



Mr Eddie Wehbe
Managing Director
Woodlands Ridge Poultry Pty Ltd
Gurrundah Road
GOULBURN NSW 2580

Dear Mr Wehbe

Request to Waive Requirement for a Biodiversity Development Assessment Report

I refer to your correspondence received from your consultant, Anderson Environment and Planning, on 4 June 2019, seeking to waive the requirement to prepare a Biodiversity Development Assessment Report (BDAR) for a State significant development (SSD) application for a proposed mixed-use development at 52 Sinclair Street, Goulburn (SSD 9143).

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act):

"Any such application is to be accompanied by a biodiversity 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 the 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" was delegated to Directors within the Planning and Assessments Division on 2 December 2017.

I have reviewed your request having regard to Sections 1.5 and 7.3 of the BC Act and Clause 1.4 of the *Biodiversity Conservation Regulation 2017* and have determined that the proposed development (SSD 9143), as described in your waiver request, is not likely to have any significant impacts on biodiversity values.

The delegated Environment Agency Head in the Office of Environment and Heritage has also determined that the proposed development is not likely to have any significant impacts on biodiversity values (refer letter dated 1 July 2019 attached).

Therefore, a waiver under section 7.9(2) of the BC Act is granted for the proposed development and a BDAR is not required to accompany the SSD application.

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.

Should you have any further enquiries, please contact Sally Munk, Principal Planning Officer, Industry Assessments, at the Department on (02) 9274 6431.

Yours sincerely



15/08/19

Kelly McNicol
A/Director, Industry Assessments
(as nominee of the Secretary)

Encl: Determination, Office of Environment and Heritage
Determination, Department of Planning, Industry and Environment