



**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

20 April 2022

Mr Anthony Witherdin
Director – Key Sites Assessment
Department of Planning Industry and Environment
via email

Dear Anthony,

SSD-14378717| TELOPEA CONCEPT PLAN AND STAGE 1A WAIVER REQUEST FOR BIODIVERSITY ASSESSMENT REPORT

We write on behalf of Frasers Property Telopea Developer Pty Ltd (the Proponent) to seek a waiver for the requirement for a Biodiversity Development Assessment Report (BDAR) for State Significant Development SSD-14378717.

As identified within the Environmental Impact Statement (EIS) dated July 2021, SSD-14378717 seeks Concept approval for the staged redevelopment of the Telopea CPA, as well as a detailed proposal for the first stage of development. The Concept proposal sets out the maximum building envelopes and gross floor area (GFA) that can be accommodated across the CPA, and identifies the land uses and public infrastructure upgrades to be provided. The Concept proposal will establish the planning and development framework from which any future development application will be assessed against.

The Telopea CPA proposal comprises:

- A mixed-use development including:
 - Approximately 4,700 dwellings, including a mix of social, affordable and market dwellings
 - Inclusion of a new retail precinct with a new supermarket, food and beverage, and speciality retail
 - Proposed childcare facility
 - Proposed combined library and community centre
 - Proposed combined Church, Residential Aged Care Facility (RACF) and Independent living unit's (ILU) facility
- Delivery of new public open space, including:
 - A new light rail plaza
 - Hill top park
 - Elyes pedestrian link

- Open space associated with the proposed library
- Retention of existing significant trees
- Road and intersection upgrades
- Cycle way upgrades
- Upgrade of utility services

The first stage of works to be delivered (known as 'Stage 1A') is located within the Core precinct adjacent to the Parramatta Light Rail station and will include:

- Site establishment works including demolition of all existing buildings and structures, tree removal, site preparation, excavation, and services augmentation.
- Construction of a new arrival plaza for the PLR known as 'Telopea Station Plaza' incorporating a hilltop park surrounding existing significant trees.
- Construction of the Sturt Street West extension over the PLR including Adderton Road intersection works and cycleway connection.
- Upgrade of Sturt and Shortland Streets including kerb realignment, new footpaths and verge landscaping, new indented parking bays, bus zones and pedestrian crossing.
- Construction of five residential buildings between 4 and 14 storeys in height with a shared basement, comprising a total of 443 studio, one-, two- and three-bedroom apartments.
- Construction of two basement levels with ingress/egress via Sturt Street comprising a total of 416 car parking spaces and 473 bicycle storage spaces, waste and loading facilities.
- Associated open space and landscaping works, including construction of a new public park and through site link, retention of existing significant trees, and ground and rooftop communal open space.
- Construction of a new publicly accessible mews street, providing access to the five residential buildings and new public park.
- Torrens Title Subdivision.

ACS Environmental Pty Ltd prepared a 'Flora and Fauna Surveys and Biodiversity Impact Assessment' which accompanied the EIS as Appendix U. Urbis have undertaken an assessment of the proposal (based on the findings within the ACS Environmental Report) against the relevant provisions of the *Biodiversity Conservation Act 2016* and *Biodiversity Conservation Regulation 2017*.

Urbis are of the opinion that the proposal as described in SSD-14378717 is unlikely to have a significant impact on the eight biodiversity values as defined in Section 1.5 of the *Biodiversity Conservation Act 2016* and clause 1.4 and clause 6.1 of the *Biodiversity Conservation Regulation 2017*.

Having regard to the above, and the assessment provided at **Table 1** below, we respectfully request that the requirement for a BDAR is waived in this instance.

Table 1 Assessment of proposal against biodiversity values

Biodiversity Value	Assessment
<i>Biodiversity Conservation Act 2016</i>	
<u><i>Section 1.5 Biodiversity and biodiversity values for purposes of Act</i></u>	
<i>Vegetation integrity—being the degree to which the composition, structure and function of vegetation at a particular site and the surrounding landscape has been altered from a near natural state,</i>	<p><i>The site is within an established highly managed urban curtilage area with no natural ground or shrub cover and patches of planted canopy trees, mostly species that do not naturally occur in this landscape (non-locally occurring native and non-native species). The landscaped vegetation bears no relation to a near natural state which it can be assumed from landscape position, geology of substrates and locality, may have supported assemblages of Sydney Turpentine Ironbark Forest (STIF), no elements of which currently occur at the subject site.</i></p> <p><i>No endangered populations, no threatened flora or fauna species and no natural ecological communities (including threatened ecological communities) are recorded within the site or in the surrounding locality (NSW BIONET ATLAS of NSW WILDLIFE, 2019).</i></p> <p><i>Therefore, the proposal will not adversely impact vegetation integrity on the site or surrounding landscape.</i></p>
<i>Habitat suitability—being the degree to which the habitat needs of threatened species are present at a particular site,</i>	<i>The site does not contain any known habitat for any threatened flora or fauna species. The site is proposed to be cleared of all naturally-occurring vegetation (see Figure 7 of Flora and Fauna and Biodiversity Impact Assessment report by ACS Environmental 2020). The site currently contains buildings and structures which are proposed to be removed and therefore does not present any favourable habitat that would likely suit the needs of any threatened species of flora or fauna.</i>

Biodiversity Value	Assessment
<p><i>Biodiversity values, or biodiversity-related values, prescribed by the regulations.</i></p>	<p>For a stand of landscaped Sydney Blue Gum that occurs in the north-western section of the subject area (see Figures 6 & 10B of Flora and Fauna and Biodiversity Impact Assessment report by ACS Environmental 2020), biodiversity values were calculated using the BAM-C calculator. The Vegetation Integrity Score (VIS) was calculated at a very low index of 3.3 for a 0.06ha stand of Sydney Blue Gum that occurs in the north-western section of the subject site, a score that is too low to generate any offset credits (see BAM 2020). The VIS score was so low due to there being no floristic variation, no variability in tree cohort diameter, no regeneration of blue gum seedlings or saplings in the highly managed curtilage, no hollows in any of the trees, no logs lying in the ground stratum, and no litter layer in the exotic grass ground cover.</p> <p>In relation to habitat for threatened species including for stands of Sydney Blue Gum that occur in the north-western section of the subject site, Appendix D1 of BAM (2020) - 'Decision Making Key' directs the prompt to 'native trees planted for aesthetic purposes' which further directs the key to D2 (BAM 2020) - 'Assessment of planted native vegetation for threatened species habitat'. It has been assessed that these stands of Blue Gum do not provide habitat for any threatened species in the precinct. This assessment is provided on p38 of the Flora and Fauna and Biodiversity Impact Assessment report by ACS Environmental (2020). as well as in Sections 3.2.7 and 3.3.5.2 of the Flora and Fauna and Biodiversity Impact Assessment report by ACS Environmental 2020).</p>
<p><i>Biodiversity Conservation Regulation 2017</i></p>	

Biodiversity Value	Assessment
<u>Section 1.4 Additional biodiversity values</u>	
<i>Threatened species abundance—being the occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site</i>	The site does not contain any threatened species or threatened ecological communities or their habitats. Therefore, the proposal will not have any likely impact on the surrounding natural environment and abundance of species.
<i>Vegetation abundance—being the occurrence and abundance of vegetation at a particular site</i>	The site is cleared of most vegetation and therefore does not contain abundant vegetation.
<i>Habitat connectivity—being the degree to which a particular site connects different areas of habitat of threatened species to facilitate the movement of those species across their range</i>	<p>The site is within an established urban area. It does not contain any known habitat, nor does it connect different areas of habitat.</p> <p>The subject area occurs within a long established urban residential development, though with some bushland retained along drainage lines and corridors at Vineyard Creek to the west and The Ponds Creek to the south-east, some 500m from the surveyed areas (see Figure 9 of Flora and Fauna and Biodiversity Impact Assessment report by ACS Environmental 2020).</p> <p>The extensive presence of canopy trees within the subject land may afford a moderate degree of connectivity for common avian species in the locality, however, no habitat exists for threatened avian or arboreal mammal species.</p> <p>Therefore, the proposal will not have any likely impact on habitat connectivity.</p>
<i>Threatened species movement—being the degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle</i>	The site and surrounds do not contain any threatened species or threatened ecological communities or their habitats. The site and surrounds are not known to connect different areas of habitat for threatened species. (see Figure 9 of Flora and Fauna and Biodiversity

Biodiversity Value	Assessment
<p><i>Flight path integrity—being the degree to which the flight paths of protected animals over a particular site are free from interference</i></p>	<p>Impact Assessment report by ACS Environmental (2020).</p> <p>Therefore, the proposal will not have any likely impact on threatened species movement.</p> <p>No endangered populations, no threatened flora or fauna species and no natural ecological communities (including threatened ecological communities) are recorded within the site or in the surrounding locality (NSW BIONET ATLAS of NSW WILDLIFE, 2019).</p> <p>As the site would be cleared of any vegetation and occurs within an highly managed and established urban area surrounded with tall building forms, the proposal is highly unlikely to impact flight paths of any protected avian or flying mammalian animals such as megabats or microchiropterans.</p>
<p><i>Water sustainability—being the degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site.</i></p>	<p>No endangered populations, no threatened flora or fauna species and no natural ecological communities (including threatened ecological communities) are recorded within the site or in the surrounding locality (NSW BIONET ATLAS of NSW WILDLIFE, 2019).</p> <p>As such, no threatened species or ecological communities will be adversely affected by water quality or hydrological processes at any section of the subject site.</p>

We trust this assessment and the 'Flora and Fauna Surveys and Biodiversity Impact Assessment' prepared by ACS Environmental Pty Ltd provides sufficient evidence to determine that the proposal will not have a significant impact on the biodiversity values defined under the *Biodiversity Conservation Act 2016* and *Biodiversity Conservation Regulation 2017* and therefore that a BDAR is not necessary to accompany the future application for SSD-14378717.



Please do not hesitate to contact the undersigned at gbeard@urbis.com.au should you require any further information.

Yours sincerely,

A handwritten signature in black ink that reads "Genevieve Beard". The signature is written in a cursive, flowing style.

Genevieve Beard
Associate Director, Planning