

Ms Claire Muir  
Senior Planning Advisor  
Health Infrastructure  
Level 6, 1 Reserve Road  
St Leonards NSW 2065

Our ref: SSD-10349252

via email: [claire.muir@health.nsw.gov.au](mailto:claire.muir@health.nsw.gov.au)

Dear Ms Muir

**Subject: The Children's Hospital Westmead – Paediatric Services Building (SSD-10349252) – Request to waive the need for a Biodiversity Development Assessment Report under the *Biodiversity Conservation Act 2016***

I refer to your request dated 20 August 2020 requesting the issue of a waiver from the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted as part of the state significant development (SSD) application for the Children's Hospital Westmead – Paediatric Services Building (SSD-10349252).

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) provides the following in relation to an application for SSD:

*“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.”*

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 of Planning, Industry and Environment (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 Cumberland Ecology dated 20 August 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 The Children's Hospital Westmead - Paediatric Services Building (SSD-10349252)).

The delegated *Environment Agency Head* in the Environment, Energy and Science Group of the Department has also granted a waiver on 2 November 2020, and a copy of that determination is attached.

Please note that the waiver is issued in respect of the proposed development detailed in the issued Secretary's Environmental Assessment Requirements on 20 November 2020. 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 Ingrid Berzins on (02) 9373 2885 or via email on [Ingrid.Berzins@planning.nsw.gov.au](mailto:Ingrid.Berzins@planning.nsw.gov.au)

Yours sincerely,



25 November 2020

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

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

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I, Daylan Cameron, Acting/Director Greater Sydney, of the Department of Planning, Industry and Environment, under clause 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 the development as described in DOC20/891794 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



02/11/2020

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Daylan Cameron  
**A/Director**  
**Greater Sydney**  
**Environment, Energy & Science Group**

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**Date**



## SCHEDULE 1 – Description of the proposed development

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Health Infrastructure is preparing an application for the proposed State Significant Development of the Children's Hospital at Westmead Stage 2 Development, at 178 Hawkesbury Road, Westmead. The project involves redevelopment of parts of the existing Westmead Children's Hospital, and includes a Paediatric Services Building (PSB), Multi Storey Car Park (MSCP) and redevelopment of the CHW forecourt and connecting spaces.

The subject land is an urban property comprised of a number of existing hospital buildings that are current in use with surrounding gardens.



Figure 1. Site map