

11 June 2025

Madeline Thomas
Team Leader
Social and Infrastructure Assessments
Department of Planning, Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2124

cc Samara Jayne, Matthew De Witt, Callan Denny

Dear Madeline

Biodiversity Development Assessment Report (MOD-5) for Catherine McAuley Catholic College – Request for Information

Our ref: Matter 40623

Biosis Pty Ltd was commissioned by The Trustees of the Roman Catholic Church for the Diocese of Maitland-Newcastle to undertake a biodiversity assessment for the development of Catherine McAuley Catholic College at 507 Medowie Road (Lot 1 DP1281466 and Lot 413 DP1063902), in Medowie New South Wales (NSW).

Four Biodiversity Development Assessment Reports (BDARs) have been prepared for the project, including:

- *Catherine McAuley Catholic College, Medowie Biodiversity Development Assessment Report* (Biosis 2018) (Approved BDAR), which:
 - Accompanied the [SSD application](#) Environmental Impact Statement (EIS) (de Witt Consulting 2018).
 - Was prepared in accordance with NSW *Biodiversity Assessment Method* (BAM) (OEH 2017).
 - Addressed all known impacts associated with the construction of Catherine McAuley Catholic College.
- *Catherine McAuley Catholic College, Medowie, Biodiversity Development Assessment Report* (Biosis 2023) (Mod-3 BDAR), which:
 - Accompanied the [Modification 3](#) application.
 - Was prepared in accordance with the BAM (DPIE 2020).
 - Was prepared to address the inconsistencies with the approved EIS (de Witt Consulting 2018) footprint assessed in the approved BDAR (Biosis 2018) and include updates to account for additional impacts outside of the approved areas resulting from the stockpiling of materials.
- *Catherine McAuley Catholic College, Medowie – Modification 3, Biodiversity Development Assessment Report* (Biosis 2024) (Mod-3 Revised BDAR), which:
 - Accompanied the [Modification 3](#) Request for Information (RFI).

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- Superseded the Mod-3 BDAR (Biosis 2023).
 - Was prepared in accordance with the BAM (DPIE 2020).
 - Was prepared to address the inconsistencies with the approved EIS (de Witt Consulting 2018) footprint assessed in the approved BDAR (Biosis 2018) and include updates to account for additional impacts outside of the approved areas resulting from the stockpiling of materials.
 - Was focused solely on additional impacts from the Approved BDAR (Biosis 2018), and therefore only included pipeline areas and stockpile areas, with the addition of tree canopies within the footprint that may be affected by construction works.
 - Was prepared to include additional field investigations beyond those in the Revised BDAR (Biosis 2023) due to expired period of relevancy for data; as submission of the Mod-3 BDAR (Biosis 2023) to Department of Planning, Housing and Infrastructure (DPHI) was greater than five years since collection (2017–2018) of data for the Approved BDAR (Biosis 2018).
 - Assumed presence for flora and fauna species that could not be surveyed in a suitable timeframe for submission of the modification 3 RFI.
- *Catherine McAuley Catholic College, Medowie – Modification 5, Biodiversity Development Assessment Report* (Biosis 2025) (Mod-5 BDAR), which:
 - Accompanied the Modification 5 application.
 - Superseded the Mod-3 BDAR (Biosis 2023) and Mod-3 Revised BDAR (Biosis 2024).
 - Was prepared in accordance with the BAM (DPIE 2020).
 - Was prepared to address the inconsistencies with the approved EIS (de Witt Consulting 2018) footprint assessed in the approved BDAR (Biosis 2018) and include updates to account for additional impacts outside of the approved areas resulting from the stockpiling of materials.
 - Was focused solely on additional impacts from the Approved BDAR (Biosis 2018), and therefore only included pipeline areas and stockpile areas, with the addition of tree canopies within the footprint that may be affected by construction works.
 - Was prepared to include additional field investigations beyond those in the Revised BDAR (Biosis 2023) due to expired period of relevancy for data; as submission of the Mod-3 BDAR (Biosis 2023) to DPHI was greater than five years since collection (2017–2018) of data for the Approved BDAR (Biosis 2018).
 - Assumed presence for one fauna species that was not subject to targeted survey.
 - Included the methods and results for targeted survey undertaken in the period following submission of the Mod-3 Revised BDAR (Biosis 2024) to reduce credit liability.

I refer to the Mod-5 BDAR (Biosis 2025) prepared for the Catherine McAuley Catholic College Modification 5 (SSD-8989-Mod-5). The modification application was referred to Port Stephens Council (Council) and the Conservation Programs, Heritage and Regulation (CPHR) Group of the NSW Department of Climate Change, Energy the Environment and Water (NSW DCCEEW) for comment. CPHR has provided comment on the modification application and DPHI are seeking a response to the RFI accordingly (Appendix 1). A response to the RFI is provided in Table 1 below.

Table 1 Response to request for information

Reference	RFI Detail	Biosis Response
1	The BDAR lodged with the modification application does not account for the impacts of removing Tree 36, has not included Tree 36 in Figure 14 of the BDAR, and provides a vegetation ranking which does not account for the	<p>Biosis Pty Ltd was commissioned by The Trustees of the Roman Catholic Church for the Diocese of Maitland-Newcastle to undertake a biodiversity assessment of a SSD (#SSD-8989) development at 507 Medowie Road (Lot 1 DP1281466 and Lot 413 DP1063902), in Medowie NSW in 2018. As defined above, two primary BDARs were prepared for the project (Biosis 2018, Biosis 2025), as two have been superseded.</p> <p>The project was approved under Part 4 of the EP&A Act on 26 July 2019 (SSD-8989), and has undergone five modifications, including:</p>

Reference	RFI Detail	Biosis Response
	<p>presence of the Grey-headed Flying-fox which was observed during field investigations and reported in the BDAR.</p> <p>The Department requires an updated BDAR to:</p> <ul style="list-style-type: none"> Address area of impact (ha) and credit obligations for PCT 3544. Include Tree 36 in Figure 14 of the BDAR as a mapped area requiring offsets. Address ecosystem credits for Grey-headed Flying-fox. 	<ul style="list-style-type: none"> SSD-8989-Mod-1 (approved 4 September 2020). SSD-8989-Mod-2 (approved 14 January 2022). SSD-8989-Mod-3 (approved 25 October 2024). SSD-8989-Mod-4 (approved 20 August 2024). SSD-8989-Mod-5 (under review, pending RFI response). <p>Tree 36 is located within and to the east of the primary impact area for Catherine McAuley Catholic College, as identified in Figure 1 (Appendix 2) and within Figure 1 of the Arboriculture Impact Assessment prepared for Modification 5 by Assured Trees (Assurance Trees 2024) (provided as Figure 2; Appendix 3 herein).</p> <p>As defined in Figures 4 and 10 of the Approved BDAR (Biosis 2018) (Appendix 4), Tree 36 is located within the development footprint boundary of the Approved BDAR (Biosis 2018) that accompanied the EIS (de Witt Consulting 2018).</p> <p>Tree 36 is located within PCT 1564 Blackbutt - Rough-barked Apple - Turpentine - ferny tall open forest of the Central Coast of the Legacy PCTs assigned during the Approved BDAR phase (Figure 4; Appendix 2 of Biosis (2018)). This PCT is now mapped as PCT 3544 Coastal Sands Apple-Blackbutt Forest per the Mod-5 BDAR (Biosis 2025) and revised PCT classifications in NSW (DPE 2022a).</p> <p>Tree 36 may provide foraging resources for Grey-headed Flying-fox, as the species was recorded within the subject land (Section 3.6.2 of Biosis (2018)). The species' ability to use the subject land for foraging is included in Section 3.4 of Biosis (2018) relating to ecosystem credit species, and a Significant Impact Criteria (SIC) assessment was prepared accordingly (Appendix 4 of Biosis (2018)).</p> <p>Tree 36 is also located within areas mapped as 'Impacts to native vegetation requiring offset' of the Approved BDAR (Figure 10; Appendix 2 of Biosis (2018)).</p> <p>Accordingly, the area of impact in hectares to PCT 1564, which includes Tree 36, is addressed in Section 4.2.1 of the Approved BDAR (Biosis 2018), which states that 1.97 ha of PCT 1564 will be removed as part of the development.</p> <p>Ecosystem credits for the development are summarised in Table 16 and Table 25 of the Approved BDAR (Biosis 2018), which includes nine credits for Vegetation Zone (VZ) 6 (PCT 1564 Moderate).</p> <p>A total of nine credits have been offset for PCT 1564 as evidenced in Appendix 5.</p>

Please confirm if you are satisfied with the above detail or require further action. Do not hesitate to contact me on 0418 540 494 or via email (cheenan@biosis.com.au) if you have any further enquiries.

Yours sincerely



Dr Caragh Heenan
Senior Zoologist – Major Projects (Zoology)

References

Assurance Trees 2024. *Catherine McAuley Catholic College Arboriculture Impact Assessment*, Report prepared for The Trustees of the Roman Catholic Church for the Diocese of Maitland-Newcastle. Author: Bath A. Assurance Trees, Vacy.

Biosis 2018. *Catherine McAuley Catholic College, Medowie Biodiversity Development Assessment Report*, Report prepared for Webber Architects. Authors: Barreto, A, Allison, S, and Corden, C. Biosis Pty Ltd, Newcastle, NSW. Project no. 26652.

Biosis 2023. *Catherine McAuley Catholic College, Medowie, Biodiversity Development Assessment Report*, Report prepared for The Trustees of the Roman Catholic Church for the Diocese of Maitland-Newcastle. Authors: Barreto, A, Allison, S, Corden, C, Cable, A, Luccitti, S, Heenan, C and Palmer, M. Biosis Pty Ltd, Newcastle, NSW. Project no. 38594.

Biosis 2024. *Catherine McAuley Catholic College, Medowie - Modification 3, Biodiversity Development Assessment Report*, Report prepared for The Trustees of the Roman Catholic Church for the Diocese of Maitland-Newcastle. Authors: Barreto, A, Allison, S, Corden, C, Cable, A, Luccitti, S, Heenan, C and Palmer, M. Biosis Pty Ltd, Newcastle, NSW. Project no. 38594.

Biosis 2025. *Catherine McAuley Catholic College, Medowie - Modification 5, Biodiversity Development Assessment Report*, Report prepared for The Trustees of the Roman Catholic Church for the Diocese of Maitland-Newcastle. Authors: Barreto, A, Allison, S, Corden, C, Cable, A, Luccitti, S, Heenan, C and Palmer, M. Biosis Pty Ltd, Newcastle, NSW. Project no. 38594.

de Witt Consulting 2018. *Environmental Impact Statement Proposed Catholic College - 2 Kingfisher Close and 507 Medowie Road, Medowie*, Prepared by de Witt Consulting on behalf of Trustees of the Roman Catholic Church for the Diocese of Maitland - Newcastle. Author Maund, M. de Witt Consulting.

DPIE 2020. *Biodiversity Assessment Method (BAM)*, NSW Department of Planning, Industry and the Environment, <https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-2020>.

OEH 2017. *Biodiversity Assessment Method (BAM)*, New South Wales Office of Environment and Heritage, <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/biodiversity-assessment-method-170206.pdf>.

Appendices

Appendix 1 Request for Information (DPHI 2025)

Our ref: Catherine McAuley Catholic College-Mod-5 (SSD-8989-Mod-5)

Mrs Emma Mason
Principal Town Planner
Trustees of the Roman Catholic Church for the Diocese of Maitland-Newcastle
7 Canberra Street
Charlestown NSW 2290

4 June

Subject: Request for Additional Information

Dear Mrs Mason

I refer to Assessment for the Catherine McAuley Catholic College-Mod-5 (SSD-8989-Mod-5). The modification application was referred to Port Stephens Council (Council) and the Conservation Programs, Heritage and Regulation (CPHR) Group of the NSW Department of Climate Change, Energy the Environment and Water (DCCEE) for comment.

CPHR has provided comment on the modification application. Council have advised that they will provide comment on the modification application shortly. Council's comment will be forwarded to you once received by the Department.

We require you to provide a written response to the comments provided by CPHR and Council (when forwarded to you). We have placed CPHR received comment on the NSW Planning Portal at: www.planningportal.nsw.gov.au/major-projects/projects/catherine-mcauley-catholic-college-modification-5.

With respect to comments received by CPHR, the Department requests the following:

Biodiversity Conservation Act 2016 (BC Act)

The Biodiversity Development Assessment Report (BDAR) lodged with the modification application does not account for the impacts of removing Tree 36, has not included Tree 36 in Figure 14 of the BDAR, and provides a vegetation ranking which does not account for the presence of the Grey-headed Flying-fox which was observed during field investigations and reported in the BDAR.

The Department requires an updated BDAR to:

- address area of impact (ha) and credit obligations for PCT 3544.
- include Tree 36 in Figure 14 of the BDAR as a mapped area requiring offsets.
- address ecosystem credits for Grey-headed Flying-fox.

Department of Planning, Housing and Infrastructure



As stated above, we also require a response to the issues raised by Council their advice once forwarded to you.

You are requested to provide the information or notification that the information will not be provided, to the department by Tue 01 July 2025. If you cannot meet this deadline or do not intend to provide the additional information, please advise the department via the NSW planning portal.

If you have any questions, please contact Dimitri Gotsis on 8217 2053 or via email at Dimitri.Gotsis@planning.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Madeline Thomas".

Madeline Thomas

Team Leader

Social and Infrastructure Assessments

Appendix 2 Aerial imagery showing tree plan



Figure 1 Satellite imagery showing the proposed construction and tree plan for Catherine McAuley Catholic College, where tree 36 is outlined with a yellow circle

Appendix 3 Figure 1 of Arboriculture Impact Assessment (Assurance Trees 2024)



Figure 2 Figure 1 of Arboriculture Impact Assessment (Assurance Trees 2024), showing the location of Tree 36

Appendix 4 Figures from the approved BDAR (Biosis 2018)



Legend

- Site boundary
- Study area
- Subject site

— HydroLine (Biosis 2018)

+ Hollow-bearing tree

■ BAM plots

Vegetation community

PCT 1564 Blackbutt - Rough-barked Apple - Turpentine - ferny tall open forest of the Central Coast

PCT 1598 Forest Red Gum grassy open forest on floodplains of the lower Hunter

PCT 1619 Smooth-barked Apple - Red Bloodwood - Brown

Stringybark - Hairpin Banksia heathy open forest of coastal lowlands

PCT 1718 Swamp Mahogany - Flax-leaved Paperbark swamp forest on coastal lowlands of the Central Coast

■ Exotic vegetation (Slash Pine)

Threatened Ecological Community

▨ Hunter Lowland Redgum Forest EEC

▨ Swamp Sclerophyll Forest EEC

Figure 4: Native vegetation within the subject land

0 25 50 75 100 125
Metres

Scale: 1:2,500 @ A3
Coordinate System: GDA 1994 MGA Zone 56

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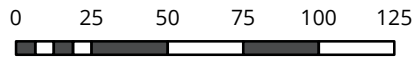
Matter: 26652
Date: 13 April 2018
Checked by: ABM, Drawn by: LH, Last edited by: lharley
Location: P:\26600s\26652\Mapping\26652_BB_F4_BiosisVeg



Legend

- Site boundary
- Study area
- Subject site
- HydroLine (Biosis 2018)
- Areas not assessed
- Impacts requiring offset**
- Impacts to native vegetation requiring offset
- Impacts to threatened species requiring offset

Figure 9: Areas requiring offset or not requiring assessment



Metres
Scale: 1:2,500 @ A3
Coordinate System: GDA 1994 MGA Zone 56

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Newcastle, Sydney, Wangaratta & Wollongong

Matter: 26652
Date: 17 April 2018,
Checked by: ABM, Drawn by: LH, Last edited by: lharley
Location: P:\26600s\26652\Mapping\26652_BB_F10_Offsets

Appendix 5 Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation



Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation

Pursuant to section 6.33 of the *Biodiversity Conservation Act 2016*, the NSW Biodiversity Conservation Trust confirms that the following payments have been made into the Biodiversity Conservation Fund under section 6.30(1) of the Act to satisfy an obligation to retire biodiversity credits.

Payment made by		Trustees of the Roman Catholic Church for the Diocese of Maitland-Newcastle		
Date received		9 Sep 2019		
Existing statutory obligation reference ¹		SSD 8989		
BCT Reference		BCF059		
Biodiversity credit retirement obligations satisfied by payment to the Biodiversity Conservation Fund:				
Biodiversity credit ID number	Biodiversity credit name	Number of credits	Cost per credit	Total payment per credit type (inc admin cost)
1564	Blackbutt - Rough-barked Apple - Turpentine - ferny tall open forest of the Central Coast	9	\$1,651.98	\$14,867.86
1598	Forest Red Gum grassy open forest on floodplains of the lower Hunter	5	\$1,651.98	\$8,259.92
1619	Smooth-barked Apple - Red Bloodwood - Brown Stringybark - Hairpin Banksia heathy open forest of coastal lowlands	5	\$2,209.11	\$11,045.53
1718	Swamp Mahogany - Flax-leaved Paperbark swamp forest on coastal lowlands of the Central Coast	4	\$1,671.28	\$6,685.13
10616	Koala (<i>Phascolarctos cinereus</i>)	6	\$541.32	\$3,247.92
Total (incl GST)				\$48,516.99 <i>GST of \$4,410.63 is included in this amount</i>

Alan Goodwin

Acting Chief Executive Officer

Date: 13/9/19

¹ This refers to either; a development application number for a development consent under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), a State significant infrastructure approval under the previous Part 5.1 (now Part 5, Division 5.2) of the EP&A Act, a decision of a determining authority to carry out or approve the carrying out of an activity under Part 5 of the EP&A Act, or a biobank statement number or biodiversity certification number.