



Mr Glen Horne
General Manager
Halgan Pty Ltd
10 Davis Road
WETHERILL PARK NSW 2164

Dear Mr Horne

**Halgan Liquid Waste Treatment Facility (SSD 10402)
Approval of the Waiver of Requirement to Prepare a Biodiversity Development Assessment
Report**

I refer to your correspondence received on 22 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 Halgan Liquid Waste Treatment Facility (SSD 10402).

Description of proposed development

Construction and operation of a liquid waste treatment facility processing 50,000 tonnes per annum (tpa) of liquid waste comprising of up to 30,000 tpa of grease trap waste and up to 20,000 tpa of industrial liquid waste.

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 Planning Secretary of the Department of Planning, Industry and Environment and the Chief Executive of the Climate Change and Biodiversity Division, Department of Planning, Industry and Environment (former 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 Climate Change and Biodiversity Division has determined that the proposed development is not likely to have any significant impacts on biodiversity values is attached and dated 9 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 Bruce Zhang, Planning and Assessment, at the Department on the above contact details.

Yours sincerely

Chris Ritchie
Director
Industry Assessments
(as delegate of the Planning Secretary)

24/1/20

Encl: Determination, Climate Change and Biodiversity Division
Determination, Department of Planning, Industry and Environment

Attachment D

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

I, Chris Ritchie, Director Industry Assessments, Planning and Assessment, 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 (BDAR) is not required.

Proposed development means construction and operation of the Hagan Liquid Waste Treatment Facility, comprising construction and operation of a liquid waste treatment facility processing 50,000 tonnes per annum (tpa) of liquid waste comprising of up to 30,000 tpa of grease trap waste and up to 20,000 tpa of industrial liquid waste as detailed in the "BDAR Waiver application dated November 2019". If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



Director
Industry Assessments
Planning and Assessment
Department of Planning, Industry and Environment
(as delegate of the Planning Secretary)



Date



Our ref: DOC19/1042266

Senders ref: SSD 10402

Bruce Zhang
A/Senior Environmental Assessment Officer
Industry Assessments
NSW Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Zhang,

Subject: Request for Biodiversity Development Assessment Report Waiver for SSD 10402 - Halgan Liquid Waste Treatment facility located at 10 Davis Road, Wetherill Park

I refer to the request from Molino Stewart to waive the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted with the above State Significant Development Application (SSD 10402) for Halgan Liquid Waste Treatment facility, located at 10 Davis Road, Wetherill Park.

I have reviewed the information provided by the applicant in the BDAR waiver application (undated) and determined that the proposed development is not likely to have any significant impact on biodiversity values. The application, therefore, does not need to be accompanied by a BDAR.

The determination is attached for you to provide to the applicant.

Please note that if the proposed development is changed so that it is no longer as described in Schedule 1 of the determination, the applicant will need to lodge a new waiver request or prepare a BDAR.

Also attached for your information is the decision report prepared by Energy, Environment and Science Group (EES). The decision report should not be provided to the applicant without EES approval.

If you have any questions about this advice, please do not hesitate to contact Bronwyn Smith, Senior Conservation Planning Officer on 9873 8604 or Bronwyn.smith@environment.nsw.gov.au.

Yours sincerely

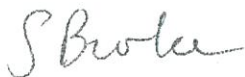
09/12/2019

Alex Graham
**Director Greater Sydney
Climate Change and Sustainability
Environment, Energy and Science**

Recommendation

It is recommended that the delegated officer:

- Considers the matters set out in this report; and
 - determines that the proposed development is not likely to have any significant impact on biodiversity values and therefore a BDAR is not required
 - ~~determines that, based on the information provided, it cannot be concluded that the proposed development is not likely to have any significant impact on biodiversity values and therefore a BDAR is required.~~



4/12/19

Sarah Burke

Date

A/Senior Team Leader, Compliance & Regulation, Greater Sydney Branch
Environment, Energy & Science Group

Decision

I, Alex Graham, Director Greater Sydney, of the Department of Planning, Infrastructure and Environment, having reviewed this report and the documents attached to it:

- A. **determine** under clause 7.9(2) of the *Biodiversity Conservation Act 2016* that the proposed development as described in DOC19/1042266 and Schedule1 is not likely to have any significant impact on biodiversity values and therefore a BDAR is not required
- B. ~~determine that, based on the information provided, it cannot be concluded that the proposed development as described in DOC19/1042266 is not likely to have any significant impact on biodiversity values and therefore a BDAR is required.~~



09/12/2019

Alex Graham

Date

Director Greater Sydney
Environment, Energy & Science Group

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

I, Alex Graham, Director Greater Sydney, of the Department of Planning, Infrastructure 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 DOC19/1042266 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



09/12/2019

Alex Graham
Director Greater Sydney
Environment, Energy & Science Group

Date

SCHEDULE 1 – Description of the proposed development

The proposal seeks consent for operation of a liquid waste treatment facility processing 50,000 tonnes per annum (tpa) of liquid waste comprising of up to 30,000 tpa of grease trap waste and up to 20,000 tpa of industrial liquid waste. The site has some planted trees and shrubs on the boundary. The works will be carried out within the existing building, and no vegetation is to be removed.



Figure 1: Aerial image of site from SIX maps