

Mr Philip Dean
Director of Operations
Saint Ignatius' College Riverview
2-60 Riverview Street and Tambourine Bay Road
Riverview NSW 2066

Our ref: SSD-10424

Dear Mr Dean

Subject: Saint Ignatius' College Riverview Redevelopment Stage 2 (SSD-10424) – Request to waive the need for a Biodiversity Development Assessment Report (BDAR) under the *Biodiversity Conservation Act 2016*

I refer to your correspondence dated 6 August 2020, requesting the issue of a waiver from the requirement for a BDAR to be submitted as part of the state significant development (SSD) application for the Saint Ignatius' College Riverview Redevelopment Stage 2 located at Tambourine Bay Road, Lane Cove (SSD-10424).

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 waiver request prepared by Barr Property and Planning received on dated 6 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 Saint Ignatius' College Riverview Redevelopment Stage 2 (SSD-10424)).

The delegated *Environment Agency Head* in the Environment, Energy and Science Group of the Department has also granted a waiver in a letter dated 13 August 2020. A copy of this letter is attached.

Please note that the waiver is issued in respect of the proposed development detailed in the Planning Secretary's Environmental Assessment Requirements approved on 5 February 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 David Way on (02) 8275 1324 or via email to David.Way@planning.nsw.gov.au.

Yours sincerely,



24 September 2020

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

Our ref: DOC20/642027

Senders ref: SSD 10424

David Way
School Infrastructure Assessments
Planning and Assessment Group
NSW Department of Planning, Industry and Environment
4 Parramatta Square,
12 Darcy Street
PARRAMATTA NSW 2150

Dear Mr Way,

Subject: Request for Biodiversity Development Assessment Report Waiver for Saint Ignatius College Riverview Stage 2 Development, 2-60 Riverview Street and Tambourine Bay Road, Riverview

I refer to the request to waive the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted with the above State Significant Development Application for Saint Ignatius College Riverview Stage 2 Development, 2-60 Riverview Street and Tambourine Bay Road, Riverview.

I have reviewed the information provided by the applicant in the BDAR waiver application prepared by Eco Logical dated 4 August 2020 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 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 [REDACTED]

Yours sincerely



13/08/2020

Daylan Cameron
A/Director Greater Sydney
Climate Change and Sustainability
Environment, Energy and Science