



Planning & Environment

Sam Sangster
Chief Executive
Health Infrastructure
PO Box 1060
North Sydney NSW 2059

Our ref: SSD 8980

-via email-

Leone.McEntee@health.nsw.gov.au

Dear Mr Sangster

Subject: Bowral and District Hospital Redevelopment (SSD 8980) – Request to waive the need for a BDAR under the Biodiversity Conservation Act 2016

I refer to your correspondence dated 21 February 2018, regarding the request from Health Infrastructure 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 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 (being the redevelopment of Bowral and District Hospital - SSD 8980).

The delegated *Environment Agency Head* in the Office of Environment and Heritage has also granted a waiver in a letter dated 8 January 2018 and a copy of that letter is attached.

This waiver is issued in respect of the proposed development detailed in a request for Secretary's environmental assessment requirements dated 11 December 2017. 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 David Gibson on 9274 6241 or via email to david.gibson@planning.nsw.gov.au.

Yours sincerely,

26/2/2018

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



Office of
Environment
& Heritage

Date: 21 December 2017
Your reference: SSD 8980
Our reference: DOC17/643139
Contact: Calvin Houlison
4224 4179

Karen Harragon
Director, Social and Other Infrastructure Assessments
Department of Planning & Environment
E-mail: karen.harragon@planning.nsw.gov.au

Dear Ms Harragon

RE: Request to waive need for BDAR – Bowral and District Hospital Redevelopment, 97-103 Bowral Street, Bowral (SSD 8980)

I refer to the request from NSW Health Infrastructure to waive the need for a Biodiversity Development Assessment Report (BDAR) to be submitted with the State Significant Development (SSD) application to redevelop Bowral and District Hospital.

Section 7.9(2) of the Biodiversity Conservation (BC) Act 2016 states that:

"Any such application (SSD) 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".

We have reviewed the applicant's test of significance under Section 7.3 of the BC Act, prepared by NSW Health Infrastructure, and agree that the proposed development is not likely to have any significant impact on biodiversity values.

Therefore, in accordance with my delegation, I waive the need for the applicant to provide a biodiversity assessment report with their SSD application.

Please contact Calvin Houlison, Senior Conservation Planning Officer on 4224 4179 or via e-mail calvin.houlison@environment.nsw.gov.au should you have any further queries.

Yours sincerely

MICHAEL SAXON
Director, South East Region
Regional Operations Division

8/1/2018