Our ref: PS120245-ECO-LTR-001 Rev1 response to DPIE5 and HSC11

By email
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Dear Tom

Response to DPIE5 and HSC11

The Hills Shire Council has raised concerns regarding the assessment of options and impacts to critically endangered ecological communities. Further the Department of Planning, Infrastructure and Environment has requested a revised BDAR in response to Council's comments.

The following provides further explanation of the BDAR and clarifies that it has been developed in accordance with the Biodiversity Assessment Method, particularly in relation to assessment of options. It appears that Council's assessment is based on an incorrect assumption that all trees to be removed could be classified as Cumberland Plain Woodland.

1. CLASSIFICATION OF VEGETATION

The BDAR indicates that the naturally occurring vegetation has been cleared from the development site. The proposed location of new Building J and the proposed new car park contains trees that formed part of a plantation by the Museum as an exercise in researching essential oils. The plantation is dominated by *Corymbia citriodora* which is not a species native to Cumberland Plain Woodland and is not native to NSW.

As described in the BDAR, these two plantation areas do contain some species native to NSW including *Corymbia maculata, Melaleuca styphelioides, Melaleuca alternifolia* (a small stand that was planted for oil production), *Acacia falcata, Bursaria spinosa*, and *Syzygium australe* that have been planted, self-seeded, or have germinated from the soil stored seedbank. The groundcover is sparse and dominated by leaf litter due to the dense eucalypt canopy but there are some native species including *Lomandra longifolia, Lomandra multiflora, Paspalidium distans, Dianella longifolia, Dichondra repens* and *Glycine tabacina*. Due to the presence of some native species within the plantation areas the vegetation was allocated to Plant Community Type 849 as a precautionary measure. The majority of the 337 canopy trees proposed for removal are *Corymbia citriodora* which is not a species native to NSW or Cumberland Plain Woodland.

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As stated in the BDAR, Plant Community Type 849 is part of the Cumberland Plain Woodland in the Sydney Basin Bioregion ecological community as listed under the BC Act. This vegetation does not however conform to the condition criteria specified for the EPBC Act listed Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest TEC. The poor quality of this vegetation is reflected in the site value score of 1.9 out of 100 and as the canopy is dominated by a species that is not native to NSW or Cumberland Plain Woodland (*Corymbia citriodora*) it is unlikely to make any meaningful contribution to the overall recovery and persistence of the Cumberland Plain Woodland in the Sydney Basin Bioregion ecological community.

2. OPTIONS ASSESSMENT

The BDAR provides an overview of the strategic need for the proposal, the alternative options that were considered including the 'do nothing' scenario. The design for the new Building J was the subject of a collaborative and iterative design process involving Lahznimmo Architects working closely with staff at MAAS and Create Infrastructure to develop the final scheme as described in Section 5 of this EIS.

The design for the project was presented to the Government Architect NSW State Design Review Panel (SDRP) in July 2020. The SDRP endorsed the proposal and the feedback received from the SDRP has been incorporated into the final design. The development site is space limited given the existing buildings. The reasoning for selecting Option C as the preferred option is outlined in the BDAR. Option C was selected as it meets the operational requirements of MAAS, it aligns with the NSW Government strategic policy and achieves the following key design and planning outcomes:

- Logical functional arrangement and layout providing staff and public areas to the south and storage areas to the north of the building.
- Overall building height minimised and compliant with the proposed 15m building height.
- A compact MDC site that provides a distinct physical separation between the MDC and TAFE sites and allows for better master planning opportunities for the MDC and TAFE sites in the future.
- VLO storage provided on the lower ground level for ease of access.
- Reduced building facade facing Showground Road.
- No net loss of car parking from the TAFE site. Majority of existing TAFE site car parking is retained with 24 car parking spaces relocated to a new car parking area within the TAFE site.
- Compliance with the minimum 10m setback from the dedicated road widening reserve along Showground Road.

Compromises were apparent with Options A and B in relation to the architectural and urban design outcomes for the proposal, whereby the streetscape would be impacted by a monolithic structure and existing street trees would be required to be removed. Combined with the poor quality of the vegetation as assessed by the BAM, and that the development site is constrained significantly by the presence of existing buildings and an existing TAFE car park, Option C was chosen as the preferred option.

Option B would result in the removal of the majority of car parking spaces from the existing TAFE site, resulting in the need to build new car parking on site for which space is not available without significant impact in the form of construction of a multistorey car park (increased cost and amenity impacts to neighbours) or removal of further vegetation on the TAFE site to permit at-grade parking. There is severely limited scope to provide the car parking spaces at-grade elsewhere within the TAFE site.

In accordance with Section 8.1.1 of the BAM, the proponent has considered the site constraints in determining the location and design of the project. The location of the project has been informed by knowledge of biodiversity values (i.e. the presence of poor quality predominantly planted vegetation). The proposal has been located in an area where the native vegetation and threatened species habitat is in

poor condition (i.e. it is located in an area that has a very low vegetation integrity score). In this case, constraints for matters other than biodiversity that restrict the availability of alternative sites or footprints has driven the selection of Option C.

Yours sincerely

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