

Justyn Ng
Senior Development Manager
T&P CHIMES DEVELOPMENT PTY LTD
264 George Street
Sydney NSW 2000

Our ref: SSD-83867719

18 August 2025

Subject: Detailed design involving demolition and construction of a shop top housing development with basement car parking – 45-53 Macleay Street Potts Point (SSD-83867719) – Request to waive the requirements for a BDAR under the Biodiversity Conservation Act 2016

Dear Mr Ng,

I refer to correspondence received by the Department on 21 July 2025, regarding the request to waive the requirement for a Biodiversity Development Assessment Report (BDAR), dated 18 July 2025, 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 13 August 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 Justin Keen on 02 9995 6588 or via email to justin.keen@dpie.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Keith Ng".

Keith Ng
Team Leader, Affordable Housing Assessments
Development Assessment and Sustainability
Department of Planning, Housing and Infrastructure

As delegate of the Planning Secretary

Encl: CPHR of NSW DCCEEW determination