



Oliver Klein
Director
_planning Pty Ltd
oliverklein1968@gmail.com

Our ref: SSD 9872

Dear Mr Klein

**New St Matthews Catholic College (Stage 1) (SSD 9872) -
Request to waive the need for a BDAR under the Biodiversity Conservation Act 2016**

I refer to correspondence dated 14 March 2019 regarding the request 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 of the Department of Planning and Environment 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 agree that there is no need to submit a BDAR as part of the SSD application. Therefore, a waiver under section 7.9 is granted for the proposed development (New St Matthews Catholic College (Stage 1) – SSD 9872).

The delegated *Environment Agency Head* in the Office of Environment and Heritage has also granted a waiver in a letter dated 26 March 2019 and a copy of that letter is attached.

This waiver is issued in respect of the proposed development detailed in the waiver request dated 14 March 2019. 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 Navdeep Shergill on (02) 8289 6777 or via email to Navdeep.SinghShergill@planning.nsw.gov.au

Yours sincerely


18/4/19

David Gibson
A/Director
Social and Other Infrastructure Assessments
as delegate for the Secretary