



Office of  
Environment  
& Heritage

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SSD 7532

Mr David Gibson  
Team Leader, Social Infrastructure Assessments  
Department of Planning and Environment  
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Dear Mr Gibson

**RE: REVIEW OF THE PROPOSED REDEVELOPMENT OF HUNTER SPORTS HIGH SCHOOL, 2  
PACIFIC HIGHWAY, GATESHEAD (SSD 7532)**

I refer to your letter dated 5 August 2016, seeking comments on the proposed redevelopment of Hunter Sports High School. The Office of Environment and Heritage (OEH) has undertaken a review of the EIS titled '*Environmental Impact Statement: Proposed Redevelopment of Hunter Sports High School, 2 Pacific Highway, Gateshead (including Appendices)*', prepared for NSW Department of Education by De Witt Consulting (dated August 2016). OEH's review is in relation to threatened biodiversity, Aboriginal cultural heritage, and flooding / floodplain management issues.

OEH understands that the proponent assessed the project under the NSW Biodiversity Offsets Policy for Major Projects which includes the requirement to comply with the Framework for Biodiversity Assessment (FBA). As part of this process the EIS must include a Biodiversity Assessment Report (BAR), which assesses the impacts on threatened biodiversity. OEH confirms that the EIS contains a BAR and I am of the opinion that the proposal has been correctly assessed and complies with the FBA.

In summary, OEH is of the opinion the EIS adequately addresses issues associated with biodiversity (including threatened species), Aboriginal cultural heritage and flooding. Further detailed comments are provided in **Attachment A**.

If you require any further information regarding this matter please contact Steve Lewer, Regional Biodiversity Conservation Officer, on 4927 3158.

Yours sincerely

7 SEP 2016

**RICHARD BATH**  
Senior Team Leader Planning, Hunter Central Coast Region  
Regional Operations

Enclosure: Attachment A

## **ATTACHMENT A: OEH REVIEW OF THE PROPOSED REDEVELOPMENT OF HUNTER SPORTS HIGH SCHOOL, 2 PACIFIC HIGHWAY, GATESHEAD (SSD 7532)**

### **THREATENED BIODIVERSITY**

OEH has reviewed the biodiversity component of the EIS and is satisfied that the proposal complies with the Framework for Biodiversity Assessment (FBA) and the NSW Biodiversity Offsets Policy. As such OEH has no additional concerns with respect to the management of biodiversity (including threatened species) for this project.

A specific requirement of the issued Secretary's Environmental Assessment Requirements (SEARs) is that biodiversity / threatened species aspects of the project are to be assessed under the NSW Biodiversity Offsets Policy for Major Projects. This includes the requirement to comply with the FBA. As part of this process the EIS must include a Biodiversity Assessment Report (BAR), which assesses the impacts on threatened biodiversity. OEH confirms that the EIS included a BAR, titled 'Hunter Sports High, Gateshead: Biodiversity Assessment Report' (authored by Biosis and dated 24 May 2016), and that the biodiversity assessment was undertaken by an accredited person under section 142B(1)(c) of the *Threatened Species Conservation Act 1995* (i.e. the person has been checked against OEH's register of accredited assessors). OEH also confirms that the proponent submitted the BioBanking credit calculator files via OEH's portal to enable their veracity to be checked.

OEH has reviewed the BAR in conjunction with the submitted BioBanking credit calculator files and is of the opinion the FBA (including the BioBanking Assessment Methodology [BBAM]) has been correctly applied to the project. As part of this review OEH has checked the reliability of the numerous BBAM assumptions utilised in the BAR as part of their assessment and supports their conclusions (e.g. application of assessment circles, determination of 'plant community type', assessment of connectivity, targeted threatened species surveys etc.).

OEH concurs with the assessor that the proposal will impact on a small area (0.13 ha) of disturbed 'HU833 – Smooth-barked Apple – Red Bloodwood – Brown Stringybark – Hairpin Banksia heathy open forest of coastal lowlands (PCT 1691)'. As such the proposal will require the retirement of 2 'ecosystem' credits. No 'species' credits were generated by the project.

### **Biodiversity Offset Strategy**

OEH notes that the BAR includes a 'Biodiversity Offset Strategy', as required under the FBA. The retirement of two ecosystem credits for PCT 1619 (HU833) are required to offset the impacts on that vegetation type due to the proposed development.

The proponent has proposed to seek retirement of the credits by purchasing the credits on the open market, subject to availability, rather than identifying a suitable offset site to obtain the credits. OEH supports this proposal. Section 9 of the BAR outlines the proposed pathway to which credits will be sought. This is in accordance the procedure and guidelines for retiring credits as set out in Appendix A of the NSW *Biodiversity Offsets Policy for Major Projects*.

OEH notes that in the first instance, every effort to obtain like-for-like offsets has been committed to (as outlined in the various steps in Section 9 of the BAR), however, if suitable credits cannot be sourced within a specified timeframe (six months), then a variation of the offset rules (section 10.5.4 of the FBA) will be applied in which credits can be sought from a PCT in the same vegetation formation as the PCT to which the required ecosystem credits relate. OEH concurs this is permissible under the FBA.

OEH supports the proposed Biodiversity Offset Strategy and recommends to Department of Planning and Environment that a condition of approval be applied to the project that reflects the strategy outlined within Section 9 of the BAR which requires the retirement of two 'ecosystem' credits.

### **ABORIGINAL CULTURAL HERITAGE**

OEH has reviewed the available information with respect to Aboriginal cultural heritage and the proposed redevelopment of Hunter Sports High School. OEH concurs with the comments made within the EIS (p. 5) that there is unlikely to be potential impact to Aboriginal heritage during the construction and operation of the school.

The site (# 38-4-0020) registered on the Aboriginal Heritage Information System (AHIMS) that was recorded within the proposed development footprint was inspected by OEH (S. Paddington 12 March 2010) and determined to have been incorrectly recorded. The site is now listed as invalid in AHIMS. Therefore, based on the information provided to OEH, there are no apparent Aboriginal cultural heritage constraints associated with the redevelopment of Hunter Sports High School.

### **FLOODING AND FLOODPLAIN MANAGEMENT**

OEH has reviewed the flooding / floodplain management component of the EIS and is satisfied that the project will have no significant impact on flooding in the vicinity.

**OEH – SEPTEMBER 2016**

