

Ms Grace McDonald  
ESR – NSW Planning Manager  
Level 12, 135 King Street  
Sydney NSW 2000

Our ref: SSD- 71144719

9 October 2024

**Subject: 3 Johnston Crescent, Horsley Park (SSD-71144719) – Request to waive requirement to prepare a Biodiversity Development Assessment Report**

Dear Ms McDonald

I refer to your correspondence dated 2 May 2024 and the additional information dated 18 July 2024, regarding the request to waive the requirement for a Biodiversity Development Assessment Report (BDAR) to be submitted as part of the above referenced State significant development (SSD) application.

**Description of proposed development**

Horsley Logistics Park, Stage 2 development

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.”*

This letter is to confirm that the Secretary of the Department of Planning, Housing and Infrastructure has determined that the proposed development as described above is not likely to have any significant impact on biodiversity values and that a BDAR is therefore not required to accompany any application for development consent or infrastructure approval for the proposed development.

I, as Delegate of the Planning Secretary within the Development Assessment and Sustainability Division have determined that the proposed development is not likely to have any significant impacts on biodiversity values. Evidence that the Delegate of the Secretary within the NSW Department of Climate Change, Energy, the Environment and Water has made the determination is attached (dated 20 August 2024).

If there are any amendments to the proposed development, a fresh request for a BDAR waiver determination will be required or a BDAR may need to be prepared.

## Department of Planning, Housing and Infrastructure



Should you have any further enquiries, please contact Rebecka Groth on 02 8275 1723 or via [Rebecka.groth@dpie.nsw.gov.au](mailto:Rebecka.groth@dpie.nsw.gov.au).

Yours sincerely,

A handwritten signature in grey ink, appearing to read "L. Blecher".

Lindsey Blecher  
**Team Leader**  
**Industry Assessments**  
as delegate of the Planning Secretary

Encl: BCS of NSW DCCEEW determination

***Determination under section 7.9(2) of the Biodiversity Conservation Act 2016***

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I, Louisa Clark, Director Greater Sydney, of the Department of Climate Change, Energy, the Environment and Water, under section 7.9(2) of the *Biodiversity Conservation Act 2016*, consider that the proposed SSD-71144719 for Horsley Logistics Park Stage 2 located at 3 Johnston Crescent, Horsley Park is not likely to have any significant impact on biodiversity values. Therefore, a Biodiversity Development Assessment Report is not required.

Proposed development means the development as described in DOC24/419972 and Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further waiver request is required.



20/08/2024

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**Louisa Clark**  
**Director**  
**Greater Sydney**  
**Regional Delivery Biodiversity, Conservation and Science Group**

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**Date**

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## SCHEDULE 1 – Description of the proposed development

The State Significant Development Application (SSDA) SSD-71144719 for Horsley Logistics Park Stage 2 located at 3 Johnston Crescent, Horsley Park proposes the construction of two warehouse buildings and ancillary office space, as detailed in the BDAR waiver application prepared by Fraser Ecological dated 2/05/2024 and supplementary information dated 18 July 2024.

Refer to:

- Figure 1 Location Map
- Figure 2 Project Area
- Figure 3 NSW Sensitive Biodiversity Values Map (accessed 2/5/24)
- Figure 4 NSW Statewide Vegetation Type Map (accessed 2/5/24)
- Figure 5 Proposed Site Plan



**Figure 1. Location Map**



Figure 2. Project Area





Figure 3: NSW Sensitive Biodiversity Values Map (accessed 2/5/24)



Figure 4: NSW Statewide Vegetation Type Map (accessed 2/5/24)

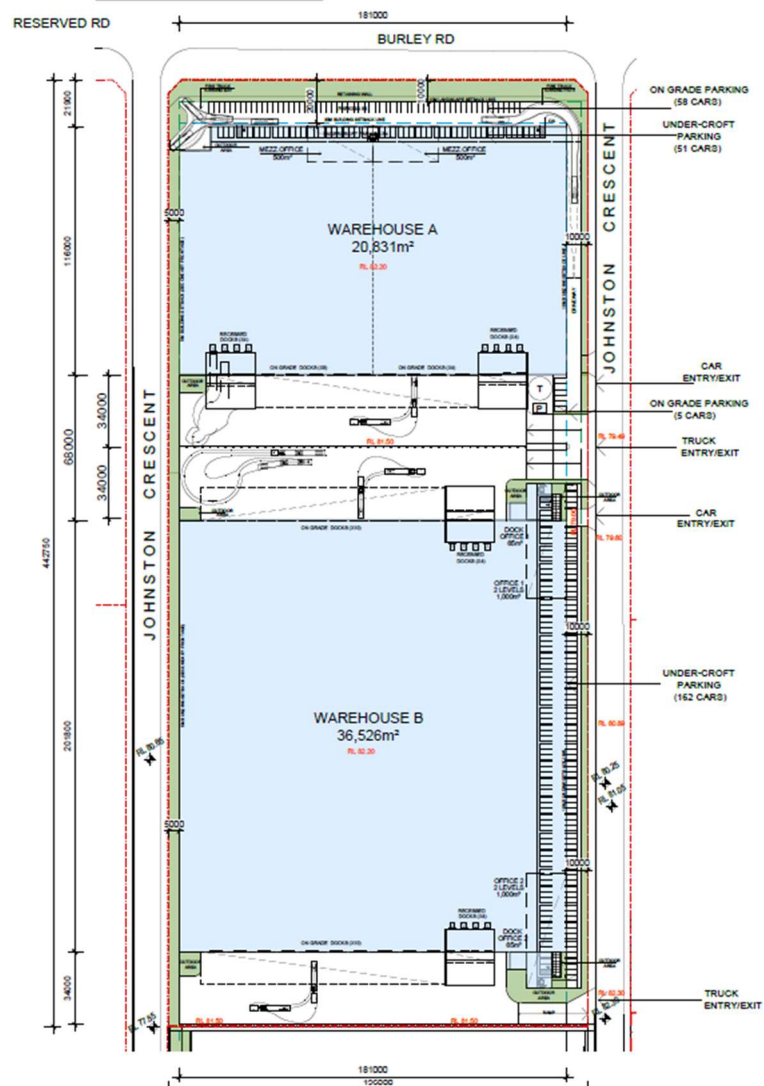


Figure 5 Proposed Site Plan