

Alex Pontello
25 Moss Vale Road
Bomaderry NSW 2541

Our ref: SSD-69257218

23 August 2024

Subject: Mixed use development including infill affordable housing, 425 Moss Vale Road, Bomaderry (SSD-69257218) – Request to waive requirement to prepare a Biodiversity Development Assessment Report

Dear Mr Pontello

I refer to your correspondence from 25 July 2024, regarding the request to waive the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted as part of the above referenced State significant development (SSD) application.

Description of proposed development

The proposal comprises the construction of a mixed-use development with infill affordable housing as detailed in the BDAR waiver applicated dated 25 July 2024

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.”

This letter is to confirm that the Secretary of the Department of Planning, Housing and Infrastructure 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 or infrastructure approval for the proposed development.

I, as Delegate of the Planning Secretary within the Development Assessment and Infrastructure Division, have determined that the proposed development is not likely to have any significant impacts on biodiversity values. Evidence that the Director South East Branch as delegate of the Secretary within the NSW Department of Climate Change, Energy, the Environment and Water has made the determination is attached (dated 16 August 2024).

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 Michelle Niles on 9274 6272 or via email to michelle.niles@planning.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Keith Ng".

Keith Ng
Team Leader, Social and Affordable Assessments
As delegate of the Planning Secretary

Encl: BCS of NSW DCCEEW determination