

**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

22 April 2020

Mr Jim Betts
Secretary
NSW Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

Dear Jim,

INTERCONTINENTAL HOTEL - STAGE 2 SSDA - BDAR WAIVER REQUEST

As you would be aware, Concept State Significant Development approval (SSD 7693) was granted by the Independent Planning Commission (IPC) on 22 January 2020 for a New Ballroom Addition above Transport House (at 99-113 Macquarie Street, Sydney) and Hotel Upgrades at the Intercontinental Hotel site (115-119 Macquarie Street, Sydney).

Following this Concept SSDA approval, a 'Request for SEARs' has been lodged for a Stage 2 (Detailed) State Significant Development Application (SSDA), relating to the Intercontinental Hotel site only. The scope of this application includes various refurbishments to the hotel, together with a rooftop addition (in compliance with the approved 'envelope' under Concept SSD 7693).

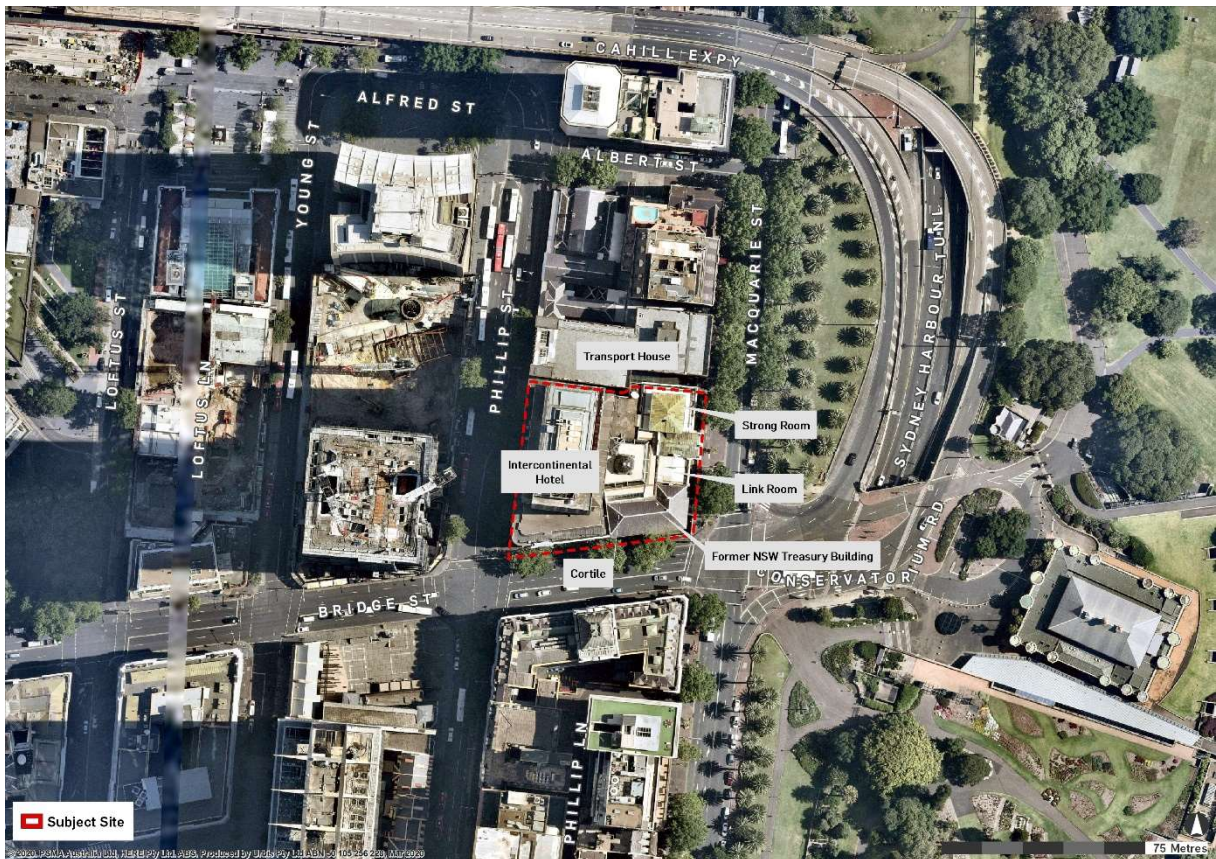
We note that the Biodiversity Conservation Act 2016 (BC Act), clause 7.9(2) states:

"Any such application [SSD] 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"

We have undertaken an assessment of the proposal against the relevant provisions of the *Biodiversity Conservation Act 2016* and *Biodiversity Conservation Regulation 2017* and are of the opinion that the proposal is unlikely to have a significant impact on the eight biodiversity values (as defined in Section 1.5 of the *Biodiversity Conservation Act 2016* and Clause 1.4 of the *Biodiversity Conservation Regulation 2017*). Specifically, we note:

- The buildings on site can generally be separated into four distinct stages (refer to Figure 1):
 1. Original Treasury Building, c.1849-1851.
 2. Northern wing extension (Link Building and Strong Room Building) along Macquarie Street, c.1896-1899.
 3. Western wing extension along Bridge Street, c.1916-1919.
 4. Intercontinental Hotel development, comprising the Phillip Street frontage building, remainder of Cortile, three basement levels of car parking, and hotel tower, c. 1982-1985.

Figure 1 – Aerial Photograph



Source: Nearmap / Urbis

- The site has been used as a hotel since the mid-1980s. Before that time, it was used as Government administrative offices.
- The building is located in an established urban/CBD context. The surrounding area comprises various other commercial and residential uses.
- Vegetation immediately surrounding the site is limited to Council street trees.
- Works proposed under this proposed are limited to refurbishments to the Intercontinental Hotel tower, together with a rooftop addition.
- The site is not known to contain any threatened species or threatened ecological communities or their habitats. Nor is it known to connect other areas of habitat for threatened species or ecological communities. Further, the Office of Environment and Heritage (OEH) Biodiversity Values Map does not identify the land as having high biodiversity value.

Having regard to the above, and the detailed assessment provided at Table 1 below, we respectfully request that the requirement for a BDAR is waived in this instance.

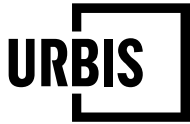
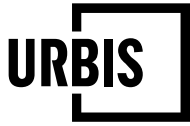
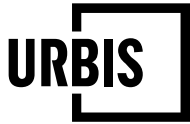


Table 1 – Assessment against the BC Act 2016 & the BC Regulation 2017

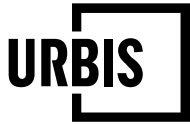
Biodiversity Value	Assessment
BC Act 2016 – Section 1.5 Biodiversity and biodiversity values for purposes of Act	
<p><i>Vegetation integrity—being the degree to which the composition, structure and function of vegetation at a particular site and the surrounding landscape has been altered from a near natural state.</i></p>	<p>The site is in an established CBD context. It contains the State heritage listed former NSW Treasury building and has been used for the purpose of a hotel since the mid-1980s.</p> <p>The surrounding area comprises various other commercial and residential buildings. Vegetation surrounding the site is limited to Council-owned street trees.</p> <p>The proposal seeks consent for refurbishments to the Intercontinental Hotel tower, together with a vertical addition. Therefore, the proposal will not have any impact on any vegetation.</p>
<p><i>Habitat suitability—being the degree to which the habitat needs of threatened species are present at a particular site.</i></p>	<p>The site does not contain any known habitat for threatened species. As above, the proposal seeks consent for refurbishments to the Intercontinental Hotel to facilitate the continued use of the existing building for hotel/accommodation purposes.</p> <p>Therefore, the proposal will not have any impact on the surrounding natural environment or habitat stability.</p>
<p><i>Biodiversity values, or biodiversity-related values, prescribed by the regulations.</i></p>	<p>Refer to assessment provided below.</p>



Biodiversity Value	Assessment
BC Regulation 2017 – Section 1.4 Additional biodiversity values	
<p><i>Threatened species abundance—being the occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site.</i></p>	<p>The site does not contain any threatened species or threatened ecological communities or their habitats.</p> <p>The proposal seeks consent for refurbishments to the Intercontinental Hotel to facilitate the continued use of the existing building for hotel/accommodation purposes.</p> <p>Therefore, the proposal will not have any impact on the surrounding natural environment.</p>
<p><i>Vegetation abundance—being the occurrence and abundance of vegetation at a particular site.</i></p>	<p>Vegetation surrounding the site is limited to Council-owned street trees.</p> <p>The proposal seeks consent for refurbishments to the Intercontinental Hotel to facilitate the continued use of the existing building for hotel/accommodation purposes.</p> <p>Therefore, the proposal will not have any impact on surrounding vegetation.</p>
<p><i>Habitat connectivity—being the degree to which a particular site connects different areas of habitat of threatened species to facilitate the movement of those species across their range.</i></p>	<p>The site is within an established urban area. It does not contain any known habitat, nor does it connect different areas of habitat.</p> <p>The proposal seeks consent for refurbishments to the Intercontinental Hotel to facilitate the continued use of the existing building for hotel/accommodation purposes.</p> <p>Therefore, the proposal will not have any impact on habitat connectivity.</p>



Biodiversity Value	Assessment
<p><i>Threatened species movement—being the degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle.</i></p>	<p>The site and surrounds do not contain any threatened species or threatened ecological communities or their habitats. The site and surrounds are not known to connect different areas of habitat.</p> <p>The proposal seeks consent for refurbishments to the Intercontinental Hotel to facilitate the continued use of the existing building for hotel/accommodation purposes.</p> <p>Therefore, the proposal will not have any impact on threatened species movement.</p>
<p><i>Flight path integrity—being the degree to which the flight paths of protected animals over a particular site are free from interference.</i></p>	<p>The site comprises a State heritage listed building (former NSW Treasury) that was constructed in the 1850s. It also accommodates a hotel tower constructed in the mid-1980s. The area is not known to be a flight path for protected animals.</p> <p>The proposal seeks consent for refurbishments to the Intercontinental Hotel to facilitate the continued use of the existing building for hotel/accommodation purposes.</p> <p>Therefore, the proposal will not have any impact on flight path integrity.</p>
<p><i>Water sustainability—being the degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site.</i></p>	<p>The site is located within close proximity to Sydney Harbour. There are no changes proposed to the existing stormwater management procedures at the site.</p> <p>The proposal seeks consent for refurbishments to the Intercontinental Hotel to facilitate the continued use of the existing building for hotel/accommodation purposes.</p> <p>Therefore, the proposal will not have any impact on water sustainability</p>



We trust this assessment provides sufficient evidence to determine that the proposal will not have a significant impact on the biodiversity values defined under the *Biodiversity Conservation Act 2016* and *Biodiversity Conservation Regulation 2017* and therefore that a BDAR is not necessary to accompany the future application for the Intercontinental Hotel – Stage 2.

Please do not hesitate to contact the undersigned on 02 8233 7621 should you require any further information.

Yours sincerely,

Edward Green

Edward Green
Senior Consultant
(02) 8233 7607
egreen@urbis.com.au