



Renah Givney  
Department of Planning, Housing and Infrastructure  
4 Parramatta Square, 12 Darcy Street  
PARRAMATTA NSW 2150

7 February 2025

**Subject: Exhibition - Wahroonga Estate Concept Plan – Modification 10 (MP07\_0166 MOD 10)**

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Dear Renah,

Thank you for your correspondence received 14 January 2025 seeking comments from the Biodiversity, Conservation and Science Group (BCS) of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) on the Wahroonga Estate Concept Plan – Modification 10 (MP07\_0166 MOD 10) at Fox Valley Way and the Comenarra Parkway, Wahroonga (Modification). Please note that on 20 January 2025 BCS became the Conservation Programs, Heritage and Regulation Group (CPHR).

CPHR has reviewed the *Section 75W Modification Application Wahroonga Estate – Fox Valley Road, Wahroonga* (Ethos Urban, 25 October 2024) (Modification Report) and the *Assessment of Biodiversity Offsets Scheme entry requirement for a Section 75W modification for Stage 4 of the Wahroonga Estate Project* (Cumberland Ecology, 10 September 2024) (Cumberland Ecology letter). CPHR understands that the proposal is to redistribute approved dwellings across the site with a decrease in dwellings in Precincts A, B and D, and an increase in dwellings in Precinct C.

*Biodiversity*

In relation to impacts on biodiversity, the Modification Report states that “*The removal of vegetation was required to facilitate delivery of building envelopes approved on the site in the Concept Plan. This aspect of the project is therefore not included as a proposed modification.*” The Modification Report further states that a Biodiversity Development Assessment Report (BDAR) will be prepared at detailed design stage. CPHR advises that whilst biodiversity impacts may have been assessed as part of the Concept Plan approval, MP07\_0166 has not received certification of existing biodiversity offsetting arrangements under Clause 34A of the NSW *Biodiversity Conservation (Savings and Transitional) Regulation 2017*. As such, the biodiversity impacts of the Modification should be addressed.

Cumberland Ecology identifies that the site is mapped on the Biodiversity Values Map and the Modification will require the removal of vegetation including the Critically Endangered Ecological Community (CEEC) Sydney Turpentine Ironbark Forest (STIF). Whilst not addressed in the Modification Report or Cumberland Ecology letter, STIF is also a Serious and Irreversible Impact

(SAIL) entity. As the biodiversity impacts resulting from the modification have not been assessed, there is uncertainty about whether the Modification will result in a SAIL on the CEEC STIF.

CPHR therefore recommends that a BDAR be prepared for the Modification Application and not deferred to detailed design stage.

Should you have any queries regarding this matter, please contact the Greater Sydney Planning Team via [rog.gsrplanning@environment.nsw.gov.au](mailto:rog.gsrplanning@environment.nsw.gov.au).

Yours sincerely



Louisa Clark  
**Director Greater Sydney  
Conservation Programs, Heritage and Regulation**