

WILLOWTREE PLANNING



4 July 2022

REF: WTJ21-087

Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2124

Attention: Nahid Mahmud

PROPERTY AT 20 AVON ROAD, PYMBLE

PYMBLE LADIES COLLEGE – GREY HOUSE PRECINCT SSD-17424905

Dear Nahid,

We write in response to the **SSD-17424905**, for the Pymble Ladies College (PLC), Grey House Precinct (GHP). Specifically, this letter and attachments provides a response to the additional Request for Information (RFI) dated 24 June 2022. The applicant, PLC, and its specialist consultant team have reviewed and considered all matters raised in this RFI, which relate to biodiversity. **Table 1** below provides a detailed response to the key matters raised and outlines the proposed amendments to comply with these matters.

The following are also provided with this response;

- Appendix 1: Updated Biodiversity Assessment Report

It is concluded that the above response provides clarity on all issues raised, and that this will allow DPE to finalise their assessment. We would appreciate if you could provide Willowtree Planning an updated timeframe to complete assessment and the anticipated date for the Independent Planning Commission meeting.

We look forward to continuing to work with DPE in reaching a favourable outcome for this Site. Should you require anything further, please do not hesitate to contact the undersigned.

Kind Regards,

Sally Prowd

Associate
Willowtree Planning

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Table 1 RESPONSE TO INFORMATION REQUEST	
Matters Raised	Response
Track change document	A track change document has been provided to DPE and EHG, given the file size it is required to be downloaded from the server to be viewed. Any further amendments will be made and a track change version provided.
EHG Comments	
The BAM-C calculations have still not been submitted to the consent authority. As such, EHG has not been able to view the calculations as part of this BDAR review.	BAM-C calculations have been provided within the BOAMs system. Access has been given to the relevant EHG contact. Greater Sydney Compliance & Regulation has been added to case party and the Case submitted to Consent Authority.
Section 1.6 of the BDAR still discusses the BOS area clearing threshold and Biodiversity Values Map. The executive summary and section 1.5.2 state that DPIE and EES required a BDAR to accompany the DA. This is not correct. The preparation of a BDAR is a statutory requirement under the Biodiversity Conservation Act 2016 (BC Act).	Section 1.6 of the BDAR has been updated to remove references to the threshold. Section 1.5.2 and the Executive Summary state that the BDAR is required under Part 7 (s7.9) of the <i>Biodiversity Conservation Act 2016</i> .
EHG previously commented that the BDAR incorrectly referred to Stage 3 of the BAM. While references to Stage 3 have been taken out of the text, the Executive Summary still refers to Stage 3 of the BAM.	Noted. Executive summary has been amended accordingly.
The BDAR states the 25% vegetation cover figure was 'approximated', however the BAM and the BAM Operational Manual requires that the vegetation cover in the surrounding area must be calculated, using GIS editing tools. EHG has calculated the cover to be 41%. This assigns the cover to the next percentage class (30-70%), which suggests the offsetting requirement	This has been amended to be consistent with EHG calculations at 41% native vegetation cover. Minor changes to the BAM C were required and have been undertaken.

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DPE Submissions Response

State Significant Development SSD-17424905
Pymble Ladies College – Grey House Precinct
20 Avon Road, Pymble (Lot 1 DP 69541)



Table 1 RESPONSE TO INFORMATION REQUEST	
calculations and habitat suitability results may be incorrect.	
EHG previously commented that no digital shapefiles had been received. While it is noted that some digital shapefiles have now been received, this does not include all files. As stated in Appendix VI of the BDAR, the BAM requires that the consent authority receives shapefiles for native vegetation cover and areas of habitat connectivity. EHG has not received these files.	Shapefiles Provided include: 1. 1.5km Site Buffer 2. Native Vegetation Cover and habitat connectivity were calculated using GIS analysis with SydneyMetroArea_v3.1_VIS__4489 DPIE 2016.
Section 3.1.1 now states that all mapped STIF on site is the TEC, however section 5.1 still states that Vegetation Zone 1 is not considered to be the TEC. However, it is noted from the BAM Credit summary that all STIF is the TEC. It should be noted that the BDAR incorrectly states that STIF is listed as an endangered ecological community under the BC Act, whereas it is listed as a critically endangered ecological community.	The BDAR has been amended throughout to appropriately reference STIF CEEC.
The BDAR still has not referred to the Important Habitat Map (IHM) for these species. Also, the assessment in the BDAR indicates the assessor is unfamiliar with using the IHM. Assessment of impacts on these species is not based on whether there is breeding habitat or key habitat features on site, but on the results of the IHM. Despite the above, EHG notes the site is not mapped on the IHM.	IHM is referred to in Appendix I for Swift Parrot and Regent Honey Eater. As stated by EHG the site is not mapped on the IHM for either species.
EHG previously commented that Table 12.1 states the structures on site are unlikely to be potential habitat for Large Bent-wing Bat because they are in use and well maintained. As previously commented, this species does not roost only in uninhabited structures. This is discussed further in Section 9.1, which states that surveys were undertaken, and no signs of microbats were observed. This is adequate.	No further action is required.



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The assessment of avoidance is still not adequate. The language in this section of the BDAR focuses on how the areas to be impacted are degraded and impacts can be reversed, rather than explaining what efforts have been made to avoid impacts.	The design and location of the GHP has been done so to align with the wider school masterplan, and to avoid areas of high biodiversity value. This is outlined extensively within the Environmental Impact Statement (EIS) and Architectural Design Statement. The location of the GHP, orientation and size of the building has been carefully considered to ensure there is minimal impacts to the environment. This location was considered most suitable to ensure the minimal amount of impacts to the environment, and considering all environmental and amenity factors. It is not considered that any further justification or evidence is required to support the location of the built form. The BDAR has further assessed the matters of avoidance.
There is still insufficient explanation of how the loss of 5% canopy cover has been calculated.	The BDAR has been amended to a 20% loss of canopy cover. Manipulation of the BAM-C revealed no changes to offset obligation or credits between future canopy covers between 5-20%.
The BDAR has still not addressed the matters in section 9.1.1 and 9.1.2 of the BAM in relation to serious and irreversible impacts.	Section 9.11 and 9.12 have been updated to include further detail on the serious and irreversible impacts.
Mitigation measures	The BDAR has been amended to adopt all EHG measures referenced in the EHG response. The mitigation measures can be appropriately conditioned.

