

Mr Callum Sangkuhl
Development and Planning Manager
Landcom
Level 14, 60 Station Street
Parramatta NSW 2150

Our ref: SSD -100006957

16 January 2026

Subject: Chatswood Dive Site - Build-to-Rent at 339 Mowbray Road, Chatswood (SSD-100006957) – Request to waive the requirements for a BDAR under the *Biodiversity Conservation Act 2016*

Dear Mr Sangkuhl,

I refer to your correspondence dated 9 December 2025, seeking the Planning Secretary's approval to waive the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted as part of the above referenced State significant development (SSD) application.

Description of proposed development

The SSD pertains to the construction of a residential flat building for the purpose of a build-to-rent development at 339 Mowbray Road, Chatswood, within the Willoughby City local government area (LGA).

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BCA):

"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."

This letter is to confirm that the Secretary of the Department of Planning, Housing and Infrastructure has determined that the proposed development as described above is not likely to have any significant impact on biodiversity values and that a BDAR is therefore not required to accompany any application for development consent or infrastructure approval for the proposed development.

I, as Delegate of the Planning Secretary within the Development Assessment and Sustainability division have determined that the proposed development is not likely to have any significant impacts on biodiversity values. Evidence that the Delegate of the Secretary within the NSW Department of Climate Change, Energy, the Environment and Water (Director of the Greater Sydney Branch) has made the determination is attached (dated 14 January 2026).

If there are any amendments to the proposed development, a fresh request for a BDAR waiver determination will be required or a BDAR may need to be prepared.

Should you have any further enquiries, please contact Tuong Vi Doan on 9995 6706 or via email to tuongvi.doan@planning.nsw.gov.au.

Yours sincerely,



Peter McManus
Team Leader, Social and Diverse Housing Assessments
As delegate of the Planning Secretary

Encl: CPHR of NSW DCCEEW determination
Schedule 1 – Description of the proposed development

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

I, Liza Schaeper, A/Director Greater Sydney, of the Department of Climate Change, Energy, the Environment and Water, under section 7.9(2) of the *Biodiversity Conservation Act 2016*, consider that the proposed SSD-100006957 – Chatswood Dive Site for the construction of a residential flat building comprising Build-to-Rent housing at 339 Mowbray Road, Chatswood is not likely to have any significant impact on biodiversity values. Therefore, a biodiversity development assessment report is not required.

Proposed development means the development as described in DOC25/1018040 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.

Liza Schaeper

14 January 2026

Liza Schaeper
A/Director Greater Sydney
Regional Delivery
Conservation Programs, Heritage and Regulation Group

Date

SCHEDULE 1 – Description of the proposed development

The State Significant Development Application (SSDA) SSD-100006957 – Chatswood Dive Site for the construction of a residential flat building comprising Build-to-Rent housing as detailed in the BDAR waiver application prepared by First Field Environmental Pty Ltd (Version1, dated 8 December 2025).

Refer to:

- Figure 1 Location Map
- Figure 2 Site Map of Lot D
- Figure 3 Proposed Plan of Lot D

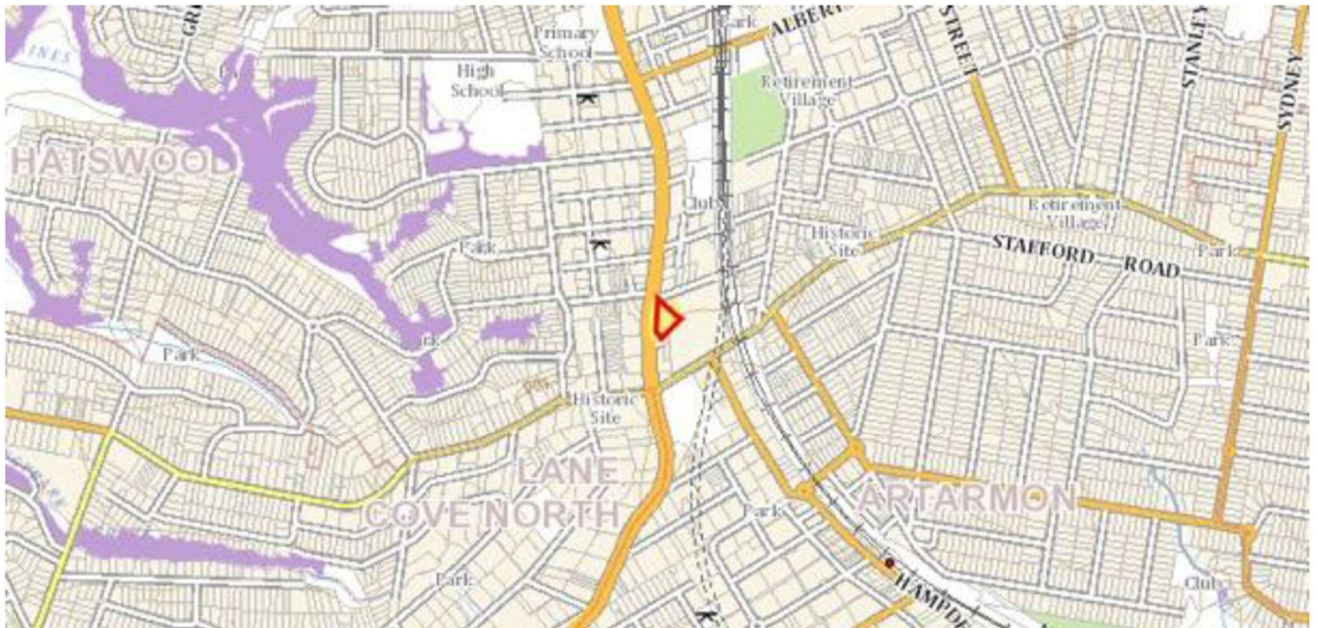


Figure 1 Location Map



Figure 2 Site Map of Lot D



Figure 3 Proposed Plan of Lot D

Attachment D

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

I, Peter McManus, Team Leader, Social and Diverse Housing Assessments, of the Department of Planning, Housing and Infrastructure, 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 as detailed in the BDAR waiver application dated 8 December 2025 and Schedule 1. 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.



Peter McManus
Team Leader
Social and Diverse Housing Assessments
Planning and Assessment
Department of Planning, Housing and Infrastructure
(as delegate of the Secretary)

Date: 16 January 2026