

## Department of Planning and Environment

Our ref: SSD-45024776

Ms Eliza Arnott  
Senior Urbanist  
Planning  
Ethos Urban

--via email--

[EArnott@ethosurban.com](mailto:EArnott@ethosurban.com)

15 November 2022

---

**Subject: Narwee Parklands Care Community (SSD-45024776) - Request to waive the need for a Biodiversity Development Assessment Report under the *Biodiversity Conservation Act 2016***

Dear Ms Arnott

I refer to your correspondence dated 27 October 2022 requesting the issue of a waiver from the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted as part of the state significant development (SSD) application for the Narwee Parklands Care Community (SSD-45024776).

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 Team Leaders within the Planning and Assessment Division of the Department of Planning 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 report prepared by Travers Bushfire & Ecology. 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 Narwee Parklands Care Community (SSD-45024776)).

The delegated *Environment Agency Head* in the Biodiversity and Conservation Division of the Department’s Environment and Heritage Group has also granted a waiver in a letter dated 8 November 2022 and a copy of that approval is attached.

This waiver is issued in respect of the proposed development detailed in a request for the Secretary's Environmental Assessment Requirements (SEARs), dated 22 June 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 Caleb Ball on (02) 9274 6186 or via email at [caleb.ball@planning.nsw.gov.au](mailto:caleb.ball@planning.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to read 'G Wardenburg'.

Gabriel Wardenburg  
**Team Leader, State Significant Acceleration**

**as delegate of the Planning Secretary**

## Department of Planning and Environment

Our ref: DOC22/959668

Your ref: SSD 45024776

Caleb Ball  
Social and Infrastructure Assessments  
Department of Planning and Environment  
Locked Bag 5022  
PARRAMATTA NSW 2124

---

**Subject: Request for Biodiversity Development Assessment Report Waiver for the Narwee Parklands Care Community (SSD 45024776)**

Dear Mr Ball

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, the the Narwee Parklands Care Community (SSD 45024776).

I have reviewed the information provided by the applicant in the BDAR waiver application prepared by Trvers Bushfire and Ecology, dated 27 October 2022, 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 Environment and Heritage Group.

If you have any queries please contact David Way, Senior Conservation Officer via [David.Way@planning.nsw.gov.au](mailto:David.Way@planning.nsw.gov.au) or 02 8275 1324.

Yours sincerely,



Louisa Clark

8/11/2022

Acting Director  
**Greater Sydney Branch**  
**Biodiversity and Conservation**

encl    1. DPE, EHG determination  
          2. DPE, EHG recommendation report

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

---

I, Louisa Clark, Acting Director Greater Sydney, 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 the development as described in DOC22/959668 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



8/11/2022

-----  
**Louisa Clark**  
**Acting Director**  
**Greater Sydney Branch**  
**Environment and Heritage Group**

-----  
**Date**

## SCHEDULE 1 – Description of the proposed development

The proposed development is the construction and operation of a 165-bed Residential Aged Care Facility at 59-67 Karne Street, Narwee (as detailed in the request for a BDAR Waiver Request for Narwee Parklands Care Community, 59-67 Karne Street Narwee dated 27 October 2022).

