
Appendix L

BDAR Waiver



Department of Planning and Environment

Cameron Nixon
Manager SSD Planning Approvals
Sydney Metro
Level 43, 680 George Street
Sydney NSW 2022

4 May 2022

Dear Mr Nixon,

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

I refer to your correspondence received on 24 January 2022 seeking to waive the requirement to prepare a biodiversity development assessment report (BDAR) associated with the State Significant Development application for Parramatta Metro over station development.

The Department notes the proposal is a Concept application for over and adjacent station development above and around the Parramatta Metro Station.

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

“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 the biodiversity values”.

This letter is to confirm that the Secretary of the Department of Planning and Environment has 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.

I, as Delegate of the Secretary within the Planning and Assessment Division have determined that the proposed development is not likely to have any significant impacts on biodiversity values (see determination attached dated 4 May 2022). Evidence that the Delegate of the Secretary within Environment and Heritage Group has made the determination is also attached (dated 19 April 2022).

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 Russell Hand, Planning and Assessment, at the Department on (02) 8275 1313.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Annie Leung', with a stylized flourish at the end.

Annie Leung
Team Leader, Key Sites Assessments
Planning and Assessment Division
As delegate of the Secretary

Encl:

1. Determination, Department of Planning and Environment, Environment and Heritage Group
2. Determination, Department of Planning and Environment, Planning and Assessment Division

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

I, Susan Harrison, Acting Director Greater Sydney Branch of the Department of Planning and Environment, under section 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 BDAR is not required.

Proposed development means the development as described in DOC22/84014 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.

S. Harrison

19/04/2022

**Susan Harrison
Acting Director
Greater Sydney
Environment and Heritage Group**

Date

Attachment D

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

I, Annie Leung, Key Sites Assessments, Planning and Assessment, of the Department of Planning and Environment, under section 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 Parramatta Metro over station development as detailed in the BDAR waiver application dated 24/01/22.

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.



Team Leader
Key Sites Assessments
Planning and Assessment
Department of Planning and Environment
(as delegate of the Secretary)

Date 04/05/22