



David Bonjer  
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23 May 2024

**Subject: West Gables Planning Proposal – Biodiversity Certification – Pitt Town and Boundary Road, Gables – Preliminary Consultation**

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Dear David,

I refer to the preliminary consultation meeting held with the Biodiversity, Conservation and Science Group (BCS) of the Department of Climate Change, Energy, the Environment and Water (DCCEEW) on 30 April 2024 for the proposed biodiversity certification associated with the West Gables Planning Proposal (PP).

BCS has not reviewed the Biodiversity Certification Assessment Report (BCAR) prepared by Eco Logical Australia (dated 6 December 2022). BCS advise that an assessment of the BCAR will not be undertaken until the PP has been submitted to the Department of Planning, Housing and Infrastructure (DPHI) for Gateway determination and a biodiversity certification application submitted which is consistent with the PP. Please note that a BCAR submitted in support of a biodiversity certification application must meet the requirements of section 6.13 and 6.15 of the *Biodiversity Conservation Act 2016* (BC Act). Resources to assist with the preparation of biodiversity certification applications are available on our website:

<https://www2.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/biodiversity-certification/biodiversity-certification-forms-and-resources#biodiversity-certification-forms-and-resources>

BCS does not support the proposed use of avoided land for recreation purposes including but not limited to BBQ/picnic areas, basketball courts and kick-around areas, which would be inconsistent with the retention of biodiversity values. Furthermore, BCS understands that The Hills Shire Council does not support the approach of avoided land being dedicated to Council when that land is intended to meet the recreation needs of the future development. At its meeting of 17 April 2024, the Hills Shire Council Local Planning Panel determined in part that “*Land intended to be dedicated to Council for open space must not contain any proposed ‘avoided areas’ (for the purpose of Biodiversity Certification).*”

Should you have any queries regarding this matter, please contact the Greater Sydney Planning Team via [rog.gsrplanning@environment.nsw.gov.au](mailto:rog.gsrplanning@environment.nsw.gov.au).

Yours sincerely,



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A/Senior Team Leader Planning  
**Greater Sydney Branch**  
**Biodiversity Conservation and Science Group**

cc:

Zoe Melis, Director, ClarityPM

Megan Munari, Principal Coordinator Forward Planning, The Hills Shire Council