



NARLA
environmental

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Narla Environmental Pty Ltd

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To whom it may concern,

This Biocertification Letter Report has been prepared by Narla Environmental on behalf of SCG Developments (the 'Applicant'). It accompanies an Environmental Impact Statement (EIS) in support of State Significant Development Application (SSD-65729209) for 40 The Retreat Bringelly (Lot 272 DP 803167, the 'Subject Property', **Figure 1**).

This State Significant Development Application seeks consent for the detailed design and delivery (including construction and use) of a new mixed use residential development, to be developed in two (2) stages. Specifically, development consent is sought for:

1. Stage 1

- Overall site clearing and preparation works, including demolition of all existing development on the Site;
- The redevelopment of the northern portion of the Site, comprising:
 - Temporary Site access to the northern portion of the Site from The Retreat;
 - Temporary bin enclosure adjacent the temporary access;
 - Excavation works and construction of a shared two (2) storey basement to a maximum depth of RL 60.60, with capacity for 309 vehicle car spaces;
 - Construction of three (3) individual mixed use buildings, comprising:
 - Maximum building heights between 30.4m and 39.8m;
 - A total Gross Floor Area (**GFA**) of 26, 204sqm, comprising 25,744 sqm of residential GFA, 248 sqm of non-residential GFA and 212 sqm of retail GFA, distributed across the three buildings;
 - 254 residential units, distributed across the three buildings.
 - Associated landscaping, communal open space and embellishment works; and
 - Delivery and augmentation of services.

2. Stage 2

- The redevelopment of the southern portion of the Site, comprising:
 - Removal of the Stage 1 temporary access from The Retreat;
 - Connection and access of the Stage 1 basement to the western boundary (to become a future Collector Road);
 - Excavation works and construction of a shared three (3) storey basement to a depth of RL 56.35, with capacity for 326 vehicle car spaces;
 - Site and basement access from the western boundary (to become a future Collector Road);
 - Construction of three (3) individual mixed use buildings, comprising:

- Maximum building heights between 23.8m and 39.9m;
 - A total Gross Floor Area (**GFA**) of 29,126 sqm, comprising 28,540 sqm of residential GFA, 212 sqm of retail GFA and 374 sqm of non-residential GFA, distributed across the three buildings;
 - 279 residential units, distributed across the three buildings.
- o Associated landscaping, communal open space and embellishment works; and
 - o Delivery and augmentation of services.

A detailed description of the proposed development is detailed in Section 3.0 of the Environmental Impact Statement prepared by Ethos Urban.

The Subject Property is located within a rural setting, covering an area of approximately 2.09ha within the locality of Bringelly, in the Liverpool City Local Government Area (LGA). The Subject Property consist of an existing dwelling, sheds, hardstand and planted lawns. The Subject Property is surrounded by primary production lots and similar sized residential properties. The Subject Site covers the entire 2.09ha of the Subject Property.

The report will recommend appropriate measures to mitigate any potential impacts in line with all relevant State Environmental Planning Policies (SEPP) and local government plans, namely the State Environmental Planning Policy (Precincts-Western Parkland City) 2021 and the Western Sydney Aerotropolis Development Control Plan (DCP) 2022.

The purpose of this Biocertification Letter Report is to outline if the development is on biodiversity certified land, provide information to identify the site and demonstrate the proposed development is consistent with the relevant biodiversity measure conferred by the biodiversity certification.

Response to SEARs

In accordance with section 4.39 of the Environmental Planning & Assessment Act 1979 (EP&A Act), Secretary's Environmental Assessment Requirements (SEARs) for SSD 49645977 were issued on 18 November 2022. This report has been prepared to respond to the relevant issued SEARs. **Table 1** identifies the SEARs and relevant reference within this report.

Table 1. SEARs and Relevant Reference

SEARs Item	Report Reference
Biodiversity: – If the development is on biodiversity certified land, provide information to identify the site (using associated mapping) and demonstrate the proposed development is consistent with the relevant biodiversity measure conferred by the biodiversity certification.	Narla Environmental (2024) Biocertification Letter Report: 40 The Retreat Bringelly. Final v1.0.



Figure 1. The Location of the Subject Property.

Biodiversity Certification

The Department of Planning and Environment (DPE) maintains a register of orders conferring biodiversity certification as required by section 9.7(f) of the Biodiversity Conservation Act 2016 (BC Act) and section 126ZU of the repealed Threatened Species Conservation Act (TSC Act). State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP), which now comes under Chapter 3 of the State Environmental Planning Policy (Precincts—Western Parkland City) 2021, is listed within the aforementioned register.

The Site is mapped within the State Environmental Planning Policy (Precincts—Western Parkland City) 2021 within the ‘South West Growth Centre’ as ‘Certified Area’ (**Figure 2**), referring to biodiversity certification under the former TSC Act.

Under Section 35 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017: Biodiversity certification that was conferred on land under Part 7AA of the Threatened Species Conservation Act 1995 and that was in force on the repeal of that Act is taken to be biodiversity certification conferred on the land under Part 8 of the new Act (BC Act).

Therefore, in accordance with section 8.4 of the BC Act, under Part 4 of the Environmental Planning and Assessment Act 1979, an assessment of the likely impact on biodiversity of development on biodiversity certified land is not required.

Commonwealth Strategic Assessment

The Commonwealth Environment Minister has endorsed the Sydney Growth Centres Strategic Assessment Program, and approved all actions associated with development of the Sydney Growth Centres as described in the Program Report (NSW Department of Planning 2010). The need for site-by-site approvals under the Environment Protection Biodiversity Conservation Act 1999 (EPBC Act) for the approved actions is no longer required, as long as the actions are consistent with the endorsed Program. The Site is therefore exempt from further assessment under the EPBC Act.

State Environmental Planning Policy (Precincts—Western Parkland City) 2021

The Site is mapped within the ‘Western Sydney Aerotropolis Core Precinct’.

1.1.1 Chapter 4 Western Sydney Aerotropolis

1.1.1.1 Land Use Zone – Mixed Use

The objectives for development in the Mixed Use zone (**Figure 2**) is:

- To integrate a mixture of compatible land uses in accessible locations;
- To promote business, office, retail, entertainment and tourist uses;
- To promote a high standard of public amenity and convenient urban living;
- To provide for residential and other accommodation that includes active non-residential uses at street level; and
- To ensure an appropriate transition from non-urban land uses and environmental conservation areas in surrounding areas to urban land uses in the zone.

Western Sydney Aerotropolis Development Control Plan (DCP) 2022

The proposed development will abide by the environmental objectives of the Western Sydney Aerotropolis Development Control Plan Development Control Plan (DCP) 2022.

1.1.2 Chapter 2.4.2: Protection of Biodiversity

The objectives of this chapter are:

- Ensure consistency with the requirements of the relevant biodiversity certification for the subject land where applicable.
- Ensure construction and operational works avoid and minimise impacts to native vegetation and ecological communities.

- Retain and protect native vegetation areas, particularly those with Aboriginal cultural value, and provide for areas with a size and configuration that will allow for the survival and improvement of the native vegetation communities.
- Implement the Sydney Region Growth Centres Biodiversity Certification Order where applicable.
- Implement the Cumberland Plain Conservation Plan (CPCP) where applicable.
- Manage fire risk by regimes that protect biodiversity and habitats in the long term.

The relevant performance outcomes for this chapter are:

- Populations of threatened species are retained, and the condition of suitable habitat improves within areas of the Cumberland subregion most likely to support long-term viability.
- Development facilitates the connected movement of native animals through the landscape
- Within land subject to the Cumberland Plain Conservation Plan only, development adjoining conservation areas provides ecological setbacks to threatened species.
- Noise and light adjacent, and near, conservation areas does not result in any disturbance to wildlife
- Bushfire risk is minimised.
- Retain and protect koala populations and their habitats through mitigating indirect and ongoing impacts from development.

1.1.3 Chapter 2.4.3: Protection of Trees and Vegetation

The objectives of this chapter are:

- Conserve and manage existing vegetation and contribute to the increase of habitat and tree canopy cover within the Aerotropolis.
- Retain and preserve significant trees and other vegetation to contribute to the Western City Parkland vision, vegetated ridgelines, and urban cooling and to mitigate effects of climate change.
- Protect and enhance native vegetation communities, threatened ecological communities, significant tree habitat and canopy, while appropriately mitigating risks from natural hazards.
- Mitigate impacts of development and associated works on threatened ecological communities to improve and enhance ecological condition over the long term.
- Prioritise development on land clear of vegetation and avoid locating development on steep and densely vegetated land.
- Where site conditions require it, adopt the use of underground engineered tree pits to harvest rainwater and provide sufficient space for the development of tree roots and avoid conflict with surrounding infrastructure.

The relevant performance outcomes for this chapter are:

- Existing trees and vegetation are retained, protected, enhanced, and incorporated into the development, wherever possible.
- Minimise threats to the long-term survival of existing trees through tree preservation zones and pruning techniques.
- Where hollow-bearing tree cannot be retained and are removed, they shall be replaced with nesting boxes, as close as possible to where the removed tree was located.

Biodiversity Assessment Pathway

The requirements of the BC Act 2016 and Biodiversity Conservation Regulation 2017 are mandatory for all development applications assessed pursuant to Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act) submitted in the Liverpool LGA. However, as the proposed development is located wholly within land mapped as 'Existing Certified' the threshold for entry into the Biodiversity Offset Scheme (BOS) BOS does not apply, as these impacts were considered during the certification process.



Figure 2 South West Growth Centre- Biodiversity Certification (State Environmental Planning Policy (Precincts—Western Parkland City) 2021).

Summary of Mitigation Measures

This section details the measures to be implemented before, during and post construction to avoid and minimise the impacts of the project (Table 2).

Table 2. Summary of Mitigation Measures.

Action	Outcome	Timing	Responsibility
Preparation of a Construction Environmental Management Plan (CEMP)	A CEMP may be required for the construction phase of the project, and will be prepared prior to issue of the Construction Certificate. The CEMP would include, as a minimum, industry-standard measures for the management of soil, surface water, weeds and pollutants, as well as site-specific measures, including the procedures outlined below. The proposed mitigation measures would include environmental safeguards for protection of neighbouring properties and nearby waterways in accordance with relevant policy documentation and Government guidelines. In order to address the potential impacts of the proposal on biodiversity, the mitigation and management measures outlined within this table would be implemented as part of the CEMP for the site.	Pre-construction phase	Proponent Project Ecologist Construction Contractor
Landscaping	Future landscaping plans should incorporate species native to the area.	Post-construction phase	Proponent Landscape Contractor
Erosion and Sedimentation	Appropriate erosion and sediment control must be erected and maintained at all times during construction in order to avoid the potential of incurring indirect impacts on biodiversity values. As a minimum, such measures should comply with the relevant industry guidelines such as 'the Blue Book' (Landcom 2004).	Construction phase	Proponent Construction Contractor
Stormwater	Potential impacts relating to stormwater and runoff will be managed during construction and operation phases. The CEMP will guide stormwater management during the construction phase of development.	Post-construction phase	Proponent Construction Contractors/ Architect

Conclusion

As the Site is situated on Biodiversity Certified land, no further impact assessment under the BC Act of threatened species, populations or ecological communities is required for the proposed development.

Narla is satisfied that the proposed development has been suitably situated in areas of lower ecological value where feasible. Additionally, the proposed landscape plan, which includes the planting of native species across the site, is expected to minimise impacts on biodiversity values.

Yours sincerely,

Rebecca Sutton,
Project Manager/Ecologist,
Narla Environmental Pty Ltd