

## Department of Planning, Housing and Infrastructure



Mr Fernando Torres-Moncayo  
Development Manager  
GRIFFITH BESS PROJECT CO PTY LTD  
360 Collins St, Suite 1, Level 34  
Melbourne Victoria 3000

Our ref: SSD-80854710

24/10/2025

Dear Mr Torres-Moncayo,

**Subject: Griffith Battery Energy Storage System (SSD-85372970) – 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 Griffith Battery Energy Storage System (SSD-85372970).

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 Griffith Battery Energy Storage System (SSD-85372970)).

The delegated *Environment Agency Head* of Conservation Programs, Heritage and Regulation Group of the NSW 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 Griffith Battery Energy Storage System, dated 29 September 2025. Amendments to the development may require a further waiver to be sought and issued or a BDAR prepared.

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

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Iwan Davies', with a stylized, cursive script.

Iwan Davies  
Director, Energy Assessments  
As delegate of the Secretary

Attached: CPHR Group BDAR Waiver Griffith Battery Energy Storage System Determination  
22/10/2025