

Ms Eliza Scobie
Senior Consultant
Urbis
Angel Place, Level 8,
123 Pitt Street
Sydney NSW 2000 Australia

Our ref: EF21/18415

via email: escobie@urbis.com.au

28 April 2022

Dear Ms Scobie

**Biodiversity Development Assessment Report Waiver Request
TOGA Central (SSD-33258337)**

I refer to your correspondence received on 6 April 2022 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 2016, and have determined that the proposed development (SSD-33258337), 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 and Heritage Group has also determined that the proposed development is not likely to have any significant impacts on biodiversity values in a letter dated 20 April 2022 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, a fresh request for a BDAR waiver determination will be required or a BDAR may need to be prepared.

Should you have any further enquiries, please contact Annika Hather, Key Sites Assessments, at the Department on (02) 9995 6662.

Yours sincerely,



Amy Watson
Team Leader
Key Sites Assessments

As delegate of the Secretary

- Encl: 1. Determination, delegated position within Environment and Heritage Group, DPE
2. Determination, delegated position within Planning and Assessment Division, DPE

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

I, Amy Watson, Team Leader, Key Sites Assessments, Planning and Assessment, of the Department of Planning 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 proposed redevelopment of TOGA Central at 2 & 8A Lee Street, Haymarket (Lot 30 DP 8805518 and Lot 13 DP 1062447) including:

- demolition of contemporary additions to the former Parcel Post building (fPPb)
- conservation work and alterations to the fPPb for retail premises, commercial premises, and hotel and motel accommodation
- construction of a hotel and commercial office tower above and adjacent to the FPPB
- delivery of a revitalised public realm across the site that is coordinated with adjacent development,

and as detailed in the BDAR Waiver request report (prepared by Urbis dated 6 April 2022) and Schedule 1.

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.

A. Watson

Team Leader
Key Sites Assessments
Planning and Assessment
Department of Planning and Environment
(as delegate of the Secretary)

Date: 28 April 2022

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

I, Susan Harrison, Acting Director Greater Sydney, of the Department of Planning 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 DOC22/295699 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



20/04/22

Susan Harrison
Acting Director
Greater Sydney
Environment and Heritage Group

Date

SCHEDULE 1 – Description of the proposed development

The proposed redevelopment of TOGA Central at 2 & 8A Lee Street, Haymarket (Lot 30 DP 880518 and Lot 13 DP 1062447) including:

- Demolition of contemporary additions to the former Parcel Post building (fPPb)
- Conservation work and alterations to the fPPb for retail premises, commercial premises, and hotel and motel accommodation
- Construction of a hotel and commercial office tower above and adjacent to the fPPb
- Delivery of a revitalised public realm across the site that is coordinated with adjacent development

