

David Radford
Grocon
Level 4, Legion House
161 Castlereagh Street
Sydney NSW 2000

Sent via email: DavidRadford@grocon.com.au

Reference: 17SYD_9098

12 December 2017

Dear David,

Re: The Ribbon Development, Darling Harbour - Biodiversity Assessment.

Eco Logical Australia (ELA) was engaged by Grocon to prepare a statement in regards to item 6 in the Secretary's Environmental Assessment Requirements (SEARs) issued on 29 November 2017 for the proposed Fit out and operation of hotel and serviced apartments for The Ribbon, Darling Harbour.

Item 6 under the SEARs states "Biodiversity: *The EIS shall provide an assessment of the proposal's biodiversity impacts in accordance with the requirement of the Biodiversity Conservation Act 2016, including the preparation of a Biodiversity Development Assessment Report where required under the Act.*"

In November 2016, the NSW parliament passed the *Biodiversity Conservation Act 2016* (BC Act). The BC Act commenced on 25 August 2017 following gazettal of the associated *Biodiversity Conservation Regulation 2017* and the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*.

The BC Act introduces new mandatory requirements for biodiversity assessment and reporting. As a local development, this site requires consideration for applying the Biodiversity Assessment Method (BAM), and subsequently the potential offsetting of biodiversity values under the Biodiversity Offsets Scheme (BOS). If the BOS is triggered and the BAM applies, then a Biodiversity Development Assessment Report (BDAR) is required.

There are a number of thresholds for triggering the BOS and the BAM, including:

- Clearing of native vegetation, based on the minimum lot size associated with the site.
 - For this site, no vegetation will be impacted.
- Clearing of land identified as high conservation value on the Biodiversity Values Land Map.
 - The site does not contain high conservation values on this map.
- Test of Significance (5-part test) for threatened species and ecological communities for proposals that do not trigger the thresholds above. If the test indicates a likely significant impact, then the BOS is triggered and the BAM must be applied.
 - No Tests of Significance were considered necessary for this site as no vegetation or threatened species habitat will be impacted.

In consideration of the above, the BAM or BOS is not triggered. Therefore, application for fit out and operation of The Ribbon, will not trigger requirements for the preparation of a BDAR under the *Biodiversity Conservation Act 2016*.

If you require any further information, please contact me on (02) 8536 8678 or via email at danielleb@ecoaus.com.au.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'D Adams-Bennett', written in a cursive style.

Danielle Adams-Bennett
Ecologist