



Office of
Environment
& Heritage

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SSD 8989

Mr Scott Hay
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Department of Planning & Environment
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Dear Scott

OEH Review of Environmental Impact Statement: Catherine McAuley Catholic College (SSD 8989) - 507 Medowie Road, Medowie – Port Stephens LGA

I refer to your letter dated 2 July 2018, seeking comments on the Environmental Impact Statement for the Catherine McAuley Catholic College (SSD 8989) proposal, on Lot 412 and Lot 413 (in DP 1063902) at 507 Medowie Road, Medowie, in the Port Stephens local government area.

OEH has reviewed the Environmental Impact Statement, including relevant appendices, annexures, attachments and parts of the document titled '*Environmental Impacts Statement: Proposed Catholic College, 2 Kingfisher Close and 507 Medowie Road, Medowie (Lot 412 and Lot 413 DP 1063902)*', including Appendices (Prepared De Witt Consulting, and dated June 2018) in relation to impacts on biodiversity, Aboriginal Cultural Heritage and flooding / flood risk.

OEH's recommendations are provided in **Attachment A** and detailed comments are provided in **Attachment B**. If you require any further information regarding this matter, please contact Steven Cox, Senior Team Leader Planning, on 4927 3140.

Yours sincerely

SHARON MOLLOY
Director Hunter Central Coast Branch
Conservation and Regional Delivery Division

Contact officer: STEVEN COX
02 4927 3140

Enclosure: Attachments A and B

Attachment A

OEH's recommendations

Catherine McAuley Catholic College (SSD 8989)

Biodiversity

1. OEH is satisfied with the biodiversity assessment provided and no further assessment is required.
2. OEH recommends that a condition of consent is included which requires the proponent to retire all ecosystem and species credits, in accordance with the offset rules of the Biodiversity Assessment Method.

Aboriginal cultural heritage

3. OEH recommends that the proponent completes the assessment of potential impact to Aboriginal cultural heritage in accordance with the Secretaries Environmental Assessment Requirements for the project.

Flooding and flood risk

4. OEH recommends that the proponent provides design details and a flood assessment of the access road creek crossing, demonstrating that there will be no adverse flood impacts.

OEH's detailed comments

Catherine McAuley Catholic College (SSD 8989)

Biodiversity

1. OEH is satisfied with the biodiversity assessment

The proposal will impact on approximately 1.56 hectares of native vegetation across four plant community types (PCTs) for the purposes of constructing a new high school and ancillary facilities, including car park, landscaping and bushfire asset protection zones. In accordance with the Biodiversity Assessment Methodology (BAM) under the *Biodiversity Conservation Act 2016*, the proposal generated 23 ecosystem credits from the following PCTs:

- 9 credits – PCT 1564 Blackbutt - Rough-barked Apple - Turpentine - ferny tall open forest of the Central Coast (0.97 hectares)
- 5 credits – PCT 1598 Forest Red Gum grassy open forest on floodplains of the lower Hunter (0.17 hectares)
- 5 credits – PCT 1619 Smooth-barked Apple - Red Bloodwood - Brown Stringybark – Hairpin Banksia heathy open forest of coastal lowlands (0.20 hectares)
- 4 credits – PCT 1718 Swamp Mahogany – Flax leaved Paperbark swamp forest on coastal lowlands of the Central Coast (0.22 hectares).

The proposal also impacts on 0.43 hectares of potential core koala habitat which generated six koala species credits.

The Biodiversity Development Assessment Report has been completed in accordance with the BAM and by an accredited assessor (in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the *Biodiversity Conservation Act 2016*).

Recommendation 1

OEH is satisfied with the biodiversity assessment provided and no further assessment is required.

2. OEH recommends appropriate offsetting be incorporated into the conditions of consent

The proposal requires the retirement of 23 ecosystem credits and six koala species credits. The proponent has committed to a biodiversity offset strategy, which states that the 83 credits will be retired via:

- a. purchase of 'like-for-like' credits from a registered stewardship site, or
- b. payment into the Biodiversity Conservation Fund of an equivalent amount of credits calculated using the BAM Offsets Payment Calculator.

OEH is satisfied with the above approach as it is consistent with the BAM. OEH recommends that the Department of Planning and Environment include a condition of consent to retire all ecosystem and species credits in accordance with the proposed biodiversity offset strategy and the BAM.

Recommendation 2

OEH recommends that a condition of consent is included which requires the proponent to retire all ecosystem and species credits, in accordance with the offset rules of the Biodiversity Assessment Method.

Aboriginal cultural heritage

3. The Aboriginal cultural heritage assessment is incomplete

The Aboriginal heritage assessment provided to support the project in its current form, is incomplete. OEH has reviewed Appendix 13 - Aboriginal heritage advice, which is a letter outlining the processes that need to be undertaken to satisfy the Secretaries Environmental Assessment Requirements (SEARs) with respect to Aboriginal cultural heritage, that were issued on 18 January 2018. OEH understands that Biosis has been engaged by the proponent to undertake the Aboriginal cultural heritage investigations identified in the SEAR's, however, this assessment has not been completed. OEH is unable to comment on the adequacy of the assessment of Aboriginal cultural heritage based on the information supplied.

Recommendation 3

OEH recommends that the proponent completes the assessment of potential impact to Aboriginal cultural heritage in accordance with the Secretaries Environmental Assessment Requirements for the project.

Flooding and flood risk

4. Design details and a flood assessment of the access road should be provided

The proposal has the potential to divert high hazard flows along the side of a proposed primary school building. OEH has reviewed the flood assessment provided by BMT. Figure 2 shows a proposed access road traverses a high hazard floodway. This crossing, if not properly designed, has the potential to capture and divert hazardous flows towards the proposed primary school.

Recommendation 4

OEH recommends that the proponent provides design details and a flood assessment of the access road creek crossing, demonstrating that there will be no adverse flood impacts.