



Ms Sarah-Jane McCreton
St Aloysius' College Ltd
100 Walker Street
North Sydney, NSW 2060

Our ref: SSD 27208140

via email: sarahjane.mccreton@staloysius.nsw.edu.au

Attention: Sally Prowd, Associate, Willowtree Planning.

Dear Ms Sarah

Subject: St Aloysius College, Rozelle - 48 Victoria Road and 2A & B Gordon Street, Rozelle (SSD 27208140) - Request to waive the need for a Biodiversity Development Assessment Report (BDAR) under the *Biodiversity Conservation Act 2016*

I refer to your correspondence dated 20 October 2021, regarding the request to waive the need for a Biodiversity Development Assessment Report (BDAR) to be submitted as part of the as part of the above referenced State significant development (SSD) application.

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 your letter dated 20 October 2021. I have determined that the development (as described in the document dated 20 October 2021) 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 St Aloysius College SSD 27208140).

The delegated *Environment Agency Head* in the Environment, Energy and Science Group of the Department has also granted a waiver and a copy of that 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 issued on 2 September 2021 for this application. 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 Nahid Mahmud on (02) 9995 5228 or via email at Nahid.Mahmud@dpie.nsw.gov.au.

Yours sincerely,

8 November 2021

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