



Presbyterian Ladies College Sydney
C/- Mr Stephen Earp
DFP Planning Pty Ltd
11 Dartford Road
Thornleigh NSW 2120

Our ref: SSD-10357

-via email-
searp@dfpplanning.com.au

Dear Mr Earp

Subject: Presbyterian Ladies College Sydney – Science Building (SSD-10357) – Request to waive the need for a BDAR under the Biodiversity Conservation Act 2016

I refer to your correspondence dated 16 July 2019 regarding the request to waive the need 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.”

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 Services Division (now Planning and Assessment Group) on 21 December 2017.

I have reviewed the application of the test of significance under sections 1.5 and 7.3 of the BCA and clause 1.4 of the *Biodiversity Conservation Regulation 2017* and determine that the development (as described in the letter from DFP Planning Pty Ltd, on behalf of the Applicant, dated 5 July 2019 and the Preliminary Biodiversity Assessment by SLR Consulting Australia Pty Ltd, dated 16 July 2019) is not likely to have any significant impact on biodiversity values. The application, therefore, does not need to be accompanied by a BDAR. Accordingly, a waiver under section 7.9 is granted for the proposed development (being Presbyterian Ladies College Sydney – Science Building – SSD-10357).

The delegated *Environment Agency Head* in the Environment, Energy and Science Group of the Department of Planning, Industry and Environment (EESG)(former NSW Office of Environment and Heritage) has also granted a waiver in a letter dated 2 August 2019 and a copy of that letter is attached.

This waiver is issued in respect of the proposed development detailed in the request for Planning Secretary's environmental assessment requirements (SEARs) dated 5 July 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 Lawren Drummond on 9274 6185 or via email to lawren.drummond@planning.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'KH' or similar, written over a horizontal line.

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

Attachment: EESG Waiver



DOC19/629989
SSD-10357

Ms Lawren Drummond
Planning Officer, Social and Infrastructure
Assessments
Planning and Assessment
Department of Planning, Industry and
Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Drummond

Re: Biodiversity Development Assessment Report (BDAR) Waiver Request for Presbyterian Ladies College Sydney – Science Building, 1 Meta Street, Croydon

The Department of Planning, Industry and Environment (formerly Office of Environment and Heritage) has reviewed the request from SLR Consulting Australia Pty Ltd, dated 16 July 2019, to waive the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted with the above State Significant Development (SSD) application.

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

‘Any such application [SSD] 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 power to determine whether an SSD is *‘not likely to have any significant impact on biodiversity values’*, has been delegated to the DPIE Environment, Energy and Science Senior Executive.

I have reviewed the application of the test of significance under Section 7.3 of the BC Act, that was prepared by SLR Consulting Australia Pty Ltd dated 16 July 2019 and agree that there is no need for the SSD application to submit a BDAR as part of the application. Therefore, a waiver under s7.9 is granted for the Presbyterian Ladies College Sydney – Science Building SSD project.

Should you have any queries regarding this matter, please contact Richard Bonner, Senior Conservation Planning Officer, on 9995 6917 or at Richard.Bonner@environment.nsw.gov.au.

Yours sincerely

02/08/2019

ALEX GRAHAM
Director Greater Sydney
Climate Change and Sustainability