



Office of
Environment
& Heritage

Our Ref: DOC18/218090
Your Ref: SSD 8981

Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: Mr David Gibson

Dear Mr Gibson

RE: Request to waive requirement for BDAR – Coffs Harbour Hospital Expansion - SSD 8981

I refer to the request from the Chief Executive of Health Infrastructure to waive the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted with the state significant development application for the Coffs Harbour Hospital Expansion project.

I have reviewed the information provided by the applicant and determined that the proposed development, as described in the letter from Health Infrastructure dated 4 April 2018, is not likely to have any significant impact on biodiversity values. The application, therefore, does not need to be accompanied by a BDAR. The determination is attached for you to provide to the applicant. Also attached for your information is OEH's decision report.

If you have any further questions about this issue, Mr Don Owner, Senior Conservation Planning Officer, Regional Operations, OEH, can be contacted on 6659 8233 or at don.owner@environment.nsw.gov.au.

Yours sincerely

20 April 2018

DIMITRI YOUNG
A/Director, North East Branch
Regional Operations Division

Contact officer: DON OWNER
6659 8233

Enclosure: Attachment 1: BDAR Waiver Decision Report - Coffs Harbour Hospital Expansion (SSD 8981)



Planning & Environment

Sam Sangster
Chief Executive
Health Infrastructure
PO Box 1060
North Sydney NSW 2059

Our ref: SSD 8981

-via email-

Leone.McEntee@health.nsw.gov.au

Dear Mr Sangster

Subject: Coffs Harbour Hospital Expansion (SSD 8981) – Request to waive the need for a BDAR under the Biodiversity Conservation Act 2016

I refer to your correspondence dated 4 April 2018, regarding the request from Health Infrastructure to waive the need 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.”

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 Services Division on 21 December 2017.

I have reviewed the application of the test of significance under sections 1.5 and 7.3 of the BCA and clause 1.4 of the *Biodiversity Conservation Regulation 2017*, and determine that the development (as described in the letter from Health Infrastructure dated 4 April 2018) is not likely to have any significant impact on biodiversity values. The application, therefore, does not need to be accompanied by a BDAR. Accordingly, a waiver under section 7.9 is granted for the proposed development (being the Coffs Harbour Hospital Expansion - SSD 8981).

The delegated *Environment Agency Head* in the Office of Environment and Heritage has also granted a waiver in a letter dated 20 April 2018 and a copy of that letter is attached.

This waiver is issued in respect of the proposed development detailed in a request for Secretary's environmental assessment requirements dated 7 December 2017. Amendments to the development may require a further waiver to be sought and issued.

Should you have any enquiries regarding the above matter, please contact David Gibson on 9274 6241 or via email to david.gibson@planning.nsw.gov.au.

Yours sincerely,

24/4/2018

Karen Harragon
Director, Social and Other Infrastructure Assessments
As delegate of the Secretary