

Miss Sammy Hamilton
Planner
Keylan
43A The Corso
Manly NSW 2095

Our ref: SSD-88948458

16 September 2025

Subject: Residential flat building with in-fill affordable housing - 5-9 Cowan Road, St Ives (SSD-88948458) – Request to waive the requirement to prepare a Biodiversity Development Assessment Report under the *Biodiversity Conservation Act 2016*

Dear Miss Hamilton,

I refer to the report dated 6 August 2025 prepared by Abel Ecology, on behalf of Prosper 5-9 Cowan Road St Ives Pty Ltd (the Applicant), requesting 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 Delegate of the Secretary within the NSW Department of Climate Change, Energy, the Environment and Water (Director) has made the determination is attached (dated 12 September 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 Joe Somerville on 02 8275 1423 or via email to joe.somerville@dpie.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Andy Nixey".

Andy Nixey
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

Determination under section 7.9(2) of the Biodiversity Conservation Act 2016

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-88948458 for the Residential flat building with in-fill affordable housing at 5-9 Cowan Road, St Ives, 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 DOC25/672209 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



12/09/2025

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

Date

SCHEDULE 1 – Description of the proposed development

The State Significant Development Application (SSDA) SSD-88948458 proposes the Residential flat building with in-fill affordable housing at 5-9 Cowan Road, St Ives, as detailed in the BDAR waiver request, prepared by Abel Ecology, dated 6 August 2025.

Refer to:

- Figure 1 Location Map
- Figures 2a Site map and Figure 2b Site Vegetation map
- Figure 3 Tree impact Plan
- Figure 4 Proposed Site Plan
- Figure 5 Proposed Ground Floor Plan
- Figure 6 Existing Site Plan with Arborist Key

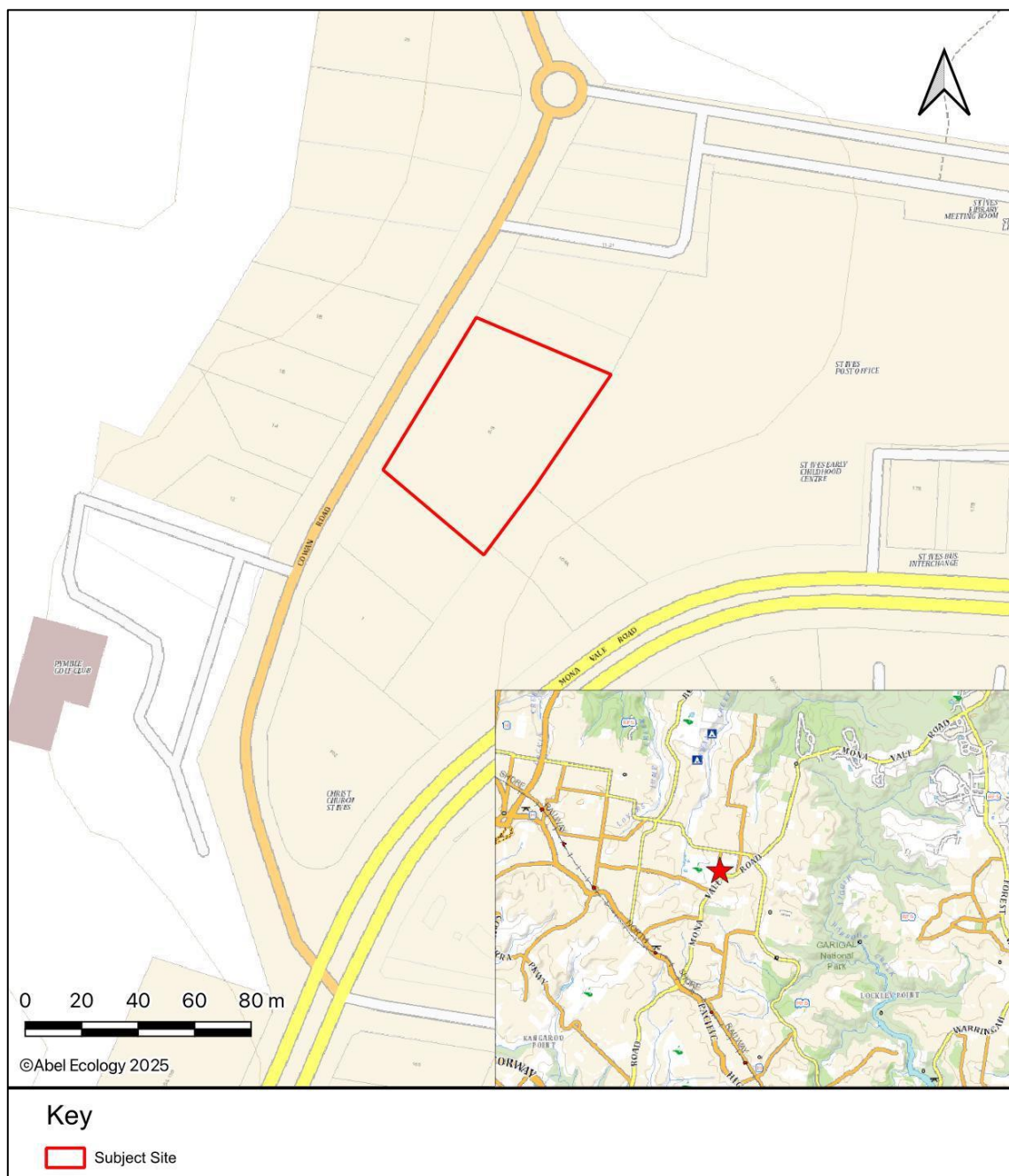


Figure 1 Location Map



Figure 2a Site map



Figure 2b Site Vegetation map

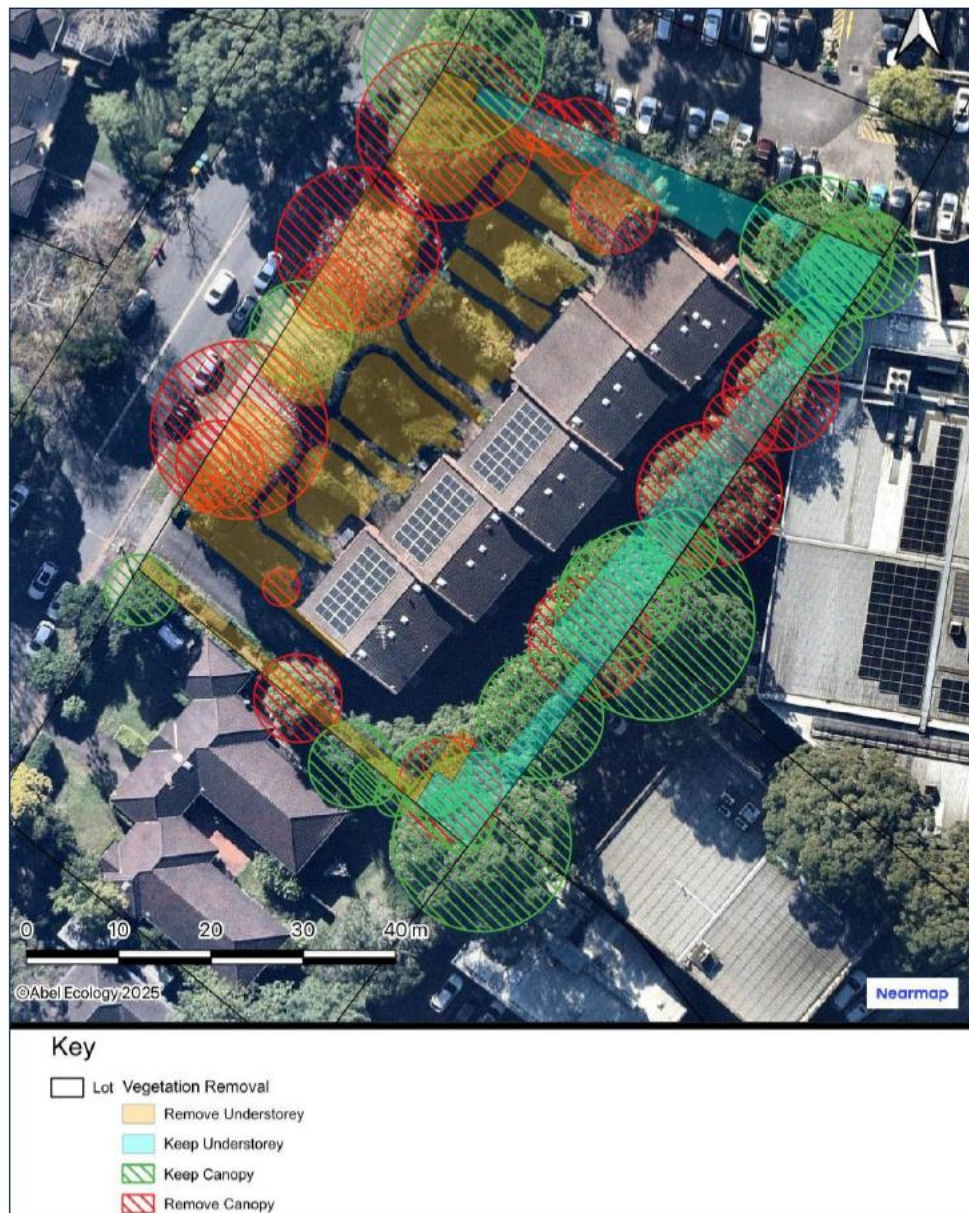


Figure 3 Tree impact Plan

