

Our ref: SSD-10349

Mr Paul Anderson  
Head of Development, Property and Logistics Branch  
TAFE NSW  
Level 2 Building A  
19 Mary Ann Street  
Ultimo NSW 2007

Dear Mr Anderson

**Subject: Multi-Trades and Digital Technology Hub at TAFE Meadowbank (SSD-10349) – Request to waive the need for a Biodiversity Development Assessment Report under the *Biodiversity Conservation Act 2016***

I refer to your request dated 16 September 2019 for the issue of a waiver for the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted as part of the state significant development (SSD) application for the Multi-Trades and Digital Technology Hub at TAFE Meadowbank (SSD-10349).

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) provides the following in relation to an application for SSD:

*"Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values."*

The authority of the "Planning Agency Head" to determine whether a proposed development is "not likely to have any significant impact on biodiversity values" has been delegated to Directors within the Planning and Assessment Division of the Department.

Accordingly, I have reviewed the application of the test of significance under sections 1.5 and 7.3 of the BC Act and clause 1.4 of the *Biodiversity Conservation Regulation 2017* and considered the information provided in the letter prepared by EMM dated 10 September 2019. I have determined that the development is not likely to have any significant impacts on biodiversity values and that the application does not need to be accompanied by a BDAR. A waiver under section 7.9 is therefore granted for the proposed development (being the Multi-Trades and Digital Technology Hub at TAFE Meadowbank SSD-10349).

The delegated "Environment Agency Head" in the Environment, Energy and Science Group of the Department has also granted a waiver in a letter dated 25 September 2019 and a copy of that letter is attached.

Please note that the waiver is issued in respect of the proposed development detailed in the Secretary's Environmental Assessment Requirements submitted on 14 June 2019 as revised in correspondence prepared by Keylan Consulting dated 27 August 2019. Amendments to the development may require a further waiver to be sought and issued.

Should you have any enquiries regarding the above matter, please contact Jason Maslen on 8275 1317 or via email to [jason.maslen@planning.nsw.gov.au](mailto:jason.maslen@planning.nsw.gov.au).

Yours sincerely



30/9/2019

Karen Harragon  
**Director, Social and Infrastructure Assessments**  
**As delegate of the Secretary**



Our ref: DOC19/812939  
Senders ref: SSD 10349

Jason Maslen  
Senior Planning Officer  
Social and Infrastructure Assessments  
NSW Department of Planning, Industry and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Maslen

**Request for Biodiversity Development Assessment Report Waiver for the Multi-Trades and Digital Technology Hub at TAFE Meadowbank, See Street, Meadowbank - SSD 10349.**

The Department of Planning, Industry and Environment's, Environment, Energy and Science Group (EES) has reviewed the request from EMM Consulting dated 10 September 2019, to waive the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted with the above State Significant Development Application (SSD 10349).

Under section 7.9(2) of the Biodiversity Conservation Act 2016:

*'Any such application [SSD] is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.'*

The power to determine whether an SSD is 'not likely to have any significant impact on biodiversity values', has been delegated to the EES Senior Executive.

I have reviewed the application of the test of significance under section 7.3 of the *Biodiversity Conservation Act 2016*, that was prepared by EMM Consulting dated 10 September 2019 and agree that there is no need for the SSD to submit a BDAR as part of the application. Therefore, a waiver under section 7.9 is granted for the Multi-Trades and Digital Technology Hub at TAFE Meadowbank, See Street, Meadowbank - SSD 10349.

If you have any questions about this advice, please do not hesitate to contact Bronwyn Smith, Senior Conservation Planning Officer on 9873 8604 or [Bronwyn.smith@environment.nsw.gov.au](mailto:Bronwyn.smith@environment.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. O'Flaherty'.

25.09.2019

Katrine O'Flaherty  
Acting Director Greater Sydney  
Climate Change and Sustainability  
Environment, Energy and Science

10 September 2019

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Karen Harragon  
Director, Social and Other Infrastructure Assessments  
NSW Department of Planning and Environment

**Re: Biodiversity development assessment report waiver,  
Meadowbank TAFE Multi-Trades and Digital Technology Hub,  
See Street, Meadowbank**

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Dear Karen,

This letter provides information regarding the biodiversity assessment for Meadowbank TAFE Multi-Trades and Digital Technology Hub at See St, Meadowbank (the site). This information has been provided to support the application for Secretary's Environmental Assessment Requirements (SEARs) and comprises a request to waive the requirement to complete a biodiversity development assessment report (BDAR).

The BDAR waiver request was originally lodged with the request for SEARs on 14 June 2019. On 5 August 2019 and during assessment of the waiver request, the Department of Planning, Industry and Environment (DPIE) and the Environment, Energy and Science Group (EESG) requested that daytime roost searches for threatened microbat species be carried out in accordance with the guidelines on page 9 of "Species credit" threatened bats and their habitats (OEH 2018).

The request for a BDAR waiver was granted on 22 August 2019. The letter noted that the waiver had been issued for the development proposed in the request for SEARs, and any amendments to the development may require a further waiver to be sought and issued. Since lodgement of the original BDAR waiver request, the project scope has been revised to include the Digital Technology Hub, resulting in a small increase to the original development footprint. Accordingly, the BDAR waiver request lodged with the request for SEARs has been revised to include the results of the daytime roost searches (Appendix D) and assess biodiversity impacts associated with the revised project scope, specifically the small increase to the original development footprint.

The BDAR waiver request for the application was prepared in accordance with the biodiversity development assessment report waiver determinations for SSD and SSI applications fact sheet prepared by the Department of Planning and Environment (DPE), as detailed in Table 1 and Table 2, below. The waiver request has been prepared by a qualified ecologist on behalf of the applicant, TAFE NSW.

We request that the DPIE waive the BDAR requirement for the application given the highly disturbed nature of the site. We are happy to discuss any questions in relation to this site.

Yours sincerely



**Katie Diver**  
National Technical Leader - Ecology  
[kdiver@emmconsulting.com.au](mailto:kdiver@emmconsulting.com.au)

**Table 1** **BDAR waiver request Information requirements**

<b>Admin</b>	<p><b>1. Proponent name and contact details</b></p> <ul style="list-style-type: none"> <li>TAFE Meadowbank Redevelopment Phase 2.1 c/- TAFE NSW.</li> <li>Contact details – Name: Dan Keary, Mobile: 0429 565 291, Email: <a href="mailto:dan@keylan.com.au">dan@keylan.com.au</a>.</li> <li><b>Project ID</b></li> <li>TAFE Meadowbank. See Street, Meadowbank 2114.</li> </ul> <p><b>2. Name/ ecological qualifications of person completing TABLE 2</b></p> <ul style="list-style-type: none"> <li>Katie Diver – Associate Ecologist, Accredited Assessor (BAAS17013)- Site inspection.</li> <li>Steve Williams – Ecologist, preparation of the report.</li> <li>Dr Steven Ward – Associate Ecologist, Accredited Assessor (BAAS17037). Review and project management.</li> </ul>
<b>Site details</b>	<p><b>1. Street address, Lot and DP, local government area</b></p> <ul style="list-style-type: none"> <li>See Street, Meadowbank 2114, Lot 11/DP 1232584, City of Ryde.</li> </ul> <p><b>2. Description of existing development site</b></p> <p>The site is currently used by TAFE Meadowbank as a carpark with an overall area of approximately 1 ha. It is bounded by See Street to the south east, a power sub-station to the north east, Meadowbank TAFE Children’s Centre to the south-west and Meadowbank TAFE Library to the north-west. The carpark is accessed by an internal road with access points from See Street through to Rhodes Street.</p> <p>A map of the site is provided in Appendix A. Images of the site are provided in Appendix B.</p>
<b>Proposed development</b>	<p>TAFE NSW is undertaking to deliver new, state of the art, specialist education and training facilities at TAFE Meadowbank in the form of a Construction and Buildings Trade Facility (Multi-Trades Hub) and Information and Communications Technology/Cyber Security facility (Digital Technology Hub).</p> <p>The proposed combined Multi Trades &amp; Digital Technology Hub development to the North East of the TAFE Campus (Figure A.1.) forms the scope of work for this State Significant Development Application. The six-storey development combines various teaching spaces, workshops and amenity over a basement car park, presenting as two stories to the main civic address at See Street.</p>

**Table 2** **Impacts of the proposed development on biodiversity values**

<b>Biodiversity value</b>	<b>Meaning</b>	<b>Relevant (✓ or NA)</b>	<b>Explain and document potential impacts including additional impacts prescribed under the BC Regulation</b>
			Attach additional supporting documentation where appropriate
Vegetation abundance 1.4(b) BC Regulation	Occurrence and abundance of vegetation at a particular site	✓	<p>The site consists of planted endemic, non-endemic and exotic tree, shrub and grass species. A total of 13 endemic, four non-endemic and seven exotic tree species were recorded within the study area. Two native shrub species and one exotic shrub are also present (Appendix C). The vegetation present is not considered to form a native vegetation community, due to the high level of disturbance, and extensive landscape plantings.</p> <p>The trees present on site are located within small island which separate rows of parking bays as well as along the front fence line and between the carpark, power sub-station, library and Children’s centre. None of the trees or shrubs present within the site had identifiable habitat features in the form of hollows or nests.</p> <p>The revised footprint only resulted in one additional exotic tree species (part of the seven species stated above), no additional native tree species and no additional habitat features when compared with the original footprint.</p> <p>An inventory of all species recorded on site can be found in Appendix C.</p>

**Table 2** Impacts of the proposed development on biodiversity values

Biodiversity value	Meaning	Relevant (✓ or NA)	Explain and document potential impacts including additional impacts prescribed under the BC Regulation Attach additional supporting documentation where appropriate
Vegetation integrity 1.5(2)(a) BC Act	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.	✓	<p>Naturally occurring native vegetation does not occur within the site. The non-endemic, endemic and introduced trees and shrubs are planted in small islands and along fencelines within a bitumen carpark. The site is highly modified essentially now consisting of urban landscaping.</p> <p>Given the high degree of modification, and the absence of native vegetation communities, vegetation integrity data was not collected.</p> <p>No habitat features (including hollows, caves, rocks and nests) are present on site. No water bodies are located on site.</p>
Habitat suitability 1.5(2)(b) BC Act	Degree to which the habitat needs of threatened species are present at a particular site.	NA	<p>No significant fauna habitat features such as hollows, caves, rocks, or nests were observed on site. No additional fauna habitat features were recorded in the revised footprint. In addition, no bat species were recorded during the daytime roost searches of the childcare centre and switching station (Appendix D), proposed to be demolished.</p> <p>No threatened flora or fauna predicted to occur in the locality were observed during the site visit. The site may be utilised by commonly occurring mobile native fauna which utilise urban environments such as possums and birds.</p>
Threatened species abundance 1.4(a) BC Regulation	Occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site.	✓	<p>The Wallangarra White Gum (<i>Eucalyptus scoparia</i>) and the Narrow-leaved Black Peppermint (<i>Eucalyptus nicholii</i>) are both listed as a Vulnerable species under the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> (EPBC) and Endangered under the <i>Biodiversity Conservation Act 2016</i> (BC Act). However, both species are endemic to northern NSW and do not naturally occur in the locality. They have been planted within the study area and therefore their genetic provenance is unknown. They are also occurring outside of their natural habitat and therefore their removal for the proposal will not affect recovery or conservation of either species.</p> <p>No naturally occurring threatened flora, fauna or ecological communities are present on site. There is no suitable habitat present on site for any threatened species predicted to occur in the locality.</p>
Habitat connectivity 1.4(c) BC Regulation	Degree to which a particular site connects different areas of habitat of threatened species to facilitate the movement of those species across their range.	NA	<p>Ecological habitat connectivity on site is negligible. The site is located within a busy education precinct, a light industrial estate is to the north east and residential properties to south. Vegetation within the site is not considered suitable for any threatened species, with no suitable habitat located nearby. Any vegetation clearing and development on site will not impact the connectivity of habitat which facilitates the movement of threatened species across their range. Any species which might currently utilise the site for occasional foraging would be highly mobile.</p>
Threatened species movement 1.4(d) BC Regulation	Degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle.	NA	<p>No threatened species were observed on site. No suitable habitat features were observed on site, including hollows, caves, rocks and nests. The site is bordered by a busy road and public/commercial/residential buildings. Any vegetation clearing and development on site will not impact the movement of threatened species, as any species which might currently utilise the site for occasional foraging would be highly mobile.</p>

**Table 2**      **Impacts of the proposed development on biodiversity values**

Biodiversity value	Meaning	Relevant (✓ or NA)	Explain and document potential impacts including additional impacts prescribed under the BC Regulation Attach additional supporting documentation where appropriate
Flight path integrity 1.4(e) BC Regulation	Degree to which the flight paths of protected animals over a particular site are free from interference.	NA	The site is not located within any known or likely flight paths for protected animals. While the development comprises the construction of a multi-story building it is considered there will be no impact on or interfere with flight path integrity of protected animals over the site.
Water sustainability 1.4(f) BC Regulation	Degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site.	NA	No waterbodies or waterways supporting threatened species occur in the vicinity of the site. The site does not border water bodies and is located 650 m from the Parramatta River. The development will involve the construction of a new multistorey building however it is considered there will be no impact on local water bodies or hydrological processes.

It is concluded that the revised footprint will not result in additional biodiversity impacts, and that overall, the project will not result in significant impacts on threatened species, populations or communities.

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Appendix A

# Location map

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## KEY

- Property boundary
- - - Multi-trades and digital technology hub
- Rail line
- Local road
- Cadastral boundary

Location map

Meadowbank TAFE  
Biodiversity assessment  
Figure A.1



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Appendix B

# Current site images

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**Photograph B.1** Swamp Mahogany, White Cedar, River She-oak and Stringybark growing along the north east fenceline of the carpark.



**Photograph B.2** Wallangarra White Gum and *Cedrus deodara* growing along the fenceline along See Street, south-east of the carpark.





**Photograph B.3** River She-oak and Swamp Mahogany growing between the carpark and the existing Library, north-west of the carpark.



**Photograph B.4**      **Lemon-scented Gums located in the south-eastern corner of the carpark**



**Photograph B.5** Grassy patch with a Jacaranda, located in the north-eastern corner of the carpark.



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Appendix C

# Plant species inventory

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## C.1 Plant species inventory

**Table C.1** Plant species inventory

Species name	Common name	Origin
<i>Acer negundo</i>	Box Elder-maple	Exotic
<i>Corymbia citriodora</i>	Lemon-scented Gum	Non-endemic
<i>Casuarina cunninghamiana</i>	River She-oak	Endemic
<i>Eucalyptus scoparia</i>	Wallangarra White Gum	Non-endemic
<i>Eucalyptus robusta</i>	Swamp Mahogany	Endemic
<i>Syzygium luehmannii</i>	Small-leaved Lilly Pilly	Endemic
<i>Eucalyptus saligna</i>	Sydney Blue Gum	Endemic
<i>Eucalyptus haemastoma</i>	Scribbly Gum	Endemic
<i>Corymbia eximia</i>	Yellow Bloodwood	Endemic
<i>Eucalyptus elata</i>	River Peppermint	Endemic
<i>Angophora floribunda</i>	Rough-barked Apple	Endemic
<i>Eucalyptus botryoides</i>	Bangalay	Endemic
<i>Eucalyptus nicholii</i>	Narrow-leaved Black Peppermint	Non-endemic
<i>Eucalyptus resinifera</i>	Red Mahogany	Endemic
<i>Eucalyptus microcorys</i>	Tallowwood	Non-endemic
<i>Eucalyptus crebra</i>	Narrow-leaved Ironbark	Endemic
<i>Pittosporum undulatum</i>	Native Daphne	Endemic
<i>Eucalyptus</i> sp.		Endemic
<i>Cinnamomum camphora</i>	Camphor laurel	High threat exotic
<i>Cedrus deodara</i>		Exotic
<i>Melia azedarach</i>	White Cedar	Exotic
<i>Jacaranda mimosifolia</i>	Jacaranda	Exotic
<i>Acer negundo</i>	Box-elder Maple	Exotic
<i>Schinus areira</i>	Peppertree	Exotic
<i>Lomandra longifolia</i>	Spiny-headed Mat Rush	Endemic
<i>Cestrum parqui</i>	Green Cestrum	Exotic
<i>Doryanthes excelsa</i>	Gymea Bay Lilly	Endemic

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Appendix D

## Results of daytime bat roost searches

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12 August 2019

Amy Conder  
Project Manager  
GHD  
Sent via email to [Amy.Conder@ghd.com](mailto:Amy.Conder@ghd.com)

**Re: Additional information to support BDAR waiver request: Meadowbank TAFE Multi-Trade Centre (SSD-10349)**

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Dear Amy,

## 1 Introduction

TAFE NSW lodged a request with the Department of Planning, Industry and Environment to waive the requirement for a Biodiversity Development Assessment Report for the Meadowbank TAFE Multi-Trade Centre on 30 May 2019. The Environment, Energy and Science (EES) are reviewing the request and have asked for additional information relating to the potential for threatened microbats to roost in two buildings proposed for demolition.

Specifically, EES has requested that daytime roost searches are carried out in accordance with page 9 of Species credit threatened bats and their habitats (OEH 2018), and a description of the searches undertaken in a report.

## 2 Method

The buildings proposed for demolition comprise the existing childcare centre and a small substation. The buildings were searched by Katie Diver on 12 August 2019 between 7:20 – 7:50am. A handheld bat detector (EchoMeter) was carried for the duration of the inspection, to record any calling bats. A visual inspection was made of all cracks and crevices in the buildings to search for roosting microbats, or evidence of their presence (urine stains, droppings, remains and bat fly casings). An inspection camera with a gooseneck was used to inspect cracks and crevices on the outside of the childcare centre building. Access was granted inside the small substation, and therefore inspection was conducted with a torch.

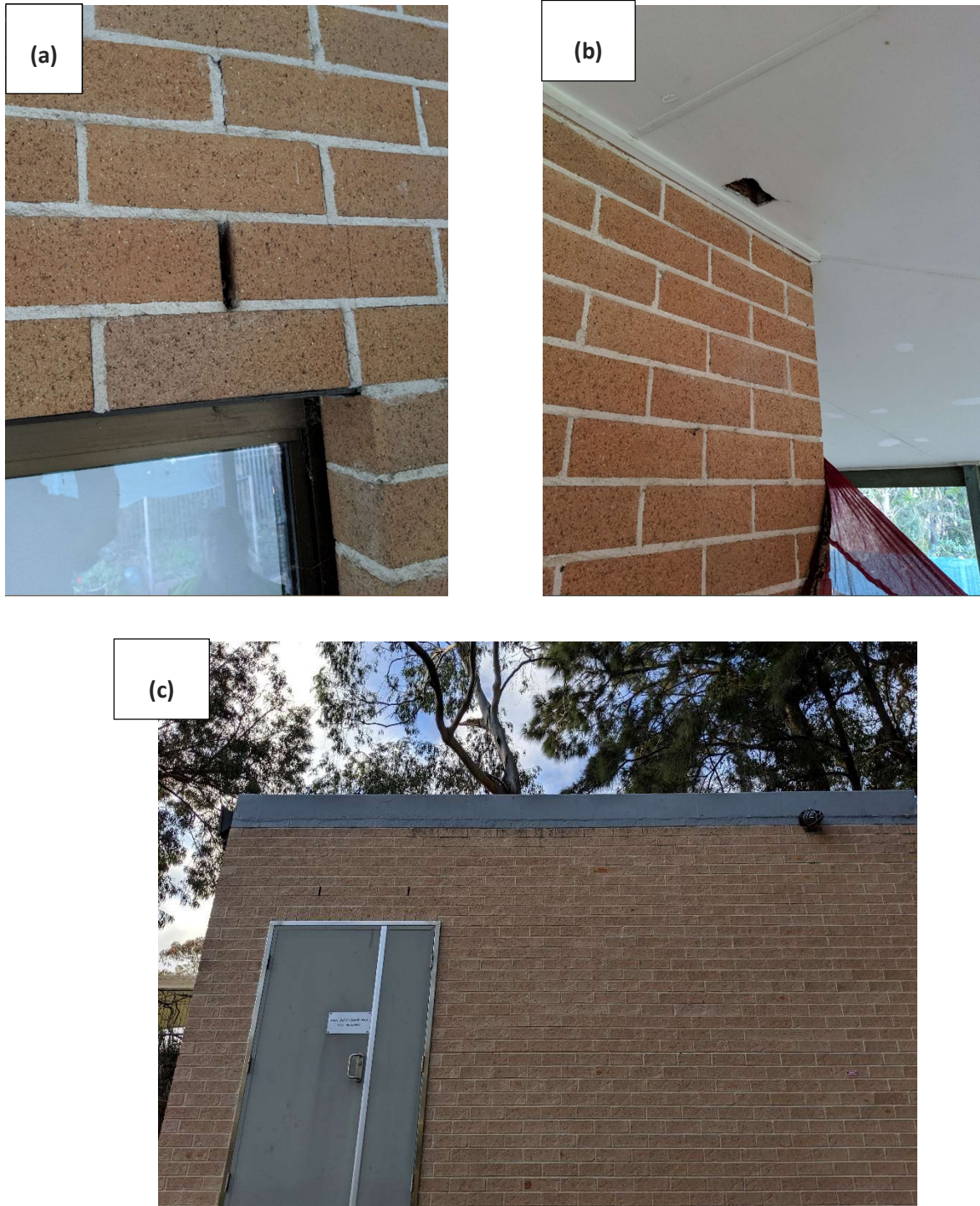
## 3 Results

Ventilation holes (see (a) in Photograph 3.1) were present in the brickwork on the outside of the childcare centre. The crevices were approximately 1 cm wide and 5 cm deep, making microbat entry possible. No evidence of roosting microbats or their presence was observed in the ventilation holes. Many holes were occupied by spiders or contained spiderwebs, reducing the likelihood of microbat roosting.

A hole had been cut in the eaves of the childcare centre (see (b) in Photograph 3.1), approximately 10 cm x 5 cm in size. The gooseneck of the inspection camera was placed in the hole to search for roosting microbats in the roof cavity. No evidence of roosting microbats or their presence was observed at the entry to the hole or inside the roof cavity.

No evidence or roosting microbats or their presence was observed inside the substation. Additionally, the outer surface of the substation was solid, and ventilation holes had been filled, preventing access for microbats (see (c) in Photograph 3.1) and the inside walls were smooth, making the surface unsuitable for roosting.

In addition, no microbat sonograms were recorded during the survey.



**Photograph 3.1** Buildings inspected (a) ventilation holes in childcare centre brick, (b) – hole cut in childcare centre eaves, (c) – outer substation)



## 4 Conclusion

Although some potentially suitable areas for microbat roosting were observed at the childcare centre, no microbats or evidence of their presence was recorded. The substation does not contain suitable microbat roosting habitat.

Yours sincerely



**Katie Diver**

National Technical Leader - Ecology

[kdiver@emmconsulting.com.au](mailto:kdiver@emmconsulting.com.au)