

2 April 2019

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Department of Planning and the Environment
GPO Box 39
Sydney NSW 2001

Attention: Secretary of the Department of Planning and Environment

Dear Sir/Madam

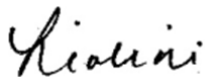
Bankstown North Public School Redevelopment Project
BDAR Waiver Request

SLR Consulting (SLR) has been engaged by JDH Architects on behalf of the NSW Department of Education to prepare the biodiversity assessment for Bankstown North Public School Redevelopment Project.

SLR has prepared the attached Preliminary Biodiversity Assessment and determined that the proposed Concept Design for the State Significant Development (SSD) application will result in negligible impacts to biodiversity. Accordingly, SLR requests a waiver, pursuant to s.7.9 of the BC Act, for the need to prepare a BDAR for the proposed redevelopment of the Bankstown North Public School.

We would appreciate if the Secretary of the Department of Planning and Environment and the Chief Executive of the NSW Office of Environment and Heritage would review our appended Preliminary Biodiversity Assessment and consider our request to waive the BDAR requirements for the project.

Yours sincerely



FIONA IOLINI
Associate Ecologist

Checked/FI Authorised by: JP

BANKSTOWN NORTH PUBLIC SCHOOL

BNPS Redevelopment Project Preliminary Biodiversity Assessment

Prepared for:

JDH Architects
44 Little Oxford Street
DARLINGHURST NSW 2010

SLR Ref: 630.12744-R01
Version No: -v3.0
April 2019



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BASIS OF REPORT

This report has been prepared by SLR Consulting Australia Pty Ltd (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with JDH Architects (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

DOCUMENT CONTROL

Reference	Date	Prepared	Checked	Authorised
630.12744-R01-v3.0	2 April 2019	Fiona Iolini	Gilbert Whyte	Jeremy pepper
630.12744-R01-v2.0	28 March 2019	Fiona Iolini	Gilbert Whyte	Jeremy pepper
630.12744-R01-v1.0	28 March 2019	Fiona Iolini	Gilbert Whyte	Jeremy pepper

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1 INTRODUCTION

1.1 Background

SLR Consulting Australia Pty Ltd (SLR) has been engaged by JDH Architects to prepare a biodiversity assessment to accompany the State Significant Development (SSD) application for the proposed redevelopment of Bankstown North Public School (BNPS). A desktop review of the site indicated that minimal biodiversity value was likely to be present and as such SLR has been engaged to undertake a Preliminary Biodiversity Assessment.

This assessment has determined that the Concept Design of the BNPS Redevelopment Project would result in negligible impacts and as such SLR is requesting the Secretary of the Department of Planning and Environment and the Chief Executive of the NSW Office of Environment and Heritage consider a waiver of the BDAR requirements for this project.

1.2 Project Location

The BNPS is located at 322 Hume Highway and lies approximately 20 km west-southwest of the Sydney Central Business District (CBD). The school has an approximate area of 2.8 hectares and is bordered by the Hume Highway, Stacey Street and Beresford Avenue, with residential and commercial properties bordering the western boundary.



Figure 1 Site Location

1.4 Scope of the Assessment

With respect to the proposed development, SLR has completed a preliminary review of the biodiversity values of the BNPS, involving:

- Desktop review of available mapping, reports, literature and data, including searches for previous records of threatened species within the locality of the site.
- A site inspection completed by one qualified SLR Associate Ecologist (Fiona Iolini) on 18 March 2019, involving:
 - identification of native vegetation, noting the extent and condition of plant community types, as well as the presence, condition and extent of any threatened ecological communities;
 - general fauna habitat assessment, searches for evidence of fauna habitation, and mapping of any hollow-bearing trees or other resources;
 - identification of potential habitats and resources for threatened species; and
 - identification of key (or characteristic) flora and fauna species.

This report provides a preliminary assessment of the biodiversity values of the site, as defined under the NSW *Biodiversity Conservation Act 2016* (BC Act) and addresses Sections 1.5 and 7.3 of the BC Act, as well as Clauses 1.4 and 6.1 of the *Biodiversity Conservation Regulation 2017* (BC Regulation).

1.5 Legislative Context

The BC Act commenced on the 25th August 2017 and includes the Biodiversity Offset Scheme, which provides for biodiversity assessment and biodiversity offsetting of a range of developments in NSW according to a method, known as the Biodiversity Assessment Method or 'BAM' (OEH 2017).

The Biodiversity Offsets Scheme (BOS) applies to:

- Local development assessed under Part 4 of the EP&A Act that is likely to significantly affect ecological communities or threatened species listed under Schedules 1 and 2 of the BC Act, as determined by application of a five-part-test of significance in accordance with Section 7.3 of the BC Act.
- State significant development and state significant infrastructure projects, unless the Secretary of the Department of Planning and Environment and the Chief Executive of NSW Office of Environment and Heritage (OEH) determine that the project is not likely to have a significant impact.
- Development activities that have the potential to impact Areas of Outstanding Biodiversity Value (AOBV) as listed under Part 3 of the BC Act.
- Development activities that have the potential to impact areas mapped as having 'high biodiversity value' as indicated by the NSW Biodiversity Values Map (OEH 2019).
- Development activities that involve clearing of native vegetation that exceeds the Biodiversity Offset Scheme thresholds (BOS thresholds) as determined by the BC Regulation.

The proposal is SSD and as such the proponent is seeking consideration of a BDAR waiver on the basis of no significant impact.

1.6 Staff Roles and Qualifications

SLR Ecology currently holds a NSW National Parks and Wildlife Services and NSW Office of Environment and Heritage Scientific Licence (licence number SL100176), as well as a Department of Primary Industries Animal Ethics Approval, which authorises field staff to trap, capture, harm, hold and release animals protected under the BC Act.

The roles and qualifications of all staff responsible for preparation of this assessment are listed in **Table 1**.

Table 1 Staff Roles and Qualifications

Personnel	Qualifications and Training	Role
Fiona Iolini Associate Ecologist	Bachelor of Environmental Science and Management, University of Newcastle 2007 Certificate of Native Plant Identification, Sydney University 2008 Eucalypt and Grass Identification Workshop (Van Klapthake) 2013 Cert III Conservation and Land Management, TAFE NSW 2015 Biodiversity Assessment Methodology (BAM) Training OEH 2018	Project management, field investigations, data analysis and report preparation
Gilbert Whyte Associate Ecologist	Doctor of Philosophy (PhD), Murdoch University, Perth Western Australia Bachelor of Biological Sciences, 1st Class Honours, La Trobe University, Melbourne, Victoria Biodiversity Assessment Method accredited assessor (#BAAS18041)	Report technical review
Jeremy Pepper Principal Ecologist	Bachelor of Science (Hons Class 1) University of NSW 1996 Cert II Bushland Regeneration, TAFE NSW Cert III Horticulture (Arboriculture), TAFE NSW Biodiversity Assessment Method accredited assessor (#BAAS17104)	Project management
Emily Mitchell CAD/GIS Technical Officer	Bachelor of Development Studies, University of Newcastle 2008 Cert IV Spatial Information Services, TAFE NSW	GIS data management and figure preparation

2 SITE DESCRIPTION

2.1 General

The BNPS Site lies within the suburb of Bankstown, with the northern portion of the site falling within the Auburn Local Government Area (LGA) and the southern portion within the Bankstown LGA. The site is generally surrounded by highly urbanised environs that are predominately residential, commercial and industrial land uses (refer **Figure 1**). Two areas containing open space (inclusive of grass and trees) include the Bankstown Reservoir and the Apex Reserve situated to the east and southeast of the BNPS Site. The BNPS and the Bankstown Reservoir are positioned at the intersection of the Hume Highway and Stacey Street (also known as Metro 6) which are major six and four-lane roads presenting a 20 to 30 metre ecological barrier.

Bankstown North Public School was established at its current location in 1924 (Bankstown North Public School 2013), inclusive of the two-storey building along the Hume Highway. Historic aerial imagery (DFSI 2019) shows that there was limited vegetation on the site in 1943, suggesting that most of the vegetation on the site was removed by this date, as shown in **Figure 3**.

The BNPS is currently comprised of buildings, demountables, outdoor learning areas, walkways, a sports field, landscape areas and hardscape areas, as depicted in **Figure 4**. There are no watercourses or other special features representing items of biodiversity value present within or on land adjoining the BNPS Site.



Figure 3 Historic Aerial Imagery (1943 SixMaps)

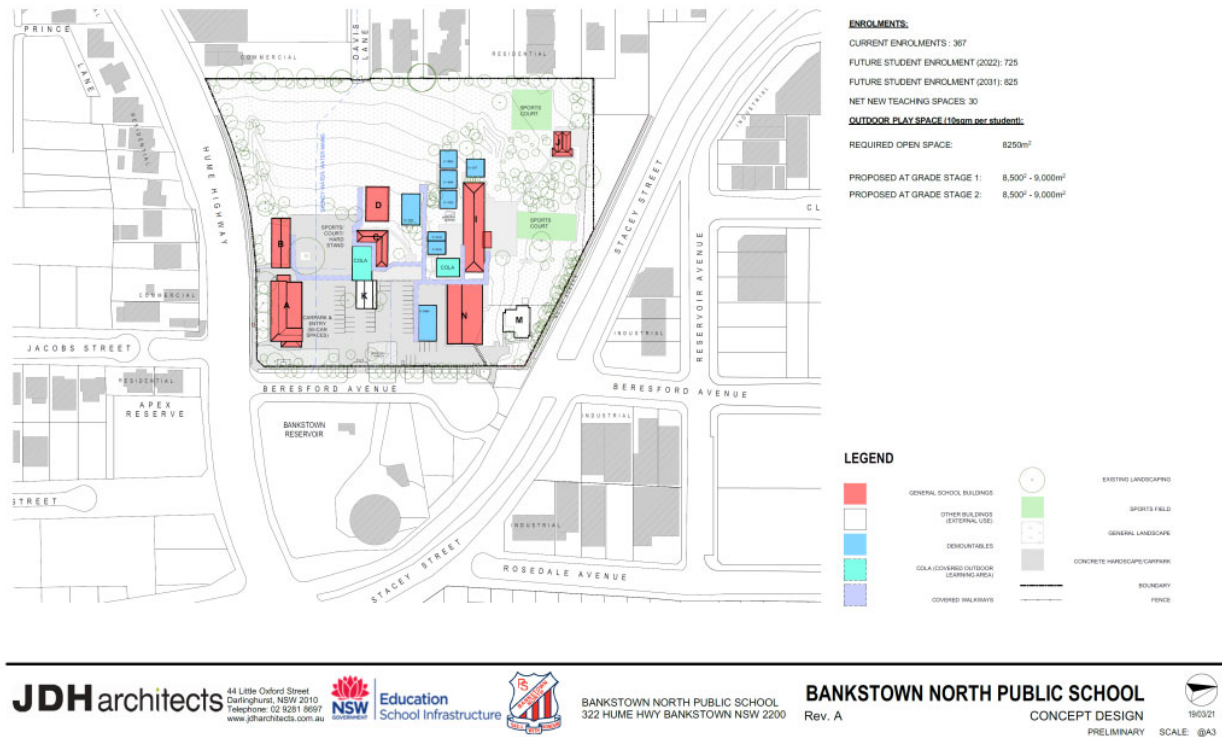


Figure 4 Existing Site Plan

2.2 Flora and Vegetation

According to available regional scale vegetation mapping data (OEH 2016), the BNPS Site is not mapped as containing native vegetation (see **Figure 5**). The nearest native vegetation mapped by the regional scale mapping comprise three small patches of 'PCT 725 - Broad-leaved Ironbark-Melaleuca decora shrubby open forest on clay soils of the Cumberland Plain' which are mapped 800 metres to the east, southeast and northwest of the BNPS Site.

A few small patches of the following PCTs are also mapped nearby:

- 'PCT 724 – Broad-leaved Ironbark – Grey Box Melaleuca decora grassy open forest on clay/gravel soils of the Cumberland Plain';
- 'PCT 849 – Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain'; and
- 'PCT 1281 – Turpentine - Grey Ironbark open forest on shale in the Lower Blue Mountains'.



Figure 5 Sydney Metro Vegetation Mapping (OEH 2016)

Despite its history of clearing, parts of the site comprise relatively intact soils evident through the presence of native ground layer vegetation. These areas predominately occur at the site boundaries as shown in **Photo 1** and **Photo 2** and include small patches of Weeping Grass *Microlaena stipoides* or Wallaby Grass *Rytidosperma* spp. Most of these areas are small and isolated, comprise a low abundance and diversity of native species, and do not contain natural middle or upper vegetation layers. These areas are not considered to form patches of native vegetation and are not likely to return high enough Vegetation Integrity scores using the BAM calculator to enable offsetting in accordance with the BOS.

One portion of the site was found to contain an intact soil profile and natural upper, middle and ground vegetation layers (**Photo 3**). Although much of this patch appeared to have been planted (evident through planting stakes for example) several species are likely to have regenerated naturally such as the Grey Box *Eucalyptus moluccana*, Forest Red Gum *Eucalyptus tereticornis* and Sickie Wattle *Acacia falcata*. The ground layer includes a high abundance of leaf litter and the introduced Panic Veldt Grass *Ehrharta erecta*, with a low abundance of native species such as Weeping Grass *Microlaena stipoides* and Red Grass *Bothriochloa macra*. This area is present within the northwest corner of the site as depicted by the 'Biodiversity Area' polygon included in the Proposed Development plan (see **Figure 2**). The patch is 0.2 hectares in area and comprises vegetation most closely aligned with 'PCT 849 - Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain'. A BAM plot was undertaken within this patch and this data is included in **Appendix B**.

The remainder of the soft scaped parts of the BNPS Site are comprised of turf (a mixture of Kikuyu *Cenchrus clandestinum*, Couch *Cynodon dactylon*, Paspalum *Paspalum dilatatum* and Broad-leaf Carpet Grass *Axonopus compressus*) and gardens with native and introduced planted trees and shrubs, as depicted in **Photo 4** and **Photo 5**. A complete species list for the site is included in **Appendix C**.



Photo 1 Native Ground Layer along Northeastern Boundary

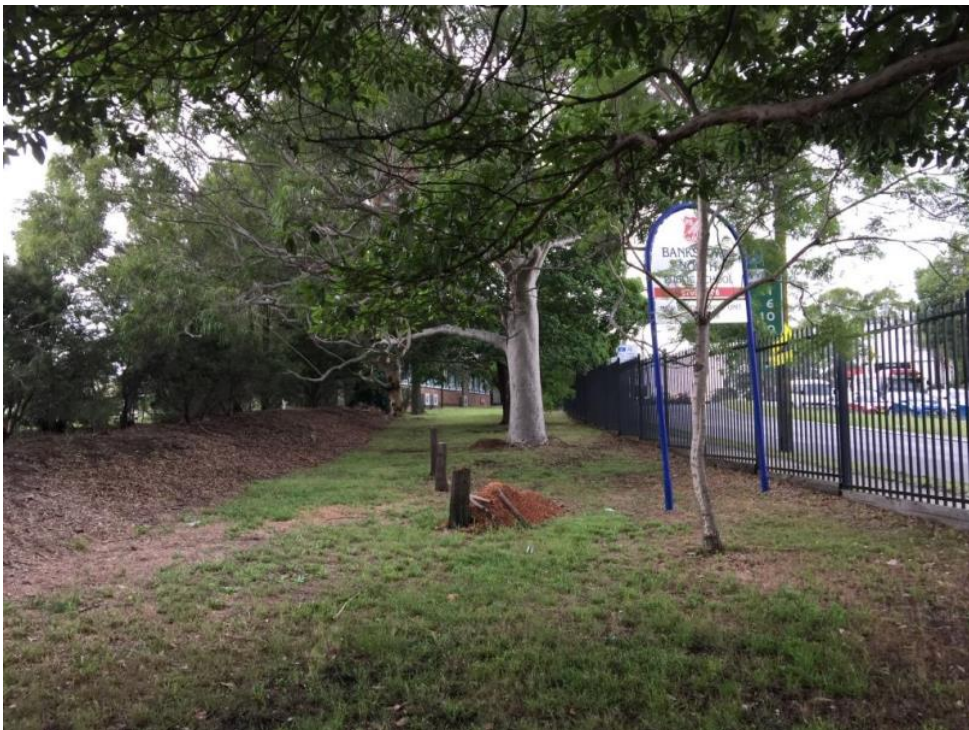


Photo 2 Native Ground Layer along Southern Boundary



Photo 3 Biodiversity Area in Northwest Corner of BNPS Site



Photo 4 Exotic Grass Areas around Existing Buildings



Photo 5 Existing Sport Ground and Planted Vegetation

2.3 Fauna Habitat

The site has been historically cleared of vegetation (see **Figure 3**) and any native vegetation currently present has established over the past 76 years (either by means of natural regeneration or planting). Thus few large trees occur and no hollows are present. Much of the surrounding area is heavily urbanised and the native vegetation and habitat at the BNPS Site is poorly connected through the landscape.

Additionally due to the ongoing management of the vegetation, most habitat features (such as aquatic habitat, complex vegetation structure, caves, hollows, ground logs) which are important for occupancy of fauna species are absent or limited.

The available habitat for fauna species within the site is therefore largely restricted to mature native trees and shrubs. Fauna species with the greatest potential to utilise the BNPS Site are highly mobile species including bat and bird species, however, the habitat is not considered to be important to the long-term viability of any fauna species.

Several species of native birds were recorded during the site survey including the Australian White Ibis, Magpie, Noisy Miner, Australian Raven, Sulphur-crested Cockatoo, Rainbow Lorikeet, Crested Pigeon and Fan-tailed Cuckoo. The introduced species, Rove Dove and Spotted Turtle Dove, were also recorded. Common species of reptiles (such as the Dark-flecked Sunskink and Blue Tongue Lizard) and mammals (such as the Brushtail or Ringtail Possum) are also likely to occur. No evidence of fauna habitation (such as scats, scratches or nests) was observed during the site inspection.

3 BC ACT BIODIVERSITY VALUES

3.1 BC Act Threatened Species, Populations and Communities

A search of the NSW Bionet Atlas (licensed search conducted on the 20th of March 2019) detected 29 threatened species previously recorded within a 10 kilometre radius of the site, comprising one amphibian, nine birds, four mammals, one gastropod and 14 plants. A list of the threatened species returned by the BioNet Atlas Search is included in **Appendix D**.

No relevant threatened plants or animals were recorded during the site inspection, and given the disturbed nature of the site and surrounds, and the evidence of historical and ongoing maintenance and disturbance it is unlikely that any threatened species occur. One specimen of Wallangarra White Gum *Eucalyptus scoparia* has been recorded but this species is not within its natural range in the Sydney Region. Much of the site's habitat for threatened plants has been removed by construction of buildings and hardstand areas and any remaining intact soils are highly modified, isolated and contain a low abundance and diversity of native species.

The native trees and shrubs present within the patch of native vegetation, as well as the planted introduced and native species throughout the site provide potential foraging habitat for highly mobile threatened species of bats and birds (such as Little Lorikeet, Swift Parrot and Grey-headed Flying-fox). Additionally the leaf litter, ground logs and other refuse present within the patch of PCT 849 could provide habitat to the Cumberland Plain Land Snail, although the likelihood of occurrence is reduced by the history of disturbance and the small and isolated nature of the habitat. There are no other habitat features (such as hollows, caves or watercourses) suitable for threatened species of fauna, including those recorded by the NSW BioNet Atlas Search.

The site contains 0.2 hectares of PCT 849, which equates to Cumberland Plain Woodland (CPW) critically endangered ecological community (CEEC). Other small patches of native grass and planted trees across the site are not considered to represent this community.

3.2 Vegetation Integrity

Vegetation Integrity is defined under Section 1.5 of the BC Act as *“the 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 BAM plot data (**Appendix B**) has been used to determine the vegetation integrity score of the patch of native vegetation within the BNPS Site, including a comparison to benchmark data (which represents the vegetation in a near-natural state). The Vegetation Integrity score of the patch is 39.7 and the benchmark score is 100 as presented in **Table 2**. This supports the observations that the vegetation at the site and in the surrounding landscape has been substantially altered from its original (or a 'near natural') state.

Table 2 Summary of Credit Calculator Output for PCT 849

Zone	Composition	Structure	Function	Vegetation Integrity
Plot	37.3	36.5	45.8	39.7
Benchmark	100	100	100	100

As produced by BAM calculator 27 March 2019, using 2% native vegetation cover and 0.2ha patch size

3.3 Habitat Suitability

Habitat Suitability is defined under Section 1.5 of the BC Act as “the degree to which the habitat needs of threatened species are present at a particular site”.

The native trees across the site provide a small degree of potential foraging habitat to threatened species of bats and birds. The patch of PCT 849 vegetation could provide habitat needs of the Cumberland Plain Land Snail, although the likelihood of the snails habitat needs being met are limited by the disturbed nature of the patch and its limited connectivity.

3.4 Additional Biodiversity Values

In accordance with Section 1.5 of the BC Act “Additional biodiversity values, or biodiversity-related values, prescribed by the regulations must also be considered”. Additional biodiversity values are considered in Table 3.

Table 3 Consideration of Additional Biodiversity Values

No	Additional Biodiversity Value	Consideration of Additional Biodiversity Value
a	<i>Threatened species abundance—being the occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site</i>	The BNPS Site contains 0.2 hectares of PCT 849 which equates to 0.2 hectares of CPW CEEC. The site does not support any additional threatened species or threatened ecological communities, or their habitats.
b	<i>Vegetation abundance—being the occurrence and abundance of vegetation at a particular site</i>	Of the 2.8 hectare site only 0.2 hectares represent native vegetation. Other vegetation occupies approximately one third of the site and includes planted introduced and native trees amongst turf and gardens with a low occurrence and abundance of native grasses.
c	<i>Habitat connectivity—being the degree to which a particular site connects different areas of habitat of threatened species to facilitate the movement of those species across their range</i>	The BNPS Site is positioned in an urban setting with no connecting native vegetation or habitat. The BNPS Site would not play any important role in connecting different areas of habitat of threatened species to facilitate the movement of those species across their range.
d	<i>Threatened species movement—being the degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle</i>	The site would play no important or measurable role in the movement of threatened species to maintain their lifecycle.
e	<i>Flight path integrity—being the degree to which the flight paths of protected animals over a particular site are free from interference</i>	The site is not of any significance or relevance to the flight paths of aerial or mobile threatened species (i.e. birds and bats). The proposal would not interfere with the flight path of any threatened species over the site.
f	<i>Water sustainability—being the degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site</i>	Water sustainability is not relevant to the site or the project application.

4 IMPACT ASSESSMENT

4.1 General

As a result of this Preliminary Biodiversity Assessment a 'Biodiversity Area' has been identified in the northwest corner of the site (see **Figure 2**). This area encapsulates a 0.2 hectare patch of PCT 849 (or CPW CEEC) with a Vegetation Integrity score of 39.7.

The proposal is likely to encroach within the Biodiversity Area at a minimum value of 30m², with a further 40m² encroachment possible if onsite vehicular access is required. This assessment has allowed for 100m² encroachment on the basis of additional access requirements during construction.

Therefore, whilst the proposed development is largely restricted to previously cleared and developed portions of the site a very small area (approximately 100m²) of PCT 849 or CPW CEEC vegetation will require clearing to facilitate the Proposed Development (see **Figure 2**), representing 5% of the patch size.

Clearing of native vegetation and additional tree removal represents removal of marginal potential habitat for highly mobile threatened species (such as bats and birds), as well as a small amount of potential habitat for the Cumberland Plain Land Snail.

Additional potential indirect impacts include light spill, noise, traffic and edge effects; however, the degree of indirect impacts is considered negligible and no greater than those already occurring within the site.

4.2 Application of the BC Act

4.2.1 BOS Thresholds

Although the proposed redevelopment of BNPS is SSD, which triggers application of the BAM, additional BOS Thresholds are considered in the following section. The BC Regulation sets out the following threshold levels for when the BOS will be triggered:

1. Whether the amount of native vegetation being cleared exceeds the BOS threshold.
2. Whether the impacts occur on an area mapped on the Biodiversity Values Map published by the Minister for the Environment.

The BOSET Report (see **Appendix A**) for the BNPS Site indicates that a clearing threshold of 0.25 hectares is applicable to the site. The BOSET Report also provides a print of the BV map showing the site contains no areas of 'high biodiversity value'. Clearing of 0.01 hectares of PCT 849 on the BNPS Site does not represent clearing that would exceed the BOS threshold and trigger application of the BAM.

4.2.2 Test of Significance

Proponents are required to carry out a 'test of significance', pursuant to Section 7.3 of the BC Act, for all local development proposals that do not exceed the BOS threshold. Although the BNPS redevelopment project is SSD, for the purposes of providing a thorough assessment **Table 4** applies the test of significance.

Table 4 Test of Significant Effect on Threatened Biota and Habitats

No	Test of Significance	Taking into Account the Test of Significance
a	<i>In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction</i>	The BNPS site is not likely to support a viable local population of a threatened species; hence the proposed development is not likely to render any such population occurring in the locality at risk of extinction.
b (i)	<i>In the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or</i>	The proposed clearing of 0.01 hectares of the 0.2 hectare patch of CPW CEEC is not likely to have an adverse effect on extent of the patch such that its local occurrence is likely to be placed at risk of extinction.
b (ii)	<i>In the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction.</i>	The proposed clearing of 0.01 hectares of the 0.2 hectare patch of CPW CEEC is not likely to substantially and adversely modify the composition of that patch such that its local occurrence is likely to be placed at risk of extinction.
c (i)	<i>In relation to the habitat of a threatened species or ecological community the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity.</i>	The proposed development will remove 0.01 hectares or 5% of the small isolated patch of CPW CEEC, also representing potential habitat for the Cumberland Plain Land Snail. Additionally, the proposal will remove a select number of trees from other parts of the site which provide marginal potential foraging habitat.
c (ii)	<i>In relation to the habitat of a threatened species or ecological community; whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity.</i>	In relation to the habitat of a threatened species, the proposal is not likely to remove or modify any important or known habitat, and is not likely to cause an area of habitat to become fragmented or isolated. The area of clearing is proposed at the edges of the patch of CPW CEEC and will not further isolate or fragment the patch.
c (iii)	<i>In relation to the habitat of a threatened species or ecological community; the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality</i>	The habitat which is to be removed is highly modified and isolated, and is of low vegetation integrity and habitat suitability. The portion of the CPW patch and the potential habitat for threatened species to be removed from the BNPS Site is of low importance with respect to the long-term survival of the ecological community and threatened species in the locality.
d	<i>Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)</i>	The site does not contain any declared area of outstanding biodiversity value.
e	<i>Whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.</i>	The proposed development will contribute in a very minor way to a key threatened process, being clearing of native vegetation.

4.3 Prescribed Impacts

In accordance with Section 6.1 of the BC Regulations prescribed impacts are considered in **Table 5**.

Table 5 Consideration of Prescribed Impacts

No	Prescribed Impact	Consideration of Prescribed Impact
a	<i>The impacts of development on the following habitat of threatened species or ecological communities:</i> (i) karst, caves, crevices, cliffs and other geological features of significance, (ii) rocks, (iii) human made structures, (iv) non-native vegetation.	Whilst human-made structures and non-native vegetation are present at the site these are either not considered to provide habitat to threatened species or communities or will not be altered by the proposal. The BNPS Site does not contain any of the other relevant habitat features for threatened species or ecological communities.
b	<i>The impacts of development on the connectivity of different areas of habitat of threatened species that facilitates the movement of those species across their range.</i>	The proposed development will not impact on the habitat connectivity of threatened species for the purposes of maintaining their lifecycle.
c	<i>The impacts of development on movement of threatened species that maintains their lifecycle.</i>	The proposed development will not impact on the movement of threatened species for the purposes of maintaining their lifecycle.
d	<i>The impacts of development on water quality, water bodies and hydrological processes that sustain threatened species and threatened ecological communities (including from subsidence or upsidence resulting from underground mining or other development).</i>	The proposal will not impact on the water quality, water bodies and hydrological processes such that threatened species or communities are not sustained.
e	<i>The impacts of wind turbine strikes on protected animals,</i>	No wind turbines are proposed.
f	<i>The impacts of vehicle strikes on threatened species of animals or on animals that are part of a threatened ecological community.</i>	Increased vehicle traffic is predicted due to the proposed carpark in proximity to the patch of CPW. There is some limited potential for animal strike in relation to the Cumberland Plain Land Snail. Although it is not particularly likely that this patch would provide important habitat to this or other threatened species of animals or contribute to vehicular strikes on animals to any significant extent.

4.4 EPBC Act Matters

The purpose of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is to ensure that actions likely to cause a significant impact on 'matters of national environmental significance' undergo an assessment and approval process. Under the EPBC Act, an action includes a proposal, a development, an undertaking, an activity or a series of activities, or an alteration of any of these things. An action that 'has, will have or is likely to have a significant impact on a matter of national environmental significance' is deemed to be a 'controlled action' and may not be undertaken without prior approval from the Australian Minister for the Environment.

A search of the Protected Matters Search Tool reveals that a total of 77 threatened species and 58 migratory species (and/or their habitats) and 10 threatened ecological communities listed in the EPBC Act are predicted to occur within a 10 kilometre radius of the site. No other EPBC Act matters are of relevance to the biodiversity of the site.

The 0.2 hectare patch of PCT 849 does not qualify as Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest as listed under the EPBC Act. Core thresholds required to meet the definition under the EPBC Act (Threatened Species Scientific Committee, 2009) include:

- Minimum patch size is ≥ 0.5 ha; and
- $\geq 50\%$ of the perennial understorey vegetation cover is made up of native species.

The BNPS Site provides only marginal potential foraging habitat for highly mobile threatened and migratory species of bat and birds.

Based on the results of the current investigation, it is not likely that the proposed use of the site will have a significant impact on any matters of national environmental significance listed under the EPBC Act. Referral of the development application to the Commonwealth Department of the Environment and Energy is not warranted.

5 CONCLUSION

In summary, none of the BAM triggers apply to the site or the proposed development.

Furthermore, on the basis of the findings of this report, it can be concluded that the project is not likely to have a significant impact on biodiversity values, pursuant to the BC Act. It can therefore be concluded that the BAM does not apply to the project application and hence a BDAR is not required to accompany the SSD.

Accordingly, SLR requests a waiver, pursuant to s.7.9 of the BC Act, for the need to prepare a BDAR for the proposed redevelopment of the Bankstown North Public School.

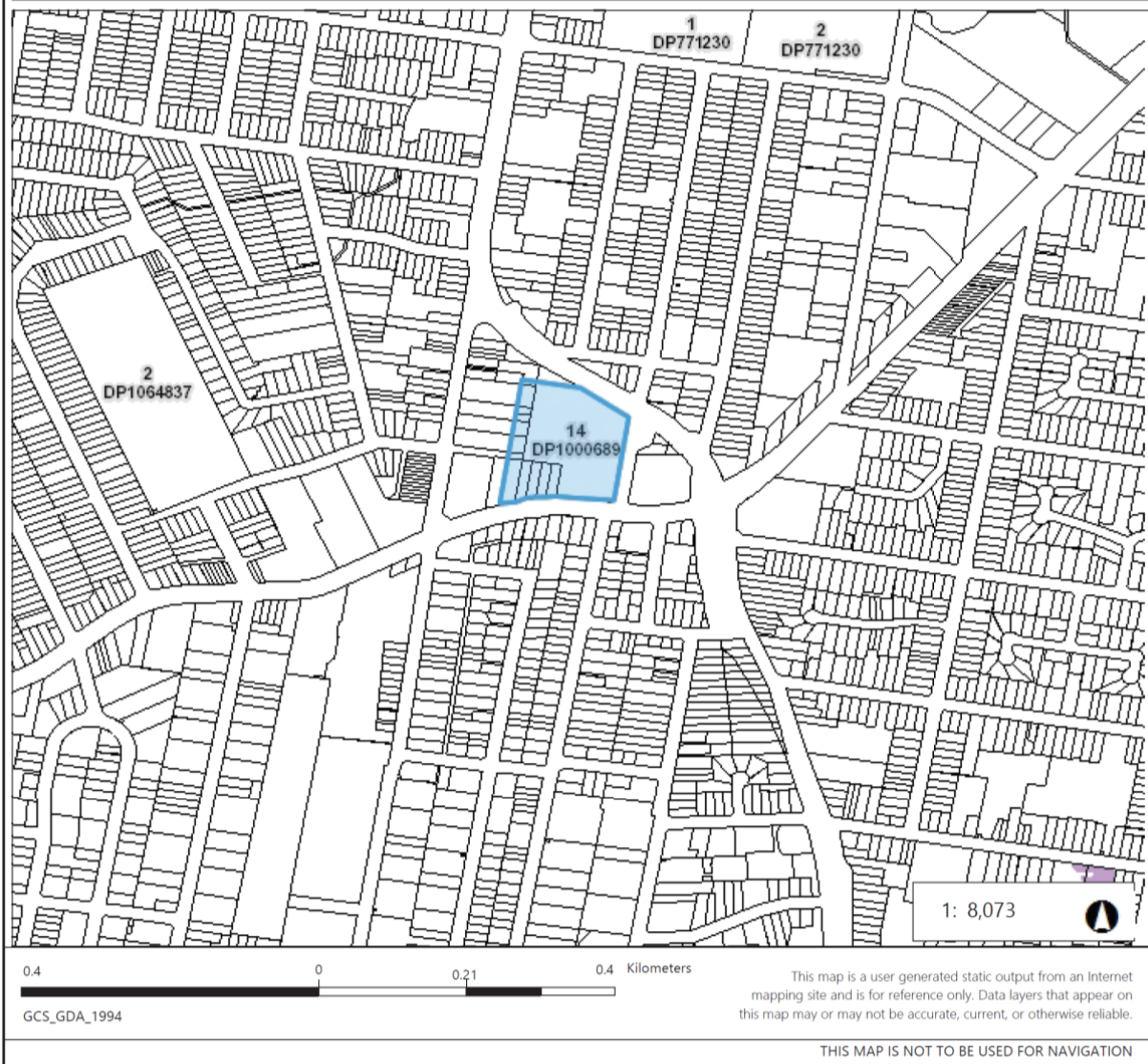
6 REFERENCES

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APPENDIX A

BOSET Report

Biodiversity Offset Scheme (BOS) Entry Threshold Map



Legend

- Biodiversity Values that have been mapped for more than 90 days
- Biodiversity Values added within last 90 days

Notes

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Biodiversity Values Map and Threshold Report

Results Summary

Date of Calculation	26/03/2019 7:01 PM	BDAR Required*
Total Digitised Area	2.77 ha	
Minimum Lot Size Method	Lot size	
Minimum Lot Size	0.01 ha	
Area Clearing Threshold	0.25 ha	
Area clearing trigger Area of native vegetation cleared	Unknown #	Unknown #
Biodiversity values map trigger Impact on biodiversity values map(not including values added within the last 90 days)?	no	no
Date of the 90 day Expiry	N/A	

*If BDAR required has:

- at least one 'Yes': you have exceeded the BOS threshold. You are now required to submit a Biodiversity Development Assessment Report with your development application. Go to <https://customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor> to access a list of assessors who are accredited to apply the Biodiversity Assessment Method and write a Biodiversity Development Assessment Report
- 'No': you have not exceeded the BOS threshold. You may still require a permit from local council. Review the development control plan and consult with council. You may still be required to assess whether the development is "likely to significantly affect threatened species" as determined under the test in s. 7.3 of the Biodiversity Conservation Act 2016. You may still be required to review the area where no vegetation mapping is available.

Where the area of impact occurs on land with no vegetation mapping available, the tool cannot determine the area of native vegetation cleared and if this exceeds the Area Threshold. You will need to work out the area of native vegetation cleared - refer to the BOSET user guide for how to do this.

On and after the 90 day expiry date a BDAR will be required.

Disclaimer

This results summary and map can be used as guidance material only. This results summary and map is not guaranteed to be free from error or omission. The State of NSW and Office of Environment and Heritage and its employees disclaim liability for any act done on the information in the results summary or map and any consequences of such acts or omissions. It remains the responsibility of the proponent to ensure that their development application complies with all aspects of the *Biodiversity Conservation Act 2016*.

The mapping provided in this tool has been done with the best available mapping and knowledge of species habitat requirements. This map is valid for a period of 30 days from the date of calculation (above).

Acknowledgement

I as the applicant for this development, submit that I have correctly depicted the area that will be impacted or likely to be impacted as a result of the proposed development.

Signature _____ Date: 26/03/2019 07:01 PM

APPENDIX B

BAM Plot Data



Photo B1 Photo of BAM Plot in PCT 849

Table B1 PCT 849 Composition and Structure Data

Data	Trees		Shrubs		Grasses		Forbs		Ferns		Other	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Plot	9	56.1	6	3.6	5	2.7	0	0	0	0	0	0
Benchmark*	5	52	8	18	12	61	15	10	2	1	5	5

* Benchmark data as produced by BAM calculator 27 March 2019

Table B2 PCT 849 Function Data

Data	Regeneration	Stem Class	Large Trees	Hollows	Leaf litter	Woody Debris	High Threat Weeds
Plot	Absent	4	1	0	74	14	21.4
Benchmark*	Present	4	3	1	35	40	0

* Benchmark data as produced by BAM calculator 27 March 2019

APPENDIX C

Flora Species List

Table C1 Flora Species List for the BNPS Site

Species Name	Common Name	Status	Growth Form / Weed Status
Alliaceae			
<i>Agapanthus praecox</i>	African Lily	Introduced	-
Anthericaceae			
<i>Chlorophytum comosum</i>	Spider Plant	Introduced	-
Apocynaceae			
<i>Araujia sericifera</i>	Moth Vine	Introduced	High Threat Weed
Araliaceae			
<i>Schefflera actinophylla</i>	Umbrella Tree	Introduced	High Threat Weed
Araucariaceae			
<i>Araucaria heterophylla</i>	Norfolk Island Pine	Introduced	-
Asparagaceae			
<i>Asparagus virgatus</i>	Asparagus Fern	Introduced	-
Asteraceae			
<i>Bidens pilosa</i>	Cobblers Peg	Introduced	High Threat Weed
<i>Conyza bonariensis</i>	Fleabane	Introduced	-
<i>Dimorphotheca ecklonis</i>	Cape Daisy	Introduced	-
<i>Ozothamnus diosmifolius</i>	White Dogwood	Native	Shrub
Berberidaceae			
<i>Nandina domestica</i>	Japanese Sacred Bamboo	Introduced	-
Bignoniaceae			
<i>Jacaranda mimosifolia</i>	Jacaranda	Introduced	-
Casuarinaceae			
<i>Allocasuarina littoralis</i>	Black She-oak	Native	Tree
<i>Casuarina cunninghamiana</i>	River Oak	Native	Tree
<i>Casuarina glauca</i>	Swamp Oak	Native	Tree
Chenopodiaceae			
<i>Einadia hastata</i>	Berry Saltbush	Native	Forb
<i>Einadia nutans</i> subsp. <i>linifolia</i>	-	Native	Forb
Convolvulaceae			
<i>Dichondra repens</i>	Kidney Weed	Native	Forb
Cyperaceae			
<i>Carex inversa</i>	-	Native	Sedge (Grass & grasslike)
<i>Cyperus gracilis</i>	Slender Flat-sedge	Native	Sedge (Grass & grasslike)
Elaeocarpaceae			
<i>Elaeocarpus reticulatus</i>	Blueberry Ash	Native	Shrub
Fabaceae - Faboideae			
<i>Daviesia ulicifolia</i> subsp. <i>ulicifolia</i>	Gorse Bitter Pea	Native	Shrub
<i>Glycine clandestina</i>	-	Native	Vine (Other)
<i>Hardenbergia violacea</i>	False Sarsaparilla	Native	Vine (Other)
<i>Indigofera australis</i>	Australian Indigo	Native	Shrub
<i>Kennedia rubicunda</i>	Dusky Coral Pea	Native	Vine (Other)
Fabaceae - Mimosoideae			
<i>Acacia binervia</i>	Coastal Myall	Native	Tree
<i>Acacia falcata</i>	Sickle Wattle	Native	Shrub
<i>Acacia implexa</i>	Hickory Wattle	Native	Shrub
<i>Acacia myrtifolia</i>	Red-stemmed Wattle	Native	Shrub
<i>Acacia parramattensis</i>	Parramatta Wattle	Native	Tree
<i>Acacia podalyriifolia</i>	Queensland Wattle	Native and Introduced	Shrub
Iridaceae			
<i>Dietes grandiflora</i>	Dietes	Introduced	-
Lauraceae			
<i>Cinnamomum camphora</i>	Camphor Laurel	Introduced	High Threat Weed

Species Name	Common Name	Status	Growth Form / Weed Status
Lomandraceae			
<i>Lomandra longifolia</i>	Spiny-headed Mat-rush	Native	Rush (Grass & grasslike)
Malvaceae			
<i>Brachychiton acerifolius</i>	Illawarra Flame Tree	Native and Introduced	Tree
<i>Hibiscus</i> sp. cultivar	A Hibiscus Hybrid	Introduced	-
<i>Modiola caroliniana</i>	Red-flowered Mallow	Introduced	-
Melastomataceae			
<i>Tibouchina urvilleana</i>	Purple Glory Bush	Introduced	-
Meliaceae			
<i>Melia azedarach</i>	White Cedar	Native	Tree
Myrtaceae			
<i>Acmena smithii</i>	Lilly Pilly	Native	Tree
<i>Angophora bakeri</i>	Narrow-leaved Apple	Native	Tree
<i>Angophora costata</i>	Smooth-barked Apple	Native	Tree
<i>Callistemon linearis</i>	Narrow-leaved Bottlebrush	Native	Shrub
<i>Callistemon pinifolius</i>	Pine-leaved Bottlebrush	Native	Shrub
<i>Callistemon viminalis</i>	Weeping Bottlebrush	Native (not to Sydney)	Tree
<i>Callistemon salignus</i>	Willow Bottlebrush	Native	Shrub
<i>Corymbia citriodora</i>	Lemon-scented Gum	Introduced	-
<i>Corymbia maculata</i>	Spotted Gum	Native	Tree
<i>Corymbia torelliana</i>	Cadaghi	Introduced	High Threat Weed
<i>Eucalyptus botryoides</i>	Bangalay	Native	Tree
<i>Eucalyptus canaliculata</i>	Grey Gum	Native (not to Sydney)	Tree
<i>Eucalyptus crebra</i>	Narrow-leaved Ironbark	Native	Tree
<i>Eucalyptus longifolia</i>	Woollybutt	Native	Tree
<i>Eucalyptus melliodora</i>	Yellow Box	Native	Tree
<i>Eucalyptus microcorys</i>	Tallowwood	Native (not to Sydney)	Tree
<i>Eucalyptus moluccana</i>	Grey Box	Native	Tree
<i>Eucalyptus paniculata</i>	Grey Ironbark	Native	Tree
<i>Eucalyptus punctata</i>	Grey Gum	Native	Tree
<i>Eucalyptus saligna</i> x <i>E. botryoides</i>	-	Native	Tree
<i>Eucalyptus scoparia</i>	Wallangarra White Gum	Threatened Species	Tree
<i>Eucalyptus tereticornis</i>	Forest Red Gum	Native	Tree
<i>Kunzea ambigua</i>	Tick Bush	Native	Shrub
<i>Leptospermum petersonii</i>	Lemon-scented Teatree	Native and introduced	Shrub
<i>Lophostemon confertus</i>	Brush Box	Native and Introduced	Tree
<i>Melaleuca armillaris</i>	Bracelet Honey-myrtle	Native	Shrub
<i>Melaleuca decora</i>	-	Native	Shrub
<i>Melaleuca quinquenervia</i>	Broad-leaved Paperbark	Native	Tree
<i>Melaleuca styphelioides</i>	Prickly-leaved Tea Tree	Native	Shrub
<i>Melaleuca thymifolia</i>	Thyme Honey-myrtle	Native	Shrub
<i>Tristaniopsis laurina</i>	Water Gum	Native	Tree
Ochnaceae			
<i>Ochna serrulata</i>	Mickey Mouse Plant	Introduced	High Threat Weed
Plantaginaceae			
<i>Plantago lanceolata</i>	Lamb's Tongue	Introduced	-
Poaceae			
<i>Aristida vagans</i>	Threeawn Speargrass	Native	Tussock Grass (Grass & grasslike)
<i>Axonopus compressus</i>	Broad-leaf Carpet Grass	Introduced	-
<i>Bothriochloa macra</i>	Red Grass	Native	Tussock Grass (Grass & grasslike)
<i>Briza subaristata</i>	-	Introduced	High Threat Weed
<i>Bromus catharticus</i>	Prairie Grass	Introduced	-
<i>Cenchrus clandestinus</i>	Kikuyu	Introduced	High Threat Weed
<i>Cynodon dactylon</i>	Couch	Native	Other Grass (Grass & grasslike)
<i>Ehrharta erecta</i>	Panic Veldtgrass	Introduced	High Threat Weed

Species Name	Common Name	Status	Growth Form / Weed Status
<i>Eleusine indica</i>	Crowsfoot Grass	Introduced	-
<i>Eragrostis curvula</i>	African Lovegrass	Introduced	High Threat Weed
<i>Microlaena stipoides</i> var. <i>stipoides</i>	Weeping Grass	Native	Tussock Grass (Grass & grasslike)
<i>Paspalidium distans</i>	-	Native	Tussock Grass (Grass & grasslike)
<i>Paspalum dilatatum</i>	Paspalum	Introduced	High Threat Weed
<i>Rytidosperma monticola</i>	-	Native	Tussock Grass (Grass & grasslike)
<i>Rytidosperma racemosum</i>	-	Native	Tussock Grass (Grass & grasslike)
<i>Setaria parviflora</i>	-	Introduced	-
<i>Sporobolus creber</i>	Western Rat-tail Grass	Native	Tussock Grass (Grass & grasslike)
<i>Themeda triandra</i>	Kangaroo Grass	Native	Tussock Grass (Grass & grasslike)
Polygonaceae			
<i>Rumex brownii</i>	Swamp Dock	Native and Introduced	Forb
Portulacaceae			
<i>Portulaca oleracea</i>	Pigweed	Native	Forb
Proteaceae			
<i>Banksia integrifolia</i>	Coast Banksia	Native	Tree
<i>Grevillea</i> sp. cultivar	A Grevillea Hybrid	Introduced	-
<i>Stenocarpus sinuatus</i>	Firewheel Tree	Native (not to Sydney)	Tree
Rosaceae			
<i>Eriobotrya japonica</i>	Loquat	Introduced	-
<i>Photinia</i> sp.	Photinia	Introduced	-
Rutaceae			
<i>Murraya paniculata</i>	Murraya	Introduced	-
Theaceae			
<i>Camellia</i> sp. cultivar	A Camellia Hybrid	Introduced	-

Status and nomenclature according to PlantNet (RBGTD 2019)

Growth form and weed status according to BAM (OEI 2017)

APPENDIX D

BioNet Atlas Threatened Species

Table D1 Threatened Species of Flora recorded by the BioNet Atlas 10km Search

Species Name	Common Name
Apocynaceae	
<i>Marsdenia viridiflora</i> subsp. <i>viridiflora</i>	Marsdenia viridiflora R. Br. subsp. viridiflora population in the Bankstown, Blacktown, Camden, Campbelltown, Fairfield, Holroyd, Liverpool and Penrith local government areas
Campanulaceae	
<i>Wahlenbergia multicaulis</i>	Tadgell's Bluebell in the local government areas of Auburn, Bankstown, Baulkham Hills, Canterbury, Hornsby, Parramatta and Strathfield
Convolvulaceae	
<i>Wilsonia backhousei</i>	Narrow-leafed Wilsonia
Ericaceae	
<i>Epacris purpurascens</i> var. <i>purpurascens</i>	
Fabaceae (Faboideae)	
<i>Pultenaea parviflora</i>	-
<i>Pultenaea pedunculata</i>	Matted Bush-pea
Fabaceae (Mimosoideae)	
<i>Acacia prominens</i>	Gosford Wattle, Hurstville and Kogarah Local Government Areas
<i>Acacia pubescens</i>	Downy Wattle
Myrtaceae	
<i>Callistemon linearifolius</i>	Netted Bottle Brush
<i>Eucalyptus nicholii</i>	Narrow-leaved Black Peppermint
<i>Eucalyptus scoparia</i>	Wallangarra White Gum
<i>Rhodamnia rubescens</i>	Scrub Turpentine
<i>Syzygium paniculatum</i>	Magenta Lilly Pilly
Poaceae	
<i>Deyeuxia appressa</i>	-
Proteaceae	
<i>Grevillea beadleana</i>	Beadle's Grevillea
<i>Persoonia nutans</i>	Nodding Geebung
Rhamnaceae	
<i>Pomaderris prunifolia</i>	P. prunifolia in the Parramatta, Auburn, Strathfield and Bankstown Local Government Areas
Thymelaeaceae	
<i>Pimelea spicata</i>	Spiked Rice-flower

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Table D2 Threatened Species of Fauna recorded by the BioNet Atlas 10km Search

Species Name	Common Name
AMPHIBIA	
Hylidae	
<i>Litoria aurea</i>	Green and Golden Bell Frog
AVES	
Accipitridae	
<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle
<i>Hieraaetus morphnoides</i>	Little Eagle
Burhinidae	
<i>Burhinus grallarius</i>	Bush Stone-curlew
Psittacidae	
<i>Glossopsitta pusilla</i>	Little Lorikeet
<i>Lathamus discolor</i>	Swift Parrot
Strigidae	
<i>Ninox strenua</i>	Powerful Owl
Meliphagidae	
<i>Anthochaera phrygia</i>	Regent Honeyeater
Artamidae	
<i>Artamus cyanopterus cyanopterus</i>	Dusky Woodswallow
Petroicidae	
<i>Petroica boodang</i>	Scarlet Robin
MAMMALIA	
Pteropodidae	
<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox
Emballonuridae	
<i>Saccolaimus flaviventris</i>	Yellow-bellied Sheath-tail-bat
Molossidae	
<i>Mormopterus norfolkensis</i>	Eastern Freetail-bat
Vespertilionidae	
<i>Miniopterus schreibersii oceanensis</i>	Eastern Bentwing-bat
GASTROPODA	
Camaenidae	
<i>Meridolum corneovirens</i>	Cumberland Plain Land Snail

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