

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

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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-77825469 for the demolition of existing buildings and construction of a residential apartment development, including affordable housing apartments, above basement car parking at 2-16 Pockley Avenue, Roseville - Site B 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 DOC25/302127 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



14/5/2025

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

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**Date**

## SCHEDULE 1 – Description of the proposed development

The State Significant Development Application (SSDA) SSD-77825469 proposes the demolition of existing buildings and construction of a residential apartment development, including affordable housing apartments, above basement car parking, as detailed in the BDAR waiver request, prepared by ACS Environmental P/L, dated 23 April 2025.

Refer to:

- Figure 1 Location Map
- Figure 2 Site map
- Figure 3 Schematic layout of 3 separate towers (pavilions) with 10 levels at each tower
- Figure 4 Proposed Site Plan

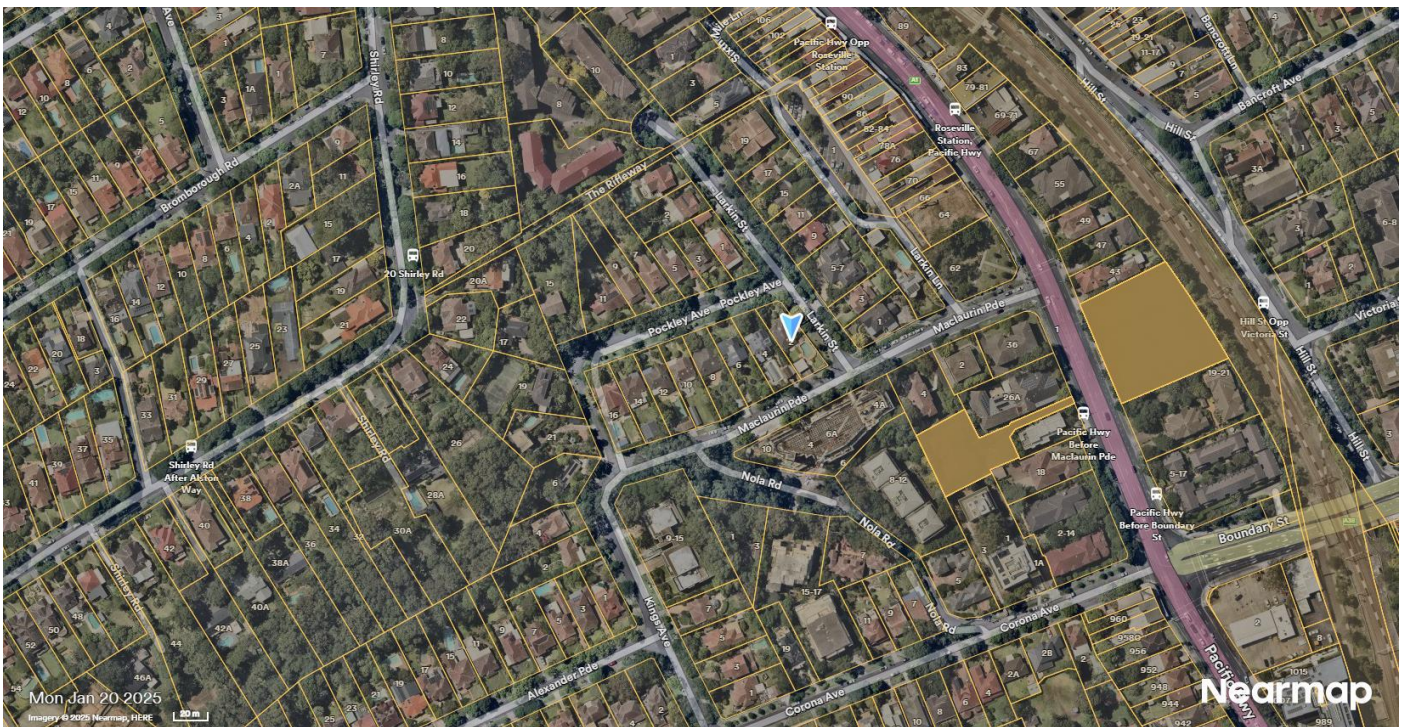
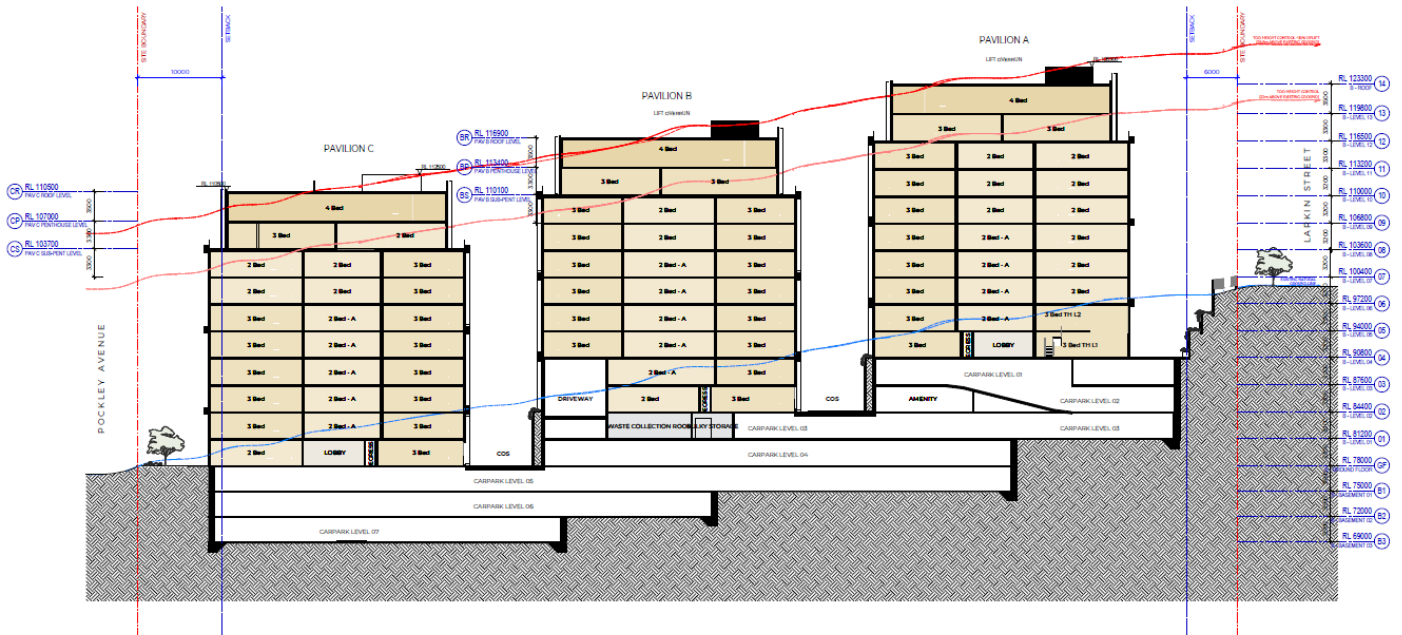


Figure 1 Location Map

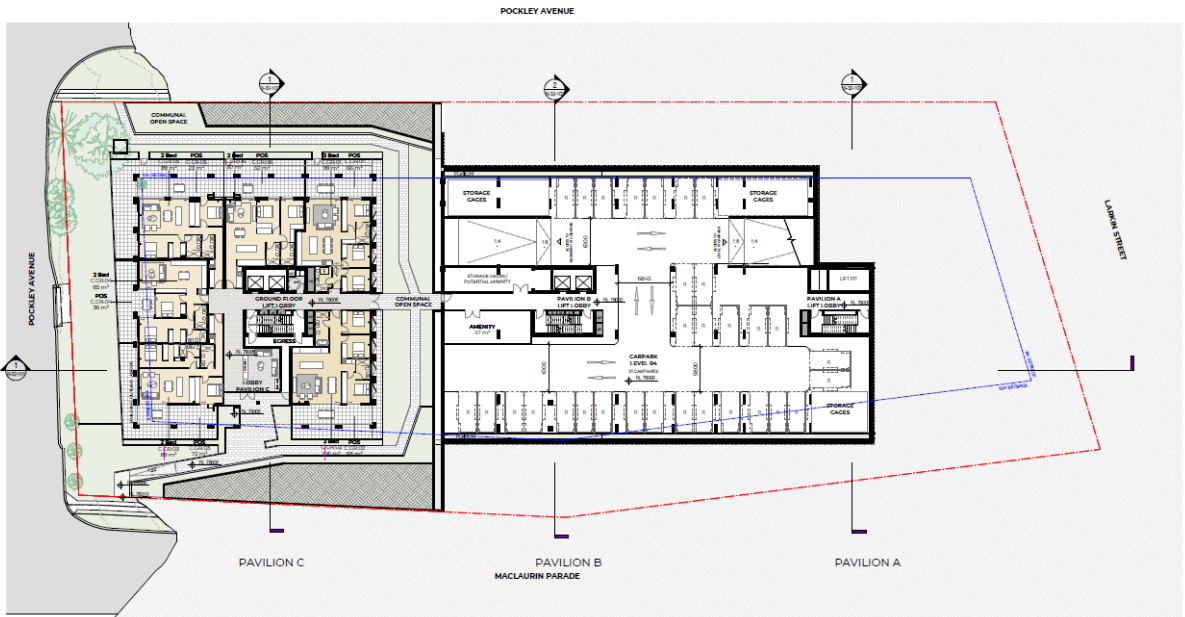


Figure 2 Site map



<p>Project Name: Pockley Avenue          Client: Aquiland Prestige          Date: 12/20/21          Scale: A1          1:200</p>	<p>   <b>W-B WOODS BARCHART</b>          12/20/21          A1          1:200</p>	<p>                 Building Sections - A                  DA-AR-B-32-104 PJ                  Date:             </p>
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Figure 3 - Schematic layout of 3 separate towers (pavilions) with 10 levels at each tower



<p>Project Name: Pockley Avenue          Client: AgeLand Prestige          Date: 12/2021</p>	<p>Scale: 1:200          Drawing No: SA-AR-02-100 P3          Revision: 01</p>	<p><b>LEGEND</b></p> <p>LO: LOBBY VESTIBULE          SF: STAFF PRESSURE ROOM          CE: GARAGE ENVELOPE          C: COMMON CORRIDOR          E: ELECTRICAL CORRIDOR          ME: MECHANICAL CORRIDOR          CE: CARPARK ENVELOPE          VE: HYDRAULIC VESTIBULE</p> <p>F: FIRE EXTINGUISHER          FCR: FIRE CONTROL ROOM          FPR: FIRE RISE VEST.          W: WATER METER          GM: GARAGE METER          GC: GARAGE CHUTE          WR: WASTE ROOM</p>	<p>Site: Pockley Avenue          Date: 12/2021          Author: AgeLand Prestige</p>	<p><b>W-B</b>          WOODSBAGOT</p> <p>Scale: 1:200          Drawing No: SA-AR-02-100 P3          Revision: 01</p>	<p>Scale: General Arrangement          Floor Plan          Ground Floor Plan          Drawing No: SA-AR-02-100 P3          For Information</p>
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Figure 4 Proposed Site plan

Our ref: Residential development with infill-affordable housing – 2-16 Pockley Avenue, Roseville (SSD-77825469)

Mr Wayne Xiong  
Executive Director  
The Trustee for AQUALAND PRESTIGE 2 UNIT TRUST  
Level 37, 264 George Street  
SYDNEY NSW 2000

15 May 2025

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**Subject: Residential development with infill-affordable housing – 2-16 Pockley Avenue, Roseville (SSD-77825469) – Request to waive the requirement for a Biodiversity Development Assessment Report under the *Biodiversity Conservation Act 2016***

Dear Mr Wayne Xiong,

I refer to the Report dated 9 April 2025 (sent on 23 April 2025) prepared by ACS Environmental Pty Ltd on behalf of Aqualand (the Applicant) and additional information submitted on 14 May 2025, requesting 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 14 May 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 Charbel Touma on 02 8275 1121 or via email to [charbel.touma@dpie.nsw.gov.au](mailto:charbel.touma@dpie.nsw.gov.au).

Yours sincerely,

A handwritten signature in black ink that reads "A. Coomar".

Aditi Coomar  
Team Leader  
Affordable Housing Assessments  
As delegate of the Planning Secretary

Encl: CPHR of NSW DCCEEW determination