



Mr James Mathews
Pacific Planning
PO Box 8,
Caringbah, NSW, 1495

Our ref: SSD 31179510

-via email-
jmathews@pacificplanning.com.au

Dear Mr Mathews

Subject: 2A Gregory Place, Harris Park (SSD-31179510) – Request to waive the need for a BDAR under the Biodiversity Conservation Act 2016

I refer to your correspondence dated 20 June 2022, 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* (BCA):

“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 Services Division on 21 December 2017.

I have reviewed the application of the test of significance under sections 1.5 and 7.3 of the BCA and clause 1.4 of the *Biodiversity Conservation Regulation 2017* and determine that the development (as described in the letter from Pacific Planning dated 20 June 2022) is not likely to have any significant impact on biodiversity values. The application, therefore, does not need to be accompanied by a BDAR. Accordingly, a waiver under section 7.9 is granted for the proposed development (being 2A Gregory Place, Harris Park - SSD-31179510).

The delegated *Environment Agency Head* in the Office of Environment and Heritage (OEH) has also granted a waiver in a letter dated 22/06/2022 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 28 April 2022. 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 Stephen Dobbs on (02) 8275 1604. or via email to stephen.dobbs@dpie.nsw.gov.au.

Yours sincerely,

Alan Bright
Director, State Significant Acceleration
As delegate of the Secretary

Department of Planning & Environment

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Attachment: OEH Waiver