



Your ref: SSD-79307765
Our ref: DOC25/42527

Russell Hand
Principal Planning Officer
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

4 February 2025

Subject: Request for Secretary's Environmental Assessment Requirements (SEARs) for Waterloo Metro Quarter – Second Amending Concept (SSD-79307765) (City of Sydney)

Dear Russell,

Thank you for your email received on 20 January 2025, requesting input on SEARs for the above project from the Biodiversity, Conservation and Science (BCS) Group of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW). Please note that from 20 January 2025, BCS has become the Conservation Programs, Heritage and Regulation (CPHR) Group.

CPHR has reviewed the Scoping Report prepared by Urbis (dated 20 December 2024) and recommends the proponent address the requirements below and at Attachment A.

Should a waiver to the requirement for a biodiversity development assessment report (BDAR) be sought, it must be clearly demonstrated that the proposed development is not likely to have any significant impact on biodiversity values. Development that requires clearing of native vegetation or additional biodiversity impacts as prescribed by clause 6.1 of the *Biodiversity Conservation Regulation 2017* is likely to require a BDAR.

Any request for a BDAR waiver must include the information requirements set out in Tables 1 and 2 of the DPIE guidelines on [How to apply for a biodiversity development assessment report waiver for a Major Project Application](#). The proponent can find further information on the BDAR waiver process on the [Biodiversity development assessment report waiver](#) webpage.

Regarding point 3 of the recommended assessment requirements, use of the variation rules will no longer be applicable once the *Biodiversity Conservation Amendment (Biodiversity Offsets Scheme) Act 2024* comes into effect.

In relation to point 4 of the recommended biodiversity environmental assessment requirements, please note the minimum information and spatial data requirements are in Tables 24 and 25 of the [Biodiversity Assessment Method 2020 \(BAM\)](#). Other requirements, such as those relating to the

BAM Calculator and Biodiversity Offset Assessment Management System, are detailed in the [guides, tools and databases](#) webpage.

Please contact Greater Sydney Planning team at rog.gsrplanning@environment.nsw.gov.au should you have any queries regarding this advice.

Yours sincerely



Louisa Clark
Director, Greater Sydney Branch
Regional Delivery
Conservation Programs, Heritage and Regulation Group

CPHR Environmental Assessment Requirements – Waterloo Metro Quarter – Second Amending Concept (SSD-79307765)

Biodiversity
<ol style="list-style-type: none"> 1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the <i>Biodiversity Conservation Act 2016</i> (BC Act), the Biodiversity Assessment Method 2020 (BAM) and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the BC Act (s 6.12), <i>Biodiversity Conservation Regulation 2017</i> (s 6.8) and BAM, including an assessment of the impacts of the proposal (including an assessment of impacts prescribed by the regulations). 2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM. 3. The BDAR must include details of the measures proposed to address the offset obligation as follows: <ul style="list-style-type: none"> • The total number and classes of biodiversity credits required to be retired for the development/project. • The number and classes of like-for-like biodiversity credits proposed to be retired. • The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules. • Any proposal to fund a biodiversity conservation action. • Any proposal to conduct ecological rehabilitation (if a mining project). • Any proposal to make a payment to the Biodiversity Conservation Fund. <p>If seeking approval to offset in accordance with the Biodiversity Offset Scheme (BOS), the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.</p> 4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per the BAM. 5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the <i>Biodiversity Assessment Method Order 2017</i> under s6.10 of the BC Act.
Water and soils
<ol style="list-style-type: none"> 6. The EIS must map the following features relevant to water and soils including: <ul style="list-style-type: none"> • Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map). • Rivers, streams, wetlands, estuaries (as described in s.4.2 of the BAM). • Wetlands as described in s.4.2 of the BAM. • Groundwater. • Groundwater dependent ecosystems. • Proposed intake and discharge locations. 7. The EIS must describe background conditions for any water resource likely to be affected by the development, including: <ul style="list-style-type: none"> • Existing surface and groundwater. • Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations. • Water Quality Objectives (as endorsed by the NSW Government) including groundwater as appropriate that represent the community's uses and values for the receiving waters. • Indicators and trigger values/criteria for the environmental values identified above in accordance with the ANZECC (2000) Guidelines for Fresh and Marine Water Quality and/or local objectives, criteria or targets endorsed by the NSW Government.

- [Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions](#)

8. The EIS must assess the impact of the development on hydrology, including:

- Water balance including quantity, quality and source.
- Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.
- Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.
- Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches).
- Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water.
- Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options.
- Identification of proposed monitoring of hydrological attributes.

Flood Risk Management

9. The EIS must include a flood impact and risk assessment (FIRA). As a minimum the FIRA must:

- Consider the relevant provisions of the NSW Flood Risk Management Manual and toolkit, and existing council and government studies, information and requirements.
- Identify and describe existing flood behaviour and flood constraints on the site and its surrounding areas for the full range of events, including 5% AEP, 1% AEP, PMF and 0.5% AEP or 0.2% AEP and provide an assessment of the compatibility of the development and its users with flood behaviour. This may require flood modelling where existing flood information is not available.
- Determine and describe changes in post development flood behaviour, impacts of flooding on existing community and on the development and its future community for full range of events, 5% AEP, 1% AEP, PMF and 0.5% AEP or 0.2% AEP. This will typically require flood modelling.
- Consider impacts of climate change due to any increase in rainfall intensities.
- Propose and assess the effectiveness of management measures including development controls required to minimise the impacts and risks of flooding to the development and its users and existing community.

Note: The FIRA is to be undertaken by a suitably qualified engineer consistent with Council's requirements and the Australian Rainfall and Runoff. Flood behaviour includes flood volume, extent, depth, level, velocity, duration, rate of rise, flood function and hazard. Impacts of flooding include changes to flood behaviour and risks to the community including emergency management response for the community.

End of Submission