

**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-83112728 Residential Flat Building – Carington Road, Castle Hill for the construction of a residential development comprising apartments in three buildings, and over three levels of car parking (including affordable housing apartments), 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 DOC25/792096 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



**1/10/2025**

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

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**Date**

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## **SCHEDULE 1 – Description of the proposed development**

The State Significant Development Application (SSDA) SSD-83112728 is for the construction of a residential development comprising apartments in three buildings, and over three levels of car parking (including affordable housing apartments), as detailed in the BDAR waiver application prepared by Eco Logical Australia Pty Ltd (ELA) dated 5 September 2025.

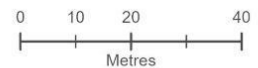
Refer to:

- Figure 1 Location Map
- Figure 2 Site Map
- Figure 3a Proposed Site Plan
- Figure 3b Upper Ground floor concept design showing the retention of existing trees along the perimeter of the study area (Turner, 2025)



**Location**

- Study Area
- Development Footprint



Datum/Projection:  
GDA 1994 MGA Zone 56  
Project: 8751-MP Date: 30/09/2024



**Figure 1 Location Map**

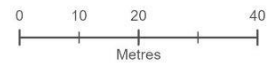


**Previous Vegetation Mapping**

- Study Area
- Development Footprint

**Previous Vegetation Mapping (SVTM 2024)**

- Not Classified



Datum/Projection:  
GDA 1994 MGA Zone 56  
Project: 8751-MP Date: 1/10/2024

nearmap.com  
Imagery: 28/08/2024



**eco**  
**logical**  
AUSTRALIA  
A TETRA TECH COMPANY

**Figure 2 Site Map**

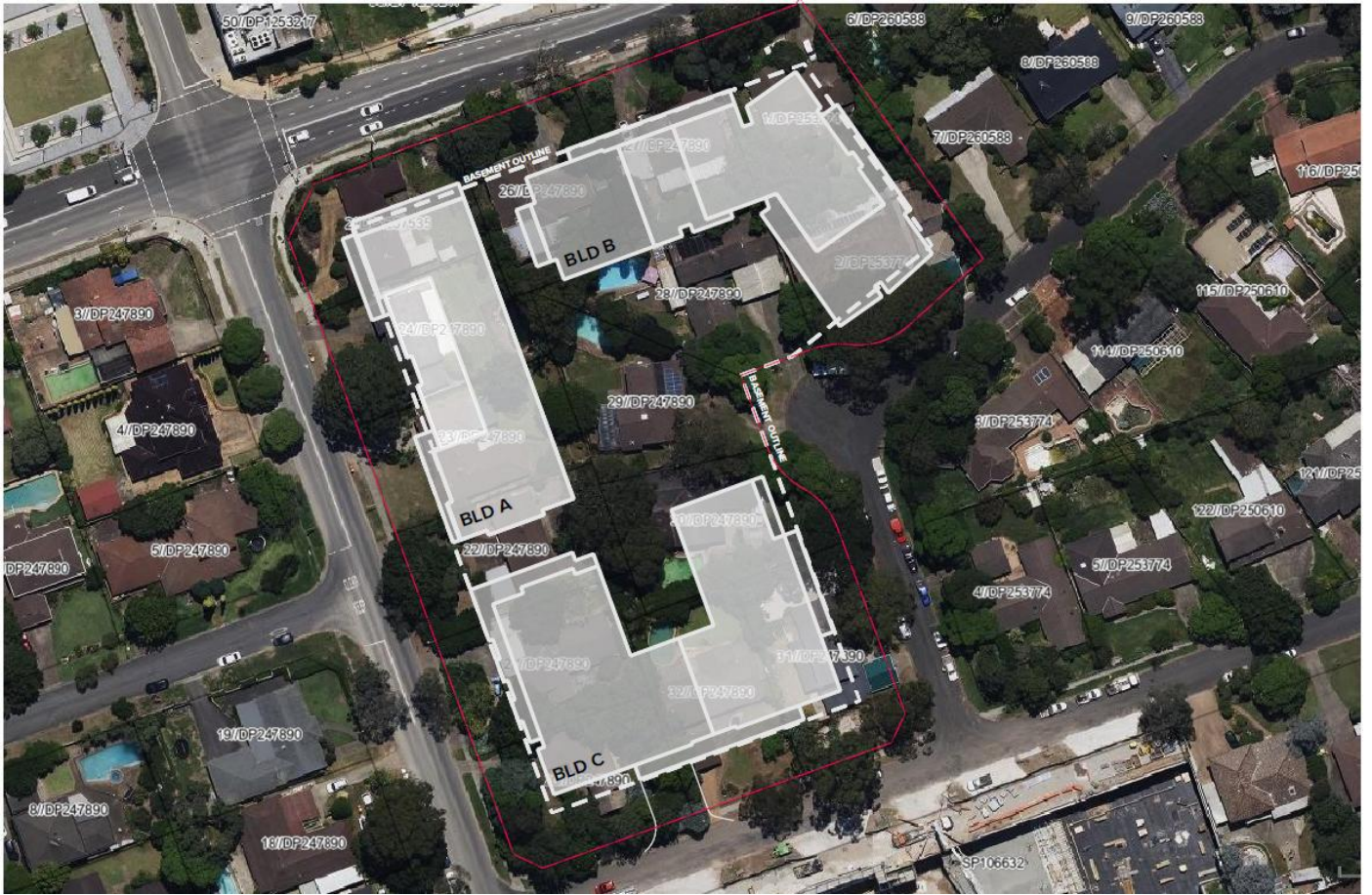


Figure 3a Proposed plan



Figure 3b Upper Ground floor concept design showing the retention of existing trees along the perimeter of the study area (Turner, 2025)

Our ref: Residential Flat Building – Carrington Road, Castle Hill (SSD-83112728)

Mr Aaron Sutherland  
Arada Management Development Company Pty Ltd  
91A Sheppard Street  
Bowral 2576

8 October 2025

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**Subject:** Request to waive the requirement for a biodiversity development assessment report (BDAR) under the Biodiversity Conservation Act 2016 (BCA) for the undertaking of Residential Flat Building, at 2 Fishburn Crescent, Castle Hill (SSD-83112728)

Dear Mr Sutherland,

I refer to your correspondence dated 5 September 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 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 has made the determination is attached (dated 1 October 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.

If you have any enquiries, please contact Annabel Turner on (02) 9995 5224 or via email to [annabel.turner@dpie.nsw.gov.au](mailto:annabel.turner@dpie.nsw.gov.au).

Yours sincerely,



Suzannah Byers

Team Leader, Housing Delivery Assessments

As delegate for the Planning Secretary

Encl: CPHR of NSW DCCEEW determination