



The Council of Trinity Grammar School
C/- Ms Ashleigh Smith
Willow Tree Planning

Our ref: SSD-10371

-via email-
asmith@willowtp.com.au

Dear Ms Smith

Subject: Trinity Grammar Redevelopment (SSD-10371) – Request to waive the need for a BDAR under the *Biodiversity Conservation Act 2016*

I refer to your correspondence dated 30 January 2020, 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* (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 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.

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. 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. Accordingly, a waiver under section 7.9 is granted for the proposed development (being Trinity Grammar Redevelopment – SSD-10371).

The delegated *Environment Agency Head* in the Environment, Energy and Science Group (EESG) has also granted a waiver in a letter dated 14 April 2020 and a copy of that letter is attached.

This waiver is issued in respect of the proposed development detailed in a request for Planning Secretary’s environmental assessment requirements (SEARs) dated 29 August 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 Dimitri Gotsis on 8217 2053 or via email to Dimitri.gotsis@planning.nsw.gov.au

Yours sincerely,

20/4/2020

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