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1.1.4 Estimated start date *

01/07/2025

1.1.4 Estimated end date *

30/06/2026

1.2 Proposed Action details

1.2.1 Provide an overview of the proposed action, including all proposed activities. *

Walker Rosedale Pty Limited ABN 82 392 970 699 (**Walker**) proposes to modify the 2008 Concept Plan Approval for a residential subdivision at Bevian Road, Rosedale, NSW (application number 05_0199 MOD2 - Rosedale residential subdivision), hereafter referred to as the Project.

The Project seeks to reduce impacts to native vegetation and biodiversity values from the original approval and increase the amount of managed land for conservation.

The Project will deliver a master-planned community comprising:

- 792 residential lots including the 51 Torrens title lots developed under Stage 1 - (DA305/18)
- Ancillary commercial facilities, public roads, public open areas and a residential rural lot
- A realigned development footprint to minimise ecological impacts, with 72 ha designated as Retained Managed Lands.

The Project is located at Bevian Road, Rosedale, approximately 16 km south of Batemans Bay and 18 km north of Moruya, NSW (the Subject Land).

Key Project Components

Permanent infrastructure:

- Construction of 741 residential lots, ancillary facilities and associated Asset Protection Zones (APZs) (see Attachment 1 Development Footprint and Layout)
- Internal road networks and access points
- Public open spaces, including managed parklands and pedestrian pathways
- Fencing to delineate and protect areas of ecological value (ie Retained Managed Lands).

Ancillary infrastructure:

- Carparking, landscaping and boundary fencing
- Underground sewerage, above-ground electrical reticulation and storm water management systems
- Installation of emergency services infrastructure (eg. fire hydrants).

Temporary construction infrastructure:

- Construction compound, laydown and parking areas, site offices
- Material and waste storage, temporary access tracks, fencing and gates.

Site Context

The Subject Land (184 ha) is a former dairy farm largely cleared of woody vegetation and sown with a mix of pasture grasses. Scattered paddock trees, planted fence lines, areas of regenerating and intact native vegetation also are present. The Subject Land has been divided into three precincts (see Attachment 2 Precincts):

- Development footprint - 105 ha consisting of residential lots, roads and infrastructure, APZs and community parklands (reduced from 128 ha)
- Deferred Area – 7 ha outside the development footprint, southern area north of Sewage Treatment Plant, and not to be developed under this application (increased from 6 ha).
- Retained Managed Lands – 72 ha of ecological value to be protected and enhanced (increased from 39 ha).

The Subject Land is adjacent to areas of ecological significance including:

- Bevian Wetland
- Mogo State Forest
- Illawong and Broulee Island Nature Reserves
- Murramarang National Park

Remnant woodland in the east contains habitat mapped as Important Habitat (Biodiversity Values Map, NSW 2025) for *Lathamus discolor* (Swift Parrot) and will be retained. Habitat values include hollow-bearing trees, riparian corridors, farm dams, and ephemeral drainage lines.

The Project layout has undergone multiple refinements since the 2008 Concept Plan Approval to reduce impacts on sensitive areas and Threatened Ecological Communities (TEC):

- Retained Managed Lands have increased by 34 ha (approx. 72 ha).
- Impacts to 12 ha of TECs consisting of *Coastal Swamp Oak (Casuarina glauca) Forest of NSW and SE Qld*, and *Coastal Swamp Sclerophyll Forest of SE Australia* are now being avoided and retained within the Subject Land.
- Avoidance of Mapped Important Habitat for Swift Parrot.
- Avoidance of riparian areas with buffers increased to approximately 100 m around Bevian Wetland, habitat for Threatened and migratory species, exceeding prior requirements.
- Maintenance and enhancement of connectivity to Mogo State Forest, providing potential habitat for species such as *Petauroides volans* (Greater Glider) and *P. australis* (Yellow Bellied Glider).
- Maintenance and enhancement of foraging areas for Glossy Black Cockatoos, Gang-gang Cockatoos and Grey-headed Flying-fox

1.2.2 Is the project action part of a staged development or related to other actions or proposals in the region?

Yes

1.2.3 Is the proposed action the first stage of a staged development (or a larger project)?

No

1.2.4 Related referral(s)

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1.2.5 Provide information about the staged development (or relevant larger project).

The Project action forms Stage 2 through to Stage 13 of the Rosedale residential development. The construction of Stage 1 was completed in August 2023 consisting of 51 residential lots, one residual lot, roadworks and associated infrastructure (Council DA reference 05-0199). Each stage will be approved separately and offset liability will accompany each stage of the development in accordance with Appendix G of the Biodiversity Development Assessment Report (see Attachment 3 ELA 2024 Concept Plan Approval Modification Rosedale BDAR; Appendix G Page 120).

The Proponent has divided the development footprint into 13 development stages has outlined in Attachment 4 . Each stage will be constructed in sequence.

- Stage 2 will consist of approximately 51 Torrens title residential lots, associated roads, landscaping, stormwater and utility infrastructure.
- Stage 3 will consist of approximately 52 Torrens title residential lots with opportunity for mixed use development, associated roads, landscaping, stormwater and utility infrastructure.
- Stage 4 will consist of approximately 47 Torrens title residential lots, associated roads, landscaping, stormwater and utility infrastructure.
- Stage 5 will consist of approximately 51 Torrens title residential lots, park, associated roads, stormwater and utility infrastructure.
- Stage 6 will consist of approximately 58 Torrens title residential lots, associated roads, landscaping, stormwater and utility infrastructure.
- Stage 7a will consist of approximately 34 Torrens title residential lots, associated roads, landscaping, stormwater and utility infrastructure.
- Stage 7b will consist of approximately 28 Torrens title residential lots, associated roads, landscaping, stormwater and utility infrastructure.
- Stage 8 will consist of approximately 68 Torrens title residential lots, park, associated roads, landscaping, stormwater and utility infrastructure.
- Stage 9 will consist of approximately 23 Torrens title residential lots, associated roads, landscaping, stormwater and utility infrastructure.
- Stage 10 will consist of approximately 86 Torrens title residential lots, parks, associated roads, landscaping, stormwater and utility infrastructure.
- Stage 11 will consist of approximately 108 Torrens title residential lots, parks, associated roads, landscaping, stormwater and utility infrastructure.
- Stage 12 will consist of approximately 33 Torrens title residential lots, parks, associated roads, landscaping, stormwater and utility infrastructure.
- Stage 13 will consist of approximately 19 Torrens title residential lots, parks, associated roads, landscaping, stormwater and utility infrastructure

1.2.6 What Commonwealth or state legislation, planning frameworks or policy documents are relevant to the proposed action, and how are they relevant? *

A State Significant Development (SSD) application is being prepared for submission under Part 4, Division 4.7 of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). The Project was previously approved under a 2008 Part 3A Concept Plan (MP 05_0199); however, following the repeal of Part 3A in 2011, a new SSD pathway is required for the proposed modification. Transitional provisions under Clause 34A of the *Biodiversity Conservation (Savings and Transitional) Regulation 2017* do not apply in this case and is instead subject to an assessment with regard to the expected impacts on biodiversity must be assessed in accordance the current NSW Biodiversity Assessment Method (BAM 2020) and in compliance with the *Biodiversity Conservation Act 2016* (BC Act).

A Scoping Report was submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI), and Secretary's Environmental Assessment Requirements (SEARs) were issued on 11 October, 2023. An Environmental Assessment (EA) has been prepared and submitted on 26 September 2024. Amendments were made to the project in April 2025, and resubmitted to DPHI, accompanied by an updated Biodiversity Development Assessment Report (BDAR) prepared under the NSW Biodiversity Assessment Method (BAM 2020) and in compliance with the *Biodiversity Conservation Act 2016* (BC Act) (see attached ELA 2024).

The Project is consistent with the long-term land use planning intent for urban development in the region, subject to appropriate environmental protection and biodiversity offsetting as per statutory and policy requirements. The site is designated "land release area" within the Eurobodalla Local Environmental Plan 2012.

Related Approvals:

NSW State Approvals

Legislation Instrument / Approval Type / Administration Authority / Status

Environmental Planning and Assessment Act 1979 *(NSW) / Modification of Concept Plan approval. (s75W) / NSW Department of Planning, Housing and Infrastructure (DPHI). / EA prepared and submitted, DA to be lodged*

Environmental Planning and Assessment Regulation 2021 (NSW) / Environmental Assessment (EA)./ DPHI / SEARs issued11 October 2023.

Biodiversity Conservation Act 2016 (NSW) / Biodiversity Assessment under BAM: Participation in the Biodiversity Offset Scheme / DPHI. / BDAR prepared. CPHR have no further objection to the April 2025 BDAR.

Commonwealth Approvals

Legislation Instrument / Approval Type / Administering Authority /Status

Environment Protection and Biodiversity Conservation Act 1999 / EPBC Referral – Potential impact to MNES / Australian Government Department of Climate Change, Energy, the Environment and Water (AG DCCEEW) / This referral

Bilateral Agreement under EPBC Act / Accredited EIS process under Part 4 EP&A Act / Commonwealth Government in co-ordination with NSW DPHI / Request permission to apply to this assessment

The BAM assessment has identified two Matters of National Environmental Significance (MNES) that may be impacted:

- Coastal Swamp Sclerophyll Forest of South-Eastern Australia (approx. 11.5 ha)
- Coastal Swamp Oak (*Casuarina glauca*) Forest of New South Wales and South East Queensland (approx. 1.5 ha)

State planning considerations under the NSW EP&A Act

The proposed requires approval as a modification request to an existing Concept Plan approval dating from 2008. Given the provisions of the relevant to that approval were repealed in 2011, the modification to the Concept Plan requires approval by the NSW Minister for Planning. with a hybrid system that adopts current assessment procedures utilised by contemporary SSD projects, outlined in the current versions of the *Environmental Planning & Assessment Act 1979*.

- On 18 August 2023, the proponents issued a scoping paper and request for SEARs to the DPHI.
- On 11 October 2023 the NSW Planning Secretary issued their "Environmental Assessment Requirements" (SEARS) which must be satisfied as part of the proponent's request to modify the 2008 Concept Plan. These included compliance with the *NSW Biodiversity Conservation Act 2017,* and compliance *with the Environmental Planning & Assessment (Savings Transitional and other Provisions) Regulation 2017.* An Environment Assessment addressing the SEARs (including a certified BDAR with a credit assessment) was prepared and lodged with the DPHI on 26 September 2024.

The EA and supporting specialist reports were reviewed by state agencies including NSW DCCEEW, and certain modifications were made by the proponent to update ecological survey results, further shrink the developable areas on-site, minimise and avoid impacts on vegetation, comply with Council hydrology standards and increase the buffer between the wetland and proposed works.

Additionally the Concept Plan was amended to increase the amount of endangered vegetation on site, increase avoidance of endangered vegetation, mapping open space management typologies, including the "retained managed land", supported by the proponent to secure funding to manage biodiversity values on retained land. A submissions report and amendment to the project was submitted on 30 April 2025.

During the initial submission (Sept 24) and during the amended submission (April 2025) assessments of the impact on NSW listed threatened species and ecological communities were undertaken in accordance with the NSW BAM (2020). The BAM requires survey and mapping of Plant Community Types (PCTs) in accordance with the NSW Vegetation Information Systems, vegetation integrity (condition) assessment, and targeted survey for predicted threatened flora and fauna species (species credits only). The BAM then requires the proponent to respond to biodiversity values present and avoid and minimise the likely impacts of the proposal. Specifically, the proponent must justify any unavoidable impacts, including impacts to prescribed matters (as identified in the BAM), as well as avoid any Serious and Irreversible Impacts. The BAM simplifies the summary of unavoidable impacts into a credit requirement (being ecosystem or species credits). NSW DCCEEW have reviewed the revised survey results and the April 2025 BDAR and by way of its letter dated 21/5/25, NSW DCCEEW does not object to the Concept Plan modification proceeding to approval subject to conditions

Commonwealth planning considerations under the EPBC Act

A referral to the Commonwealth Government is required for proposed actions that have the potential to significantly and adversely impact on MNES or on Commonwealth land. Targeted flora and fauna surveys have been conducted in accordance with the NSW BAM.

1.2.7 Describe any public consultation that has been, is being or will be undertaken regarding the project area, including with Indigenous stakeholders. Attach any completed consultation documentations, if relevant. *

Walker has been engaged in extensive consultation with stakeholders and members of the local community since the 2008 Concept Approval to address concerns in a timely and professional manner, and where possible to incorporate consultation input into the Project to improve project outcomes and community benefits. This process is ongoing.

Walker have consulted with the following stakeholders :

- Multiple meetings with Eurobodalla Shire Council to introduce the Project and discuss proposed schedules including traffic access and road upgrades.
- Multiple meetings with the local community group, Rosedale Community Association to discuss the proposal, understand their concerns and implement amenities requested.

Consultation methods

Walker have used a variety of methods and techniques for its consultation:

- Project briefings and presentations to NSW Rural Fire Service, Councilors, the NSW DCCEEW Conservation Programs, Heritage and Regulation Group (CPHR)
- Dedicated website for Future Rosedale.

Initial issues and interests are outlined below:

- Changes in the visual landscape affecting how people experience their surroundings
- Likelihood of project to cause intangible harm through physical loss and tangible harm to items of biodiversity and cultural significance
- Potential impacts to water quality to Saltwater Creek and Bevian Wetland
- Bushfire and asset protection zones
- Public transport and access.

1.3.1 Identity: Referring party

Privacy Notice:

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

By completing and submitting this form, you consent to the collection of all personal information contained in this form. If you are providing the personal information of other individuals in this form, please ensure you have their consent before doing so.

The Department of Climate Change, Energy, the Environment and Water (the department) collects your personal information (as defined by the Privacy Act 1988) through this platform for the purposes of enabling the department to consider your submission and contact you in relation to your submission. If you fail to provide some or all of the personal information requested on this platform (name and email address), the department will be unable to contact you to seek further information (if required) and subsequently may impact the consideration given to your submission.

Personal information may be disclosed to other Australian government agencies, persons or organisations where necessary for the above purposes, provided the disclosure is consistent with relevant laws, in particular the Privacy Act 1988 (Privacy Act). Your personal information will be used and stored in accordance with the Australian Privacy Principles.

See our Privacy Policy to learn more about accessing or correcting personal information or making a complaint.

Alternatively, email us at privacy@awe.gov.au.

☑ **Confirm that you have read and understand this Privacy Notice ***

1.3.1.1 Is Referring party an organisation or business? *

Yes

Referring party organisation details

ABN/ACN	87096512088
Organisation name	ECO LOGICAL AUSTRALIA PTY LTD
Organisation address	1/79 Market St Mudgee 2850 NSW

Referring party details

Name	Cheryl ODwyer
Job title	Principal Ecologist
Phone	+61410552708
Email	cheryl.odwyer@ecoaus.com.au
Address	1/79 Market St Mudgee

1.3.2 Identity: Person proposing to take the action

1.3.2.1 Are the Person proposing to take the action details the same as the Referring party details? *

No

1.3.2.2 Is Person proposing to take the action an organisation or business? *

Yes

Person proposing to take the action organisation details

ABN/ACN	656877726
Organisation name	WALKER ROSEDALE PTY LIMITED
Organisation address	Level 21, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000

Person proposing to take the action details

Name	Zoe Kavanagh
Job title	Development Manager
Phone	0478 540 846
Email	zoe.kavanagh@walkercorp.com.au
Address	Level 21, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000

1.3.2.14 Are you proposing the action as part of a Joint Venture? *

No

1.3.2.15 Are you proposing the action as part of a Trust? *

Yes

1.3.2.16 Describe the nature of the trust arrangement in relation to the proposed action. *

Walker Rosedale Pty Limited ACN 656 877 726 is trustee of the Walker Rosedale Unit Trust ABN 82 392 970 699. Walker Rosedale Pty Limited ACN 656 877 726 is the applicant in its capacity as trustee.

The Trust Deed (see Attachment 5 Walker Rosedale Unit Trust Deed) and Deed of Amendment (Attachment 6_Walker Rosedale Unit Trust Deed of Amendment) are strictly confidential and must not be disclosed to any third party

1.3.2.17 Describe the Person proposing the action's history of responsible environmental management including details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against the Person proposing to take the action. *

Walker Rosedale Pty Limited (being the Person proposing the action) understands and recognises it has a duty of care to the environment, and the importance of compliance with applicable environmental policies.

Site-specific management plans to mitigate the potential adverse impacts on environmental matters will be developed for the project as required under existing approvals.

Walker Rosedale Pty Limited and its executive officers do not have any past or ongoing proceedings or previous referred actions to disclose.

1.3.2.18 If the person proposing to take the action is a corporation, provide details of the corporation's environmental policy and planning framework

Environmental Policy (see Attachment 7_Walker 2025 Corporate Environmental policy) : This policy applies to all Walker entities, employees, contractors and consultants. It covers our operations in all countries where we operate.

At Walker, we aim for environmental sustainability through actively minimising the overall environmental impact of our development operations. Conserving and enhancing the environment in which our projects are developed are long-term goals of our organisation. We work closely with councils, governments and suppliers to deliver on our aim of environmental best practice. We also endeavour to exhibit leadership through the continual monitoring and improvement of our environmental performance.

- We make the following commitments:
- We will comply with legislative and regulatory requirements;
- We will protect the environment, including prevention of pollution and implementation of sustainable processes in all of our operations and development projects;
- We will conserve biodiversity and land quality through the ongoing assessment and management of our impacts and create opportunities to restore degraded environments and ecosystems, ensuring there is an overall net benefit to the ecological character of the areas in which we work;
- We will recognise the important contribution of Indigenous People and not-for-profit organisations in protecting and managing the environment and seek to foster respectful relationships and create meaningful opportunities for involvement in our projects for Traditional Owners and community organisations;
- We will seek to avoid, minimise or mitigate significant environmental impacts in establishing and implementing our environmental management plans;
- We will actively promote and develop measures and initiatives to improve the environmental performance of our projects and their impacts on the environment;
- We will continue to improve indoor air quality in the buildings we produce and/or operate;
- We aim to eliminate the release of harmful or toxic emissions into the atmosphere and reduce greenhouse gases from our activities and operations; and
- We will continue to reduce water consumption, by improving the efficiency of water use in our activities and developments, including through recycling.

1.3.3 Identity: Proposed designated proponent

1.3.3.1 Are the Proposed designated proponent details the same as the Person proposing to take the action? *

Yes

Proposed designated proponent organisation details

ABN/ACN	656877726
Organisation name	WALKER ROSEDALE PTY LIMITED
Organisation address	Level 21, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000

Proposed designated proponent details

Name	Zoe Kavanagh
Job title	Development Manager
Phone	0478 540 846
Email	zoe.kavanagh@walkercorp.com.au
Address	Level 21, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000

1.3.4 Identity: Summary of allocation

Confirmed Referring party's identity

The Referring party is the person preparing the information in this referral.

ABN/ACN	87096512088
Organisation name	ECO LOGICAL AUSTRALIA PTY LTD
Organisation address	1/79 Market St Mudgee 2850 NSW
Representative's name	Cheryl ODwyer
Representative's job title	Principal Ecologist
Phone	+61410552708
Email	cheryl.odwyer@ecoaus.com.au
Address	1/79 Market St Mudgee

Confirmed Person proposing to take the action's identity

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

ABN/ACN	656877726
Organisation name	WALKER ROSEDALE PTY LIMITED
Organisation address	Level 21, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000
Representative's name	Zoe Kavanagh
Representative's job title	Development Manager
Phone	0478 540 846
Email	zoe.kavanagh@walkercorp.com.au
Address	Level 21, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000

Confirmed Proposed designated proponent's identity

The Person proposing to take the action is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

1.4 Payment details: Payment exemption and fee waiver

1.4.1 Do you qualify for an exemption from fees under EPBC Regulation 5.23 (1) (a)? *

No

1.4.3 Have you applied for or been granted a waiver for full or partial fees under Regulation 5.21A? *

No

1.4.5 Are you going to apply for a waiver of full or partial fees under EPBC Regulation 5.21A?

No

1.4.7 Has the department issued you with a credit note? *

No

1.4.9 Would you like to add a purchase order number to your invoice? *

No

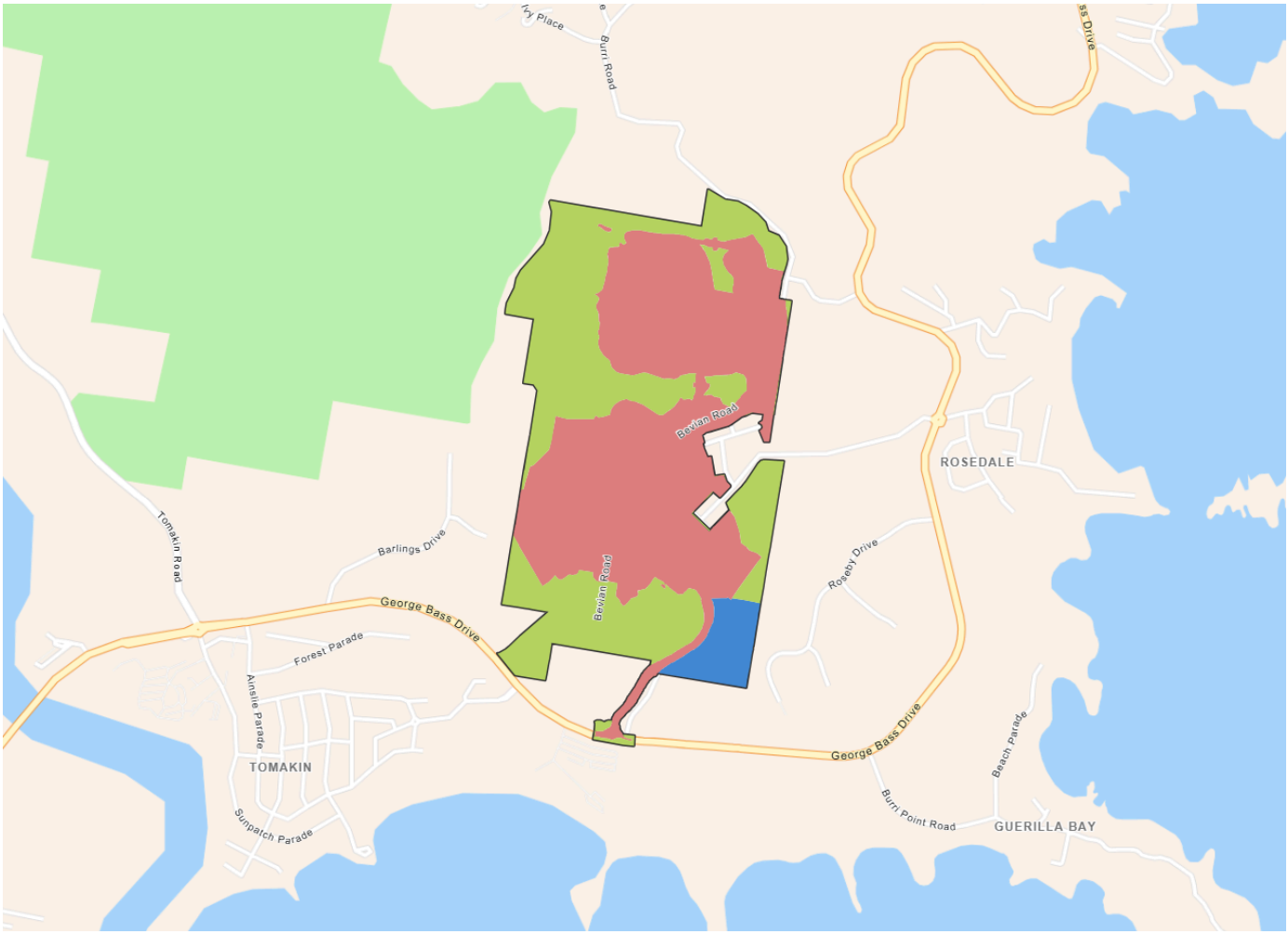
1.4 Payment details: Payment allocation

1.4.11 Who would you like to allocate as the entity responsible for payment? *

Person proposing to take the action

2. Location

2.1 Project footprint



Project Area: 183.69 Ha **Disturbance Footprint:** 102.57 Ha **Avoidance Area:** 7.91 Ha **Retention Area:** 73.21 Ha

2.2 Footprint details

2.2.1 What is the address of the proposed action? *

73 Bevian Road, Rosedale NSW 2536

2.2.2 Where is the primary jurisdiction of the proposed action? *

New South Wales

2.2.3 Is there a secondary jurisdiction for this proposed action? *

No

2.2.5 What is the tenure of the action area relevant to the project area? *

The Subject Land is zoned RU1: Primary Production, RU2: Low Density Residential, C2: Environmental Conservation and C4: Environmental Living, under the Eurobodalla Local Environment Plan (LEP) 2012. The proposed Development Footprint is located within land zoned RU2 and the proposed development is permitted with consent. There are no crown land parcels identified within the Subject Land.

3. Existing environment

3.1 Physical description

3.1.1 Describe the current condition of the project area’s environment.

The Project is located at Bevian Road, Rosedale, approximately 16 km south of Bateman Bay and 18 km north of Moruya, NSW, within the Eurobodalla Shire Council Local Government Area (LGA). The Subject Land comprises approximately 184 ha and historically functioned as a dairy farm, now containing cleared pasture, scattered trees, and areas of regrowth and remnant vegetation. Paddock slashing is currently used for bushfire risk reduction.

The area has been earmarked for urban expansion of the existing coastal settlements since 1987 when the (now repealed) Eurobodalla Rural LEP was gazetted. Its suitability for residential development was confirmed in the Report of the Expert Panel on Sensitive Urban Lands (2006) and the South Coast Strategy (2007). The proposed development consists of a residential subdivision of 10 rural properties into a total of 792 Torrens title lots (inclusive of the 51 recently completed and registered residential lots in Stage 1 – ref DP1293369) located at Bevian Road Rosedale NSW.

The Subject Land includes a mix of planning zones under the current Eurobodalla LEP (2012), including RU1: Primary Production, RU2: Low Density Residential, C2: Environmental Conservation and C4: Environmental Living. Permissible lot sizes range from 450 m² in residential zones to 8000 m² in C4 Environmental Living areas. The proposed subdivision layout adheres to these zoning constraints and aligns with strategic planning objectives for coastal settlement expansion.

The Eurobodalla LGA covers approximately 340,000 ha of which 50% consists of National Parks, Public Reserves, rivers and estuaries. State Forest comprises a further 30% with the final 20% made up of freehold land. The remnant vegetation within the Shire is widely recognised for its importance for biodiversity, water quality and catchment health. Illawong and Broulee Island Nature Reserves are located approximately 5 km south of the Subject Land, Murramarang National Park is located approximately 15 km to the north and Mogo State Forest adjoins the Subject Land in the northwest covering and area of approximately 15,500 ha.

Along the northern, western and eastern fringes of the Subject Land are areas of remnant forest. Lands adjoining the site are heavily vegetated providing connectivity to Mogo State Forest, and the Bevian Wetland located in the south-western corner of the property. Vegetation within the Subject Land provides linkages to the forests to the southeast, south of Rosedale through Guerilla Bay, Burrewarra Point and around to Barlings Beach. There has been significant residential development and clearing of native vegetation adjacent to the Subject Land including the development of neighbouring “Saltwood” Estate which has severely restricted connectivity between the forests to the southeast and forests to the north of Rosedale.

The Subject Land has been divided into three Key precincts (see Attachment 2 Precincts):

- Development land (consisting of residential lots, roads, APZs and parklands) – maximum of 105 ha.
- Deferred Area – southern section of the Subject Land, adjacent to the Sewage Treatment Plant where no development is currently proposed – approximately 7 ha.
- Retained Managed Lands – Includes remnant vegetation, riparian areas, and ecological linkages which will be retained within the Subject Land – approximately 72 ha.

Habitat values within the Subject Land include scattered paddock trees within the cleared areas, remnant forest along gullies, drainage lines and riparian areas, planted trees and shrubs along fencelines, dams and ephemeral creeks, regrowth swamp forest and Bevian Wetland in the south.

Onsite historical features include a former cheese factory (destroyed in the 2019 – 2020 bushfires) and old water tanks. Eurobodalla Shire Council Sewage Treatment Plant is located between the southern boundary of the Subject Land and George Bass Drive. Land to the south on the opposite side of George Bass Drive includes Barlings Beach Holiday Park consisting of cabins and caravan sites.

Bevian Wetland occurs to the south of the Subject Land and is a Coastal Wetland identified under NSW State Environment Planning Policy (SEPP; Resilience and Hazards) 2021 and is of high regional significance due to the diversity of habitat for flora and fauna. No development is proposed in this part of the Subject Land. A minimum 80 m buffer, extending to 100 m in most locations, has been applied around Bevian Wetland to provide adequate protection from potential stormwater runoff, sedimentation and eutrophication. See Attachment 8_Project Footprint.

Remnant woodland in the east section of within the Subject Land is mapped on the NSW Important Habitat Map (DPE 2024) for threatened Swift Parrot, however this area has been avoided and will be retained within the Retained Managed Lands (see Attachment 9_Biodiveristy Values Map). Habitat features include vegetation, hollow bearing trees, semi-permanent and permanent wetlands, farm dams and ephemeral drainage lines. A 40 m buffer zone of riparian areas is within the Retained Managed Lands .

References:

- Department of Planning and Environment (2023). Important Area Maps.
- NSW Planning Portal Spatial Viewer (2025).
- Local Environment Plan Eurobodalla Shire Council (2012).

3.1.2 Describe any existing or proposed uses for the project area.

The Subject Land has historically been used for grazing and previously contained a cheese factory, which was destroyed during the 2019 - 2020 bushfires. No infrastructure associated with the factory remains. Currently, the land is not actively grazed, and paddock slashing is undertaken as part of bushfire risk mitigation. In the absence of active farming, areas of pasture are transitioning to derived native grasslands, with signs of natural regeneration occurring across parts of the site.

Access to the Subject Land is currently available via George Bass Drive and through the adjacent ‘Saltwood Estate’. Upgrades to Bevian Road are underway and will facilitate ongoing access to the northern section of the site. Access to the southern section will be provided via a new road connection from George Bass Drive, adjacent to the Eurobodalla Sewage Treatment Plant. Two route options are under consideration, both located within the Development Footprint; however, only one will be constructed.

Ecological assessments have informed the design layout to avoid patches of remnant woodland and higher-quality vegetation, which have been incorporated into the Retained Managed Lands. These areas will be protected, and no development is proposed within them.

The proposed future land use includes residential development and public parks, with associated infrastructure such as roads, pedestrian pathways, boundary fencing, and utility services.

3.1.3 Describe any outstanding natural features and/or any other important or unique values that applies to the project area.

There are no outstanding natural features or unique environmental values within the Subject Land. However, several areas of high biodiversity value occur adjacent to or near the site, including the following:

Bevian Wetland

Bevian Wetland is a freshwater wetland identified under the State Environmental Planning Policy (Resilience and Hazards) 2021. The SEPP guidelines require that development avoids or minimises impacts on water quality and quantity, native flora and fauna, and that appropriate safeguards and rehabilitation measures are applied. The wetland is located in the south-western corner of the Subject Land, outside the Development Footprint. No development is proposed within or immediately adjacent to the wetland. A minimum 80 m buffer has been applied, extending up to 100 m in some locations, to protect the wetland from stormwater runoff, sedimentation, and eutrophication.

Other natural areas:

- Illawong Nature Reserve (~2.5 km southwest)
- Tomaga River (~2km southwest)
- Deua National Park (~25km west)
- Murramarang National Park (~30km north).

Hydrological Features

The Subject Land contains a network of drainage lines, with the northern half falling within the Saltwater Creek catchment, which drains eastward to Rosedale Beach approximately 1.5 km downstream. Several unnamed tributaries, generally classified as 1st to 4th Strahler stream orders, traverse the site. Development within proximity to 3rd and 4th order streams is restricted by a 40 m buffer on either side to maintain riparian integrity.

Several farm dams are located along these drainage lines, particularly in the northern and southern portions of the site. One tributary of Saltwater Creek flows southward into a farm dam before turning east into two additional constructed dams. A separate dam is also located in the southern part of the site.

Targeted surveys for Matters of National Environmental Significance (MNES), threatened species, that may utilise these dams. No listed threatened species were recorded.

3.1.4 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area.

The Subject Land is situated on gently undulating to steep land. The northwest section is the steepest ranging between 15 -25% with an elevation of 120 m above sea level (asl). Bevian Wetland is adjacent to the lowest section of the Project area at 2 m elevation.

3.2 Flora and fauna

3.2.1 Describe the flora and fauna within the affected area and attach any investigations of surveys if applicable.

A BDAR was prepared in accordance with the NSW Biodiversity Assessment Method to assess the biodiversity values of the Subject Land to evaluate potential impacts resulting from the Project. The assessment has included comprehensive vegetation and habitat mapping within the Subject Land, which when combined with the results of desktop database searches and records has provided a list of threatened ecological communities, species, and or their habitat potentially occurring within the Subject Land (see Attachment 3 ELA 2024 Concept Plat Approval Modification Rosedale BDAR Section 3 page 19).

The majority of the Subject Land has historically been cleared of woody vegetation and managed for agricultural grazing resulting in exotic dominated grasslands and derived native grassland interspersed with scattered paddock trees and patches of remnant forest / woodland (see Attachment 10_Rosedale Images). Key areas of remnant vegetation occur along the eastern boundary, northwestern and northeastern corners of the Subject Land, and the southern boundary in association with Bevian Wetland. Eucalypt Forests are present with patches of rainforest in the northwest with EPBC listed *Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland,* and *Coastal Swamp Sclerophyll Forests of South-eastern Australia* located in the south.

A powerline easement traverses the Subject Land from the south (George Bass Drive to Burri Road in the north). The southern section of the easement is cleared of native vegetation and used regularly as an access track. This area has been excluded from assessment. Powerline easements that support native groundcover and infrequently used have been included in the assessment.

Previous flora and fauna surveys were conducted by Conacher Travers in 2007 for the Concept Application. Vegetation surveys were conducted by Eco Logical Australia (ELA) across the Subject Land during October and November 2022, January, March and April 2023, with a review and additional vegetation plots completed in February 2024 and January 2025 (see Att 18_Appendix C_Rosedale VI Plot data BAMC).

One of the PCTs mapped is associated with both NSW and EPBC listed TECs – PCT 4056. Assessment under the relevant NSW and Commonwealth listing criteria were undertaken to confirm that:

- **11.5 ha** of PCT 4056 conforms to the EPBC Act Endangered Ecological Community (EEC) *Coastal swamp sclerophyll forests of south-eastern Australia* (PCT 4056_Moderate)
- **1.5 ha** of PCT 4056 conforms to the EPBC Act listed EEC *Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland* (PCT 4056_good).

See Attachment 11_TECs which shows the location of *Coastal swamp sclerophyll forests of south-eastern Australia and Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland* within the Subject Land.

Threatened species

Targeted biodiversity studies were undertaken within the Subject Land for those species identified as potential, likely or known to occur in the Subject Land. The following EPBC Act listed species were returned from the Protected Matters Search undertaken for the Subject Land as potentially occurring:

Flora:

- *Correa baeuerlenii* (Chef's Cap Correa)
- *Cryptostylis hunteriana* (Leafless Tongue Orchid)
- *Genoplesium vernale* (East Lynne Midge Orchid)
- *Haloragis exalata* subsp. *Exalata* (Square Raspwort)
- *Persicaria elatior* (Tall Knotweed)
- *Rhodamnia rubescens* (Scrub Turpentine)

Diurnal birds:

- *Anthochaera phrygia* (Regent Honeyeater)
- *Callocephalon fimbriatum* (Gang-gang Cockatoo)

- *Calyptorhynchus lathami lathami* (South-eastern Glossy Black-Cockatoo)
- *Gallinago hardwickii* (Latham's Snipe)
- *Lathamus discolor* (Swift Parrot)
- *Lophoictinia isura* (Square-tailed Kite)
- *Neophema chrysogaster* (Orange-bellied Parrot

Mammals:

- *Cercartetus nanus* (Eastern Pygmy Possum)
- *Isoodon obesulus obesulus* (Southern Brown Bandicoot)
- *Petauroides volans* (Southern Greater Glider)
- *Petaurus australis* (Yellow-bellied Glider)
- *Phascolarctos cinereus* (Koala)
- *Chalinolobus dwyeri* (Large-eared Pied Bat)
- *Pteropus poliocephalus* (Grey-headed Flying-fox)

Amphibians:

- *Heleioporus australiacus* (Giant Burrowing Frog)
- *Litoria aurea* (Green and Golden Bell Frog)
- *Mixophyes balbus* (Stuttering Frog)

The biodiversity assessment identified an additional range of NSW BC Act listed species requiring assessment, which have been subject to extensive survey in accordance with the BAM.

Threatened flora surveys were undertaken in accordance with Department of Planning, Industry and Environment's *Surveying threatened plants and their habitats. NSW survey guide for the Biodiversity Assessment Method* using both grid based survey method and parallel transects during appropriate seasons for each species during 2022, 2023 and 2025 (see ELA 2024 Section 4.4 Pg 46).

No threatened flora species were identified within the Subject Land.

Targeted surveys for fauna were undertaken within the Subject Land in accordance with the survey timing required for individual species as determined by the NSW Threatened Biodiversity Data Collection in accordance with the BAM as the associated guidelines:

- *Surveying species credit threatened bats and their habitats – NSW survey guide for the Biodiversity Assessment Method.*
- *NSW Survey Guide for Threatened Frogs. A guide for the survey of threatened frogs and their habitats for the Biodiversity Assessment Method*
- *Koala (Phascolarctos cinereus) Biodiversity Assessment Method Survey Guide*
- *Threatened biodiversity survey and assessment. Guidelines for developments and activities (2004 working draft). NSW*

No EPBC Act listed species was recorded within the Subject Land, however habitat is present and the following species have the potential to occur:

- *Persicaria elatior* (Tall Knotweed)
- *Lathamus discolor* (Swift Parrot)
- *Petauroides volans* (Southern Greater Glider)
- *Petaurus australis* (Yellow-bellied Glider)
- *Phascolarctos cinereus* (Koala)
- *Hirundapus caudacutus* (White-throated Needletail)
- *Callocephalon fimbriatum* (Gang-gang Cockatoo)
- *Gallinago hardwickii* (Latham's Snipe)
- *Calyptorhynchus lathami lathami* (South-eastern Glossy Black-Cockatoo)

- *Chalinolobus dwyeri* (Large-eared Pied Bat)
- *Pteropus poliocephalus* (Grey-headed Flying-fox)

3.2.2 Describe the vegetation (including the status of native vegetation and soil) within the project area.

Geology

The Subject Land lies within the coastal hinterland northeast of Tomakin, with its northwestern boundary forming the watershed ridgeline separating the Tomago River catchment (to the west) from the Saltwater Creek catchment (to the east). The terrain varies from gently undulating to steep.

The upper slopes are underlain by the Wagonga and Bogola formations of the Ordovician Period, comprising cherts, conglomerates, agglomerates, slate, sandstone, and phyllite. These geological units are exposed intermittently along creek beds, with gravels and cobbles derived from these formations commonly observed in the soil profile.

Quaternary sediments occur as narrow, linear deposits in valley floors along tributary drainage lines. These sediments resemble alluvial and colluvial deposits, forming terrace and fan-shaped features across the landscape.

Greater Soil Groups

Clyde Valley Foothills are hills and ridges on the coastal ramp of the Clyde valley on folded Ordovician sandstone, siltstone, slate and chert. Elevations range from 50 to 230 m with local relief about 100 m. Thin stony red and red-yellow texture-contrast soils with sandy A horizons.

The southern section of the Subject Land is characterised by alluvial soils derived from quaternary sediments. The soils consist of gravel, sands and silts and are moderately deep and clayey with no rocky outcrops. The upper slopes are colluvial derived from Wagonga and Bogolo formations from the Ordovician Period consisting of slate, cherts, quartz and conglomerates.

Australian soils classification

The majority of the Subject Land is mapped as Kurosols under the Australian soil classifications mapping with an area of the southern portion mapped as Natric Kurosols. Kurosols are characterised by having a strong texture contrast with many having subsoil chemical features such as high magnesium, aluminium or sodium. The upper part of the subsoil is strongly acidic (pH <5.5). Natric great groups within the Kurosol classification denote soil types with a exchangeable sodium percentage of the fine earth material within the soil as being 6 or greater.

Acid sulfate soils

The Subject Land contains areas mapped as Acid Sulfate Soils on the Eurobodalla Shire Council (ESC), Local Environmental Plan (LEP, 2012). The area in the south east corner of the Subject Land associated with Bevian Wetland is identified as Category 2. Under clause 6.3 (3) of the ESC LEP, development consent must not be granted unless an acid sulfate soils management plan has been prepared.

Soil surveys undertaken in 2002 and again in 2007 did not find any Acid Sulfate Soils within the Subject Land. However, reference to Mogo 1:25 000 Acid Sulfate Soil Risk Map indicates that the Bevian Wetland is assessed as having a low probability of acid sulfate materials near the surface. JCL Development solutions undertook additional soil testing in May 2007 to determine the risk of sulfate oxidation due to excavation works. Core hole testing (six test pits) confirmed that no evidence of potential sulfate oxidation exists within the test sites.

Vegetation

The majority of the Subject Land has been historically cleared and maintained for dairy farming (grazing). In the absence of active grazing some areas for remnant patches of woodland have begun to regenerate, particularly along the creek lines and eastern fringes of the Subject Land. The formerly cleared paddock areas are managed by slashing for bushfire risk reduction, however, revert to derived native grassland with the absence of grazing. Scattered trees are present within the cleared areas and remnant and regrowth forest is present patchily along the riparian areas, gullies and creek lines that intersect the Subject Land.

Along the northern, western and eastern fringes of the Subject Land are areas of remnant forest. Lands adjoining the site are heavily vegetated providing connectivity to Mogo State Forest located northwest of the Subject Land, and the Bevian Wetland located in the south-western corner of the property. Vegetation within the Subject Land provides linkages to the forests to the southeast, south of Rosedale through Guerilla Bay, Burrewarra Point and around toward Barlings Beach.

Four PCTs per the NSW vegetation classification system were identified within the Subject Land. One PCT was associated with the two TECs, based on the condition of the vegetation

- ***PCT 4056 – Southern Estuarine Swamp Paperbark Creekflat Scrub (MNES - Coastal swamp sclerophyll forests of South Eastern Australia*** **and** ***Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland) -*** **Area within the Development Footprint 13 ha**

TEC - ***Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland) -*** 1.5 ha. This vegetation zone is immediately surrounding the Bevian Wetland and consists of *Casuarina glauca* with scattered *Eucalyptus tereticornis*. Total canopy cover often exceeding 45% cover. *Melaleuca ericifolia* is the dominant shrub. This TEC aligned with PCT 4056_Good.

TEC - ***Coastal swamp sclerophyll forests of South Eastern Australia -*** 11.5 ha This vegetation zone extends out from the swamp in low-lying poorly drained areas and is characterised by a very sparse canopy, which when present, comprises remnant *Eucalyptus tereticornis*. The ground layer (predominately regenerating shrubs of *Melaleuca ericifolia*) is extremely dense approaching 70% cover. This TEC aligned with PCT 4056_Moderate.

Assessments were undertaken in accordance with the Final Determinations for the MNES and justifications are provided below.

Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland – 1.5 ha

PCT 4056 is associated with the EPBC Act listed *Coastal Swamp Oak (Casuarina glauca) Forests of NSW and SE Qld*. This community is listed as an EEC. Under this listing advice the listed community occurs in coastal catchments, mostly at elevations of less than 20 m asl that are typically found within 30 km of the coast. The Determination lists the community as a tall closed forest to woodland to dense shrubland or scrub forest dominated by *Casuarina glauca*. In order to be considered a MNES, areas of the ecological community must meet both:

- The key diagnostic characteristics, AND
- The minimum condition threshold.

Location and landscape positioning, geology and soils are met for the area mapped PCT 4056. However, the Determination describes the community must be an open woodland, woodland forest or closed forest structure with a tree canopy that has a total crown cover of at least 10%. Only the area mapped as PCT 4056_Good condition (1.5 ha) meets the key diagnostic characteristics and minimum condition thresholds for listing under the EPBC Act.

In contrast, PCT 4056_moderate lacks canopy cover due to historic clearing and grazing associated with the Subject Land. There is natural regeneration occurring dominated by *Melaleuca ericifolia* and *Eucalyptus* species but little indication of regeneration of *C. glauca* such that it would be a dominant element of the regenerating community under current management. However, if the area is left to regenerate it is possible that overtime *C. glauca* would be present becoming co-dominant with *Melaleuca ericifolia*. In addition, the minimum condition threshold considers patch size and vegetation quality.

In its current state, PCT 4056_moderate is considered a large patch (>5ha) but lacks canopy cover, is not dominated by *C. glauca*, and nor is it showing signs of being dominated by *C. glauca* due to lack of this species regenerating under current management. The understory is mostly native meeting the condition threshold however the Determination also states that areas where *C. glauca* is not abundant and *Melaleuca* spp. dominate these areas do not meet the key diagnostics and not included as a part of the Coastal Swamp Oak Forest, instead conforming to the NSW-listed endangered ecological community. Therefore, PCT 4056_moderate does not conform to the EPBC Act listed community.

Coastal swamp sclerophyll forests of south-eastern Australia – 11.5 ha

The EPBC Act listed Coastal Swamp Sclerophyll Forests of South-eastern Australia (EEC) are communities associated with freshwater to brackish wetlands on low-lying coastal areas. In typically intact forests the canopy is often layered consisting of melaleucas and eucalypts found on a wide range of soils that are waterlogged or intermittently to episodic inundated. The Final Determination states that the ecological community is not present if the canopy and/or ground layer is dominated by species that are more typically associated with estuarine/saltmarsh areas, eg, Coastal Swamp Oak (*Casuarina glauca*). This criterion rules out PCT 4056_good as being part of the listed community. However, in its current state and potential for eucalypt regeneration, PCT 4056_moderate may conform to the listed community. Whilst it is difficult to determine due to the level of disturbance history within the Subject Land, it is potential that PCT 4056 is a mosaic of TECs so erring on the side of caution PCT 4056_moderate has been considered to be part of the EPBC Act listed TEC.

3.3 Heritage

3.3.1 Describe any Commonwealth Heritage Places Overseas or other places recognised as having heritage values that apply to the project area.

Navin Officer Heritage Consultants Pty Ltd (NOHC) were commissioned by Walker Rosedale Pty Ltd to prepare an updated archaeological assessment for the historic heritage of the proposed Rosedale Bevian Road development project (see Attachment 12_Navin Officer 2025 Heritage Impact Statement). A Cultural Heritage Assessment (CHA), for the project was completed by NOHC in 2007 as part of the application for concept approval. This report included both Aboriginal and historic heritage. The current report aims to update the prior assessment of the historic heritage of the study area and serves as an addendum to the 2007 report.

Ten historic heritage features were recorded within the study area as part of the 2007 CHA report (NOHC). These items included prospectors' pits (HS1-3), agricultural drainage ditches (HS4), a former cheese factory building (HS5), an undefined site associated with old fence posts (HS6), old farm machinery (HS7), two 1870s selectors hut sites (HS8-9), and an 1870s selectors house site, see Figure 1-1. Seven historic recordings were made as a result of the archaeological survey within the study area (HS1-7). Three sites (HS8-10) were identified based on documentary sources. During field inspection no clear surface evidence or artefactual material relating to the latter three sites was found at the three locations identified from documentary sources. Within the 2007 report, sites HS6, HS7, HS8, and HS9 were assessed as falling below the threshold for heritage significance. Sites HS1, HS2, HS3, HS4 and HS10 were considered to have limited heritage significance. The former Rosedale cheese factory building, and precinct (HS5) was considered to have high local heritage significance. None of the previously recorded sites are listed on the Eurobodalla Local Environmental Plan 2012 (current version - 7 June 2024).

The most recent NOHC survey undertaken of the study area in January 2024 generated the following results:

- All previously recorded historic site locations were revisited and re-inspected, one additional location was recorded (HS11).
- Sites HS1, HS2, HS6, HS7, HS8, HS9, and HS10 were unable to be relocated in the field and are assumed to be destroyed.
- HS4 was relocated and can still be seen in the landscape.
- Sites HS3 and HS5 were significantly damaged from the time of initial recording – HS3, as a result of heavy machinery works; and in the case of HS5, the former cheese factory building, from the major bushfires experienced during 2019-2020.

Site HS11 consists of two relic and fire damaged agricultural tractors. These two tractors are located within a flat cleared area off a dirt access track. Aerial imagery from 2019 shows that the area previously contained a building, potentially a shed. It seems that the building was destroyed during the 2019-2020 summer bushfires and the area cleared later in 2020. The only remnants left were these two destroyed agricultural tractors. They have no known history but are presumably associated with local land managements from the late 20th and early 21st centuries only and are not considered to meet the threshold for heritage significance.

Site HS4 consists of agricultural drainage ditches, located north of Bevian Wetland. This site was relocated.

The historical assessment undertaken by NOHC in 2002, and again in 2025, identified that all historic sites did not meet the criteria for heritage listing; the exception was HS5, the former cheese factory. The impacts of the devastating 2019-2020 summer bushfires led to fire damage and the demolition of HS5.

3.3.2 Describe any Indigenous heritage values that apply to the project area.

In 2002 Navin Officer Heritage Consultants (NOHC) were commissioned to conduct a cultural heritage assessment and surface archaeological survey of the subject site, including consultation with local RAPs ("Registered Aboriginal Parties"). NOHC have remained continuously involved in this site and in this capacity since 2002 to the present day.

An updated Aboriginal Cultural Heritage Assessment Report (see Attachment 13 Navin Officer 2025_ACHAR) was recently prepared, which consolidates previous on-site survey, topographical analysis, and consultation results, and was reviewed by Heritage NSW, and contains the following recommendations with regard to Indigenous heritage Values:

1. An Aboriginal Heritage Impact Permit (AHIP) should be sought from Heritage NSW prior to the commencement of Rosedale. An AHIP will only be granted once the DA is approved for the project.

2. Surface artefact collection and subsurface salvage is to occur at sites within the areas of proposed impact, (see Table 8-1 within Attachment 13_Navin Officer 2025_ACHAR Pg 64). This salvage program will be undertaken in accordance with the methodology in Appendix 4 (see Attachment 13_Navin Officer 2025_ACHAR pg 109) .

3. All sites within 50 metres of proposed works, see Table 8-1 (Attachment 13_Navin Officer 2025_ACHAR Pg 64) should be fenced so that no inadvertent impacts can occur to these and all sites worker inductions to include protocols for the avoidance to impacts to adjacent sites.

4. In order to conserve the scientific and Aboriginal cultural values of the known and predicted archaeological resources within the study area, the remainder of sites RUR1, RUR2, and Rosedale PADs 1 to 8 should be reserved within archaeological conservation areas and managed as open space according to a plan of management. An indicative plan of management for archaeological conservation areas is presented in Attachment 13_Navin Officer 2025_ACHAR Appendix 3 pg 106.

5. The artefacts recovered from salvage works will be the subject of the 'Return to Country' protocol presented in Attachment 13_Navin Officer 2025_ACHAR Appendix 4 page 109.

6. The protocols for the unanticipated discovery of archaeological material and suspected human remains (Attachment 13_Navin Officer 2025_ACHAR presented in Appendix 5 pg 119) be adopted and complied with during construction activities involving ground surface disturbance and excavation.

7. A copy of the final report should be submitted to Heritage NSW for registration on the AHIMS database.

Attached

Att 13_Navin Officer Heritage Consultants (2025b). Aboriginal Cultural Heritage Assessment Report. Prepared for Walker Rosedale.

3.4 Hydrology

3.4.1 Describe the hydrology characteristics that apply to the project area and attach any hydrological investigations or surveys if applicable. *

The Subject Land contains numerous drainage lines, unnamed creeks, and several farm dams. A key feature is Bevian Wetland, located in the south-western corner of the site, mapped as a Coastal Wetland under the State Environmental Planning Policy (SEPP) – Coastal Management (2018) and zoned C2 Environmental Conservation under the Eurobodalla LEP. While the wetland is within the broader Subject Land, no development is proposed within this zone.

Vegetation removal associated with the Project has the potential to alter surface hydrology, increased sedimentation and degrade water quality. Risks include changes to drainage patterns, increased urban discharge, increased nutrient loading and pollution.

Flood mitigation, drainage infrastructure and landfill associated with the Project also pose potential impacts to the TEC Swamp Oak Forest that is adjacent to the Bevian Wetland. TEC (PCT 4056) is located within the floodplain extending up the hill from the Wetland with a total of 25 ha mapped across the Subject Land. Approximately 13 ha is within the Development Footprint, with 12 ha to be retained.

There is potential the TECs from sedimentation, erosion and acid sulfate soil mobilisation, particulary in low-lying southern areas.

Hydrological processes within the Subject Land cover two catchments; Saltwater Creek Catchment and Bevian Wetland Catchment. A ridge passing through the center of the Subject Land forms a catchment boundary between the two catchments.

Saltwater Creek runs through the Subject Land draining eastward to Rosedale Beach. An unnamed watercourse drains the southern parts of the subject land draining into Bevian Wetland. Additional creek crossings will be constructed, and erosion and sediment controls will be installed and maintained to minimize the velocity of surface water and prevent erosion to the surrounding landscape. To mitigate potential impacts, approximately 100 m vegetated buffer will be maintained around Bevian Wetland and allowed to regenerate (in some areas this is less than 100 m). This buffer will serve multiple functions: enhancing wetland habitat quality, reducing sediment and nutrient input, and helping maintain more stable hydrological conditions.

Riparian lands and watercourses

The Subject Land contains a network of drainage lines. The northern half of the Subject Land falls within the catchment of Saltwater Creek which drains eastward to Rosedale Beach, 1.5km downstream. The southern parts of the Subject land are drained by an unnamed watercourse which flows into Bevian Wetland. There are farm dams located along drainage lines in the north. A tributary of Saltwater Creek flows south and contains one farm dam, the creek turns east in which two more farm dams have been constructed. Another dam has been constructed in the south. The southern section of the Subject Land flows into Bevian Wetland. There is one small dam where the drainage line is not defined and the area becomes a floodplain.

Subject Land contains Riparian Land identified as Category 3 under the Eurobodalla Shire Council LEP. Clause 6.7 (3) of the ESC LEP states that before determining a development application, the consent authority must consider:

a). whether or not the development will cause any adverse impact on the following

- Water quality and flows within a watercourse
- Aquatic and riparian species, habitat and ecosystems
- The stability of the bed, shore and banks of a watercourse
- The free passage of fish and other aquatic organisms within or along a watercourse
- Any future rehabilitation of the watercourse and riparian areas, and

b). will increase water extraction from a watercourse

A riparian and aquatic assessment has been prepared separately to assess these considerations (see Attachment 14_ELA 2025_Riparian and Aquatic Assessment, Section 5 Impact Assessment page 34-50).

Wetlands

Bevian Wetland (NSW SEPP Resilience and Hazard 2021: Coastal Wetland) is a permanent freshwater wetland formed behind a major Holocene sand barrier that extends to the south of George Bass Drive. It is likely that the sea would have once reached this area (>6000 years ago) with changes in sea-levels creating an off-shore coastal barrier. The basin developed through infilling of freshwater which is present today. The shoreline would have receded southward from the original basin through episodic depositional events resulting in the shoreline in its current position.

Bevian Wetlands is mapped on the Wetlands Map, under the Eurobodalla Shire Council LEP. Clause 6.8 (3) of the ESC LEP states that before determining a development application, the consent authority must consider:

a). whether or not the development is likely to have any significant adverse impacts on

- The condition and significance of the existing native flora and fauna on the land,
- The provisions and quality of habitats on the land for indigenous and migratory species
- The surface and groundwater characteristics of the land, including water quality, natural flows and salinity, and

b). any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Although Bevian Wetland is within the Subject Land it is not within the Development Footprint. Up to a 100 m buffer has been applied around the wetland to prevent indirect adverse impacts from the proposed modification. The buffer will enhance wetland habitat and ecological function, reduce sediment, nutrient and pollutant inflows and maintain natural hydrological conditions.

To safeguard wetland and riparian systems, the following management actions are proposed:

- Vegetation Management Plan (VMP) for riparian corridors, including planting of locally native species to improve connectivity and habitat quality.
- Buffer zones of 40–100 m maintained along watercourses and wetlands.
- Erosion and sediment control measures during construction.
- Gross pollutant traps (GPTs) to capture contaminants before entering waterways.
- Monitoring of subsurface flows to ensure pre- and post-development flow volumes remain comparable.
- A Water Cycle Management Study will establish baseline Total Suspended Solids (TSS), nitrogen, and phosphorus levels and verify compliance post-development.

No increase in annual runoff volumes is predicted based on current modelling of post development conditions. It is expected that subsurface flows will be similar before and after development. Supporting information is provided in the updated Riparian and Aquatic Assessment (ELA 2025), Acid Sulphate Soil Review and a new Flood Risk Management Plan (FIRA).

Reference:

- Bureau of Meteorology (2023). Groundwater Dependent Ecosystem Atlas.

- ELA (2025) Bevian Road, Rosedale: Riparian and aquatic assessment report, Prepared for Walker Rosedale, Pty Ltd.

4. Impacts and mitigation

4.1 Impact details

Potential Matters of National Environmental Significance (MNES) relevant to your proposed action area.

EPBC Act section	Controlling provision	Impacted	Reviewed
S12	World Heritage	No	Yes
S15B	National Heritage	No	Yes
S16	Ramsar Wetland	No	Yes
S18	Threatened Species and Ecological Communities	Yes	Yes
S20	Migratory Species	Yes	Yes
S21	Nuclear	No	Yes
S23	Commonwealth Marine Area	No	Yes
S24B	Great Barrier Reef	No	Yes
S24D	Water resource in relation to large coal mining development or coal seam gas	No	Yes
S26	Commonwealth Land	No	Yes
S27B	Commonwealth Heritage Places Overseas	No	Yes
S28	Commonwealth or Commonwealth Agency	No	Yes

4.1.1 World Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.1.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.1.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

No World Heritage properties were identified within the Subject Land or through Protected Matters Search Tool (PMST).

4.1.2 National Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

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4.1.2.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.2.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

No National Heritage places were identified within the Subject Land or through National and Commonwealth Heritage Listings database

4.1.3 Ramsar Wetland

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

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4.1.3.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.3.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

There are no Ramsar Wetlands located within or nearby the Project.

4.1.4 Threatened Species and Ecological Communities

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Threatened species

Direct impact	Indirect impact	Species	Common name
No	No	Anthochaera phrygia	Regent Honeyeater
No	No	Aphelocephala leucopsis	Southern Whiteface
No	No	Ardenna grisea	Sooty Shearwater
No	No	Balaenoptera musculus	Blue Whale
No	No	Botaurus poiciloptilus	Australasian Bittern
No	No	Caladenia tessellata	Thick-lipped Spider-orchid, Daddy Long-legs
No	No	Calidris acuminata	Sharp-tailed Sandpiper
No	No	Calidris canutus	Red Knot, Knot
No	No	Calidris ferruginea	Curlew Sandpiper
Yes	Yes	Callocephalon fimbriatum	Gang-gang Cockatoo
No	No	Calochilus pulchellus	Pretty Beard Orchid, Pretty Beard-orchid
Yes	Yes	Calyptorhynchus lathami lathami	South-eastern Glossy Black-Cockatoo
No	No	Carcharias taurus (east coast population)	Grey Nurse Shark (east coast population)
No	No	Carcharodon carcharias	White Shark, Great White Shark
No	No	Caretta caretta	Loggerhead Turtle
No	Yes	Chalinolobus dwyeri	Large-eared Pied Bat, Large Pied Bat
No	No	Charadrius leschenaultii	Greater Sand Plover, Large Sand Plover
No	No	Chelonia mydas	Green Turtle
No	No	Climacteris picumnus victoriae	Brown Treecreeper (south-eastern)
No	No	Correa baeuerlenii	Chef's Cap
No	No	Corunastylis vernalis	East Lynne Midge-orchid

Direct impact	Indirect impact	Species	Common name
No	No	Cryptostylis hunteriana	Leafless Tongue-orchid
No	No	Dasyornis brachypterus	Eastern Bristlebird
No	No	Dasyurus maculatus maculatus (SE mainland population)	Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population)
No	No	Dermochelys coriacea	Leatherback Turtle, Leathery Turtle, Luth
No	No	Diomedea antipodensis	Antipodean Albatross
No	No	Diomedea antipodensis gibsoni	Gibson's Albatross
No	No	Diomedea epomophora	Southern Royal Albatross
No	No	Diomedea exulans	Wandering Albatross
No	No	Diomedea sanfordi	Northern Royal Albatross
No	No	Epinephelus daemelii	Black Rockcod, Black Cod, Saddled Rockcod
No	No	Eretmochelys imbricata	Hawksbill Turtle
No	No	Eubalaena australis	Southern Right Whale
No	No	Falco hypoleucos	Grey Falcon
No	No	Fregetta grallaria grallaria	White-bellied Storm-Petrel (Tasman Sea), White-bellied Storm-Petrel (Australasian)
No	Yes	Gallinago hardwickii	Latham's Snipe, Japanese Snipe
No	No	Genoplesium vernale	East Lynne Midge-orchid
No	No	Grantiella picta	Painted Honeyeater
No	No	Haloragis exalata subsp. exalata	Wingless Raspwort, Square Raspwort
No	No	Heleioporus australiacus australiacus	Giant Burrowing Frog, Eastern Owl Frog
No	No	Heleioporus australiacus flavopunctatus	Southern Owl Frog, Southern Giant Burrowing Frog
No	Yes	Hirundapus caudacutus	White-throated Needletail
No	No	Isoodon obesulus obesulus	Southern Brown Bandicoot (eastern), Southern Brown Bandicoot (south-eastern)
Yes	Yes	Lathamus discolor	Swift Parrot

Direct impact	Indirect impact	Species	Common name
No	No	Limosa lapponica baueri	Nunivak Bar-tailed Godwit, Western Alaskan Bar-tailed Godwit
No	No	Litoria aurea	Green and Golden Bell Frog
No	No	Litoria watsoni	Southern Heath Frog, Watson's Tree Frog
No	No	Macronectes giganteus	Southern Giant-Petrel, Southern Giant Petrel
No	No	Macronectes halli	Northern Giant Petrel
No	No	Melanodryas cucullata cucullata	South-eastern Hooded Robin, Hooded Robin (south-eastern)
No	No	Mixophyes balbus	Stuttering Frog, Southern Barred Frog (in Victoria)
No	No	Natator depressus	Flatback Turtle
No	No	Neophema chrysogaster	Orange-bellied Parrot
No	No	Neophema chrysostoma	Blue-winged Parrot
No	No	Numenius madagascariensis	Eastern Curlew, Far Eastern Curlew
No	No	Pachyptila turtur subantarctica	Fairy Prion (southern)
No	Yes	Persicaria elatior	Knotweed, Tall Knotweed
No	Yes	Petauroides volans	Greater Glider (southern and central)
No	Yes	Petaurus australis australis	Yellow-bellied Glider (south-eastern)
No	No	Phascolarctos cinereus (combined populations of Qld, NSW and the ACT)	Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)
No	No	Potorous tridactylus trisulcatus	Long-nosed Potoroo (southern mainland)
No	No	Prototroctes maraena	Australian Grayling
No	No	Pseudomys novaehollandiae	New Holland Mouse, Pookila
No	No	Pterodroma leucoptera leucoptera	Gould's Petrel, Australian Gould's Petrel
No	No	Pterodroma neglecta neglecta	Kermadec Petrel (western)
No	Yes	Pteropus poliocephalus	Grey-headed Flying-fox
No	No	Pycnoptilus floccosus	Pilotbird

Direct impact	Indirect impact	Species	Common name
No	No	Rhincodon typus	Whale Shark
No	No	Rhizanthella slateri	Eastern Underground Orchid
No	No	Rhodamnia rubescens	Scrub Turpentine, Brown Malletwood
No	No	Rostratula australis	Australian Painted Snipe
No	No	Seriolella brama	Blue Warehou
No	No	Stagonopleura guttata	Diamond Firetail
No	No	Sternula albifrons	Little Tern
No	No	Sternula nereis nereis	Australian Fairy Tern
No	No	Thalassarche bulleri	Buller's Albatross, Pacific Albatross
No	No	Thalassarche bulleri platei	Northern Buller's Albatross, Pacific Albatross
No	No	Thalassarche carteri	Indian Yellow-nosed Albatross
No	No	Thalassarche cauta	Shy Albatross
No	No	Thalassarche eremita	Chatham Albatross
No	No	Thalassarche impavida	Campbell Albatross, Campbell Black-browed Albatross
No	No	Thalassarche melanophris	Black-browed Albatross
No	No	Thalassarche salvini	Salvin's Albatross
No	No	Thalassarche steadi	White-capped Albatross
No	No	Thesium australe	Austral Toadflax, Toadflax
No	No	Thinornis cucullatus cucullatus	Eastern Hooded Plover, Eastern Hooded Plover
No	No	Tringa nebularia	Common Greenshank, Greenshank

Ecological communities

Direct impact	Indirect impact	Ecological community
No	No	Araluen Scarp Grassy Forest

Direct impact	Indirect impact	Ecological community
Yes	Yes	Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland ecological community
Yes	Yes	Coastal Swamp Sclerophyll Forest of New South Wales and South East Queensland
No	No	Illawarra and south coast lowland forest and woodland ecological community
No	No	Lowland Grassy Woodland in the South East Corner Bioregion
No	No	River-flat eucalypt forest on coastal floodplains of southern New South Wales and eastern Victoria

4.1.4.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.4.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

A maximum of 1.5 ha of EPBC listed *Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland* and 11.5 ha of EPBC listed *Coastal swamp sclerophyll forests of south-eastern Australia* will be directly and permanently impacted by the proposed modification through clearing.

The Coastal swamp sclerophyll forests of south-eastern Australia TEC occur on the lower slopes and whilst the Development Footprint has been realigned, and the retention basin repositioned to minimise impacts to these TECs, residual impacts to the TECs will be 1.5 ha (PCT 4056_good) and 11.5 ha (PCT 4056_moderate condition).

No EPBC Act listed species was recorded within the Subject Land during surveys, however habitat is present and the following species have the potential to occur:

- *Persicaria elatior* (Tall Knotweed)
- *Lathamus discolor* (Swift Parrot)
- *Petauroides volans* (Southern Greater Glider)
- *Petaurus australis* (Yellow-bellied Glider)
- *Hirundapus caudacutus* (White-throated Needletail)
- *Callocephalon fimbriatum* (Gang-gang Cockatoo)
- *Gallinago hardwickii* (Latham's Snipe)
- *Calyptorhynchus lathami lathami* (South-eastern Glossy Black-Cockatoo)
- *Chalinolobus dwyeri* (Large-eared Pied Bat)
- *Pteropus poliocephalus* (Grey-headed Flying-fox)

The Subject Land has been historically cleared and grazed for agricultural purposes. Whilst scattered trees and patches of remnant vegetation persist, it is unlikely that these areas are considered essential habitat necessary to support local populations of threatened species.

Surveys across the Subject Land for threatened flora and fauna were initially undertaken by Conacher Travers (2007), NGH (2022) and then by ELA in 2022, 2023, 2024 and 2025. See Att 15_Threatened species BioNet records of MNES within the landscape - this document is not publicly available due to the identification of sensitive species.

<u>Swift Parrot</u>

The Subject Land includes area mapped as important habitat for Swift Parrot as per the NSW Important Habitat Map. These areas have now been completely avoided. Most remnant woodland habitats, which could provide foraging opportunities for Swift Parrots have also been excluded from the Development Footprint. Restoration of riparian and forest / woodland corridors is expected to improve foraging resources and contribute to landscape – scale connectivity with nearby bushland, including Mogo State Forest.

No part of the current Development Footprint overlaps with areas identified as critical to the survival of any EPBC-listed species. Higher quality habitat is likely to persist within Mogo State Forest, which adjoins the site.

<u>Southern Greater Glider and Yellow-Bellied Glider</u>

The Subject Land is bordered by extensive areas of contiguous native forest and adjoins Mogo State Forest to the northwest. These forests support known populations of two of Australia's largest gliding marsupials: the Southern Greater Glider (*Petauroides volans*), listed as *Endangered* under the EPBC Act; and the Yellow-bellied Glider (*Petaurus australis*), listed as *Vulnerable*. These species have overlapping distributions and share similar habitat requirements.

Although no individuals of either species were detected within the Subject Land during surveys, records exist in all directions surrounding the site. Suitable habitat features for both species include large eucalypt trees (>40 cm DBH) for foraging (foliage and nectar), connectivity between habitat patches, and the

presence of multiple hollow-bearing trees (HBTs) for denning and nesting. There are 18 HBTs within the Development Footprint, these are all small (<5cm) and are unlikely to be suitable for denning. However, these HBTs will be retained where possible and will be replaced with nest boxes at a ratio of 2:1 as part of the BMP.

Both glider species rely on continuous tree canopy for movement and are unable to cross large gaps in vegetation (>100 m). To support landscape connectivity and facilitate glider movement, the Proponent will implement revegetation, and rehabilitation works within designated habitat corridors. These actions aim to enhance canopy continuity and improve functional habitat linkages across the development area and adjoining native vegetation.

Gang-gang Cockatoo and Glossy Black Cockatoo

The Gang-gang Cockatoo and Glossy Black-Cockatoo are listed dual credit species. Impacts to their associated Plant Community Types (PCTs) will be offset using ecosystem credits.

A small group of Glossy Black-Cockatoos was observed flying over the Subject Land on 28 August 2022. No breeding habitat was recorded within the Development Footprint, and all hollow-bearing trees (HBTs) were assessed as unsuitable. Glossy Black-Cockatoo foraging habitat is present in the form of *Casuarina glauca* (Coastal Swamp Oak) within PCT 4056 (condition class: Good). Less than 1.5 ha of this foraging habitat will be impacted, with additional suitable habitat retained within the Retained Managed Lands and the broader landscape.

No Gang-gang Cockatoos were recorded during surveys within the Subject Land. However, historical records exist nearby, including observations at Tomakin (Oceanview Way bridge, 2022) and Broulee, approximately 4 km to the southwest. In December 2024, 4 individuals were recorded at Bevian Wetland (ebird, Stephen Matthews) and in January 2025 (ebird: Liam Wright), a pair were recorded. Gang-gangs feed on a range of native and exotic seeds, and suitable foraging resources will be retained both on-site and within the surrounding landscape.

To maintain and enhance landscape connectivity, the Proponent will implement revegetation, and rehabilitation works within designated habitat corridors. These actions will improve canopy continuity and functional habitat linkages. Additionally, PCT 4056_moderate condition within the Retained Managed Lands will be allowed to regenerate, increasing the availability of key feed trees across the Subject Land.

Large-eared Pied Bat

The Large-eared Pied Bat (*Chalinolobus dwyeri*) is an insectivorous species whose prey availability is known to be influenced by artificial lighting. While 105 ha of degraded grassland will be cleared, artificial lighting within the development may, under some circumstances, increase local insect abundance and foraging opportunities. However, species-specific responses vary, and most research to date is from northern hemisphere urban contexts.

No recordings for Large-eared Pied bat were identified from Ultrasonic Detectors (Anabats). Importantly, no roosting habitat (e.g. caves, overhangs, mine shafts, or abandoned bird nests) was identified within the Subject Land. Therefore, the site is considered unsuitable for roosting, though foraging use may occur. The Retained Managed Land and Deferred Areas, comprising native vegetation, will continue to provide potential foraging habitat within a broader mosaic.

Grey-headed Flying-fox

Grey-headed Flying-fox was not recorded during any recent survey periods. A single historical record from 2008 exists, based on a spotlighting observation within a riparian zone in the central part of the Subject Land. No breeding camps are present within the Development Footprint, and riparian zones are largely excluded from proposed development. While several potential foraging tree species (e.g. *Eucalyptus*

tereticornis, *E. paniculata*, *E. fibrosa*, regenerating *Banksia integrifolia*, *Corymbia maculata*) occur within the Development Footprint, most of the woodland areas supporting these resources will be retained within the Retained Managed Lands.

Latham Snipe

Latham's Snipes, a migratory shorebird, has been recorded within the Eurobodalla Shire around Bevian Wetland. Whilst they haven't been recorded in vast numbers Coastal swamp wetlands provide an important buffer between the land and the sea for these birds. Bevian Wetland and the area immediately surrounding the wetland (*TEC Coastal Swamp Oak (Casuarina glauca) Forest of NSW and SE Qld*) is excluded from the Development Footprint and mitigation strategies will be in place to monitor and manage the water quality entering Bevian Wetland.

White-throated Needletails

White-throated Needletails were recorded at Bevian Wetland in January 2023 and again in January 2025 flying high overhead (ebird, Stephen Ward; Zachary D). These aerial insectivores forage on insects mostly above canopies and roost in dense canopies. Whilst they have been observed flying above farmland, they are more often recorded above partly cleared pasture plantations or remnant vegetation at the edge of paddocks.

Persicaria elatior

Targeted surveys for *Persicaria elatior* were conducted in January 2025 in accordance with the NSW *Survey guide for Threatened Plants* using the transect method. No individuals were recorded within the Development Footprint or in the broader Subject Land during the survey period. However, previous records of *P. elatior* exist adjacent to Bevian Wetland and targeted searches in those locations were undertaken as part of the assessment. Despite the survey effort, no individuals were recorded during these searches.

Additional information

The Subject Land is cleared agricultural land, with remnant vegetation along riparian zones and boundaries. Although habitat removal will occur, habitat corridors and riparian buffers will be established and enhanced to facilitate faunal movement between retained habitats and surrounding forest areas, particularly the adjoining Mogo State Forest.

To offset the loss of hollow-bearing trees, nest boxes will be installed at a minimum ratio of 2:1. No hollows suitable for listed species were recorded during field surveys, but nest boxes will support hollow-dependent fauna, including gliders.

Biodiversity Management Plans (BMP) and Vegetation Management Plans (VMP) will be implemented for riparian and woodland habitat corridors to ensure that these areas are retained and enhanced by planting locally provenance trees, shrubs and groundcover improving habitat linkages and foraging opportunities.

4.1.4.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact? *

Yes

4.1.4.5 Describe why you consider this to be a Significant Impact. *

Two Endangered Ecological Communities (TECs) listed under the EPBC Act have been identified within the Subject Land and assessed against the Significant Impact Guidelines 1.1 – EPBC Act 1999:

- *Coastal Swamp Sclerophyll Forests of NSW and SE Qld* (PCT 4056_moderate) – 11.5 ha impacted
- *Coastal Swamp Oak (Casuarina glauca) Forest of NSW and SE Queensland* (PCT 4056_good) – 1.5 ha impacted

Total impact to TECs: 13 ha

The proposed action has the potential to result in a significant impact on these ecological communities due to the following:

Reduce the extent of an ecological community

The action will result in the permanent removal of 13 ha of PCT 4056, which is associated with the two listed TECs. This represents a measurable reduction in the extent of these communities within the Subject Land.

Fragment or increase fragmentation of an ecological community

While the Subject Land is largely cleared, remnant vegetation is patchily distributed. The project incorporates the installation of riparian buffers and habitat corridors, particularly in the south, linking retained vegetation near Bevian Wetland and the Sewage Treatment Plant. 12 ha of PCT 4056 will be retained on-site to assist in maintaining ecological continuity

Adversely affect habitat critical to the survival of an ecological community

Coastal Swamp Forests have undergone significant regional decline. Although the 13 ha proposed for removal is not in benchmark condition, patches meeting minimum condition thresholds are regionally important. The development may alter local hydrology, which could adversely affect remaining patches. A Water Management Plan will be implemented to maintain water quality and flow regimes.

Modify or destroy biota necessary for an ecological community's survival including ground water and drainage patterns

The project may affect hydrological and drainage patterns, particularly in the Bevian Wetland catchment, which receives flows from the southern part of the development site (~77 ha of a 154 ha catchment). A Water Management Plan will be adopted to monitor and manage surface and groundwater flows and minimise risks.

Cause a substantial change in the species composition including a decline or loss of functionally important species

Bevian Wetland exhibits dynamic wetting and drying cycles, influencing species composition, with more vegetation covering the wetland area during a drying cycle and during the wetting cycle the open water increases, vegetation dies off and decays overtime, increasing nutrients. Altered runoff patterns from development may reduce freshwater inflow, potentially shifting vegetation composition and reducing ecological integrity over time.

Cause a substantial reduction in the quality or integrity of an occurrence of an ecological community including establishment of weeds, changes in water quality.

If unmanaged, changes to water quality and nutrient levels could reduce TEC resilience. A Biodiversity Management Plan (BMP) and Water Management Plan will be implemented, including erosion control, weed suppression, and pollution prevention strategies.

Interfere with the recovery of an ecological community

While no formal recovery plan exists for these TECs, Conservation Advice recommends retention and restoration of intact or restorable patches. Neither impacted area is benchmark quality (VI scores: 73.4 – PCT 4056_good; 48.5 – PCT 4056_moderate), but both are in recoverable condition. The 1.5 ha of Coastal Swamp Oak Forest is fragmented (~80 m from retained patches), while the 11.5 ha of Swamp Sclerophyll Forest has been degraded by historical grazing and slashing.

There are no significant impacts to threatened species.

No threatened species were recorded within the Development Footprint, however 4 MNES have previously been recorded (Gang-gang Cockatoos, Glossy Black Cockatoos, Yellow Bellied Glider, White-throated Needletail) with 5 species with the potential to occur based on habitat (Swift Parrot, Large-eared Pied Bat, Greater Glider, Tall knotweed, and Latham;s Snipe). Grey Headed Flying Foxes were not recorded and whilst there is habitat within the surrounding landscape, no impacts are likely and are therefore not significant.

Additional information on Bat analysis has been provided in the Attachment 16_Appendix D_Bat Analysis.

Whilst there is potential to have a direct impact through the remove of foraging habitat in the form of Grasslands and Paddock trees, and indirect impacts through changes in water quality and loss of connectivity, mitigation measures have been applied to ensure these impacts have been reduced so that no significant impact is likely (see section 4.1.4.10 of this referral below).

Tests of significance were completed for these species which is outlined in Section 11 page 95 within Attachment 3_ELA 2024 Concept Plan Approval Modification Rosedale BDAR.

4.1.4.7 Do you think your proposed action is a controlled action? *

Yes

4.1.4.8 Please elaborate why you think your proposed action is a controlled action. *

When considering the significantly reduced extent and ongoing threats to the TECs to be impacted by the Project, any impacts must be considered to be significant, and subject to the appropriate assessment and review process.

4.1.4.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

The Project design has prioritised the avoidance and minimisation of biodiversity impacts through the strategic alignment of the Development Footprint. This was accomplished via iterative site selection and refinement informed by ecological surveys and mapping. The Development Footprint has been concentrated within areas of low biodiversity value, including cleared land and low-condition grassland, while avoiding Bevian wetland, riparian areas and higher quality native vegetation. The Development Footprint has been reduced from 128 ha in the 2008 Concept Approval to 105 ha based on the new design.

A range of mitigation measures is proposed to reduce potential impacts on Matters of National Environmental Significance (MNES). These will be implemented through a Biodiversity Management Plan (BMP) prepared in accordance with relevant NSW and Commonwealth legislation and policy frameworks.

The BMP will include detailed management measures such as:

- Pre-Clearing Procedure: Implement measures to minimize impacts on native fauna species, especially threatened species, hollow-dependent, and microhabitat-dependent fauna, through the staged and progressive clearance of hollow-bearing trees. Limits will be clearly demarcated to prevent unnecessary disturbance
- Timing of works to avoid critical lifecycle events (such as breeding) of flora and fauna.
- Resource and Habitat Salvage: Salvage resources and habitat features such as seed, topsoil, timber, and native mulch, and translocate them to a re-establishment site.
- Habitat augmentation and retention: hollows will be retained as far as practicable and human made structures such as nestboxes installed.
- Weed Management: Strategies to manage and control weed growth.
- Traffic Control Measures: Measures to manage and control traffic on site.
- Pathogen Management: Procedures to manage and control pathogens.
- Pest Animal Control: Strategies to control pest animals.
- Fencing and Access Control: Measures to manage fencing and control access.
- Bushfire Management: Plans to manage and mitigate bushfire risks.
- Erosion and Sedimentation Control: Measures to prevent and manage erosion and sedimentation.
- Water management systems to minimize damage to flora and fauna habitats from erosion, sedimentation, and unnatural flooding events.
- Noise control systems to mitigate noise impacts.
- Dust control measures to reduce dust impacts.
- Lighting controls to minimize nighttime light impacts.
- Employee education and training on environmental management practices.

There will be no significant impacts to threatened species. Tests of significance have been undertaken for MNES with potential to occur within the Subject Land. These are considered in Attachment 3_ELA 2025 Concept Plat Approval Modification Rosedale Section 11 pg 95.

Mitigation measures to avoid and minimise impacts are outlined in Attachment 3_ELA 2025 Concept Plat Approval Modification Rosedale Section 6 pg 64, and Section 7 pg 71):

- No impacts to Bevian Wetland or the TEC *Coastal Swamp Oak (Casuarina glauca) Forests of NSW of SE Qld* immediately surrounding the wetland. These areas have been avoided and retained.
- Approximately a 100 m buffer has been incorporated around the wetland that will be allowed to regenerate and/or supplemented planting protecting the TEC Coastal Swamp Oak (Casuarina glauca) Forests of SE Australia to prevent indirect impacts.
- Both TECs are within Retained Managed Land which will be managed for weeds to encourage natural regeneration
- No direct impacts to remnant vegetation within the Retained Managed Land areas and mitigation measures will be implemented to avoid indirect impacts,

- Threatened species habitat will be retained, managed and riparian areas will be revegetated (under a Vegetation Management Plan) in the north, centre and southwest linking remnant vegetation and providing habitat corridors to facilitate movement and provide foraging resources,
- Revegetate forest areas in the north along Burri Road from east to west linking remnant vegetation with Mogo State Forest,
- Revegetate areas in the southeast to link the surrounding forests with the TECs around Bevian Wetland and included in the Vegetation Management Plan (VMP)
- Plant suitable street trees to provide linkages between Lots,
- Retain Hollow Bearing Trees and large scattered trees where possible and replace HBTs with nest boxes as part of the Biodiversity Management Plan (BMP) at a ratio of 2:1,
- Develop and implement a BMP to address management of weeds, habitat corridors, riparian areas and water quality,
- Develop and implement a Vegetation Management Plan (VMP) for riparian areas and habitat corridors,
- Prepare and implement a Stormwater and Groundwater Management Plan and monitor water quality,
- Managing water quality through erosion and sediment controls such as silt barriers and soil stabilisation during construction phase,
- Adopt stormwater management to comply with best practice to minimise urban pollutants (refer to water quality engineering report for specifications).
- Plant riparian vegetation within a large 40 m buffer to reduce eutrophication in water bodies,
- Investigate restrictions on domestic pets, apart from companion dogs and cats, to reduce predation on native fauna and nesting shorebirds,
- Design fauna sensitive roadways within the Development Footprint.

The NSW Biodiversity Offset Scheme has been applied to the Project with offset credit liability for residual impacts outlined in Attachment 17_Appendix Biodiversity Credit Report.

4.1.4.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

Where residual impacts to MNES and threatened ecological communities cannot be avoided, the Proponent will meet its obligations under the NSW Biodiversity Offset Scheme (BOS). Offsets will be calculated using the Biodiversity Assessment Method (BAM) and secured through the retirement of ecosystem and species credits. Offset obligations and staging are outlined in Attachment 3_ELA 2025 Concept Plat Approval Modification Rosedale Section 10 pg 89 and Attachment 17_Appendix F-Biodiversity Credit Report

4.1.5 Migratory Species

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Direct impact	Indirect impact	Species	Common name
No	No	Actitis hypoleucos	Common Sandpiper
No	No	Apus pacificus	Fork-tailed Swift
No	No	Ardenna carneipes	Flesh-footed Shearwater, Fleshy-footed Shearwater
No	No	Ardenna grisea	Sooty Shearwater
No	No	Balaenoptera edeni	Bryde's Whale
No	No	Balaenoptera musculus	Blue Whale
No	No	Calidris acuminata	Sharp-tailed Sandpiper
No	No	Calidris canutus	Red Knot, Knot
No	No	Calidris ferruginea	Curlew Sandpiper
No	No	Calidris melanotos	Pectoral Sandpiper
No	No	Caperea marginata	Pygmy Right Whale
No	No	Carcharhinus longimanus	Oceanic Whitetip Shark
No	No	Carcharias taurus	Grey Nurse Shark
No	No	Carcharodon carcharias	White Shark, Great White Shark
No	No	Caretta caretta	Loggerhead Turtle
No	No	Charadrius leschenaultii	Greater Sand Plover, Large Sand Plover
No	No	Chelonia mydas	Green Turtle
No	No	Cuculus optatus	Oriental Cuckoo, Horsfield's Cuckoo
No	No	Dermochelys coriacea	Leatherback Turtle, Leathery Turtle, Luth
No	No	Diomedea antipodensis	Antipodean Albatross
No	No	Diomedea epomophora	Southern Royal Albatross
No	No	Diomedea exulans	Wandering Albatross

Direct impact	Indirect impact	Species	Common name
No	No	Diomedea sanfordi	Northern Royal Albatross
No	No	Eretmochelys imbricata	Hawksbill Turtle
No	No	Eubalaena australis	Southern Right Whale
No	Yes	Gallinago hardwickii	Latham's Snipe, Japanese Snipe
No	Yes	Hirundapus caudacutus	White-throated Needletail
No	No	Lagenorhynchus obscurus	Dusky Dolphin
No	No	Lamna nasus	Porbeagle, Mackerel Shark
No	No	Limosa lapponica	Bar-tailed Godwit
No	No	Macronectes giganteus	Southern Giant-Petrel, Southern Giant Petrel
No	No	Macronectes halli	Northern Giant Petrel
No	No	Megaptera novaeangliae	Humpback Whale
No	No	Mobula birostris	Giant Manta Ray
No	No	Natator depressus	Flatback Turtle
No	No	Numenius madagascariensis	Eastern Curlew, Far Eastern Curlew
No	No	Orcinus orca	Killer Whale, Orca
No	No	Pandion haliaetus	Osprey
No	No	Phaethon lepturus	White-tailed Tropicbird
No	No	Phaethon rubricauda	Red-tailed Tropicbird
No	No	Rhincodon typus	Whale Shark
No	No	Sternula albifrons	Little Tern
No	No	Thalassarche bulleri	Buller's Albatross, Pacific Albatross
No	No	Thalassarche carteri	Indian Yellow-nosed Albatross
No	No	Thalassarche cauta	Shy Albatross
No	No	Thalassarche eremita	Chatham Albatross
No	No	Thalassarche impavida	Campbell Albatross, Campbell Black-browed Albatross

Direct impact	Indirect impact	Species	Common name
No	No	Thalassarche melanophris	Black-browed Albatross
No	No	Thalassarche salvini	Salvin's Albatross
No	No	Thalassarche steadi	White-capped Albatross
No	No	Tringa nebularia	Common Greenshank, Greenshank

4.1.5.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.5.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

The following two migratory species were identified as potential to occur in the Project area due to records in the surrounding region and/or presence of native vegetation associated with habitat for these species:

- *Hirundapus caudacutus* (White-throated Needletail) - 6 individuals were recorded at Bevian Wetland in January 2023 and again in January 2025.
- *Gallinago hardwickii* (Latham's Snipe) – Latham's Snipe has been recorded within the Eurobodalla Shire, including historical observations near Bevian Wetland. Although not recorded in large numbers, this species relies on coastal swamp wetlands for foraging and habitat refuge. A single historical record from 2006 noted the species within the Subject Land, (although the record states observed at George Bass Drive) which have also been excluded from development.

White-throated Needletails spend their time in the air feeding on insects mostly above wooded area and open forests and roost in dense canopies. Whilst they have been observed flying above farmland, they are more often recorded above partly cleared pasture plantations or remnant vegetation at the edge of paddocks. It is unlikely that this disturbance will lead to a long-term decrease in the size of an important population considering potential habitat is only likely to constitute fly-over habitat. The Subject land is mostly cleared of vegetation with small pockets of remnants.

Latham's Snipe have been recorded in small numbers within the LGA, with 1 individual observed at Murramarang Pond, north of Bateman Bay in November 2023. There have been no recent sightings at Bevian Wetlands. Bevian Wetlands and the area immediately surrounding the wetland have been avoided and excluded from development. A water management plan will be implemented to monitor groundwater and surface water flowing into the Bevian Wetland and mitigation strategies will be implemented to prevent pollutants and other chemicals from entering the wetland. A Biodiversity Management Plan and Vegetation Management Plan will be implemented to control weeds and prevent them from becoming established.

No important areas have been mapped for migratory species and it is unlikely that the Subject Land or surrounds contains habitat that is considered ecologically significant for Latham's Snipe or White-throated Needletails

4.1.5.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact? *

No

4.1.5.6 Describe why you do not consider this to be a Significant Impact. *

No important areas have been mapped for migratory species and it is unlikely that the Subject Land or surrounds contains habitat that is considered ecologically significant for Latham's Snipe or White-throated Needletails. Only small numbers of Latham Snipes have been observed within the LGA, one individual was observed at Murramarang Pond, north of Bateman bay in November 2023. There have been no recent sightings at Bevian Wetlands. Large dams and water bodies (ie Bevian Wetland) suitable for Latham Snipe within the Subject Land have been retained.

A water management plan will be implemented to monitor groundwater and surface water flowing into the Bevian Wetland and mitigation strategies will be implemented to prevent pollutants and other chemicals from entering the wetland. A Biodiversity Management Plan and Vegetation Management Plan will be implemented to control weeds and prevent them from becoming established.

Six individual White-throated Needletails were observed near Bevian Wetland in January 2023 with an additional sighting of 15 individuals in January 2024 near Tomakin. White-throated Needletails forage aerially and roost in dense canopies on the edge of forest, in the tree tops and prefer to forage aerially over woodland and large forests. The Subject land is mostly cleared of vegetation with small pockets of remnants. The species is unlikely to be significantly impacted by the Project.

4.1.5.7 Do you think your proposed action is a controlled action? *

No

4.1.5.9 Please elaborate why you do not think your proposed action is a controlled action. *

There are potential for indirect impacts to migratory species through changes in water quality to riparian areas, reduction in habitat connectivity or reduction in aerial foraging. There are no direct impacts to Bevian Wetland which is located outside the Development Footprint and woodland / forest areas where White-throated Needletails are likely to roost have also been retained. Mitigation measures will be applied to reduce the risks of impacts. These are outlined in Att 3_ELA 2024 Concept Plan Modification Rosedale BDAR Section 7 pg 71

Habitat Connectivity

Nature Remnant vegetation within the Subject Land that provide linkages to other remnants outside the Subject Land will be retained. Riparian vegetation will be buffered and revegetated enhancing connectivity from east to west and north to south. These areas will provide roosting habitat for White-throated Needletails.

Extent

Habitat corridors will be increased across the Subject Land. Large, scattered trees and HBTs will be retained on site where possible.

Duration

During construction habitat corridors will be revegetated and rehabilitated to provide linkages to fragmented remnants and to Mogo State Forest. These habitat corridors will improve connectivity across the Subject Land.

Consequences

Improving and enhancing habitat corridors and providing linkages to remnant vegetation and Mogo State Forest will benefit local fauna.

Waterbodies, water quality and hydrological processes

Dams and wetlands will be retained within the Subject Land benefiting Latham Snipe. Riparian vegetation will be buffered and revegetated to improve water quality and mitigate runoff. Sediment and erosion control measures will be implemented during construction and water quality and quantity will be monitored. Stormwater management procedures will be implemented to prevent impacts to Bevian Wetland or to Rosedale Beach.

Extent

Hydrological processes within the Subject Land cover two catchments; Saltwater Creek Catchment and Bevian Wetland Catchment. A ridge passing through the center of the Subject Land forms a catchment boundary between the two catchments. Saltwater Creek runs through the Subject Land draining eastward to Rosedale Beach and into Bevian Wetland. Bevian Wetland is identified as SEPP (Coastal Management).

Duration

Management of water quality and stormwater drainage and will require on-going monitoring to ensure that impacts to Bevian Wetland are avoided.

Consequences

Impacts to water quality through urban land use, drainage, erosion, sedimentation and stormwater runoff could impact on the biodiversity and ecological integrity of Bevian Wetland reducing habitat. Ongoing monitoring will be required and mitigation measures implemented to ensure that there are no impacts to Saltwater Creek or Bevian Wetland.

Potential indirect impacts to these 2 migratory species are small and are unlikely to be significant and therefore the proposed action is unlikely to be a controlled action.

4.1.5.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

During construction there is the potential for sedimentation to impact riparian areas. These will be mitigated by implementing sedimentation and erosion controls. A water management plan will be implemented to monitor groundwater and surface water flowing into the Bevian Wetland and mitigation strategies will be implemented to prevent pollutants and other chemicals from entering the wetland. Appropriate controls will be implemented to manage exposed soil surfaces and stockpiles to prevent sediment discharge into waterways. All works within proximity to the drainage lines will have adequate sediment and erosion controls (e.g. sediment barriers, sedimentation ponds). Revegetation will also commence as soon as is practicable to minimise risks of erosion. Suitable species will be used as ground cover species in any revegetation areas.

Vegetation to be retained outside of the Project Site boundary will not be disturbed. Clearing protocols will be developed that identify vegetation to be retained, prevent inadvertent damage and reduce soil disturbance (e.g. removal of native vegetation by chainsaw instead of heavy machinery where only partial clearing is proposed). Fencing (or other barriers as required) and signage will be placed around those areas of vegetation to be maintained to prevent any accidental construction damage and provide a permanent barrier between the development footprint and retained areas.

Weed impacts managed. All machinery will be cleaned prior to entering and exiting the Project Site to minimise the transport of weeds to vegetated areas to be retained. Weeds that are present within the Project Site that are listed under the NSW Biosecurity Act 2015 will be managed.

A strategy will be developed and implemented to protect vegetation and habitat adjacent to the project. This will outline the following:

- rubbish disposal guidance
- prohibition of wood collection
- prohibition of lighting of fires
- no-go-zones for native vegetation outside the development footprint
- speed limits on the surrounding road network.

4.1.5.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

Under the NSW Biodiversity Offset Scheme, Ecosystem credits have been calculated. These residual impacts to native vegetation and the offset liability have been presented in Table 29 (see Att 3_ELA 2024 Concept Plan Approval Modification Rosedale BDAR, Section 10, page 90) and within Att 17_Appendix F Biodiversity Credit Report.

4.1.6 Nuclear

4.1.6.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.6.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

Not relevant to the Project area or scope.

4.1.7 Commonwealth Marine Area

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.7.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.7.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

No areas were identified from the PMST

4.1.8 Great Barrier Reef

4.1.8.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.8.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

Not relevant to the Project area or scope.

4.1.9 Water resource in relation to large coal mining development or coal seam gas

4.1.9.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.9.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

Not relevant to the Project area or scope.

4.1.10 Commonwealth Land

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.10.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.10.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

Not relevant to the Project area or scope.

4.1.11 Commonwealth Heritage Places Overseas

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.11.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.11.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

Not relevant to the Project area or scope.

4.1.12 Commonwealth or Commonwealth Agency

4.1.12.1 Is the proposed action to be taken by the Commonwealth or a Commonwealth Agency? *

No

4.2 Impact summary

Conclusion on the likelihood of significant impacts

You have indicated that the proposed action will likely have a significant impact on the following Matters of National Environmental Significance:

- Threatened Species and Ecological Communities (S18)

Conclusion on the likelihood of unlikely significant impacts

You have indicated that the proposed action will unlikely have a significant impact on the following Matters of National Environmental Significance:

- World Heritage (S12)
- National Heritage (S15B)
- Ramsar Wetland (S16)
- Migratory Species (S20)
- Nuclear (S21)
- Commonwealth Marine Area (S23)
- Great Barrier Reef (S24B)
- Water resource in relation to large coal mining development or coal seam gas (S24D)
- Commonwealth Land (S26)
- Commonwealth Heritage Places Overseas (S27B)
- Commonwealth or Commonwealth Agency (S28)

4.3 Alternatives

4.3.1 Do you have any possible alternatives for your proposed action to be considered as part of your referral? *

No

4.3.8 Describe why alternatives for your proposed action were not possible. *

The Project represents a modification to the 2008 Concept Plan Approval, reducing the original Development Footprint from 128 ha to 105 ha, and increasing the extent of Retained Managed Lands to protect important habitat linkages across the predominantly cleared 184 ha Subject Land. The modified design facilitates the development of 741 residential lots and forms part of a master-planned community that integrates the natural landscape while addressing regional housing needs.

The Subject Land was historically used as a dairy farm, with most woody vegetation cleared. It is surrounded by remnant forest and woodland, which remain protected through the revised design. The 2008 concept layout was re-evaluated and updated to meet modern environmental compliance standards, respond to community expectations for quality estate planning, and reflect findings from planning and environmental constraints analyses.

The refined design balances development needs with environmental protection, avoiding sensitive features such as Bevian Wetland and riparian corridors, while optimising the use of lower-quality vegetation areas.

The following alternatives are not considered viable:

Do nothing

The ‘do nothing’ alternative would result in no further development on the Subject Land. While this would avoid environmental impacts, it would also forgo the economic, housing, and social benefits of the proposal.

The option is not considered viable for the following reasons:

- The Subject Land has been zoned for urban expansion since 1987 when the Eurobodalla Rural LEP was gazetted.
- Stage 1 (51 Lots) has already been completed and registered on adjacent land.
- The development affects primarily cleared agricultural land while retaining and protecting areas of surrounding woodland and forest.
- The Project supports NSW Government housing targets, including commitment under the National Housing Accord to deliver 377,000 new homes in 5 years.
- It creates employment opportunities and benefits the local and regional economy.

Alternative locations

Alternative locations were not considered viable, as the Subject Land is:

- Already designated for urban use and largely cleared.
- Surrounded by natural bushland which will be preserved and buffered.
- Integrated with existing infrastructure, including Stage 1 development
- Subject to significant prior assessment and community consultation.

Two access options from George Bass Drive have been proposed. Both options are included in the ecological and planning assessment, however, only one access point will be constructed. Consultation with landowners and local Council is ongoing to determine the preferred route.

Alternative footprint and layout

The current design is the result of a thorough redesign of the 2008 Concept Plan. Modifications have:

- Reduced the Development Footprint from 128 ha to 105 ha,
- Avoided high-value vegetation, including key woodland patches,
- Excluded Bevian Wetland and associated buffers from development,
- Created ecological corridors and Retained Managed Lands to support species movement and improve biodiversity outcomes.

The iterative design process has led to a well-justified, optimal layout that integrates environmental, planning, and community considerations.

5. Lodgement

5.1 Attachments

1.2.1 Overview of the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 1. Development Footprint and layout.png Map showing Development Footprint and Layout	12/05/2025	No	High
#2.	Document	Att 2 Precincts_V1.jpg Map showing Precincts	12/05/2025	No	High

1.2.5 Information about the staged development

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 3 ELA 2024 Concept Plan Approval Modification Rosedale BDAR_V2.pdf Biodiversity Development Assessment Report as per NSW requirements	30/04/2025	Yes	High
#2.	Document	Att 3_ELA 2025 Concept Plan Approval Modification Rosedale BDAR_V2-Redacted.pdf NSW Biodiversity Development Assessment Report with Redacted sensitive information	30/04/2024	No	High
#3.	Document	Att 4_Staging_V4.jpg Map showing development staging	03/04/2025	No	Medium

1.3.2.16 (Person proposing to take the action) Nature of the trust arrangement in relation to the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 5_Walker_Rosedale_Unit_Trust_Deed_28_January_2022.PDF	28/01/2022	Yes	
#2.	Document	Att 6_Walker_Rosedale_Unit_Trust_-Deed_of_Amendment_27_March_2023.PDF	27/03/2023	Yes	

1.3.2.18 (Person proposing to take the action) If the person proposing to take the action is a corporation, provide details of the corporation’s environmental policy and planning framework

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 7_Walker 2025 Corporate Environmental Policy.pdf Walker Corporate Environmental Policy	30/11/2024	No	High

3.1.1 Current condition of the project area's environment

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 2 Precincts_V1.jpg Map showing Precincts	11/05/2025	No	High

#2.	Document	Att 8_Project Footprint_v1.jpg Map showing Project Footprint and location of habitat features	05/08/2025	No	High
#3.	Document	Att 9_Biodiversity_Values_(NSW_DCCEEW_2024)_V4.jpg NSW Biodiversity Values mapped within the Subject Land	01/04/2025	No	High

3.2.1 Flora and fauna within the affected area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 10_Rosedale Images.pdf Images of the Subject Land	04/08/2025	No	High
#2.	Document	Att 11_TECs_v1.jpg Map showing location of Endangered Ecological Communities within the Subject Land	05/08/2025	No	High
#3.	Document	Att 18_Appendix C_ROSEDALE _VI plot data_BAMC_V1.xlsx Spreadsheet of species per plot uploaded into NSW BAMC	06/03/2025	No	High
#4.	Document	Att 3 ELA 2024 Concept Plan Approval Modification Rosedale BDAR_V2.pdf Biodiversity Development Assessment Report as per NSW requirements	29/04/2025	Yes	High
#5.	Document	Att 3_ELA 2025 Concept Plan Approval Modification Rosedale BDAR_V2-Redacted.pdf NSW Biodiversity Development Assessment Report with Redacted sensitive information	29/04/2024	No	High

3.3.1 Commonwealth heritage places overseas or other places that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 12_Navin Officer 2025 Heritage Impact Statement.pdf Heritage Assessment Report	30/04/2025	No	High

3.3.2 Indigenous heritage values that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 13_Navin Officer 2025_ACHAR.pdf Aboriginial Culltural Heritage Assessment	10/04/2025	No	High

3.4.1 Hydrology characteristics that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 14_ELA 2025_ Riparian and Aquatic Assessment_v3.pdf Aquatic and riparian assessment	15/04/2025	No	High

4.1.4.2 (Threatened Species and Ecological Communities) Why your action has a direct and/or indirect impact on the identified protected matters

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 15_Threatened Species BioNet Records.jpg Location of Threatened Species from NSW Database BioNet	04/08/2025	Yes	High

4.1.4.5 (Threatened Species and Ecological Communities) Why you consider the direct and/or indirect impact to be a Significant Impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 16_Appendix D_ Bat Analysis.pdf Anabat analysis	11/06/2024	No	High
#2.	Document	Att 3 ELA 2024 Concept Plan Approval Modification Rosedale BDAR_V2.pdf Biodiversity Development Assessment Report as per NSW requirements	29/04/2025	Yes	High
#3.	Document	Att 3_ELA 2025 Concept Plan Approval Modification Rosedale BDAR_V2-Redacted.pdf NSW Biodiversity Development Assessment Report with Redacted sensitive information	29/04/2024	No	High

4.1.4.10 (Threatened Species and Ecological Communities) Avoidance or mitigation measures proposed for this action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 17_Appendix F_Biodiversity Credit Report.pdf NSW Biodiversity Credit Report	30/04/2024	No	High
#2.	Document	Att 3 ELA 2024 Concept Plan Approval Modification Rosedale BDAR_V2.pdf Biodiversity Development Assessment Report as per NSW requirements	29/04/2025	Yes	High
#3.	Document	Att 3_ELA 2025 Concept Plan Approval Modification Rosedale BDAR_V2-Redacted.pdf NSW Biodiversity Development	29/04/2024	No	High

Assessment Report with Redacted sensitive information

4.1.4.11 (Threatened Species and Ecological Communities) Proposed offsets relevant to avoidance or mitigation measures

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 17_Appendix F_Biodiversity Credit Report.pdf NSW Biodiversity Credit Report	29/04/2024	No	High
#2.	Document	Att 3 ELA 2024 Concept Plan Approval Modification Rosedale BDAR_V2.pdf Biodiversity Development Assessment Report as per NSW requirements	29/04/2025	Yes	High
#3.	Document	Att 3_ELA 2025 Concept Plan Approval Modification Rosedale BDAR_V2-Redacted.pdf NSW Biodiversity Development Assessment Report with Redacted sensitive information	29/04/2024	No	High

4.1.5.9 (Migratory Species) Why you do not think your proposed action is a controlled action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 3 ELA 2024 Concept Plan Approval Modification Rosedale BDAR_V2.pdf Biodiversity Development Assessment Report as per NSW requirements	29/04/2025	Yes	High
#2.	Document	Att 3_ELA 2025 Concept Plan Approval Modification Rosedale BDAR_V2-Redacted.pdf NSW Biodiversity Development Assessment Report with Redacted sensitive information	29/04/2024	No	High

4.1.5.11 (Migratory Species) Proposed offsets relevant to avoidance or mitigation measures

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 17_Appendix F_Biodiversity Credit Report.pdf NSW Biodiversity Credit Report	29/04/2024	No	High
#2.	Document	Att 3 ELA 2024 Concept Plan Approval Modification Rosedale BDAR_V2.pdf Biodiversity Development Assessment Report as per NSW requirements	29/04/2025	Yes	High
#3.	Document	Att 3_ELA 2025 Concept Plan Approval Modification Rosedale BDAR_V2-Redacted.pdf	29/04/2024	No	High

NSW Biodiversity Development Assessment Report with Redacted sensitive information

5.2 Declarations

Completed Referring party's declaration

The Referring party is the person preparing the information in this referral.

ABN/ACN	87096512088
Organisation name	ECO LOGICAL AUSTRALIA PTY LTD
Organisation address	1/79 Market St Mudgee 2850 NSW
Representative's name	Cheryl ODwyer
Representative's job title	Principal Ecologist
Phone	+61410552708
Email	cheryl.odwyer@ecoaus.com.au
Address	1/79 Market St Mudgee

☑ Check this box to indicate you have read the referral form. *

☑ I would like to receive notifications and track the referral progress through the EPBC portal. *

☑ By checking this box, I, **Cheryl ODwyer of ECO LOGICAL AUSTRALIA PTY LTD**, declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. *

☑ I would like to receive notifications and track the referral progress through the EPBC portal. *

Completed Person proposing to take the action's declaration

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

ABN/ACN	656877726
Organisation name	WALKER ROSEDALE PTY LIMITED
Organisation address	Level 21, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000
Representative's name	Zoe Kavanagh

Representative's job title	Development Manager
Phone	0478 540 846
Email	zoe.kavanagh@walkercorp.com.au
Address	Level 21, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000

☑ Check this box to indicate you have read the referral form. *

☑ I would like to receive notifications and track the referral progress through the EPBC portal. *

☑ I, **Zoe Kavanagh of WALKER ROSEDALE PTY LIMITED**, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf or for the benefit of any other person or entity. *

☑ I would like to receive notifications and track the referral progress through the EPBC portal. *

✔ Completed Proposed designated proponent's declaration

The Proposed designated proponent is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

☑ Check this box to indicate you have read the referral form. *

☑ I would like to receive notifications and track the referral progress through the EPBC portal. *

☑ I, **Zoe Kavanagh of WALKER ROSEDALE PTY LIMITED**, the Proposed designated proponent, consent to the designation of myself as the Proposed designated proponent for the purposes of the action described in this EPBC Act Referral. *

☐ I would like to receive notifications and track the referral progress through the EPBC portal. *