

Ms Anna Wang
Senior Consultant
Urbis Pty Ltd

Our ref: SSD-19989744

via email: awang@urbis.com.au

Dear Ms Wang

Subject: Adaptive Re-use of Wilkinson House – SCEGGS Darlinghurst (SSD-19989744) – Request to waive the need for a Biodiversity Development Assessment Report (BDAR) under the *Biodiversity Conservation Act 2016*

I refer to your correspondence dated 24 June 2021 requesting the issue of a waiver from the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted as part of the State significant development (SSD) application for the Adaptive Re-use of Wilkinson House at SCEGGS Darlinghurst (SSD-19989744).

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) provides the following in relation to an application for SSD:

“Any such application 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.”

The authority of the “Planning Agency Head” to determine whether a proposed development is “not likely to have any significant impact on biodiversity values” has been delegated to Directors within the Planning and Assessment Division of the Department.

Accordingly, I have reviewed the application of the test of significance under sections 1.5 and 7.3 of the BC Act and clause 1.4 of the Biodiversity Conservation Regulation 2017 and considered the information provided in your letter dated 24 June 2021. I have determined that the development is not likely to have any significant impacts on biodiversity values and that the application does not need to be accompanied by a BDAR. A waiver under section 7.9 is therefore granted for the proposed development (being the Adaptive Re-use of Wilkinson House – SCEGGS Darlinghurst (SSD-19989744)).

The delegated *Environment Agency Head* in the Environment, Energy and Science Group of the Department has also granted a waiver (refer a copy of that letter attached).

Please note that the waiver is issued in respect of the proposed development detailed in the Planning Secretary’s Environmental Assessment Requirements issued on 21 June 2021. Amendments to the development may require a further waiver to be sought and issued.

Should you have any enquiries regarding the above matter, please contact Brent Devine, Principal Planner on (02) 9995 5667 or via email at Brent.Devine@planning.nsw.gov.au.

Yours sincerely,



2 July 2021

Karen Harragon
Director, Social and Infrastructure Assessments

As delegate of the Secretary



Our ref: DOC21/524013
Senders ref: SSD 19989744

Brent Divine
Principal Planner
School Infrastructure
Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

Dear Mr Devine,

**Request for Biodiversity Development Assessment Report Waiver for SCEGGS
Darlinghurst, 165-215, 159-163, 217 Forbes Street and 224-226 Bourke Street, Darlinghurst
(SSD19989744)**

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 SCEGGS Darlinghurst, 165-215, 159-163, 217 Forbes Street and 224-226 Bourke Street, Darlinghurst.

I have reviewed the information provided by the applicant in the BDAR waiver application, prepared by Ecoplaning dated 2018, which 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 Greater Sydney Branch at rog.gsrplanning@environment.nsw.gov.au.

Yours sincerely

Trish Harrup
01/07/2021

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

Encl 1. EES, DPIE determination
2.EES, DPIE recommendation report

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

I, Trish Harrup, Director Greater Sydney, 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 development as described in DOC21/524013 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

1/07/2021

Trish Harrup
Director
Greater Sydney
Environment, Energy & Science Group

Date

SCHEDULE 1 – Description of the proposed development

The proposed development in the Masterplan will cover include:

- Wilkinson House redevelopment
- The New Multi-purpose Building including driveway entries and associated landscaping to adjacent areas
- New Administration Building and restoration of the Barham Building including associated landscaping to adjacent areas. Although the Masterplan is focused on 3 main projects the Masterplan is for the whole campus and new works are considered as being integrated and working with the existing campus buildings as well as the landscaped spaces and circulation between the buildings (TKD Architects 2018).

