



Mr Brendan Hoskins  
Ethos Urban Pty Ltd  
173 Sussex Street  
Sydney NSW 2000

21 October 2020

Dear Mr Hoskins

**Biodiversity Development Assessment Report Waiver Request  
Residential and commercial development – Building R4B Barangaroo South  
(SSD 8892218)**

I refer to your correspondence received on 30 September 2020 seeking to waive the requirement to submit a biodiversity development assessment report (BDAR) with the above State significant development application at Building R4B Barangaroo South (SSD 8892218) 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 and 6.1 of the Biodiversity Conservation Regulation 2017, and have determined that the proposed development (SSD 8892218), as described in your waiver request, is not likely to have any significant impacts on biodiversity values.

The delegated Environment Agency Head in the Energy, Environment and Science Group has also determined that the proposed development is not likely to have any significant impacts on biodiversity values in a letter dated 12 October 2020 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, this BDAR waiver determination will not be valid. You will need to either prepare a BDAR or lodge a new request to have the BDAR requirement waived.

Should you have any further enquiries, please contact Matthew Rosel, Key Sites Assessments, at the Department on (02) 8275 1323.

Yours sincerely,

Anthony Witherdin  
**Director**  
**Key Sites Assessments**

As delegate of the Secretary

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

I, Anthony Witherdin, Director Key Sites Assessments, 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 construction of a mixed use residential and commercial building at Barangaroo South, Building R4B as detailed in the BDAR waiver application dated 30 September 2020.

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.



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**Anthony Witherdin**  
**Director**  
**Key Sites Assessments**  
**Department of Planning, Industry and Environment**  
(as delegate of the Secretary)

**Date: 21 October 2020**