

26 June 2025

Keiran Thomas
Director, Housing Delivery Assessments
Department of Planning, Housing and Infrastructure
Level 31, 4 Parramatta Square, Parramatta NSW 2124

Dear Keiran,

Re: Request for BDAR Waiver under s7.9(2) of the Biodiversity Conservation Act 2016

This letter has been prepared to accompany the State Significant Development Application (**SSDA**) and concurrent Planning Proposal (**PP**) for 275 Alfred Street, North Sydney (the **site**) which proposes a mixed use development.

I am writing to formally request a waiver of the requirement to prepare a Biodiversity Development Assessment Report (**BDAR**) for the proposed development under section 7.9(2) of the *Biodiversity Conservation Act 2016* (the **Act**).

The BDAR Wavier request is supported by **Tables 1 and 2** (following the letter) that have been prepared in accordance with the relevant guidelines (NSW Environment and Heritage (2025), *Biodiversity Development Assessment Report wavier*. Available at: [Biodiversity Development Assessment Report waiver | Biodiversity Offsets Scheme | Environment and Heritage](#)).

The site is located within a highly urbanised context and to the west of the site is Warringah Freeway. The site comprises of an existing commercial building, associated hardstand and small planter boxes with shrubs and hedges along Alfred Street. There are no remnant native vegetation, natural watercourses, critical habitat or threatened ecological communities or biodiversity values identified on-site.

The proposal will seek approval for the demolition of the existing building and construction of a mixed use development, comprising of a shop top housing development. The shop top housing development will comprise of approximately 39 storeys with retail, commercial and residential amenity floorspace to the podium and residential above.

In accordance with clause 7.9(2) of the Act and relevant guidance from the Biodiversity Offset Scheme (**BOS**), a BDAR waiver is requested on the basis that the development is unlikely to have a significant impact on biodiversity values due to the following:

- The site comprises of an existing building with hard stand areas and forms part of a highly urbanised area with Warringah Freeway in close proximity,
- There are no biodiversity values identified on the site,
- The proposal will not exceed the Biodiversity Offset Scheme threshold for clearing (the site is fully cleared of native vegetation),
- There is no known habitat for threatened species, populations, or ecological communities present or likely to occur on the site,
- The development is entirely within a previously disturbed urban footprint, and
- The proposal will not affect any riparian land, watercourses, wetlands, or critical habitat.

Given the limited environmental impact of the proposal, we respectfully request that a BDAR waiver be granted under section 7.9(2) of the Act.



Should you require any further information or site documentation to support this request, please do not hesitate to contact me on 04113 917 399 or jmcbride@mecone.com.au.

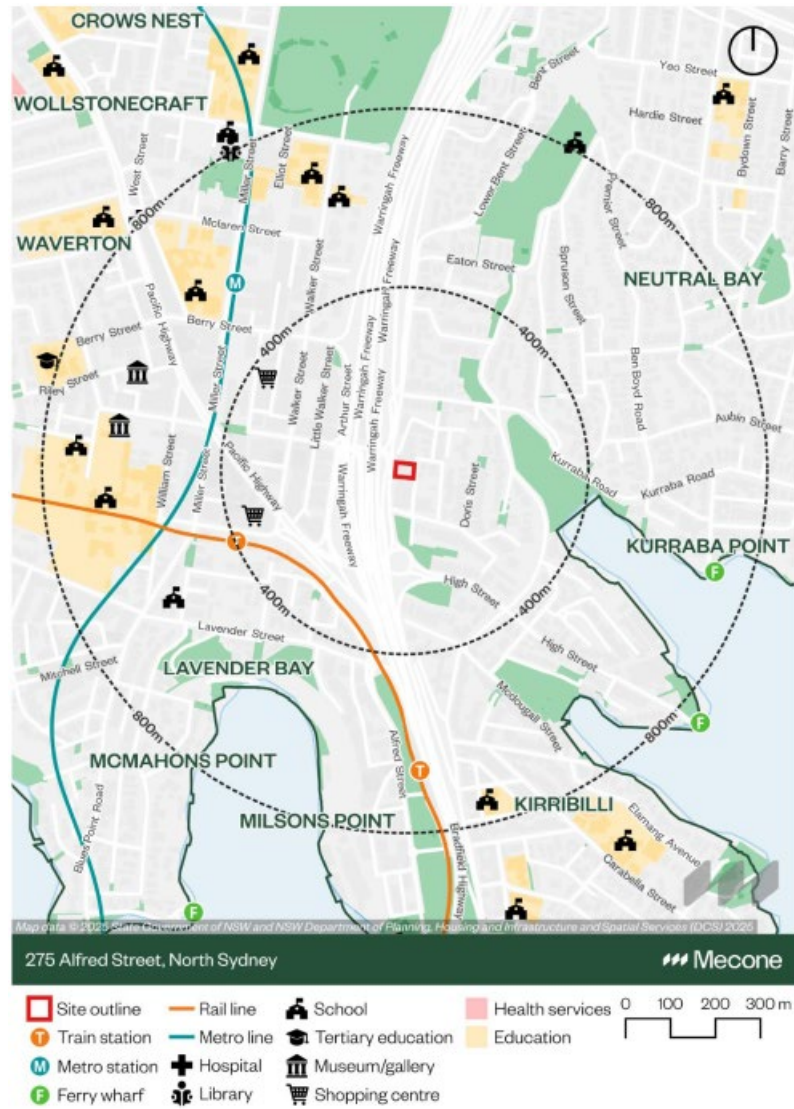
Yours sincerely,

James McBride
Director



TABLE 1: BIODIVERSITY DEVELOPMENT ASSESSMENT REPORT WAIVER REQUEST INFORMATION REQUIREMENTS

Item	Assessment
Administration	<ul style="list-style-type: none">• Proponent name and contact details. One 275 Alfred Street Pty Ltd and two 275 Alfred Street Pty Ltd c/- Lesli Berger Fivex Service Pty Ltd Level 17, 275 Alfred Street, North Sydney, NSW 2059• Project ID State Significant Development Application (SSDA) and concurrent Planning Proposal (PP) for a mixed use development in the form of a shop top housing development. The podium will include retail, commercial and residential amenity and the tower will include residential units. The proposed development has been declared as SSDA in accordance with the <i>Environmental Planning and Assessment (Housing Delivery Authority) Order 2024 (HDA Order)</i>, following acceptance of an Expression of Interest (EOI) submitted to the HDA on 29 January 2025 (reference 234993). The site and project were declared as SSD by the Minister for Planning on 12 June 2025.• Name and ecological qualifications of person completing Table 2. Note: while this letter and table has not been prepared by a qualified ecologist, it is not considered necessary given the highly urbanised nature of the site, the lack of mapped and observed biodiversity values, and the limited environmental impact of the proposal.
Site details	<ul style="list-style-type: none">• Street address, lot and DP, local government area. 275 Alfred Street, North Sydney, Lot 1/ DP 546856, North Sydney Local Government Area.• Description of existing development site The subject site is located at 275 Alfred Street, North Sydney, situated to the eastern edge of the North Sydney commercial core. The site comprises a single allotment (Lot 1 in DP 357780) with a total area of approximately 1,334m² and has a frontage to Alfred Street and Little Alfred Street. The site is currently occupied by a 20 storey commercial office building, constructed circa 1970s, which includes a ground floor lobby, multiple office tenancies, and basement parking. The building occupies most of the site and the remainder of the site is paved with small planter boxes to the front along Alfred Street.• Location map



• Site Map



Proposed development

• Project description



	<p>The proposal will seek approval for the demolition of the existing building and construction of a mixed use development, comprising of a shop top housing development. The shop top housing development will comprise of approximately 39 storeys (plus roof plant) with approximately 175 residential apartments and retail, commercial and residential amenity floorspace to the podium.</p> <ul style="list-style-type: none">• Proposed site plan. <p>Provided in Appendix 1 – FJC Design Report</p>
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TABLE 2: IMPACTS OF THE PROPOSED DEVELOPMENT ON BIODIVERSITY VALUES

Biodiversity value	Meaning	Relevant	Explain and document potential impacts, including additional impacts prescribed under the Biodiversity Conservation Regulation
Vegetation abundance – 1.4(b) Biodiversity Conservation Regulation	Occurrence and extent or coverage of vegetation at a particular site	Not applicable	<p>The most recent State Vegetation Type Map illustrates that there is no native vegetation recognised in or near the site.</p> <p>The site is currently dominated by built form, with the vegetation on site being confined to small planter boxes which include hedges and shrubs in the front courtyard along Alfred Street.</p>
Vegetation integrity 1.5(2)(a) Biodiversity Conservation Act	Degree to which the habitat needs of threatened species are present at a particular site	Not applicable	There are no identified threatened species or ecological communities on the site.
Habitat suitability 1.5(2)(b) Biodiversity Conservation Act	Degree to which the habitat needs of threatened species are present at a particular site	Not applicable	The highly modified nature of the site makes it unsuitable for the natural occurrence of any of threatened fauna and flora species.
Threatened species abundance 1.4(a) Biodiversity Conservation Regulation	Occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site	Not applicable	The site has been profoundly altered and is almost entirely occupied by built form, hardstand and planter boxes. Therefore it no longer potential habitat for the threatened ecological community.
Habitat connectivity 1.4(c) Biodiversity Conservation 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	Not applicable	The site is within a long-established highly-urbanised part of North Sydney. Habitat patches in the local area are highly fragmented, and isolated by hostile intervening development.
Threatened species movement 1.4(d) Biodiversity	Degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle	Not applicable	It is unlikely that the site contributes to the movement of threatened species given the site forms part of a highly urbanised area and is proximity to the Warringah Freeway.



Conservation Regulation			
Flight path integrity 1.4(e) Biodiversity Conservation Regulation	Degree to which the flight paths of protected animals over a particular site are free from interference	Not applicable	The increase in density to the site is unlikely to impact flight paths of any protected animals across the site given the site already comprises of a tower building and generally has lower scale development in its immediate surroundings.
Water sustainability 1.4(f) Biodiversity Conservation Regulation	Degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site	Not applicable	Given there are no watercourses in close proximity to the site it is considered unlikely that the proposal will impact on threatened on sustaining any threatened communities.