

Our ref: Shop-Top Housing – Military Road MOSMAN (SSD-93787211)

Mr Tom Goode
Planning Director
Planning&co
Level 7, 80 William Street
Woolloomooloo NSW 2011

14 May 2026

Subject: Request to waive the requirement for a biodiversity development assessment report (BDAR) under the Biodiversity Conservation Act 2016 (BCA) for the undertaking of Shop-Top Housing at Military Road MOSMAN (SSD-93787211)

Dear Mr Goode,

I refer to your correspondence dated 15 April 2026, 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 Infrastructure 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 has made the determination is attached (dated 7 May 2026).

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.

If you have any enquiries, please contact Harrison Evans on (02) 8275 1132 or via email to Harrison.evans@dpie.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Paul Sartor".

Paul Sartor

Team Leader, Housing Delivery Assessments

As delegate for the Planning Secretary

Encl: CPHR of NSW DCCEEW determination