



Mr John Riordan
Lend Lease Millers Point Pty Ltd
Level 14, Tower 3, International Towers
Exchange Place, 300 Barangaroo Avenue
Barangaroo NSW 2000

Dear Mr Riordan

Stage 1A (Third Phase) Stratum Subdivision, Barangaroo South (SSD 8997) – Request to waive the requirements for a Biodiversity Development Assessment Report

I refer to your request prepared by Ethos Urban dated 21 August 2018 and further information dated 27 August 2018 and 20 September 2018 to waive the requirement for a Biodiversity Development Assessment Report (BDAR) for the State Significant Development (SSD) application for Stage 1A (Third Phase) Stratum Subdivision at Barangaroo South (SSD 8997)

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 biodiversity values.”

The power to determine whether a SSD proposal is *“not likely to have any significant impact on biodiversity values”* (on behalf of the *Planning Agency Head*) has been delegated to Director level within the Planning Services Division of the Department of Planning and Environment (the Department).

I have reviewed your request and the additional information provided on 27 August 2018 having regard to sections 1.5 and 7.3 of the BC Act and clauses 1.4 and 6.1 of the *Biodiversity Conservation Regulation 2017*. I consider that the proposed development is not likely to have any significant impact on biodiversity values and therefore it is not necessary to submit a BDAR as part of the SSD application.

The delegated *Environment Agency Head* in the Office of Environment and Heritage has been consulted and on 28 September 2018 confirmed that the proposed development is not likely to have any significant impact on biodiversity values. A copy of this letter is attached for your reference.

Therefore, under section 7.9(2) of the BC Act, the requirement to submit a BDAR has been waived for the proposed SSD 8997.

This waiver is issued in respect of the proposed development detailed in a request for SEARs dated 18 December 2017. Amendments to the development may require a further waiver to be sought and issued.

Should you have any further enquiries, please contact Tim Green, Planning Officer, Key Sites Assessments, at the Department on (02) 8275 1065.

Yours sincerely


Cameron Sargent

Acting Director

Key Sites Assessments

as delegate of the Secretary

28/4/18