



Macquarie Health Corporation
c/- Ms Christine Kelly
Imagescape Design Studios
Suite G10, 55 Miller Street
Pyrmont NSW 2009

Our ref: SSD-10320

via email: chris@imagescape.com.au

Dear Ms Kelly

Subject: Alterations and Additions to President Private Hospital (SSD-10320) – Request to waive the need for a Biodiversity Development Assessment Report under the Biodiversity Conservation Act 2016

I refer to your correspondence dated 14 February 2020, seeking to waive the requirement to prepare 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 (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 the biodiversity values”.

The authority of the “*Planning Agency Head*” to determine whether a proposed development is “*not likely to have any significant impact on biodiversity values*” has been delegated to Directors within the Planning and Assessment Division of the Department.

Accordingly, I have reviewed the application of the test of significance under sections 1.5 and 7.3 of the BC Act and clause 1.4 of the *Biodiversity Conservation Regulation 2017* and considered the information provided in the letter prepared by Habit8 dated 23 January 2020, and additional report prepared by Callum Hockey dated April 2020. I have determined that the development is not likely to have any significant impacts on biodiversity values and that the application does not need to be accompanied by a BDAR. A waiver under section 7.9 is therefore granted for the proposed development (being Alterations and Additions to President Private Hospital (SSD-10320)).

The delegated *Environment Agency Head* in the Environment, Energy and Science Group of the Department has also granted a waiver and a copy of that approval is attached.

This waiver is issued in respect of the proposed development generally detailed in a request for Secretary’s environmental assessment requirements dated April 2019. Amendments to the development may require a further waiver to be sought and issued.

Should you have any enquiries regarding the above matter, please contact Caleb Ball on (02) 9274 6186 or via email to caleb.ball@planning.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to read 'KH'.

2 July 2020

Karen Harragon
Director, Social and Infrastructure Assessments
As delegate of the Secretary