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# Appendix U

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## Biodiversity Development Assessment Report Waiver

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## Department of Planning and Environment

Cameron Nixon  
Manager SSD Planning Approvals  
Sydney Metro  
Level 43, 680 George Street  
Sydney NSW 2022

28 February 2022

Dear Mr Nixon,

**Subject: Request to waive requirement to prepare a Biodiversity Development Assessment Report**

I refer to your correspondence received on 19 January 2022 seeking to waive the requirement to prepare a biodiversity development assessment report (BDAR) associated with the State Significant Development application for Sydney Olympic Park Metro over station development.

The Department notes the proposal is a Concept application for over and adjacent station development above and around the Sydney Olympic Park Metro Station.

Under section 7.9(2) of the Biodiversity Conservation Act 2016 (BC Act):

*“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 the biodiversity values”.*

This letter is to confirm that the Secretary of the Department of Planning and Environment has determined that the proposed development as described above is not likely to have any significant impact on biodiversity values and that a BDAR is therefore not required to accompany any application for development consent for the proposed development.

I, as Delegate of the Secretary within the Planning and Assessment Division have determined that the proposed development is not likely to have any significant impacts on biodiversity values (see determination attached dated 28 February 2022). Evidence that the Delegate of the Secretary within Environment, Energy and Science Division has made the determination is also attached (dated 21 February 2022).

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 Russell Hand, Planning and Assessment, at the Department on (02) 8275 1313.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Annie Leung', with a stylized, cursive script.

Annie Leung  
**Team Leader, Key Sites Assessments**  
**Planning and Assessment Division**  
As delegate of the Secretary

Encl:

1. Determination, Department of Planning and Environment, Environment Energy and Science Group