

Mr Johann Coetzer
Project Manager
Ausconnex
49 Glendenning Road
Glendenning NSW 2761
via email: johann.coetzer@ausconnex.com.au

Our ref: SSD-80854710

Dear Mr Coetzer,

Subject: Baulkham Hills Battery Energy Storage System (SSD-80854710) – Request to waive the need for a Biodiversity Development Assessment Report under the *Biodiversity Conservation Act 2016*

I refer to your correspondence requesting the issue of a waiver from the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted as part of the state significant development (SSD) application for the Baulkham Hills Battery Energy Storage System (SSD-80854710).

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) provides the following in relation to an application for SSD:

“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.”

The authority of the “Planning Agency Head” to determine whether a proposed development is “not likely to have any significant impact on biodiversity values” has been delegated to Directors within the Planning and Assessment Division of the Department.

Accordingly, I have reviewed the application of the test of significance under sections 1.5 and 7.3 of the BC Act and clause 1.4 of the *Biodiversity Conservation Regulation 2017* and considered the information provided in the BDAR waiver request. I have determined that the development is not likely to have any significant impacts on biodiversity values and that the application does not need to be accompanied by a BDAR. A waiver under section 7.9 is therefore granted for the proposed development (being the Baulkham Hills Battery Energy Storage System (SSD-80854710).

The delegated *Environment Agency Head* of Conservation Programs, Heritage and Regulation Group of the Department of Climate Change, Energy, the Environment and Water has also granted a waiver, a copy of which is attached.

This waiver is issued in respect of the proposed development detailed in the BDAR waiver request for the proposed Baulkham Hills Battery Energy Storage System, dated 25 March 2025. Amendments to the development may require a further waiver to be sought and issued.

Should you have any enquiries regarding the above matter, please contact Pragya Mathema on 02 9228 6158 or pragya.mathema@dpie.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Iwan Davies', with a stylized flourish at the end.

Iwan Davies

Director, Energy Assessments

As delegate of the Secretary

Attached: CPHR Group BDAR Waiver Penrith HV Battery Energy Storage System Determination 17/4/2025