

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

Our ref: EF22/12444

via email: [escobie@urbis.com.au](mailto:escobie@urbis.com.au)

20 January 2023

Dear Ms Scobie

**Biodiversity Development Assessment Report Waiver Request  
4-6 Bligh Street: Mixed-Use Hotel (SSD-48674209)**

I refer to your correspondence received on 2 December 2023 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-48674209), 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 18 January 2023 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 development of works associated with the 4-6 Bligh Street: Mixed-use Hotel as detailed in the BDAR Waiver request report (prepared by Eco Logical Australia dated 25 November 2022) and Schedule 1 of the Environment and Heritage Group determination.

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

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

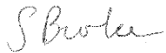
**Date: 20 January 2023**

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

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I, Sarah Burke, A/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 BDAR is not required.

Proposed development means the development as described in DOC22/1114979-1 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



18/01/2023

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**Sarah Burke**  
**A/Director**  
**Greater Sydney**  
**Environment and Heritage Group**

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**Date**

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## SCHEDULE 1 – Description of the proposed development

Specifically, the State Significant Development Application (SSDA) seeks consent for:

- Site establishment, including removal of three existing trees along the Bligh Street frontage and decommissioning and removal of an existing substation (s2041) on the site.
- Construction of a 59-storey hotel and commercial office tower. The tower will have a maximum building height of RL225.88 (205m) and a total gross floor area (GFA) provision of 26,796sqm, and will include the following elements:
  - Five basement levels accommodating a substation, rainwater tank, hotel back of house, plant, and services. A porte cochere and four service bays will be provided on basement level 1, in addition to 137 bicycle spaces and end of trip facilities on basement level 2, and 28 car parking spaces.
  - A 12-storey podium accommodating hotel concierge and arrival at ground level, conference facilities, eight levels of commercial floor space and co-working facilities, and hotel amenities including a pool and gymnasium at level 12.
  - 42 tower levels of hotel facilities including 417 hotel keys comprising standard rooms, suites and a penthouse.
  - Two tower levels accommodating restaurant, bar, back of house and a landscaped terrace at level 57.
  - Plant, servicing and BMU at level 59 and rooftop.
- Increase to the width of the existing Bligh Street vehicular crossover to 4.25m and provision of an additional 4m vehicular crossover on Bligh Street to provide one-way access to the porte cochere and service bays on basement level 1.
- Landscaping and public domain improvements including:
  - Replacement planting of three street trees in the Bligh Street frontage,
  - Construction of a landscape pergola structure on the vertical façade of the north-eastern and south-eastern podium elevations,
  - Awning and podium planters, and
  - Provision of a feature tree at the level 57 terrace.
- Identification of two top of awning building identification signage zones with a maximum dimension of 1200mm x 300mm. Consent for detailed signage installation will form part of a separate development application.
- Utilities and service provision.
- Installation of public art on the site, indicatively located at ground level.

The area subject to the development as identified in the BDAR Waiver Request is identified in Figure 1. Whilst Figure 2 shows the indicative ground floor plan of the proposed development.

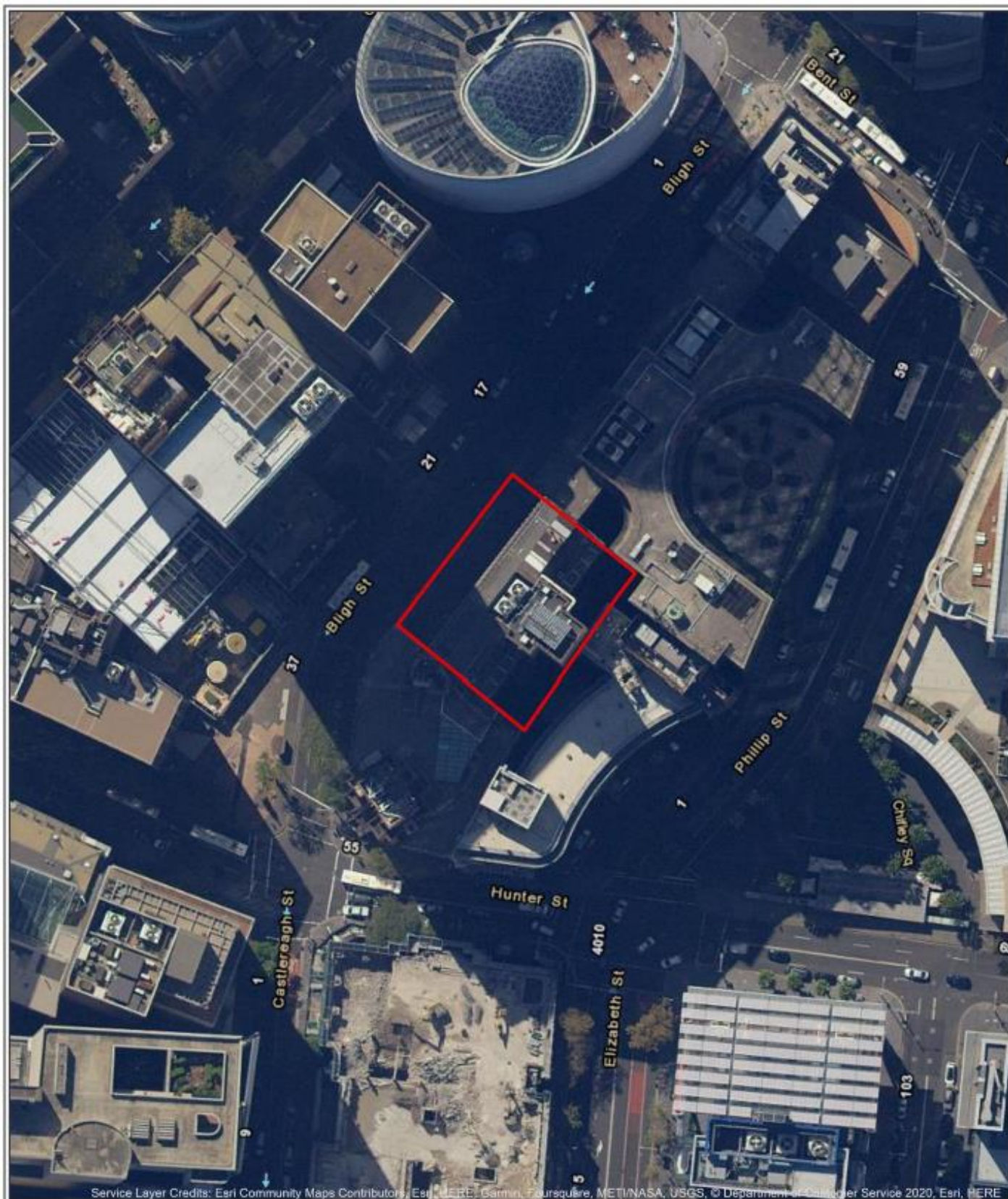


Figure 1: The location of the site subject to the SSD



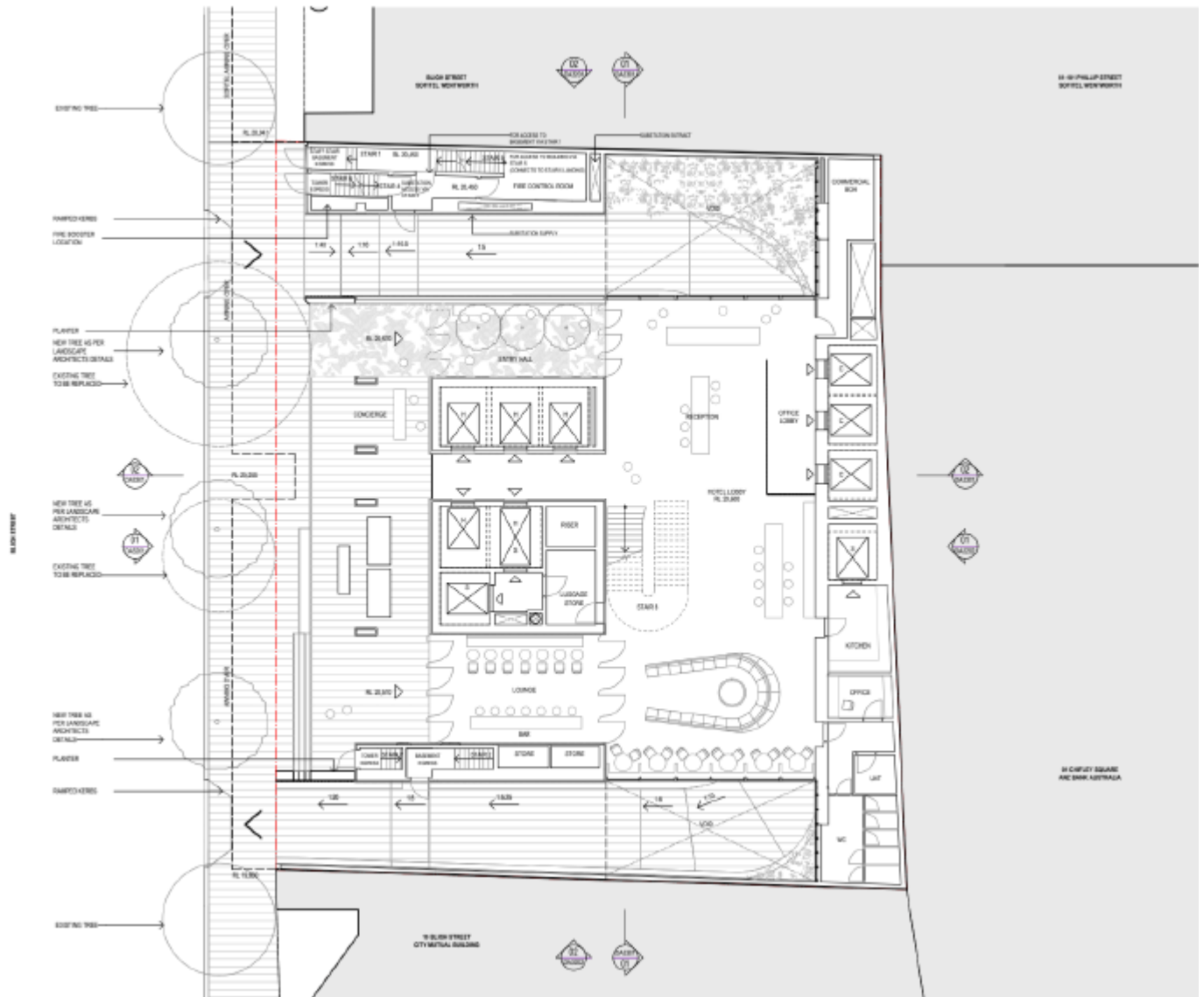


Figure 2: Indicative ground floor plan for the proposed development