

Department of Planning, Housing and Infrastructure



Our ref: SSD-65924461

Ms Grace MacDonald
Senior Development Manager
ESR Developments (Australia) Pty Ltd
39 Martin Place
Sydney NSW 2000

24 January 2025

Subject: Request to waive requirement to prepare a Biodiversity Development Assessment Report - Stephen Road Multi-level Warehouse, Banksmeadow

Dear Ms MacDonald

I refer to your correspondence dated 7 November 2024 seeking to waive the requirement to prepare a biodiversity development assessment report (BDAR) to be submitted with the State significant development application for the Stephen Road Multi-level Warehouse, Banksmeadow.

Description of the proposed development

Construction and operation of a warehouse facility, as detailed and described BDAR waiver application prepared by Fraser Ecological Consulting, dated 7 November 2024.

BDAR waiver determination

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".

The delegate of the Environment Agency Head of the Department of Climate Change, Energy, the Environment and Water (the DCCEE) has considered the waiver request and is satisfied the proposed development is not likely to have any significant impact on biodiversity values. Accordingly, the delegate has granted a waiver in a letter dated 22 November 2024.

As delegate of the Planning Secretary within the Department of Planning, Housing and Infrastructure (the Department), I have considered the waiver request and determination of the DCCEE and determined the proposed development as described above, is not likely to have any significant impacts on biodiversity values (see Attachment 2). Therefore, a BDAR is not required.

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 Thomas Bertwistle, at the Department on (02) 8275 1025 or thomas.bertwistle@planning.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Shaun Williams".

Shaun Williams
A/Team Leader
Industry Assessments

As delegate of the Planning Secretary

Enclosed:

Attachment	Title
1	Determination, the DCCEEW
2	Determination, the Department

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

I, Shaun Williams, A/Team Leader, Industry Assessments of the Department of Planning, Housing and Infrastructure, 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 (BDAR) is not required.

Proposed development means the construction and operation of a warehouse facility, as detailed in the BDAR waiver application prepared by Fraser Ecological Consulting, dated 7 November 2024.

If the proposed development changes so that it is no longer consistent with this description, you must either prepare a BDAR or lodge a new request to have the BDAR requirement waived.



Shaun Williams
A/Team Leader
Industry Assessments
Department of Planning, Housing and Infrastructure
(as delegate of the Planning Secretary)

24 January 2025

Date

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

I, Louisa Clark, Director Greater Sydney, of the Department of Climate Change, Energy, the Environment and Water, under section 7.9(2) of the *Biodiversity Conservation Act 2016*, consider that the proposed SSD-65924461 for the construction and operation of a warehouse facility at 49-61 Stephen Road, Banksmeadow, is not likely to have any significant impact on biodiversity values. Therefore, a Biodiversity Development Assessment Report is not required.

Proposed development means the development as described in DOC24/937735 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



22/11/2024

Louisa Clark
Director
Greater Sydney
Regional Delivery Biodiversity, Conservation and Science Group

Date

SCHEDULE 1 – Description of the proposed development

The State Significant Development Application (SSDA) SSD-65924461 proposes the construction and operation of a warehouse facility, as detailed in the BDAR waiver request, prepared by Fraser Ecological Consulting, dated 7 November 2024.

Refer to:

- Figure 1 Location Map
- Figure 2 Site map
- Figure 3 NSW Statewide Vegetation Type Map (accessed 2/5/24)
- Figure 4 Demolition Plan
- Figure 5 Proposed Site plan



Figure 1 Location Map



Figure 2 Site map



Figure 3 NSW Statewide Vegetation Type Map (accessed 2/5/24)

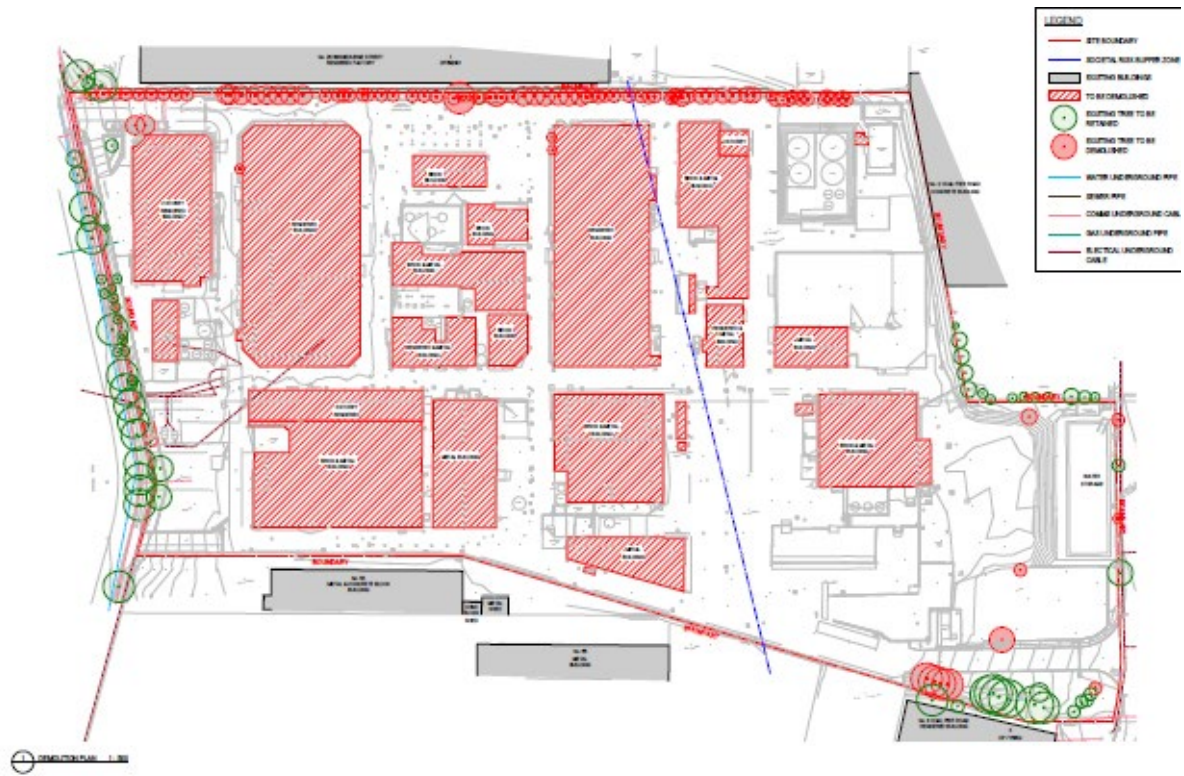


Figure 4 Demolition Plan

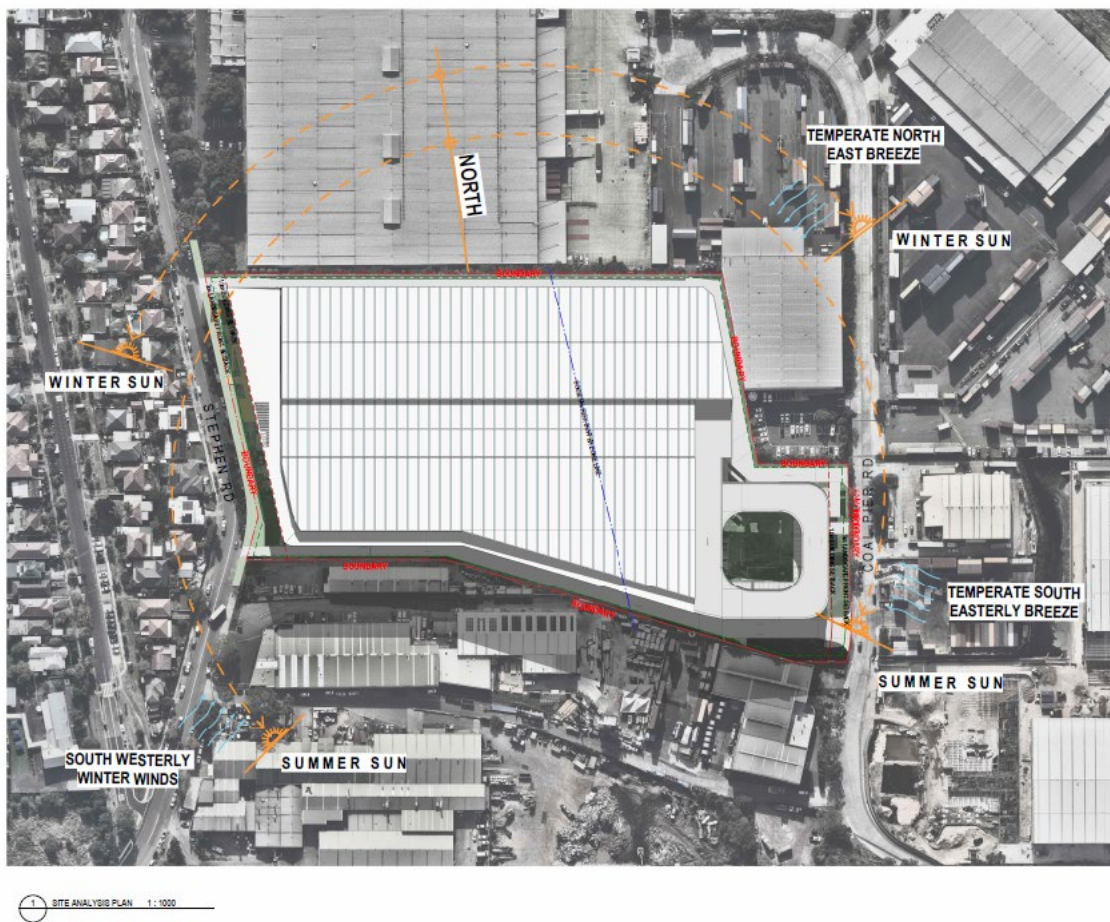


Figure 5 Proposed Site plan