

14 September 2020

2200223

Jim Betts
Secretary
NSW Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street,
PARRAMATTA NSW 2150

Dear Mr Betts,

**RE: BIODIVERSITY ASSESSMENT WAIVER REQUEST
HEALTH TRANSLATION HUB AT RANDWICK HOSPITALS CAMPUS**

This Biodiversity Assessment Waiver Request has been prepared on behalf of Health Infrastructure NSW regarding the proposed Health Translation Hub (HTH). The HTH forms an extension of the existing and proposed hospital facility the - Prince of Wales Hospital -Integrated Acute Services Building, providing a specialist health-related research and education facility on the Randwick Hospital Campus.

The proposed development is located within the Randwick Local Government Area on land bound by High Street to north, Hospital Road to the east, Magill Street to the south and Botany Road to the west. The land is devoid of any vegetation and it has been subject to site preparation and early works associated with the broader redevelopment for the block (refer to **Figure 1**).

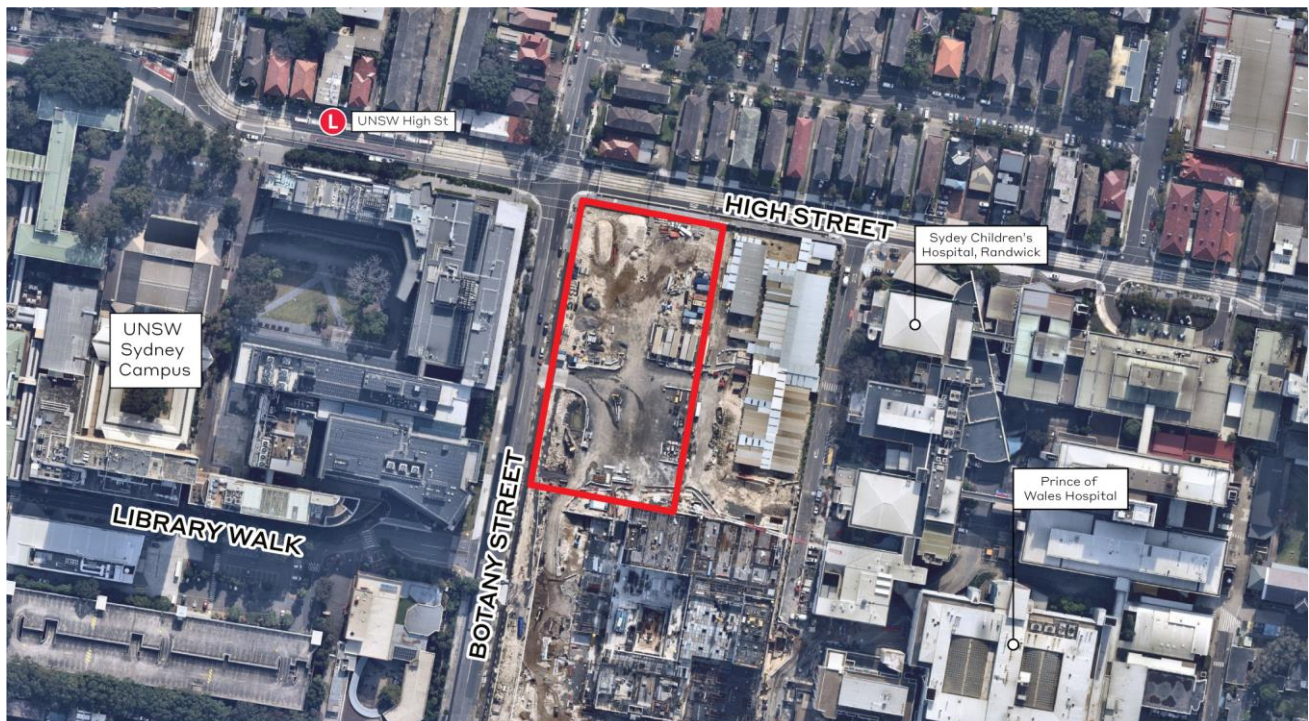


Figure 1 – Site aerial

Source: Nearmaps and Ethos Urban

Section 7.9 of the *Biodiversity Conservation Act 2016* applies to development applications seeking consent under Part 4 of the EP&A Act for the purpose of SSD. A Biodiversity Development Assessment Report is required to accompany the SSD unless the Planning Agency Head and Environmental Agency head consider that the proposed development will not have an adverse impact to biodiversity values.

On 12 January 2018, the (former) Department of Planning and Environment advised that in instances where it is believed that such an application is not required, a waiver should be requested from the Department prior to lodgement of the application. Such a waiver request should contain sufficient evidence to determine whether the proposed development is likely to have a significant impact on biodiversity values including a specific assessment against the relevant Biodiversity Values contained at Clause 1.5 of the *Biodiversity Conservation Act 2016* and Clause 1.4 and Clause 6.1 of the *Biodiversity Conservation Regulation 2017*.

A specific assessment of the proposal against the relevant biodiversity values has been provided in **Table 1**. From the assessment in **Table 1**, and given the fact that the land is devoid of any vegetation and has already been subject to site preparation and early works associated with the broader renewal of the block, it is considered that the land does not have biodiversity value and the proposed development will not cause a significant impact on the biodiversity values on the land.

Table 1 - Assessment of the proposed HTC against the relevant biodiversity values

Biodiversity Conservation Act 2016 – Clause 1.5	
<i>(a) 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>	The land is significantly altered and does not contain vegetation or habitat. It has already been subject to site preparation and early works associated with the wider renewal of the block.
<i>(b) habitat suitability – being the degree to which the habitat needs of threatened species are present at a particular site</i>	
<i>(c) biodiversity values, or biodiversity-related values, prescribed by the regulations</i>	This waiver request has considered values contained within the <i>Biodiversity Conservation Act 2016</i> , as well as the values prescribed by the <i>Biodiversity Conservation Regulation 2017</i> . The land is currently a construction zone and does not contain any vegetation or biodiversity value.
Biodiversity Conservation Regulation 2017 – Clause 1.4	
<i>(a) threatened species abundance – being the occurrence and abundance of threatened species or threatened ecological communities, or their habitat at a particular site</i>	The land is located within an urban area. The land has been cleared of all vegetation and does not contain any threatened species.
<i>(b) vegetation abundance – being the occurrence and abundance of vegetation at a particular site</i>	The land is located within an urban area and has been cleared. The land does not contain an abundance of vegetation.
<i>(c) 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>	The land is located within an urban area and is surrounded by built development. It is devoid of vegetation and does not connect to other areas of habitat.
<i>(d) threatened species movement – being the degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle</i>	The land is located within an urban environment. It has been cleared of all vegetation and does not facilitate the movement of threatened species.
<i>(e) flight path integrity – being the degree to which the flight paths of protected animals over a particular site are free from interference</i>	The site has been cleared of all vegetation. There is no indication that the flight paths of any protected species will be interfered with by the proposal.
<i>(f) 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>	The proposed development will not result in any adverse impacts on water bodies surrounding the land.
Biodiversity Conservation Regulation 2017 – Clause 6.1	

(1) The impacts on biodiversity values of the following actions are prescribed (subject to subclause (2)) as biodiversity impacts to be assessed under the biodiversity offsets scheme: (a) the impacts of development on the following habitat of threatened species or ecological communities: (i) karst, caves, crevices, cliffs and other geological features of significance, (ii) rocks, (iii) human made structures, (iv) non-native vegetation,	The land is being developed, within the context of a highly urbanised environment. It does not contain habitat for threatened species or ecological communities which would be adversely affected by the HTH. The land has been cleared and levelled and does not contain any significant geological features of significance, rocks, human made structures and or native vegetation which would be adversely impacted by the HTH.
(b) the impacts of development on the connectivity of different areas of habitat of threatened species that facilitates the movement of those species across their range,	The land has been cleared of all vegetation. It does not contain any threatened species and does not connect to other areas of threatened species habitat. The proposed development will not therefore impact the movement of threatened species.
(c) the impacts of development on movement of threatened species that maintains their lifecycle,	
(d) the impacts of development on water quality, water bodies and hydrological processes that sustain threatened species and threatened ecological communities (including from subsidence or subsidence resulting from underground mining or other development),	The proposed development is on land that does not contain threatened species. As such, there will be no impact on water quality, water bodies and hydrological processes that sustain threatened species and threatened ecological communities.
(e) the impacts of wind turbine strikes on protected animals,	N/A. No wind turbines are proposed on the land.
(f) the impacts of vehicle strikes on threatened species of animals or on animals that are part of a threatened ecological community.	The land does not contain threatened species or animals that are part of a threatened ecological community. They will not therefore be impacted by vehicle strikes.

Should you like to discuss this matter, please do not hesitate to contact me on 02 9409 4991 or at aantoniazzi@ethosurban.com.

Yours sincerely,



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