



Our ref: DOC20/509024

Senders ref: SSD10425

Paula Bizimis  
Senior Planning Officer  
Key Sites Assessments  
Planning and Assessment Group  
Department of Planning, Industry and Environment  
Locked Bag 5022  
Parramatta NSW 2124

Dear Ms Bizimis,

**Subject: Clarification on BDAR or BDAR Waiver for Tallawong Station Precinct South – Stage 2 Detailed Design (SSD10425)**

Thank you for your e-mail dated 20 July 2020 requesting clarification on whether a biodiversity development assessment report (BDAR) or BDAR Waiver is required for this development, as the site is located within part of the North West Growth Centre that has been biodiversity certified.

Please note that this letter supersedes Environment Energy and Science (EES) previous letter dated 16 July 2020.

Biodiversity

Pursuant to section 8.4 Effect of biodiversity certification, sub-sections 2 and 3 of the Biodiversity Conservation Act 2016 as outlined below;

*(2) Development (including State significant development) under Part 4 of the Planning Act An assessment of the likely impact on biodiversity of development on biodiversity certified land is not required for the purposes of Part 4 of the [Environmental Planning and Assessment Act 1979](#).*

*(3) A consent authority, when determining a development application in relation to development on biodiversity certified land under Part 4 of the [Environmental Planning and Assessment Act 1979](#), is not required to take into consideration the likely impact on biodiversity of the development carried out on that land.*

Given the above, there are no further biodiversity comments.

Flooding

EES has reviewed the Flood Impact Assessment report (FIA) prepared by AECOM dated 16 April 2020 and considered that the report is inadequate due to the following reasons:

- the report provides no information on existing flood behaviour
- the report lacks details on model results
- not clear what is the extent of the model
- the limit of maps does not show the impacts of development outside of the site, the assessment should map the site and adjacent areas (i.e. to Second Ponds Creek to the west and at the inflow locations where the boundaries of the model were set up).

It is acknowledged from the brief discussion in the report that the consultant has undertaken a rainfall on grid TUFLOW modelling. However, the purpose of a FIA is to outline the flood risk at the site and outline how this risk is to be managed. This would include addressing the following floodplain risk management aspects to assist and guide decision-making at this planning stage:

- existing flood behaviour for the full range of flooding
- impact of development on flood behaviour the full range of flooding
- impact of flooding on development the full range of flooding and assess the compatibility of the proposed development with flood risk
- emergency management consideration (if applicable).

Please note from 1 July 2020 Aboriginal cultural heritage (ACH) regulation, including advice regarding SSIs and SSDs, is now managed by Heritage NSW. The new contact for the ACH regulation team is [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au).

Should you have any queries regarding this matter, please contact Bronwyn Smith, Senior Conservation Planning Officer on 9873 8604 or [bronwyn.smith@environment.nsw.gov.au](mailto:bronwyn.smith@environment.nsw.gov.au).

Yours sincerely



23/07/20

Susan Harrison  
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