# 12-16 Bent Street, Lindfield NSW

# BDAR Waiver

Prepared for Sundale Northland Developments Pty Ltd

11 March 2025

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- NSW Department of Climate Change, Energy, the Environment and Water for access to the BioNet Atlas of NSW Wildlife.
- NSW Department of Primary Industries for access to indicative mapping of freshwater threatened species and fish populations.

Supporting staff (Biosis) involved in this project were:

- Azka Abid (GIS Mapping)
- Rachel Moore and Tara Lillicot (Fieldwork)
- Felicity Williams (Bat data call analysis)

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## Figures

# 1 Introduction

Biosis was commissioned by Sundale Northland Development Pty Ltd (Sundale) to undertake a biodiversity assessment of a proposed subdivision of land and construction of a residential development at 12–16 Bent Street, Lindfield, New South Wales (NSW) (the study area).

Sundale is proposing to deliver a residential project consistent with local and State planning controls, consisting of:

- A multi-story complex (9 stories).
- 117 affordable apartments.
- 3 levels of basement for parking and 1 ground level.

The project is considered a State Significant Development (SSD) and will be assessed by the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) under Part 4 of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). This biodiversity assessment is to assist with the securement of a Biodiversity Development Assessment Report (BDAR) waiver to satisfy the Secretary's Environmental Assessment Requirements (SEARs) for the project. The assessment includes a determination on the presence of any threatened flora, fauna, populations or ecological communities (entities) within the study area, listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) or the NSW *Biodiversity Conservation Act 2016* (BC Act). Where applicable, it also assesses the impacts of the project on any such species or their habitats and addresses the requirements of a BDAR waiver application.

A BDAR waiver will only be issued in limited circumstances where the Planning Agency Head and the Environment Agency Head (or their delegates) determine that the proposed development is not likely to have any significant impact on biodiversity values.

This biodiversity assessment in support of a BDAR waiver has been reviewed by Accredited Assessor, Matthew Hyde (BAAS22005), utilising the NSW *Biodiversity Assessment Methodology* (BAM) (DPIE 2020). All impacts on biodiversity values to which the Biodiversity Offsets Scheme (BOS) applies under section 6.3 of the BC Act are addressed herein. Biodiversity values are defined in the BC Act and the Biodiversity Conservation Regulation 2017 (BC Regulation). The BC Regulation (clause 6.1) also prescribes additional impacts on biodiversity values to be assessed under the BOS. These impacts have also been addressed in this assessment.

## 1.1 Project background

### 1.1.1 Study area description

The study area is located at 12–16 Bent Street, Lindfield New South Wales (NSW) (Figure 1). The study area encompasses approximately 0.5 hectares and is located approximately 195 metres to the west of the township of Lindfield and 15 kilometres north-west of the Sydney Central Business District (CBD). It is currently zoned as R4-High Density Residential under the *Ku–ring–gai Local Environmental Plan 2015* (LEP) and is situated within an area strategically planned for high density development.

The study area does not include land mapped within the Biodiversity Values Map (BV Map) (NSW DPHI 2025). Vegetation within the study area has been mostly cleared for the existing infrastructure, interspersed with landscaped areas containing planted native and exotic vegetation.

This report details the ecological characteristics of the study area, outlines the implementation of avoidance measures, assesses the likelihood of impacts on threatened biota resulting from the project, and presents conclusions and recommendations to support the proposed works.

### 1.1.2 Overview of proposed development

This BDAR waiver is to be submitted to the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) in support of an SSD application for the redevelopment of the study area at 12–16 Bent Street, Lindfield, NSW. Specifically, this application seeks approval for the following:

- Site preparation works comprising:
  - The demolition of the current buildings within the site.
  - Partial clearing of the existing planted native vegetation and exotic vegetation.
  - Remediation works where necessary across the site.
- A multi-story complex (9 stories).
- 117 apartments inclusive of affordable housing units.
- Approximately 3 levels of basement parking and 1 ground level.

This BDAR waiver will be submitted to satisfy the Industry Specific SEARs.

# 2 Methods

## 2.1 Database and literature review

Prior to completing the field investigation, information provided by Sundale as well as other key information was reviewed, including:

- Australian Commonwealth Department of Climate Change, Energy, the Environment and Water (Cth DCCEEW) Protected Matters Search Tool for matters protected by the EPBC Act.
- NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) BioNet Atlas of NSW Wildlife, for items listed under the BC Act.
- NSW Department of Primary Industries (DPI) Weedwise database for *Biosecurity Act 2015* listed Priority weeds for the Greater Sydney Local Land Services (LLS) area.
- Existing vegetation mapping, including the NSW State Vegetation Type Map (DPE 2023).

The implications for the project were assessed in relation to key biodiversity legislation and policy including:

- *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
- *Environmental Planning and Assessment Act 1979* (EP&A Act).
- *Biodiversity Conservation Act 2016* (BC Act).
- *Water Management Act 2000* (WM Act).
- *Biosecurity Act 2015.* (Biosecurity Act).
- State Environmental Planning Policy (Biodiversity and Conservation) 2021.
- *Ku-ring-gai Local Environmental Plan 2015.*
- *Ku-ring-gai Development Control Plan 2024.*

## 2.2 Field investigation

A field investigation of the study area was undertaken on 20 November 2024 by Natasha Zahra (Botanist) of Biosis. Vegetation within the study area was surveyed using the random meander technique (Cropper 1993).

General classification of native vegetation in NSW used in this report is based on the classification system in (Keith 2004) which uses three groupings of vegetation: vegetation formation, vegetation class and vegetation type, with vegetation type the finest grouping. The grouping referred to in this report is Plant Community Type (PCT) as required by the BAM (DPIE 2020).The vegetation types, within the study area, were stratified into PCTs broadly based on previous vegetation mapping, and the vegetation boundaries marked with a hand-held GPS in the field. Appropriate PCTs were selected on the basis of species composition and structure, known geographical distribution, landscape position, underlying geology, soil type, and any other diagnostic features.

### 2.2.1 Microbat surveys

Man-made infrastructure such as buildings can provide roosting habitat for threatened and non-threatened microbat species. Threatened microbats which are known to roost in artificial structures and which have previously been recorded within the locality (5-kilometre radius) include:

- Large Bent-winged Bat *Miniopterus orianae oceanensis* (Vulnerable, BC Act).
- Little Bent-winged Bat *Miniopterus australis* (Vulnerable, BC Act).
- Southern Myotis *Myotis macropus* (Vulnerable, BC Act).
- Yellow-bellied Sheathtail-bat *Saccolaimus flaviventris* (Vulnerable, BC Act).

The current residential dwellings within the study area were surveyed for their potential as suitable microbat roosting habitat on 20 February 2025 by Rachel Moore (Zoologist) and Tara Lillicot (Zoologist). Assessment included visually inspecting the exterior and interior of built structures for signs of roosting by microbats including scats, urine staining, sounds or other evidence. A pole-mounted camera was used to look into possible cracks and crevices at height, and a hand-held ultrasonic detector (EchoMeter Touch 2, Wildlife Acoustics) was also used to pick up and calls elicited by roosting microbats.

Two Anabat Swift passive ultrasonic bat detectors were also deployed at two locations within the site from 20 - 25 February 2025 (5 nights). Detectors were fitted with omnidirectional microphones, with default settings for trigger, sensitivity, sampling rate and minimum/maximum frequency. Each time a bat flies bast the detector, its call is recorded as a digital (.wav) file (defined here as a 'pass') that is saved directly onto a memory card in the detector unit. Units were set to trigger mode to record at night. Images of detector deployments are shown in Photo 1 and Photo 2 below.

**Photo 1 Detector setup at 14 Bent St**

**Photo 2 Detector setup at 16 Bent St**

Weather conditions at the time of the surveys were fine, with clear skies and relatively warm weather. Weather observations for the surveys are shown below in Table 1.

**Table 1 Weather observations during microbat surveys and detector nights (Lindfield, NSW)**

| Survey undertaken | Survey date | Temperature (°C) | | Total daily rain (mm) |
|---|---|---|---|---|
| | | Min. | Max. | |
| **Microbat roost search and detector night one** | 20/02/2025 | 19.1 | 23.6 | Nil |
| **Detector night two** | 21/02/2025 | 19 | 21 | Nil |
| **Detector night three** | 22/02/2025 | 20 | 22 | 0.2 |
| **Detector night four** | 23/02/2025 | 20 | 23 | 2.8 |
| **Detector night five** | 24/02/2025 | 22 | 23 | Nil |

**Information from the Australia Government Bureau of Meteorology website.**

Bat calls were identified using Anabat Insight (version 2.1.3, licensed), Titley Scientific. Species identification was guided by the probability of occurrence at the site based on distribution, database records and known habitat values. Files not containing bat calls (noise files) were filtered out using a standard "allbats" filter in Anabat Insight. A custom decision tree was then used to sort remaining files into likely species and species groups. Calls were identified by visually comparing the spectrogram and call characteristics (e.g. characteristic frequency and call shape) with reference calls and descriptions from available reference materials (Reinhold et al. 2001, Pennay, Law, & Reinhold 2004, Law et al. 2015).

### 2.2.2 Permits and licences

This biodiversity assessment was conducted under the terms of Biosis' Scientific Licence issued by NSW DCCEEW under the BC Act (SL100758, expiry date 30 June 2025). Fauna survey was conducted under Animal Research Authority 17/892 from the NSW Secreatary's Animal Care and Ethics Committee (expiry date 31 January 2026).

# 3 Results

A key focus of this assessment was to determine whether the vegetation within the study area represent was able to be prescribed a Plant Community Type (PCT) and whether any Threatened Ecological Communities (TECs) were present. The assessment also determined whether habitat for threatened species was present.

## 3.1 Vegetation communities

The vegetation within the study area primarily consisted of an exotic canopy, interspersed with a limited number of planted native trees and shrubs. Landscaped exotic shrubs were also common, particularly within the lots containing dwellings (14 and 16 Bent Street). The vacant land (Lot 3//DP1226294) consisted predominantly of planted natives mixed with an exotic midstory and ground cover. All areas of vegetation have been subject to high levels of modification due to historical ground disturbance and development of residential dwellings.

Vegetation communities mapped within the study area include:

- Planted native vegetation.
- Exotic vegetation.

The structure, floristic composition and condition of these communities are described in Table 2 and Table 3.

**Table 2 Planted native vegetation within the study area**

| **Planted native vegetation** | |
|---|---|
| **Extent within study area** | 0.052 ha |
| **Description** | This vegetation type is associated with vegetation within the study area that cannot be reasonably assigned to a PCT, but comprises plants native to NSW, as per the LLS Act. This definition states that "*A plant is native to New South Wales if it was established in New South Wales before European settlement*". This vegetation type was not assigned to a PCT as the species present did not conform to a recognised PCT species grouping known to occur within the same Interim Biogeographic Regionalisation of Australia (IBRA) sub-region.<br>Planted native vegetation is predominantly located within Lot 3 (DP1226294), where the land remains vacant. In the other lots within the study area, native vegetation is present but is dispersed among areas of planted exotic vegetation.<br>Planted natives within the study area that meet the above description consisted of River oak *Casuarina cunninghamiana,* Parramatta Wattle *Acacia parramattensis,* Sweet Pittosporum *Pittosporum undulatum,* Willow Bottlebrush *Callistemon salingnus, Banksia collina,* Soft Tree Fern *Dicksonia antarctica* Cabbage Palm *Livistona australis,* Lilly Pilly *Acmena smithii,* Christmas Bush *Ceratopetalum gummiferum,* Silky Oak *Grevillea robusta* and Hairy Birds Eye *Alectryon tomentosus.* |

## Planted native vegetation

**Photos**

**Photo 3 Planted native vegetation within the study area**

**Photo 4 Planted native vegetation within the study area**

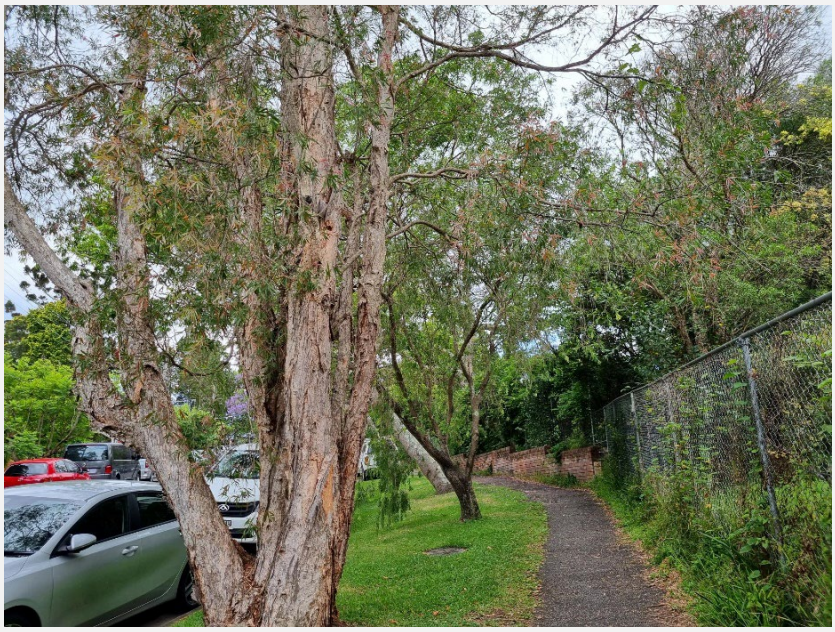
| Planted native vegetation | |
|---|---|
| |  |

**Photo 5 Willow Bottlebrush in front of the study area along council strip**

**Table 3 Exotic vegetation within the study area**

| Exotic vegetation | |
|---|---|
| **Extent within study area** | 0.23 ha |
| **Description** | This vegetation type is associated with vegetation within the study area that cannot be reasonably assigned to a PCT. It comprises of landscape plantings within ornamental gardens. Exotic planted vegetation is present both within the study area and along the street fronting the study area. Exotic vegetation recorded within the study area also consisted of plants that are native within Australia but not endemic to NSW.<br>The majority of this vegetation zone consisted of multiple large and mature individuals of Hackberry *Celtis sinensis*. Other exotic tree species recorded included Boxelder Maple *Acer negundo,* Moreton Bay Chestnut *Castanospermum australe,* Norfolk Island Pine *Araucaria heterophylla,* Jacaranda *Jacaranda mimosifolia,* Italian Cypress *Cupressus sempervirens,* Kentucky Yellowwood *Cladrastis kentukea,* Camphor Laurel *Cinnamomum camphora* and Queen Palm *Syagrus romanzoffiana.*<br>Exotic planted shrubs consisted predominantly of Japanese Camellia *Camellia sasanqua.* |

| | |
|---|---|
| **Photos** |  <br>**Photo 6 Exotic planted vegetation at 14 Bent Street** |
| |  <br>**Photo 7 Exotic planted vegetation at 16 Bent Street** |

### 3.1.1 Priority weeds

Four priority weeds for the Greater Sydney LLS region, which includes the Ku-ring-gai City Council LGA, have been recorded in the study area, and are listed in Table 4, along with their associated Biosecurity Duty in accordance with the Biosecurity Act.

The Biosecurity Act provides for the identification, classification and control of priority weeds with the purpose of determining if a biosecurity risk is likely to occur. A priority weed is any weed identified in a local strategic plan, for a region that includes that land or area, as a weed that is or should be prevented, managed, controlled or eradicated in the region.

The General Biosecurity Duty as outlined in the Biosecurity Act states:

*All plants are regulated with a general biosecurity duty to prevent, eliminate or minimise any biosecurity risk they may pose. Any person who deals with any plant, who knows (or ought to know) of any biosecurity risk, has a duty to ensure the risk is prevented, eliminated or minimised, so far as is reasonably practicable.*

**Table 4 Priority weeds within the study area**

| Scientific name | Common name | Relevant biosecurity duty |
|---|---|---|
| ***Anredera cordifolia*** | Madeira Vine | General Biosecurity Duty |
| ***Asparagus aethiopicus*** | Asparagus Fern | General Biosecurity Duty |
| ***Asparagus plumosus*** | Climbing Asparagus Fern | General Biosecurity Duty |
| ***Cortaderia selloana*** | Pampas Grass | General Biosecurity Duty<br><br>**Regional Recommended Measure*** (for Regional Priority - Asset Protection)<br>*Land managers should mitigate the risk of the plant being introduced to their land. Land managers should mitigate spread of the plant from their land. A person should not buy, sell, move, carry or release the plant into the environment* |

To prevent biosecurity impacts from occurring as a result of the presence of the above listed priority weeds within the study area, all practical steps should be taken to control or eradicate the weeds from the study area as per the relevant biosecurity duties outlined above, or prior to or during any future vegetation removal.

## 3.2 Threatened species

Background searches identified 43 threatened flora species and 120 threatened fauna species recorded (NSW DCCEEW 2025) or predicted to occur (Cth DCCEEW 2025) within 5 kilometres of the study area.

This list was filtered according to species descriptions, life history, habitat preference and soil preference to determine those species most likely to be present within the study area. Those species considered most likely to have habitat within the study area based on the background research are listed below.

### Flora

- Magenta Lilly Pilly *Syzygium paniculatum* (Vulnerable, EPBC Act and Endangered, BC Act).
- *Tetratheca glandulosa* (Vulnerable, BC Act).

### Fauna

- Grey-headed Flying-fox *Pteropus poliocephalus* (Vulnerable, EPBC Act and BC Act).
- Large Bent-winged Bat *Miniopterus orianae oceanensis* (Vulnerable, BC Act).
- Little Bent-winged Bat *Miniopterus australis* (Vulnerable, BC Act).
- Yellow-bellied Sheathtail-bat *Saccolaimus flaviventris* (Vulnerable, BC Act).
- Southern Myotis *Myotis macropus* (Vulnerable, BC Act).

- Powerful Owl *Ninox strenua* (Vulnerable, BC Act).
- Swift Parrot *Lathamus discolor* (Critically Endangered, EPBC and BC Act).

Species recorded or predicted to occur within 5 kilometres of the study area, and not listed above, are considered to have a negligible (or lower) potential for occurrence based on a lack of habitat present to support their occurrence, even on a transient basis. This is primarily due to the high degree of urban development and presence of exotic vegetation (e.g., ornamental gardens).

An assessment of the habitat values of the study area is provided in Table 5 for threatened flora species and Table 6 for threatened fauna species.

### 3.2.1 Flora species habitat assessment

No naturally occurring threatened flora species were recorded within the study area during field investigations or are considered likely to occur due to the urbanised nature, and high level of historical disturbance within the study area. Given the small size of areas of native vegetation to be impacted, the random meander technique (Cropper 1993) was used in these areas via a series of lengthways traverses and is considered comprehensive to assess the presence of threatened flora. The survey effort is considered comprehensive to assess the presence of threatened flora species within the study area. Taking these factors into consideration, there is a negligible likelihood of occurrence of the above listed threatened flora, or any of those species known or predicted to occur in the locality, being present within the study area.

**Table 5 Assessment of habitat for threatened flora species**

| Species | Local distribution and habitat requirements | Likelihood of occurrence or impact |
|---|---|---|
| **Magenta Lilly Pilly** ***Syzygium paniculatum*** | Has been recorded approximately 64 m west of the study area. Magenta Lilly Pilly is a small to medium sized rainforest tree that grows on grey sandy, gravelly, silty or clay soils over sandstone substrates. This species is a commonly planted landscaped species; thus, records within the locality are likely to be landscaped plantings. | Habitat requirements of this species are not present within the study area and the species was not detected during field investigations.<br>The likelihood of occurrence is therefore low. |
| ***Tetratheca glandulosa*** | Has been recorded 98 m west, across from the study area. *Tetratheca glandulosa* is a small spreading shrub which grows in shale-sandstone transition areas and is associated with the Lucas Heights, Gymea, Lambert and Faulconbridge soil landscapes. Topographically, the plant occupies ridgetops, upper-slopes and to a lesser extent mid-slope sandstone benches. | While this species is restricted to a few LGA's including the Ku-ring-gai LGA, this species is associated with shale-sandstone transition, occupying ridgetops and upper-slopes. These habitat requirements are not present within the study area, and this species was not detected during field investigations.<br>The likelihood of occurrence is therefore low. |

### 3.2.2 Fauna species habitat assessment

No threatened fauna species are considered likely to occur in the study area. A detailed assessment of habitat values for fauna is provided in Table 6 below.

Flowering perennial species that may provide seasonal feed and nectar resources recorded within the study area were limited to *Callistemon* spp. and Lilly Pilly *Syzygium* spp. The Grey-headed Flying-fox may utilise these resources. However, due to the disturbed nature of the study area and the predominance of dense exotic vegetation with scattered natives throughout, these highly transient species are unlikely to rely on the study

area for sustained foraging. If present within the study area, it would only occur occasionally on a seasonal or transient basis.

The study area does not contain any hollow-bearing trees suitable for nesting threatened bird species. One small stick nest was recorded however, its construction is not consistent with nest types from threatened species in the area.

There was one stag tree that contained possible roosting habitat for tree-hole roosting bats. Existing site infrastructure also represents possible roosting habitat for microbats, and several threatened microbat species are known to use human-made structures. A detailed microbat habitat assessment was undertaken further below.

**Table 6 Assessment of habitat for threatened fauna species**

| Habitat feature | Threatened fauna association | Likelihood of occurrence or impact |
|---|---|---|
| **Feed trees** | Angophoras, Eucalypts and other flowering perennial species may provide nectar resources suitable for a range of arboreal and flying fauna (such as the Grey-headed Flying-fox and the Swift Parrot). | No evidence of Flying-fox foraging activity was recorded on site. The closest Grey-headed Flying-fox camp is approximately 4 km away in East Gordon Park, Gordon (Cth DCCEEW 2024). It is likely that Flying-foxes commute over the site, but there is limited available foraging habitat within the site itself. Foraging habitat is restricted to flowering species such as *Callistemon* spp. and Lilly Pilly *Syzygium* spp. While these trees may provide foraging resources for the Grey-headed Flying-fox on an occasional basis seasonally or temporarily, removal of these resources in the broader landscape context is unlikely to represent a significant impact to individuals or the local population.<br>Swift Parrots migrate between Tasmania and the mainland. At the time of the field investigations, Swift Parrots were not present in NSW. Swift Parrot important habitat is not mapped within the study area, and the study area does not contain preferred foraging tree species such as *Eucalyptus* spp. for the Swift Parrot. |
| **Hollow-bearing trees** | The Powerful Owl requires hollows within large mature trees that are 0.5m deep for nesting.<br>Some microbat species are also known to roost in tree hollows in colonies. | No hollow bearing trees suitable for use by large forest owls or microbats were present within the study area. |
| **Human-made structures** | The study area contains two residential dwellings which may provide suitable habitat for threatened microbat species such as Southern Myotis, Large Bent-winged Bat and Little Bent-winged Bat. | Existing infrastructure at the site was assessed in detail for roosting potential for threatened microbats. Passive acoustic recorders were also placed near build structures to record bat activity. Although the buildings contained some cracks and openings that could be accessible to microbats, no evidence (scats, staining) was observed to suggest current or historic use by microbats. It is therefore unlikely that threatened microbats would be using existing site infrastructure for roosting. |

| Habitat feature | Threatened fauna association | Likelihood of occurrence or impact |
|---|---|---|
| **Stick nests** | The study area contains one small nest that was made from soft tree fern (*Dicksonia antarctica*) leaves, other dried leaves and twigs. | No threatened bird species expected to occur within or near the study area construct nests similar to the one observed. Based on the nest's characteristics and location, it is most likely attributable to a Rock Dove or pigeon. |
| **Caves and rocky outcrops** | Caves and rocky outcrops can provide potential roosting habitat for threatened microbat species. | No caves or rocky outcrops were located within the study area. As such, there is no suitable roosting habitat for cave-dependent microbat species. |

### Microbats

Two fairly old residential dwellings exist within the study area that were considered as potential habitat for microbats and therefore subject to a detailed assessment to determine likelihood of use by threatened microbat species.

The entire external area of the existing buildings was searched for potential roosting habitat for microbats and potential entry points. Small entrances to the wall cavity that were present comprised a number of small air vents (Photo 8) with very small openings (1-2 centimetres), larger openings in roof cavities (Photo 10 and Photo 11) and an open crawl space (Photo 9). Crevices and openings were inspected with torches and a pole camera, looking for evidence of bat activity including roosting bats, urine staining and droppings, none of which were detected. In addition to this, an active ultrasonic bat detector was used at the time of the building inspection to detect any bat calls that would indicate the presence of roosting bats. Most potential crevices around buildings were filled with cobwebs, or had been covered with wire mesh, with no areas indicating any signs of use. No calls were recorded during the building inspection, further indicating no bats were present.

In addition to inspections for potential roosting habitat of the buildings, two passive ultrasonic bat detectors were deployed at each of the dwellings and left for five nights. Felicity Williams (Bat ecologist) of Biosis reviewed the acoustic data. Calls from two threatened species were identified:

- Large (Eastern) Bent-winged Bat
- Little Bent-winged Bat

Calls from both species, including feeding buzzes, were recorded on the passive ultrasonic detectors. Both species are known to occur in the Greater Sydney area, and roost in cave-like man-made structures such as bridges, culverts, tunnels, mine shafts and addits, as well as naturally occurring caves. Bent-winged Bats are capable of travelling large distances, up to 75 kilometres per night. Being highly mobile, they are capable of foraging over large distances. Given the absence of suitable roosting habitat within the site, and the large amount of potential foraging habitat in the vicinity of the study area recorded calls are likely to indicate that the species are utilising the aerial space above the site for either foraging and/or commuting. The nature and scale of the proposal is unlikely to represent a substantial change to the functioning of the study area or the type of vehicular traffic, noise and light pollution. It is unlikely that the project would result in any significant impacts to these species.

**Photo 8 Inspection showing the air vents with very small openings**

**Photo 9 Inspection of the crawl space showed no signs of microbat use**

**Photo 10 Roof cavity**

**Photo 11 Inspection of the roof cavities were searched using a pole camera**

## 3.3 Aquatic habitats

The study area does not contain any aquatic habitats. The nearest aquatic habitat is associated with Little Blue Gum Creek, which is approximately 1 kilometre to the west of the study area. The study area does not provide habitat for any threatened aquatic species and therefore no impacts to aquatic habitats are likely to occur as a result of the project.

# 4 Impact Assessment

Due to the urbanised nature of the study area, impacts to ecological features are largely limited to impacts toward planted native vegetation. An Arboricultural assessment was undertaken by Bradshaw Consulting Arborists (Bradshaw 2023) which determined the health and condition of the trees within the study area, and the impact of the proposed development. Trees proposed to be removed were either of low retention value due to poor health and conditions or were within the proposed development footprint.

The following provides a summary of expected ecological impacts as a result of the proposed works:

- Removal of 45 exotic trees.
- Removal of 12 trees associated with planted native vegetation, not consistent with any PCTs known to occur from the same IBRA subregion.
- Impacts toward planted native vegetation providing foraging habitat, of negligible value, to highly mobile threatened and non-threatened fauna species within their larger home ranges.

Existing buildings were assessed and no evidence of roosting microbats was found. Little Bent-winged Bat and Large Bent-winged Bat calls were recorded on passive ultrasonic detectors. However, given these are highly mobile, aerial species it is likely these calls are from bats commuting or foraging, rather than roosting, within or above the study area. Given the large amount of foraging habitat available in the vicinity for these species, the nature and scale of the proposed impacts are unlikely to result in any significant impact to threatened microbats.

No naturally occurring threatened flora species were identified within the study area during field investigations, and fauna habitat is limited to the presence of a few flowering shrubs which may provide limited, transient resources for common urban fauna, but it is considered unlikely to support any threatened species on more than a transient basis.

The study area is set within a residential area serviced by medium and light vehicular traffic. The proposal will not result in any significant changes to the functioning of the study area or the type of vehicular traffic using the area. The proposal will not result in any significant changes to current light and noise levels within the study area or its surrounds.

Based on the above, the proposed development is considered highly unlikely to result in significant impact either directly or indirectly, to threatened flora, fauna or ecological communities.

# 5 Conclusion and recommendations

This assessment has highlighted that biodiversity values within the study area is primarily limited to impacts toward planted native vegetation providing forage habitat, of negligible value, to highly mobile threatened and non-threatened fauna species within their larger home ranges.

Arboricultural advice was sought from Bradshaw Consulting Arborists (Bradshaw 2023) which determined the health and condition of trees. This informed the selection of trees proposed for retention and removal.

All trees must be retained and protected in accordance with Australian Standard AS4970 '*Protection of Trees on Development Sites*' (Council of Australian Standards 2009). Activities that mitigate TPZ encroachment impacts are identified within Section 4 of the Tree Protection Measure of Australian Standard AS4970, which includes:

- Section 4.2: limiting construction access & works within the TPZ.
- Section 4.3: construction of tree protection fencing, trunk & branch or ground protection (S/4.5.1 & 2).
- Section 4.5.4: Root protection during works within the TPZ.
- Section 4.6: Maintaining the TPZ with mulch & watering.

Additional protection measures, such as arborist supervision and monitoring of long-term health of the trees to be retained, will also be completed during works.

In addition, the following recommendations are provided by Biosis to further minimise impacts to biodiversity values:

- To the fullest extent practicable, minimise disturbance to any native vegetation surrounding the study area.
- Although no evidence of threatened microbat presence, in the unlikely event that unexpected threatened species are identified during the project, works should cease, and an ecologist should be contacted.
- Where possible, any trees to be retained should be protected in accordance with Australian Standard AS4970 – 2009 Protection of trees on development sites, during construction and operation. A tree protection plan is provided in section 8 of the Arboricultural Impact Assessment (Bradshaw 2023).
- Four priority weeds within the Greater Sydney LLS region were identified within the study area. Appropriate measures should be implemented to minimise the spread of these species.
- Soil transportation should be minimised within, into or out of the study area to reduce the spread of weeds.

It is concluded that if the proposed development is to proceed as planned there will be no significant impacts to biodiversity values and no impacts to native vegetation that is consistent with a PCT known to occur within the same IBRA subregion as the proposed project. As such a BDAR waiver should be sought in accordance with s.7.9(2) of the BC Act. Information contained in this assessment to support the BDAR waiver, is defined in the document *How to apply for a biodiversity development assessment report waiver for a major project application* (DPIE 2019) and is further detailed in Appendix 2, supported by the proposed site plan in Appendix 3.

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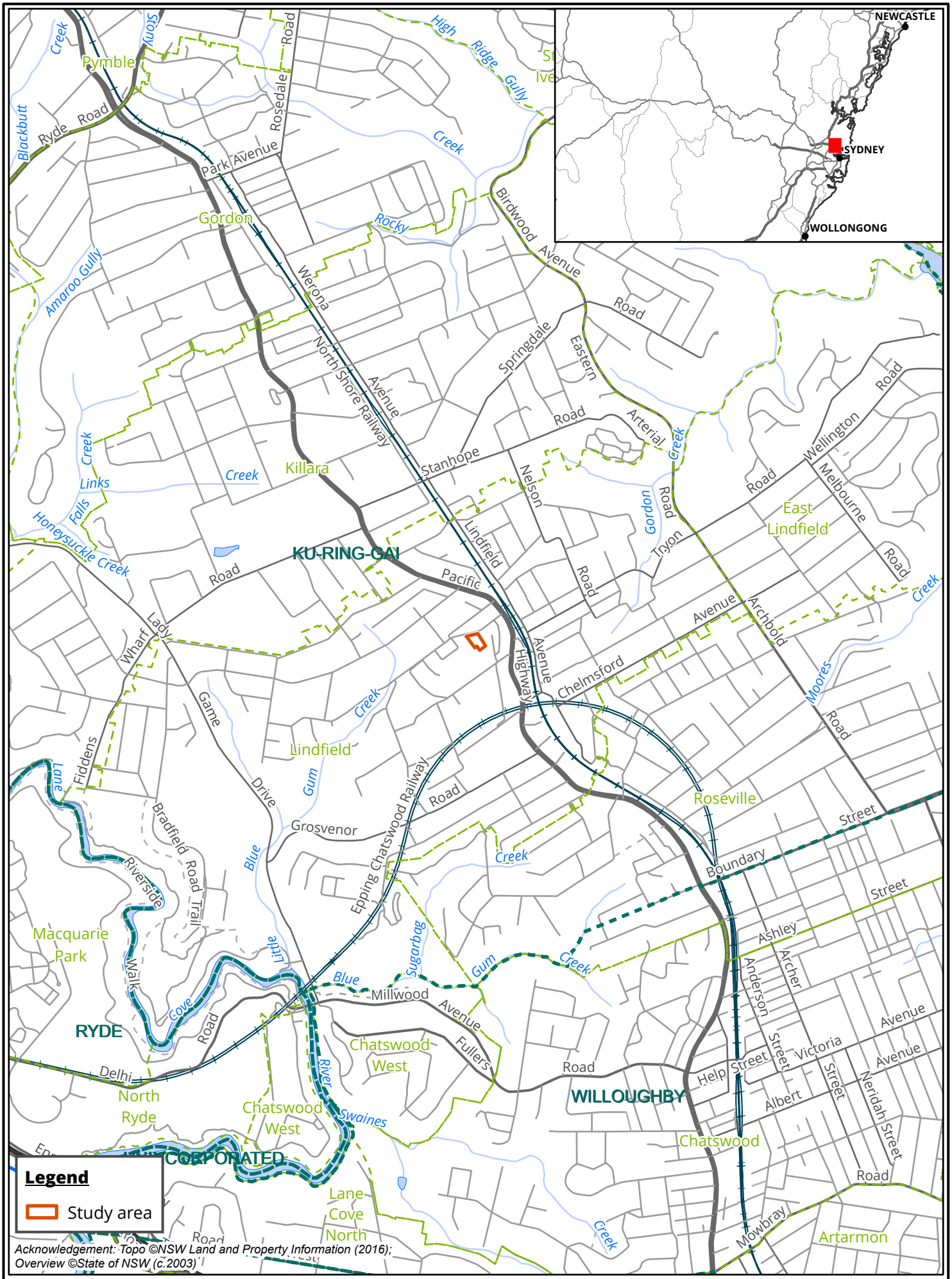
# Appendix 1 Figures



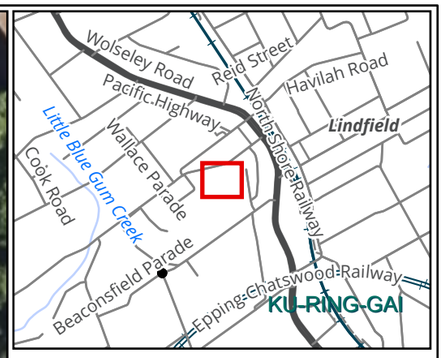

biosis
APEM Group

## Figure 1 Location of the study area

Matter: 41844, Date: 02 December 2024,
Prepared for: NZ, Prepared by: AA., Last edited by: aabid
Location: P:\41800s\41844\Mapping\
41844_12-16BentStLindfieldECO_fieldmaps
Layout: 41844_F1_Locality

0 200 400 600 800 1,000
Metres
Scale 1:25,000@ A4, GDA2020 MGA Zone 56

N


**Legend**

Study area

**Plant Community Types**

Planted natives

Exotic vegetation

**Habitat features**

Stick nest

**Fauna trap point**

Ultrasonic bat detector



## Figure 2 Ecological features

0 3 6 9 12 15

Metres

Scale: 1:400 @ A3

*Coordinate System: GDA2020 MGA Zone 56*

N

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Matter: 41844, Date: 28 February 2025,
Prepared for: NZ, Prepared by: AA, Last edited by: aabid
Location: P:\41800s\41844\Mapping\
41844_12-16BentStLindfieldECO_fieldmaps,
Layout: 41844_F2_EcoFeatures

# Appendix 1 BDAR Waiver checklist

**Table 7 BDAR waiver request information requirements**

| Item | Information requirement | Response |
|---|---|---|
| **Admin** | Proponent name and contact details | **Company:** Sundale Northland Development Pty Ltd<br>**Contact name:** Phil Choy<br>**Contact address:** Suite 3E, L3, 5 Belmore Street, Burwood NSW 2134<br>**Contact email:** phil@sundaledevelopments.com.au<br>**Contact phone:** 0411 338 829 |
| **Site details** | Street address | 12–16 Bent Street, Lindfield NSW. |
| | Lot and DP | Lot 1 DP960014, DP960015, DP318518 and DP935936 and Lot 3 DP1226294. |
| | Description of development site | The development site encompasses approximately 0.5 ha and currently exists as residential living with two dwellings currently occupied. The property is bordered by residential housing to the north, south, and west, with vacant land and Lindfield Train Station situated to the east. The development site is within the Ku-ring-gai LGA and is zoned as R4-High Density Residential. Vegetation surrounding the development site consist primarily of planted urban landscaping, residential gardens, street trees and urban parklands.<br>The site primarily consists of established exotic vegetation which is mostly in the form of ornamental gardens and planted natives. The development site is not located within the Biodiversity Values Map (BV Map) (DPE 2022). |
| | Location Map | Refer to Figure 1. |
| | Site Map | Refer to Figure 1 and Appendix 3. |
| **Proposed development** | Project description | The SSD application seeks approval for the demolition of the current residential dwellings, and the construction of a multi-story residential building, consisting of affordable housing. The particulars of the project are as follows:<br>• A multi-story complex (9 stories).<br>• 117 affordable apartments.<br>• 3 levels of basement for parking and 1 ground level. |
| | Proposed site plan | Refer to Appendix 3. |
| **Impacts on biodiversity** | Explanation of whether biodiversity value is or is not relevant to the proposed development. If relevant, describe nature and extent of | Refer to Table 8 below. |

| | | |
|---|---|---|
| | impacts associated with the proposal. | |

**Table 8 Impacts of the proposed development on biodiversity values**

| Biodiversity value | Meaning | Occurrence, potential direct, indirect or prescribed impacts |
|---|---|---|
| **Vegetation abundance 1.4(b) BC Regulation** | Occurrence and abundance of vegetation at the development site. | The development site contains 0.05 ha of planted native vegetation which predominantly exits in Lot 3 which has remained vacant since 2005 (according to historical aerial imagery). This vegetation does not conform to a recognised PCT and occurs as landscape plantings.<br>Exotic vegetation covers approximately 0.23 ha, primarily consisting of large, mature exotic trees and shrubs as well as landscaped plantings and ornamental gardens. |
| **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 development site has been subject to significant historical and ongoing disturbances. The original native vegetation communities within the development site have been cleared as a result of the existing dwellings. Additionally, exotic planted vegetation has been introduced, primarily in the form of landscaped plantings. The structural and functional integrity of extant vegetation within the development site is considered to be low, with low species diversity, small in size and widely dispersed vegetation. |
| **Habitat suitability 1.5(2)(b) BC Act** | Degree to which the habitat needs of threatened species are present at the development site. | The development site does not contain suitable habitat for any threatened species, other than on a highly transient basis as part of forage activities for highly mobile fauna species.<br>The development site does not contain any hollow-bearing trees or culverts suitable for providing roosting resources to threatened fauna.<br>The development site is set within a residential area serviced by medium and light vehicular traffic. The proposal will not result in any significant changes to the functioning of the development site or the type of vehicular traffic using the area. The proposal will not result in any significant changes to current light and noise levels within the development site or surrounding area. Based on the above, the proposal is considered highly unlikely to result in impacts either direct, indirect or prescribed to threatened flora and fauna species.<br>The proposal will not impact upon karst, caves, crevices, cliffs, other geological features of significance, or rocks. |

| Biodiversity value | Meaning | Occurrence, potential direct, indirect or prescribed impacts |
|---|---|---|
| **Threatened species abundance 1.4(a) BC Regulation** | Occurrence and abundance of threatened biota or their habitat at the development site. | The development site is highly modified as a result of previous and current disturbance.<br>No naturally occurring threatened flora or fauna, or their habitats, were recorded at the site or are considered likely to occur. Large (Eastern) Bent-winged Bat and Little Bent-winged Bat calls were recorded on the passive ultrasonic detectors. Recorded calls are likely to indicate that the species are utilising the aerial space above the site for either foraging and/or commuting as microbat specific surveys did not detect the presence of any microbats, and any potential habitat was deemed to be in a low condition, unlikely to be used by microbat species. |
| **Habitat connectivity 1.4(c) BC Regulation** | Degree to which the development site connects different areas of habitat of threatened species to facilitate the movement of those species across their range. | Vegetation connectivity within the development site is limited; however, some connectivity exists to the east, where planted vegetation is present. This patch is linked to vacant land, which is largely devoid of vegetation, apart from a small remnant of Sydney Turpentine Ironbark Forest (TEC) outside of this lot that borders a carpark.<br>Given the site's highly modified and disturbed condition, along with the limited presence of native vegetation, it is highly unlikely that threatened species utilize the area or that the site plays a significant role in facilitating species movement across their range.<br>It is highly unlikely that threatened species utilise the development site or that the development site would facilitate the movement of species across their range given its highly modified and disturbed nature in addition to the small amount of native vegetation on site. |
| **Threatened species movement 1.4(d) BC Regulation** | Degree to which the development site contributes to the movement of threatened species to maintain their lifecycle. | The development site is highly modified as a result of previous and current disturbance.<br>Given the absence of suitable roosting habitat within the site, and the large amount of potential foraging habitat in the vicinity of the study area recorded calls of the Large (Eastern) Bent-winged Bat and Little Bent-winged Bat are likely to indicate that the species are utilising the aerial space above the site for either foraging and/or commuting.<br>The development site contains limited features of ecological value that are unlikely to contribute to the movement of threatened fauna species to maintain their lifecycle. |
| **Flight path integrity 1.4(e) BC Regulation** | Degree to which the flight paths of protected animals over the development site are free from interference. | The airspace above the development site may potentially allow for movement of threatened bird or bat species, however, flight paths for threatened biota are unlikely to be affected given the nature and scale of the proposal and the urban /industrial context in which it is located, where similar scale developments occur. Impacts to any flight paths of protected animals are considered unlikely. |
| **Water sustainability 1.4(f) BC Regulation** | Degree to which the water quality, water bodies and hydrological processes sustain threatened biota at the | No waterways, water bodies or water sources that have the potential to sustain threatened species are present within the development site. The nearest aquatic habitat is associated with Little Blue Gum Creek, which is approximately 1 kilometre to the west of the study area. Therefore, no impacts to aquatic habitats are likely to occur as a result of the project. |

| Biodiversity value | Meaning | Occurrence, potential direct, indirect or prescribed impacts |
|---|---|---|
| | development site. | |

# Appendix 2 Proposed site plan and tree management plan

| | PERMISSIBLE | ACHIEVED |
|---|---|---|
| FSR | 3.25 | 3.25 |
| HEIGHT | 28.6m | 32.05m |

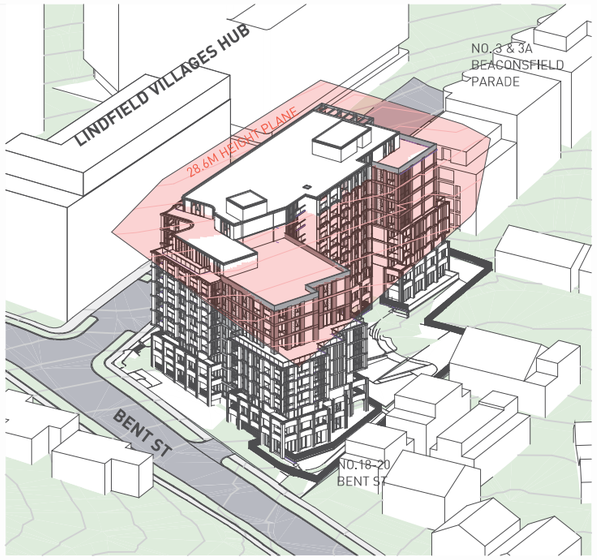
**YIELD AND UNIT MIX**

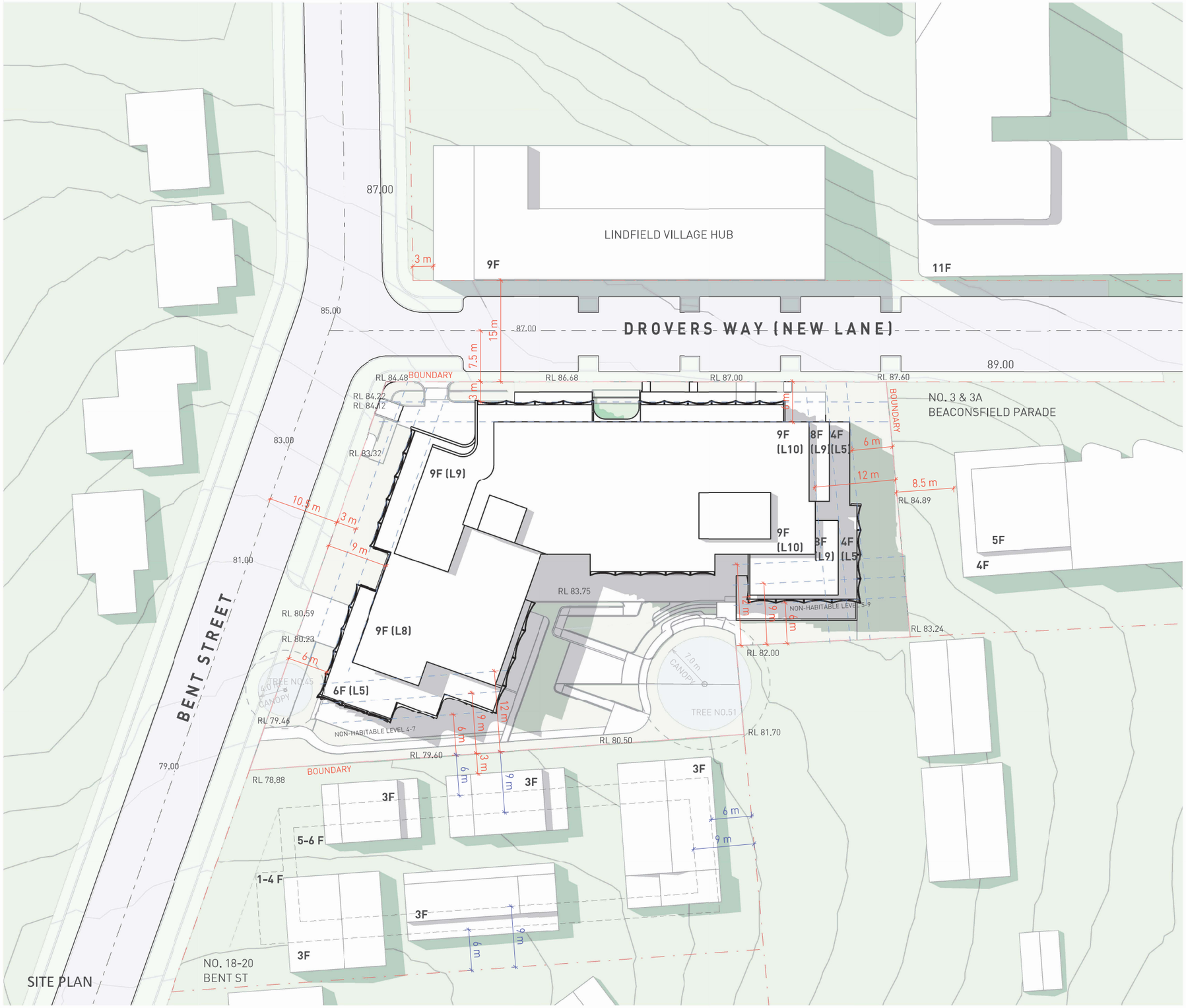
| LEVEL | 1B | 2B | 3B | 4B | 5B | COUNT |
|---|---|---|---|---|---|---|
| L10 | 0 | 0 | 4 | 1 | 0 | 5 |
| L9 | 0 | 2 | 4 | 2 | 0 | 8 |
| L8 | 0 | 1 | 4 | 5 | 0 | 10 |
| L7 | 1 | 3 | 7 | 1 | 0 | 12 |
| L6 | 1 | 3 | 6 | 1 | 0 | 11 |
| L5 | 3 | 5 | 6 | 1 | 0 | 15 |
| L4 | 3 | 5 | 6 | 1 | 0 | 15 |
| L3 | 3 | 7 | 6 | 0 | 0 | 16 |
| L2 | 2 | 6 | 7 | 0 | 0 | 15 |
| L1 | 0 | 2 | 3 | 3 | 0 | 8 |
| L0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | 13 | 34 | 53 | 15 | 0 | 115 |

**AFFORDABLE**

| LEVEL | AREA | UNIT COUNT |
|---|---|---|
| L5 | 268 m² | 4 |
| L4 | 539 m² | 7 |
| L3 | 539 m² | 7 |
| L2 | 503 m² | 6 |
| L1 | 194 m² | 2 |
| TOTAL | 2043 m² | 26 |

**AFFORDABLE GFA REQUIED**
**4324 X 3.25 X 17% X 85%= 2030m²**
**(Excluding circulation)**




Autodesk Docs://Bent Street Lindfield /PA030530DA-PTW-AR-ZZ-M-A-1000.rvt

Key Plan:

N

**Drawing Disclaimer:**
Do not scale from drawings.
Verify all dimensions on site before commencing work.
Copying or reproduction of this drawing is strictly prohibited without the consent of PTW Architects

**Note**
PTW takes no responsibility for external building elements. Anything connected with any design, materials selection, construction or installation of any cladding, facade or external building element must be checked by and remains the responsibility of others, including suitably qualified experts as may be required.

| Rev | Amendment | By | Chk* | Date |
|---|---|---|---|---|
| 2 | BLOCK PLAN | TT | MS | 20241115 |
| 1 | BLOCK PLAN | MS | MS | 20240911 |

*Registered Architect
01 Megumi Sakaguchi NSW Arch No.9391

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NSW Nominated Architects
S Parsons Architect No.6098
D Jones Architect No.4778
N Marojevic Architect No.11274

PTW

0 1 2 5 10 15m
1 : 300 @ A1

Project PA030530.01

BENT STREET LINFIELD
12-16 BENT STREET, LINDFIELD, NSW 2070

Status
SKETCH

Title
A1-GENERAL INFORMATION
SITE PLAN

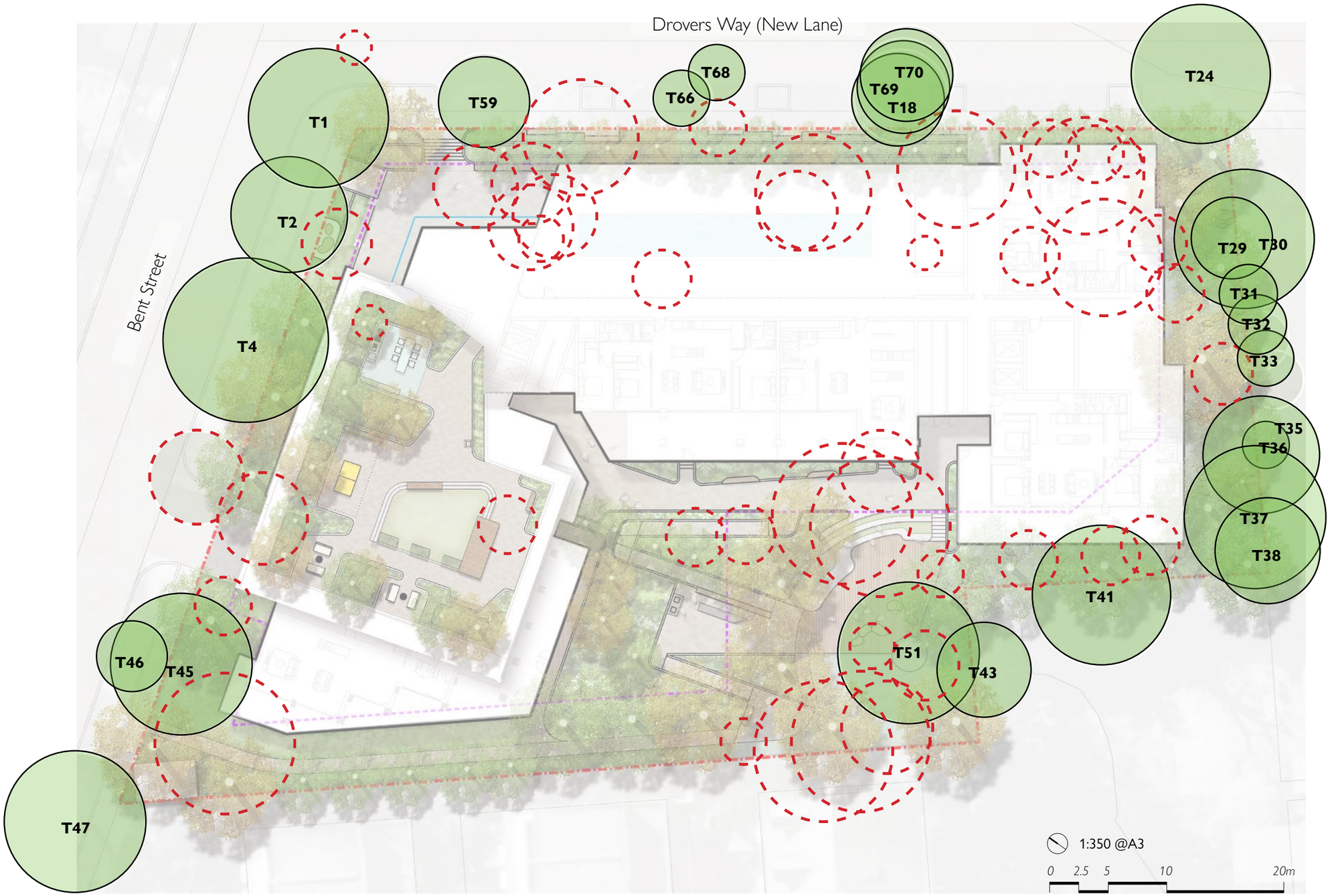
Drawing Number AR-A10010

Revision 2

30/01/2025 6:06:56 PM

A1

# Tree Management Plan




## LEGEND

- Site boundary
- Existing trees to be retained (25)
- Existing trees to be removed (45)

Note : Refer to arborist report for detail information.

| Tree ID | Botanical name | Common name | Retention value |
|---|---|---|---|
| | ***Existing trees Proposed to be Retained*** | | |
| 1 | *Callistemon salignus* | Willow Bottlebrush | Moderate |
| 2 | *Cladrastis kentukea* | Yellowwood | Low |
| 4 | *Cladrastis kentukea* | Yellowwood | Moderate |
| 18 | *Brachychiton acerifolius* | Illawarra Flame Tree | Moderate |
| 24 | *Liquidambar styraciflua* | Sweet Gum | High |
| 29 | *Pittosporum undulatum* | Sweet Pittosporum | Moderate |
| 30 | *Pittosporum undulatum* | Sweet Pittosporum | Moderate |
| 31 | *Grevillea robusta* | Silky Oak | Moderate |
| 32 | *Ligustrum lucidum* | Privet | Moderate |
| 33 | *Celtis sinensis* | Hackberry | Moderate |
| 35 | *Cupressus sempervirens* | Italian Cypress | Very low |
| 36 | *Alectryon coriaceus* | Beach Birds Eye | Moderate |
| 37 | *Ligustrum lucidum* | Privet | Moderate |
| 38 | *Alectryon coriaceus* | Beach Birds Eye | Moderate |
| 41 | *Cinnamomum camphora* | Camphor Laurel | Very low |
| 43 | *Cinnamomum camphora* | Camphor Laurel | Very Low |
| 45 | *Grevillea robusta* | Silky Oak | Moderate |
| 46 | *Acer negundo* | Box Elder | Moderate |
| 47 | *Cladrastis kentukea* | Yellowwood | Low |
| 51 | *Araucaria heterophylla* | Norfolk Island Pine | High |
| 59 | *Acacia parramattensis* | Sydney Green wattle | Very Low |
| 66 | *Acacia parramattensis* | Sydney Green wattle | Very Low |
| 68 | *Casuarina cunninghamiana* | River Sheoak | Moderate |
| 69 | *Celtis sinensis* | Hackberry | Moderate |
| 70 | *Casuarina cunninghamiana* | River Sheoak | Very Low |
| | ***Existing trees Proposed to be Removed*** | | |
| 3 | *Callistemon viminalis* | Weeping Bottlebrush | Moderate |
| 5 | *Phoenix rupicola* | Cliff Palm | Moderate |
| 6 | *Camelia japonica* | Japanese camellia | Moderate |
| 7 | *Acer negundo* | Box Elder | very low |
| 8 | *Castanospermum australe* | Black Bean | Low |
| 9 | *Phoenix rupicola* | Cliff Palm | Moderate |
| 10 | *Celtis sinensis* | Hackberry | Moderate |
| 11 | *Acmena smithii* | Lilly Pilly | Low |
| 12 | *Acmena smithii* | Lilly Pilly | Low |
| 13 | *Cupressus sempervirens* | Italian Cypress | Very low |
| 14 | *Jacaranda mimosifolia* | Jacaranda | Moderate |
| 15 | *Acacia parramattensis* | Parramatta Wattle | Very Low |
| 16 | *Acacia parramattensis* | Parramatta Wattle | Very Low |
| 17 | *Washintonia robusta* | Mexican Fantail | Moderate |
| 19 | *Jacaranda mimosifolia* | Jacaranda | Low |
| 20 | *Camellia sasanqua* | Japanese Camellia | Moderate |
| 21 | *Gordonia axillaris* | Fried Egg Plant | Very Low |
| 22 | *Archontophoenix cunninghamiana* | Bangalow Palm | Moderate |
| 23 | *Grevillea robusta* | Silky Oak | Very Low |
| 25 | *Jacaranda mimosifolia* | Jacaranda | Moderate |
| 26 | *Jacaranda mimosifolia* | Jacaranda | Moderate |
| 27 | *Archontophoenix cunninghamiana* | Bangalow Palm | Moderate |
| 28 | *Archontophoenix cunninghamiana* | Bangalow Palm | Moderate |
| 34 | *Pittosporum undulatum* | Sweet Pittosporum | Moderate |
| 39 | *Camellia sasanqua* | Japanese Camellia | Moderate |
| 40 | *Camellia sasanqua* | Japanese Camellia | Moderate |
| 42 | *Camellia sasanqua* | Japanese Camellia | Moderate |
| 44 | *Syagrus romanzoffiana* | Cocos Palm | Moderate |
| 48 | *Celtis sinensis* | Hackberry | Moderate |
| 49 | *Archontophoenix cunninghamiana* | Bangalow Palm | Moderate |
| 50 | *Syagrus romanzoffiana* | Cocos Palm | Moderate |
| 52 | *Cinnamomum camphora* | Camphor Laurel | Very Low |
| 53 | *Celtis sinensis* | Hackberry | Moderate |
| 54 | *Celtis sinensis* | Hackberry | Moderate |
| 55 | *Celtis sinensis* | Hackberry | Moderate |
| 56 | *Strelitzia nicolai* | Giant Bird of Paradise | Moderate |
| 57 | *Howea forsteriana* | Kentia Palm | Moderate |
| 58 | *Callistemon viminalis* | Weeping Bottlebrush | Moderate |
| 60 | *Acacia parramattensis* | Sydney Green wattle | Very Low |
| 61 | *Casuarina cunninghamiana* | River Sheoak | Moderate |
| 62 | *Casuarina cunninghamiana* | River Sheoak | Moderate |
| 63 | *Casuarina cunninghamiana* | River Sheoak | Moderate |
| 64 | *Casuarina cunninghamiana* | River Sheoak | Moderate |
| 65 | *Casuarina cunninghamiana* | River Sheoak | Moderate |
| 67 | *Casuarina cunninghamiana* | River Sheoak | Moderate |