



Mr Michael Watt  
Planning Manager  
Mulpha Norwest Pty Ltd  
Level 5, 99 Macquarie Street  
SYDNEY NSW 2000

31 August 2020

Dear Mr Watt

**InterContinental Hotel Sydney – Stage 2 (SSD 10454)  
Biodiversity Development Assessment Report waiver**

I refer to your correspondence dated 22 April 2020 and additional information dated 14 July 2020 and 11 August 2020 seeking to waive the requirement to submit a Biodiversity Development Assessment Report (BDAR) for the above State significant development application.

I have reviewed your request having regard to Sections 1.5 and 7.3 of the *Biodiversity Conservation Act 2016* (BC Act) and Clause 1.4 of the *Biodiversity Conservation Regulation 2017*, and have determined that the proposed development (SSD 10454), as described in your waiver request, is not likely to have any significant impacts on biodiversity values.

The delegated Environment Agency Head in the NSW Environment, Energy and Science Group has also determined that the proposed development is not likely to have any significant impacts on biodiversity values in a letter dated 13 August 2020 and a copy of that letter is attached.

Therefore, a waiver under section 7.9(2) of the BC Act is granted for the proposed development and a BDAR is not required to accompany the SSD application.

If there are any amendments to the proposed development, this BDAR waiver determination will not be valid. You will need to either prepare a BDAR or lodge a new request to have the BDAR requirement waived.

Should you have any further enquiries, please contact Karl Fetterplace, Key Sites Assessments, at the Department on (02) 9274 6263.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Anthony Witherdin'.

Anthony Witherdin  
**Director**  
**Key Sites Assessments**  
(as nominee of the Secretary)

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

---

I, Daylan Cameron, Acting/Director Greater Sydney, of the Department of Planning, Industry and Environment, under clause 7.9(2) of the *Biodiversity Conservation Act 2016*, determine that the proposed development is not likely to have any significant impact on biodiversity values and therefore a Biodiversity Development Assessment Report is not required.

Proposed development means the development as described in DOC20/332709 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



13/08/2020

-----  
Daylan Cameron  
**A/Director**  
**Greater Sydney**  
**Environment, Energy & Science Group**

-----  
**Date**

## SCHEDULE 1 – Description of the proposed development

The proposal is a Stage 2 (Detailed) SSDA that seeks approval for:

- Various refurbishments to the Intercontinental Hotel tower.
- Alterations to the roof of the Intercontinental Hotel in compliance with the approved envelope under SSD 7693 (the Concept approval).

