Project Name: Gables new primary school
SSI/SSD Application Number: SSD-68832972
Proponent: NSW Department of Education
Date request received: 30 May 2024

Biodiversity value	Meaning	Relevant (✓or NA)	Potential impacts	
			Applicant comment/justification	BCS comment
Vegetation abundance 1.4(b) BC Regulation	Occurrence and abundance of vegetation at a particular site	✓	The study area comprises a cleared greenfield site with scattered patches of disturbed ground cover vegetation (Figure 1). The study area does not contain any mapped PCTs or remnant native vegetation community (NSW DCCEEW 2024a). A review of historic aerial imagery clearly demonstrates that the study area has been subject to intensive agricultural practices with an absence of native vegetation visible since 2013 (Figure 9). The study area is disconnected from other patches of mapped native vegetation within the area (Figure 5). The closest patch of mapped native vegetation is PCT3320, approximately 220 m away to the southeast of the study area. A review of recent aerial imagery indicates that there is a row of immature planted street trees adjacent to the study area's western and eastern boundaries, these can be seen in Figure 1. These trees are not part of a PCT. According to the Preliminary Concept Plan these trees will not be impacted by the proposed works (Ethos Urban Pty Ltd 2024) (Figure 3). The study area is adjacent to a riparian corridor which is located on the other side of Cataract Road and runs to the south and east of the study area (Figure 1). This riparian corridor is currently being rehabilitated as per a Vegetation Management plan (VMP) (Cumberland Ecology 2020). Aerial imagery indicates that the riparian corridor contains scattered immature trees that have been planted. Through the implementation of a Construction Environmental Management Plan (CEMP), there are no anticipated adverse impacts to this adjacent riparian corridor (Cumberland Ecology 2020).	Supported
Vegetation integrity 1.5(2)(a) BC Act	Degree to which the composition, structure and function of vegetation at a particular site and the surrounding landscape has	✓	The study area has been historically cleared of remnant vegetation and has undergone various landform changes and land uses (Cumberland Ecology 2020). Due to previous and current land management practises, vegetation and soils within the study area have been highly modified and lack natural resilience. Any presence of regenerating native vegetation within the study area is highly unlikely given that the study area is disconnected from other patches of intact native vegetation, and has been subjected historical clearing of native vegetation, disturbance, and soil modification.	Supported

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			Applicant comment/justification	BCS comment
	been altered from a near natural state		Given that the study area has been cleared and that no remnant native vegetation or PCTs occur within the study area (Figure 5), the development would not compromise vegetation integrity. The proposed development does not impact upon remnant vegetation or regenerating native vegetation.	
Habitat suitability 1.5(2)(b) BC Act	Degree to which the habitat needs of threatened species are present at a particular site	✓	Since the study area has been historically cleared of vegetation and has undergone major landform change following earthworks (Figure 2), it does not contain any significant habitat for threatened species. The assessment identified no important habitat features such as hollow bearing trees, tree logs, rocks and crevices, or caves within or near the study area, based on desktop assessment (Figure 2). With negligible native vegetation cover and a lack of other habitat features present within the study area, there are limited opportunities for highly mobile threatened fauna species to shelter and forage opportunistically and no suitable habitat for less mobile threatened species. With no buildings remaining within the study area, there are also no suitable roosting habitat for threatened microbats. Additionally, there are no watercourses within the study area to provide important habitat for threatened species. Therefore, the proposed development would not compromise habitat suitability for threatened species.	Supported
Threatened species abundance 1.4(a) BC Regulation	Occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site	✓	There are no Threatened Ecological Communities (TECs) present within the study area. The study area has been cleared of native vegetation. There are no PCTs previously or currently mapped within the study area (Figure 5). The study area has been historically cleared of native vegetation and is situated within an urbanised and fragmented environment. There are no BioNet (NSW Atlas of Wildlife) records of threatened fauna species recorded within the study area (Figure 10) (NSW DCCEEW 2024c). The closest BioNet record is from *Pteropus poliocephalus* (Grey-headed Flying Fox) approximately 0.5 km west to the study aera. This is a highly mobile species which relies on large flowering and fruiting trees for foraging and roosting. The second closest BioNet records are from *Haliaeetus leucogaster* (White-bellied Sea-Eagle) approximately 1 km to the north of the study area (Figure 10). This is also a highly mobile species which requires large bodies of water for foraging and large trees for nesting. The study area does not contain suitable habitat features for either species or other threatened fauna species. There are no BioNet records of threatened flora within or within the vicinity of the study area (Figure 10). No habitat was available for threatened flora species with the study area. The study area lacks native vegetation, resulting from a history of disturbance and modification of soil profile.	Supported

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			Applicant comment/justification	BCS comment
			Given the absence of native vegetation and recent clearing of the study area there are no important habitat features present for threatened fauna species within the study area. Additionally, no buildings remain within the study area, therefore, there is no suitable roosting habitat for threatened microbats. The study area has also not been mapped as having high biodiversity value under the Biodiversity Values map (Figure 9) (NSW DCCEEW 2024b).	
Habitat connectivity 1.4 (c) BC Regulation	Degree to which a particular site connects different areas of habitat of threatened species to facilitate the movement of those species across their range	✓	The study area has been previously cleared of any vegetation and does not contain native vegetation which forms part of a PCT. The study area does not contribute to habitat connectivity across the local landscape. The study area is surrounded by major roads, urban environment and does not currently connect to intact native vegetation. The planted street trees adjacent to the study area's western and eastern boundaries are highly unlikely to provide any significant levels of connectivity for threatened species to move across considering their young growth stage, lack of connectedness to intact native vegetation and close proximity to major roads. The riparian corridor adjacent to the study areas south and east currently only contains scattered immature trees and given that the study area is bounded by major roads and lacks intact native vegetation it provides very limited connectivity to facilitate the movement of threatened species across their range.	Supported
Threatened species movement 1.4(d) BC BC Regulation	Degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle	✓	The study area does not contain any mapped native PCTs (Figure 5) and have been historically disturbed (Figure 1). Movement for less mobile threatened fauna, such as non-flying species, across the locality is highly unlikely due to major roads, and lack of connective vegetation within the landscape. Opportunities for movement across the landscape are limited for more mobile threatened fauna species including birds and bats. The study area is not considered to be significant for the movement of any threatened species to maintain their lifecycle. The proposed landscape plans for the development include planted trees and shrubs which may assist to facilitate movement of fauna species and aid in connectivity.	Supported

Biodiversity value	Meaning	Relevant (✓or NA)	Potential impacts	
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Flight path integrity 1.4(e) BC Regulation	Degree to which the flight paths of protected animals over a particular site are free from interference	✓	The landscape within and surrounding the study area consists of cleared land, residential dwellings and rehabilitated waterways within the urban neighbourhood of Gables. Protected animals are unlikely to rely on the very limited extent of groundcover vegetation identified within the study area, along their flight path. Two threatened species *Haliaeetus leucogaster* (White-bellied Sea Eagle) and *Pteropus poliocephalus* (Grey-headed Flying Fox) have been recorded approximately 1 km and 0.5 km from the study area respectively. These species are highly mobile and are likely to move throughout the locality in multiple directions. The proposed works include the construction of a school ranging between one to three stories high (Figure 3). It is considered unlikely that the construction of the school would have a significant effect on the flight path of White-bellied Sea Eagle or Grey-headed Flying Fox or any other protected species as the landscape within and around the study area is open and clear, therefore these species are likely to move within the landscape in multiple directions and are unlikely to solely rely on a flight path over the land where the school building is proposed.	Supported
Water sustainability 1.4(f) BC Regulation	Degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site.	✓	No natural watercourses are present within the study area. However, the study area is located adjacent to a planted and immature riparian corridor on the opposite side of Cataract Road which contains a small creek (Figure 1). The creek runs in a south eastward direction within the adjacent riparian corridor and does not intersect the study area. Therefore, it does not contribute to the study area's hydrology. The development would not alter water quality as a result of runoff or other processes that would impact or sustain threatened species or ecological communities within or adjacent to the study area. No hydrological processes exist within the study area itself that would support threatened species or ecological communities.	Supported

Recommendation

It is recommended that the delegated officer:

- Considers the matters set out in this report; and
    - determines that the proposed development as described in DOC24/438867 and Schedule 1 is not likely to have any significant impact on biodiversity values and therefore a BDAR is not required
    - ~~determines that, based on the information provided, it cannot be concluded that the proposed development is not likely to have any significant impact on biodiversity values and therefore a BDAR is required~~.

14/06/2024

Sarah Burke **Date**
Senior Team Leader
Compliance & Regulation, Greater Sydney Branch
Regional Delivery Biodiversity, Conservation and Science Group

Decision

I, Louisa Clark, Director Greater Sydney, of the Department of Climate Change, Energy, the Environment and Water, having reviewed this report and the documents attached to it:

A. **determine** under section 7.9(2) of the *Biodiversity Conservation Act 2016* that the proposed development as described in DOC24/438867 and Schedule 1 is not likely to have any significant impact on biodiversity values and therefore a BDAR is not required

B. ~~**determine** that, based on the information provided, it cannot be concluded that the proposed development as described in DOC24/438867 and Schedule 1 is not likely to have any significant impact on biodiversity values and therefore a BDAR is required~~.

17/06/2024

Louisa Clark **Date**
Director Greater Sydney Branch
Regional Delivery Biodiversity, Conservation and Science Group

SCHEDULE 1 – Description of the proposed development

The State Significant Development Application (SSDA) for Gables New Primary School (SSD-68832972) located at Fontana Drive Gables, proposes the construction and operation of a new primary school including two three-storey learning hub buildings, one three-storey library and administration building, one single-storey school hall and one single-storey preschool as detailed in the BDAR waiver application prepared by Ecological Australia Pty Ltd (dated 22 May 2024).

Refer to:

- Figure 1 Location Map
- Figure 2 Preliminary Concept Plan
- Figure 3 Vegetation Map of native PCTs

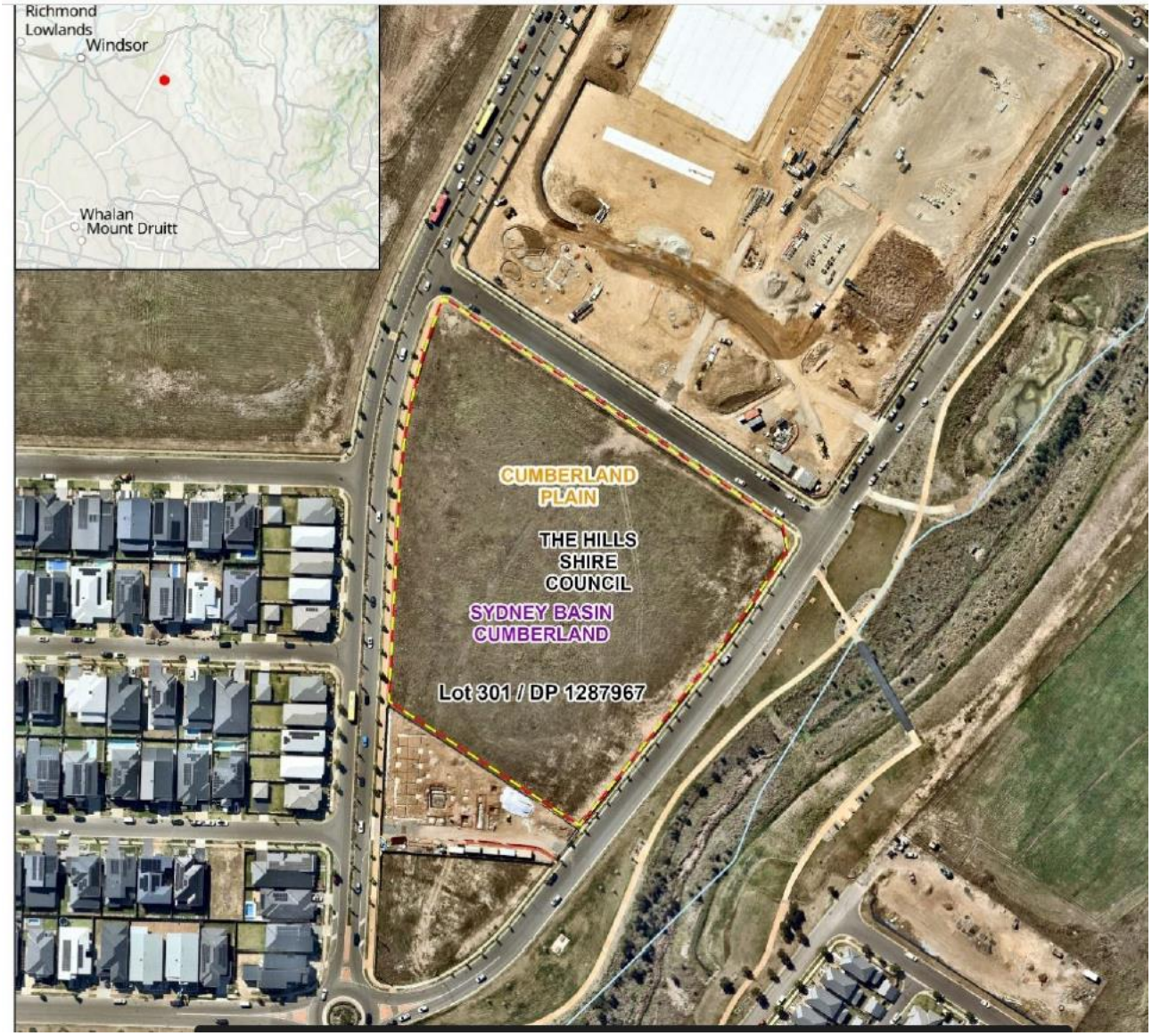

Figure 1. Location Map

Figure 2. Preliminary Concept Plan showing the indicative site plan and development area for the proposed primary school (Architectus provided by DoE April 2024).

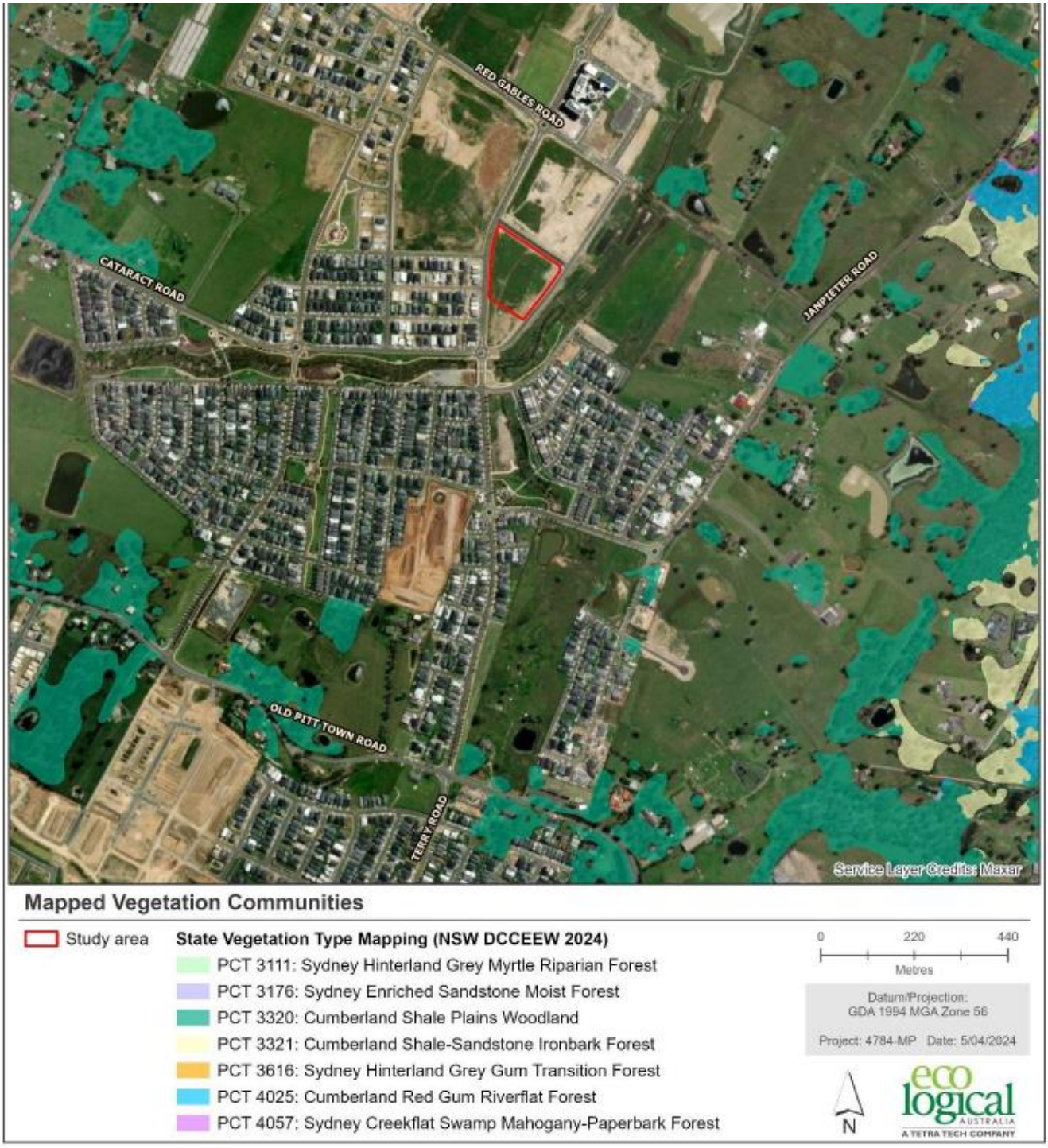

Figure 3 Vegetation Map of native PCTs