

Mr Jordan Rodgers
Group Property & Development Manager
SELL & PARKER PTY LTD
11 Meadow Way
Banksmeadow New South Wales 2019

Our ref: SSD-10396

19 December 2019

Dear Mr Parker

Subject: Request to waive requirement to prepare a Biodiversity Development Assessment Report

I refer to your correspondence received on 29 November 2019 seeking to waive the requirement to prepare a biodiversity development assessment report (BDAR) to be submitted with the state significant development application for Kings Park Metal Recovery and Recycling Facility Expansion.

Description of proposed development

To increase the capacity of the Kings Park Metal Recovery to receive and process up to 600,000 tonnes of metal waste per annum.

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

"Any such application is to be accompanied by a biodiversity 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".

This letter is to confirm that the Secretary of the Department of Planning and Environment and the Chief Executive of the Office of Environment and Heritage have 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 for the proposed development.

Evidence that the Chief Executive of the Office of Environment and Heritage has determined that the proposed development is not likely to have any significant impacts on biodiversity values is attached and dated 4 December 2019.

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.

Should you have any further enquiries, please contact Katelyn Symington, Planning Services, at the Department on (02) 8275 1216.

Yours sincerely

 19/12/19

Chris Ritchie

Director

Industry Assessments, Planning Services
(as nominee of the Secretary)

Encl: Determination, Office of Environment and Heritage
Determination, Department of Planning and Environment

Attachment D

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

I, Chris Ritchie, Director Industry Assessments, Planning Services, of the Department of Planning 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 To increase the capacity of the Kings Park Metal Recovery to receive and process up to 600,000 tonnes of metal waste per annum. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.

If you do not lodge the development application related to this determination for the proposed development within 2 years of the issue date of this determination, you must either prepare a BDAR or lodge a new request to have the BDAR requirement waived.



Director
Industry Assessments
Planning Services
Department of Planning and Environment
(as nominee of the Secretary)



Date