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Senders ref: SSD 10416

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Key Sites Assessment
Planning and Assessment Group
NSW Department of Planning, Industry and Environment
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150

Dear Mr Jennejohn,

Subject: Comments from City of Parramatta Council in response to the BDAR Waiver for the Powerhouse Parramatta (SSD 10416)

Thank you for your e-mail dated 4 August 2020, requesting the Environment, Energy and Science Group (EES) in the Department of Planning, Industry and Environment (DPIE) review City of Parramatta Council's comments on the Biodiversity Development Assessment Report (BDAR) waiver for the Powerhouse Parramatta.

EES has reviewed Council's submission and makes the following comments.

Parramatta Council comment	EES response
Whilst the majority of trees within the site are mature landscape plantings, the removal of 50+ trees (predominantly consisting native or locally indigenous species) is considered a significant vegetation loss. The Biodiversity Development Assessment Report (BDAR) waiver does not adequately capture the full extent of proposed tree removals as it only assesses the removal of up to 30 trees based upon a 'preliminary' arborist report.	The BDAR waiver report stated that up to 30 planted trees were to be removed, and EES assessed the waiver request on that basis. However, if this is not an accurate assessment of the number of trees to be removed, then a new BDAR Waiver should be submitted.
It also fails to assign the best matching Plant Community Type (PCT) based on the local species present, as is best-practice where the vegetation is a mix of local and nonlocal planted species in recognition of potential biodiversity value and function.	Assigning the best matching PCT is required when preparing a BDAR, but not a request for a BDAR waiver.
Furthermore, the BDAR waiver states that 'Functional connectivity exists for flying animals such as birds and bats that use the airspace above the development site to move between habitats and the planted vegetation is likely used as a foraging or perching resource as part of daily movements'. The proposed removal of 50+ trees is therefore not negligible, particularly given the lack of native vegetation present along this portion	As stated above, if 50+ trees are to be removed, a new BDAR waiver request should be submitted.

<p>of the river, and a BDAR should be provided in accordance with the precautionary principle to ensure 'no net loss of biodiversity'.</p>	
<p>The BDAR waiver does not address the potential presence of the Southern Myotis, which in addition to trees, are known to frequently roost in caves, storm water channels, buildings and under bridges. Whilst it states that 'a number of tight spaces were identified including cracks and crevices, holes and joins these were mostly shallow and did not offer suitable microclimate conditions suitable for permanent roosting or maternity roosts', this indicates that not all potential habitat features are shallow and is not considered to provide sufficient evidence demonstrating that the potential roost habitat would not offer a suitable microclimate for this threatened species.</p>	<p>Although the wording is ambiguous, EES considers that an assessment has been undertaken of whether habitat for microbats is present, and it was considered unlikely.</p>
<p>The BDAR waiver identifies the presence of two likely remnant trees (Trees 1 and 2) that are not impacted by the proposed built form and are recommended for retention. However, with the exception of Tree 1, the development proposes the removal of all other existing trees along the river foreshore. These trees provide both ecological and environmental benefits, particularly shade and mitigation of the urban heat island effect, and their wholesale removal is not adequately justified. The design of the built form and public domain needs to maximise the retention of existing mature trees along the river foreshore, particularly the likely remnant (Tree 2) and those with high retention values.</p>	<p>EES supports the retention of trees where possible, and as stated above, if the number of trees to be removed has been amended then a new BDAR Waiver should be submitted.</p> <p>EES did not undertake an assessment of the contribute of the remnant and planted trees to the amenity of the foreshore and urban cooling.</p>

Should you have any queries regarding this matter, please contact Bronwyn Smith Senior Conservation Planning Officer on 9873 8604 or Bronwyn.smith@environment.nsw.gov.au.

Yours sincerely



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