



Office of  
Environment  
& Heritage

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SSD 8755

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SYDNEY NSW 2001

Attention: Elanor Parry

**Exhibition of Macquarie University Central Courtyard Precinct Redevelopment - SSD 8755**

Dear Ms Parry

I refer to your letter dated 18 June 2018 requesting further advice from the Office of Environment and Heritage (OEH) on the Macquarie University Central Courtyard Precinct Redevelopment.

Please find attached OEH comments regarding biodiversity and Aboriginal cultural heritage in Attachment 1. In relation to flooding matters, comments will be forthcoming after OEH has completed its assessment on this matter.

Please note that a separate response may be provided on heritage matters by the Heritage Division of OEH as delegate of the Heritage Council of NSW. Should you have any queries regarding this matter, please contact Svetlana Kotevska, Senior Conservation Planning Officer on 8837 6040 or at [Svetlana.kotevska@environment.nsw.gov.au](mailto:Svetlana.kotevska@environment.nsw.gov.au).

Yours sincerely

*S. Harrison 19/07/18*

**SUSAN HARRISON**  
Senior Team Leader Planning  
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## Attachment 1 – OEH comments Exhibition of Macquarie University Central Courtyard Precinct Redevelopment - SSD 8755

### Biodiversity

OEH has reviewed the Biodiversity Development Assessment Report (BDAR) prepared by EMM Consulting dated 17 April 2018 and notes that the proposal generates the need for offsets in the form of one (1) ecosystem credit. As such the following conditions are to be imposed on any forthcoming development consent:

#### Like for like ecosystem credit retirement condition

1.1 Prior to carrying out development that will impact on biodiversity values, the class and number of ecosystem credits in Table 1 must be retired to offset the residual biodiversity impacts of the development.

1.2 The requirement to retire credits in condition 1.1 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator<sup>[1]</sup>.

1.3 Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of condition 1.1 must be provided to the Secretary of the Department of Planning and Environment for approval prior to carrying out development that will impact on biodiversity values.

**Table 1 Ecosystem credits required to be retired – like for like**

Impacted plant community type	Number of ecosystem credits	IBRA sub-region	Plant community type(s) that can be used to offset the impacts from development
PCT 1845 – Smooth-barked Apple - Red Bloodwood - Blackbutt tall open forest on shale sandstone transition soils in eastern Sydney	1	Pittwater, Cumberland, Sydney Cataract, Wyong and Yengo, or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.	Any PCT in the Northern Hinterland Wet Sclerophyll Forests (including PCT's 1281, 1845 )

DPE should confirm compliance with the above condition as outlined below.

- **Retirement of credits:** proponent provides evidence to DPE in form of a credit retirement report issued by OEH confirming credit transactions. DPE confirms credit transaction corresponds to a like for like credit of the appropriate number from an appropriate location.
- **Payment to the Biodiversity Conservation Fund:** proponent provides evidence to DPE in form of a section 6.33 Statement Confirming Payment into the Biodiversity Conservation Fund issued by the Biodiversity Conservation Trust. The statement will indicate the number and class of credits that the payment corresponds to and any related development application reference. DPE confirms the payment transaction corresponds to the appropriate class and number of credits.

Further, OEH review of the Biodiversity Development Assessment Report (BDAR) prepared by EMM Consulting dated 17 April 2018 found that the report is adequate, however the following minor errors and discrepancies were noted. Given these minor errors/discrepancies have no bearing on the outcomes of the proposal and the offsets required, no amendment to this BDAR is required.

<sup>[1]</sup> Note that prices of credits in the Biodiversity Offsets Payment Calculator are subject to change. The amount payable to discharge an offset obligation will be determined at the time of payment.

- The BDAR report Table 5.3 states that there is a "lack of suitable grassy area or aquatic vegetation" for the Green and Golden Bell Frog and therefore the species does not need to be further considered as a candidate species in accordance with section 6.4.1.18 of the BAM. However, given that there are relatively recent nearby records of the species in Bionet and given the site is surrounded by grassy areas, more justification should have been provided to support the conclusion that there is no suitable habitat on site. However, given the species is unlikely to be present on site no amendment of the BDAR is considered necessary.
- Table 5.2 states that there are habitat constraints on site for the Southern Myotis, but then there is no further mention of this species, i.e. surveys undertaken or justification provided for not assessing further (e.g. in Table 5.3.2). However, given the species is unlikely to be present on site no amendment of the BDAR is considered necessary.
- In Table 5.1 of the BDAR, the titles of the columns of common and scientific name should have been switched.
- With reference to the masked owl in Table 5.3 (pg 23) the information in the justification column incorrectly refers to the Powerful Owl.

OEH reiterates that given the above are minor issues and have no bearing on the outcomes of the proposal, no amendment to this BDAR is required.

### ***Landscaping and native plant selection***

- The Tree and Planting Strategy outlined in the Landscape Design Statement and Landscape Plans Part 1 (Appendix O of EIS), is supported given the water sensitive urban design measures proposed such as bioswales, proposed use of mostly indigenous and native trees in the parkland interface area and also the University's biodiversity and conservation standards, which states that removed trees are replaced at a ratio of 2:1. Given, the City of Ryde area is home to some rare and threatened ecological communities, the Councils suggested species list that is indicative of the City of Ryde's Endangered Ecological Communities should be used for the selection of landscape plantings and exotic plants avoided.

OEH suggests that the following conditions be included on any forthcoming consent:

- Replacement trees are required at a ratio of 2:1 for every tree removed and native plantings used in accordance with City of Ryde Councils suggested species list.

### ***Aboriginal Cultural Heritage***

It is noted that excavation is proposed as shown on the architectural plans and site plan - demolition Drawing No S5a-1\_CC-AR-DA-NA-001. The approximate extent of excavation extends beyond the existing building footprint and the proposal is approximately 100m from Mars Creek.

OEH notes that a due diligence Aboriginal heritage assessment was undertaken for the proposal. Due diligence is not a substitute for undertaking an Aboriginal cultural heritage assessment. Due diligence is a legal defence against harm under the *National Parks and Wildlife Act 1974* and is inadequate to assess the impacts of the proposed development on the Aboriginal archaeological and cultural heritage values of the subject land.

OEH recommends that an Aboriginal cultural heritage assessment be prepared for this site and that this assessment encompass the entire campus area that will be subject to future development.

