

2 May 2018

218139

Ms Carolyn McNally
Secretary
NSW Planning and Environment
320 Pitt Street
SYDNEY NSW 2000

Dear Ms McNally

Biodiversity Assessment Waiver Request The Australian Museum, Stage 1 SSD DA

This Biodiversity Assessment Waiver Request has been prepared on behalf of the Australian Museum in regard to a forthcoming State Significant Development Application (SSD DA) for the first stage of the Museum's redevelopment at 1 William Street, Sydney.

In accordance with the *Biodiversity Conservation Act 2016*, an assessment of any State Significant proposal's biodiversity impacts must be undertaken as part of any SSD DA, including the provision of a Biodiversity Development Assessment Report (BDAR) in instances where it is required.

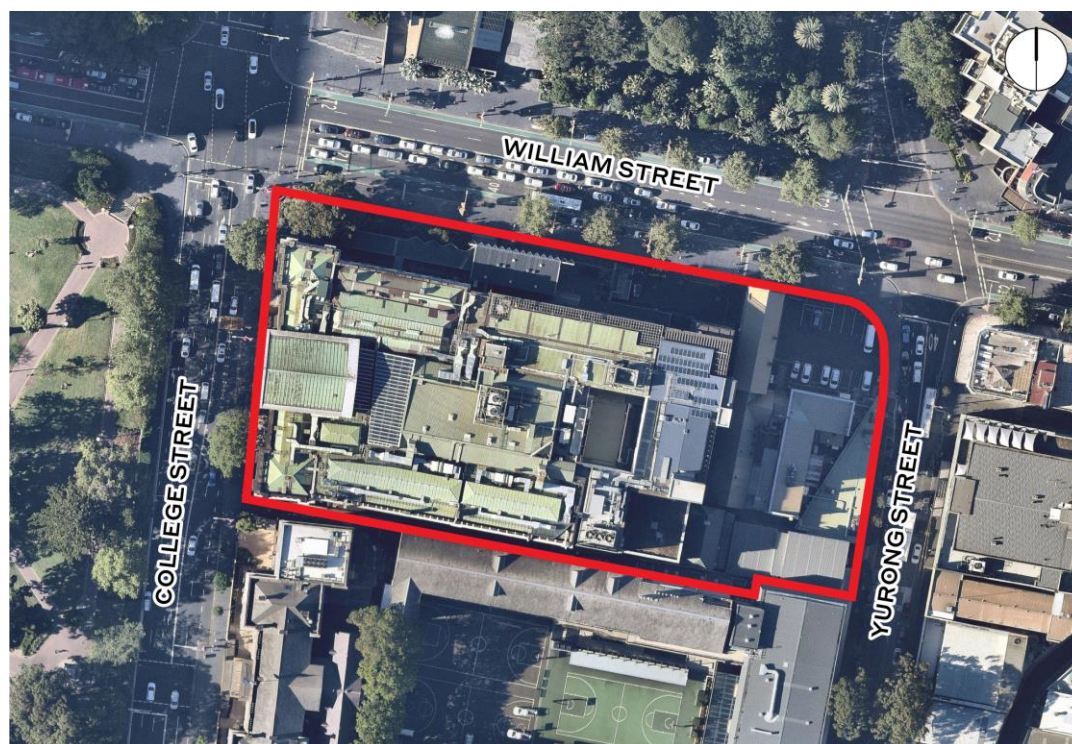
The Department of Planning and Environment (DPE) has advised that in instances where it is believed that a BDAR is not required, a waiver should be requested from the DPE prior to lodgement of the application. Such a waiver request should contain sufficient evidence to determine whether the proposed development is likely to have a significant impact on biodiversity values, including a specific assessment against the relevant Biodiversity Values contained at Section 1.5 of the *Biodiversity Conservation Act 2016* and Clause 1.4 of the *Biodiversity Conservation Regulation 2017*.

Given that this proposal comprises a historically cleared site in a highly urbanised setting (as shown at **Figure 1** below), it is considered that the proposed development warrants the waiving of the requirement to prepare a BDAR. A specific assessment of the proposal against the relevant biodiversity values has been provided below.

Table 1 Assessment of proposal against the relevant biodiversity values

| Clause | Comment |
|--|---|
| <i>Biodiversity Conservation Act 2016 – Section 1.5</i> | |
| <i>(a) vegetation integrity – being the degree to which the composition structure and function of vegetation at a particular site and the surrounding landscape has been altered from a near natural state</i> | <p>The site is devoid of any vegetation and has been used as a museum since 1857.</p> <p>The surrounding landscape comprises planted landscaping associated with the Sydney CBD setting, and does not contain any significant vegetation.</p> |
| <i>(b) habitat suitability – being the degree to which the habitat needs of threatened species are present at a particular site</i> | <p>As the site does not contain any vegetation and due to its current use, the site is highly unlikely to provide habitat for any threatened species.</p> |
| <i>(c) biodiversity values, or biodiversity-related values, prescribed by the regulations</i> | <p>This waiver request has considered values contained within the <i>Biodiversity Conservation Act 2016</i>, as well as the values prescribed by the <i>Biodiversity Conservation Regulation 2017</i>.</p> |

| Clause | Comment |
|--|--|
| <i>Biodiversity Conservation Regulation 2017 – Clause 1.4</i> | |
| <i>(a) threatened species abundance – being the occurrence and abundance of threatened species or threatened ecological communities, or their habitat at a particular site</i> | The site is located in the Sydney CBD and does not contain any vegetation. |
| <i>(b) vegetation abundance – being the occurrence and abundance of vegetation at a particular site</i> | The site is located in the Sydney CBD and does not contain any vegetation. |
| <i>(c) habitat connectivity – being the degree to which a particular site connects different areas of habitat of threatened species to facilitate the movement of those species across their range</i> | The site has previously been cleared and is located within a dense urban environment which does not connect areas of habitat. |
| <i>(d) threatened species movement – being the degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle</i> | The site has previously been cleared and is located within a dense urban environment which does not facilitate the movement of threatened species. |
| <i>(e) flight path integrity – being the degree to which the flight paths of protected animals over a particular site are free from interference</i> | There is no indication that the flight paths of any protected species will be interfered with by the proposal. |
| <i>(f) water sustainability – being the degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site</i> | The proposed development will not result in any adverse impacts on water bodies surrounding the site. |



The Site

Figure 1 Aerial photograph

Source: Nearmap

Overall, it is considered that the proposed development will not result in any significant impact in regards to the biodiversity values contained above, and that a waiver to the provision of a BDAR can therefore be provided. We trust that the above information is sufficient in order for the Department to provide a waiver from the requirement to prepare a BDAR. If you wish to discuss this matter further, please do not hesitate to contact 9956 6962 or ktudehope@ethosurban.com.

Yours sincerely,

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