

Holly McNamara
Associate Director, Urbis
Level 8, 123 Pitt Street
Sydney NSW 2000

Our ref: SSD-73277714

27 November 2024

Subject: Mixed use development including infill affordable housing, 37 Archer Street, Chatswood (SSD-73277714) – Request to waive requirement to prepare a Biodiversity Development Assessment Report

Dear Ms McNamara

I refer to your correspondence from 24 October 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 application dated 21 October 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 Greater Sydney as delegate of the Secretary within the NSW Department of Climate Change, Energy, the Environment and Water has made the determination is attached (dated 22 November 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

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-73277714 for the demolition, site preparation works, earthworks and construction of a mixed use development and associated works at 37 Archer Street, Chatswood 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 DOC24/928170 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-73277714 proposes the demolition, site preparation works, earthworks and construction of a mixed use development and associated works, as detailed in the BDAR waiver request, prepared by Narla Environmental Pty Ltd 21st October 2024.

Refer to:

- Figure 1 Location Map
- Figure 2. Location of the Subject Land within the Subject Property
- Figure 3. Field-validated Vegetation Community identified within the Subject Land
- Figure 4 Proposed plan



Figure 1 Location Map



Figure 2. Location of the Subject Land within the Subject Property



Figure 3. Field-validated Vegetation Community identified within the Subject Land

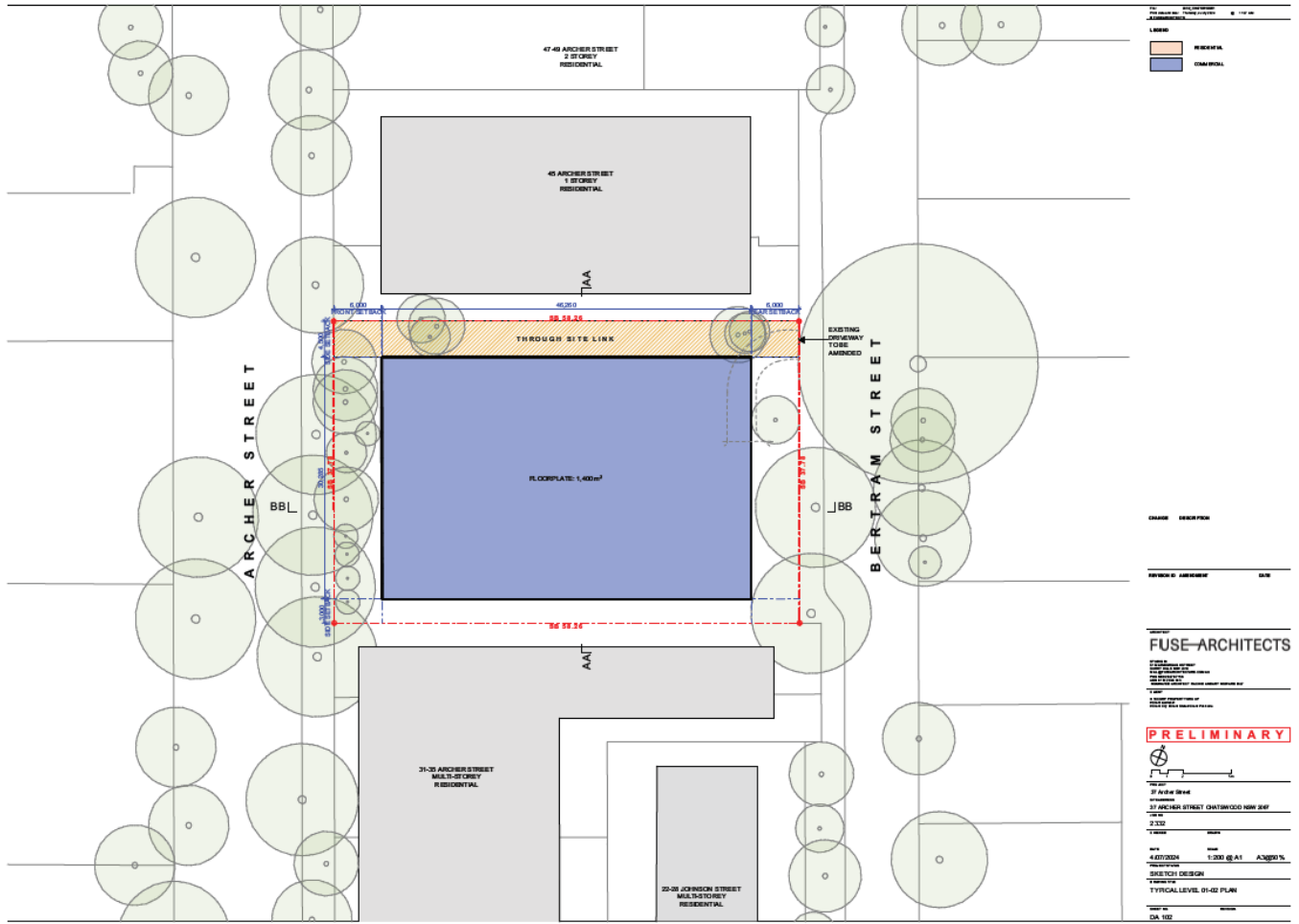


Figure 4 Proposed plan