



## Department of Planning, Housing and Infrastructure

Mr Mark Bainey  
The Trustee for Captag Investments Trust  
Level 10, 198 Ken Street  
Sydney NSW 2000

Our ref: SSD-83870463

25 June 2025

**Subject: Mixed use development with infill affordable housing – 15A-15B Moseley Street and 25-31 Donald Street, Carlingford (SSD-83870463) – Request to waive requirement to prepare a Biodiversity Development Assessment Report**

Dear Mr Bainey,

I refer to your correspondence dated 21 May 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 Director Greater Sydney as delegate of the Secretary within the NSW Department of Climate Change, Energy, the Environment and Water has made the determination is attached (dated 13 June 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.



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Should you have any further enquiries, please contact Jasmine Tranquille on 02 9274 6568 or via email to [jasmine.tranquille@dpie.nsw.gov.au](mailto:jasmine.tranquille@dpie.nsw.gov.au).

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'M. Niles'.

Michelle Niles

**Acting Team Leader, Affordable Housing Assessments**

**As delegate of the Planning Secretary**

Encl: CPHR of NSW DCCEEW determination