



Our ref: DOC20/1000312
Senders ref: SSD-11564741

Ms Candice Pon
Planning and Assessment Group
Department of Planning, Industry and Environment
4PSQ, Level 17, 12 Darcy Street
PARRAMATTA NSW 2150

Dear Ms Pon

Subject: EES comments on Request for SEARs – Stage 1B (Stage 5) Subdivision – Barangaroo South – 51A Hickson Road Barangaroo (Lot 500 in DP 1264241) – SSD-11564741

Thank you for your email of 27 November 2020 requesting advice in relation to the Request for Secretary's Environmental Assessment Requirements (SEARs) for this State Significant Development.

The Environment, Energy and Science Group (EES) appreciates Planning and Assessment Group giving it an extension in which to provide its comments. EES has reviewed the draft SEARs and the Request for SEARs report and as confirmed with you today there is no work proposed by this SSD. Therefore, the only relevant EES requirement is for biodiversity (see Attachment A).

The Biodiversity Conservation Act 2016 requires that an SSD or SSI application must be accompanied by a biodiversity development assessment report (BDAR) unless the Planning Agency Head (or delegate) and the Environment Agency Head (or delegate) determine that the proposed development is not likely to have any significant impact on biodiversity values. This determination is referred to here as a BDAR waiver.

Further information can be found at [Applying for a biodiversity development assessment report waiver | NSW Environment, Energy and Science](#).

If you have any questions about this advice, please do not hesitate to contact Janne Grose, Senior Conservation Planning Officer via email at janne.grose@environment.nsw.gov.au or on 8837 6017

Yours sincerely

11/12/20

Susan Harrison
**Senior Team Leader Planning
Greater Sydney Branch
Environment, Energy and Science**

Attachment A – EES Group Standard Environmental Assessment Requirement

Biodiversity

1. Biodiversity impacts related to the proposed development are to be assessed in accordance with [Section 7.9 of the Biodiversity Conservation Act 2017](#) the [Biodiversity Assessment Method](#) and documented in a [Biodiversity Development Assessment Report \(BDAR\)](#). The BDAR must include information in the form detailed in the *Biodiversity Conservation Act 2016* (s6.12), *Biodiversity Conservation Regulation 2017* (s6.8) and [Biodiversity Assessment Method](#), including an assessment of the impacts of the proposal (including an assessment of impacts prescribed by the regulations).
2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the [Biodiversity Assessment Method](#).
3. The BDAR must include details of the measures proposed to address the offset obligation as follows;
 - The total number and classes of biodiversity credits required to be retired for the development/project;
 - The number and classes of like-for-like biodiversity credits proposed to be retired;
 - The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules;
 - Any proposal to fund a [biodiversity conservation action](#);
 - Any proposal to conduct ecological rehabilitation (if a mining project);
 - Any proposal to make a payment to the Biodiversity Conservation Fund.

If seeking approval to use the variation rules, the BDAR must contain details of the [reasonable steps](#) that have been taken to obtain requisite like-for-like biodiversity credits.
4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per the BAM
5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the *Biodiversity Conservation Act 2016*.

(END OF SUBMISSION)