

Our ref: Shop top housing with in-fill affordable housing – Oxford Street and Nelson Street, Bondi Junction (SSD-77175998)

Mr Vernon Houston
Senior Project Manager
Westgate BJ Pty Ltd
123 Pitt Street
SYDNEY NSW 2000

6 March 2025

Subject: Shop top housing with in-fill affordable housing – 194-214 Oxford Street and 2 Nelson Street, Oxford Junction (SSD-77175998) – Request to waive the requirement for a Biodiversity Development Assessment Report under the *Biodiversity Conservation Act 2016*

Dear Mr Houston,

I refer to correspondence dated 16 January 2025, 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.

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 Sustainability 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) has made the determination is attached (dated 4 March 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.

Department of Planning, Housing and Infrastructure



Should you have any further enquiries, please contact myself on 02 9274 6379 or via email to andy.nixey@planning.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Andy Nixey".

Andy Nixey
Principal Planner, Affordable Housing Assessments
As delegate of the Planning Secretary

Encl: BCS of NSW DCCEEW determination