

Alessandro Sicari
TWO CONWAY PTY LTD
Level 12, 25 Bligh Street
SYDNEY NSW 2000

Our ref: SSD-101842729

27 January 2026

Subject: Residential flat building including infill affordable housing – 2-6 Conway Avenue, 15-15A Fernleigh Avenue & 38-40 Carlisle Street, Rose Bay (SSD-101842729) – Request to waive requirement to prepare a Biodiversity Development Assessment Report

Dear Mr Sicari,

I refer to your correspondence dated 9 December 2025, regarding the request 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.

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 (DCCEEW) has made the determination is attached (dated 27 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.

Department of Planning, Housing and Infrastructure



Should you have any further enquiries, please contact Liam Spinks on 02 9274 6006 or via email to liam.spinks@dpie.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Keith Ng".

Keith Ng
Team Leader
Affordable Housing Assessments
Department of Planning, Housing and Infrastructure

As delegate of the Planning Secretary

Encl: CPHR of NSW DCCEEW determination