

s22(1)

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**From:** Kristy Domitrovic  
**Sent:** Monday, 17 August 2020 12:05 PM  
**To:** s22(1)  
**Subject:** FW: Manyana decision [SEC=OFFICIAL]  
**Attachments:** SKM\_C55820081518040.pdf; SKM\_C55820081518032.pdf

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**From:** Kristy Domitrovic  
**Sent:** Sunday, 16 August 2020 3:30 PM  
**To:** 'ghazi@ozyhomes.com.au' <ghazi@ozyhomes.com.au>  
**Cc:** Louise Vickery <Louise.Vickery@environment.gov.au>  
**Subject:** Manyana decision [SEC=OFFICIAL]

Dear Ghazi,

Please find decision documents attached as discussed. Louise and the team will talk you through the process from here tomorrow.

Regards

**Kristy Domitrovic**  
Senior Adviser  
The Hon Sussan Ley MP  
Minister for the Environment  
M s22(1) | E [Kristy.Domitrovic@environment.gov.au](mailto:Kristy.Domitrovic@environment.gov.au)





**THE HON SUSSAN LEY MP  
MINISTER FOR THE ENVIRONMENT  
MEMBER FOR FARRER**

MS20-000895

16 AUG 2020

Ghazi Sangari  
Director  
Manyana Coast Pty Ltd  
Unit 2, 148-150 Canterbury Road  
BANKSTOWN 2200 NSW

Dear Mr Sangari

Thank you for submitting a referral under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This is to advise you of my decision about the referral of the proposed action to construct a residential development and ancillary infrastructure at Lot 172 DP 755923 and Lot 823 DP 247285, Manyana, NSW (EPBC ref 2020/8704).

**I have decided under section 75 of the EPBC Act that the proposed action is a controlled action and, as such, it requires assessment and a decision about whether approval for it should be given under the EPBC Act.**

Matters for Assessment

The information that I have considered indicates that the proposed action is likely to have a significant impact on the following matters protected by the EPBC Act:

- Listed threatened species and ecological communities (section 18 and 18A)

All matters of national environmental significance protected under the above controlling provision are potentially relevant. However, based on the information available in the referral, the Department considers the proposed action is **likely** to have a significant impact on:

- Grey-headed Flying-fox (*Pteropus poliocephalus*) – Vulnerable

Furthermore, given the information provided, the proposed action **may** also have a significant impact on:

- Greater Glider (*Petauroides volans*) – Vulnerable
- Swift Parrot (*Lathamus discolor*) – Critically Endangered

Please note that this decision only relates to the potential for significant impacts on matters protected by the Australian Government under Chapter 2 of the EPBC Act.

Assessment Approach

I have also decided that the project will need to be assessed by preliminary documentation. Details on the assessment process for the project and the responsibilities of the proponent are set out in the enclosed fact sheet. Further information is available from the Department's

If you have any questions about the referral process or this decision, please contact the project manager, s22(1), by email to s22(1)@awe.gov.au, or telephone 6274 s22(1) and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Susanna Ley". The signature is written in a cursive style with a long, sweeping tail on the "y".

SUSSAN LEY

Enc.

Our Ref: TAN.MXM.2003084

11 September 2020

Sussan Ley  
Minister for the Environment  
GPO Box 858  
Canberra

Attn: Louise Vickery

By Email [Louise.Vickery@environment.gov.au](mailto:Louise.Vickery@environment.gov.au)

Dear Minister

**EPBC 2020/8704, Manyana | Request for Reasons**

1. We act for Ozy Homes Pty Limited (**Ozy Homes**), the proponent of the proposed action that is the subject of EPBC reference number 2020/8704.
2. We request a statement of reasons pursuant to section 77(4) of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**EPBC Act**) and section 13 of the *Administrative Decisions (Judicial Review) Act 1977* (Cth) for your decision of 16 August 2020 under section 75 of the EPBC Act, that the proposed action is a controlled action.
3. A copy of the decision dated 16 August 2020 is enclosed for ease of reference.

Yours sincerely

s47F(1)

s47F(1)



**THE HON SUSSAN LEY MP  
MINISTER FOR THE ENVIRONMENT  
MEMBER FOR FARRER**

MS20-001353

s47F(1)

Solicitor  
Colin Biggers & Paisley Lawyers

s47F(1)

Dear s47F(1)

**Statement of Reasons for a Decision on Controlled Action  
Residential development, Lot 172 DP 755923 and Lot 823 DP 247285, Manyana, NSW**

Thank you for your letter dated 11 September 2020 requesting reasons for my decision of 16 August 2020 that the proposal by Manyana Coast Pty Ltd to construct a residential development and ancillary infrastructure at Lot 172 DP 755923 and Lot 823 DP 247285, Manyana, New South Wales (NSW) is a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

I have enclosed a statement of my reasons in accordance with the section 77(4) of the EPBC Act and section 13 of the *Administrative Decisions (Judicial Review) Act 1977*.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sussan Ley', written in a cursive style.

SUSSAN LEY

**15 OCT 2020**