

David Gibson  
Team Leader  
Social Infrastructure Assessments  
Department of Planning and Environment  
GPO Box 39  
Sydney  
NSW 2001

30<sup>th</sup> November 2018

**Re: Request for a Biodiversity Development Assessment Report Waiver for East Leppington School Development SSD**

Dear Mr Gibson,

As an Accredited Biodiversity Assessor, I am writing this letter to provide to the NSW Department of Planning in request of a Biodiversity Development Assessment Report Waiver (BDAR) Waiver with regard to sections 1.5, 7.3 and 7.9 of the *Biodiversity Conservation Act 2016* (BC Act) and clause 1.4 of the *Biodiversity Conservation Regulation 2017*.

On behalf of Schools and Infrastructure I, kindly request that you provide your confirmation whether you agree that there is no need to submit a BDAR for the proposed development at the proposed East Leppington School site ('The Subject Site') (**Appendix**).

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) stipulates the following:

*"Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values. The authority of the 'Planning Agency Head' is required to determine whether a proposed development is "not likely to have any significant impact on biodiversity values" is usually delegated to Directors within the Planning Services Division."*

In preparing this request for a BDAR Waiver, we have completed a site assessment of the native vegetation and threatened species habitat values, and found no 'native trees' (i.e. native to the state of NSW) occurring in the East Leppington School around the proposed development site.

Narla Ecologist, Mr Dean Sugden, attended the subject property and carried out a biodiversity assessment of the flora and fauna values present on the 12<sup>th</sup> of September 2018.

Narla identified a total of 14 flora species across the subject site all of which were common exotic groundcovers typical of derived pastureland.

Narla identified only two fauna species, both of which are common, mobile grazing species which show a preference to foraging on exotic grasses.

In applying for a BDAR Waiver, we have completed a table provided by the NSW Department of Planning in order to assess the significance of the impacts of the proposed SSD on biodiversity values (**Appendix**).

From the information I have been provided by Schools and Infrastructure to date, I anticipate the impacts of the proposed development will not impact upon any area of remnant, native vegetation.

In conclusion, it is in my professional opinion that the proponent (East Leppington School) should not be required to prepare a BDAR, and therefore I support the request by Schools and Infrastructure for a BDAR Waiver for this project.

Yours sincerely,



**Kurtis Lindsay** BSc (Hons)  
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## Appendix

**Table 1. Summary of Impacts on Biodiversity Values from the Proposed Development**

| Impacts on Biodiversity Values from the Proposed Development |  |                    |  |
|--|--|--------------------|--|
| Biodiversity values  | Meaning  | Relevant (✓ or NA) | Explain and document significance of likely impacts in relation to their development site & proposed development)  |
| <b>Vegetation integrity</b>                                  | 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. | ✓                  | The site was historically cleared of all native vegetation before 2002. No native vegetation remains on the Subject Site. It is now comprised of exotic dominated grassland, typical of an urban setting.  |
| <b>Habitat suitability</b>                                   | Degree to which the habitat needs of threatened species are present at a particular site   | ✓                  | The subject represents a historically cleared site without remnant native vegetation. All that is present is lawn comprised of exotic grasses. No naturally occurring aquatic or terrestrial habitat located on site.  |
| <b>Threatened species abundance</b>                          | Occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site  | ✓                  | There were no threatened species or ecological communities found on the subject site, nor, are considered likely to occur.   |
| <b>Vegetation abundance</b>                                  | Occurrence and abundance of vegetation at a particular site  | ✓                  | There is no remnant vegetation cover present on the Subject Site, which was historically cleared of all native vegetation prior to 2002. The site is now comprised of exotic dominated grassland.  |
| <b>Habitat connectivity</b>                                  | 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>No remnant native vegetation or important habitat required to facilitate movement of threatened species across their range is located on site or on adjoining lands (it is an existing grassland field, located in Western suburban Sydney). The derived grasslands provide foraging grounds for a common, mobile fauna species such as the Brown Quail. Two individuals, were recorded on site, however, this habitat will not be significant or important to this mobile, wide ranging common species.</p> <p>No BC Act declared areas of outstanding biodiversity value in vicinity of the site.</p> |

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|--|--|--------------------|--|
| Biodiversity values  | Meaning  | Relevant (✓ or NA) | Explain and document significance of likely impacts in relation to their development site & proposed development)  |
| <b>Threatened species movement</b>                           | Degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle  | ✓                  | <p>No remnant native vegetation or important habitat required to facilitate movement of threatened species across their range is located on site or on adjoining lands (it is an existing grassland field, located in Western suburban Sydney).</p> <p>No BC Act declared areas of outstanding biodiversity value in vicinity of the site</p>  |
| <b>Flight path integrity</b>                                 | Degree to which the flight paths of protected animals over a particular site are free from interference  | ✓                  | <p>The site and nearby areas are not known flight paths for any other protected animals. No Ramsar wetlands, JAMBA, CAMBA, ROKAMBA sites are located in the vicinity of the subject site. No suitable habitat on site is present that would support any migratory species (e.g. no native vegetation or natural wetlands are located nearby). No identified flyways for migratory species over or near the site. The proposed development does not include works that would interfere with animal flight (e.g. no elevated or moving structures that will rise significantly above existing building heights, and no modification of natural, native terrestrial or aquatic habitats on site).</p> |
| <b>Water sustainability</b>                                  | Degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site | N/A                | <p>All stormwater and drainage on site will be piped. No natural watercourses are present. There is no connectivity to upstream or downstream habitat.</p>   |

Figure 1. Subject site and locality

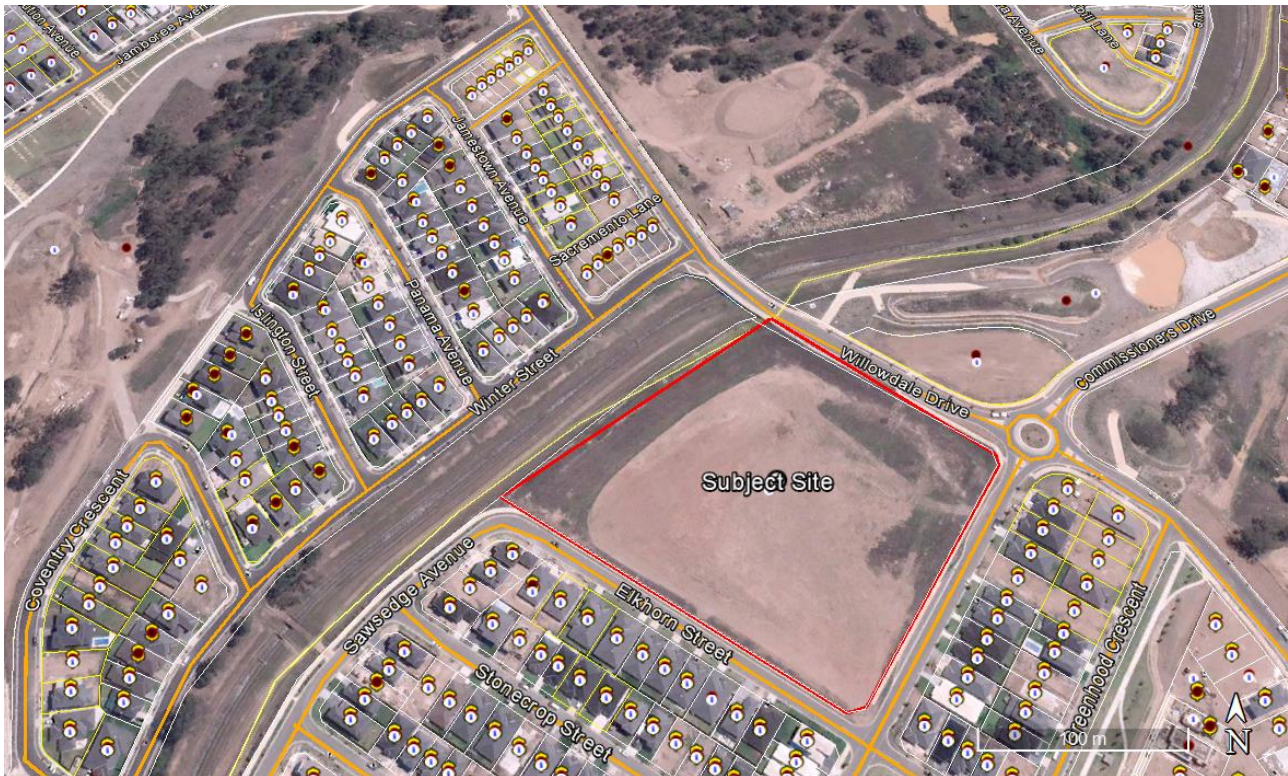


Plate 1. Photo of the Subject Site showing open grassland (trees and shrubs not included in the Subject Site)



**Table 2. Flora species recorded on the Subject Site**

| Species                         | Status | Strata      |
|---------------------------------|--------|-------------|
| <i>Anagallis arvensis</i>       | Weed   | Groundcover |
| <i>Plantago lanceolatus</i>     | Weed   | Groundcover |
| <i>Pennisetum clandestinum</i>  | Weed   | Groundcover |
| <i>Malva parviflora</i>         | Weed   | Groundcover |
| <i>Bromus catharticus</i>       | Weed   | Groundcover |
| <i>Lolium rigidum</i>           | Weed   | Groundcover |
| <i>Senecio madagascariensis</i> | Weed   | Groundcover |
| <i>Brassica rapa</i>            | Weed   | Groundcover |
| <i>Paspalum dialatatum</i>      | Weed   | Groundcover |
| <i>Sonchus oleraceus</i>        | Weed   | Groundcover |
| <i>Modiola caroliniana</i>      | Weed   | Groundcover |
| <i>Eragrostis curvula</i>       | Weed   | Groundcover |
| <i>Hypochaeris radicata</i>     | Weed   | Groundcover |
| <i>Trifolium repens</i>         | Weed   | Groundcover |

**Table 3. Fauna species recorded on the Subject Site**

| Species                     | Common Name            | Status    | Observation Type |
|-----------------------------|------------------------|-----------|------------------|
| <i>Coturnix ypsilophora</i> | Brown Quail            | Protected | Observed         |
| <i>Euseyornis melanops</i>  | Black-fronted Dotterel | Protected | Observed         |