

Mr David Read  
Avid Project Management Pty Ltd  
PO Box 206  
Carrington NSW 2294

Our ref: SSD-10478

via email: [david.read@avidpm.com.au](mailto:david.read@avidpm.com.au)

Dear Mr Read

**Subject: Alesco Senior College, Charlestown (SSD-10478) – Request to waive the need for a Biodiversity Development Assessment Report (BDAR) under the *Biodiversity Conservation Act 2016***

I refer to your correspondence dated 1 July 2020 requesting the issue of a waiver from the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted as part of the State significant development (SSD) application for the Alesco Senior College, Charlestown (SSD-10478).

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) provides the following in relation to an application for SSD:

*“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 and Assessment Division of the Department.

Accordingly, I have reviewed the application of the test of significance under sections 1.5 and 7.3 of the BC Act and clause 1.4 of the Biodiversity Conservation Regulation 2017 and considered the information provided in your letter dated 1 July 2020. I have determined that the development is not likely to have any significant impacts on biodiversity values and that the application does not need to be accompanied by a BDAR. A waiver under section 7.9 is therefore granted for the proposed development (being the Alesco Senior College, Charlestown (SSD-10478)).

The delegated *Environment Agency Head* in the Environment, Energy and Science Group of the Department has also granted a waiver in a letter dated 12 August 2020 and a copy of that letter is attached.

Please note that the waiver is issued in respect of the proposed development detailed in the Secretary’s Environmental Assessment Requirements issued on 27 July 2020. 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 Brent Devine on (02) 9995 5667 or via email on [brent.devine@planning.nsw.gov.au](mailto:brent.devine@planning.nsw.gov.au).

Yours sincerely,



14 August 2020

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