Dear Mr Gibson

Concord Hospital Redevelopment (SSD 9036) – request for determination under Section 7.9(2) of the Biodiversity Conservation Act 2016

Thank you for your email of 18 May 2018. The Office of Environment and Heritage (OEH) has reviewed the waiver request received from NSW Health Infrastructure (dated 17 May 2018) to not require a Biodiversity Development Assessment Report (BDAR) to be submitted with the above State Significant Development (SSD) application. In an email to the Department on 24 May 2018, OEH requested further information to assess the waiver request. OEH has reviewed the following additional information received on 30 May 2018:

- Ecological Australia’s email response of 30 May 2018,
- Ecological Australia’s amended request for Waiver (dated 29 May 2018),
- Scaled maps which show finer detail of the impact area, and
- Flora and Fauna Assessment (FFA) – May 2018.

Under section 7.9(2) of the Biodiversity Conservation (BC) Act 2016:

“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.”

The power to determine whether a SSD is "not likely to have any significant impact on biodiversity values" was delegated to the OEH Senior Executive on 4 December 2017.

After reviewing all of the information, I have determined that the proposed development is not likely to have any significant impact on biodiversity values and that there is no need for the SSD application to include a BDAR.

Should you have any queries in relation to this matter, please contact Janne Grose on 8837 6017 or by email at janne.grose@environment.nsw.gov.au

Yours sincerely

ALEX GRAHAM
Director – Greater Sydney
Regional Operations Division

14.06.2018