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

-via email- 
Leone.McEntee@health.nsw.gov.au

Dear Mr Sangster

Subject: Mudgee Hospital Redevelopment (SSD 9211) – Request to waive the need for a BDAR under the Biodiversity Conservation Act 2016

I refer to your correspondence dated 17 April 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 determine that the development (as described in the letter from Health Infrastructure dated 17 April 2018) is not likely to have any significant impact on biodiversity values. The application, therefore, does not need to be accompanied by a BDAR. Accordingly, a waiver under section 7.9 is granted for the proposed development (being the Mudgee Hospital Redevelopment - SSD 9211).

The delegated Environment Agency Head in the Office of Environment and Heritage has also granted a waiver in a letter dated 27 April 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 19 March 2018. 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,

Dominic Crinnion  
A/Director, Social and Other Infrastructure Assessments  
As delegate of the Secretary

4/5/18