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20 January 2022

Our ref: 22SYD1197

Venue NSW
GPO BOX 150

Re: Sydney Football Stadium - Stage 2 Mod-7 - Precinct Village and Carpark - Biodiversity Values Assessment

Eco Logical Australia Pty Ltd (ELA) was engaged by Venue NSW to provide a further assessment on the impact of the Precinct Village and Carpark at Sydney Football Stadium, Moore Park (Lot 11 DP 1255043) ('the development site') on biodiversity values. The proposed development is to be assessed as a Modification to State Significant Development (SSD-9835-Mod-7) by the Department of Planning, Industry and Environment (DPIE).

As an SSD, Section 7.9 (2) of the *Biodiversity Conservation Act 2016* (BC Act) states 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 development site was previously assessed as part of a BDAR prepared by Jacobs and submitted with the Stage 1 DA in 2018. The BDAR was submitted as part of the Environmental Impact Statement (EIS) for the approved Sydney Football Stadium Stage 1 (SSD 9249). Following approval of Stage 1 (SSD 9249), the subsequent Stage 2 (SSD 9835) was granted a waiver from the requirement to prepare a BDAR. The waiver was granted by DPIE on 20th of June 2019, this letter has document record of DOC19/395307.

As part of the Response to Submissions (RTS) for this proposed development (SSD-9835-Mod-7) DPIE requested additional information to be submitted. A letter from DPI issued 11 January 2022 requested following:

> "*Provide a statement from a qualified ecological consultant confirming that the removal of an additional 45 trees and the associated ecological impacts would not trigger the threshold for an amended biodiversity assessment under the subject modification. Ideally, this statement should be provided by the consultant that prepared the biodiversity waiver as a part of the original SSD-9835 assessment."*

This letter addresses the above requirement as it provides an assessment of the proposals impact on biodiversity values in in accordance with the NSW Department of Planning & Environment's 2018 *Biodiversity development assessment report waiver determinations for SSD and SSI applications fact sheet*.

The assessment included a literature and database review to provide relevant information to assess the potential impacts to biodiversity values from the proposed development. This includes the review of Tree iQ's *Arboricultural Impact Assessment - Report No: SFS/VP&CAP/AIA/A* dated 6 September 2021, and Addendum Letter Rev B dated 16 December 2021. The assessment concluded that the development will not have a significant impact on biodiversity values. As such the conditions of the BDAR waiver granted by DPIE on 20th of June 2019, document record of DOC19/395307, should still be apply to this proposal.

Regards,

Geraint Breese
Senior Environmental Consultant

1. Biodiversity Development Assessment Report Waiver Request Information

The information requirements for a BDAR waiver request, as outlined in the NSW Department of Planning and Environment's Guidelines, are provided in Table 1 and Table 2.

Table 1: BDAR waiver request information requirements

Requirement	Information
Administration	**Proponent:** Venues NSW **Project ID:** SSD-9835-Mod-7 **Progress:** Response to Submissions **Completed By:** Geraint Breese – Senior Environmental Consultant (Eco Logical Australia), B.A. (Geography), Grad. Cert. (Environmental Planning) **Reviewed By:** Alex Gorey – Senior Ecologist (Eco Logical Australia), Bsci (Environmental Science and Geography) and Master of Sustainability
Site Details	**Street Address:** Sydney Football Stadium (SFS) at 40-44 Driver Avenue, Moore Park NSW 2021 **Lot and DP:** Lot 11 DP 1255013 **Local Government Area (LGA):** Sydney City Council. The site is currently zoned Special Activities (SP1) under the Sydney Local Environmental Plan 2012. **Existing Development Site:** The site is approximately 2 ha comprising land that is a carpark and is currently used as a construction compound for the construction of the SFS. Vegetation within the development site is limited to planted and exotic ground cover species, shrubs or trees. The lot does not have a minimum lot size under the Sydney Local Environmental Plan 2012. The development site is not mapped under the NSW Government Biodiversity Values Map (accessed 18 January 2022). A location map is presented in Figure 1.
Proposed Development	Venues NSW is proposing to repurpose the approved 540 space at-grade car park (MP1) at the western side of the SFS for a master planned Precinct Village and Car Park. It has been designed to align with the conditions and commitment established within SSD 9835, particularly relating to delivering a LEED Gold rated sustainable precinct. The proposed development will facilitate the permanent closure of the EP2 (carpark reference number) on-grass parking areas within Moore Park opposite the MP1 car park and enable its use for open space purposes consistent with the Moore Park Masterplan. The proposal includes: • Up to a maximum of 1,500 space multilevel carpark below ground level • Reconfiguration of approved drop off requirements for the elderly and mobility impaired. • Free flow level pedestrian access to and from the SFS concourse from Driver Ave and Moore Park Road. • Electric car charging provision. • Provision for four north-south orientated tennis courts on non-event days with the potential to become an event platform on event days • Children's playground • 1,500m^2 cafe/ retail/restaurants with associated amenities in a single storey pavilion (6 metre) low level • Customer service office and ticket window • Utilities provision augmentation • Retention of 50 trees and removal 45 trees, presented in Figure 3 An aerial overview of the proposed development is presented in Figure 2

Figure 1: Location of the proposed development

Figure 2 Aerial overview of proposed development.

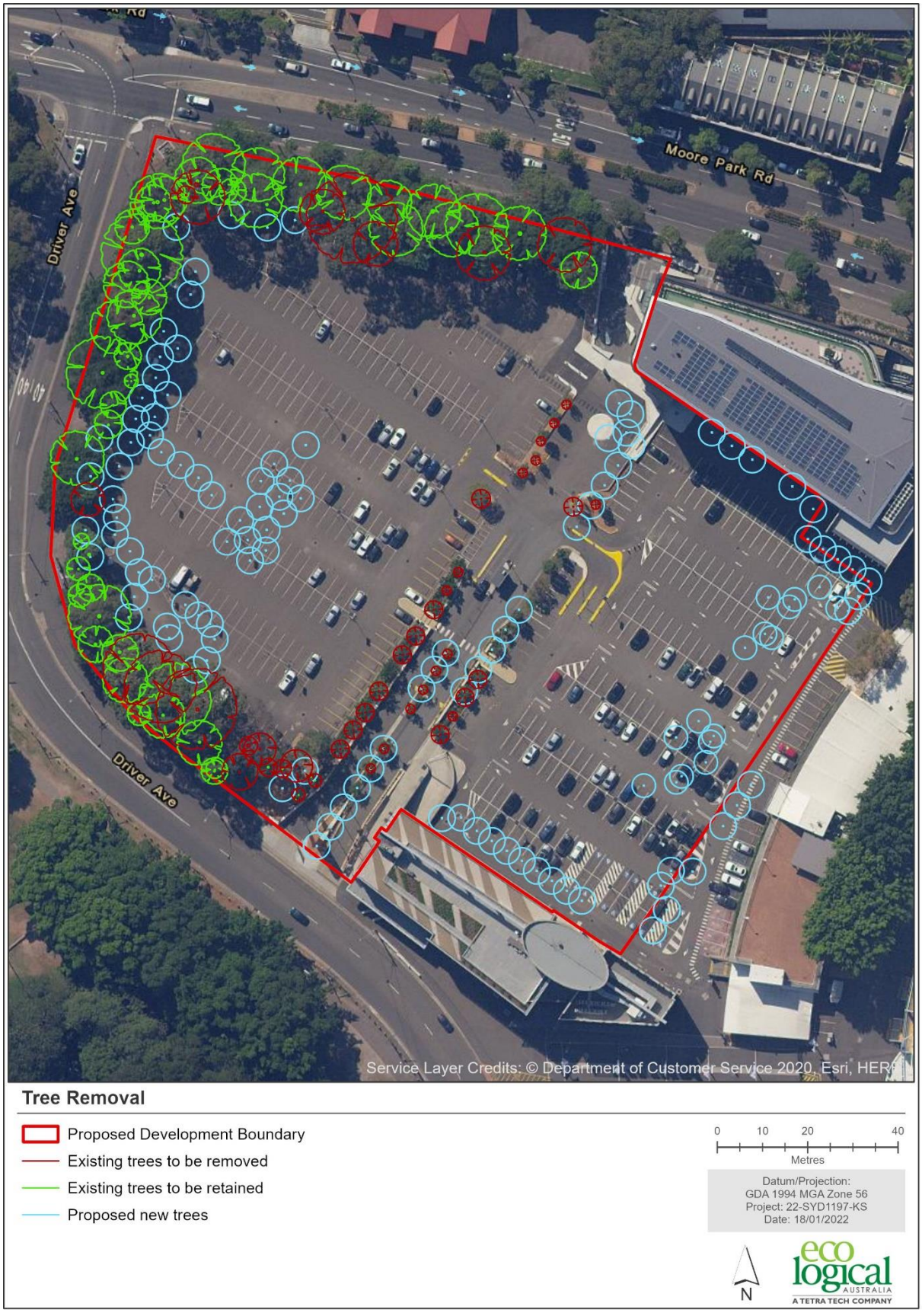

Figure 3 Proposed tree retention, removal and new plantings

Table 2: Criteria to assess biodiversity under the BC Act and BC Regulation

Biodiversity Value	Meaning	Relevant	Discussion of values within the site
			Biodiversity Conservation Regulation (Clause 1.4)
a) Threatened Species Abundance	The occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site.	N/A	No threatened ecological communities have been previously mapped in the site (Figure 4). The only vegetation present within the development site was previously mapped in 2016 by the Office of Environment and heritage (OEH) as planted native/exotic. The data from the arborist survey confirmed that other vegetation across the site was consistent with this mapping. There are no BioNet (Atlas of NSW Wildlife) records of flora or fauna species previously recorded within the site (Figure 8). A list of flora species identified during the arborists field survey is presented in Appendix A. The development site has been cleared of remnant native vegetation and extensively modified as part of previous developments at Moore Park. This is evident by the lack of fully stratified native vegetation communities, buildings and paved car parking areas. There is limited potential habitat occurring within the development site in particular the mature trees surrounding the car park, Figure 6 and Figure 7. These trees have limited potential to provided places for highly mobile threatened fauna species to shelter and forage. The majority of these trees are to be retained, see Figure 3, during the development allowing the continuation of mobile threatened species to potentially utilise the site during movement.
b) Vegetation Abundance	The occurrence and abundance of vegetation at a particular site.	N/A	The majority of the site is comprised of paved carpark with juvenile planted trees through the middle of the carpark (Figure 5), and mature planted trees surrounding the edge of the carpark, Figure 6 and Figure 7. Vegetation present within the development site was previously mapped as planted native/exotic (OEH 2016). This was confirmed by the tree species identified during the arborist field survey presented in Appendix A. As such it was not considered to be consistent with any remnant native vegetation communities and did not conform to any listed Plant Community Types (PCTs). Of the 45 trees proposed for removal 29 are located within planter boxes in the existing carpark. These trees were identified as *Lophostemon confertus* (Brush Box) and *Cupaniopsis anacardioides* (Tuckeroo) and determined to semi mature ranging from 4m-6m in height. These species are commonly planted landscape trees across the City of Sydney, as evidenced by their location in planter boxes. The trees are not remnant and do not confirm to Plant Community Type. . As they are only semi mature they do not provide significant habitat features such as hollows or fissures. As such, it is considered that their removal will not have a significant impact on any biodiversity values. The other 16 trees are located throughout the mass plantings that borders the Car Park. These trees are mostly of low retention value and are smaller less mature trees. Although these trees are being removed the proposal includes 89 new trees to be planted at completion of the development. This is will offset any potential impacts to biodiversity values in the site.

Biodiversity Value	Meaning	Relevant	Discussion of values within the site
c) Habitat Connectivity	The degree to which a particular site connects different areas of habitat of threatened species to facilitate movement of those species across their range.	N/A	Vegetation within the development site was previously mapped as planted native/exotics vegetation (OEH 2016) and is part of a highly fragmented urbanised landscape. As such, the site does not provide a significant connectivity to facilitate movement of threatened species across their range. Connective habitat is available outside of the development site in native and exotic vegetation of the wider Moore Park and Centennial Park.
d) Threatened Species Movement	The degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle;	N/A	Vegetation within the development site is limited to planted native/exotic vegetation. Movement for less mobile threatened fauna, such as mammals (not including bats), across the site is highly unlikely due to roads, fences, buildings, cleared open areas and a lack of connective vegetation. There are opportunities for movement across the site for more mobile threatened fauna including birds and bats. The majority of these trees are to be retained, see Figure 3, during the development allowing the continuation of mobile threatened species to potentially utilise the site during movement. The vegetation within the site would not be relied upon by any native fauna and would most likely be used on an occasional basis and as part of a large foraging network.
e) Flight Path Integrity	The degree to which the flight paths of protected animals over a particular site are free from interference.	N/A	Protected animals may utilise the mature trees around the car park in their flight path whilst traveling between areas of habitat, in particular the mature trees surrounding the car park, Figure 6 and Figure 7. The majority of these trees are to be retained. The removal of 45 trees of varying maturity would not interfere with the flight path of any protected animals given the retention of a majority of the existing canopy within the site. In addition, 29 of the 45 trees to be removed are juvenile and located in planter boxes and are unlikely to substantially contribute to any flight path (Figure 3).
f) Water Sustainability	The degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site.	N/A	The site is highly disturbed and does not contain water bodies or drainage structures that contribute to hydrological processes that sustain threatened species or ecological communities within or adjacent to the development site.
			Biodiversity Conservation Act (Clause 1.5 (2))
a) Vegetation Integrity	The degree to which the composition, structure and function of vegetation	N/A	Due to previous and current land management practices, vegetation and soils within the site have been highly modified or disturbed and mainly exists as an asphalt carpark. Vegetation within the development site consisted entirely of planted native and exotic vegetation with no midstorey or groundcover present. Vegetation present within the site

Biodiversity Value	Meaning	Relevant	Discussion of values within the site
	at a particular site and the surrounding landscape has been altered from a near natural state.		did not conform to any listed Plant Community Type. As such, the development would not compromise the vegetation integrity of the site.
b) Habitat Suitability	The degree to which the habitat needs of threatened species are present at the particular site.	N/A	Soils within the site have been highly modified, such that any native soil seedbank that would have existed has since been replaced with fill and provides no habitat for any threatened flora species or native flora seed. There is limited potential habitat occurring within the development site in particular the mature trees surrounding the car park, Figure 6 and Figure 7. These trees have limited potential to provided places for highly mobile threatened fauna species to shelter and forage. The majority of these trees are to be retained, see Figure 3, during the development allowing the continuation of mobile threatened species to potentially utilise the site during movement.

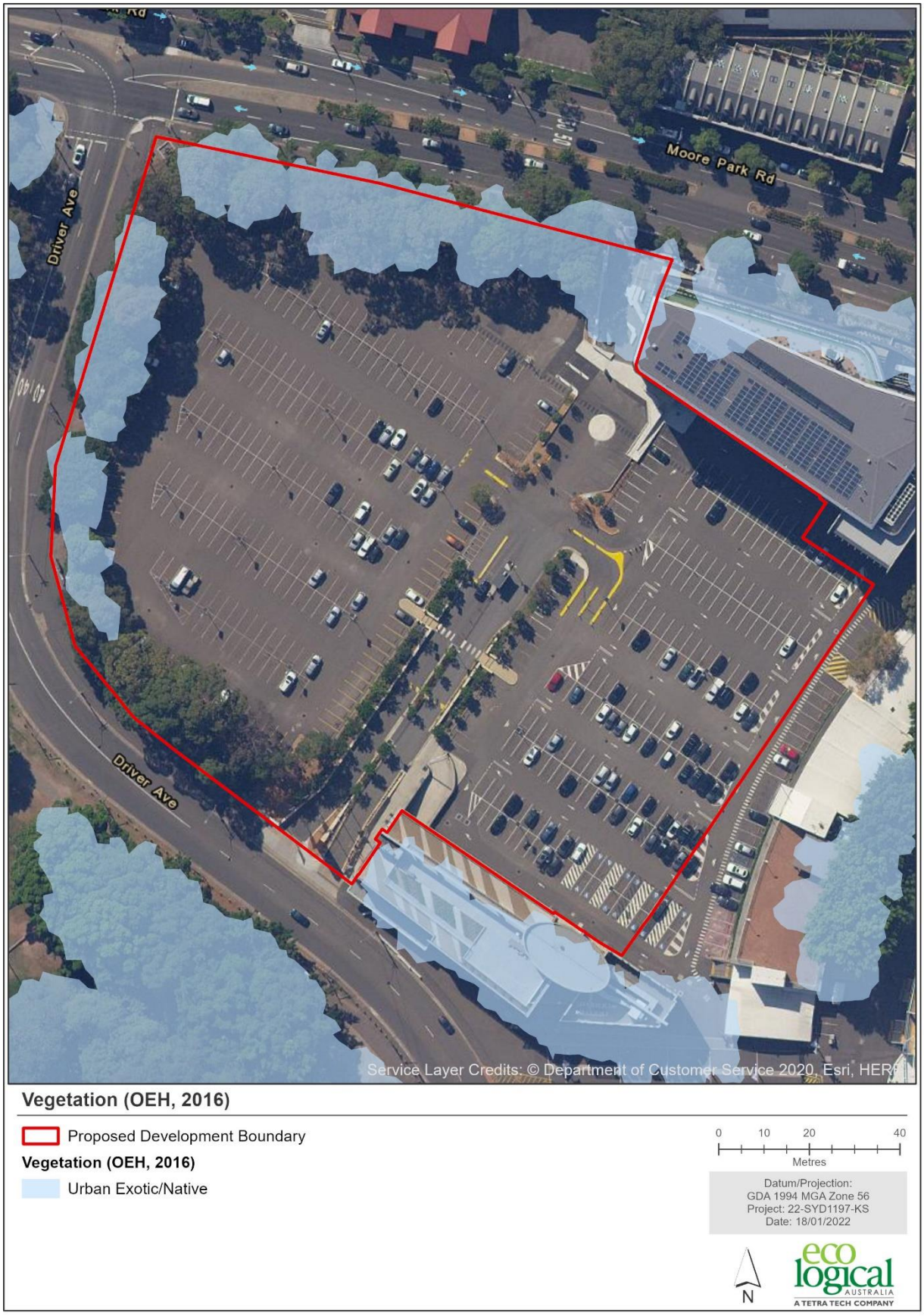

Figure 4: Previously mapped vegetation (Office of Environment and Heritage, 2016)

Figure 5 Planted Native/Exotic vegetation within existing carpark (Source Google Streetview, 2018)

Figure 6 Planted Native/Exotic vegetation on northern edge of existing carpark/site offices (Source Google Streetview, 2021)

Figure 7 Planted Native/Exotic vegetation on southern edge of existing carpark/site offices (Source Google Streetview, 2021)

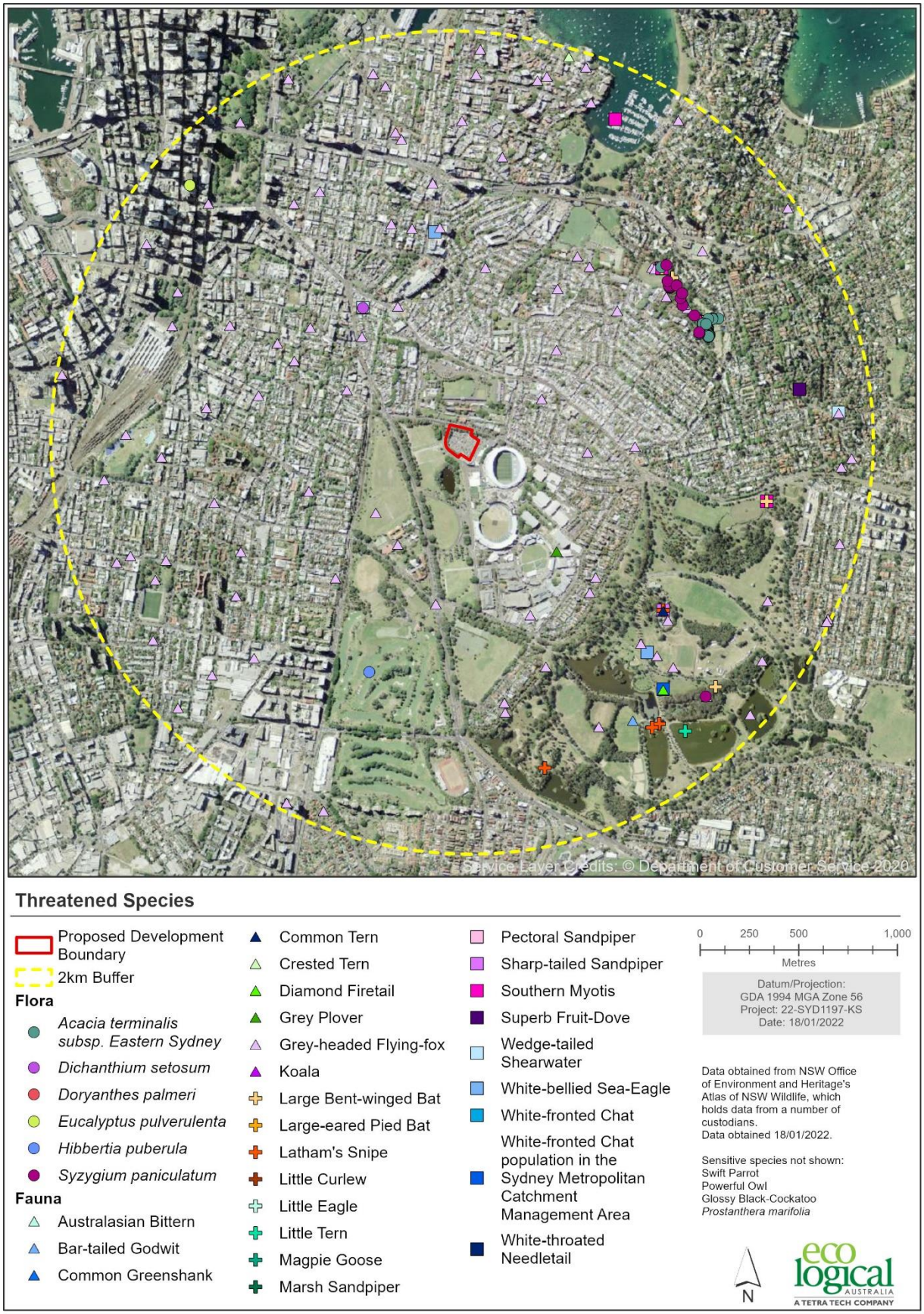

Figure 8: Threatened flora and fauna records within 2 km radius of the site

Appendix A – Species List

Family	Scientific name	Common name	Native (N) / Exotic (E)
FLORA			
Myrtaceae	*Eucalyptus saligna*	Sydney Blue Gum	N
Myrtaceae	*Corymbia maculata*	Spotted Gum	N
Myrtaceae	*Eucalyptus paniculata*	Grey Ironbark	N
Moraceae	*Ficus rubiginosa*	Port Jackson Fig	N
Myrtaceae	*Lophostemon confertus*	Brush Box	N
Sapindaceae	*Cupaniopsis anacardioides*	Tuckeroo	N
Myrtaceae	*Eucalyptus tereticornis*	Forest Red Gum	N
Myrtaceae	*Eucalyptus microcorys*	Tallowwood	N