



# Hunter Bird Observers Club

*Affiliated with BirdLife Australia*

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## Eden Estates Rezoning Proposal

Hunter Bird Observers Club Inc. (HBOC) understands that an application for rezoning has been submitted or will be submitted by Eden Estates (Newcastle) Pty Ltd to rezone 423 hectares of Newcastle LGA bushland adjacent to the Hunter Motorway between Glendale and Fletcher. This is the larger portion of the land proposed for development for which Lake Macquarie Council has already sought a gateway decision on rezoning of 169 hectares.

Hunter Bird Observers Club Inc. objects to the proposed rezoning of this last significant piece of bushland remaining in the Newcastle LGA.

All the remaining natural areas of Newcastle LGA are under threat with the Rankin Park to Jesmond Bypass, Winten's Minmi Estate, John Hunter Hospital and Innovation Precinct, and now this huge development consuming the last remaining green area fringing Newcastle's western boundary.

According to T. Peake 2006: *"76% of woodland and forest from the Hunter Valley floor have been cleared leaving only 19% of fragmented remnant vegetation. A mere 0.8% of this remnant vegetation is in protected ownership - national parks, which are situated on poorer soils and have lower bird abundance and diversity."* There is no doubt that the 19% remnant vegetation has diminished significantly since the time of this statement.

The BirdLife Australia database (Birdata) lists 105 species as having been recorded on this proposed subdivision which is approximately 18% of species in NSW. Of these species six (6) are listed as vulnerable under the *Biodiversity Conservation Act 2016 (BC Act 2016)*.

Threatened species listed under the *BC Act 2016* include Little Lorikeet (vulnerable), Masked Owl (vulnerable), Powerful Owl (vulnerable), Little Eagle (vulnerable), Glossy Black Cockatoo (vulnerable) and Square-tailed Kite (vulnerable).

This site has large areas of the *Endangered Ecological Community (EEC) Lower Hunter Spotted Gum Ironbark Forest*. The criteria for this listing are as follows: *"Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions is eligible to be listed as an Endangered Ecological Community as, in the opinion of the NSW Threatened Species Scientific Committee, it is facing a very high risk of extinction in New South Wales in the near future, as determined in accordance with the following criteria prescribed by the Biodiversity Conservation Regulation 2017:"*

This vegetation community is well-known in the Lower Hunter for providing the key habitat resource for a range of threatened woodland birds, including the critically endangered Regent Honeyeater and Swift Parrot. Both of these species are on the brink of extinction and could use this large remnant of temperate open forest, because it is such a diminishing habitat type, with greater than 85% cleared across south-eastern Australia. Further, coastal habitats are likely to become more important for these species in the context of the effects of climate change (causing severe droughts in the western slope habitats).

The conservation land proposed for the site is not of a sufficient size to serve as habitat for anything except adaptable and aggressive bird species, such as Noisy Miners, which are known to exclude woodland birds from their home ranges. They are fragmented, narrow and do not include significant areas of high value woodland. The edge effects in these areas will be enormous. The areas proposed seem to follow the watercourses and topographical areas of 20 – 30+ % slope. This is confirmed by the preliminary engineering assessment which states *“The majority of the site (grading at less than 20%) can be developed utilising standard engineering and construction practices.”*

That suggests the conservation areas have not been selected on biodiversity or habitat value, but on their low value for development. This is exactly the reason that the vast majority of lowland open forest has been cleared.

Further fragmentation of the conservation lands by services infrastructure and connection requirements will be likely. Linkage of the conservation lands will be degraded by lack of management and degradation by residents

HBOC also questions how this complies with council’s “Newcastle Urban Forest Background Paper October 2007” Section 3.3.12 Nature Conservation or “Newcastle Urban Forest Policy October 2007” Section 4.1 Goals 3. *“Sustain and expand Newcastle’s urban forest on an intergenerational life cycle basis”*

As previously stated this is a huge area of remnant bushland and is a link in the green corridor from Blackbutt Reserve to Mount Sugarloaf.

The opportunity for offsetting within the Newcastle LGA to provide similar habitat to conserve local species is non-existent as your Newcastle Environmental Management Strategy, 2013 states:

*“Biodiversity offsetting mechanisms remains a planning gap. With limited ‘greenfield’ development opportunities remaining, the development of an offsetting method is not justifiable so the preferred mechanism for large scale offsetting is the use of the State Government BioBanking method (although this approach is likely to see offsets provided outside of the LGA).*

*A council specific approach to offsetting is required in relation to council operations. A review of Council’s Biodiversity Strategy and preparation of a Biodiversity Action Plan will consider this issue”*

Taking into account that *'offsetting mechanisms remains a planning gap'* and that *'A review of the Council's Biodiversity Strategy and preparation of a Biodiversity Action Plan will consider this issue'* with no indication of a time frame for this review, it would be totally inappropriate for Newcastle City Council to consider rezoning this valuable parcel of important biodiversity land when it does not have a Biodiversity Action Plan to guide its deliberations.

According to the recent report by the UN Environment Programme (Unep) and the Food and Agriculture Organisation (FAO) “*The world must rewild and restore an area the size of China to meet commitments on nature and the climate, says the UN, and the revival of ecosystems must be met with all the ambition of the space race.*”

*Existing conservation efforts are insufficient to prevent widespread biodiversity loss and ecosystem collapse, the global body has warned at the launch of the Decade on Ecosystem Restoration, an urgent call for the large-scale revival of nature in farmlands, forests and other ecosystems.”*

Statements in the current NSW State of the Environment resonate with the FAO view above:

*“The main threats to listed species in NSW are habitat loss due to the clearing and degradation of native vegetation and the spread of invasive pests and weeds. The capacity of species to adapt to these pressures is further constrained by climate change”.* In NSW 1025 species are listed as threatened – a 3% increase in threatened species over the past three years (26 more species) and there are 46 key threatening processes.

Considering these issues in relation to lack of adequate areas reserved for biodiversity in the LGA, lack of any suitable area within the LGA for offsetting, the pressures on the few remaining semi natural areas, and the fragmentation of the few green areas under reservation we again voice our objection to any rezoning of this estate.

Prepared by T. Kendall, member of HBOC conservation sub-committee. 20 June 2021.

#### **References:**

Birdlife Australia Database (Birddata)

<https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/ScientificCommittee/Determinations/2019/lower-hunter-spotted-gum-ironbark-forest-final-determinationEEC.pdf?la=en&hash=45284937A71F0175AF94955070E93778C784AA0F>

Lake Macquarie Council Website - 21SP041 - USC Attachment 1c - Rezoning Glendale - Prelim eco. assess.

<https://www.theguardian.com/environment/2021/jun/03/rewild-on-massive-scale-to-heal-nature-and-climate-says-un-decade-on-ecosystem-restoration-aoe>

Newcastle City Council - Newcastle Urban Forest Policy October 2007

<https://www.newcastle.nsw.gov.au/living/environment/environmental-education/good-bushland-neighbours>

NSW State of the Environment <https://soe.epa.nsw.gov.au/all-themes/biodiversity/threatened-species>