Level 3 101 Sussex Street Sydney NSW 2000
t: (02) 9529 3800

Date: 15/09/2021

Our ref: 21SYD - 19203

RE: Biodiversity Assessment – Cockle Bay Park Redevelopment

This report has been prepared as part of a detailed State Significant Development (SSD) Development Application (DA) (Stage 2) for a commercial mixed use development, Cockle Bay Park, which is submitted to the Minister for Planning and Public Spaces pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). A Concept Plan and Stage 1 works (which included demolition of Cockle Bay Wharf buildings) was approved on 13 May 2019.

The site is located at 241-249 Wheat Road, Sydney to the immediate south of Pyrmont Bridge, within the Sydney CBD, on the eastern side of the Darling Harbour precinct. The site encompasses the Cockle Bay Wharf development, including land over the Western Distributor, Wheat Road, Darling Park, Pyrmont Bridge, Druitt Street Bridge and Market Street Bridge.

An Environmental Impact Statement (EIS) is being prepared in support of State Significant Development Application (SSD-9978934) for the Cockle Bay Wharf mixed use development. DPT Operator Pty Ltd and DPPT Operator Pty Ltd are the proponents.

The project SEARs state the following in relation to biodiversity:

The EIS must assess any biodiversity impacts associated with the proposal in accordance with the Biodiversity Conservation Act 2016, including the preparation of a Biodiversity Development Assessment Report (DBAR), unless a waiver is granted under the Act.

An Arboricultural Impact Assessment has been undertaken for this project (ELA 2021) which assessed the species, health and retention values of the trees present on site. It was determined that all 95 trees present on site are proposed to be removed by the development (Figure 4). The necessity to remove trees was due either to impacts to Tree Protection Zones or due to construction of the podium over trees at street level, thus causing permanent shading and inevitable death of the tree. However, none of these trees were assessed as being of high retention value. The majority of trees proposed for removal are exotic species and have been placed as landscape trees, with a number having been topiarised (located within a planter box).

The proposed development and biodiversity impacts are is described in Table 1 below. The proposed development would not have a significant impact on biodiversity values and therefore it would be reasonable to seek a waiver from the need to submit a Biodiversity Development Assessment Report with the SSDA.

Should you have any questions on any of the matters above, please contact me on (02) 9259 3781.

Regards,

Roshan Kalugalage
Environmental Consultant

Table 1: Details of Development

Requirement	Description
Admin	Proponent: DPT Operator Pty Ltd and DPPT Operator Pty Ltd Project ID: SSD- 9978934 – Prepare EIS Completed by Roshan Kalugalage – Environmental Consultant (Eco Logical Australia) – B.Sc. (Environmental Science)
Site Details	Site address: 241 – 249 Wheat Road, Sydney Location Map: Figure 1 Site Map: Prospective layout shown in Figure 3
Proposed Development	The site is located at 241-249 Wheat Road, Sydney to the immediate south of Pyrmont Bridge, within the Sydney CBD, on the eastern side of the Darling Harbour precinct. The site encompasses the Cockle Bay Wharf development, parts of the Eastern Distributor and Wheat Road, Darling Park and Pyrmont Bridge. The SSDA seeks approval for the detailed development of the Cockle Bay Wharf mixed use development. The works comprise: • Construction of a landbridge across part of the Western Distributor between Darling Harbour and Darling Park • The design, construction and use of the new 40 storey mixed-use development, including: ○ Up to 89,000m2 of retail and commercial GFA • At least 6,500 m2 of publicly accessible open space. • Site interface works to ensure the provision of appropriate interfaces and connectivity between the new development and the Pyrmont Bridge and Darling Park towers.

Biodiversity Value		Meaning	Relevant	Discussion of values within the site
Biodiversity Conservation Regulation (Clause 1.4)				
a)	Threatened Species Abundance	The occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site.	N/A	No threatened ecological communities are present within the site. The vegetation present throughout the site Is not consistent with any listed Plant community Type (PCT). This is primarily due to the lack of connectivity between individuals, which are distributed between buildings and existing fencing. Limited foraging habitat is available for the Grey-Headed Flying Fox (GHFF) within the subject site. The proposed development will remove a small number of flowering plants such as *Syzygium australe* that may provide a source of food for the species. However, given the extent of development in the surrounding locality and small number of trees to be removed, this loss of vegetation will not adversely affect GHFF such that its population will be placed at risk of extinction. No roosting habitat is available within the subject site for hollow-dependent threatened fauna species due to the absence of hollow-bearing trees.
b)	Vegetation Abundance	The occurrence and abundance of vegetation at a particular site.	N/A	Vegetation within the subject site is of relatively low biodiversity quality. The majority of the subject site has been cleared for existing infrastructure and is underlain by hardstand. Vegetation within the subject site is comprised of both native and exotic plantings, which lack connectivity and natural resilience or will lose structural integrity and pose a potential risk if not removed. Vegetation within the site is not consistent with any remnant native vegetation communities and did not conform to any listed PCTs.
c)	Habitat Connectivity	The degree to which a particular site connects different areas of habitat of threatened species to facilitate movement of those species across their range.	N/A	Vegetation within the subject site is highly fragmented and does not contribute to habitat connectivity across the local landscape. There is a lack of connectivity between individual plantings, as they are separated by fences and existing infrastructure such as buildings and roads. The site does not provide any significant level of connectivity to facilitate movement of threatened species across their range.
d)	Threatened Species Movement	The degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle;	N/A	The subject land contains vegetation which is fragmented by buildings and areas of hardstand surfaces. Movement for less mobile threatened fauna, such as mammals (not including bats), across the subject land is highly unlikely due to fencing, buildings, cleared open areas and a lack of connective vegetation. Opportunities for movement across the subject land for more mobile threatened fauna

Biodiversity Value	Meaning	Relevant	Discussion of values within the site
			including birds and bats are available, however the subject land is not considered to be significant for the movement of any threatened species to maintain their lifecycle.
e) Flight Path Integrity	The degree to which the flight paths of protected animals over a particular site are free from interference.	N/A	The landscape within and surrounding the site is highly urbanised as it forms part of the central business district of Sydney. The flight paths of protected animals over the site are currently restricted due to existing buildings and unlikely to be further impacted by the proposed project. The proposed development will not significantly affect flight paths of protected animals.
f) Water Sustainability	The degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site.	N/A	No natural water courses are present within the site. In its current state, the site does not contain water bodies or contribute to hydrological processes that sustain threatened species or ecological communities within or adjacent to the site.
Biodiversity Conservation Act (Clause 1.5 (2))			
a) Vegetation Integrity	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.	N/A	Due to previous and current land management practices, vegetation and soils within the subject land have been highly modified or disturbed and lack natural resilience. A small number of native species have been planted within the development site as a landscape specimen in an urban environment. Vegetation present within the subject land was not consistent with any listed PCT. Overall, vegetation within the subject land is highly modified and altered from its natural state. Therefore, the development would not compromise the vegetation integrity of the subject land.
b) Habitat Suitability	The degree to which the habitat needs of threatened species are present at the particular site.	N/A	Suitable habitat for threatened species is highly limited within the subject land. Soils within the subject land have been highly modified and provide no habitat for any threatened flora species. Due to the limited amount of planted native vegetation present, the subject land does not contain sufficient foraging resources to sustain any threatened fauna species. The removal of planted vegetation, which may provide marginal seasonal foraging habitat for the Grey-headed Flying-fox, would not result in a significant impact to the species. The development site lacks geological features, hollow bearing trees, derelict human-made structures or non-native vegetation with the potential to provide nesting or roosting habitat for any threatened fauna species. Therefore, the proposed development would not compromise habitat suitability for threatened species.

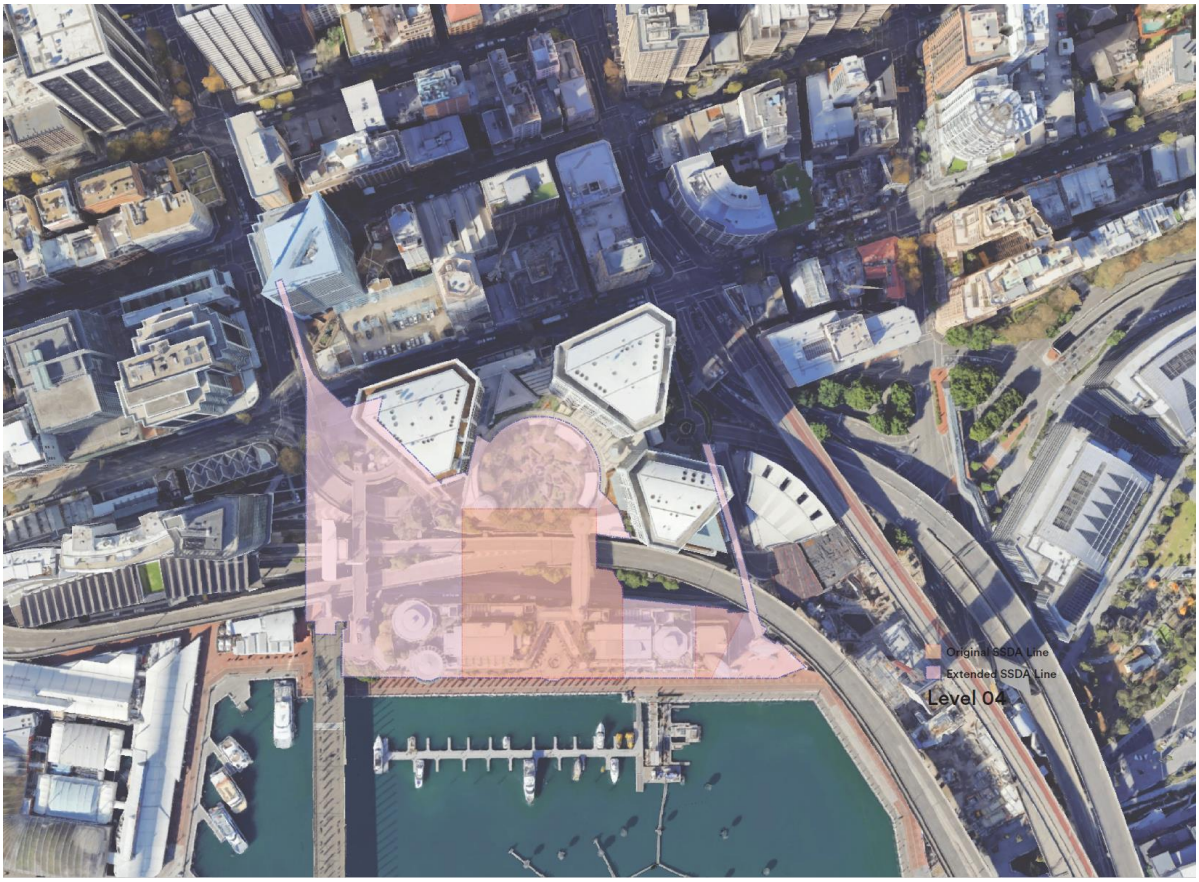

Figure 1: Location Plan

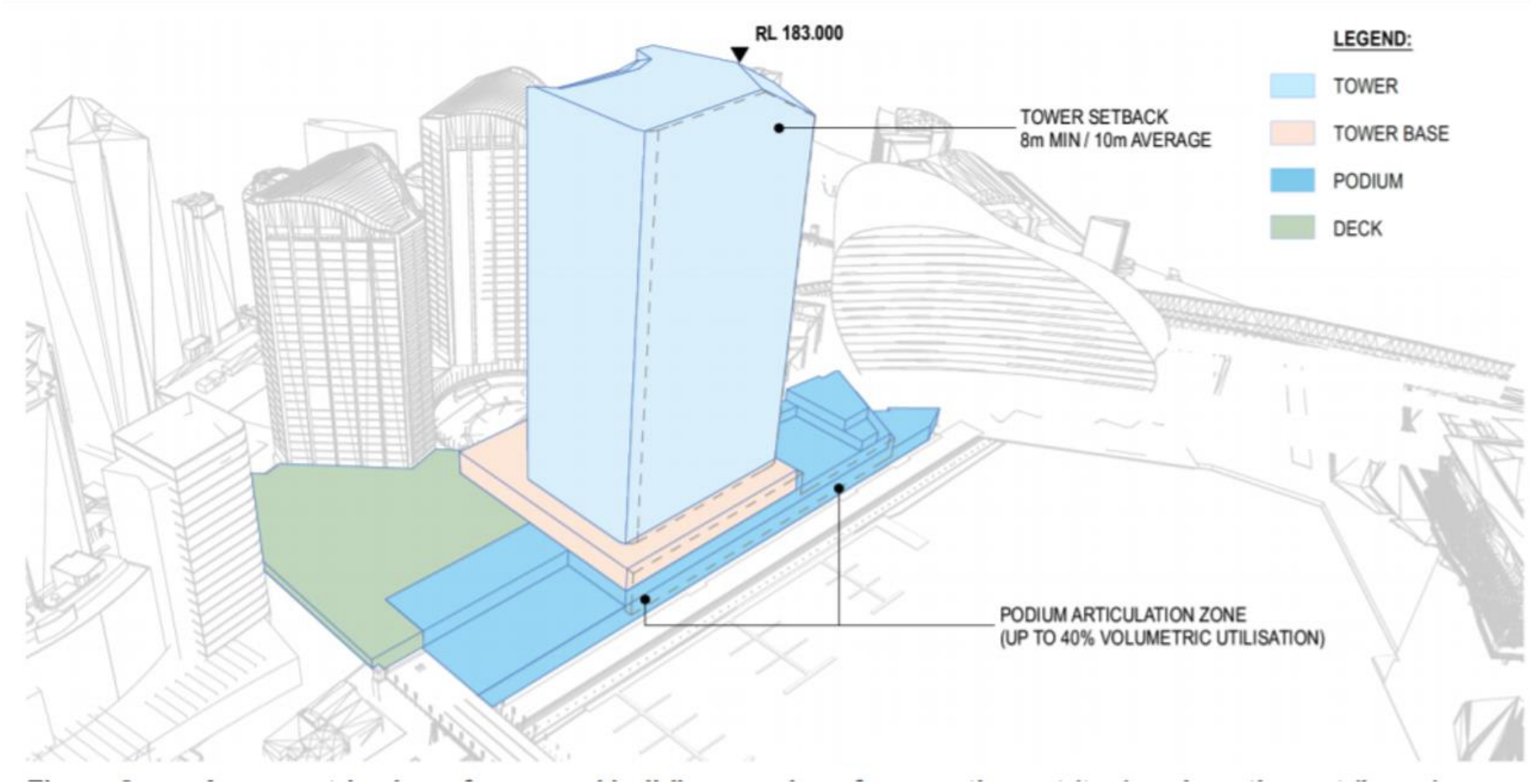

Figure 2: Approved Concept Proposal (Stage 1) development envelope (taken from Ethos Urban request for SEARs, 2020)

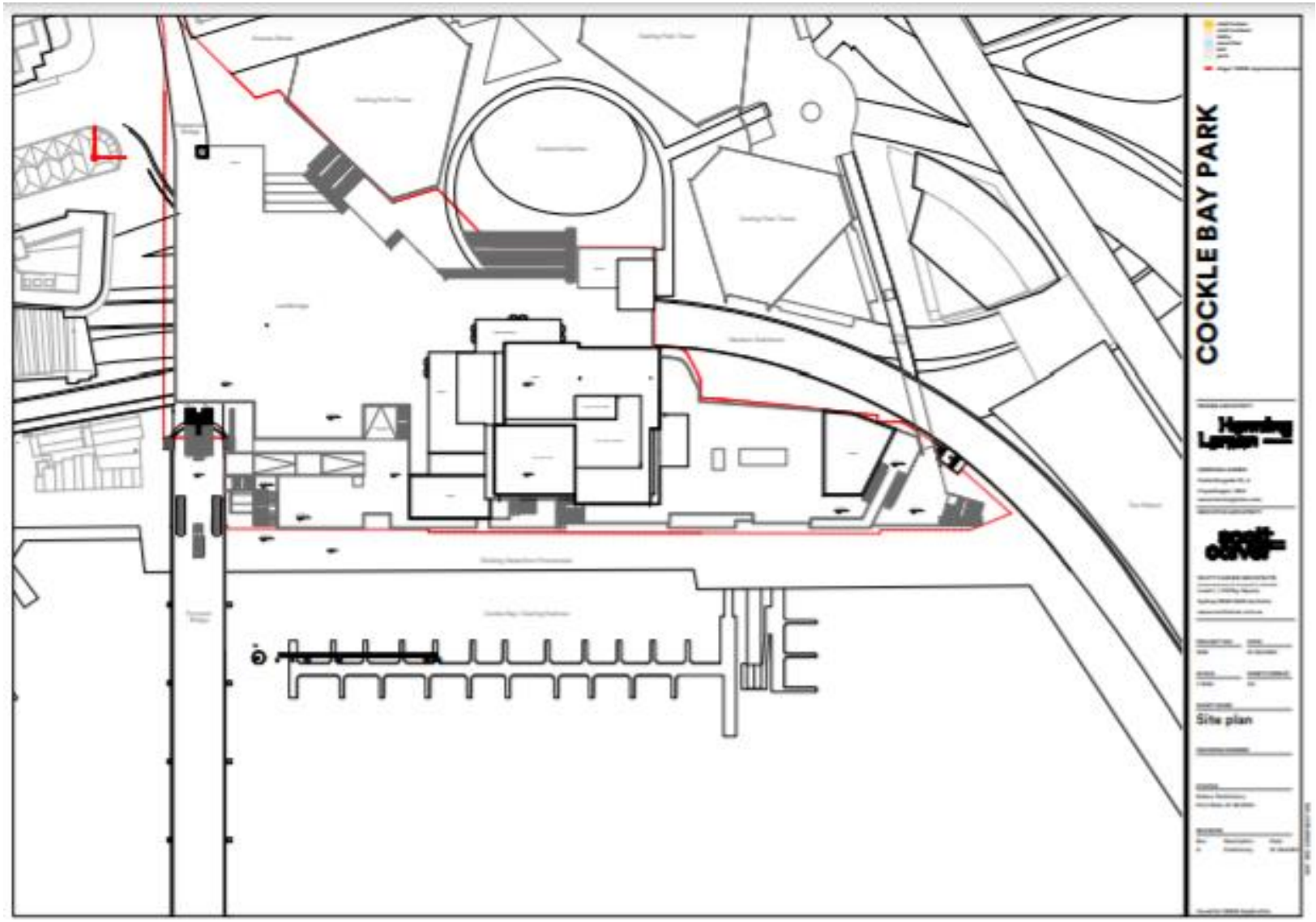

Figure 3: Cockle Bay Park Site Plan (Henning Larsen & Scott Carver Architects 2020)

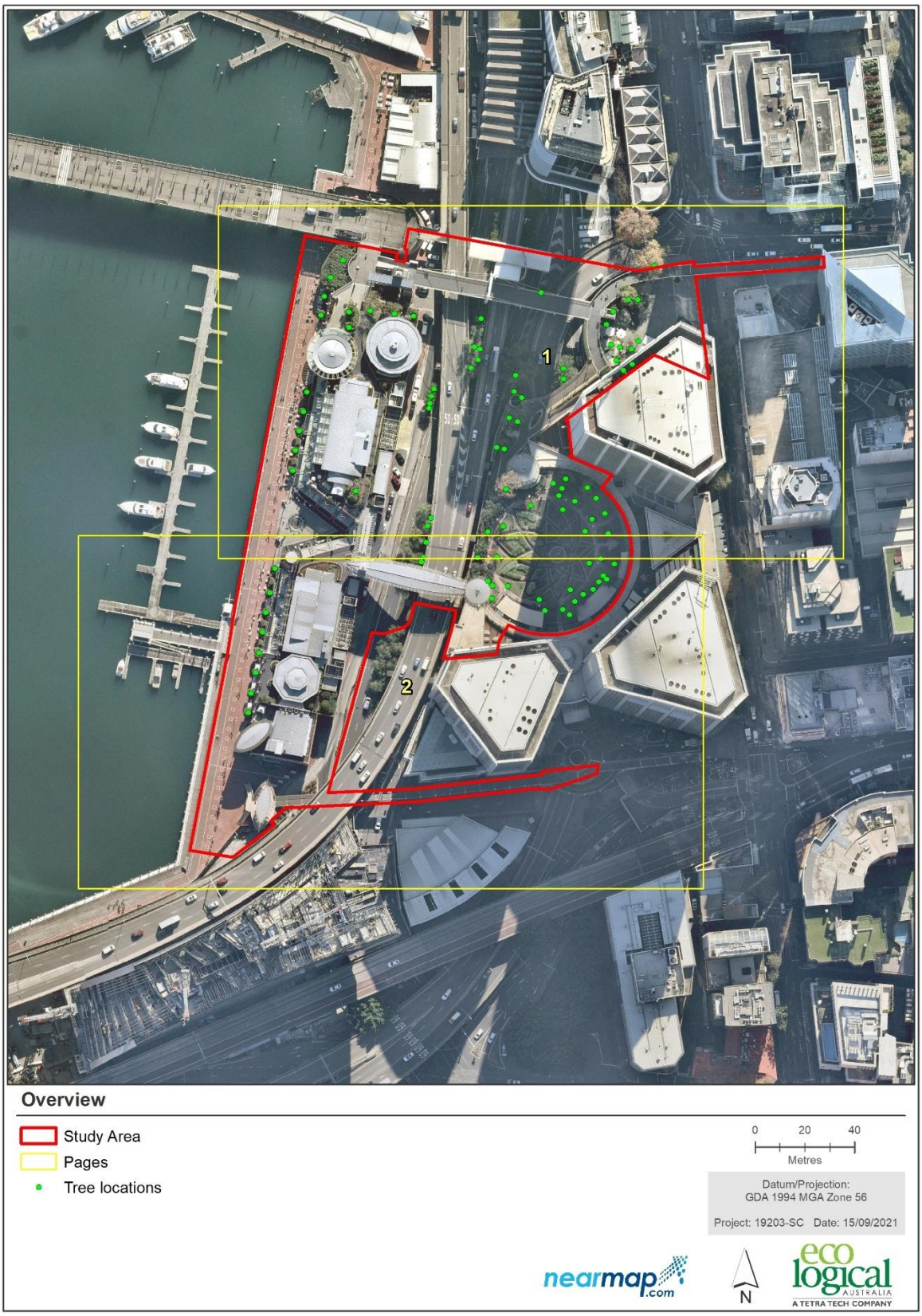

Figure 4: Tree Locations from the Arboricultural Impact Assessment (ELA 2021)

1. References

Eco Logical Australia (2021). Cockle Bay Redevelopment Arboricultural Impact Assessment

Ethos Urban (2020). Request for Secretary's Environmental Assessment Requirements Cockle Bay Wharf – Stage 2 State Significant Development Application.

Henning Larsen/Scott Carver Architects (2020). Cockle Bay Park Site Plan