BDAR Waiver Request - 33 and 37 Herbert Street - St Leonards

33 and 37 Hebert Street, St Leonards

Aqualand St Leonard Development Pty Ltd

Level 37, Australia square, 264 George Street
Sydney, NSW 2000

Prepared by:

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2060, Australia

SLR Project No: 610.032912.00001

21 April 2026

Revision: 1.2

Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
V0.1	2 July 2025	Vander Bertoldo	Frankie O'Brien	Jeremy Pepper
V1.0	18 July 2025	Vander Bertoldo	Frankie O'Brien	Jeremy Pepper
V1.1	4 August 2025	Vander Bertoldo	Frankie O'Brien	Jeremy Pepper
V1.2	21 April 2026	Vander Bertoldo	Frankie O'Brien	Jeremy Pepper

Basis of Report

This report has been prepared by SLR Consulting Australia (SLR) with all reasonable skill, care and diligence, taking account of the timescale and resources allocated to it by agreement with Aqualand St Leonard Development Pty Ltd (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

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1.0 Introduction

This Biodiversity Development Assessment Report (BDAR) Waiver Request has been prepared to support a State Significant Development Application (SSDA) SSD- 88511459 for the site at 33 – 37 Herbert Street, St Leonards.The Minister for Planning, or delegate, is the consent authority for the SSDA and this application is lodged with the NSW Department of Planning, Housing and Infrastructure (DPHI) for assessment.

The subject site is located on the periphery of the St Leonards/Artarmon industrial precinct and is highly urbanised, with existing commercial buildings, sealed surfaces, and no mapped native vegetation.

This report has been prepared in response to the requirements contained within the Secretary's Environmental Assessment Requirements (SEARs) dated 21 August 2025 (SSD- 88511459). Specifically, this report has been prepared to respond to the following SEARs:

Table 1: SEARs Requirement

Secretary's Environmental Assessment Requirements (SEARs)	Refer Report Section
16. Biodiversity • Unless a waiver has been granted, provide a Biodiversity Development Assessment Report (BDAR) that assesses any biodiversity impacts associated with the development in accordance with the *Biodiversity Conservation Act 2016* and the *Biodiversity Assessment Method 2020*.	Section 3.0

The purpose of this BDAR Waiver is to determine whether the proposed development is likely to result in any significant impact on biodiversity values under the *Biodiversity Conservation Act 2016 (BC Act)*, and to justify that a full BDAR is not required.

A preliminary **desktop assessment and field inspection** inform this report. Initial investigations, including review of the Biodiversity Values Map and Threshold (BMAT) tool, confirm that the site does not intersect with any mapped biodiversity values and the proposed clearing footprint is below the biodiversity offset scheme threshold. A BioNet Atlas of NSW Wildlife search (10 km × 10 km) was undertaken to identify any records of threatened species, populations, or ecological communities within the broader locality. The site is highly urbanised, with no mapped native vegetation or known ecological features.

In accordance with the *Apply for a BDAR Waiver – Guidelines for Applicants* (DCCEEW, 2019), and the supporting Biodiversity Values Map and Threshold (BMAT) Report (generated 18 June 2025), this BDAR Waiver request is based on the following findings:

- **No mapped Biodiversity Values** occur within the development footprint (BV Map threshold not exceeded) BMAT Report.

- The **area clearing threshold is not exceeded**, with only **835.9 m²** of planted native vegetation estimated.
- **No remnant native vegetation** threatened ecological communities, or suitable habitat for threatened flora or fauna species are present on the site.
- The site comprises highly urbanised land, dominated by buildings, sealed hardstand, and formal landscaping. The development will only result in the removal of **planted ornamental species and scattered landscape trees** and is not expected to cause any direct or indirect impacts to areas of ecological significance.

These outcomes confirm that the proposed works are unlikely to have any significant impact on biodiversity values and that the development satisfies the eligibility criteria under Clause 7.9(2) of the *Biodiversity Conservation Regulation 2017* for the granting of a BDAR Waiver.

The report is structured to respond to the Department's BDAR Waiver information requirements, specifically:

- Table 2: BDAR Waiver request information requirements.
- Table 3: Impacts of the proposed development on biodiversity values; and
- Attachments providing supporting documentation where applicable.

2.0 Project Description

The SSDA seeks development consent for the following:

- Demolition of the existing buildings on site apart from the two-level, basement structure which is to be retained, adapted and reused for car parking;
- Site excavation, and other preparatory site works;
- Construction and operation of a part 13 storey and part 39 storey mixed use development comprising:
    - Approximately 413 dwellings including 46 affordable housing dwellings located on Levels 2 to 37 (excluding Level 4);
    - Shared amenities and landscaped communal open space on Level 4;
    - Approximately 5,918m2 of non-residential (commercial/ retail) GFA located on Ground and Level 1;
    - Car parking spaces within the basement and podium; and
    - Ground floor loading and servicing.
- Associated landscaping works; and
- Augmentation of utilities and infrastructure.

Amend the Willoughby Local Environmental Plan (WLEP 2012) as follows:

- Rezone the subject site from E4 General Industrial to MU1 Mixed Use;
- Establish maximum height of RL 209.3m AHD;
- Amend maximum FSR from 1:1 to 7.15:1; and
- Establish non-residential FSR of 1:1.

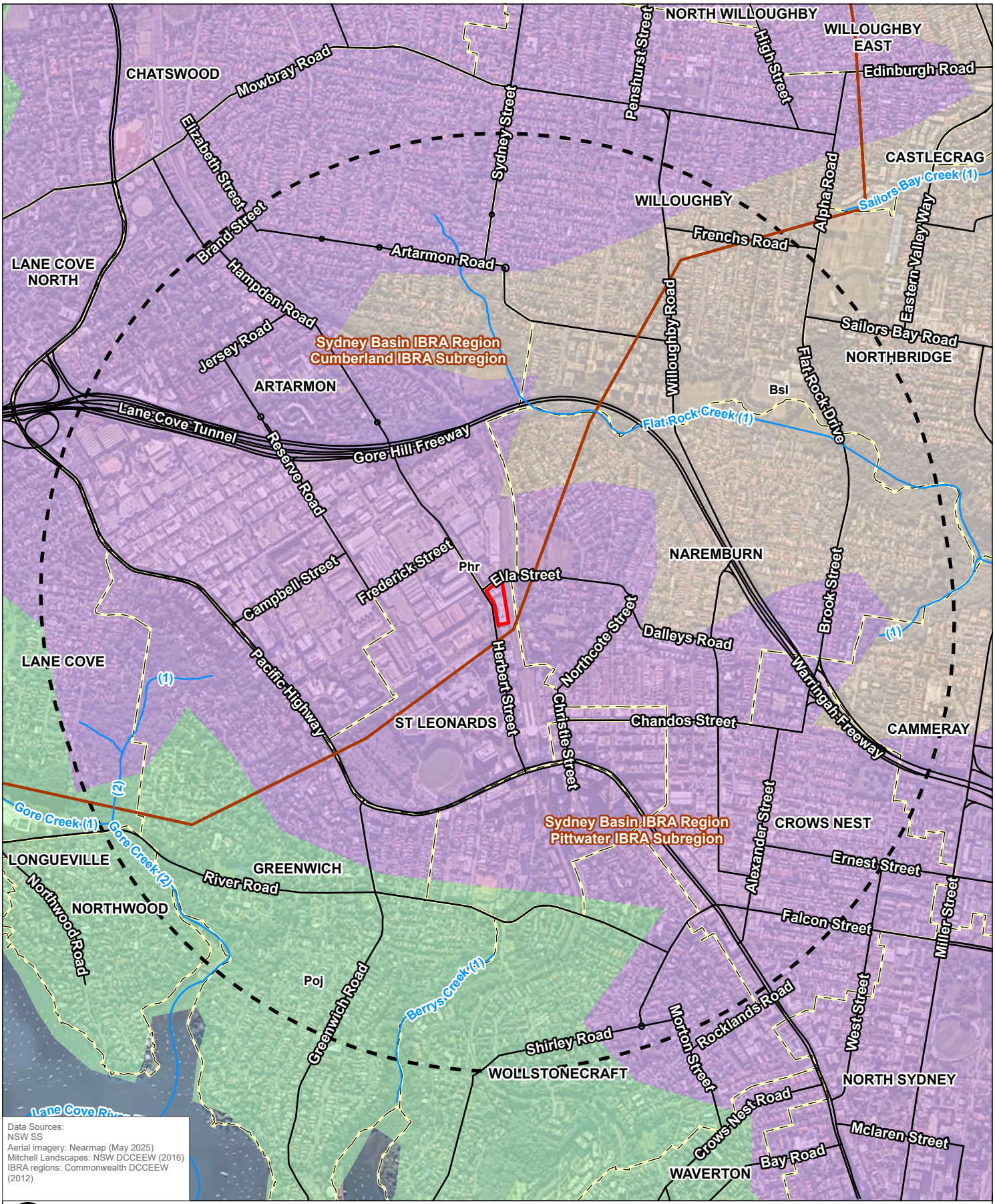
The BDAR waiver request information requirements are addressed in Table 2 below.

Table 2 BDAR waiver request information requirements

Type	Information Requirement	Project Information
Administration	*Proponent name and contact details*	The proponent is Aqualand St Leonard Development Pty Ltd. The project contact is Stephanie Stamatellis (0401 203 745), Level 37, Australia Square, 264 George Street, Sydney NSW 2000.
	Project ID (Information to identify which SSD or SSI project the request relates to and where the project is up to in the assessment process).	This BDAR Waiver request relates to the proposed mixed-use development at 33 and 37 Herbert Street, St Leonards, within the Willoughby LGA. The site comprises 33 Herbert Street – Lot 1 & 2 in DP 744175 & Lot 3 in DP 772072 and 37 Herbert Street – Lot 1 in DP 115615, situated walking distance to the St Leonards Station and Crows Nest Metro Station. The project was declared SSD under the Housing Delivery Authority (HDA) SSD pathway, having been in April 2025. The proposal is currently in the early stages of the SSD application process, with this BDAR Waiver request forming part of the preliminary documentation to inform environmental assessment and scoping.
	Name and ecological qualifications of person completing Table 2	The primary author of Table 3 is Vander Bertoldo. Vander has a Bachelor's degree in Biological Science (Honours), (UNESC University, 2013) and a Masters in Marine and Environmental Science, (SCU University, 2022). The secondary author and reviewer of Table 3 is Frankie O'Brien. Frankie is an Associate Consultant and has a Master's Degree in Environmental Law and is a Biodiversity Assessment Method (BAM) Accredited.
	Description of the existing development site, i.e., the area of land that is subject to the proposed development application. If any part of the land is considered 'Category 1– exempt land' information must be provided to demonstrate how the land meets the criteria that apply to Category 1 – Exempt Land.	The site is currently developed and occupied by a warehouse and 3 storey commercial office building, and at-grade car parking. A site inspection undertaken by a qualified ecologist confirmed the absence of remnant native vegetation, with all trees identified as either exotic or planted native species in a landscaped context. No native understorey or midstorey vegetation is present, and the spacing and composition of vegetation along lot boundaries is consistent with ornamental plantings rather than natural regeneration. No tree hollows, nests, or other fauna microhabitats were recorded, and the site is functionally disconnected from any mapped biodiversity corridors or habitat linkages. Under the **Local Land Services Act 2013**, land that is highly modified and does not contain remnant native vegetation may qualify as **Category 1 – Exempt Land**. In accordance with **Clause 28(1)(a)** of the **Local Land Services Regulation 2014**, land is categorised as Category 1 if it is not subject to native vegetation clearing restrictions, is not biodiversity certified land, and does not contain remnant vegetation or high conservation value grasslands. Based on field inspection and review of current aerial imagery, the site meets these criteria: • The land does not contain any mapped or observed remnant vegetation; • There is no evidence of native vegetation natural regeneration;

Type	Information Requirement	Project Information
		• The site is fully developed with built infrastructure and landscaping; and • The land is not identified as biodiversity certified or subject to a private land agreement under the LLS framework. Accordingly, the site qualifies as **Category 1 – Exempt Land** under **Part 5A of the Local Land Services Act 2013**, and the proposed development footprint does not exceed the relevant clearing thresholds under the Biodiversity Conservation Regulation 2017. The minor extent of vegetation removal is addressed through this **BDAR Waiver request**, and a full BDAR is not required.
	Location map showing the development site in the context of surrounding areas and landscape features. Satellite image of the site in the context of adjoining sites.	See Figure 1
	Site Map (to scale, ideally as a spatial shapefile).	See Figure 2
	SVTM Map	See Figure 3
	Proposed Site Plan	Refer to Figure 5 and Appendix B for site plans and proposal
Impacts on biodiversity values	*Complete Table 2 below on Biodiversity Values. For each biodiversity value, the proponent must either:* • *explain why the value is not relevant to the proposed development.* • *where a biodiversity value may be relevant, provide an explanation of how impacts have been avoided and identify the likelihood and extent of any remaining impacts of the proposed development, including impacts prescribed under clause 6.1 of the BC Regulation.* *A biodiversity value is not relevant to a proposed development if the value is not present on the development site and there is no potential for direct or indirect impacts on the biodiversity value if it occurs off-site.*	The site is located within a highly urbanised residential setting and contains no mapped native vegetation or remnant ecological features. A site inspection confirmed that all vegetation present is planted and predominantly ornamental or exotic in origin, with a small number of local and non-local native species that do not resemble a naturally occurring plant community. The site lacks natural understorey, midstorey, and habitat features such as tree hollows, logs, or native groundcover. As such, there is no potential for the proposed development to result in direct or indirect impacts to native vegetation, threatened species, or other prescribed biodiversity values. Each biodiversity value has been assessed in Table 2 below in accordance with clause 6.1 of the *Biodiversity Conservation Regulation 2017*.
	Where one or more biodiversity values may be relevant to the proposed development, Table 2 is to be completed by a suitably qualified person with tertiary qualifications in natural sciences including subjects that relate to the observation and description of terrestrial biodiversity and landforms, and at least three years of work experience in environmental assessment including field identification of plant and animal species and habitats. The person does not need to be an accredited person under the BC Act.	As detailed in the administration section above, Table 3 has been completed by suitably qualified ecologists Vander and Frankie. Vander has five years, and Frankie has over 10 years of ecological consulting experience.

Type	Information Requirement	Project Information
	Attach any additional information required where biodiversity values are relevant to the site. E.g. Vegetation Map (indicating plant community types), Ecology Reports, Water Quality data, BioNet Atlas, Directory of Important Wetlands (DIWA), and migratory bird flyway information.	The following appendices are attached: A. Historic Aerial Imagery B. Site Plans and Proposal C. BMAT Report D. BioNet Atlas Search Results E. Site Photos



Data Sources:
NSW SS
Aerial imagery: Nearmap (May 2025)
Mitchell Landscapes: NSW DCCEEW (2016)
IBRA regions: Commonwealth DCCEEW (2012)

0 250 500 m

Coordinate System:	GDA2020 MGA Zone 56
Scale:	1:17,000 at A4
Project Number:	610.032912
Date Drawn:	26-Jun-2025
Drawn by:	JH

LEGEND

- Subject Land
- Buffer 1500m (763.40 ha)
- Suburb
- IBRA Region
- Major Road
- Watercourse (Strahler Order)

Mitchell Landscapes

- Belrose Coastal Slopes (Bsl)
- Pennant Hills Ridges (Phr)
- Port Jackson Basin (Poj)

HERBERT ST BDAR WAIVER

LOCATION MAP

SLR

FIGURE 1

Path: \\au.slr.local\Corporate\Projects-SLR\610-SrvSYD\610-SYD\610.032912.00001 Herbert Street BDAR Waiver\06 SLR Data\01 GIS\GIS\610032912_HerbertSt_BDAR_Waiver\610032912_HerbertSt_BDAR_Waiver.aprx\610032912_F01_LocationMap

Data Sources:
NSW SS
Aerial imagery: Nearmap (May 2025)
Mitchell Landscapes: NSW DCCEEW (2016)
IBRA regions: Commonwealth DCCEEW (2012)

0 15 30 m

Coordinate System:	GDA2020 MGA Zone 56
Scale:	1:1,000 at A4
Project Number:	610.032912
Date Drawn:	26-Jun-2025
Drawn by:	JH

LEGEND

- Subject Land
- Cadastre
- IBRA Region
- Contour (m AHD)

Mitchell Landscapes

- Pennant Hills Ridges (Phr)

HERBERT ST BDAR WAIVER

SITE MAP

SLR

FIGURE 2

Path: \\au.slr.local\Corporate\Projects-SLR\610-SrvSYD\610-SYD\610.032912.00001 Herbert Street BDAR Waiver\06 SLR Data\01 GIS\GIS\610032912_HerbertSt_BDAR_Waiver\610032912_HerbertSt_BDAR_Waiver.aprx\610032912_F02_SiteMap

Data Sources:
NSW SS
Aerial imagery: Nearmap (May 2025)
SVTM: Version C2.0.M2.1 (NSW DCCEEW 2024)

0 250 500 m

Coordinate System:	GDA2020 MGA Zone 56
Scale:	1:17,000 at A4
Project Number:	610.032912
Date Drawn:	26-Jun-2025
Drawn by:	JH

LEGEND

- Subject Land
- Buffer 1500m (763.40 ha)
- Major Road
- Watercourse (Strahler Order)

SVTM Plant Community Types

- 0 Not classified
- 3038 Sydney Coastal Coachwood Gallery Rainforest
- 3040 Sydney Coastal Foreshores Gully Rainforest
- 3136 Blue Gum High Forest
- 3176 Sydney Enriched Sandstone Moist Forest
- 3592 Sydney Coastal Enriched Sandstone Forest
- 3594 Sydney Coastal Sandstone Foreshores Forest
- 3814 Woronora Plateau Heath-Mallee
- 4027 Estuarine Swamp Oak-Mangrove Forest
- 4028 Estuarine Swamp Oak Twig-rush Forest
- 4091 Grey Mangrove-River Mangrove Forest

HERBERT ST BDAR WAIVER

STATE VEGETATION TYPE MAP

SLR

FIGURE 2

Path: \\au.slr.local\Corporate\Projects-SLR\610-SrvSYD\610-SYD\610.032912.00001 Herbert Street BDAR Waiver\06 SLR Data\01 GIS\GIS\610032912_HerbertSt_BDAR_Waiver\610032912_HerbertSt_BDAR_Waiver.aprx\610032912_F03_SVTM

Data Sources:
NSW SS
Aerial imagery: Nearmap (May 2025)

0 15 30 m

Coordinate System:	GDA2020 MGA Zone 56
Scale:	1:1,000 at A4
Project Number:	610.032912
Date Drawn:	26-Jun-2025
Drawn by:	JH

LEGEND

Subject Land

Vegetation Type

Cultivated native species

Exotic ornamental species

HERBERT ST BDAR WAIVER

SITE VEGETATION

SLR

FIGURE 4

Path: \\au.slr.local\Corporate\Projects-SLR\610-SrvSYD\610-SYD\610.032912.00001 Herbert Street BDAR Waiver\06 SLR Data\01 GIS\GIS\610032912_HerbertSt_BDAR_Waiver\610032912_HerbertSt_BDAR_Waiver.aprx\610032912_F04_SiteVegetation

0 10 20 m

Coordinate System:	GDA2020 MGA Zone 56
Scale:	1:750 at A4
Project Number:	610.032912
Date Drawn:	01-Aug-2025
Drawn by:	JH

LEGEND

Subject Land

Existing Vegetation Type

Cultivated native species

Exotic ornamental species

HERBERT ST BDAR WAIVER

PROPOSED SITE PLAN

SLR

FIGURE 5

Path: \\au.slr.local\Corporate\Projects-SLR\610-SrvSYD\610-SYD\610.032912.00001 Herbert Street BDAR Waiver\06 SLR Data\01 GIS\GIS\610032912_HerbertSt_BDAR_Waiver\610032912_HerbertSt_BDAR_Waiver.aprx\610032912_F0X_SitePlan

3.0 Assessment of Impacts on Biodiversity Values

Impacts of the proposed development on biodiversity values are addressed in Table 3 below.

Table 3 Impacts of the proposed development on biodiversity values

Biodiversity Value	Explain and document potential impacts including additional impacts prescribed under the BC Regulation	Potential Impacts
Vegetation abundance 1.4(b) Biodiversity Conservation Regulation Meaning: *Occurrence and abundance of vegetation at a particular site*	*Where vegetation is present on the development site, provide a map on digital aerial photography or the best available imagery of the development site showing:* • *native vegetation (including grasslands and other non-woody vegetation types) and non-native vegetation.* • *the area of land that is directly impacted by the proposed development, including related infrastructure such as roads, pipelines, access tracks, temporary material stockpiles, asset protection zones and powerlines, if applicable.* *Describe how the proposed development avoids impacts on native vegetation and identify the likelihood and extent of any remaining impacts including removal of isolated or cultivated native plants.*	A site inspection confirmed that vegetation across **33 and 37 Herbert Street, St Leonards** is limited to isolated trees and cultivated landscape plantings dominated by exotic and only five native species. There is no evidence of remnant native vegetation, native understorey, or native groundcover. The vegetation observed includes (refer to Figure 4): **1. Canopy Trees** • *Corymbia maculata* (**Spotted Gum**) – planted along internal boundaries and footpaths, clearly planted (Appendix A). • *Phoenix canariensis* (**Phoenix Palm**) – exotic ornamental palm. • *Ficus benjamina* (**Weeping Fig**) – commonly used as a street or courtyard tree in urban landscaping; broad-leaved evergreen fig, often pruned and maintained for shade and ornamental value. **2. Midstorey Shrubs and Landscaping** • *Strelitzia reginae (***Bird of Paradise***)* – exotic ornamental species. • *Dracaena marginata* (likely) – tufted ornamental shrub. • *Callistemon viminalis* **(Weeping Bottlebrush)** – located within landscaping beds. ○ **Key features**: Red cylindrical flowers with prominent stamens, lance-shaped green leaves. ○ Likely a **cultivated variety** (e.g. *Callistemon viminalis* or hybrid cultivar). While **native to Australia**, this specimen is clearly planted in garden beds. **3. Ground Layer** • *Agapanthus praecox* – exotic, South African strap-leaved species.

Biodiversity Value	Explain and document potential impacts including additional impacts prescribed under the BC Regulation	Potential Impacts
		• *Clivia miniata* – broad-leaved exotic ornamental, often used in shaded beds. • *Dianella spp. / Lomandra spp.* – likely hybrid cultivars used in formal landscaping. **4. Vegetation Pattern** All vegetation on site is arranged in a **purposeful, maintained configuration**: • Located in mulched garden beds or verge plantings. • Evenly spaced, pruned, and bordered by hardscaping (e.g. paving, retaining structures). • No evidence of natural recruitment, self-seeding, or native vegetation assemblages. • Vegetation is **disconnected from nearby corridors** and does **not contribute to ecological connectivity**.
Vegetation integrity 1.5(2)(a) Biodiversity Conservation Act Meaning: *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*	*Describe the vegetation integrity and any impacts on the vegetation integrity of identified plant communities. For example, information on impacts from proposed development to vegetation cover, structure, condition, and function. This can include details on the presence of weeds, disturbance, planted native vegetation and species and growth form diversity.*	A site inspection and review of available data confirm that the vegetation within the development footprint at **33 and 37 Herbert Street, St Leonards** is **highly modified** and lacks any characteristics of near-natural vegetation. The site is occupied by commercial and retail/warehouse buildings, hardstand, and ornamental landscaping, with no remnant native vegetation, no midstorey or understorey layers of ecological significance, and no connectivity to nearby native vegetation patches. The **SEED Portal** confirms that there is **no Plant Community Type (PCT) mapped on-site**, with the **nearest mapped PCT** being **PCT 3136 – Blue Gum High Forest in the Sydney Basin Bioregion**, located approximately **600 metres to the north**. PCT 3136 is a **very tall to extremely tall open forest** characterised by native canopy species such as *Eucalyptus saligna*, *E. pilularis*, and *Syncarpia glomulifera*, with a diverse and layered native understorey, shrub, and ground layer. This community occurs on clay-rich shale soils and has been heavily cleared in the region, now mostly confined to steep slopes and reserves. In contrast, the vegetation on the subject site consists entirely of **cultivated exotic and non-local native species**, such as *Agapanthus praecox*, *Clivia miniata*, *Phoenix canariensis*, and *Ficus macrocarpa* (native to Northern Australia) with occasional planted native species like *Corymbia maculata* and

Biodiversity Value	Explain and document potential impacts including additional impacts prescribed under the BC Regulation	Potential Impacts
		Callistemon sp. These are **not of local provenance** and **do not contribute to native species diversity or ecological function**. The site shows: • No representation of a native canopy, midstorey, or ground layer. • Absence of natural regeneration or habitat structures. • High levels of anthropogenic disturbance and landscape fragmentation. • Prevalence of **exotic ornamentals** and common urban landscaping species. • No evidence of soil or hydrological conditions suitable for natural PCT regeneration. Therefore, the **vegetation integrity of the site is considered extremely low**. The structure, species composition, and ecological function have been **entirely altered** from a natural state, and the proposed development will result in the removal of only highly disturbed and ornamental plantings. The proposed clearing will have **no measurable impact on the integrity of any native vegetation community**, including the nearby PCT 3136.
Habitat suitability 1.5(2)(b) Biodiversity Conservation Act Meaning: *Degree to which the habitat needs of threatened species are present at a particular site*	*Identify any threatened species or ecological communities or their habitat on the development site. Describe how the proposed development avoids impacts on habitat suitability and identify the likelihood and extent of any remaining impacts including the impacts of development on the following habitat of threatened species or ecological communities:* *1. karst, caves, crevices, cliffs, and other geological features of significance* *2. rocks* *3. human-made structures* *4. non-native vegetation (prescribed under clause 6.1(1)(a) of the BC Regulation).* *Impacts may include the removal or modification (e.g. noise, light, etc.) of the habitat of threatened species or ecological communities.*	'Habitat suitability' is relevant primarily with respect to assessing potential impacts on threatened species that may utilise **human-made structures** in highly urbanised environments. A site inspection was carried out on **17 June 2025** by a qualified ecologist. The survey included: • Visual inspection of buildings, trees, and structures for potential microbat roosts (using a torch and bat detector). • Systematic search for **hollows**, **nests**, and other fauna microhabitats. • Assessment in accordance with the **DCCEEW 2019 BDAR Waiver Guidelines** and updated **NSW DCCEEW 2025a web guidance**. **No evidence** of microbats, nests, or other fauna activity was observed. All buildings appeared **sealed and well-maintained**, with **no signs of staining, guano, or noise** to indicate bat use. No hollow-bearing trees or signs of animal occupation were detected. The site is **entirely urbanised** and supports only **planted exotic and some cultivated native vegetation**, which lacks structure and

Biodiversity Value	Explain and document potential impacts including additional impacts prescribed under the BC Regulation	Potential Impacts
		diversity needed to support foraging, breeding, or sheltering for threatened species. Additionally, **no threatened ecological communities** are present. The site inspection confirmed the absence of key habitat features relevant to clause 1.5(2)(b): 1. **Karst, caves, crevices, cliffs, and other geological features of significance** – *None present*. 2. **Rocks** – *No exposed rock platforms or outcrops occur on site*. 3. **Human-made structures** – *Buildings are not suitable for fauna habitation and no signs of use by threatened species were detected*. 4. **Non-native vegetation** – *While ornamental species such as Agapanthus, Clivia, and Phoenix canariensis are present, these do not provide habitat for threatened species listed under Clause 6.1(1)(a) of the Biodiversity Conservation Regulation 2017*. There is **no connectivity** between the site and adjacent areas of remnant vegetation, and the site does **not intersect mapped biodiversity values**. Given the **lack of habitat features and fauna evidence**, the site does **not provide suitable habitat for any threatened species**, and the proposed development is **unlikely to result in any direct or indirect impacts** on habitat suitability.
Threatened species abundance 1.4(a) Biodiversity Conservation Regulation Meaning: *Occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site*	*Describe how the proposed development avoids impacts on threatened species abundance and identify the likelihood and extent of any remaining impacts including:* • *Impacts of vehicle strikes on threatened species of animals or on animals that are part of a threatened ecological community (prescribed under clause 6.1(1)(f) of the Regulation).* • *Impacts on threatened species, for example, microbats, associated with the demolition of human-made structures (prescribed by 6.1 (1) a (iii) of the Regulation).* • *Impacts on threatened species habitat associated with non-native vegetation (prescribed by 6.1 (1) a (iv) of the Regulation).* • *Impacts on threatened species habitat associated with non-natural water bodies (prescribed by 6.1 (1) a (iii) of the Regulation). For example, threatened frogs such as the green and golden bell*	A site inspection on **17 June 2025** confirmed that there are **no threatened species**, **threatened ecological communities**, or associated **habitat features** present at 33 and 37 Herbert Street, St Leonards. The site is fully developed with commercial buildings, car parking, and landscaped areas comprising **cultivated planted native and exotic vegetation** and does not support the structural or floristic components required for threatened species persistence. The proposed development **avoids impacts on threatened species abundance** due to the complete absence of remnant native vegetation and suitable fauna habitat. The likelihood and extent of any remaining impacts are considered **negligible** for the following reasons: **Vehicle Strike (Clause 6.1(1)(f))** • The site is located in a dense urban area, with no fauna movement corridors or known populations of

Biodiversity Value	Explain and document potential impacts including additional impacts prescribed under the BC Regulation	Potential Impacts
	frogs in landfill areas, drains and brick pits.	ground-dwelling threatened species in the vicinity. • There is **no habitat connectivity** between the site and nearby bushland or riparian areas. • As such, the **risk of vehicle strike on threatened fauna is negligible**. **Demolition of Human-Made Structures (Clause 6.1(1)(a)(iii))** • All buildings on site were assessed during the site inspection for microbat roosting potential. • No evidence of bat roosts, guano, staining, or acoustic activity was recorded, and no nests or hollows were identified. • The buildings are sealed, maintained, and offer no suitable microhabitat. • Therefore, demolition will not impact threatened microbat species. **Non-Native Vegetation (Clause 6.1(1)(a)(iv))** • While non-native and cultivated native species are present (e.g. *Ficus macrocarpa*, *Agapanthus*, *Callistemon* cultivars), they do not provide habitat for any threatened species listed under the BC Regulation. • There are no known threatened flora or fauna species associated with the vegetation present. **Non-Natural Water Bodies (Clause 6.1(1)(a)(iii))** • There are no waterbodies, drains, ponds, or constructed wetlands on-site that could provide potential habitat for threatened frogs or other aquatic species (e.g. *Litoria aurea*). • The site is fully sealed apart from isolated landscaped areas.
Habitat connectivity 1.4(c) Biodiversity Conservation Regulation Meaning: *Degree to*	*Identify whether the development site contributes to habitat connectivity. Describe how the proposed development avoids impacts on habitat connectivity and identify the likelihood and extent of any remaining impacts of development on the connectivity of different areas of habitat of threatened species that facilitates the movement of those*	The development site at 33 and 37 Herbert Street, St Leonards is located within a highly urbanised precinct and is entirely cleared of native vegetation. The site is currently occupied by commercial and retail/warehouse buildings with sealed surfaces, with no remnant vegetation, structural connectivity features (e.g. canopy cover, drainage lines, or vegetated corridors),

Biodiversity Value	Explain and document potential impacts including additional impacts prescribed under the BC Regulation	Potential Impacts
which a particular site connects different areas of habitat of threatened species to facilitate the movement of those species across their range	*species across their range (prescribed under clause 6.1(1)(b) of the BC Regulation).*	or evidence of use by highly mobile threatened fauna species. Given the absence of habitat features and its isolation from nearby areas of ecological value, the site does not contribute to habitat connectivity for threatened species. It is not part of a mapped or functional corridor and does not facilitate movement between areas of suitable habitat. The proposed development will involve the demolition of existing structures and redevelopment of the site for mixed-use purposes. As the site already lacks any connectivity function, the proposed works will not result in the loss or severance of habitat linkages, nor will they impede the movement of any threatened species across their range. There will be no impact on habitat connectivity as a result of the development, and no residual impacts are anticipated under clause 6.1(1)(b) of the BC Regulation.
Threatened species movement 1.4(d) Biodiversity Conservation Regulation Meaning: *Degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle*	*Describe how the proposed development avoids impacts on threatened species movement and identify the likelihood and extent of any remaining impacts of development on the movement of threatened species that maintains their lifecycle (prescribed under clause 6.1(1)(c) BC Regulation).*	The site at 33 and 37 Herbert Street, St Leonards is situated within a densely developed urban setting and is fully cleared of native vegetation. The site contains existing commercial infrastructure with no natural features—such as habitat trees, understorey vegetation, or watercourses—that would support the movement of threatened fauna species or contribute to their life cycle requirements (e.g. foraging, breeding, dispersal). Due to the lack of habitat resources and structural connectivity, the site does not currently contribute to the movement of threatened species across the landscape. There is no evidence to suggest that the site supports resident or transient threatened species or forms part of a broader movement corridor or stepping-stone habitat. The proposed development involves the demolition of existing buildings on the site, construction and operation of a new mixed-use development for residential and ancillary retail and commercial purposes (see Appendix B). Given that the site does not presently support fauna movement, the proposed works will not disrupt any processes related to the lifecycle movement of threatened species. The development avoids impacts on threatened species movement, and no residual impacts are expected under clause 6.1(1)(c) of the Biodiversity Conservation Regulation.

Biodiversity Value	Explain and document potential impacts including additional impacts prescribed under the BC Regulation	Potential Impacts
Flight path integrity 1.4(e) Biodiversity Conservation Regulation Meaning: *Degree to which the flight paths of protected animals over a particular site are free from interference*	*Identify whether flight paths of protected animals occur over the development site. Protected animals are animals of a species listed or referred to in Schedule 5 of the BC Act. They include any species of birds, mammals, amphibians or reptiles that are native to Australia or that periodically or occasionally migrate to Australia. Describe how the proposed development avoids impacts on flight path integrity and identify the likelihood and extent of any remaining impacts. Note: The impacts of wind turbine strikes on protected animals are prescribed under clause 6.1(1)(e) of the BC Regulation. It is, therefore, unlikely that a BDAR waiver would be issued for a proposed wind farm.*	While it is acknowledged that native and migratory bird species (protected under Schedule 5 of the BC Act) may occasionally fly over the area, the site does not lie within a known migratory corridor, wetland buffer, or major flight path used by protected species. The scale and nature of the proposed development (i.e. a mid-rise mixed-use development in an existing built-up context) will not introduce new vertical structures that significantly exceed existing building heights in the area or result in increased risk of interference with fauna flight paths. There is a negligible risk of impacting the flight path integrity of protected animals. The proposed development avoids any meaningful impact on overflight patterns, and no residual impacts are anticipated under clause 6.1(1)(e) of the BC Regulation.
Water sustainability 1.4(f) Biodiversity Conservation Regulation Meaning: *Degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site*	*Describe how the proposed development avoids impacts on water sustainability and identify the likelihood and extent of any remaining 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) (prescribed under clause 6.1(1)(d) of the BC Regulation).*	The development avoids impacts on water sustainability. Given the absence of natural water features and the implementation of appropriate stormwater management, there is no likelihood of adverse impacts on water quality, water bodies, or hydrological processes that sustain threatened species or ecological communities under clause 6.1(1)(d) of the BC Regulation.

4.0 Conclusion

A Biodiversity Development Assessment Report (BDAR) Waiver has been sought in support of the proposed redevelopment of 33 and 37 Herbert Street, St Leonards. The site is located within a highly urbanised precinct and is currently occupied by commercial and retail/ warehouse buildings, sealed surfaces, and ornamental landscaping. It is not mapped on the Biodiversity Values Map and does not support any remnant native vegetation, threatened ecological communities, or features contributing to habitat connectivity.

A desktop assessment and site inspection confirmed that all vegetation present is either exotic or cultivated native species planted for landscaping purposes. A small number of native trees, including *Corymbia maculata*, and *Callistemon* spp., are present as isolated, planted specimens and do not align with any mapped Plant Community Type (PCT) within the relevant Interim Biogeographic Regionalisation of Australia (IBRA) subregion. Accordingly, the proposal will not result in the clearing of remnant or naturally occurring native vegetation. Only minor removal of planted trees and shrubs will occur, consistent with the criteria outlined in the BDAR Waiver Guidelines (DCCEEW, 2019).

No threatened species, habitat features (e.g. hollows, waterbodies, rocky outcrops), or ecological linkages were identified on-site. The site does not support the movement or lifecycle requirements of threatened species and does not contribute to habitat connectivity, water sustainability, or flight path integrity.

In accordance with the Biodiversity Conservation Act 2016 and the BDAR Waiver Guidelines for Major Projects (DCCEEW, 2019), the development:

- will not clear any remnant native vegetation, only planted landscaping species of low ecological value;
- will not remove vegetation consistent with any mapped PCT in the Sydney Basin IBRA subregion;
- will not result in impacts to threatened species or ecological communities due to the absence of suitable habitat;
- will not interfere with the flight paths of protected animals or birds; and
- will not impact water quality, hydrological features, or groundwater-dependent ecosystems.

Given the absence of mapped biodiversity values, native vegetation, and ecological function within the site, it is concluded that the proposed development meets the eligibility criteria for a BDAR Waiver. It is therefore recommended that a waiver be granted to allow the project to progress through the Secretary's Environmental Assessment Requirements (SEARs) stage without the need for a full BDAR.

5.0 References

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Appendix A Historic Aerial Imagery

BDAR Waiver Request

33 and 37 Hebert Street, St Leonards

Aqualand St Leonard Development Pty Ltd

SLR Project No: 610.032912.00001

21 April 2026

Figure A1: Extract of 1955 Historic Aerial Imagery, showing site boundary in red dashed line for 33–37 Herbert Street, St Leonards (DFSI 2025)

Figure A2: Extract Of 1986 Historic Aerial Imagery, showing site boundary in red for 33–37 Herbert Street, St Leonards (DFSI 2025)

Figure A3: Extract Of 2015 Historic Aerial Imagery, showing indicative site boundary in red for 33–37 Herbert Street, St Leonards (NearMap 2025)

Figure A4: Extract Of 2025 Historic Aerial Imagery, Showing Indicative Site Boundary in orange for 33–37 Herbert Street, St Leonards (NearMap 2025)

Appendix B Site Plans and Proposal

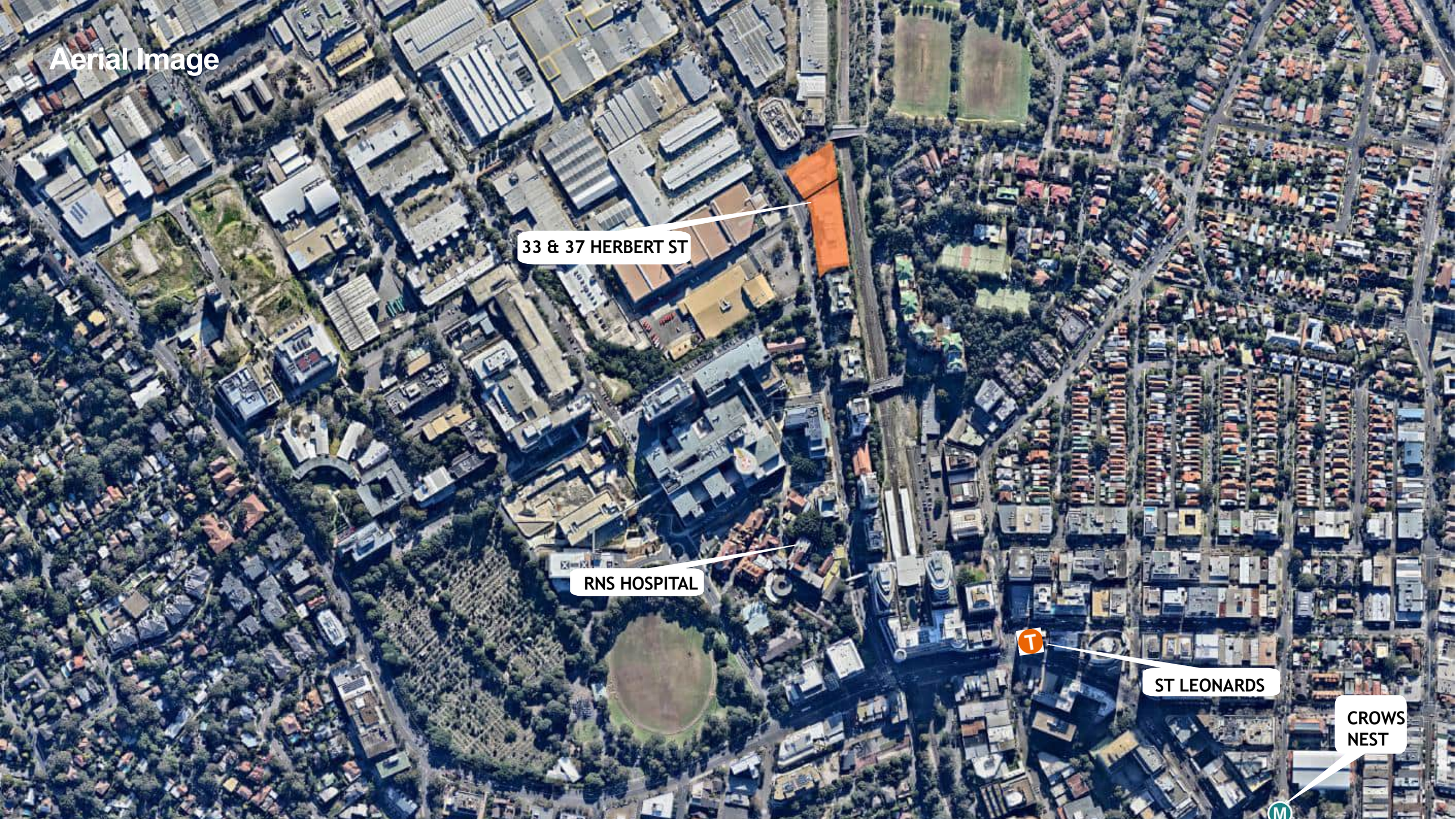
BDAR Waiver Request

33 and 37 Hebert Street, St Leonards

Aqualand St Leonard Development Pty Ltd

SLR Project No: 610.032912.00001

21 April 2026


Aerial Image
33 & 37 HERBERT ST
RNS HOSPITAL
ST LEONARDS
CROWS NEST

Site Information

Photo A: 37 Herbert Street

Photo B: 33 Herbert Street

Site View - South

Appendix C BMAT Report

BDAR Waiver Request

33 and 37 Hebert Street, St Leonards

Aqualand St Leonard Development Pty Ltd

SLR Project No: 610.032912.00001

21 April 2026

Department of Planning and Environment

Biodiversity Values Map and Threshold Report

This report is generated using the Biodiversity Values Map and Threshold (BMAT) tool. The BMAT tool is used by proponents to supply evidence to your local council to determine whether or not a Biodiversity Development Assessment Report (BDAR) is required under the Biodiversity Conservation Regulation 2017 (Cl. 7.2 & 7.3).

The report provides results for the proposed development footprint area identified by the user and displayed within the blue boundary on the map.

There are two pathways for determining whether a BDAR is required for the proposed development:

1. Is there Biodiversity Values Mapping?
2. Is the 'clearing of native vegetation area threshold' exceeded?

Biodiversity Values Map and Threshold Report

Date of Report Generation		21/04/2026 8:51 AM
1. Biodiversity Values (BV) Map - Results Summary (Biodiversity Conservation Regulation Section 7.3)		
1.1	**Does the development Footprint intersect with BV mapping?**	no
1.2	**Was ALL BV Mapping within the development footprinted added in the last 90 days?** (dark purple mapping only, no light purple mapping present)	no
1.3	**Date of expiry of dark purple 90 day mapping**	N/A
1.4	**Is the Biodiversity Values Map threshold exceeded?**	no
2. Area Clearing Threshold - Results Summary (Biodiversity Conservation Regulation Section 7.2)		
2.1	**Size of the development or clearing footprint**	5,698.2 sqm
2.2	**Native Vegetation Area Clearing Estimate (NVACE)** (within development/clearing footprint)	835.9 sqm
2.3	**Method for determining Minimum Lot Size**	Lot size
2.4	**Minimum Lot Size** (10,000sqm = 1ha)	20 sqm
2.5	**Area Clearing Threshold** (10,000sqm = 1ha)	2,500 sqm
2.6	**Does the estimate exceed the Area Clearing Threshold?** (NVACE results are an estimate and can be reviewed using the Guidance)	no

REPORT RESULT: Is the Biodiversity Offset Scheme (BOS) Threshold exceeded for the proposed development footprint area? (Your local council will determine if a BDAR is required)	**no**

What do I do with this report?

• If the result above indicates the BOS Threshold has been exceeded, your local council **may require** a Biodiversity Development Assessment Report with your development application. Seek further advice from Council. An accredited assessor can apply the Biodiversity Assessment Method and prepare a BDAR for you. For a list of accredited assessors go to: https://customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor.

• If the result above indicates the BOS Threshold has not been exceeded, you may not require a Biodiversity Development Assessment Report. This BMAT report can be provided to Council to support your development application. Council can advise how the area clearing threshold results should be considered. Council will review these results and make a determination if a BDAR is required. Council may ask you to review the area clearing threshold results. You may also be required to assess whether the development is '"likely to significantly affect threatened species" as determined under the test in Section 7.3 of the *Biodiversity Conservation Act 2016*.

• If a BDAR is not required by Council, you may still require a permit to clear vegetation from your local council.

• If **all** Biodiversity Values mapping within your development footprint was less than 90 days old, i.e. areas are displayed as dark purple on the BV map, a BDAR may not be required if your Development Application is submitted within that 90 day period. Any BV mapping less than 90 days old on this report will expire on the date provided in Line item 1.3 above.

For more detailed advice about actions required, refer to the **Interpreting the evaluation report** section of the Biodiversity Values Map Threshold Tool User Guide .

Review Options:

• If you believe the Biodiversity Values mapping is incorrect please refer to our BV Map Review webpage for further information.

• If you or Council disagree with the area clearing threshold estimate results from the NVACE in Line Item 2.6 above (i.e. area of Native Vegetation within the Development footprint proposed to be cleared), review the results using the Guide for reviewing area clearing threshold results from the BMAT Tool.

Acknowledgement

I, as the applicant for this development, submit that I have correctly depicted the area that will be impacted or likely to be impacted as a result of the proposed development.

Signature: _____ Date:_____

(Typing your name in the signature field will be considered as your signature for the purposes of this form)

21/04/2026 08:51 AM

Biodiversity Values Map and Threshold Tool

The Biodiversity Values (BV) Map and Threshold Tool identifies land with high biodiversity value, particularly sensitive to impacts from development and clearing.

The BV map forms part of the Biodiversity Offsets Scheme threshold, which is one of the factors for determining whether the Scheme applies to a clearing or development proposal. You have used the Threshold Tool in the map viewer to generate this BV Threshold Report for your nominated area. This report calculates results for your proposed development footprint and indicates whether Council may require you to engage an accredited assessor to prepare a Biodiversity Development Assessment Report (BDAR) for your development.

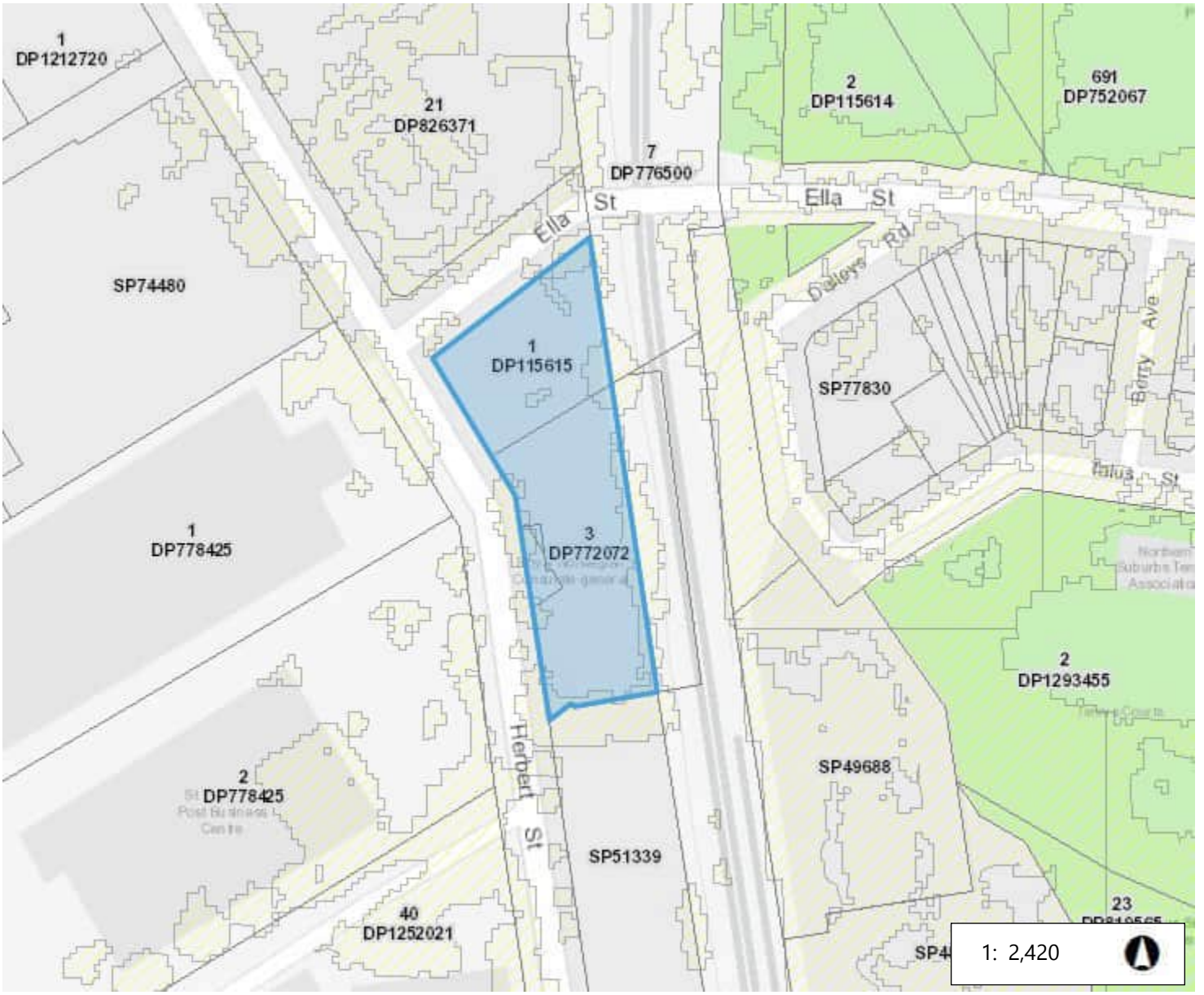
This report may be used as evidence for development applications submitted to councils. You may also use this report when considering native vegetation clearing under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 2 vegetation in non-rural areas.

What's new? For more information about the latest updates to the Biodiversity Values Map and Threshold Tool go to the updates section on the Biodiversity Values Map webpage.

Map Review: Landholders can request a review of the BV Map where they consider there is an error in the mapping on their property. For more information about the map review process and an application form for a review go to the Biodiversity Values Map Review webpage.

If you need help using this map tool see our Biodiversity Values Map and Threshold Tool User Guide or contact the Map Review Team at map.review@environment.nsw.gov.au or on 1800 001 490.

Biodiversity Values Map



123.0 0 61.48 123.0 Metres

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Legend

- Biodiversity Values that have been mapped for more than 90 days
- Biodiversity Values added within last 90 days
- Native Vegetation Area Clearing Estimate (NVACE)
- Development area selected by proponent

21/04/2026 08:51 AM

The results provided in this tool are generated using the best available mapping and knowledge of species habitat requirements.

This map is valid as at the date the report was generated. Checking the Biodiversity Values Map viewer for mapping updates is recommended.

Appendix D BioNet Atlas Search Results

BDAR Waiver Request

33 and 37 Hebert Street, St Leonards

Aqualand St Leonard Development Pty Ltd

SLR Project No: 610.032912.00001

21 April 2026

Table E1: BioNet Atlas Search Results within 10km of Site

Scientific Name	Common Name	NSW Status	Commonwealth Status	No of Records
Pseudophryne australis	Red-crowned Toadlet	V,P		130
Litoria aurea	Green and Golden Bell Frog	E1,P	V	2
Caretta caretta	Loggerhead Turtle	E1,P	E	10
Chelonia mydas	Green Turtle	V,P	V	1
Dermochelys coriacea	Leatherback Turtle	E1,P	E	2
Varanus rosenbergi	Rosenberg's Goanna	V,P		3
Nettapus coromandelianus	Cotton Pygmy-Goose	E1,P		5
Stictonetta naevosa	Freckled Duck	V,P		1
Phaethon lepturus	White-tailed Tropicbird	P	C,J	1
Ptilinopus regina	Rose-crowned Fruit-Dove	V,P		2
Ptilinopus superbus	Superb Fruit-Dove	V,P		16
Apus pacificus	Fork-tailed Swift	P	C,J,K	9
Hirundapus caudacutus	White-throated Needletail	V,P	V,C,J,K	44
Diomedea exulans	Wandering Albatross	E1,P	V	1
Ardenna grisea	Sooty Shearwater	P	J	1
Ardenna pacifica	Wedge-tailed Shearwater	P	J	9
Ardenna tenuirostris	Short-tailed Shearwater	P	C,J,K	2
Botaurus poiciloptilus	Australasian Bittern	E1,P	E	3
Ixobrychus flavicollis	Black Bittern	V,P		10
^^*Erythrotriorchis radiatus*	Red Goshawk	E1,P,2	E	1
Haliaeetus leucogaster	White-bellied Sea-Eagle	V,P		113
Hieraaetus morphnoides	Little Eagle	V,P		5
Lophoictinia isura	Square-tailed Kite	V,P,3		2
Pandion cristatus	Eastern Osprey	V,P,3		55
Burhinus grallarius	Bush Stone-curlew	E1,P		2
Haematopus longirostris	Pied Oystercatcher	E1,P		6
Charadrius mongolus	Lesser Sand-plover	V,P	E,C,J,K	1
Pluvialis fulva	Pacific Golden Plover	P	C,J,K	4
Pluvialis squatarola	Grey Plover	P	C,J,K	3
Actitis hypoleucos	Common Sandpiper	P	C,J,K	3
Calidris acuminata	Sharp-tailed Sandpiper	P	C,J,K	37
Calidris ferruginea	Curlew Sandpiper	E4A,P	CE,C,J,K	9
Limosa lapponica	Bar-tailed Godwit	P	C,J,K	147
Limosa limosa	Black-tailed Godwit	V,P	E,C,J,K	1
Numenius minutus	Little Curlew	P	C,J,K	1

Scientific Name	Common Name	NSW Status	Commonwealth Status	No of Records
Tringa stagnatilis	Marsh Sandpiper	P	C,J,K	1
Xenus cinereus	Terek Sandpiper	V,P	V,C,J,K	1
Stercorarius parasiticus	Arctic Jaeger	P	C,J,K	1
Stercorarius pomarinus	Pomarine Jaeger	P	C,J,K	2
Hydroprogne caspia	Caspian Tern	P	J	5
Onychoprion fuscatus	Sooty Tern	V,P		1
Sterna hirundo	Common Tern	P	C,J,K	22
Sternula albifrons	Little Tern	E1,P	C,J,K	4
Thalasseus bergii	Crested Tern	P	J	110
^^*Calyptorhynchus lathami lathami*	South-eastern Glossy Black-Cockatoo	V,P,2	V	8
Lathamus discolor	Swift Parrot	E1,P	CE	13
Parvipsitta pusilla	Little Lorikeet	V,P		15
Cuculus optatus	Oriental Cuckoo	P	C,J,K	3
Ninox connivens	Barking Owl	V,P,3		21
Ninox strenua	Powerful Owl	V,P,3		2362
Tyto novaehollandiae	Masked Owl	V,P,3		5
Tyto tenebricosa	Sooty Owl	V,P,3		3
Climacteris picumnus victoriae	Brown Treecreeper (eastern subspecies)	V,P	V	2
^^*Anthochaera phrygia*	Regent Honeyeater	E4A,P,2	CE	4
Melithreptus gularis gularis	Black-chinned Honeyeater (eastern subspecies)	V,P		1
Daphoenositta chrysoptera	Varied Sittella	V,P		1
Artamus cyanopterus cyanopterus	Dusky Woodswallow	V,P		3
Dasyurus maculatus	Spotted-tailed Quoll	V,P	E	5
Phascolarctos cinereus	Koala	E1,P	E	6
Cercartetus nanus	Eastern Pygmy-possum	V,P		10
Petaurus australis	Yellow-bellied Glider	V,P	V	1
Pteropus poliocephalus	Grey-headed Flying-fox	V,P	V	5816
Saccolaimus flaviventris	Yellow-bellied Sheathtail-bat	V,P		7
Micronomus norfolkensis	Eastern Coastal Free-tailed Bat	V,P		12
Chalinolobus dwyeri	Large-eared Pied Bat	E1,P	E	2
Falsistrellus tasmaniensis	Eastern False Pipistrelle	V,P		5
Myotis macropus	Southern Myotis	V,P		58
Scoteanax rueppellii	Greater Broad-nosed Bat	V,P		6
Miniopterus australis	Little Bent-winged Bat	V,P		61

Scientific Name	Common Name	NSW Status	Commonwealth Status	No of Records
Miniopterus orianae oceanensis	Large Bent-winged Bat	V,P		156
Pseudomys gracilicaudatus	Eastern Chestnut Mouse	V,P		1
Arctocephalus forsteri	New Zealand Fur-seal	V,P		25
Arctocephalus pusillus doriferus	Australian Fur-seal	V,P		9
Eubalaena australis	Southern Right Whale	E1,P	E	2
Petalura gigantea	Giant Dragonfly	E1		1
Allocasuarina portuensis	Nielsen Park She-oak	E1,3	E	5
^^*Davidsonia jerseyana*	Davidson's Plum	E1,2	E	1
^^*Hibbertia spanantha*	Julian's Hibbertia	E4A,2	CE	25
Tetratheca glandulosa		V		9
Tetratheca juncea	Black-eyed Susan	V	V	2
Epacris purpurascens var. purpurascens		V		26
Amperea xiphoclada var. pedicellata		E4	X	1
Acacia bynoeana	Bynoe's Wattle	E1	V	5
Acacia terminalis subsp. Eastern Sydney	Sunshine wattle	E1	E	40
Camarophyllopsis kearneyi		E1		2
Hygrocybe anomala var. ianthinomarginata		V		2
Hygrocybe aurantipes		V		3
Hygrocybe austropratensis		E1		3
Hygrocybe collucera		E1		1
Hygrocybe griseoramosa		E1		1
Hygrocybe lanecovensis		E1		33
Hygrocybe reesiae		V		9
Hygrocybe rubronivea		V		1
Prostanthera marifolia	Seaforth Mintbush	E4A,3	CE	9
Lasiopetalum joyceae		V	V	1
Callistemon linearifolius	Netted Bottle Brush	V,3		4
Darwinia biflora		V	V	170
Eucalyptus camfieldii	Camfield's Stringybark	V	V	12
Eucalyptus nicholii	Narrow-leaved Black Peppermint	V	V	8
Eucalyptus scoparia	Wallangarra White Gum	E1	V	8
Gaudium deanei		V	V	1
Melaleuca deanei	Deane's Paperbark	V	V	7

Scientific Name	Common Name	NSW Status	Commonwealth Status	No of Records
Rhodamnia rubescens	Scrub Turpentine	E4A	CE	2
Syzygium paniculatum	Magenta Lilly Pilly	V	V	23
^^*Caladenia tessellata*	Thick Lip Spider Orchid	V,P,2	V	5
^^*Genoplesium baueri*	Bauer's Midge Orchid	E1,P,2	E	2
^^*Sarcochilus hartmannii*	Hartman's Sarcochilus	V,P,2	V	1
Grevillea caleyi	Caley's Grevillea	E4A,3	CE	4
Macadamia tetraphylla	Rough-shelled Bush Nut	V	V	4
Persoonia hirsuta	Hairy Geebung	E1,P,3	E	3

Data from the BioNet Atlas website, which holds records from a number of custodians. The data are only indicative and cannot be considered a comprehensive inventory, and may contain errors and omissions. Species listed under the Sensitive Species Data Policy may have their locations denatured (^ rounded to 0.1°C; ^^ rounded to 0.01°C. Copyright the State of NSW through the Department of Planning, Industry and Environment. Search criteria : Licensed Report of all Valid Records of Threatened (listed on BC Act 2016) ,CAMBA listed ,JAMBA listed or ROKAMBA listed Entities in selected area [North: -33.77 West: 151.14 East: 151.24 South: -33.87] returned a total of 9,852 records of 111 species.

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Appendix E Site Photos

BDAR Waiver Request

33 and 37 Hebert Street, St Leonards

Aqualand St Leonard Development Pty Ltd

SLR Project No: 610.032912.00001

21 April 2026

Photo F1: Structured landscaping along the site frontage at 33 Herbert Street.

Photo F2: Formal landscaping at 33 Herbert Street.

Photo F3: View inside the building at 33 Herbert Street

Photo F4: View inside the building at 33 Herbert Street

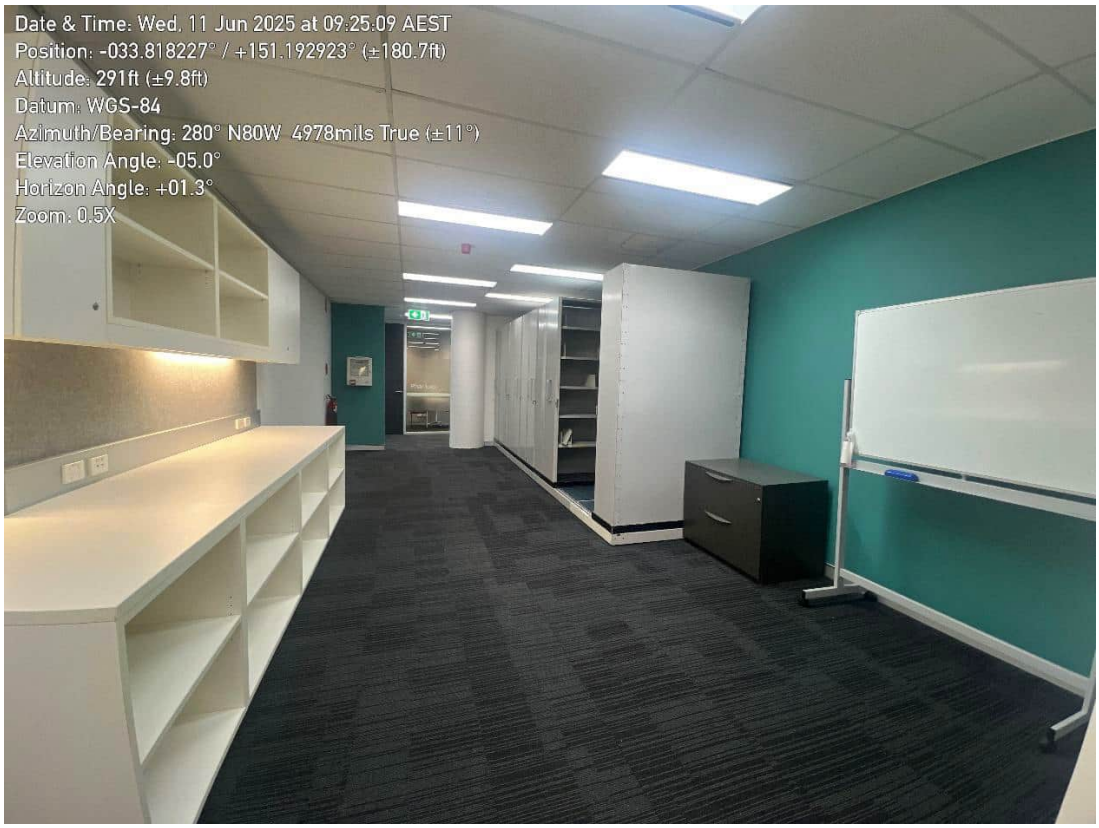


Photo F5: Good condition of the building at 37 Herbert Street.

Photo F6: Minimal ornamental vegetation at 37 Herbert Street.

Photo F7: Inside the building at 33 Herbet Street

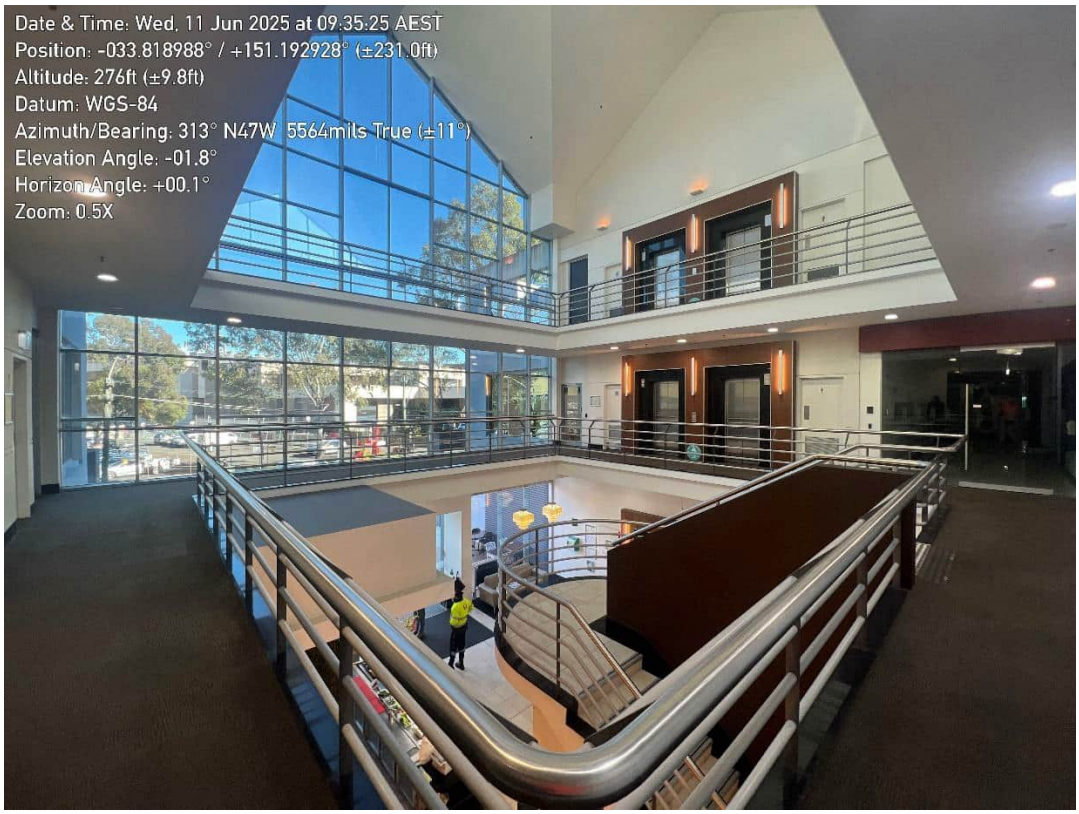
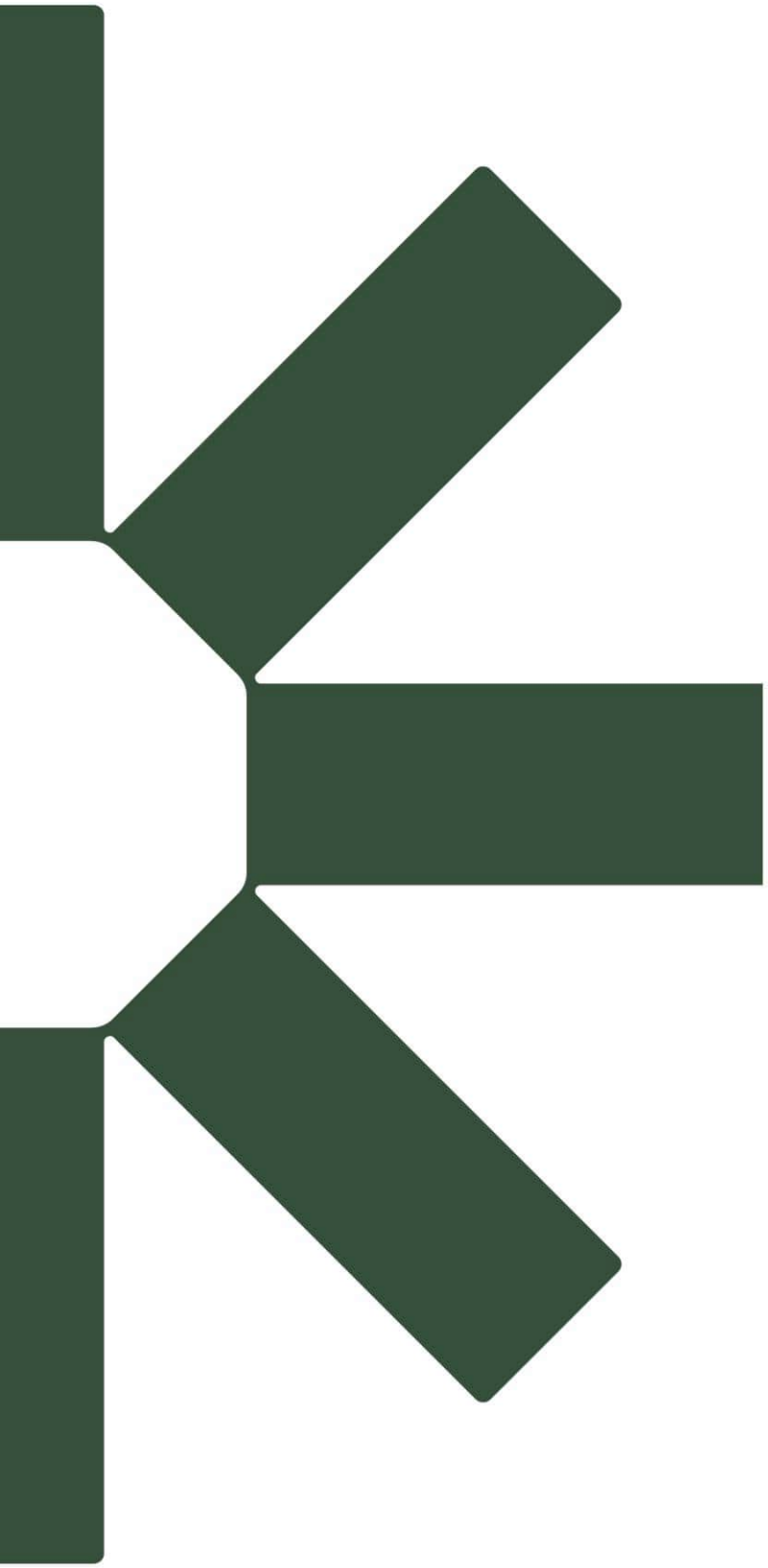


Photo F8: Paved carpark located at 33 Herbert Street.



Making Sustainability Happen