



Mr John Riordan
Planning Manager – Barangaroo South
Lendlease
Level 14, Tower Three, International Towers Sydney
Exchange Place,
300 Barangaroo Avenue
Barangaroo NSW 2000

16 July 2021

Dear Mr Riordan

**Biodiversity Development Assessment Report Waiver Request
Barangaroo South – Stage 1B (Stage 5) (SSD 1156471)**

I refer to your correspondence received on 31 May 2021 seeking to waive the requirement to submit a biodiversity development assessment report (BDAR) with the above State significant development application under section 7.9(2) of the Biodiversity Conservation Act 2016 (BC Act).

I have reviewed your request having regard to Sections 1.5 and 7.3 of the BC Act and Clause 1.4 of the Biodiversity Conservation Regulation 2017, and have determined that the proposed development (SSD 1156471), as described in your waiver request, is not likely to have any significant impacts on biodiversity values.

The delegated Environment Agency Head in the 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 15 June 2021 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 Candice Pon, Key Sites Assessments, at the Department on (02) 9555 6644.

Yours sincerely,

Anthony Witherdin
Director
Key Sites Assessments

As delegate of the Secretary

Enclosed:

Determination, delegated position within Environment, Energy and Science Group, DPIE
Determination, delegated position within Planning and Assessment, DPIE



Our ref: DOC21/457901

Senders ref: SSD 1156471 (City of Sydney)

Candice Pon
Planning Officer
Industry Key Sites Assessments
Planning and Assessment Group
Department of Planning, Industry and Environment
4 Parramatta Square,
12 Darcy Street
Parramatta NSW 2150

Dear Ms Pon,

Request for Biodiversity Development Assessment Report Waiver for Barangaroo South – Stage 1B Subdivision (Stage 5) (SSD 1156471)

I refer to the request to waive the requirement for a biodiversity development assessment report (BDAR) to be submitted with the above State Significant Development Application for Barangaroo South – Stage 1B Subdivision (Stage 5).

I have reviewed the information provided by the applicant in the BDAR waiver application prepared by Eco logical dated 28 May 2021 and determined that the proposed development is not likely to have any significant impact on biodiversity values. The application, therefore, does not need to be accompanied by a BDAR.

The determination is attached for you to provide to the applicant.

Please note that if the proposed development is changed so that it is no longer as described in Schedule 1 of the determination, the applicant will need to lodge a new waiver request or prepare a BDAR.

Also attached for your information is the decision report prepared by EES. The decision report should not be provided to the applicant without EES approval.

Should you have any queries regarding this matter, please contact Bronwyn Smith, Senior Conservation Planning Officer on 9873 8604 or bronwyn.smith@environment.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads 'Trish Harrup'.

15/06/2021

Trish Harrup
Director Greater Sydney
Biodiversity and Conservation
Environment, Energy and Science

Encl 1. DPIE EES Determination
2. DPIE EES Recommendation report

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

I, Trish Harrup, 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 DOC21/457901 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.

Trish Harrup

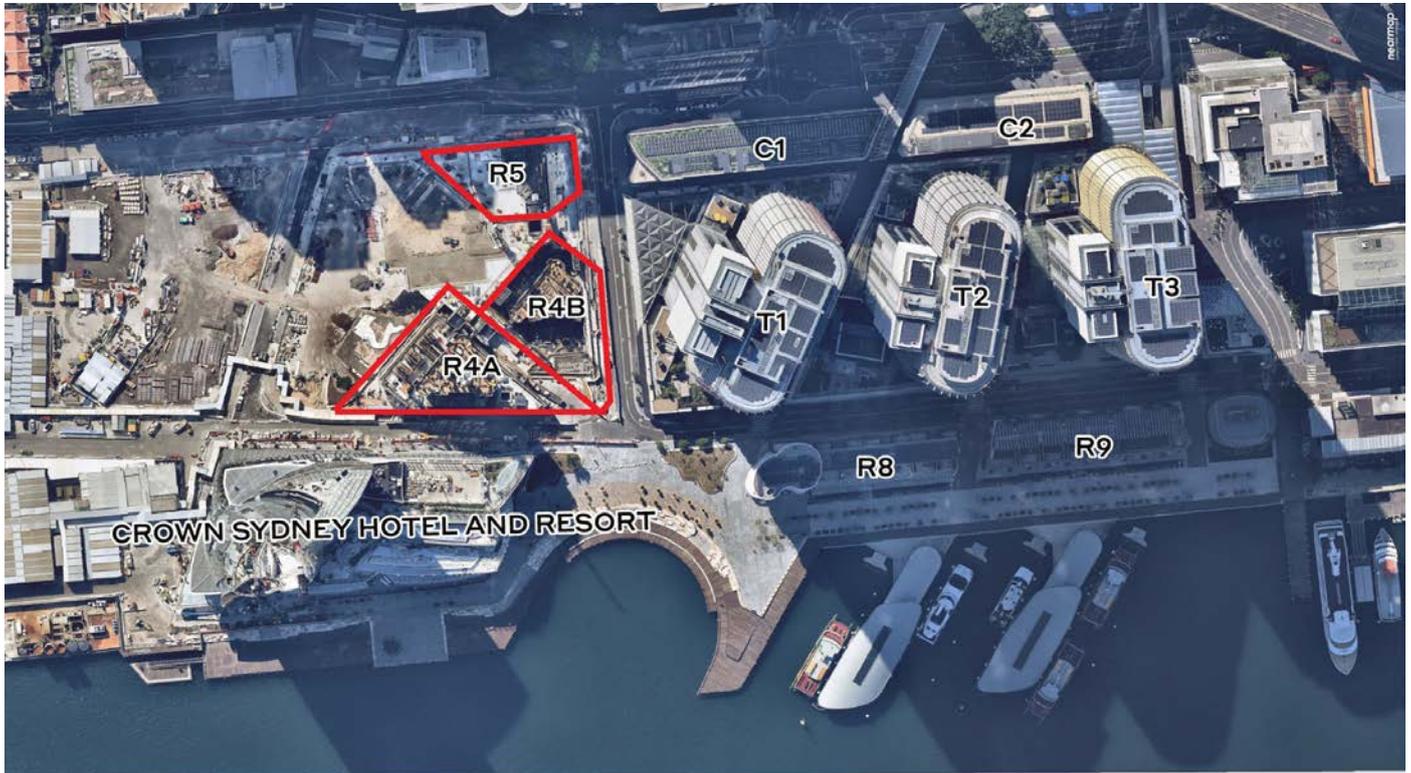
15/06/2021

Trish Harrup
Director
Greater Sydney
Environment, Energy & Science Group

Date

SCHEDULE 1 – Description of the proposed development

The proposed SSD DA will seek development consent for the staged subdivision of residual Lot 500 to create eight new lots relating to Residential Buildings R4A, R4B and R5, which are currently under construction at Barangaroo South. These stratum lots will be for residential and retail uses and include a new residual lot. No physical works are to be proposed as part of the SSD DA.



 Site subject to subdivision

 NOT TO SCALE

Attachment D

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

I, Anthony Witherdin, Director Key Sites Assessments, of the Department of Planning, Industry and Environment, under section 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 staged subdivision of residual Lot 500 to create eight new lots relating to Residential Buildings R4A, R4B and R5, these stratum lots including the new residual lot will be for residential and retail uses detailed in the BDAR waiver application dated 7 May 2021. It is noted that the proposal is not seeking consent for any physical works.

If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.

If you do not lodge the development application related to this determination for the proposed development within 2 years of the issue date of this determination, you must either prepare a BDAR or lodge a new request to have the BDAR requirement waived.



Director
Key Sites Assessments
Planning and Assessment
Department of Planning, Industry and Environment
(as delegate of the Secretary)

Date: 16 July 2021