

Mr Greg Hastie
Project Director
Impact Group
Suite 15, Level 3, 924 Pacific Highway
Gordon NSW 2072



16 May 2018

Dear Greg,

Biodiversity consideration – Library refurbishment, The Scots College, Bellevue Hill

1. Introduction and background

At the request of Impact Group, on behalf of The Scots College, Lesryk Environmental Pty Ltd has been engaged to undertake a biodiversity investigation at The Scots College, Bellevue Hill, New South Wales (Figure 1). The investigation has been undertaken as Scots College is proposing to refurbish the existing Stevenson Library.

As part of an the Environmental Impact Statement (EIS) prepared under Part 5 of the NSW *Environmental Planning and Assessment Act 1979*, it is a requirement that any biodiversity impacts associated with a proposed action be considered. Therefore, the role of Lesryk Environmental Pty Ltd was to consider those potential biodiversity impacts that may occur and, if necessary, assess/mitigate against these.

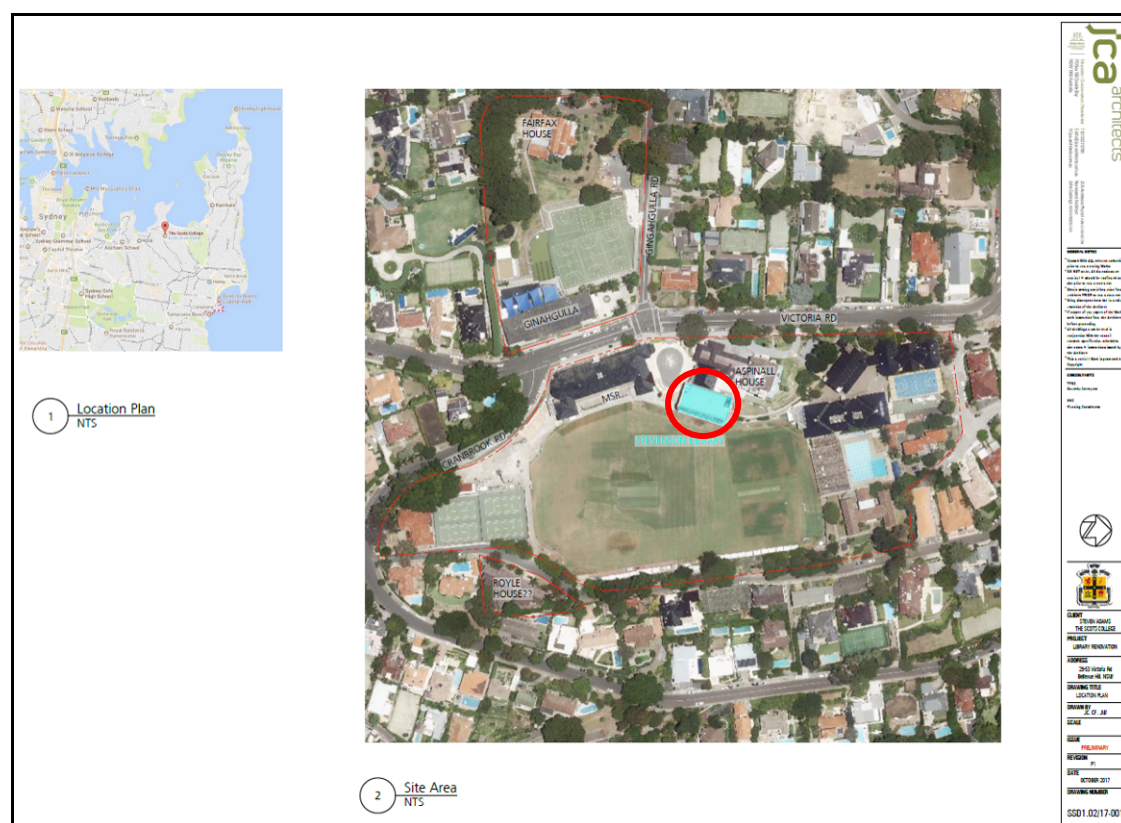


Figure 1. Subject site (red circle) and locality

The proposed works are expected to be confined to the existing library and those areas immediately adjacent to it. When undertaking the site investigation a distance of 20 metres beyond the limits of the library was considered. The area investigated will hereafter be referred to as the subject site.

Located approximately four kilometres east of the Sydney Central Business District, The Scots College is situated on the eastern side of Victoria Road at Bellevue Hill (Figure 1). This portion of the Woollahra Local Government Area (LGA) is highly urbanised and modified, and consists of residential and commercial developments, with very little natural environment remaining. No conservation areas, significant stands of woodland or waterways/waterbodies are present within, or close to, the subject site.

The assessment of possible impacts associated with the proposed refurbishment of the existing library is based on a field investigation of the subject site, a review of aerial photography that covers the locality, the consultation of standard databases and a consideration of the objectives of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), NSW *Environmental Planning and Assessment Act 1979* (EPA Act), NSW *Biodiversity Conservation Act 2016* (BC Act) and any relevant State Environmental Planning Policy (SEPP).

2. Desktop review

Prior to undertaking the site inspection known databases were consulted to identify the diversity of ecological communities, flora and fauna species known for, or potentially occurring in, the study region¹. The identification of those known or potentially occurring native species and communities within this portion of the Woollahra LGA, particularly those listed under the Schedules to the EPBC and/or BC Acts, thereby permits the tailoring of the field survey strategies to the detection of these plants, animals and communities, or their necessary vegetation associations/habitat requirements.

The desktop review involved the consultation of:

- the Biodiversity Offsets Scheme Entry Tool (BOSET) (NSW Government 2018a)
- Biodiversity Values Map (NSW Government 2018b)
- the Commonwealth Department of the Environment and Energy's Protected Matters Search Tool
- the NSW Office of Environment and Heritage's (OEH) Atlas of NSW Wildlife
- the OEH vegetation types database
- the OEH threatened species profile database
- relevant Council publications.

Based on a review of the Biodiversity Value Map, no areas of high biodiversity value, as defined by the *Biodiversity Conservation Regulation 2017*, were recorded within, or in close proximity to, the subject site (Attachment 1). As such, in combination with the lack of any native vegetation clearing, the proposed action does not need to be assessed in accordance with the Biodiversity Offsets Scheme (Part 6) of the BC Act. In addition, with reference to the BOSET, application of the Biodiversity Assessment Method (BAM) (Division 2, Part 6 of the BC Act) is not required (Attachment 2). Therefore, the preparation of a Biodiversity Development Assessment Report (BDAR) does not need to be prepared as part of the proposal and EIS.

3. Site inspection and methodology

¹ The study region is considered to 'include the lands that surround the subject site for a distance of 10 kilometres' (Department of Environment and Climate Change 2007).

The subject site was inspected by Stephen Bloomfield (B.App.Sc.) on 29 January 2018. The weather conditions experienced during this investigation were predominantly clear skies (10% cloud cover), strong winds and hot temperatures (29 °C).

The site inspection commenced at 12:15 pm and lasted for approximately one hour. Given the physical condition and size of the study area this length of time is considered more than adequate when endeavouring to determine the diversity of native species present, their associated habitats and vegetation associations, and the conservation status of each of these. Given the essentially cleared and disturbed nature of the subject site, access to all parts of the site was above average with no limitations to the success of the field survey being encountered.

As application of the BAM was not required, no floristic or vegetation integrity plots were prepared. Similarly, given the lack of any natural habitat within the subject site, and the presence of a built environment, no specific fauna survey methods (i.e. spotlighting, echolocation detection) were employed.

4. Results

No native vegetation is present within the area investigated. Horticulturally produced specimens have been planted as part of the College's landscaping, and include species such as Magnolia (*Magnolia virginiana*), Liriope (*Liriope sp.*) and Murraya (*Murraya paniculata*), whilst a maintained lawn of Couch (*Cynodon dactylon*) dominates the nearby sports field.

For reference, a photographic record has been provided (Attachment 3).

Given the modified, cleared and urban character of the subject site few animal species were recorded. Those observed or heard were the:

- Rainbow Lorikeet (*Trichoglossus haematodus*)
- Noisy Miner (*Manorina melanocephala*)
- Welcome Swallow (*Hirundo neoxena*)
- Rock Dove (*Columba livia*)²
- Garden Skink (*Lampropholis sp.*)³.

In regards to those plants and animals identified, it is noted that none are listed, or currently being considered for listing, on the Schedules to the EPBC or BC Acts. Similarly, none are considered to be of regional conservation significance. With regard to the plants recorded none are identified as a Rare or Threatened Australian Plant (ROTAP) (Briggs and Leigh 1996).

The native animals recorded during the site inspection are all protected under Schedule 5 of the BC Act, but considered to be common to abundant throughout, and well conserved within, the surrounding region. These species would not be solely reliant upon those habitats present within, or close to, the subject site, such that the proposed library refurbishment would threaten the local occurrence of these animals. The animals recorded are all expected to be present within the College grounds and surrounding area post-development.

None of the introduced plant species recorded are listed under Schedule 3 of the NSW *Biosecurity Regulation 2017*, nor are any listed as a 'priority weed' in the Greater Sydney⁴ region (Department of Primary Industries 2017).

No habitat important to the occurrence of any native species (i.e. woodland stands, hollow-bearing trees, aquatic environments), particularly those plants and animals listed under the EPBC and BC Acts that have been previously recorded in the study region, was identified. No threatened flora species are likely to occur and no threatened fauna would utilise or be reliant upon any portion of the subject site for their lifecycle requirements. As such, no threatened flora or fauna species, or their populations, are expected to be adversely affected by the refurbishment of the existing library.

² This bird is introduced.

³ Species could not be identified as only a small portion of the tail was found.

⁴ This including the Woollahra LGA.

Given the extent of work proposed, the unnatural character of the area to be affected and its land use history it is not considered that any legislative assessments (i.e. reference to the EPBC Act's Significant Impact Guidelines or Part 7 of the BC Act), regarding the impact of the proposal on any matter of conservation significance, are required.

Given that no natural habitats or stands of woodland are present, the undertaking of the proposed work would not fragment or isolate any areas of habitat, nor present any barriers to the breeding or dispersal requirements of native species.

No key threatening processes listed under the EPBC or BC Acts are relevant to the proposal.

5. Conclusions

No ecological communities, flora or fauna species listed under the Schedules of the EPBC or BC Acts were recorded within, or in close proximity to, the Stevenson's Library, The Scots College, Bellevue Hill. Similarly, none would be reliant upon the subject site for any of their necessary lifecycle requirements. As such, no assessments using the criteria provided under the EPBC Act (i.e. Significant Impact Guidelines) or Part 7 of the BC Act were carried out.

The undertaking of the proposed works would not remove or significantly affect any habitats of local, regional, state or national conservation concern. As such, the refurbishment of the existing library would not have a detrimental impact on any ecological communities, plants or animals of national, state or regional significance.

The undertaking of the proposal can proceed as planned without requiring the referral of the matter to the Federal Minister for the Environment and Energy or the preparation of a BDAR.

No recommendations are necessary from a biological or ecological point of view.

If you require any further information on this matter, please do not hesitate to contact the undersigned on either (02) 9523 2016 or 0404 803 409.

Yours sincerely,



Stephen Bloomfield
Senior Ecologist
Lesryk Environmental Pty Ltd

6. Bibliography

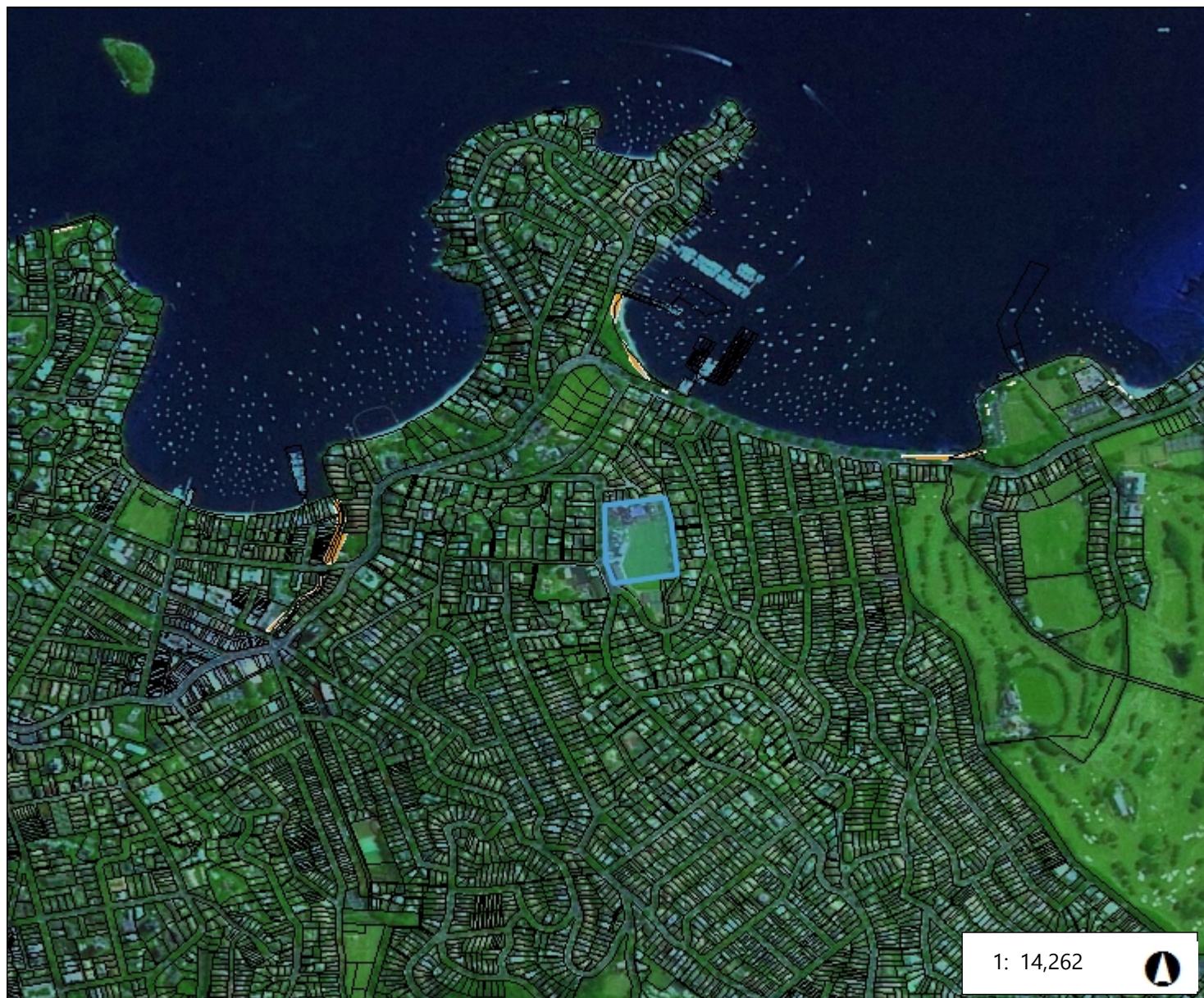
- Briggs, J and Leigh, J 1996, *Rare or Threatened Australian Plants*, CSIRO Publishing, Collingwood, Victoria
- Cogger, H 2014, *Reptiles and Amphibians of Australia*, CSIRO Publishing, Collingwood, Victoria
- Department of Environment and Conservation 2004, *Threatened biodiversity survey and assessment: Guidelines for development and activities (Working Draft)*, Department of Environment and Conservation (now Office of Environment and Heritage), Hurstville, NSW
- Department of Environment and Climate Change 2007, *Threatened species assessment guidelines: The assessment of significance*, Department of Environment and Climate Change, Hurstville, NSW
- Department of the Environment and Energy 2016, *Protected Matters Search Tool*, viewed January 2018, <<http://www.environment.gov.au/epbc/db/index.html>>
- Department of Primary Industries 2018, *NSW WeedWise: Priority weeds for the Greater Sydney*, viewed February 2018, <<http://weeds.dpi.nsw.gov.au/WeedBiosecurities?Areald=3>>
- Fairley, A and Moore, P 2010, *Native Plants of the Sydney Region*, Jacana/Allen & Unwin, Crows Nest, NSW
- NSW Government 2018a, *Biodiversity Offsets Scheme Entry Tool*, viewed February 2018, <<https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BOSETMap>>
- 2018b, *Biodiversity Offsets Scheme Entry Tool*, viewed January 2018, <<https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BVMap>>
- Office of Environment and Heritage 2018, *BioNet (Atlas of NSW Wildlife) Database*, viewed February 2018, <<http://wildlifeatlas.npws.gov.au>>
- Robinson, L 2003, *Field Guide to the Native Plants of Sydney*, Kangaroo Press, Kenthurst, NSW
- Simpson, K and Day, N 2008, *Field guide to the birds of Australia*, 7th Edition, Penguin Books Australia, Victoria

ATTACHMENT 1. Biodiversity Values Map



ATTACHMENT 2. BOSET report

Biodiversity Offset Scheme (BOS) Entry Threshold Map



1: 14,262



0.7 0 0.36 0.7 Kilometers

GCS_GDA_1994

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

Lot - Cadastre



Biodiversity Values



Notes

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Biodiversity Offset Scheme (BOS) Entry Threshold Report

Results Summary

Date of Calculation	02/02/2018 6:25 AM	BAM Required*
Total Digitised Area	3.3 ha	
Minimum Lot Size Method	LEP	
Minimum Lot Size	0.1 ha	
Area Threshold	0.2 ha	
Area of native vegetation cleared	Unknown #	Unknown #
Impact on biodiversity values land map	no	no

*If BAM 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.


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: 02/02/2018 06:25 AM

ATTACHMENT 3. Photographic record of the subject site



Plate 1. The Stevenson Library and typical modified nature of the College. Photo taken from the southern side of the library.



Plate 2. The modified character and landscaped plantings of the subject site. Photo taken from the northern side of the library.

Mr Scott Hay
Planner
Social and Other Infrastructure Assessments
Priority Projects
NSW Department of Planning and Environment
320 Pitt Street
Sydney NSW 2001



c/ Mr Greg Hastie
Project Director
Impact Group
Suite 15, Level 3, 924 Pacific Highway
Gordon NSW 2072

20 July 2018

Dear Scott,

**Request to waive the requirement of a Biodiversity Development Assessment Report (BDAR),
The Scotts College, Bellevue Hill, NSW**

On behalf of our client, Impact Group, I am writing in regards to the proposed upgrading of the Stevenson Library Building at The Scots College Bellevue Hill campus.

Lesryk Environmental Pty Ltd was engaged by Impact Group, on behalf of The Scots College, in December 2017 to undertake a biodiversity investigation of the existing library site (and an area around this) as part of its refurbishment. The biodiversity investigation was to be conducted in line with the requirements listed under Part 5 of the NSW *Environmental Planning and Assessment Act 1979* when preparing an Environmental Impact Statement (EIS).

In undertaking this investigation, the potential impacts the proposed refurbishment of the existing library may have on the biodiversity of the area was considered.

A final version of the biodiversity report was submitted to Impact Group in May of this year.

As stated in our report:

- based on a review of the Biodiversity Value Map, no areas of high biodiversity value, as defined by the *Biodiversity Conservation Regulation 2017*, were recorded within, or in close proximity to, the subject site
- no native vegetation was present within, or close to, the limits of the scope of works proposed
- no threatened ecological communities, plants or animals were recorded, nor were any likely to occur, or rely upon the resources present, within the area investigated
- no Areas Of Outstanding Biodiversity Value listed under Part 3 of the Biodiversity Conservation Regulation 2017 were recorded.

Based on the above findings, it was considered unnecessary to undertake assessments of significance on any threatened ecological community or species (i.e. with reference to the criteria provided under the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* Significant Impact Guidelines or Section 7.3 of the NSW *Biodiversity Conservation Act 2016* [BC Act]).

Lesryk Environmental Pty Ltd
PO Box 3001
Bundeena NSW 2230

It was deemed unnecessary that the proposed upgrading of the library be assessed in accordance with Part 6 (the Biodiversity Offsets Scheme) of the BC Act, as the proposed library refurbishment is not expected to:

- impact on any land that has been mapped as having biodiversity value (as per the NSW Government's biodiversity value map), or
- result in the loss of more than 0.25 ha of native vegetation, or
- have a significant effect on any threatened ecological community or species listed under the BC Act,

The application of the Biodiversity Assessment Method (Division 2, Part 6 of the BC Act) is not considered necessary. Therefore, the preparation of a BDAR, that further assesses and considers the scope of work proposed, was not warranted as part of the EIS.

The biodiversity report prepared by Lesryk Environmental Pty Ltd concluded that the undertaking of the proposed upgrading of the library could proceed as planned without requiring the referral of the matter to the Federal Minister for the Environment and Energy or the preparation of a BDAR.

At the request of Impact Group, on behalf of The Scots College, I am requesting that the Department of Planning and Environment considers the information provided in this letter, as well as the original biodiversity report prepared by Lesryk Environmental Pty Ltd, and waive the requirement of a BDAR as part of the EIS that is to be submitted in regard to the upgrading of the Stevenson Library Building at The Scots College Bellevue Hill campus.

If you require any further information on this matter, please do not hesitate to contact the undersigned on either (02) 9523 2016 or 0404 803 409.

Yours sincerely,



Stephen Bloomfield
Senior Ecologist
Accredited assessor (#BAAS18054)
Lesryk Environmental Pty Ltd