

17 October 2025

Our ref: 25SYD11993

MDS Commercial Developments Pty Ltd
Unit 608, 2-8 Brookhollow Avenue,
Norwest NSW 2153

Attention: Mick Eleisawy

Dear Mick

Lot 1/DP1033570 & Lot 5/DP135883, 806-812 Windsor Rd, Rouse Hill NSW – Biocertification Letter

Eco Logical Australia (ELA) has prepared the following biodiversity assessment to accompany a development application (DA) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for 806-812 Windsor Road, Rouse Hill (Lot 1/DP1033570 and Lot 5/DP135883). The DA is seeking approval from Blacktown City Council for the proposed development of a three (3) block residential complex to accommodate approximately 700 units (Figure 3).

The proposed scope of works would include:

- Demolition of all existing structures;
- Removal of vegetation and trees;
- Bulk earthworks; and
- Construction of proposed roads and structures.

The site is zoned R3 – Medium Density Residential.

This letter describes the assessment of biodiversity values for the Proposal in relation to the following biodiversity related legislation and policy:

- *Biodiversity Conservation Act 2016* (BC Act)
- *State Environmental Planning Policy (Precincts – Central River City) 2021*
- *Blacktown City Council Development Control Plan 2010* (DCP)
- *Water Management Act 2000* (WM Act)
- *Fisheries Management Act 1994* (FM Act)
- *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)

BIODIVERSITY CERTIFICATION

ELA has undertaken a review of the proposed development and can confirm that the development application area is located on land that is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*. See Figure 2 below.

Section 8.4(2) of the BC Act describes the effect of biodiversity certification in relation to development under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This section states ‘*an assessment of the likely impact on biodiversity of development on biodiversity certified land is not required for the purposes of Part 4 of the EP&A Act 1979*’.

A site visit was carried out by an ELA ecologist on 20 October 2025. Study area is seen in Figure 1. The area proposed for development is entirely biodiversity certified with no evidence of hollow-bearing trees, therefore no further assessment of impacts to biodiversity values is required under this legislation.

STATE ENVIRONMENTAL PLANNING POLICY (SEPP) (CENTRAL RIVER CITY) 2021

Part 6, Section 6.3 of the *State Environmental Planning Policy (Precincts – Central River City) 2021* (Central River City SEPP) contains development controls for the clearing of Native Vegetation Protection (NVP) areas as shown on the NVP Map.

The impact area does not contain any vegetation mapped as NVP (Figure 2).

BLACKTOWN CITY COUNCIL GROWTH CENTRE PRECINCTS DEVELOPMENT CONTROL PLAN 2010

Section 2.3.4 of the ‘Blacktown City Council Growth Centre Precincts Development Control Plan 2010’ contains provisions relating to native vegetation and ecology.

The following Controls in Section 2.3.4 need to be addressed in the Development Application:

Clause	How the clause is addressed
1. Native trees and other vegetation are to be retained where possible by careful planning of subdivisions to incorporate trees into areas such as road reserves and private or communal open space.	The complete removal of vegetation is required to support the proposed development within Lot 1/DP1033570 and Lot 5/DP135883. The impact area and all trees proposed to be removed are on biodiversity certified land.
2. Where practical, prior to development commencing, applicants are to: • provide for the appropriate re-use of native plants and topsoil that contains known or potential native seed bank; and • relocate native animals from development sites. Applicants should refer to OEH’s <i>Policy on the Translocation of Threatened Fauna in NSW</i>.	The reuse of native plants is not practical for this development. Planting will be done in accordance with a Landscape Plan. Relocation of native fauna is not likely to be required as site inspections confirmed that the site does not contain hollows.
3. Within land that is in a Riparian Protection Area as shown on the figure in the relevant Precinct Schedule: • all existing native vegetation is to be retained and rehabilitated, except where clearing is required for essential infrastructure such as roads; and • native vegetation is to be conserved and managed in accordance with the Riparian Protection Area controls at Appendix B.	The proposed development is not within land that is in a Riparian Protection Area.
4. Development on land that adjoins land zoned E2 Environmental Conservation is to ensure that there are no significant detrimental impacts to the native vegetation and ecological values of the E2 zone.	The proposed development does not join land that zoned as E2 – Environmental Conservation.

Clause	How the clause is addressed
5. All subdivision design and bulk earthworks are to consider the need to minimise weed dispersion and eradication. If council believes that a significant weed risk exists, a Weed Eradication and Management Plan outlining weed control measures during and after construction is to be submitted with the subdivision DA.	A Weed Management Plan has not been requested by Council.
6. A landscape plan is to be submitted with all subdivision development applications, identifying: - all existing trees on the development site and those that are proposed to be removed or retained; - the proposed means of protecting trees to be retained during both construction of subdivision works and construction of buildings; - proposed landscaping including the locations and species of trees, shrubs and ground cover to be planted as part of subdivision works; and - the relationship of the proposed landscaping to native vegetation that is to be retained within public land, including factors such as the potential for weed or exotic species invasion and the contribution of the proposed landscaping to the creation of habitat values and ecological linkages throughout the Precinct.	- All trees and vegetation present on site are proposed to be removed. - N/A; No trees are proposed to be retained. - The landscaping plan identifies the location of proposed trees, shrubs and ground cover to be planted. - No vegetation will be retained during development. The landscape plan displays the distinct areas and environments proposed to be developed and aesthetically replicated. These include a Creek garden, forest garden and sky garden. These distinct areas are proposed to each have structures and vegetation unique to the habitat being imitated.
7. The selection of trees and other landscaping plants is to consider: - The prescribed trees in Appendix D; - The use of locally indigenous species where available; - Contribution to the management of soil salinity, groundwater levels and soil erosion.	- Will be considered. - N/A - Will be considered.
8. For the purposes of clause 5.9 of the relevant Precinct Plan, prescribed trees include: - Trees taller than the minimum height and greater than the minimum trunk diameter specified in Appendix D, and - Tree species listed in Appendix D.	Noted.

WATER MANAGEMENT ACT 2000

There are no mapped watercourses (in accordance with the Strahler system) and no waterfront land within the proposed development area. Therefore, no considerations are required under *the Water Management Act 2000*.

FISHERIES MANAGEMENT ACT 1994

The FM Act contains provisions for the protection of fish habitat and threatened species. The proposed works:

- Will not impact on a waterway mapped as 'Key Fish Habitat' or a waterway that contains a threatened species record.

- Will not harm marine vegetation.
- Will not require, dredging of the bed and land reclamation of a Key Fish Habitat Creek.

Therefore, a Part 7 Permit under the FM Act is not required.

COMMONWEALTH STRATEGIC ASSESSMENT (EPBC ACT)

On 28th February 2012, the Commonwealth Minister for the Environment announced that the program of development activities within the Growth Centres was approved under the EPBC Act Strategic Assessment process. Specifically, all actions associated with the development of the Western Sydney Growth Centres as described in the Sydney Growth Centres Strategic Assessment Program Report (Nov 2010) have been assessed at the strategic level and approved in regard to their impact on the following Matters of National Environmental Significance:

- World Heritage Properties
- National Heritage Places
- Wetlands of International Importance
- Listed threatened species and communities
- Listed migratory species

These decisions indicate that the Commonwealth is satisfied that the conservation and development outcomes that will be achieved through the Western Sydney Growth Centres Program will satisfy their requirements for environmental protection under the *Environmental Protection and Biodiversity and Conservation Act 1999* (EPBC Act). Provided that development activity proceeds in accordance with the Growth Centres requirements (such as the Biodiversity Certification Order, the Central River City SEPP and Blacktown DCP, Growth Centres Development Code etc.) there is no requirement to assess the impact of development activities on Matters of National Environmental Significance within the Growth Centres and no requirement for referral of activities to the Commonwealth Department of Environment.

The study area is therefore exempt from further assessment of threatened species and threatened ecological communities listed under the BC Act or the Commonwealth EPBC Act.

Should you have any questions on this matter, please contact me at Connor.McGrath@ecoaus.com.au.

Regards,



Connor McGrath

Graduate Environmental Consultant

Appendix A Figures



Figure 1: Study area and key findings in relation to proposed development



Figure 2: Biodiversity certified lands and native vegetation protection areas in relation to the proposed development (*State Environmental Planning Policy (Precincts – Central River City) 2021*)

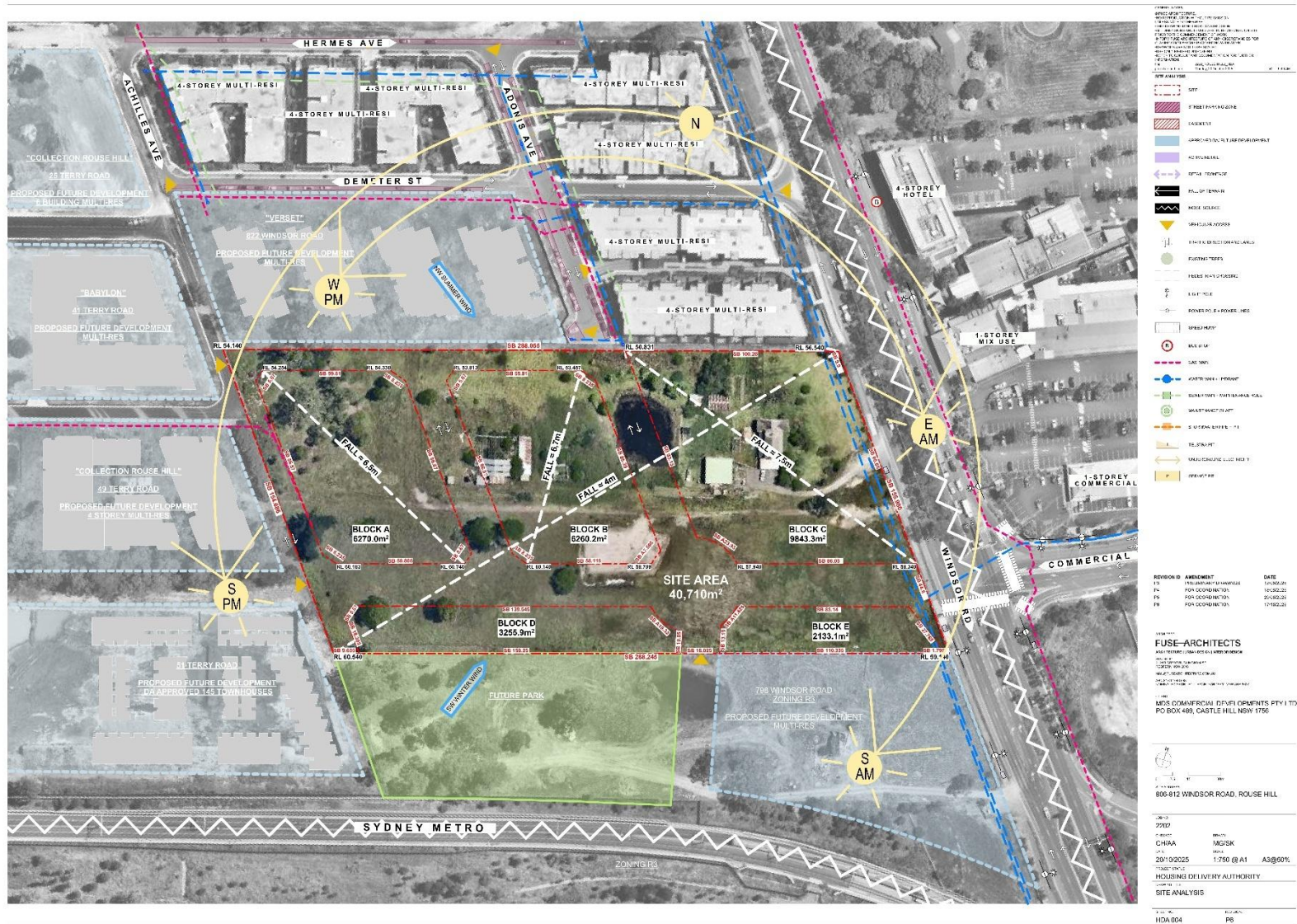


Figure 3: Proposed development – site analysis plan