

Our ref: SSD 76190964

Simon Liang
Development Manager
Freecity Rouse Hill Development Pty Ltd
Level 1, 8 Khartoum Road
Macquarie Park NSW 2113

29 April 2025

Subject: 2 Tempus Street, Rouse Hill (SSD 76190964) – Request to waive the requirements for a BDAR under the Biodiversity Conservation Act 2016

Dear Simon,

I refer to your correspondence dated 19 March 2025, seeking the Planning Secretary's approval 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 SSD pertains to a residential development at 2 Tempus Street, Rouse Hill comprising construction of a mixed-use residential and commercial development, comprising residential units (co-living and build to rent) and commercial and retail uses.

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 Delegate of the Secretary within the NSW Department of Climate Change, Energy, the Environment and Water (Director of the Greater Sydney Branch) has made the determination is attached (dated 17 April 2025).

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 Lucinda Craig on 9585 6027 or via email to Lucinda.Craig@dpie.nsw.gov.au.

Yours sincerely,



Tia Mills
A/Team Leader, Social and Diverse Housing Assessments
As delegate of the Planning Secretary

Encl: CPHR of NSW DCCEEW determination
Schedule 1 – Description of the proposed development

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-76190964 for the construction of a mixed-use residential and commercial development, comprising residential units (co-living and build to rent) and commercial and retail uses at 2 to 30 Tempus Street, Rouse Hill 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 DOC25/284261 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



17/04/2025

Louisa Clark
Director
Greater Sydney
Regional Delivery Conservation Programs, Heritage, and Regulation Group

Date

SCHEDULE 1 – Description of the proposed development

The State Significant Development Application (SSDA) SSD-76190964 proposes the construction of a mixed-use residential and commercial development, comprising residential units (co-living and build to rent) and commercial and retail uses, as detailed in the BDAR waiver request, prepared by Eco Logical Australia Pty Ltd, dated 19 March 2025.

Refer to:

- Figure 1 Location Map
- Figure 2 Site map
- Figure 3 Plant Community Types (PCT) mapping
- Figure 4 Biodiversity Values mapped
- Figure 5 Trees to be retained and removed as part of the proposed works
- Figure 6 Indicative Proposed Ground Floor plan

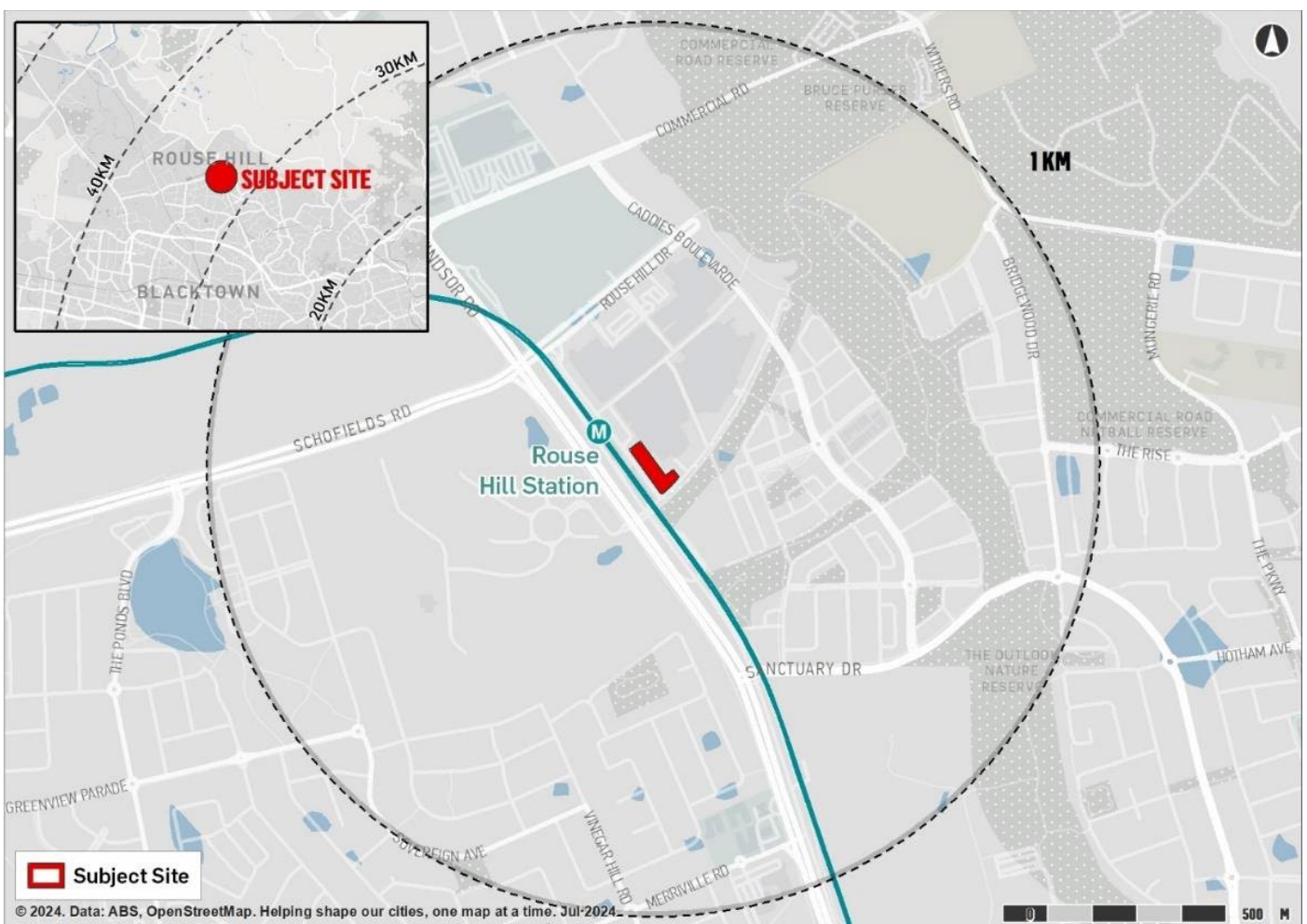
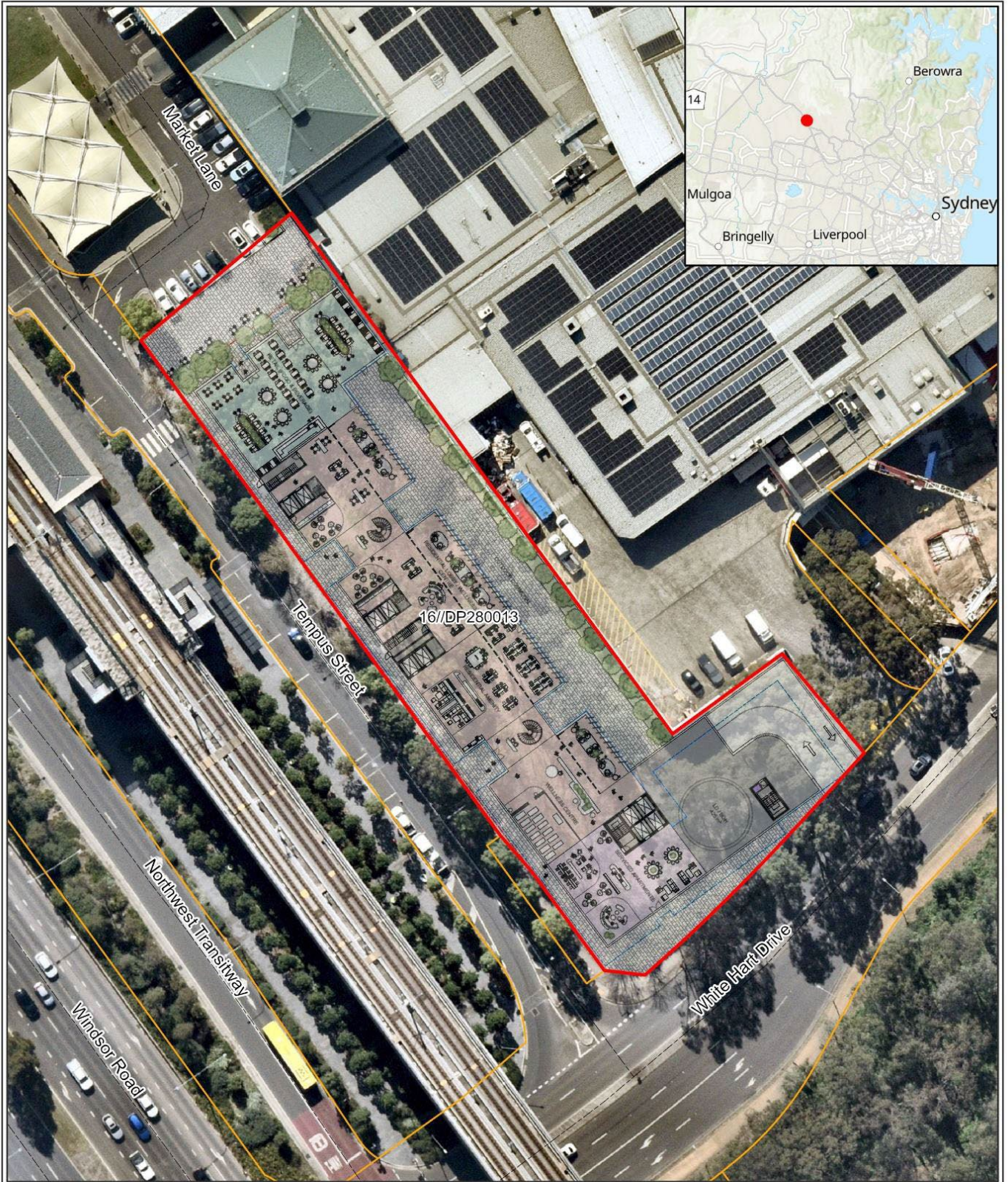
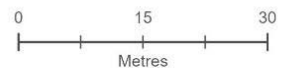


Figure 1 Location Map



Location

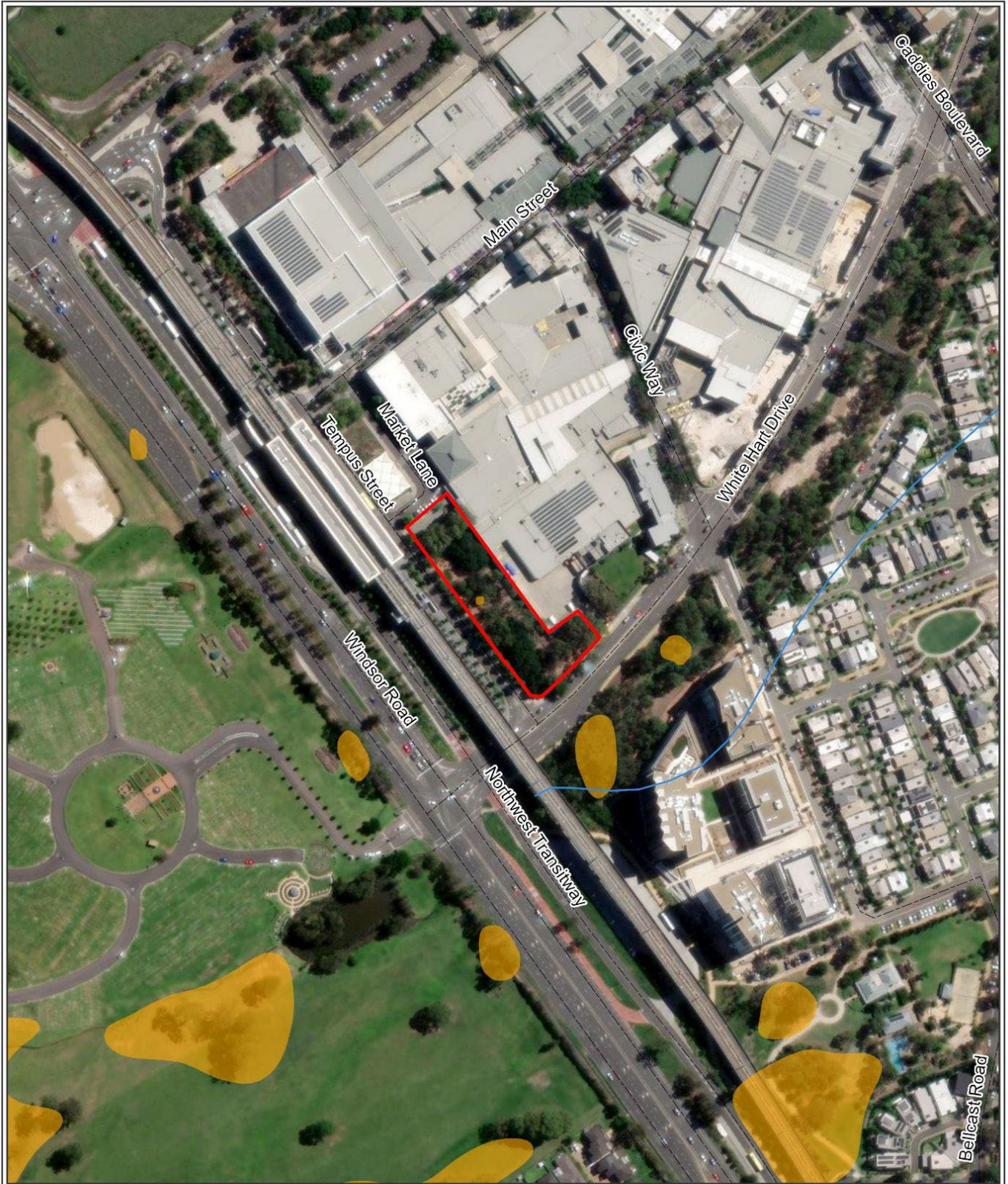
- Study Area
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Datum/Projection:
GDA 1994 MGA Zone 56
Project: 9392-MP Date: 19/09/2024



Figure 2 Site map



Previous Vegetation Mapping

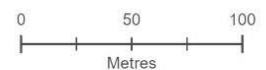
Study Area

Plant Community Types (SVTM, DCCEEW 2024)

3320 - Cumberland Shale Plains Woodland

Strahler Stream Order

— 1st Order



Datum/Projection:
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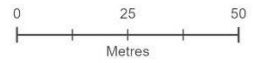
eco
logical
AUSTRALIA
A TETRA TECH COMPANY

Figure 3 Plant Community Types (PCT) mapping within the study area and the surrounding (NSW DCCEEW 2024a)



Biodiversity Values

- Study Area
- Biodiversity Values (DCCEEW version 17)



Datum/Projection:
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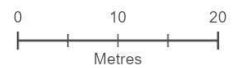


Figure 4 Biodiversity Values mapped within the vicinity of the study area (NSW DCCEEW 2024b)



Trees to be Retained/Removed

- Study Area
- Trees to be retained
- Trees to be removed



Datum/Projection:
GDA 1994 MGA Zone 56
Project: 9392-MP Date: 18/03/2025



Figure 5 Trees to be retained and removed as part of the proposed works

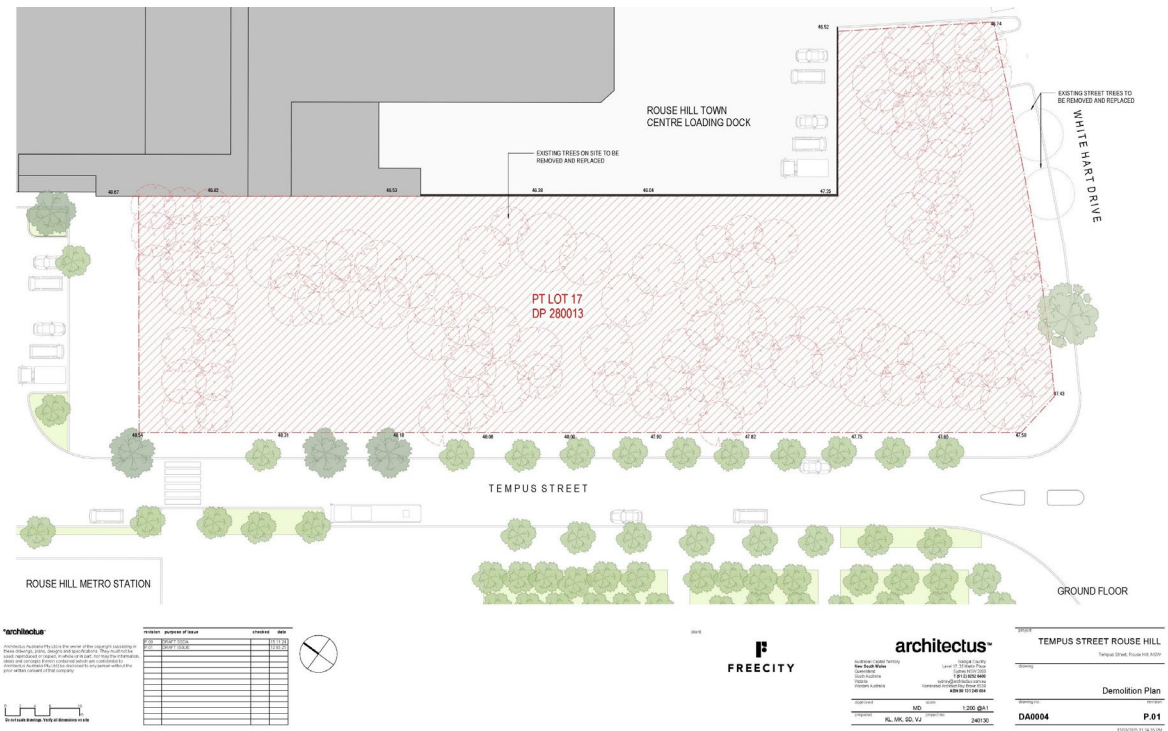


Figure 6 Indicative Proposed Ground Floor plan

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

I, Tia Mills, A/Team Leader, Social and Diverse Housing 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 is not required

Proposed development means as detailed in the BDAR waiver application dated 19 March 2025 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.

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.



Tia Mills
A/Team Leader
Social and Diverse Housing Assessments
Planning and Assessment
Department of Planning, Housing and Infrastructure
(as delegate of the Secretary)

Date: 29 April 2025