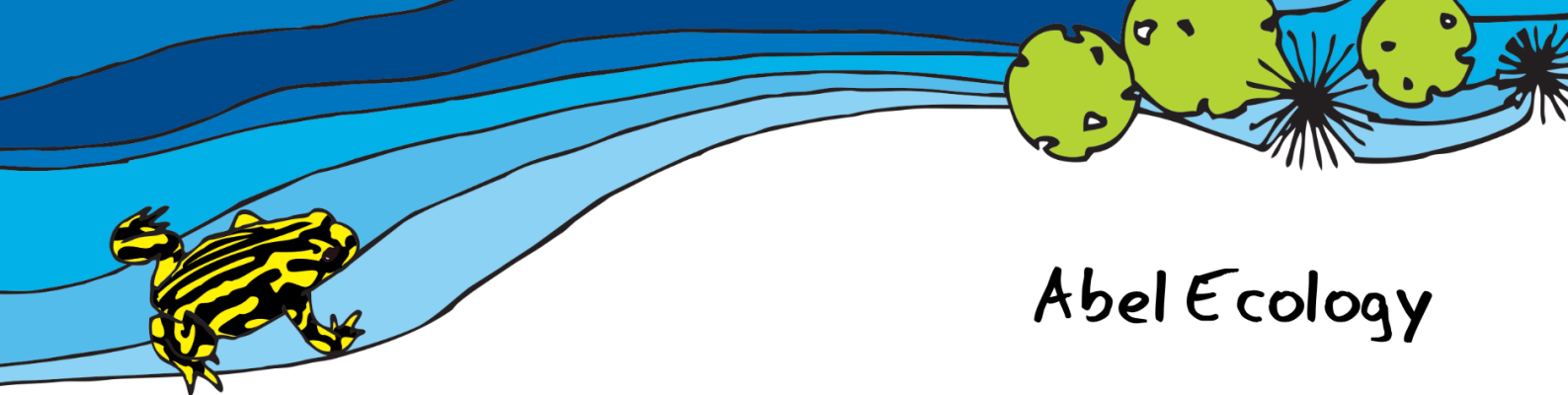




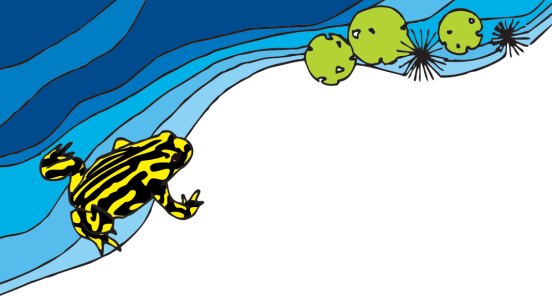
Abel Ecology

Biodiversity Development Assessment Report Waiver (BDAR Waiver)

Nicholson Street Build-to-Rent
46-52 Nicholson Street and
59-67 Christie Street, St Leonards NSW 2065

SP 18047, Lot 2 DP 945933, Lot 2 DP 528060,
SP 54127, Lot B DP 334878, Lot A DP 334878,
Lot 1 DP 949064, Lot 11 DP 654462

Prepared for:	St Leonards Property Unit Trust
Report No:	AE25 2789 BDARW ISS 4
Prepared by:	Abel Ecology
Date:	01 August 2025



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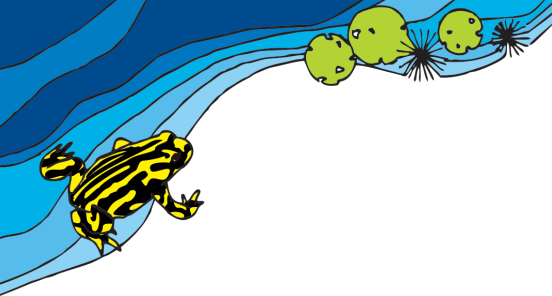


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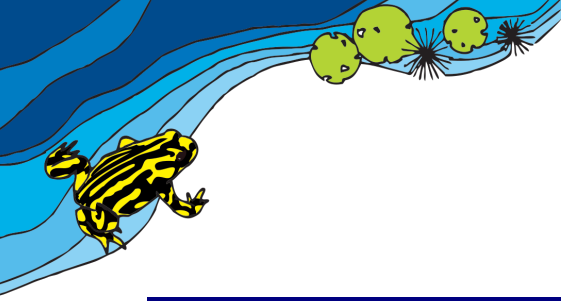
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1. Introduction

St Leonards Property Unit Trust (the Proponent) seeks approval for the construction of a Build-to-rent (BTR) development with commercial uses (The Project) (Figure 3) at 46-52 Nicholson Street and 59-67 Christie Street, St Leonards NSW 2065 (the subject site) (Figure 1 & Figure 2).

A BDAR waiver had been previously granted for a Concept State Significant Development (SSD-56527976) at this site on 12/05/2023 and will expire on 12/05/2025. SSD-56527976 was determined by the *NSW Department of Planning Housing Industry and Environment (DPHI)* on 20/02/2025. The site has an existing Development Approval DA32/2025, which relates to the demolition of the structures and some vegetation (Figure 4). Refer to correspondence and previously granted waiver for the subject site in Appendix 1.

This BDAR waiver has been prepared to support a new detailed SSD- 88113706 for the site. While the scope and extent of works generally aligns the previous Concept SSD, the new SSD-88113706 will be independent of the previous application.

The Project is classified as State Significant Development (SSD) as it meets the requirements of Schedule 1, Clause 27 (“Build-to-rent housing”) of *State Environmental Planning Policy (Planning Systems) 2021* being a development on land in the Eastern Harbour City, with a cost greater than \$50 million.

A biodiversity survey of the subject site was undertaken by Abel Ecology on 13th February 2025 to identify vegetation species, threatened species habitat, and the presence of ecological communities. Habitat connectivity, threatened species movement, and flight paths were also considered when undertaking the survey.

While a habitat and scat assessments were undertaken for microbats, there was no suitable habitat for microbats present or evidence of their presence on the site. As a result, no further ultrasonic surveys were undertaken.

While there were unit buildings and carparking structures (Figure 13) on the site, they were not suitable roosting habitat for microbats, as the structures were either well-sealed or open and well-ventilated with no cracks or crevices. A bat scat search was conducted within the carpark areas with no scat being found. No hollows or flaking bark was observed on trees within the site.

This BDAR Waiver Request will be submitted to the Biodiversity, Conservation and Science Group of the NSW Department of Climate Change, Energy, the Environment and Water.

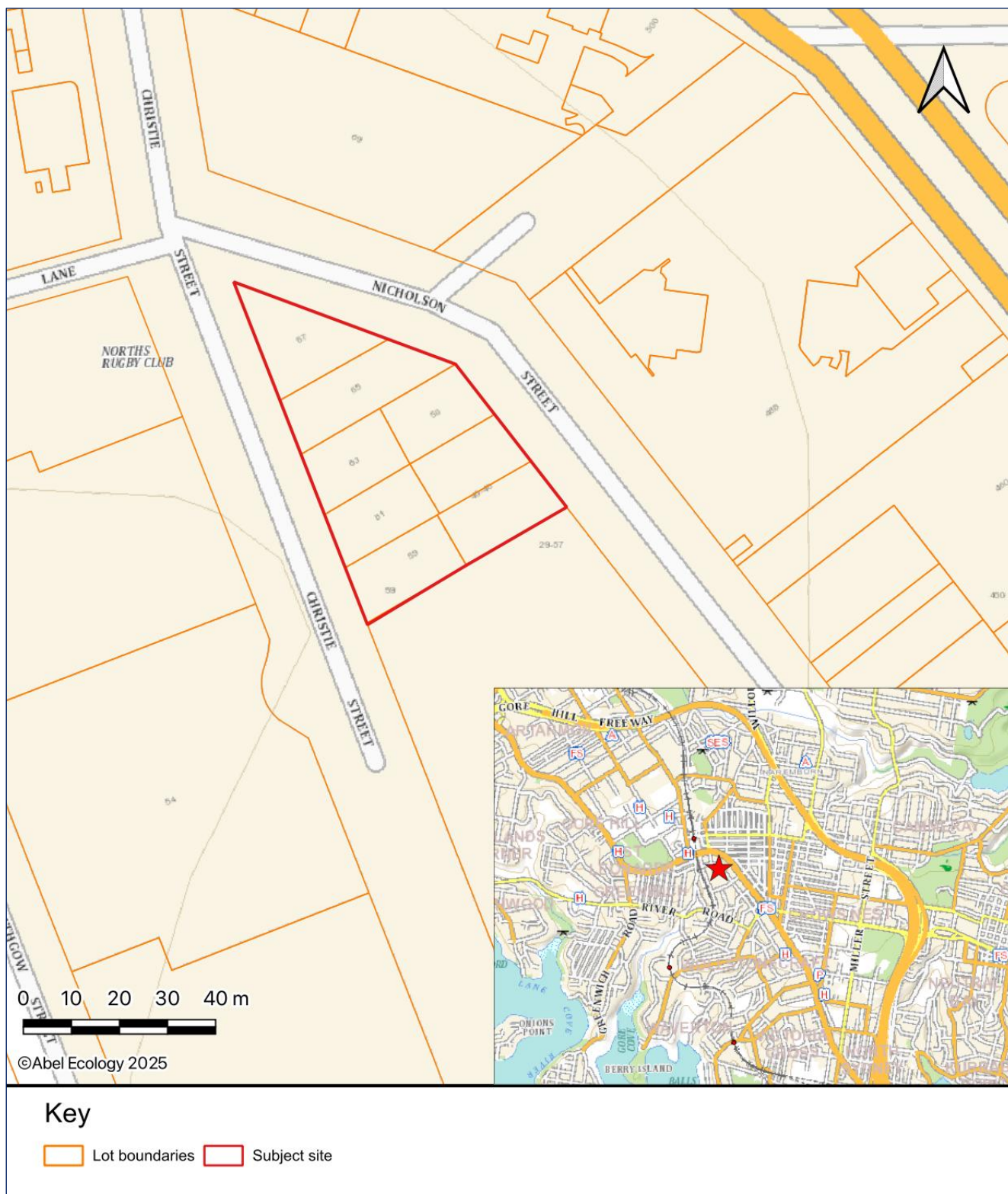
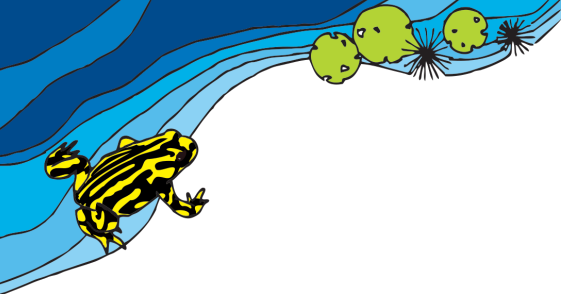


Figure 1. Locality map of subject site.

Source: (NSW Spatial Services, 2025)

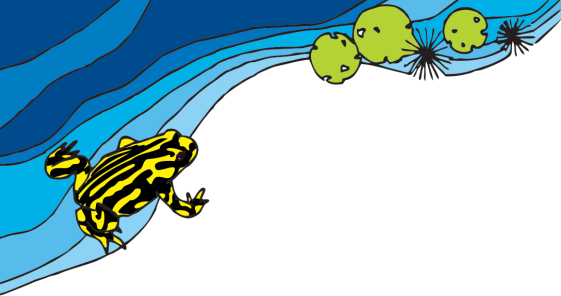


Figure 2. Aerial map of site (20th January 2025).

Source: (Nearmap, 2024)

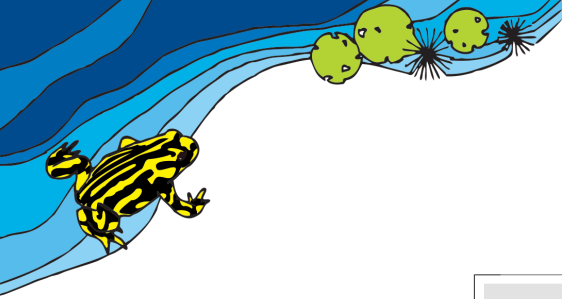


Figure 3. Upper Ground Plan.

Source: Cox Architecture, Drawing no: A-SK-2104, dated 24/07/25.

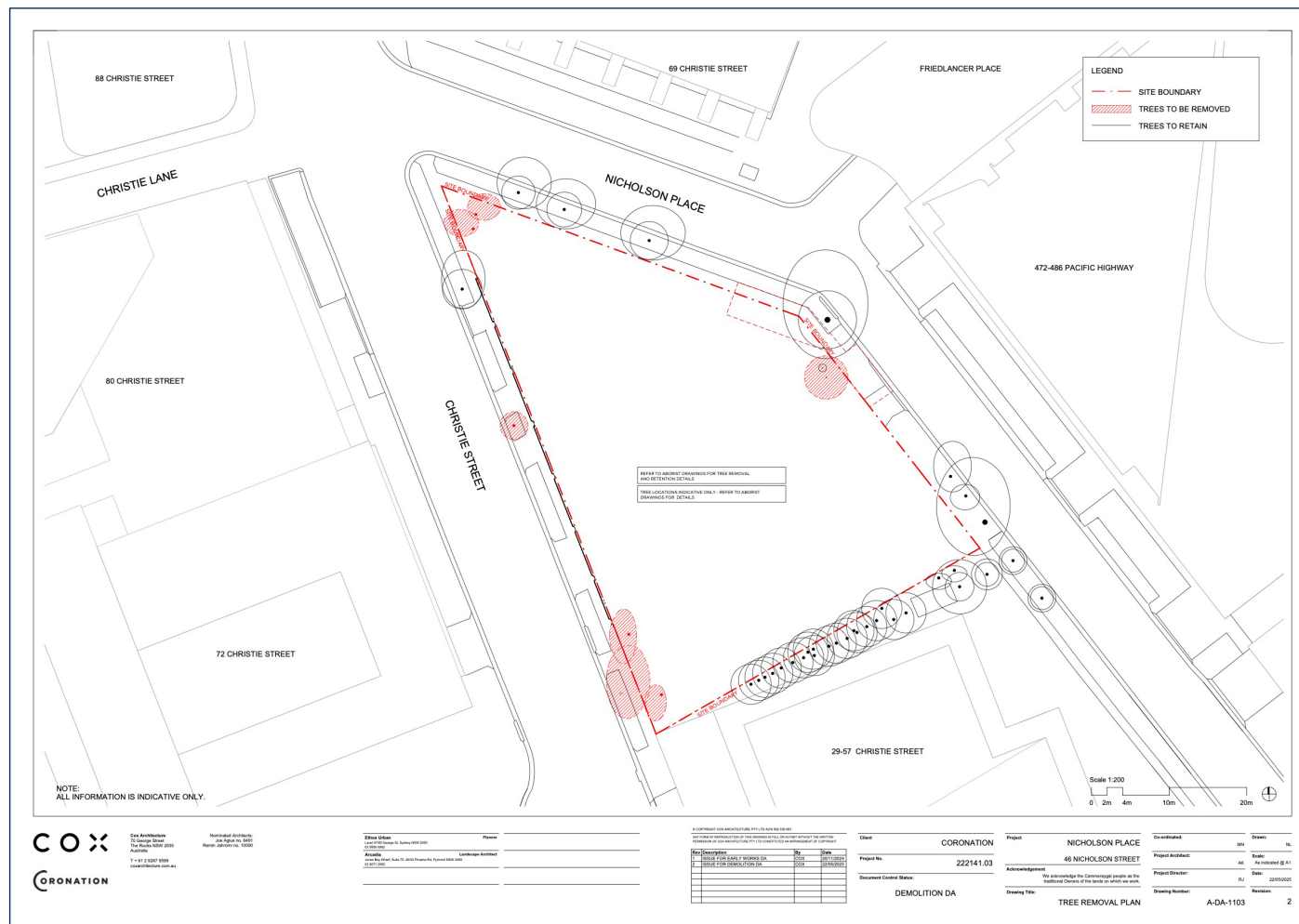
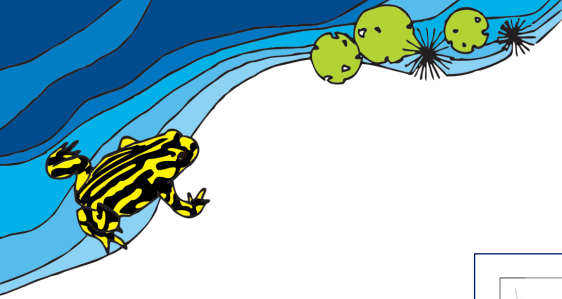
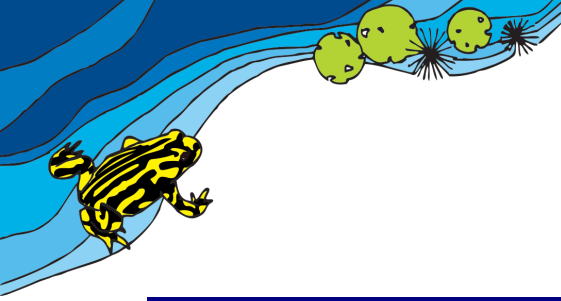


Figure 4 Demolition approved under DA32/2025



2. The Project

St Leonards Property Unit Trust (the Proponent) proposes the construction of a Build-to-rent (BTR) development with commercial uses. The upper ground plan can be seen in Figure 3.

This SSDA seeks consent for:

- A mix of residential (build-to-rent), commercial office, and retail land uses
- Vehicular access
- Associated tree removal (and replacement), landscaping and public domain upgrades
- Utility and services augmentation as required

We note that the site has been waived from the need for a BDAR previously, as attached in Appendix 1. The project is likely to have undergone only minor changes since this initial waiver with respect to the extent of excavation and site works.

Additionally, DA32/2025 was approved by Lane Cove Council on 29 July 2025 for demolition of existing structures and the removal of several trees within and around the site (**Figure 3**).



3. BDAR Waiver request information

This section provides the information detailed in Table 1 and Table 2 of The Department of Planning, Industry & Environment’s guideline ‘How to apply for a biodiversity development assessment report waiver for a Major Project Application’.

Table 1. BDAR Waiver Request information requirements

Proponent	St Leonards Property Unit Trust
Project name	Nicholson Street Build-to-Rent - Application Number: SSD-88113706 - Current Status: Pre-submission
Name Ecological qualifications of Scientist completing Table 2	Nicholas Tong BSc (Biology), MPhil (Ecology), Cert. III CLM, MECA NSW, BAM Accredited Assessor (BAAS22012), 6 years ecological consulting experience.
Site details	The subject site (Figure 1 & Figure 2) is defined as 46-52 Nicholson Street and 59-67 Christie Street, St Leonards. The site is an irregular shape bound by Christie Street to the west and Nicholson Street to the east. The site totals approximately 2301 m² and comprises of eight (8) lots as follows: • SP 18047 • Lot 2 DP 945933 • Lot 2 DP 528060 • SP 54127 • Lot B DP 334878 • Lot A DP 334878 • Lot 1 DP 949064 • Lot 11 DP 654462 The site is located to the south of St Leonards town centre, just south of the Pacific Highway. It is located within 300 m walking distance from St Leonards train station and 400 m of the Crows Nest Metro station. The subject site is within the Lane Cove LGA. The subject site is zoned E2 – Commercial Centre under the <i>Lane Cove Local Environmental Plan 2009</i>. Surrounding areas consist of a mix of land zoned E2 – Commercial Centre, MU1 – Mixed Use, R4 – High Density Residential and R3 – Medium Density Residential. Similar sized developments to the one that is proposed exist in the surrounding area (partially visible in Figure 5).



Description of existing development site, i.e., the area of land that is subject to the proposed development application	The subject site currently comprises 2-4 storey commercial buildings that are reaching the end of their lifespan. The majority of the site area is taken up by these existing buildings and associated structures. This is visible in Figure 14. Vegetation within the site and surrounds primarily consist of planted landscaping within garden beds, nature strips and the laneway to the south. Vegetation includes lawn, trees, small shrubs, and groundcovers primarily made up of exotic species and a few native species. Detailed descriptions of the vegetation on the subject site can be found in the responses to 1.4(b) BC Regulation, 1.5(2)(a) BC Act 2016, and 1.5(2)(b) BC Act 2016, in Table 2 below.
Site Map	Location map: Refer to Figure 1. Aerial image map: Refer to Figure 2. Vegetation assessment/affected area map: Figure 14.
Proposed development	St Leonards Property Unit Trust (the Proponent) seeks approval for the construction of a Build-to-rent (BTR) development with commercial uses. The upper ground plan can be seen in Figure 3. The project is expected to require the removal of all vegetation within the site, the majority of trees within the laneway to the south and two trees in the road reserve along the western boundary (Figure 14). Some pruning of trees to be retained may be required for the construction. Approximately up to 181 m² of native vegetation and 116 m² of exotic vegetation is proposed to be removed (See Figure 14).
Impacts on biodiversity values	The subject site does not contain any land included on the Biodiversity Values Map (Biodiversity Values Map and Threshold Tool). Refer to Table 2 for an assessment of potential impacts on Biodiversity Values.

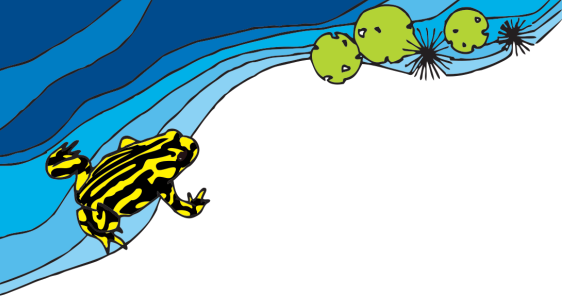
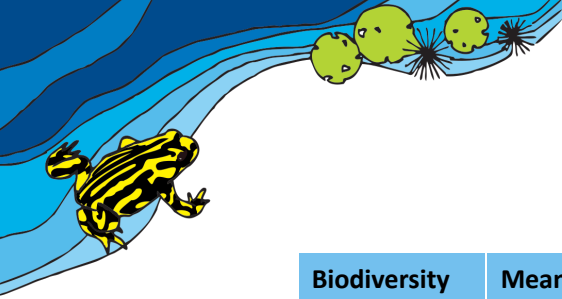
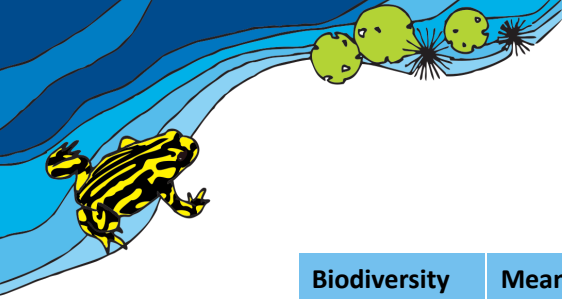


Table 2. Impacts of the proposed development on biodiversity values

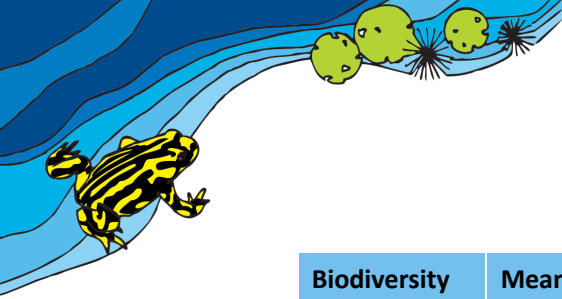
Biodiversity Value	Meaning	Relevance (✓ or N/A)	Potential impacts	
			Applicant comment/justification	BCS comment
Vegetation abundance – 1.4(b) BC Regulation	Occurrence and abundance of vegetation at a particular site.	✓	The subject site is largely covered by existing buildings and structures. The remaining vegetation within the site consists mainly of exotic tree/shrub plantings and garden beds, lawned nature strips and a few planted native species. A flora list can be found in Section 4, and Figure 14 shows a map of the assessed exotic and native vegetation cover. Vegetation along the western boundary of the site (Figure 5) is mostly planted exotic species within the road reserve or within garden beds attached to the existing buildings. Planted trees included exotic species such as Photina (<i>Photinia x fraseri</i> 'Robusta'), Cupressus spp., and Laurestine (<i>Viburnum tinus</i>). Species planted within garden beds include Box Hedges (<i>Buxus spp.</i>) and Japanese Shore Juniper (<i>Juniper conferta</i>). One native Cheese Tree (<i>Glochidion ferdinandi</i>) is planted in the south west corner of the site. Within the lane and courtyard of 59 Christie Street (Figure 6) are a a number of exotic species taking advantage of small cracks in the pavement such as Fountain Grass (<i>Cenchrus setaceus</i>), Fleabane (<i>Conyza spp.</i>) and Slender Pigeon Grass (<i>Setaria parviflora</i>). Also seen overhanging the fenceline are the Lilly Pilly (<i>Acmena smithii</i>) trees planted within the laneway along the southern boundary. The groundcover within the nature strips are either predominantly bare or dominated by Couch Grass (<i>Cynodon dactylon</i>) and exotic species including Panic Veldtgrass (<i>Ehrharta erecta</i>), Lamb's Tongues (<i>Plantago lanceolata</i>), White Clover (<i>Trifolium repens</i>), and Dandelion (<i>Taraxacum officinale</i>). See Figure 7 for an example. A garden bed occurs at the northern corner of the site (Figure 8). Within this there is a Grevillea variety (<i>Grevillea whiteana</i> 'Moonlight'), a Tea-tree (<i>Leptospermum spp.</i>), and a Bangalow Palm (<i>Archontophoenix cunninghamiana</i>) planted. The shrub and groundcover of the garden bed is made up of a mix of exotic species.	



Biodiversity Value	Meaning	Relevance (✓ or N/A)	Potential impacts	
			Applicant comment/justification	BCS comment
			Vegetation along the northern and eastern side of the site consists of a number of street tree plantings including Photinia (<i>Photinia x fraseri</i> 'Robusta'), Broad-leaved Paperbark (<i>Melaleuca quinquenervia</i>), Wallangarra White Gum (<i>Eucalyptus scoparia</i>), and Crimson Bottlebrush (<i>Callistemon citrinus</i>), (Figure 9, Figure 10, Figure 11). Some garden beds also occur with exotic species for example Murraya (<i>Murraya paniculata</i>), Agapanthus (<i>Agapanthus praecox</i>), Clivia spp., and Century Plant (<i>Agave Americana</i> 'Variegata'). A laneway occurs along the southern boundary within which a number of trees have been planted, primarily Lilly Pillys (<i>Acmena smithii</i>) (Figure 12), the majority of which will require removal for the project. Negligible impact.	
Vegetation integrity 1.5(2)(a) BC Act 2016	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 vegetation within the subject site has been heavily/entirely altered from a natural state. The site has been developed since at least 1943 and redeveloped since then (NSW Government Historical Imagery Map Viewer). All strata of native vegetation are likely to have been historically cleared. As described above, the vegetation consists primarily of planted exotic gardens and tree plantings of exotic and native species. A Plant Community Type (PCT) is not recognisable from what occurs on the site today. The planted native trees (Lilly Pillys (<i>Acmena smithii</i>), Crimson Bottlebrush (<i>Callistemon citrinus</i>), and Broad-leaved Paperbark (<i>Melaleuca quinquenervia</i>)) may provide some minor foraging opportunities for native fauna. However, the vegetation on site is not considered to provide a significant ecological function. Only a relatively small area of this planted native vegetation on site compared to the surrounding landscape is proposed to be affected. Negligible impact.	



Biodiversity Value	Meaning	Relevance (✓ or N/A)	Potential impacts	
			Applicant comment/justification	BCS comment
Habitat suitability 1.5(2)(b) BC Act 2016	Degree to which the habitat needs of threatened species are present at a particular site.	✓	The subject site contains exotic lawns and planted gardens and trees, which provide minimal potential foraging habitat for threatened species. No hollows, nests or other habitat features were observed on the site. While there were unit buildings and carparking structures (Figure 12) on the site, they were not suitable roosting habitat for microbats, as the structures were either well sealed or open and well-ventilated with no cracks or crevices. A bat scat search was conducted within the carpark areas with no scat being found. No hollows or flaking bark was observed on trees within the site. Negligible impact.	
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.	✓	No threatened species were observed during the site survey. Threatened species are not expected to occur at the subject site. The subject site does not contain any key habitat features for threatened species. The vegetation on the subject site does not comprise of Plant Community Type or Threatened Ecological Community. Negligible impact.	
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 site is largely surrounded by developed areas and provides very limited habitat connectivity. The site is not likely to facilitate the movement of threatened species between areas of habitat. Negligible impact.	



Biodiversity Value	Meaning	Relevance (✓ or N/A)	Potential impacts	
			Applicant comment/justification	BCS comment
Threatened species movement 1.4(d) BC Regulation	Degree to which a particular site contributes to the movement of threatened species to maintain their life cycle.	✓	The subject site is largely surrounded by developed areas and contains planted vegetation. The subject site is unlikely to contribute to the movement of threatened species. Negligible impact.	
Flight path integrity 1.4(e) BC Regulation	Degree to which the flight paths of protected animals over a particular site are free from interference.	✓	The subject site currently comprises 2-4 storey commercial buildings. The Project proposed may have a maximum height comparable to surrounding high density towers (approx. 36 storeys). The subject site is located within a high density area of the commercial centre of St Leonards. Similar sized developments to the one that is proposed exist in the surrounding area (partially visible in Figure 5 Considering the site context, the Project is unlikely to interfere with the flight paths of protected animals. Negligible impact.	
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.	✓	Berry's Creek occurs approximately 580 m south west of the subject site. Flat Rock Creek occurs approximately 1.2 km north of the subject site. The Project is not expected to have any significant impact on water quality, water bodies or hydrological processes. The Project will be constructed in accordance with a development approval, which would contain appropriate sediment and erosion controls. Negligible impact.	

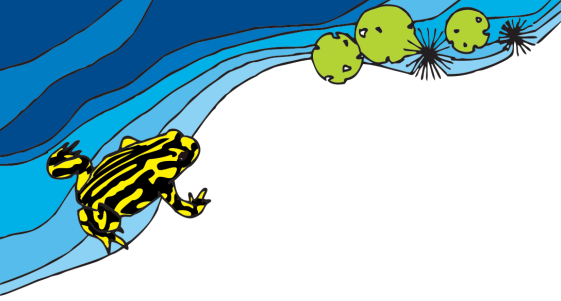


Figure 5. Western boundary of site looking north along Christie Street.



Figure 6. Courtyard of Lot 11 DP 654462, emerging exotic species, overhanging *Acmena smithii* along southern site boundary.

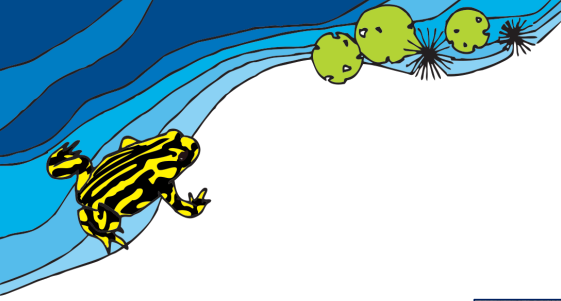


Figure 7. Example of road reserve lawns.



Figure 8. Garden bed at northern corner of site.

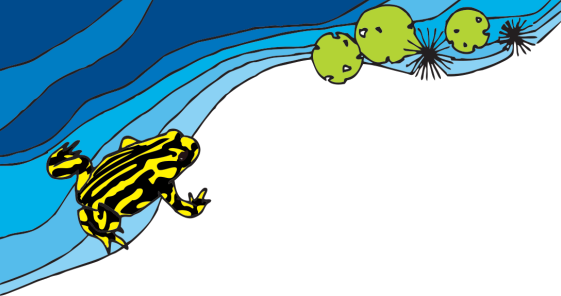


Figure 9. Row of Photinias along north eastern site boundary.



Figure 10. Looking north towards bend in Nicholson Street. Broad-leaved Paperbark and garden beds visible.

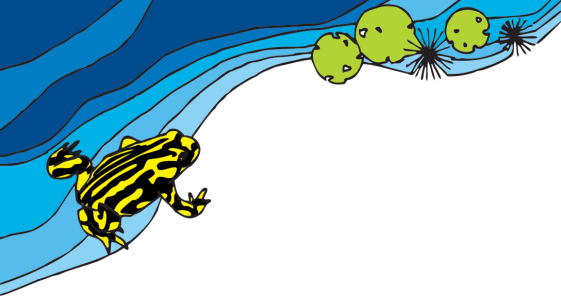


Figure 11. Callistemons and White Gum along eastern site boundary (Lot 1 DP949064).



Figure 12. Lilly Pillies (*Acmena smithii*) along alleyway, southern site boundary.



Figure 13. Under building carpark.

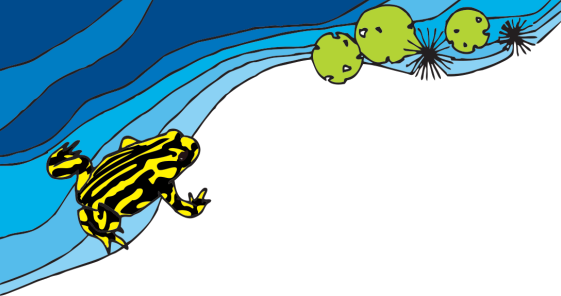
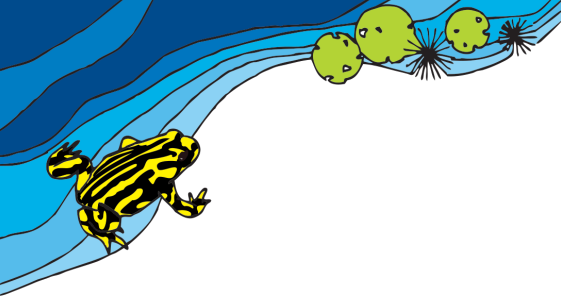


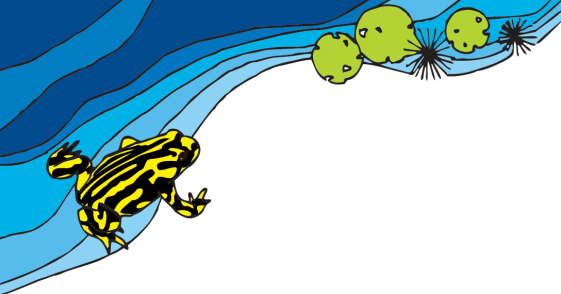
Figure 14. Impacts to vegetation.



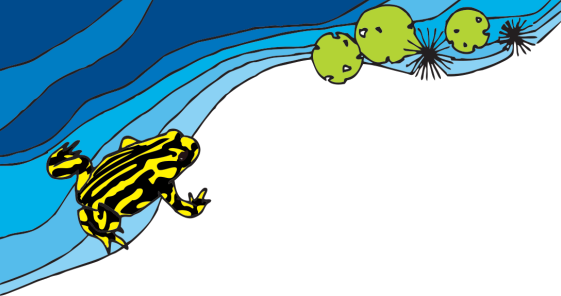
4. Flora species list

The grid reference for this locality is 333069.8 East, 6255833.0 North (Geographic).

Family	Scientific name	Common name
Adoxaceae	<i>Viburnum tinus</i> *	
Agavaceae	<i>Agave Americana</i> *	Century Plant
	<i>Agave attenuata</i> *	
Alliaceae	<i>Agapanthus praecox</i> *	
Amaryllidaceae	<i>Clivia spp.</i> *	
Araceae	<i>Monstera deliciosa</i> *	Fruit Salad Plant
Arecaceae	<i>Archontophoenix cunninghamiana</i>	Bangalow Palm
	<i>Howea forsteriana</i>	Kentia Palm
Asteraceae	<i>Ageratina adenophora</i> *, HTW	Crofton Weed
	<i>Conyza spp.</i> *	
	<i>Crassocephalum crepidioides</i> *	Thickhead
	<i>Helichrysum petiolare</i> *	Licorice Plant
	<i>Taraxacum officinale</i> *	Dandelion
Bromeliaceae	<i>Bromeliad spp.</i> *	
Buxaceae	<i>Buxus spp.</i> *	
Commelinaceae	<i>Commelina cyanea</i>	Native Wandering Jew
Convolvulaceae	<i>Dichondra repens</i>	Kidney Weed
Cunoniaceae	<i>Ceratopetalum gummiferum</i>	Christmas Bush
Cupressaceae	<i>Cupressus spp.</i> *	
	<i>Juniperus conferta</i> *	Japanese Shore Juniper
Cyperaceae	<i>Carex inversa</i>	Knob Sedge
	<i>Cyperus rotundus</i> *	Nutgrass
Elaeocarpaceae	<i>Elaeocarpus eumundii</i>	Eumundi Quandong
Fabaceae (Faboideae)	<i>Trifolium repens</i> *	White Clover
Lamiaceae	<i>Prostanthera (ovalifolia)</i>	
Malaceae	<i>Photinia x fraseri 'Robusta'</i> *	
Marantaceae	<i>Ctenanthe setosa</i> *	
Myrtaceae	<i>Acmena smithii</i>	Lilly Pilly



Family	Scientific name	Common name
	<i>Backhousia citriodora</i> *	
	<i>Callistemon citrinus</i>	Crimson Bottlebrush
	<i>Eucalyptus scoparia</i>	Wallangarra White Gum
	<i>Leptospermum</i> spp.	Tea-tree
	<i>Melaleuca quinquenervia</i>	Broad-leaved Paperbark
	<i>Syzygium luehmannii</i>	Small-leaved Lilly Pilly
	<i>Waterhousea floribunda</i>	Weeping Lilly Pilly
Oleaceae	<i>Ligustrum lucidum</i> *, HTW	Large-leaved Privet
	<i>Olea europaea</i> subsp. <i>cuspidata</i> *, PW	African Olive
Oxalidaceae	<i>Oxalis</i> spp.	
Phormiaceae	<i>Dianella</i> spp.	
Phyllanthaceae	<i>Glochidion ferdinandi</i>	Cheese Tree
	<i>Phyllanthus tenellus</i> *	Hen and Chicken
Plantaginaceae	<i>Plantago lanceolata</i> *	Lamb's Tongues
Poaceae	<i>Cenchrus setaceus</i> *, HTW	Fountain Grass
	<i>Cynodon dactylon</i>	Common Couch
	<i>Digitaria ciliaris</i> *	Summer Grass
	<i>Ehrharta erecta</i> *, HTW	Panic Veldtgrass
	<i>Paspalum dilatatum</i> *, HTW	Paspalum
	<i>Setaria parviflora</i> *	
Polygonaceae	<i>Rumex conglomeratus</i> *	Clustered Dock
Proteaceae	<i>Grevillea</i> spp.	
	<i>Grevillea whiteana</i> 'Moonlight'	
Rutaceae	<i>Murraya paniculata</i> *	
Solanaceae	<i>Solanum nigrum</i> *	Black-berry Nightshade
Ulmaceae	<i>Celtis occidentalis</i> *	Hackberry
Urticaceae	<i>Parietaria judaica</i> *	Pellitory
Verbenaceae	<i>Duranta erecta</i> *	Sky Flower
Zingiberaceae	<i>Alpinia nutans</i> *	



Key

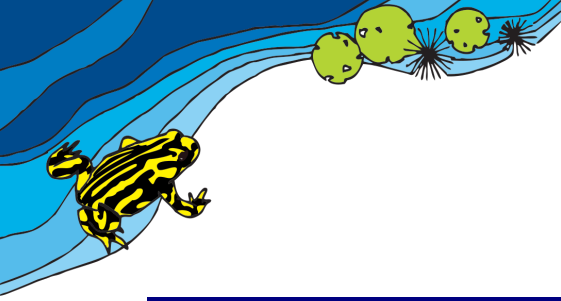
* Introduced species

HTW – High threat weed

PW – Priority weeds for the Greater Sydney

NEALW – National Environmental Alert List Weeds

WONS – Weeds of National Significance



5. Conclusion

A BDAR is not considered necessary for the Project for the following reasons:

- The Project involves the removal of a minimal area of planted gardens and trees (Approximately up to 181 m² of native vegetation and 116 m² of exotic vegetation is proposed to be removed (Figure 13)).
- No threatened species or threatened ecological communities were observed during the site survey. No suitable habitat features for threatened species were observed within the subject site.
- The site is not part of a recognised movement corridor between breeding grounds, foraging grounds, or other habitats important for the lifecycle of species such as staging points for migration. The site provides very limited connectivity in the urban matrix.
- Flight path integrity is unlikely to be impacted.
- Water quality, water bodies and hydrological processes are unlikely to be impacted by the proposed development.

6. Bibliography

ICSM, 2025. *Elvis - Elevation and Depth - Foundation Spatial Data*. [Online]

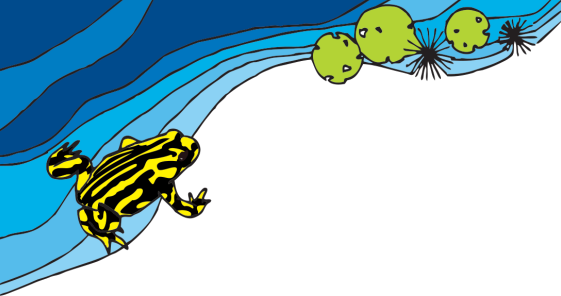
Available at: <https://elevation.fsf.org.au/>

Nearmap, 2024. *Nearmap*. [Online]

Available at: www.nearmap.com

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Available at: <https://datasets.seed.nsw.gov.au/dataset/nsw-basemap>



7. Company Profile

Abel Ecology has been in the biodiversity consulting business since 1991, starting in the Sydney Region, and progressively more state-wide in New South Wales since 1998, and now also in Victoria. During this time extensive expertise has been gained with regard to Master Planning, Environmental Impact assessments including flora and fauna, bushfire reports, Vegetation Management Plans, Management of threatened species, Review of Environmental Factors, Species Impact Statements, Biodiversity Development Assessment Reports and as Expert Witness in the Land and Environment Court. We have done consultancy work for industrial and commercial developments, golf courses, civil engineering projects, tourist developments as well as residential and rural projects. This process has also generated many connections with relevant government departments and city councils in NSW. Our team consists of seven scientists and four administrative staff, plus casual assistants as required.

Licences

NPWS s132C Scientific licence number is SL100780.

NPWS GIS data licence number is CON95034.

NSW Dept of Primary Industries Secretary's Animal Care and Ethics Committee Approval: 18/575.

NSW Dept of Primary Industries Animal Research Authority. Accreditation No: 84207.

The Consultancy Team

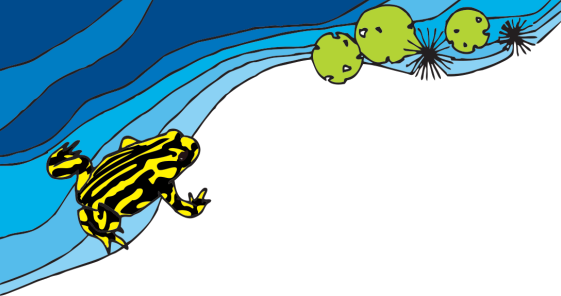
Dr Danny Wotherspoon

Principal

BSc, DipEd, MA, PhD, Grad Dip Bushfire Protection,
MECA NSW, MEPLA, MNELA, MESA, MEIANZ, White card.

Danny has practised as an ecological and bushfire consultant since 1991. He is a consulting ecologist to private developers, State Government agencies and various City Councils on a regular basis, for development applications, government projects, and as expert witness in the NSW Land and Environment Court.

Danny's PhD researched fragmented vegetation and fauna habitat use. He has special expertise in fauna habitat use. Danny has presented invited papers at international conferences since 2001 in Australia, China, South Africa, Sri Lanka and Israel on his PhD and other research, including golf course habitat management. Danny's scientific papers have been published in both international and Australian academic journals.



Mark Mackinnon

Snr Bushfire Specialist / Snr Ecologist

Bushfire Planning & Design (BPAD), Accredited Practitioner Level 3. Accreditation number 36395.

B Env. Sci. (Hons); Grad. Dip. in Bushfire Protection

MEIANZ, White Card

Mark is a passionate and enthusiastic scientist who thrives in the field of natural resource management. Mark has worked for a number of inter-state government agencies and environmental consultancies. He has experience in threatened species, fire ecology, bushfire management, pest plant and animals, and landscape restoration. In particular, he specializes in ornithology and bushfire management. Mark has many specialised field-based skills including simple and complex tree climbing, working at heights, general firefighter departmental fire accreditation, venomous snake and reptile handling, immunization to handle bat species, and an A - class bird banding license with mist-net endorsement. Mark is also skilled in Arc and QGIS mapping, first-aid and four - wheel-driving.

Mark Sherring

Snr Botanist

BM, MAABR, Cert. Hort., Cert. Bush Regen, Cert. Rural Ops, White Card.

Member of the Australian Association of Bush Regenerators

Mark has extensive knowledge and experience of plant species in New South Wales. He has built up his expert knowledge on NSW native plant species over the many years that he has practised as a Botanist. He is regularly asked to contribute to the extensive (ongoing) flora surveys of the Sydney Basin and Blue Mountains carried out by the Royal Botanic Gardens, Sydney. Mark has extensive field survey experience, having worked for over ten years in various plant-related roles. His role in Abel Ecology is to provide expert advice on flora and on the full range of flora management issues encountered and in the design and management of environmental monitoring projects.

Nicholas Tong

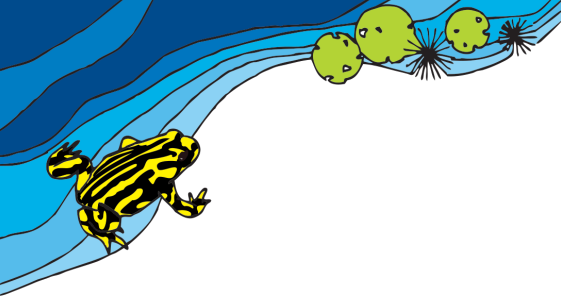
Snr Ecologist

BAM Accredited Assessor (BAAS22012),

BSc (Biology), MPhil (Ecology), Cert. III CLM

MECA NSW, Snr First Aid, White card.

Nicholas is an experienced ecologist with expertise in fauna, plant species identification, vegetation assessment and ecological restoration. In the last six years, he has been a consulting ecologist to private developers and large corporations, for a variety of projects including State Significant Developments. Nick has extensive field work experience in Sydney, the Blue Mountains and Central West NSW. His Master's project investigated the impacts of exotic predators on herpetofauna in the arid zone. His role at Abel Ecology is to provide expert advice on fauna and the application of the Biodiversity Offset Scheme.



Andy Araya

Ecologist

B Env. Sci. MTeach (Env., Marine, Agr., Bio., Chem.), Dip. Marine Operations

First Aid Cert. White Card. ACDC Chemical Licence, NSW Boating Licence, Marine Radio Licence, Security Licence, Chainsaw Licence.

Andy has over 15 years' experience as a bush regeneration supervisor working across a number of environments throughout NSW and QLD from EEC of the Cumberland Plain, riparian and wetland areas, sand dunes and rainforests, to the higher elevations of the Blue Mountains National Park. Managing teams of up to 10 staff in remote areas as well as urban environments has allowed Andy to hone his skills of communication and native species identification. Andy's additional experience as a builder in the building and construction industry gives him a solid understanding of the considerations and legal requirements clients face in mitigating environmental and personal harm.

Emily Barbaro

Ecologist

BA, MPublishing, Grad. Cert. EnvSc, MEScM

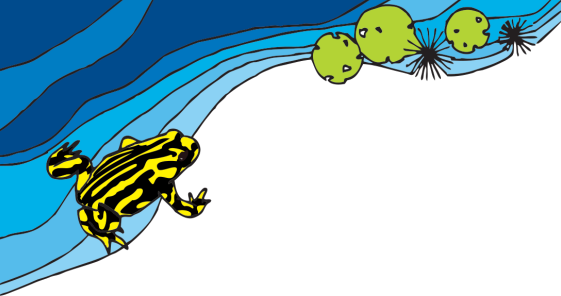
Emily has completed a Graduate Certificate in Environmental Science and a Masters of Environmental Science and Management. During her degree, Emily also completed the Volunteer Botanical Training Program at the Australian National Herbarium, Centre for Australian National Biodiversity Research and CSIRO. The Program included both botanical and general herbarium tasks, such as archiving plant specimens, plant identification, and assistance with taxonomic research projects. Emily has previously worked as a Bush Regenerator and has been volunteering with Bushcare for Blue Mountains City Council for the last three years. She is passionate about continuing to learn more about her local Blue Mountains flora and fauna.

Erin Parker

Ecologist

B Biodiversity and Conservation, Macquarie University.

Erin has completed a Bachelor of Biodiversity and Conservation at Macquarie University. Erin has previously worked as a bush regeneration team member while completing her degree. There she was able to develop plant ID skills and understanding of the procedures of weed management and restoration. Erin has also taken part in a casual position assisting with threatened species surveys in the Central West of NSW. This involved various tasks including tree hollow surveys for Glossy Black Cockatoos, preparation for reptile surveys, spotlighting, harp trapping surveys of microbats, and Koala SAT plot surveys. Erin is passionate about furthering her knowledge on native Australian flora and fauna, their ecology and impacts.



Callista Harris

Technical Officer

BPlan (Hons)

First Aid Cert., White Card, Work Safely at Heights, Chainsaw Licence, Operate Elevating Work Platform (scissor lift), High Risk Work Licence - Boom-Type Elevating Work Platform (WP) (over 11 metres), Cert. Venomous Snake Handling, Damage Mitigation Permit - Protected Animals.

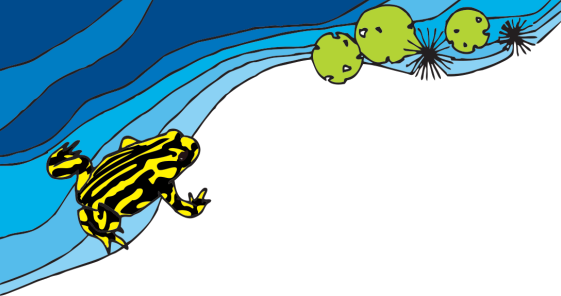
Callista has 9 years' experience as an urban planner. She has a strong knowledge of NSW environmental legislation and has secured approvals for a wide range of developments, including housing developments, industrial developments, solar farms, and infrastructure. She has recently changed careers and has gained valuable on the ground experience working as a fauna spotter catcher, ecologist, and botanist on various projects.

Dr Stephanie Clark

Specialist Consultant

B Sc (Hons), PhD

Stephanie has over 30 years' experience in the collection, identification and taxonomy of marine, estuarine, freshwater and terrestrial molluscs. She has conducted numerous targeted surveys for endangered and threatened species (particularly land and freshwater molluscs) in both Australia and the United States. She is particularly interested in the systematics, taxonomy, morphology (external and internal), population and conservation genetics and conservation of molluscs particularly terrestrial (especially the *Helicoidea*) and freshwater (especially the *Hydrobiidae* and related families) groups.



Appendix 1. Previously granted BDAR Waiver



Planning &
Environment

Yousheng Li
Ethos Urban
173 Sussex Street
Sydney NSW 2000

Our ref: SSD-56527976

-via email-
yli@ethosurban.com

Dear Yousheng Li

Subject: Nicholson Street BTR (SSD-56527976) – Request to waive the need for a BDAR under the Biodiversity Conservation Act 2016

I refer to your email dated 26 April 2023, regarding the request to waive the need 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.”

The authority of the “Planning Agency Head” to determine whether a proposed development is “not likely to have any significant impact on biodiversity values” has been delegated to Directors within the Planning Services Division on 21 December 2017.

I have reviewed the application of the test of significance under sections 1.5 and 7.3 of the BCA and clause 1.4 of the *Biodiversity Conservation Regulation 2017* and determine that the development (as described in the letter from Ecological dated 5 April 2023) is not likely to have any significant impact on biodiversity values. The application, therefore, does not need to be accompanied by a BDAR. Accordingly, a waiver under section 7.9 is granted for the proposed development (being Nicholson Street BTR (SSD-56527976)).

The delegated *Environment Agency Head* in the Office of Environment and Heritage (OEH) has also granted a waiver in a letter dated 12/05/2023 and a copy of that letter is attached.

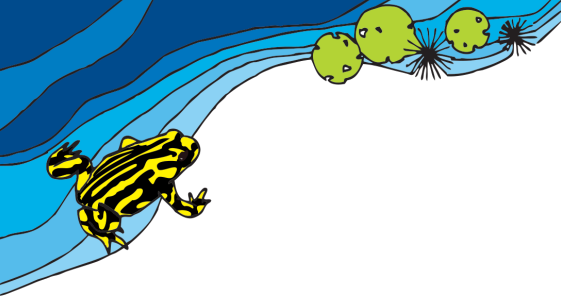
This waiver is issued in respect of the proposed development detailed in a request for Planning Secretary’s environmental assessment requirements (SEARs) dated 28 April 2022. Amendments to the development may require a further waiver to be sought and issued.

Should you have any enquiries regarding the above matter, please contact Stephen Dobbs on (02) 8275 1604. or via email to stephen.dobbs@dpie.nsw.gov.au.

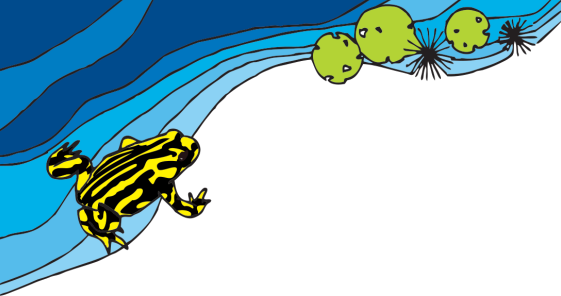
Yours sincerely,

Alan Bright
Director, State Significant Acceleration
As delegate of the Secretary

Department of Planning & Environment
4 Parramatta Square (Locked Bag 5022), Parramatta 2124 | www.planning.nsw.gov.au



Attachment: OEH Waiver



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

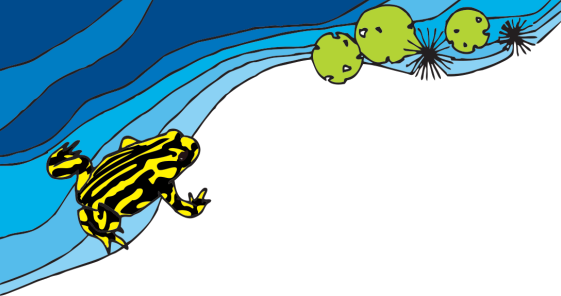
I, Louisa Clark, Director Greater Sydney, of the Department of Planning and Environment, under section 7.9(2) of the *Biodiversity Conservation Act 2016*, consider that the proposed development is not likely to have any significant impact on biodiversity values. Therefore, a Biodiversity Development Assessment Report is not required.

Proposed development means the development as described in DOC23/350930-1 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.

**Louisa Clark
Director
Greater Sydney
Environment and Heritage Group**

12/05/2023

Date



SCHEDULE 1 – Description of the proposed development

The State Significant Development Application (SSD-56527976) seeks concept approval for the mixed-use redevelopment proposal at 46-52 Nicholson Street and 59-67 Christie Street, St Leonards. The study area is in the lower North Shore of Sydney within Lane Cove local government area.

The study area is currently occupied by commercial buildings. The application seeks concept approval for the following development:

- A building envelope with a maximum height of 29 storeys with an overall ground floor area of circa 34,500 square metres
- A mix of build-to-rent, commercial office and retail land uses
- Vehicular access from Christie Street and semi vehicular (loading) access from Nicholson Street
- Basement car parking.

The Location and Study Area map are shown at Figure 1 with the site boundary being outlined in red. The indicative upper ground (Nicholson Street) floor plan for the proposed development is at Figure 2 and the Proposed Actions are shown at Figure 3.



Figure 1: Location and Study Area map

