

Our ref: Mixed-use and affordable housing-Edgecliff (SSD-77608714)

Mr Jock Mitton
Development Manager
Level 14, Tower Three,
International Towers Sydney
Exchange Place, 300 Barangaroo Avenue
Barangaroo, Sydney NSW 2000

20 January 2025

Subject: Mixed-use and affordable housing-Edgecliff (SSD-77608714) – Request to waive the requirement for a Biodiversity Development Assessment Report under the *Biodiversity Conservation Act 2016*

Dear Mr Mitton,

I refer to your correspondence dated 22 November 2024, regarding the request to waive the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted as part of the above referenced State significant development (SSD) application.

Under section 7.9(2) of the Biodiversity Conservation Act 2016 (BCA):

“Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.”

This letter is to confirm that the Secretary of the Department of Planning, Housing and Infrastructure has determined that the proposed development as described above is not likely to have any significant impact on biodiversity values and that a BDAR is therefore not required to accompany any application for development consent or infrastructure approval for the proposed development.

I, as Delegate of the Planning Secretary within the Development Assessment and Sustainability division have determined that the proposed development is not likely to have any significant impacts on biodiversity values. Evidence that the Delegate of the Secretary within the NSW Department of Climate Change, Energy, the Environment and Water (Director) has made the determination is attached (dated 16 January 2025).

If there are any amendments to the proposed development, a fresh request for a BDAR waiver determination will be required or a BDAR may need to be prepared.

Department of Planning, Housing and Infrastructure



Should you have any further enquiries, please contact Joina Mathew on 02 8275 1195 or via email to joina.mathew@planning.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Joina Mathew", with a long horizontal stroke extending to the right.

Joina Matthew
A/Team Leader, Social and Affordable Assessments
As delegate of the Planning Secretary

Encl: BCS of NSW DCCEEW determination

Determination under section 7.9(2) of the Biodiversity Conservation Act 2016

I, Allison Treweek, A/Director Greater Sydney, of the Department of Climate Change, Energy, the Environment and Water, under section 7.9(2) of the *Biodiversity Conservation Act 2016*, consider that the proposed SSD-77608714 Detailed development for a mixed use building at 136-148 New South Head Road, Edgecliff is not likely to have any significant impact on biodiversity values. Therefore, a Biodiversity Development Assessment Report is not required.

Proposed development means the development as described in DOC24/969495 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



Allison Treweek
A/Director
Greater Sydney
Regional Delivery Biodiversity, Conservation and Science Group

Date 16/01/2025

SCHEDULE 1 – Description of the proposed development

The State Significant Development Application (SSDA) SSD-77608714 Detailed development proposes the retention of heritage item, construction of a 17-storey mixed use building and podium car parking, as detailed in the BDAR waiver request, prepared by Ecoplanning, dated 20 November 2024 and updated 18 December 2024.

Refer to:

- Figure 1 Landscape details
- Figure 2 Subject land
- Figure 3: Validated vegetation
- Figure 4 Proposed Site plan



Figure 1 Landscape details



Figure 2 Subject land



Figure 3: Validated vegetation

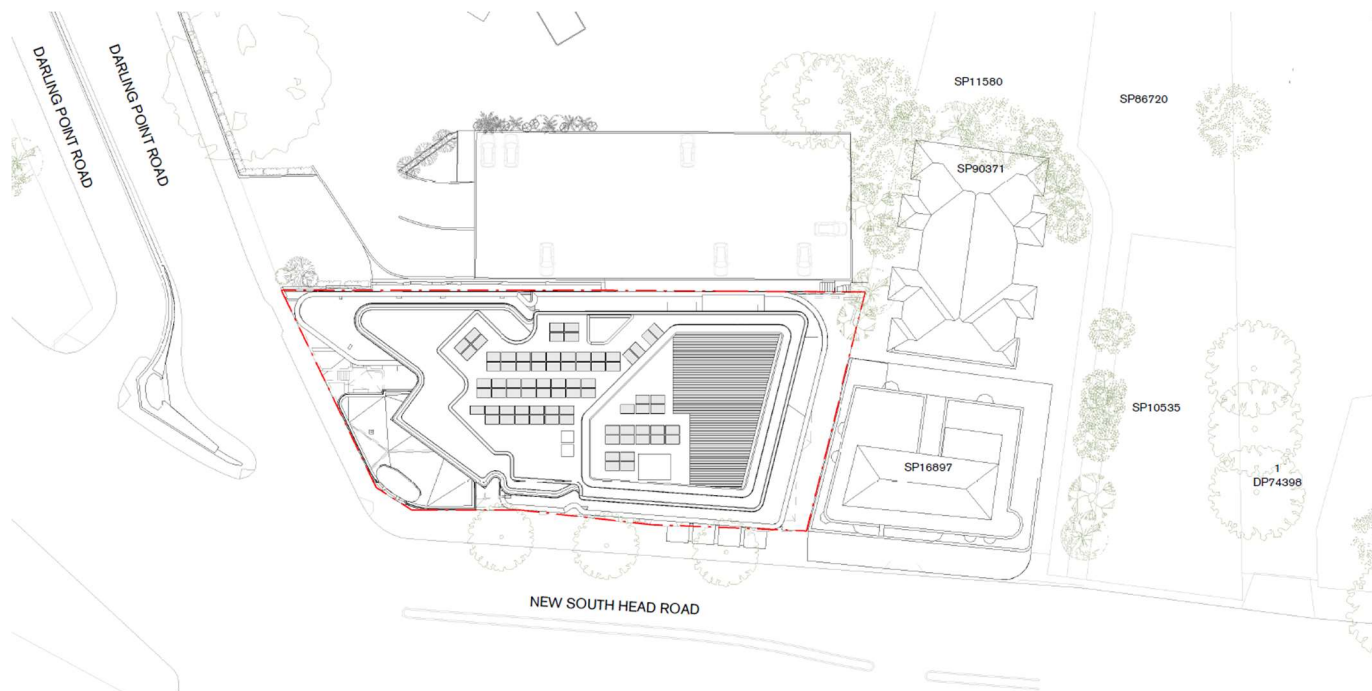


Figure 4 Proposed Site plan

Jock Mitton
Development Manager – Lendlease Development
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Supplied by email

20 November 2024

Re: Request for BDAR Waiver, 136-148 New South Head Road Edgecliff Road, NSW 2027

Dear Jock,

This BDAR waiver request has been prepared for the proposed concept and detailed State Significant Developments (SSD) at 136-148 New South Head Road Edgecliff Road, NSW (Project ID: SSD-76855210 and SSD-77608714).

Under the *Environmental Planning and Assessment Act 1979* (EP&A Act), all development applications for SSD projects must be accompanied by a Biodiversity Development Assessment Report (BDAR). As outlined in Part 7 of the NSW *Biodiversity Conservation Act 2016* (BC Act), a waiver for the BDAR can be issued, if the Planning Agency Head and the Environment Agency Head determine that the proposal is not likely to have 'any significant impact on biodiversity values'.

Please find below an assessment of the likely impacts on biodiversity values as defined under the BC Act and the NSW *Biodiversity Conservation Regulation 2017* (BC Regulation), that will result from the proposal. The result of the assessment is that **the proposal is unlikely to have any significant impact on biodiversity values.**

This is supported by a high level ecological assessment, included as **Attachment A**. If you require any further information, please contact me on the details provided below.



Erin Leslie
Consultant Ecologist (BE, hon; GradCert EnvMgmt)
M: 0493 135 112
E: erin.leslie@ecoplanning.com.au

Biodiversity assessment

This section determines if the proposed development is likely to cause any significant impact on biodiversity values as described within the BC Act and BC Regulation.

The following biodiversity values are defined under Section 1.5 of the BC Act:

- **Vegetation integrity** – being the degree to which the composition, structure and function of vegetation at a particular site and the surrounding landscape has been altered from a near natural state.
- **Habitat suitability** – being the degree to which the habitat needs of threatened species are present at a particular site.

The following biodiversity values are defined under Clause 1.4 of the BC Regulation:

- **Threatened species abundance** – being the occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site.
- **Vegetation abundance** – being the occurrence and abundance of vegetation at a particular site.
- **Habitat connectivity** – being the degree to which a particular site connects different areas of habitat of threatened species to facilitate the movement of those species across their range.
- **Threatened species movement** – being the degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle.
- **Flight path integrity** – being the degree to which the flight paths of protected animals over a particular site are free from interference.
- **Water sustainability** – being the degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site.

In addition, Section 6.1 of the BC Regulation lists the following prescribed biodiversity impacts:

- impacts of development on the following habitat of threatened species or ecological communities:
 - karst, caves, crevices, cliffs and other geological features of significance,
 - rocks,
 - human made structures,
 - non-native vegetation.
 - impacts of development on the connectivity of different areas of habitat of threatened species that facilitates the movement of those species across their range,
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- impacts of development on movement of threatened species that maintains their lifecycle,
 - impacts of development on water quality, water bodies and hydrological processes that sustain threatened species and threatened ecological communities (including from subsidence or upsidence resulting from underground mining or other development),
 - impacts of wind turbine strikes on protected animals,
 - impacts of vehicle strikes on threatened species of animals or on animals that are part of a threatened ecological community.

Table 1 provides the required information about the proposal and **Table 2** addresses the potential impacts of the proposal to the biodiversity values listed above. Attachments referred to in this BDAR waiver are listed below.

- Attachment A – NSW DPHI (2024) Planning Secretary’s Environmental Assessment Requirements (issued 12 November 2024)
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Table 1: BDAR waiver request information requirements.

Proponent name and contact details	Lendlease (One Darling Point) Pty Ltd Level 14, Tower 3, International Towers Sydney, Exchange Place, 300 Barangaroo Place, Barangaroo, 2000, NSW c/o Jock Mitton
Project ID number and stage in assessment process	SSD-76855210 and SSD-77608714
Name and ecological qualifications of person completing Table 2.	Erin Leslie (Ecoplanning Ecologist) BE, hon; GradCert EnvMgmt
Street address, lot and DP, local government area.	136-148 New South Head Road, Edgecliff, Lot 1 DP663495, Lot 1 DP1092694, Lot 2 DP983678, Lot A DP443992, and Lot B DP443992), Bomaderry NSW 2540, within the Woollahra Local Government Area
Description of existing development site	The subject land, zoned MU1 Mixed Use under the Woollahra LEP 2014, features multiple structures currently utilised or formerly utilised for commercial, medical, and residential purposes. This includes the heritage-listed two-storey rendered brick building at 136 New South Head Road, and additional apartment and commercial buildings ranging from two to four storeys. In addition to these structures, the site is characterised by predominantly small patches of native and exotic landscaping.
Site map	Figure 1, Attachment A
Location map	Figure 2, Attachment A

Project description	Concept development application for demolition, retention of heritage item and construction of a 17-storey building comprising a mixed-use podium with residential apartments above (including affordable housing apartments) and provision of podium car parking
Proposed site plan PDF of the proposed development OR DWG overlaid on an EP map	Within Attachment B

Table 2: Impacts of the proposed development on biodiversity values.

Biodiversity value	Relevant	Impacts
Vegetation integrity – 1.5(2) (a) BC Act	✓	The subject land contains 0.03 ha of native and exotic landscaping that cannot be reasonably assigned to a plant community type (PCT) (Figure 3, Attachment A). The native species were typical landscaped species, rather than strictly indigenous to the area. Consequently, a Biodiversity Assessment Method (BAM) -compliant floristic plot and transect cannot be established within the subject land, and a vegetation integrity score does not apply. Notwithstanding, the vegetation within the subject land would score extremely poorly for composition, structure and function. The remainder of the development footprint consists of hardstand areas and existing structures. Therefore, the proposed SDD will not have a significant impact on vegetation integrity, as the vegetation within the development footprint does not confirm to a native PCT and a VI score cannot be calculated under the BAM methodology.
Habitat suitability – 1.5(2) (b) BC Act	✓	Habitat within the subject land was assessed by an Ecoplanning ecologist on 7 November 2024. Marginal generic foraging habitat, in the form of one fig tree, for the Grey-Headed Flying-Fox (<i>Pteropus poliocephalus</i>) was identified. Potential roosting habitat, in the form of man made structures as referred to in Section 6.1 of the BC Regulation, was also identified for a number of threatened and non-threatened microbats, including the Large Bent-winged Bat

Biodiversity value	Relevant	Impacts
		(<i>Miniopterus orianae oceanensis</i>), Large-eared Pied Bat (<i>Chalinolobus dwyeri</i>), and Southern Myotis (<i>Myotis macropus</i>), which have been recorded within the 1,500 m assessment area of the subject land in the past 10-years. An inspection of the ground floor and the external areas of the buildings, including an external assessment looking in, did not identify any evidence of roosting, such as bat droppings or guano. More extensive foraging habitat for the Grey-Headed Flying-Fox Exists in the locality, including Trumper Park, approximately 250 meters from the subject land. Additionally, a stable population of the Grey-Headed Flying-Fox forms a camp approximately 2 km south of the subject land in Centennial Park. Regarding microbats, a number of similarly or more suitable vacant buildings, as well as tunnels, bridges and other manmade structures in the locality, may provide alternative artificial roosting habitat. This is in addition to the potentially natural roosting opportunities presented by Trumper Park. As such, it is unlikely that there will be any significant impacts to habitat as a result of the SDD.
Threatened species abundance – 1.4(a) BC Regulation	✓	Potential habitat on-site for the Grey-Headed Flying-Fox is marginal, in the form a small, singular fig tree. The species is not expected to occur in abundance given the limited resources for food and shelter, particularly considering the presence of more extensive foraging habitat in the locality, including Trumper Park, approximately 250 meters from the subject land, and the population located at Centennial Park. Potential, but limited artificial habitat for threatened and non-threatened microbat species, was identified, but also assessed as being unlikely to support an abundance of any threatened species. No threatened species or evidence of threatened species use was observed within the subject land. Other threatened species were identified as unlikely to occur based on lack of suitable habitat within the subject land (Attachment A). There is no significant impact expected to threatened species abundance as a result of the SDD.
Vegetation abundance – 1.4(b) BC Regulation	✓	The subject land contains 0.03 ha of native and exotic landscaping that cannot be reasonably assigned to a plant community type (PCT). As such, the subject land would have negligible impact on vegetation abundance as there is minimal native vegetation within the development footprint.

Biodiversity value	Relevant	Impacts
Habitat connectivity – 1.4(c) BC Regulation	✓	The subject land, in its current state, is predominantly cleared and provides limited connectivity to surrounding vegetation (Refer to Figure 2, Attachment A). As discussed previously, the fragmented vegetation that remains provides limited habitat, even for highly mobile species such as birds and bats. As such, the SSD would have negligible impact on habitat connectivity. Additionally, there are a number of similar potentially suitable man-made structures in the locality that could serve as microbat roosts, including tunnels, bridges and other manmade structures with suitable openings.
Threatened species movement – 1.4(d) BC Regulation	✓	The SSD is consistent with the character of the locality, which is built-up and highly urbanised. Impacts to the movement of threatened species across the development footprint would be negligible due to the lack of suitable habitat in this setting. Furthermore, any potential impacts to microbats would also be negligible, given the availability of similar suitable roosting structures in the surrounding area, such as tunnels, bridges and other manmade structures. Therefore, the SSD would not impact the movement of any threatened species across the development footprint.
Flight path integrity – 1.4(e) BC Regulation	✓	The subject land is not considered to be significant to the flight paths of protected species as these species are unlikely to utilise the landscape. Therefore, the proposal is unlikely to significantly impact on the ability of flying species to move throughout their range within the locality.
Water sustainability – 1.4(f) BC Regulation	✓	There are no open water bodies within the subject land that will be affected by the SSD. The development will adhere to relevant planning and water-sensitive urban design guidelines to ensure compliance with best-practice management and the SEARs. Therefore, it is not expected that the SSD will result in significant changes to hydrology, and any potential impacts on water sustainability, threatened species, or threatened ecological communities are unlikely to be significant.
Specific habitats for threatened species or ecological	✓	The subject land does not contain any karsts, caves, crevices, cliffs or other geological features of significance, nor significant rock formations. While the presence of microbats is considered unlikely, it cannot be ruled out in the absence of a targeted survey, particularly given recent nearby records shown in Figure 5 and the presence of

Biodiversity value	Relevant	Impacts
communities – 6.1(1)(a) BC Regulation		manmade structures (vacant buildings) that may be used for roosting. However, any potential impacts to microbats would likely be negligible, given the availability of similar suitable roosting structures in the surrounding area, such as train tunnels, old warehouses, and other man-made structures. Furthermore, as described in Attachment A , it is proposed that as part of the mitigation measures for the project, the roof cavity should be thoroughly inspected prior to disassembly by a pest control specialist, under supervision of an ecologist. If microbats are detected, a microbat management protocol will be implemented, and sensitive demolition methods will be employed under ecological supervision. As such, the SDD will have no significant impacts to specific threatened species habitat or threatened ecological communities.
Connectivity – 6.1(1)(b) BC Regulation	✓	The subject land in its current state is predominantly cleared and provides limited connectivity to surrounding vegetation. Furthermore, it is possible for the existing street trees (<i>Lophostemon confertus</i>) to be retained or replaced as a condition of the SSD. As such, the SDD would have no further impact to connectivity.
Movement of threatened species – 6.1(1)(c) BC Regulation	✓	As described above, the subject land is predominantly cleared in its current state. The only threatened species likely to pass through or over the site are highly mobile birds and bats. The SSD is consistent with the character of the locality, which is built-up and highly urbanised. Impacts on the movement of threatened species across the development footprint are expected to be negligible due to the absence of suitable habitat in this setting. Additionally, potential impacts on microbats would also be negligible, as similar suitable roosting structures, such as tunnels, bridges, and other manmade features, are readily available in the surrounding area. Given these factors, the SDD is unlikely to affect the movement of any threatened species across the development footprint. The development will occur on previously cleared land, will not impact threatened species across their range, and is unlikely to interfere with the life-cycle processes of any threatened species in the locality

Biodiversity value	Relevant	Impacts
Water quality – 6.1(1)(d) BC Regulation	NA	The proposal would not have any significant impact on water quality, water bodies or hydrological processes that sustain threatened species or threatened ecological communities, as the development would consist of an above-ground construction in a previously cleared area that does not include any open waterbodies.
Wind turbine strikes – 6.1(1)(e) BC Regulation	NA	The proposal does not involve wind turbines and therefore there will be no impact from wind turbine strikes.
Vehicle strikes – 6.1(1)(f) BC Regulation	✓	The proposed SDD is located in an area that is already urbanised and experiences a high level of existing traffic activity. This urban environment has likely already shaped the local ecological dynamics, including the behaviour and distribution of fauna. Given the high baseline level of vehicle activity, the threat of vehicle strikes to fauna in the area is already approaching its maximum. As a result, the addition of vehicle movements associated with the construction or operation of the proposed development is unlikely to significantly increase the risk of fauna mortality from vehicle strikes. The absence of suitable habitat for threatened fauna within the proposed development site further reduces the likelihood of any direct impacts. Additionally, the urban context and existing high traffic volumes have likely deterred sensitive fauna from frequenting the area, making it an even lower-risk location for potential vehicle-wildlife interactions.

Attachment A – High level ecological assessment

Background

The subject land is situated at 136-148 New South Head Road, Edgecliff, comprising four lots (Lot 1 DP663495, Lot 1 DP1092694, Lot 2 DP983678, Lot A DP443992, and Lot B DP443992), with a total area of approximately 1,748 m². Located at the corner of New South Head Road and Darling Point Road, this subject land forms part of the Edgecliff Commercial Centre within the Woollahra Local Government Area, approximately 1 km east of the Sydney Central Business District (CBD). It provides approximately 55 meters of frontage along New South Head Road and 27 meters along Darling Point Road.

The subject land, zoned B4 Mixed Use under the Woollahra LEP 2014. The site currently includes 2 to 4 storey mixed-use buildings and limited landscaping. The land is predominantly cleared, with no remnant native vegetation present. It is situated in a highly urbanised and built-up setting with existing high traffic volumes, consistent with the character of the surrounding locality.

The proposal seeks to establish a 17-storey mixed-use development. The building will feature eight levels of residential apartments, and three levels of basement parking, accessed from Darling Point Road. It is understood that the proposed mixed-use development will be assessed as a SDD under the EP&A Act

Site inspection

A site inspection was undertaken by Ecoplanning Consultant Ecologist, Erin Leslie, on 7 November 2024 to inform a high-level biodiversity assessment for the subject land intended to address any ecological values present within the existing conditions. **Figure 3** shows that the subject land features a mix of exotic and native landscaping, with species including a number of weeds (**Table 3** and **'maps and figures'**).

Located in a built-up, urban area within the eastern suburbs of Sydney, the subject land does not contain any remnant native vegetation that could be classified under a specific plant community type (PCT). Additionally, two of the three buildings on-site are vacated, including the easternmost pink building, which contains several potential entry points for microbats in features such as the rotted eaves, chimney, and other structural openings. While the presence of microbats is considered unlikely, it cannot be ruled out in the absence of a targeted survey, particularly given recent nearby records shown in **Figure 5**. However, a preliminary inspection of the ground floor and the external areas of the buildings, including an external assessment looking in, did not identify any evidence of roosting, such as bat droppings or guano.

One Ficus species within the subject land represents marginal opportunistic foraging habitat for the grey-headed flying-fox (*Pteropus poliocephalus*), a vulnerable species listed under the EPBC Act and BC Act. Although the suitability of this resource is limited, it is not considered a significant ecological value given the availability of more extensive foraging habitat in the locality, including Trumper Park, approximately 250 meters from the subject land.

Located in a built-up, urban area within the eastern suburbs of Sydney, the subject land does not provide suitable habitat for most threatened and non-threatened fauna. The only threatened species likely to pass through or over the site are highly mobile birds and bats. One native ficus species on-site represents marginal opportunistic foraging habitat for the Grey-Headed Flying-Fox (*Pteropus poliocephalus*), a vulnerable species listed under the EPBC Act and BC Act. However, this resource is not considered significant given the availability of more extensive foraging habitat nearby, including Trumper Park, approximately 250 meters from the subject land. Additionally, a known flying-fox camp exists approximately 2 km south of the subject land in Centennial Park, supporting a stable local population with sufficient access to foraging resources in the area.

Two of the three buildings on-site are vacated, including the easternmost pink building, which contains several potential entry points for microbats in features such as the rotted eaves, chimney, and other structural openings. While the presence of microbats cannot be ruled out in the absence of a targeted survey, potential impacts on microbats are considered negligible given the availability of suitable roosting structures in the surrounding area, such as tunnels, bridges, and other manmade features.

The development will occur entirely on previously cleared land and is unlikely to impact the movement of threatened species across the footprint, disrupt their life-cycle processes, or affect their range.

Proposed mitigation measures

As part of the mitigation measures for the project, the roof cavity should be thoroughly inspected prior to disassembly. This inspection should be conducted by a pest control specialist in the presence of an ecologist to identify any evidence of roosting microbats. If microbats are detected during this inspection, appropriate measures will be implemented to ensure their protection and compliance with relevant environmental regulations. To address the possibility of unexpected finds, a dedicated microbat management protocol should be developed and ready for immediate implementation. This protocol should guide the handling and relocation of microbats if required. Furthermore, the disassembly of the roof cavity should be supervised by a suitably qualified ecologist experienced in bat handling and vaccinated for Australian bat lyssavirus. Sensitive demolition methods, such as hand tools rather than machinery, should be employed to minimise disturbance and ensure the safety of any microbats present. These measures reflect a precautionary approach, prioritising the welfare of local wildlife while facilitating the safe progress of the project.

Conclusion

The proposed SSD at 136-148 New South Head Road, Edgecliff, is considered unlikely to have a significant impact on biodiversity values as defined under the BC Act and BC Regulation. This conclusion is supported by:

- The absence of remnant native vegetation or plant community types on-site.
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- The limited potential habitat for threatened species, including microbats, and the proposed implementation of detailed mitigation measures to address potential impacts.
 - An inspection of the ground floor and the external areas of the buildings, including an external assessment looking in, which did not identify any evidence of roosting, such as bat droppings or guano.
 - The subject land's highly urbanised context, which limits its contribution to habitat connectivity, threatened species movement, and flight path integrity.

Determination of the BDAR waiver should consider the above.

References

NSW DPHI (2024) Planning Secretary's Environmental Assessment Requirements (issued 12 November 2024)

Ethos Urban. (2024). Scoping Report: Infill Affordable Housing 136 - 148 New South Head Road, Edgecliff. Version 3 dated 09/10/2024. Submitted to the Department of Planning, Housing and Infrastructure on behalf of Lendlease (One Darling Point) Pty Ltd.

NSW Land and Property Information (LPI) (2024). SIX Maps. Accessed at: <https://maps.six.nsw.gov.au/>

Species list

Table 3 – Flora recorded within the subject land.

Family	Scientific Name	Common Name
Amaryllidaceae	<i>Clivia miniata</i>	Bush Lily
Apiaceae	<i>Cyclospermum leptophyllum</i>	Marsh Parsley
Apocynaceae	<i>Trachelospermum jasminoides</i>	Star Jasmine
Araceae	<i>Monstera deliciosa</i>	Swiss Cheese Plant
Asparagaceae	<i>Aspidistra elatior</i>	Cast Iron Plant
Asparagaceae	<i>Chlorophytum comosum</i>	Spider Plant
Asparagaceae	<i>Liriope muscari</i>	Big Blue Lilyturf
Asparagaceae	<i>Yucca spp.</i>	Yucca
Asparagaceae	<i>Dracaena reflexa var. angustifolia</i>	Madagascar Dragon Tree
Asphodelaceae	<i>Aloe arborescens</i>	Candelabra Aloe
Asteraceae	<i>Ageratina adenophora</i>	Crofton Weed
Asteraceae	<i>Sonchus oleraceus</i>	Common Sowthistle
Asteraceae	<i>Erigeron canadensis</i>	Horseweed
Asteraceae	<i>Cirsium vulgare</i>	Spear Thistle
Asteraceae	<i>Crepis capillaris</i>	Smooth Hawksbeard
Asteraceae	<i>Gamochaeta spp.</i>	Cudweed
Berberidaceae	<i>Nandina domestica</i>	Heavenly Bamboo
Buxaceae	<i>Buxus microphylla</i>	Japanese Boxwood
Cannaceae	<i>Canna indica</i>	Indian Shot (Canna)
Crassulaceae	<i>Kalanchoe fedtschenkoi</i>	Lavender Scallops
Crassulaceae	<i>Crassula ovata</i>	Jade Plant
Cyperaceae	<i>Cyperus alternifolius</i>	Umbrella Sedge
Cyperaceae	<i>Isolepis cernua</i>	Low Bullrush
Cyperaceae	<i>Cyperus eragrostis</i>	Tall Flat Sedge
Ericaceae	<i>Rhododendron indicum</i>	Evergreen Azalea
Euphorbiaceae	<i>Euphorbia spp.</i>	Pencil Cactus
Fabaceae	<i>Medicago lupulina</i>	Black Medick
Lauraceae	<i>Cinnamomum camphora</i>	Camphor Tree
Lomandraceae	<i>Lomandra longifolia</i>	Spiny-Head Mat Rush
Marantaceae	<i>Maranta arundinacea</i>	Arrowroot
Myrtaceae	<i>Syzygium spp.</i>	Lilly Pilly
Myrtaceae	<i>Lophostemon confertus</i>	Brush Box
Nephrolepidaceae	<i>Nephrolepis cordifolia</i>	Tuberous Sword Fern
Nephrolepidaceae	<i>Nephrolepis biserrata</i>	Giant Sword Fern
Oleaceae	<i>Olea europaea</i>	Olive
Poaceae	<i>Bromus catharticus</i>	Rescue Grass
Polygonaceae	<i>Persicaria capitata</i>	Pink Knotweed
Proteaceae	<i>Grevillea robusta</i>	Silky Oak
Pteridaceae	<i>Adiantum capillus-veneris</i>	Southern Maidenhair Fern
Ranunculaceae	<i>Helleborus niger</i>	Christmas Rose
Simaroubaceae	<i>Ailanthus altissima</i>	Tree of Heaven

Theaceae	<i>Camellia japonica</i>	Japanese Camellia
Theaceae	<i>Camellia oleifera</i>	Tea-Oil Camellia
Urticaceae	<i>Parietaria judaica</i>	Spreading Pellitory

Maps and Figures



Figure 1: Subject land and immediate surrounds



Figure 2: Landscape details



Figure 3: Validated vegetation

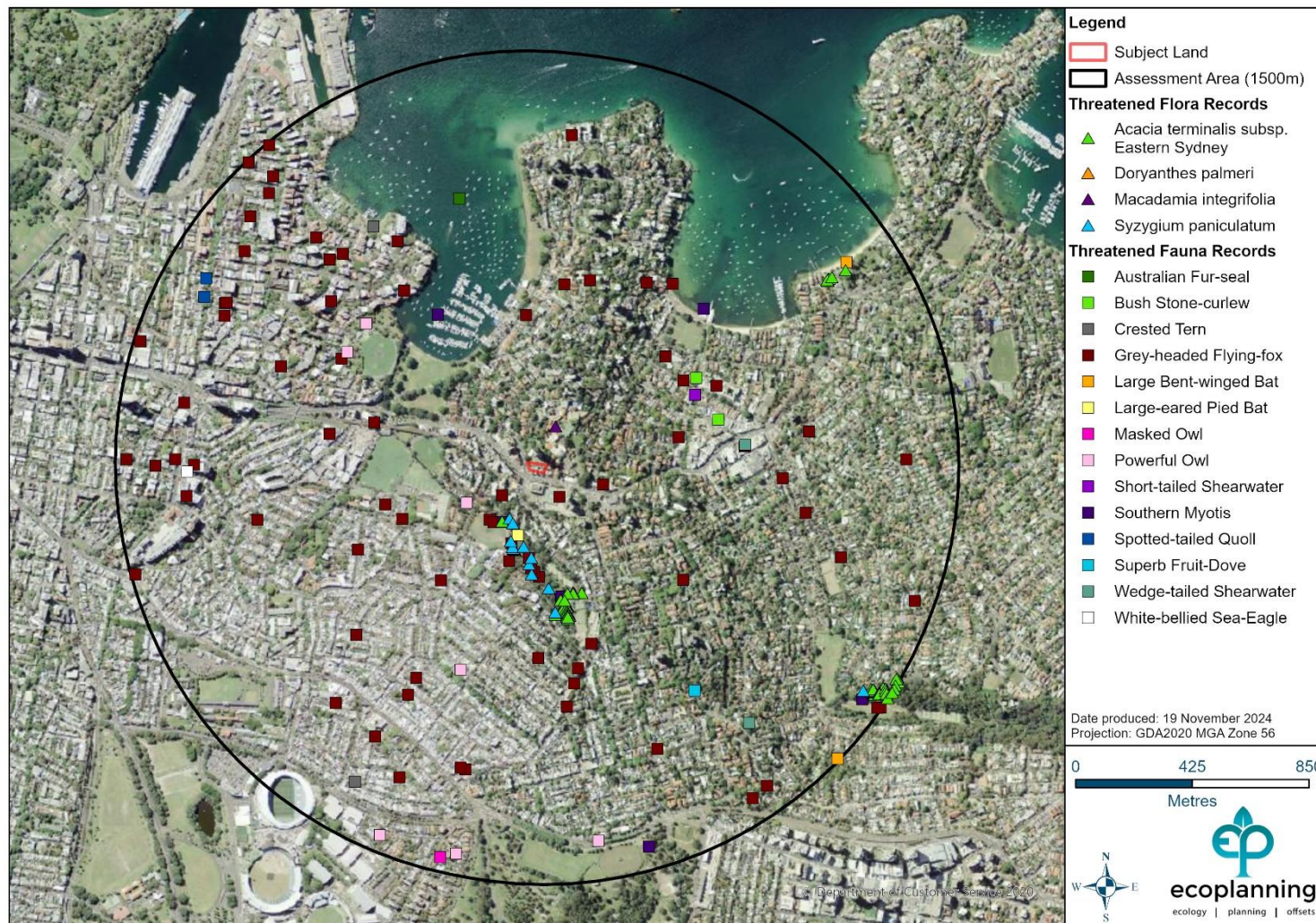


Figure 4: Threatened species within the locality

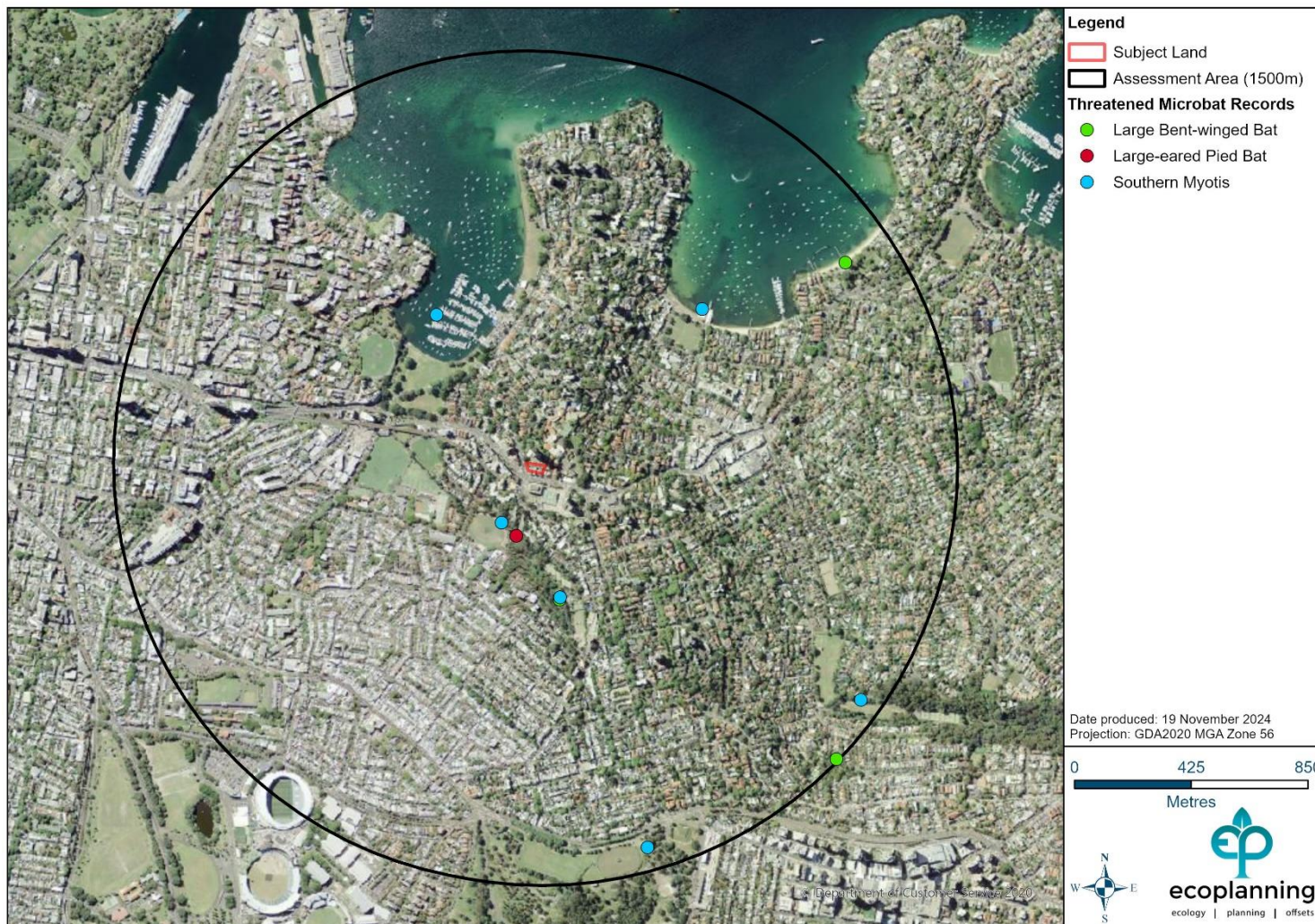


Figure 5: Threatened microbats within the locality



Figure 6 – native and exotic landscaped vegetation



Figure 7 – native and exotic landscaped vegetation



Figure 8 – native and exotic landscaped vegetation



Figure 9 – native and exotic landscaped vegetation



Figure 10 – native and exotic landscaped vegetation



Figure 11 – native and exotic landscaped vegetation



Figure 12 – native and exotic landscaped vegetation



Figure 13 – possible microbat entry point (chimney)



Figure 14 – possible microbat entry point (rotted eve)



Figure 15 – possible microbat entry point (rotted timber)



Figure 16 – native and exotic landscaped vegetation



Figure 17 – native and exotic landscaped vegetation



Figure 18 – possible microbat entry point (gap in eaves)

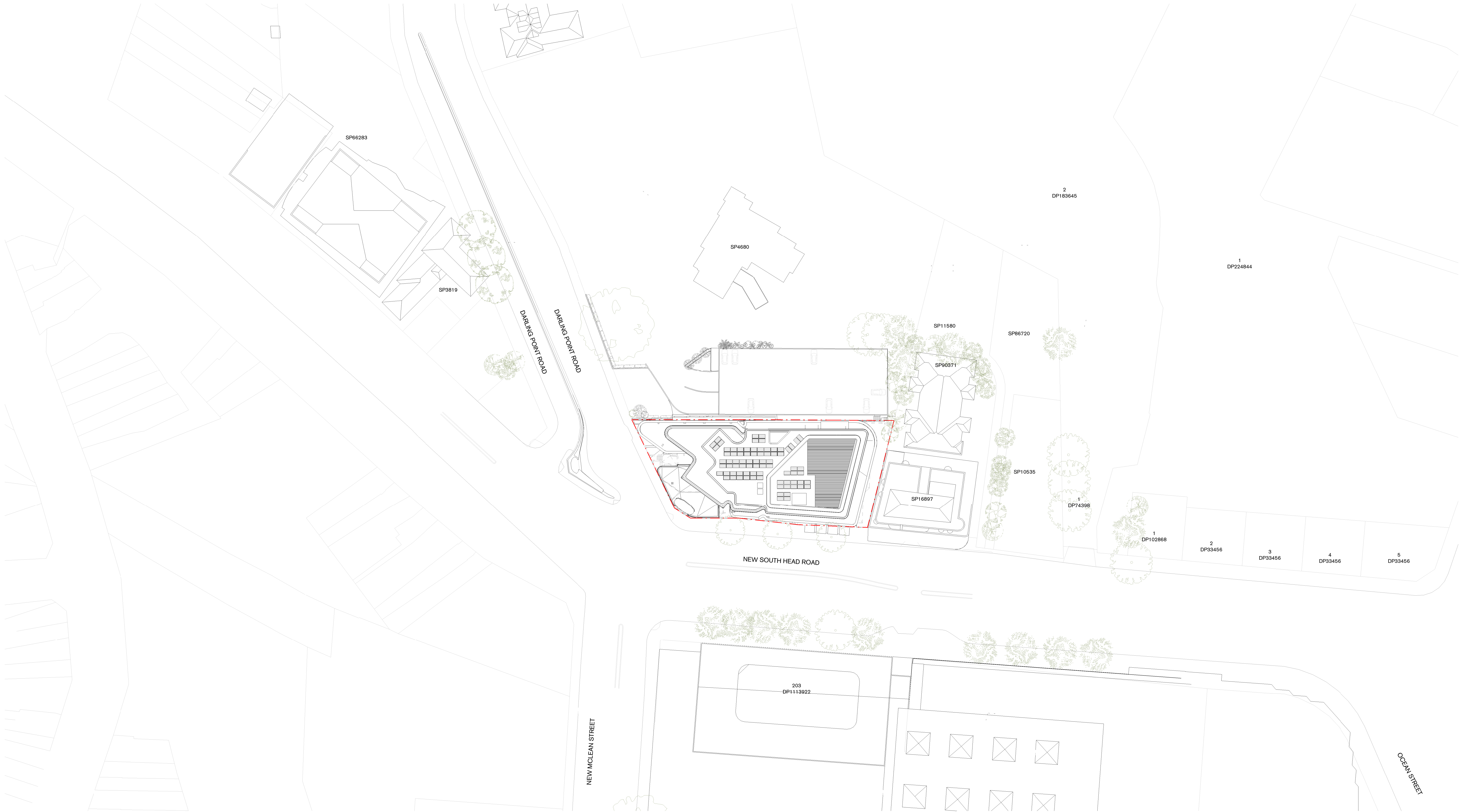


Figure 19 – potential flying fox feed tree (*Ficus* sp.)



Figure 20 – street trees (*Lophostemon confertus*)

Attachment B – Site Plan



DRAFT



General Notes Minor changes to building form and configuration may be required when Development Application drawings are subsequently prepared for construction purposes after the granting of development consent. The design is not in a form suitable for use in connection with building work. Copyright of this drawing is retained by the Architect.	Rev Date Issued For 01 18.11.24 For Information	Architect Tzannes T: 61 2 9319 3744 E: tzannes@tzannes.com.au W: tzannes.com.au Suite 5, Level 5, 2-12 Foveaux St Surry Hills NSW 2010 Client Lendlease E: jock.milton@lendlease.com	Nominated Architects Alec Tzannes 4174 Amy Dowse 8926 Project 1 Darling Point Road Address 136-148 New South Head Road Edgecliff Scale 1 : 500 @ A1 0 1 2 3 4 5 m T: 02 8888 8888	Drawing Site Context Plan Status DEVELOPMENT APPLICATION Project No. 24008 Drawing No. 1DP-AD00100 Revision 01 North 
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Technical Memorandum



To: Jock Milton

From: Vander Bertoldo

Company: Lendlease Development

SLR Consulting Australia

cc:

Date: 19 December 2024

Project No. 610.032429.00001

**RE: 136-148 New South Head Road, Edgecliffe NSW 2027
Request for BDAR Waiver – Updated Table 2**

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State Significant Development (SSD-76855210 and SSD-77608714)

A daytime survey for threatened microbats in buildings proposed to be demolished was conducted on December 16, 2024, by a qualified Ecologist Vander Bertoldo. The search followed the Guide to Apply for a Biodiversity Development Assessment Report Waiver (DPIE 2019) and involved active roost searches for bats or signs of bats in suitable roost habitats, such as holes, cracks and crevices utilising a handheld bat detector and a head torch.

No signs of bat or bat activity were observed during the site inspection and the building is not deemed suitable for bat roosting.

Table 2 Impacts of the proposed development on biodiversity values

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 subject land includes 0.03 hectares of a mix of native and exotic landscaping that cannot be confidently classified into a specific Plant Community Type (PCT). Consequently, the development is expected to have a negligible impact on vegetation abundance due to the minimal presence of native vegetation within the development footprint (Ecoplanning, 2024).	
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 been altered from a near natural state	✓	The subject land comprises 0.03 hectares of mixed native and exotic landscaping that cannot be reasonably classified into a specific Plant Community Type (PCT). The native species present are typical of landscaped settings rather than being strictly indigenous to the area. As a result, it is not possible to establish a Biodiversity Assessment Method (BAM)-compliant floristic plot and transect, and a vegetation integrity (VI) score does not apply. Nevertheless, the vegetation on the subject land would score very poorly in terms of composition, structure, and function. The remainder of the development footprint consists of hardstand surfaces and existing structures. Therefore, the proposed development is not expected to have a significant impact on vegetation integrity, as the vegetation within the development footprint does not align with a native PCT, and a VI score cannot be determined under BAM methodology (Ecoplanning, 2024). There is no remaining native vegetation on the subject land or directly adjoining the subject land. Therefore, the proposal is not expected to impact the integrity of any native vegetation, including vegetation cover, structure, condition, and function (SLR, 2024)	
Habitat suitability 1.5(2)(b) BC Act	Degree to which the habitat needs of threatened species are present at a particular site	✓	Habitat within the subject land was assessed by an Ecoplanning ecologist on 7 November 2024. The assessment identified marginal, generic foraging habitat in the form of a single fig tree, which may provide resources for the Grey-Headed Flying-Fox (<i>Pteropus poliocephalus</i>) (Ecoplanning, 2024). Potential roosting habitat, as defined in Section 6.1 of the BC Regulation, was identified within man-made structures on the subject land. This habitat may support several threatened and non-threatened microbat species, including	

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			the Large Bent-winged Bat (<i>Miniopterus orianae oceanensis</i>), Large-eared Pied Bat (<i>Chalinolobus dwyeri</i>), and Southern Myotis (<i>Myotis macropus</i>), all of which have been recorded within the 1,500-meter assessment area of the subject land within the past 10 years. However, an inspection of the ground floor and external areas of the buildings, including an external visual assessment, did not reveal any evidence of roosting, such as bat droppings or guano (Ecoplanning, 2024). Extensive foraging habitat for the Grey-Headed Flying-Fox exists within the broader locality, including Trumper Park, located approximately 250 meters from the subject land. Additionally, a stable Grey-Headed Flying-Fox camp is located approximately 2 kilometres south of the site in Centennial Park (Ecoplanning, 2024). Regarding microbats, alternative artificial roosting opportunities are available in the locality, including vacant buildings, tunnels, bridges, and other man-made structures. Trumper Park also provides a potential natural roosting habitat (Ecoplanning, 2024). Given these considerations, it is unlikely that the proposed SDD will result in any significant impacts on habitat within the subject land (Ecoplanning, 2024). Threatened species of fauna that may potentially utilise artificial habitats (native landscape plantings and buildings) within the subject land include highly mobile species such as bats and birds. as well as searches for hollows and nests and other signs of fauna activity (SLR, 2024). Habitat suitability for microchiropteran bats within the site was reassessed by an SLR Ecologist on 16 December 2024. A daytime survey was conducted for threatened microbats in buildings proposed to be demolished looking for active roosts, searches for bats or signs of bats in suitable roost habitats such as holes, cracks and crevices utilising a handheld bat detector and a head torch. The habitat suitability for bats was concluded as marginal after the bat detector and inspection of the suitable habitats were checked. No evidence of microbats was detected, and no nests or hollows were found. The bat detector did not record any bat activity, and no cracks or crevices were found with only some limited holes along the roof of one of the buildings that could	



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			potentially represent bat roost (refer to SLR photos attached at the end of this table), (SLR, 2024). As such the subject land is not considered to represent an important habitat or potential breeding habitat for any of the relevant threatened species of fauna (forest owls, cockatoos, and bats). With respect to threatened flora species, the areas of planted native vegetation on the subject land do not represent potential habitat for any threatened species of flora (SLR, 2024). With respect to other habitat suitability impacts, the proposed development will involve the removal of human-made structures and non-native vegetation, however, these features represent marginal habitat for threatened species. The subject land does not contain any natural rocks, karst, caves, crevices, cliffs, or other geological features of significance (SLR, 2024). The proposed development will potentially increase noise, dust, and light during the construction phase. The potential increase is unlikely to result in a significant impact on any potentially threatened species using the site (SLR, 2024).	
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	✓	Potential habitat on-site for the Grey-Headed Flying-Fox is marginal and limited to a single small fig tree. The species is unlikely to occur in significant numbers due to the limited availability of food and shelter resources on-site, particularly given the presence of more extensive foraging habitats nearby, such as Trumper Park (approximately 250 meters away) and the established population at Centennial Park (Ecoplanning, 2024). Limited artificial habitat for both threatened and non-threatened microbat species was identified on the subject land. However, this habitat is also unlikely to support an abundance of any threatened species. No evidence of threatened species or their usage was observed during the site assessment. Additionally, other threatened species are considered unlikely to occur due to the absence of suitable habitat within the subject land (Ecoplanning, 2024). The proposed development does not involve the removal of native vegetation and limits the removal of planted vegetation that could represent marginal	



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			foraging habitat for mobile threatened species such as owls, cockatoos, and bats. With respect to remaining impacts: • Due to the slow speeds of vehicles travelling across the site impacts of vehicle strikes on threatened species of animal are considered negligible and equivalent to existing vehicle traffic conditions. • The potential for microbat habitat within the buildings and structures on site was determined to be marginal due to limited habitat. Impacts on threatened species associated with the demolition of human-made structures are likely to be negligible. • The potential impact on threatened species due to the removal of planted native and non-native vegetation from within garden beds and landscaped areas in the subject land as proposed is likely to be negligible • There are no relevant impacts on threatened species habitat associated with non-natural water bodies (SLR, 2024).	
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 subject land is predominantly cleared and offers limited connectivity to surrounding vegetation. The fragmented vegetation that remains provides minimal habitat value, even for highly mobile species such as birds and bats. Consequently, the proposed SDD is expected to have a negligible impact on habitat connectivity. Furthermore, the locality contains several similar man-made structures, such as tunnels, bridges, and other features with suitable openings, which could serve as alternative roosting sites for microbats (Ecoplanning, 2024). The vegetation within the development site is unlikely to contribute to habitat connectivity in the landscape once the subject land is predominantly cleared (SLR, 2024).	
Threatened species movement	Degree to which a particular site contributes to the movement	✓	The SSD aligns with the character of the locality, which is predominantly built-up and highly urbanized. Impacts on the movement of threatened species across the development footprint are expected to be negligible due to the absence of suitable habitat within this setting. Similarly, potential impacts on microbats are also considered negligible, given the availability of comparable	



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1.4(d) BC BC Regulation	of threatened species to maintain their lifecycle		roosting structures in the surrounding area, such as tunnels, bridges, and other man-made features. Therefore, the SSD would not interfere with the movement of any threatened species across the development footprint (Ecoplanning, 2024).	
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	N/A	The subject land is not considered significant to the flight paths of protected species, as these species are unlikely to utilize the landscape. Consequently, the proposal is unlikely to have a significant impact on the ability of flying species to move throughout their range within the locality (Ecoplanning, 2024). The proposed development would not have any conceivable impacts on the flight path integrity of protected animals since the subject land is predominantly cleared (SLR, 2024).	
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.	N/A	The subject land does not contain any open water bodies that would be affected by the SSD. The development will comply with relevant planning and water-sensitive urban design guidelines to align with best-practice management and the SEARs. As such, the SSD is not expected to result in significant changes to hydrology, and any potential impacts on water sustainability, threatened species, or threatened ecological communities are anticipated to be minimal (Ecoplanning, 2024). There are no water bodies in proximity to the subject land (SLR, 2024).	



Photo 1 One of the buildings inspected carrying a bat detector



Photo 2 Potential bat habitat identified despite no bat activity recorded



Photo 3 Netting preventing bats to enter the building

