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KOALA ASSESSMENT REPORT – CEMETERY ROAD, COROWA



Koala Assessment Report – Cemetery Road, Corowa

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Cover Photo: Mature remnant River Red Gum on the Cemetery Road eastern reserve.

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1. INTRODUCTION

In March 2021, Hamilton Environmental Services (HES) was engaged to prepare a Koala Assessment Report (KAR) for Enth Degree Architects, the landholder of two land parcels on Cemetery Road, Corowa, through North East Survey Design; 335 residential subdivisions are proposed across both parcels.

A Test of Significance Report addressing the likely impact of the proposed development on threatened communities and species has recently been prepared by HES (HES 2021).

The KAR is required as a *Statement of Facts and Contentions* recorded in the Land and Environment Court of New South Wales (Case number 2020/00362961) has indicated that the Federation Council Riverina area – and the site of the proposed development - is subject to the *State Environmental Planning Policy (Koala Habitat Protection) 2019* (now superseded by *State Environmental Planning Policy (Koala Habitat Protection) 2021*).

Field assessment of both parcels and the adjacent road reserves was conducted on the 15th April 2021 by Dr. Steve Hamilton, and this report presents these findings.

2. LEGISLATIVE CONTEXT

State Environmental Planning Policy (Koala Habitat Protection) 2019 commenced on the 1st March 2020, and replaced the previous *State Environmental Planning Policy 44 – Koala Habitat*, which had been in effect since 1995. *State Environmental Planning Policy (Koala Habitat Protection) 2019* was amended on the 16th October 2020, and then replaced by *State Environmental Planning Policy (Koala Habitat Protection) 2021* (the SEPP).

For all RU1, RU2 and RU3 zoned land outside of the Sydney Metropolitan Area and the Central Coast, SEPP 2020 continues to apply.

In Local Government Areas (LGAs) with no approved Koala Plan of Management, the SEPP 2021 applies if:

- the size of your land, including any adjoining parcels of land you own, is more than 1 hectare;
- the property is within an LGA the SEPP 2021 applies to;
- the development proposed requires development consent from Council.

SEPP 2021 is applicable to the proposed development, as Federation Council is listed in SEPP 2021 as an applicable LGA, there is no Koala Plan of Management for the Federation Council LGA, the development is on property > 1 ha, and the development proposed does require development consent from Council (Part 4 activity under *Environmental Planning and Assessment Act 1979*).

Outside of the Sydney Metropolitan Area and the Central Coast, the SEPP 2021 applies to all land zones except RU1, RU2 and RU3 zoned land, which are separately considered under Part 5A of the *Local Land Services Act 2013* (LLS Act) and the private native forestry framework in Part 5B of the LLS Act.

The proposed development parcels – Lot 1 DP199174 and Lot 66 DP1167493 - are both zoned as R2 Low Density Residential, according to the *Corowa Local Environment Plan 2012*.

3. BACKGROUND

3.1 Location and Description

Both land parcels are located approximately 1.7 km west of the centre of the township of Corowa (Fig. 2-1).

The northern parcel of 12.2 ha (Lot 1 DP199174) is rectangular in shape and has dimensions of 475 m north-south, and 395 m east-west, and is found on the south-eastern corner of the Cemetery Road and Redlands Road intersection, and is bordered by both of these roads on its northern and western boundaries, Tower Road on its southern boundary, and freehold land on its eastern boundary (see Figures 2-1 and 2-2). This parcel is fully fenced for stock, and has been almost wholly cleared of woody vegetation, except for one planted exotic Peppercorn and a large dead Yellow Box (*Eucalyptus melliodora*) tree in the south-western corner, and has clearly been used for cropping and grazing for an extended period based on the predominantly introduced species ground layer.

The southern parcel of 15.5 ha (Lot 66 DP1167493) is roughly square in shape and has maximum dimensions of 500 m north-south, and 495 m east-west, and is bordered on its western boundary, and freehold land on all other boundaries (see Figures 2-1 and 2-2). This parcel has been almost wholly cleared of remnant woody vegetation, is fully fenced for stock, and has also clearly been used for cropping and grazing for an extended period based on the predominantly introduced species ground layer. There are narrow plantations of exotic, indigenous and non-indigenous native trees and shrubs on the Cemetery Road boundary, and there is an access track from Cemetery Road leading to the dwelling and garden/house zone of 0.76 ha found on the north central boundary (see Fig. 2-2).



Figure 2-1 Aerial image of the general location of the assessed parcels, outlined in red (Google Earth 2020).



Figure 2-2 Aerial image of the Cemetery Road Corowa parcels, outlined with solid red lines (Image copyright NSW Land and Property Information 2020).

There is a fenced east-west open drainage channel found across the length of the southern boundary of the southern parcel, and this channel reserve has a width of 8 m; this channel zone is dominated by a mixture of annual and perennial introduced species.

There are scattered remnant mature hollow-bearing trees – a mixture of Yellow Box and River Red Gum (*E. camaldulensis*) - on the Redlands Road and Cemetery Road reserves adjacent to the parcels; the ground layer of the adjacent road reserves is also dominated by a mixture of annual and perennial introduced species.

3.2 Site conditions

HES (2021) recorded a total of 69 vascular plant species across the proposed development parcels and the adjacent road reserves; 49 of these species were introduced, of which 12 were planted or naturalised woody species.

There were no rare or threatened species observed.

Based on the evidence provided by the remnant vegetation of the adjacent road reserves and on State Vegetation Mapping (Department of Planning, Industry and Environment [DPIE] 2021f), the pre-European site was likely one NSW Plant Community Type (PCT): PCT ID 237 – *Floodplain Transition Woodlands – Riverine Western Grey Box grassy woodland of the semi-arid (warm) climate zone*.

The northern parcel is fully fenced for stock, and has been almost wholly cleared of woody vegetation, except for one planted exotic Peppercorn, and a large dead Yellow Box tree in the south-western corner, and has clearly been used for cropping and grazing for an extended period based on the predominantly introduced species ground layer, which includes species such as Sweet Vernal Grass, Wild Oat, Common Heliotrope, Barley Grass, Cat's Ear, Prickly Lettuce, Paspalum and Rat's-tail Fescue (95 % projective foliage cover counting cured annual plant material). There are some indigenous ground layer species present across this area, such as Brown-backed Wallaby-grass, Curly Windmill Grass and Variable Sida, but these species are in very low abundance (< 1 % projective foliage cover).

The southern parcel has also been wholly cleared of remnant woody vegetation, is fully fenced for stock, and has also clearly been used for cropping and grazing for an extended period based on the predominantly introduced species ground layer, composed predominantly of the pasture legume Lucerne (established), with Sweet Vernal Grass, Wild Oat, Common Heliotrope, Barley Grass, Cat's Ear, Prickly Lettuce, Paspalum and Rat's-tail Fescue (95 % projective foliage cover counting cured annual plant material). There are some indigenous ground layer species present across this area, such as Brown-backed Wallaby-grass, Curly Windmill Grass and Variable Sida, but these species are in very low abundance (< 1 % projective foliage cover).

There are narrow and sparse plantations of trees and shrubs on the Cemetery Road boundary of the southern parcel, such as the exotics Desert Ash, Radiata Pine and Silver Birch, the non-indigenous native species Red Ironbark, and the indigenous species River Red Gum.

There is a fenced east-west open drainage channel found across the length of the southern boundary of the southern parcel, and this channel reserve has a width of 8 m; this channel zone is dominated by a mixture of annual and perennial introduced species such as Wild Oat, Great and Soft Brome, Spear Thistle, Cocksfoot, Summer Grass, Stinkwort, Flaxleaf Fleabane, St. John's Wort, Cat's Ear, Water Couch, Paspalum, Kikuyu, Phalaris, Plantain, Wireweed, Curled Dock, Milk Thistle, and Subterranean Clover (95 % projective foliage cover, including cured annual plant material). Indigenous ground layer species, such as Tall and Fen Sedge, Common Club-rush, Pale Rush, Blown Grass, Creeping Knotweed and Swamp Dock are common, but have a relatively low abundance (5 % projective foliage cover).

Notwithstanding the remnant Yellow Box and River Red Gum trees found scattered on the Redlands Road and Cemetery Road reserves adjacent to the parcels, the ground layer of the adjacent road reserves is dominated by introduced species such as Wild Oat, Great Brome, Common Heliotrope, Cat's Ear, Prickly Lettuce, Paspalum, Hensbit, Plantain, Wireweed, Water Couch and Rat's-tail Fescue (65 % projective foliage cover counting cured annual plant material). There are some indigenous ground layer species present across these areas as individual plants or small patches, such as Brown-backed and Smallflower Wallaby-grass, Red-leg Grass, Rigid Panic, Mat-grass, Curly Windmill Grass and Variable Sida, but these species are in very low abundance (< 5 % projective foliage cover).

HES (2021) only observed six indigenous fauna across the mostly cleared parcel and road reserve environment - the indigenous Australian Magpie, Galah, Magpie-lark, Sulphur-crested Cockatoo, Red-rumped Parrot and Noisy Miner.

The lack of observed species diversity across the parcels was not surprising, given:

- the lack of woody vegetation across the property, with particular reference to the wholly cleared areas as a result of the substantive disturbance from stock grazing and cropping, would considerably limit mammal, reptile, bat and bird species residency;
- the dominance of the aggressive and territorial indigenous honeyeater Noisy Miner associated with the trees on the Cemetery Road reserve is likely to preclude the presence of most indigenous birds;
- the lack of fallen timber, which would considerably limit mammal, reptile, bat and bird species residency;
- domination of the ground layer vegetation by introduced species across much of the property;
- the likely presence of feral animal populations such as foxes and feral cats, which would actively predate any ground-dwelling or near ground-dwelling species heavily.

The Murray River corridor is the closest native vegetation block to the sites, and is 1.2 km south-east of the southern parcel and 1.7 km south-east of the northern parcel, but there is no continuous vegetation (tree) cover to this corridor.

There is only scattered remnant hollow-bearing native vegetation (Yellow Box and River Red Gum trees) on the Redlands Road and Cemetery Road reserves, but there is no other indigenous woody vegetation in the vicinity; the parcels are therefore quite disconnected from larger areas of native vegetation and have low connectivity within the landscape.

On this basis, it is reasonable to assume that most fauna were not likely to utilise the scattered trees on these adjacent road reserves.

3.3 Impact of Development

HES (2021) concluded that the parcels were not in a declared area of outstanding biodiversity value, the proposed development area is not mapped as *Vulnerable or Sensitive Regulated Land* according to the *State Environmental Planning Policy (Vegetation) 2017*, and is also not mapped as an area of Biodiversity Value.

There is no effective native vegetation on either parcel, but there were scattered remnant mature trees on the Redlands Road and Cemetery Road reserves adjacent to the parcels.

The generation of Biodiversity Offset Scheme Entry Threshold Reports (BOSET Report) for each parcel revealed that the minimum Lot Size is 0.06 ha, and that the native vegetation Area Clearing Threshold required to enter the Biodiversity Offset Scheme (BOS), and for a Biodiversity Development Assessment Report (BDAR) to be completed, is 0.25 ha for each parcel.

Therefore, for development to avoid entering the BOS and requiring a BDAR to be undertaken, proposed native vegetation clearance must be < 0.25 ha on each parcel; the proposed development was likely to remove only one hollow-bearing standing dead tree on the northern parcel, constituting an area of < 0.01 ha in total native vegetation loss extent, which is well below the threshold.

All other remnant trees on the Redlands Road and Cemetery Road reserves adjacent to the parcels were to be avoided, and would be retained.

Both parcels were evaluated and subjected to a Test of Significance under Part 7 Division 1 Section 7.3 of the *Biodiversity Conservation Act 2016*, and it was concluded that the loss of one dead hollow-bearing remnant tree, would not result in any significant impacts on any threatened species or community as a consequence.

The only section of the property which contains even sub-optimal habitat for the threatened Sloane's Froglet is the channel along the southern boundary of the southern parcel, and this area has been excluded from development; the adjacent pasture/cropping land are dominated by introduced ground layer species and devoid of the periodically inundated areas which are the typically habitat of the species, and is unsuitable for it.

3.4 Koala Habitat Information Base

Interrogation of the *Koala Habitat Information Base* (DPIE 2021a) with reference to the proposed development sites, and with reference to the *Koala Habitat Information Base Technical Guide* (DPIE 2019), revealed the following:

- There have been no Koala sightings recorded on NSW BioNet within 30 km of the sites since 1910 (DPIE 2021b). The most recent and closest records for the species are at Yarrawonga and at Jindera in 2004;
- Corowa is not an Area of Regional Koala Significance (DPIE 2021g);
- While the proposed development parcels contains only six planted indigenous trees that are listed as food and shelter trees for Koala in Riverina region the SEPP 2021 (River Red Gum), there are 27 remnant Yellow Box and River Red Gum on the Redlands Road and Cemetery Road reserves adjacent to the parcels, of which 25 are mature and hollow-bearing-individuals. Both Yellow Box and River Red Gum are listed as food and shelter trees for Koala in Riverina region the SEPP 2021. This Koala Tree Index v1.0 (DPIE 2021d) predicts the probability, using a value between 0 and 1 of finding a tree species that Koalas are known to prefer for food or shelter at any location – given that there is no remnant vegetation on the parcels proposed for development, the remnant trees on the Redlands Road and Cemetery Road reserves adjacent to the parcels provide a high probability (0.75 to 0.85) of locating a suitable tree for the species;
- Given that there is no remnant vegetation on the parcels proposed for development, the Koala Habitat Suitability Model v2.0 (DPIE 2021c) - predicts the spatial distribution of potential koala habitat across NSW using a value between 0 and 1 (i.e. a higher value represents a higher probability that a specific location will contain habitat suitable for Koalas) - indicates that the likelihood of the remnant trees on the Redlands Road and Cemetery Road reserves adjacent to the parcels to provide suitable habitat for the species was low (values of 0.25 to 0.30 out of 1.0)(DPIE 2019);
- The Koala Likelihood Map v2.0 (DPIE 2021d) predicts the likelihood of finding a Koala across a 10-square-kilometre grid covering NSW, based on available arboreal mammal records from the past 20

years, and indicates with high confidence that there is a zero likelihood of finding the species at the sites or adjacent roadsides based on no records of the species.

4. SURVEY AND RESULTS

In accordance with the *State Environmental Planning Policy (Koala Habitat Protection) 2021*, a range of survey activities were undertaken to determine the presence of Koalas.

4.1 Suitable habitat tree location

All 33 suitable trees for habitat, according to *State Environmental Planning Policy (Koala Habitat Protection) 2021*, have been previously assessed and located by HES (2021).

The location of these 33 trees can be seen in Figures 4-1 and 4-2, and their characteristics described in Appendix A.

4.2 Scat technique

All identified suitable habitat trees were searched for signs of Koala use on 15th April 2021, per the *Scat Assessment Technique* described in Phillips and Callaghan (2011). In keeping with the survey guidelines, the area had not experienced heavy rain in the 3 days prior to survey (Bureau of Meteorology 2021).

No scats of any species of mammals were found beneath any trees.

4.3 Spotlighting

Two observers examined all tree canopies with spotlights on the 15th April 2021 for 1 hour following sunset.

On the evening of assessment, air temperatures were between 12 and 13°C, the sky was overcast, and there was no wind (Bureau of Meteorology 2021).

No Koalas were observed; however, several domestic cats (*Felis catus*), several micro-bats, and one Barn Owl (*Tyto alba*) were sighted.

4.4 Scratches

All of the trunks of the smooth-barked trees (River Red Gums) were inspected for distinctive Koala scratches. The only scratches observed were short fine scratches consistent with cats; no long and deep sweeping scratches characteristic of Koala occurred in the trees that were inspected.



Figure 4-1 Aerial image of the northern parcel and adjacent road reserves on Cemetery Road, Corowa, showing the location of indigenous remnant trees; numbers are tree identifiers in the table in Appendix A (Image from ESRI Australia 2021).



Figure 4-2 Aerial image of the southern parcel and adjacent road reserves on Cemetery Road, Corowa, showing the location of indigenous remnant and planted indigenous trees; numbers are tree identifiers in the table in Appendix A (Image from ESRI Australia 2021).

5. CONCLUSIONS

In accordance with a *Statement of Facts and Contentions* from the Land and Environment Court that the proposed residential development of Cemetery Road, Corowa is subject to *State Environmental Planning Policy (Koala Habitat Protection) 2021*, a Koala Assessment Report has been prepared to consider whether the species is found on site, or is likely to be found on site.

Previous assessment and reporting has shown that the two parcels where development is to occur are devoid of native vegetation, and that the only native vegetation in proximity to the development is remnant Yellow Box and River Red Gum trees in the Redlands and Cemetery Road reserves that are adjacent to the parcels.

Careful design in the development will result in the loss of only one mature standing dead tree in the Cemetery Road reserve, and all other remnant trees are to be avoided and will be retained. The previous reporting has indicated that the development in general, and the removal of the standing dead tree, in particular, will not result in any impact to threatened communities or species.

Desktop resources indicate that while suitable habitat trees are found on the periphery of the proposed development (the remnant Yellow Box and River Red Gum trees in the Redlands and Cemetery Road reserves that are adjacent to the parcels) and that these may provide suitable habitat to Koalas, the disconnectedness of these remnant trees in the landscape, and the lack of records of the species within 30 km in the last 100 years, indicates that it is highly unlikely that the species would ever utilise the road reserve vegetation.

Scat survey, spotlighting and examination of the tree trunks of the identified suitable trees, for characteristic scratches from the species, yielded no evidence of Koala presence.

It is clear that Koala are no longer present in the district around Corowa.

Given these findings, and notwithstanding that the development parcels containing no suitable Koala habitat, and that all but one of the remnant trees on the Redlands and Cemetery Road reserves that are adjacent to the parcels are to be retained, it can be strongly asserted that the proposed development will have no impact on Koala.

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6.1 Personal communications

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APPENDIX A ASSESSED TREES

Tree number	Common name	Scientific name	Category	Diameter ¹	Tree location ²	
					Easting	Northing
1	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	260 (dead)	443106	6016584
3	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	95	443139	6016848
4	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	90/90	443142	6016858
5	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	140	443150	6016905
6	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous (planted)		443288	6016057
7	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous (planted)		443291	6016053
8	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous (planted)		443290	6016049
9	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous (planted)		443286	6016045
10	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous (planted)		443286	6016040
11	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous (planted)		443287	6016047
12	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	70/35	443254	6016952
13	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	60/25	443249	6016952
14	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	75	443244	6016953
15	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	90	443239	6016953
16	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	130	443154	6016927
17	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	30	443157	6016936
18	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	95/75	443139	6016841
19	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	130/75/65	443132	6016795
20	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	100/90	443128	6016750
21	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous	70/60	443119	6016702
22	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous	85	443116	6016685
23	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous	70	443116	6016681
24	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous	38	443114	6016677
25	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous	160/60	443111	6016656

Tree number	Common name	Scientific name	Category	Diameter ¹	Tree location ²	
					Easting	Northing
26	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous	75	443109	6016640
27	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous	80/65	443107	6016629
28	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous	75	443108	6016626
29	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	80	443029	6016099
31	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	70/50/40	443018	6016025
35	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	130	442998	6015885
38	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous	60	442992	6015850
39	River Red Gum	<i>Eucalyptus camaldulensis</i>	Indigenous	75	442991	6015845
40	Yellow Box	<i>Eucalyptus melliodora</i>	Indigenous	65/30	443004	6015928

1. Diameter at breast height over bark in cm (at 1.30 m above ground);
2. Location data are northings and eastings of MGAz55 coordinates.