

**ATTN: Andrew Pender**  
**apender@pmdl.com.au**

**48 Victoria Road, Rozelle NSW BDAR Waiver**  
**ADE Tender Reference Number: A403021.1611.00**

Dear Andrew,

Please find attached the results of the BDAR Waiver at 48 Vitoria Road, Rozelle. If you have any questions, please do not hesitate to call me on 0417 602 693.

Yours sincerely,



**Sarah Grady**  
B.Env. Sc (BAAS19065)  
**Principal Scientist**

## Introduction

Name and contact details: PMDL Architects, Andrew Pender on behalf the Catholic Archdiocese Sydney.

ADE Project ID: A403021.1611.00

This BDAR waiver assessment was undertaken by ecological consultants Sarah Grady B. Env. Sc, Principal Scientist (BAM Accredited Assessor. BAAS19065) and Kaitlyn Cavanagh (B. Wildlife Sc.), Environmental Scientist.

## Background

ADE Consulting Group was engaged by PMDL to undertake an Ecological Site inspection and Biodiversity Assessment Report (BDAR) Waiver to support the refurbishment of an offsite Campus facilities for St Aloysius College, in Rozelle NSW 2039 by the Catholic Archdiocese Sydney.

The proposed development site contains 21 trees to be impacted by site works. These trees, as well as the building will be assessed as part of this works.

As noted in the fact sheet 'How to apply for a BDAR waiver for a Major Project Application' (2019) published by the DPIE, the *Biodiversity Conservation Act 2016* (BC Act) requires that an SSD application be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning/Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values. This memo seeks to provide information to assist the Planning/Environment Agency Head in making this determination.

This memo has been prepared to demonstrate that the proposed development would not impact on biodiversity values. As such, a BDAR is not required, and the proposed development should be considered exempt from satisfying Clause (2) of Section 7.9 of the BC Act.

## Site details

The site is identified as 48 Victoria Road, Rozelle NSW 2039 being Lot 1 DP82780 (0.1136 ha) & Lot 2 DP65961 (0.0187 ha). The site is within Inner West Council LGA. The site is within a highly developed urban area, with the site consisting of a building, with a mixture of large and medium planted native trees with a shrubby understorey in the existing carpark and planted garden beds.

See Appendix A for location map, and Appendix B for satellite imagery of the works areas. The proposed development works at 48 Victoria St involve construction internally and externally of the existing building, with construction to include some removal of native vegetation to allow access to the building and to allow space for external works and infrastructure. Works will be within contained within the lot plans detailed above. See site Appendix C for the site plan.

## Assessment Results

Table 1 below provides an assessment of the Proposal against the defined biodiversity values. This assessment has been undertaken by a suitable qualified person in accordance with the requirements in DPIE's fact sheet.

*Table 1 Impacts of the proposed development on biodiversity values*

Biodiversity value	Meaning	Explain and document potential impacts including additional impacts prescribed under the BC Regulation
Vegetation abundance – 1.4(b) BC Regulation	Occurrence and abundance of vegetation at a particular site	<p><b>The Proposed development is unlikely to have a significant impact on the occurrence and abundance of vegetation.</b></p> <p>See Appendix A for location map showing vegetation present on site and land proposed to be impacted by the development.</p> <p>The works area at 48 Victoria Street contains large and medium native trees and a shrubby understorey within a carpark and planted garden beds.</p> <p>The proposed development at 48 Victoria Street contains 21 trees, with the likely removal of 9 trees due to varying levels of risk for building damage. 3 of the retained trees also require deadwood removal.</p> <p>All other vegetation will be retained.</p> <p>Vegetation surrounding the Proposed development site is unlikely to be impacted further than stated above. The Biodiversity Values Map shows no biodiversity values within or within proximity to the proposed development site (See appendix D).</p>
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><b>The Proposed development is unlikely to have an impact on vegetation integrity within the Proposed development site or the surrounding area.</b></p> <p>The trees on site exist within a disturbed area of residential and industrial buildings. The vegetation on the site is a mix of planted native and exotic species. Historical imagery shows the vegetation on the site has been cleared in the 1970's and the species existing on the site have been planted.</p> <p>The arborist report shows that ~40% of the trees are mature, ~45% of trees are semi-mature and ~10% of trees are juvenile. It is expected that 9 trees will be unavoidably removed as part of the construction activities, however the trees are of</p>

Biodiversity value	Meaning	Explain and document potential impacts including additional impacts prescribed under the BC Regulation
		varying degrees of health, with the arborist report showing a number of trees being of poor health, with dieback and poor growth occurring.
Habitat suitability 1.5(2)(b) BC Act	Degree to which the habitat needs of threatened species are present at a particular site	<p><b>The Proposed development is unlikely to have an impact on habitat suitability.</b></p> <p>Assessment of the site identified no suitable habitat for listed threatened species or ecological communities, but did identify some minor habitat features for other native fauna. The site assessment found no evidence of native fauna utilising the building as habitat.</p> <p>As the site is within a highly disturbed residential and industrial area, it is very unlikely that threatened animals will move through the area, therefore the identified impact to these species and their habitat will be minimal.</p> <p>The proposed development has been designed to retain more than half of the trees present on site (12 trees), thereby reducing impacts to potential environmental values on site.</p> <p>Due to the nature of the works area being within a residential and industrial area, it is extremely unlikely that the works will impact on caves, crevices, cliffs and other geological features of significance, rocks, human-made structures and non-native vegetation (except for the removal of trees as mentioned above).</p> <p>It is also unlikely that the proposed development will increase indirect impacts to threatened species, threatened ecological communities and/or their habitat than which already exists.</p> <p>The Biodiversity Values Map shows no biodiversity values within or within proximity to the proposed development site (See appendix D).</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><b>The Proposed development is unlikely to have an impact on threatened species abundance.</b></p> <p>The site inspection identified no individuals or habitat for threatened species.</p> <p>The proposed development design has minimised the trees proposed to be cleared, allowing 12 trees to be retained within the site.</p> <p>A fauna spotter will be present on-site during clearing works to reduce risks of harm to native fauna.</p>

Biodiversity value	Meaning	Explain and document potential impacts including additional impacts prescribed under the BC Regulation
		The Biodiversity Values Map shows no biodiversity values within or within proximity to the proposed development site (See appendix D).
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	<p><b>The Proposed development is unlikely to have a significant impact on habitat connectivity.</b></p> <p>The proposed development site is a highly urbanised and fragmented landscape. The presence of main roads and infrastructure cause a physical barrier to fauna movement and seed dispersal across the landscape. They consist predominantly of planted species. There are two very small, vegetated urban reserves to the East and West of the site, however these are highly manicured and are isolated from any other patches of vegetation in the immediate area. It is highly unlikely that these parks contain habitat for threatened species, and therefore it is unlikely that the development site facilitates the movement of threatened species.</p> <p>The proposed development design has minimised the trees proposed to be cleared, allowing 12 trees to be retained within the site. This allows for some connection of habitat areas for the future if threatened species were to utilise the area for habitat.</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	<p><b>The Proposed development is unlikely to have a significant impact on threatened species movement.</b></p> <p>Similar to habitat connectivity, the Proposed development site provides no habitat that contributes to the movement of any threatened species.</p> <p>The proposed development site is a highly urbanised and fragmented landscape. It is unlikely that threatened species are utilising the area for habitat and breeding. There is a possibility that some threatened species may utilise the trees to rest or pass through the area at some stage – however there is low risk that the proposed construction works will impact the ability for these species to move through the area, as more than half of the trees on site will be retained.</p> <p>The proposed development design has minimised the trees proposed to be cleared, allowing 12 trees to be retained within the site. This allows for</p>

Biodiversity value	Meaning	Explain and document potential impacts including additional impacts prescribed under the BC Regulation
		some connection of habitat areas for the future if threatened species were to take refuge or move through the area.
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	<p><b>The Proposed development is unlikely to have a significant impact on flight path integrity.</b></p> <p>The Proposed development site is situated in an already modified regional/local landscape comprised of residential and industrial buildings and infrastructure.</p> <p>It is possible that threatened species would fly over the Proposed development site whilst moving within their home range.</p> <p>This is most likely the case for threatened microbats, raptors, woodland birds and potentially forest owls.</p> <p>The proposed development and construction works is unlikely to impact flight paths of protected animals.</p>
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	<p><b>The Proposed development is unlikely to have a significant impact on water sustainability.</b></p> <p>The proposed development site has no waterbodies or watercourses throughout. The proposed construction works will not impact on water quality, water bodies or water processes that sustain threatened species.</p> <p>Erosion controls will be in place to avoid water run off during construction in the event of rain.</p>

## Biodiversity Values Map

The Biodiversity Values Map (BV Map) has been produced by DPIE and is used to identify land with high biodiversity values, as defined by the BC Regulation. It is used as one of the triggers for entry into the Biodiversity Offsets Scheme (BOS) for proposals being assessed under Part 4 of the EP&A Act, except Division 4.1 SSD proposals. The biodiversity values map is a compilation of datasets that have been identified in Section 7.3 of the BC Regulation as being of high biodiversity value.

Querying the map is not typically required for SSD proposals since Section 7.9 of the BC Act requires entry into the BOS for all SSI and SSD proposals. Since the purpose of this memo is to demonstrate that a BDAR is not required for the Proposed development site, the BV Map has been queried to identify any parts of the proposed development site that have been mapped as being of High Biodiversity Value.

Appendix D provides the BV Map for the site and shows that the nearest mapped Biodiversity Value to the site is approximately 500 m to the southeast. There are no mapped Biodiversity Values within or adjoining the proposed development area.

## Conclusion and Recommendations

This assessment has considered the potential impacts of the proposed development on biodiversity values prescribed in Section 1.5 of the BC Act, Section 1.4 of the BC Regulation and the BV Map. The proposed development site is within a significantly developed urban area with small areas of planted gardens. These plants are fragmented from any other vegetation.

The trees to be removed at the site have been assessed by an arborist who has assessed 21 trees at the site with 12 trees identified to be retained by the works and 9 to be removed. The arborist report shows that ~40% of the trees are mature, ~45% of trees are semi-mature and ~10% of trees are juvenile. It is expected that 9 trees will be unavoidably removed as part of the construction activities, however the trees are of varying degrees of health, with the arborist report showing a number of trees being of poor health, with dieback and poor growth occurring.

No areas of high biodiversity values have been mapped within or adjoining the proposed development site. Based on the findings of the above assessment a BDAR is not required for this proposed development and the proposed development should be considered exempt from satisfying Clause (2) of Section 7.9 of the BC Act, meaning a BDAR will not be required to be prepared in accordance with the Biodiversity Assessment Method 2017. It is requested that the SEARs do not include the requirement for a BDAR.

## References

ADE Consulting Group (ADE) (2021) Ecological Site Inspection ADE Tender Reference Number: A403021.1611.00

ArbourSafe Australia Pty Ltd (Tree, J) (2020) Tree Assessment Report: Catholic Archdiocese Sydney, Rozelle Parish, Victoria Road, Rozelle, NSW

Department of Planning, Industry and Environment (DPIE) (2019) Fact Sheet: How to apply for a BDAR waiver for a Major Project Application. NSW Government, October 2019.

New South Wales Government (NSW Gov.) (2021) Biodiversity Values Map and Threshold Tool. Accessed October 2021 from

:<https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BOSETMap>

New South Wales Government (NSW Gov. 2021) Historical Imagery: search and discovery. Accessed October 2021 from:

<https://portal.spatial.nsw.gov.au/portal/apps/webappviewer/index.html?id=f7c215b873864d44bccddda8075238cb>

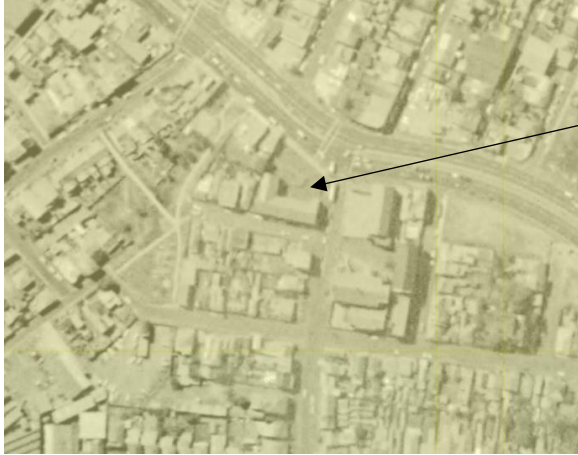
Office of Environment and Heritage (OEH) (2021) Biodiversity Value Map and Threshold Tool.

Accessed on October 2021 from :

<https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BVMap>



## Appendix A: Historical Aerial Imagery



1970: Proposed development location

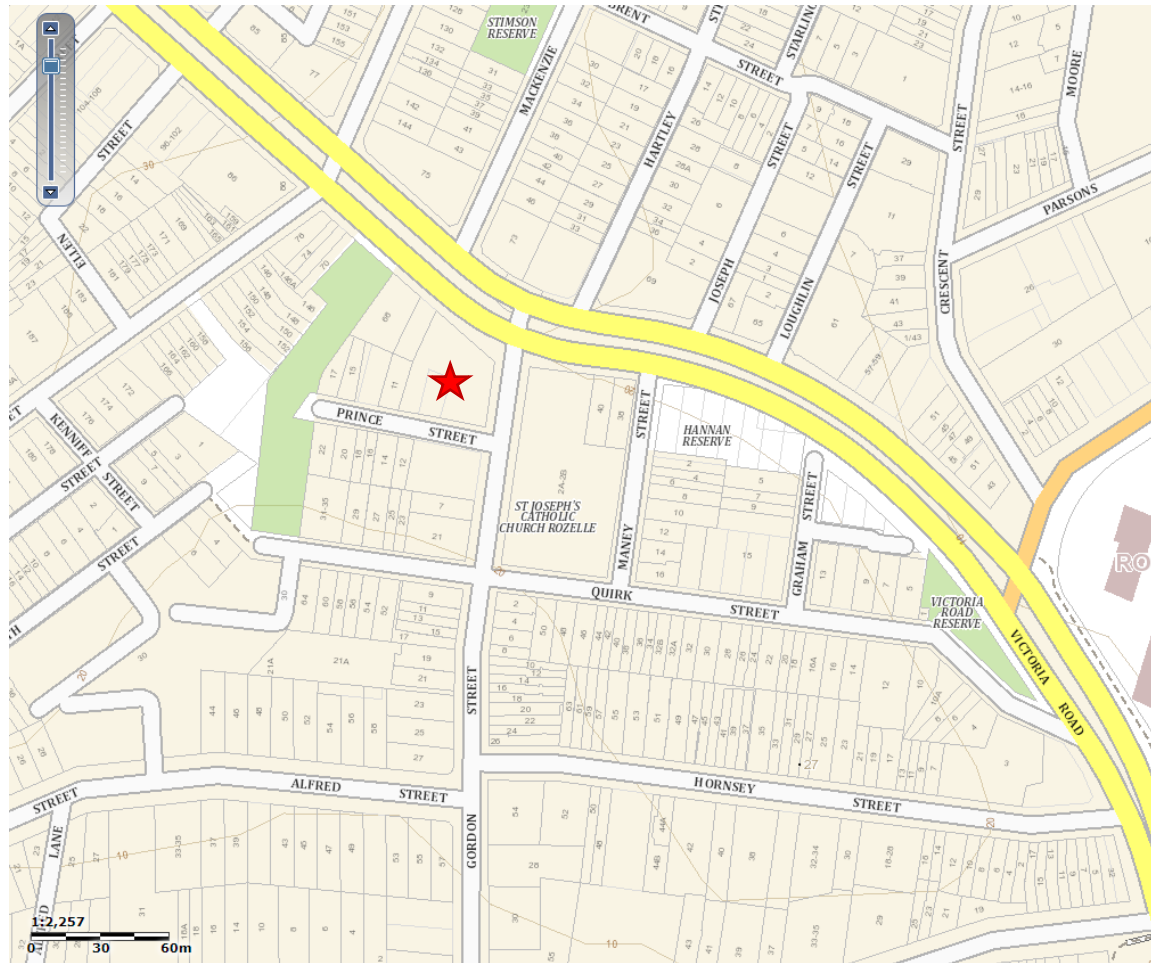


1984: Proposed development location



2005: Proposed development location

## Appendix B: Location Map



★ Proposed development location

## Appendix C: Site plans



## 48 Victoria Road, Rozelle

Site Plan



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## Landscape Masterplan

The design integrates organic forms to represent the pre-industrialised shorelines and ecologies in Rozelle, therefore creating an interesting contrast between the existing architecture. Design provides flexible and accessible spaces for multiple uses :

- outdoor classroom/group learning
- sports
- assembly/gathering spot
- breakout social and learning spaces
- seating for lunch break and recess

### Legend

- 1 Terrace seating
- 2 Seating edge
- 3 Accessible ramp
- 4 Basketball Court
- 5 Handball Court
- 6 Storage Shed
- 7 Tables and chairs
- 8 School Entry
- 9 Building Entry
- 10 Food truck opportunity



## Appendix D: Biodiversity Values Map



