



Mr Brendan Hoskins
Principal Planner
Ethos Urban
C/O Built Development Group Pty Ltd
173 Sussex Street
SYDNEY NSW 2000

8 October 2020

Dear Mr Hoskins

**50-52 Phillip Street New Hotel Stage 1 Concept DA (SSD-10464)
Biodiversity Development Assessment Report waiver**

I refer to your correspondence 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 10464), 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 2 October 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)