

Ms Alejandra Rojas
Principal Statutory Planner
Department of Education
-via email-
Alejandra.Rojas1@det.nsw.edu.au

Dear Ms Rojas,

Subject: Request to waive the requirement for a biodiversity development assessment report (BDAR) under the *Biodiversity Conservation Act 2016* (BC Act) for the Sydney Olympic Park New High School (SSD-11802230)

I refer to your request received on 25 June 2021 for the issue of a waiver for the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted as part the State Significant Development (SSD) application for the Sydney Olympic Park New High School (SSD-11802230).

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 of Planning, Industry and Environment (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 the ecology assessment by Keystone Ecological Pty Ltd, dated 23 June 2021. 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 Sydney Olympic Park New High School (SSD-11802230)).

The delegated "Environment Agency Head" in the Environment, Energy and Science Group (EESG) of the Department has also granted a waiver in a letter dated 7 June 2021 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 reissued on 19 July 2021. 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 8289 6777 or at Navdeep.singhshergill@planning.nsw.gov.au.



23 July 2021

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

Attached: signed EESG waiver