



Biodiversity certification application

Complete this form if you wish to apply to the Minister for the Environment for biodiversity certification under the *Threatened Species Conservation Act 1995*.

Before completing this form, please read the Biodiversity Certification Assessment Methodology at www.environment.nsw.gov.au/biocertification/index.htm. If you need help with completing the form, please phone 131 555.

This is an interactive form. Click on the check boxes and type in your responses. Each field has unlimited characters.

When you have completed the form, print it and **sign where necessary**. Then **post it to**:

Minister for the Environment
c/- the Chief Executive, Office of Environment and Heritage
PO Box A290
SYDNEY SOUTH NSW 1232.

1 Applicant

An applicant for biodiversity certification must be a planning authority (e.g. a local council or the Director-General of the Department of Planning and Infrastructure). If this is a joint application from multiple planning authorities, each authority's details must be provided. The form provides fields for two planning authorities. Photocopy extra pages if more than two planning authorities are involved.

Planning authority 1			
Name	Wyong Shire Council		
ABN	47054613735		
Street address			
Address	2 Hely Street		
Town	Wyong		
State	NSW	Postcode	2259
Mailing address (if different from above)			
Address			
Town			
State		Postcode	
Main contact			
Name	Scott Duncan		
Phone	0243 50 5547	Mobile	
Fax		Email	duncans@wyong.nsw.gov.au
Alternative contact			
Name			
Phone		Mobile	
Fax		Email	

Planning authority 2 (if applicable)			
Name			
ABN			
Street address			
Address			
Town			
State		Postcode	
Mailing address (if different from above)			
Address			
Town			
State		Postcode	
Main contact			
Name			
Phone		Mobile	
Fax		Email	
Alternative contact			
Name			
Phone		Mobile	
Fax		Email	

2 Other proposed parties to biodiversity certification

The applicant(s) may propose any other person or body to be a party or parties to the biodiversity certification. By signing section 13 of this application form, such a person or body consents to being made a party to the biodiversity certification. This form provides fields for two proposed parties. Photocopy extra pages if more than two parties are proposed.

Proposed other party 1 (if applicable)			
Name	Office of Environment and Heritage		
ABN	30841387271		
Street address			
Address	117 Bull Street		
Town	Newcastle		
State	NSW	Postcode	2300
Mailing address (if different from above)			
Address	PO Box 488G		
Town	Newcastle		
State	NSW	Postcode	2300
Main contact			
Name	Manager Planning and Aboriginal Heritage - Diane Crosdale		
Phone	02 4908 6800	Mobile	
Fax	02 4908 6810	Email	
Alternative contact			
Name			
Phone		Mobile	
Fax		Email	
Proposed other party 2 (if applicable)			
Name			
ABN			
Street address			
Address			
Town			
State		Postcode	
Mailing address (if different from above)			
Address			
Town			
State		Postcode	
Main contact			
Name			
Phone		Mobile	
Fax		Email	
Alternative contact			
Name			
Phone		Mobile	
Fax		Email	

3 Proposed land for biodiversity certification

List all parcels of land proposed for biodiversity certification. The land proposed for biodiversity certification is the land proposed for future development. A map showing the boundaries of the biodiversity certification area is also required. Sections 4 and 5 deal with the area(s) of land conservation measures will be implemented on.

If any area of the land is identified as being in a 'red flag area' (see section 2.4 of the Biodiversity Certification Assessment Methodology), biodiversity certification cannot be conferred unless the Director General has determined that the impacts on the red flag area may be offset (a 'red flag variation').

Location	
Name (if any)	Warnervale Town Centre
Total area proposed for certification (hectares)	104.9 Ha
Title reference (lot and DP numbers and folio identifiers)	Lot 52 DP 561032, Lot 54 DP 7527, Lot 4 DP7738, Lot 59 DP 7738, Lot 1 DP 357408, Lot 7 DP 7738, Lot 9 DP 7738, Lot 56 DP 663082, Lot 60 DP 7738, Lot 1 DP 375712, Lot 1 DP 700096, Lot 55 DP 7527, Lot 10 DP 7738, Lot 1 DP 371647, Lot 58 DP 7738, Lot 521 DP 594725, Lot 51 DP 561032, Lot 1 DP 376264, Lot 16 DP 573234, Lot 3 DP 7738, Lot 57 DP 7738, Lot 2 DP 7738, Lot 2 DP 1155796, Lot 3 DP 1155796
Is a red flag variation(s) sought in accordance with section 2.4 of the Biodiversity Certification Assessment Methodology? (See explanatory text above.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If 'yes', explain how the criteria in section 2.4.1 of the Biodiversity Certification Assessment Methodology will be met.	<p>A red flag has been prepared for impacts of 0.1 Ha of swamp mahogany forest on coastal lowlands of the North Coast and northern Sydney Basin.</p> <p>Please see Appendix 6 of the Biodiversity Certification Assessment Report for the Warnervale Town Centre (ELA 2012) for details on how section 2.4.1 of the BCAM will be met.</p>
What measures are proposed to mitigate the indirect impacts of biodiversity certification on biodiversity values (required under Chapter 6 of the Biodiversity Certification Assessment Methodology)?	<p>Please see Section 3.8 of the Biodiversity Certification Assessment Report for the Warnervale Town Centre (ELA 2012) for details on the measures proposed to mitigate the indirect impacts of biodiversity certification on biodiversity values.</p>

Note: Attach separate documents including maps.

NOTE: Relevant maps are included in the Biodiversity Certification Assessment Report for Warnervale Town Centre dated 21 March 2012. This document has been submitted to support Council's Application for Biodiversity Certification

4 Conservation measures proposed to be implemented on land within the biodiversity certification assessment area

<input checked="" type="checkbox"/>	There is no land in the biodiversity certification assessment area proposed for conservation measures (go to section 5)
<input type="checkbox"/>	There is land in the biodiversity certification assessment area proposed for conservation measures (specify below)

Specify the conservation measures proposed to be implemented on land in the biodiversity certification assessment area and list all parcels of land on which these conservation measures are proposed. A map showing the boundaries of the conservation measure area(s) is also required.

This form provides fields for two conservation measures. Photocopy extra pages if there are more than two conservation measures.

Conservation measure (land within assessment area) 1	
Type of conservation measure	
Party responsible for implementing the conservation measure (include name, contact details and ACN or ABN if corporation)	
Timing of implementation of conservation measure	
Property name and/or street address (if any)	
Number of hectares on which proposed conservation measure will apply	
Title reference (lot and DP numbers and folio identifiers)	
Is a biodiversity certification agreement proposed to secure the conservation measure? If 'yes', attach a copy of the draft agreement to this form.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Conservation measure (land within assessment area) 2	
Type of conservation measure	
Party responsible for implementing the conservation measure (include name, contact details and ACN or ABN if corporation)	
Timing of implementation of conservation measure	
Property name and/or street address (if any)	
Number of hectares on which proposed conservation measure will apply	
Title reference (lot and DP numbers and folio identifiers)	
<p>Is a biodiversity certification agreement proposed to secure the conservation measure?</p> <p>If 'yes', attach a copy of the draft agreement to this form.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Note: If the conservation measure is a planning instrument, supply the relevant local environmental plan or development control plan, including zoning maps.

5 Conservation measures proposed to be implemented on land outside the certification assessment area (other than retirement of biodiversity credits and financial contributions)

<input checked="" type="checkbox"/>	There is no land outside the biodiversity certification assessment area proposed for conservation measures (go to section 6)
<input type="checkbox"/>	There is land outside the biodiversity certification assessment area proposed for conservation measures (specify below)

Specify the conservation measures proposed to be implemented on land outside the biodiversity certification assessment area and list all parcels of land on which the conservation measures are proposed. A map showing the boundaries of the conservation measure area(s) is also required.

Do not include conservation measures involving the retirement of biodiversity credits or financial contributions here as these will be dealt with in sections 6 and 7 respectively.

This form provides fields for two conservation measures. Photocopy extra pages if there are more than two conservation measures.

Conservation measure (land outside assessment area) 1	
Type of conservation measure	
Party responsible for implementing the conservation measure (include name, contact details and ACN or ABN if corporation)	
Timing of implementation of conservation measure	
Property name and/or street address (if any)	
Number of hectares on which proposed conservation measure will apply	
Title reference (lot and DP numbers and folio identifiers)	
Is a biodiversity certification agreement proposed to secure the conservation measure? If 'yes', attach a copy of the draft agreement to this form.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Conservation measure (land outside assessment area) 2	
Type of conservation measure	
Party responsible for implementing the conservation measure (include name, contact details and ACN or ABN if corporation)	
Timing of implementation of conservation measure	
Property name and/or street address (if any)	
Number of hectares on which proposed conservation measure will apply	
Title reference (lot and DP numbers and folio identifiers)	
<p>Is a biodiversity certification agreement proposed to secure the conservation measure?</p> <p>If 'yes', attach a copy of the draft agreement to this form.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

6 Biodiversity credits proposed to be (purchased and) retired as a conservation measure

<input checked="" type="checkbox"/> There are no biodiversity credits to be retired as a conservation measure (go to section 7)
<input type="checkbox"/> There are biodiversity credits to be retired as a conservation measure (specify below)

Specify the type of biodiversity credit and the number of credits to be retired. Specify who currently holds the credits. Photocopy extra pages if required.

Type of credit (ecosystem/species)	Name of credit	Number of credits	Current credit holder (name and ID number)	Timing of purchase/retirement of credits*

Timing is determined by the Minister under section 126Y 2(b) of the *Threatened Species Conservation Act 1995*

7 Financial contribution proposed as a conservation measure and secured by a biodiversity certification agreement

There is no financial contribution proposed as a conservation measure (go to section 8)

There is a financial contribution proposed as a conservation measure (specify below)

List any financial contribution (other than special infrastructure contributions which are dealt with in section 8) proposed as a conservation measure.

Conservation measure (financial contribution)	
Party responsible for providing financial contribution (include name, contact details and ACN or ABN if corporation)	NSW Government
Date(s) by which financial contribution is proposed to be provided	To be determined. It is anticipated that contributions will be collected over a 10 year period.
Number and type of credits used to calculate financial contribution	The following credits were used to calculate the total contribution proposed (that is both the financial contribution and special contribution); 2191 ecosystem credits and 1,756 species credits.
Amount of financial contribution	\$2 million, indexed in line with CPI changes over time.
Number and type of credits to which financial contribution is equivalent	The total contribution proposed (that is both the financial contribution and special contribution) is equivalent to 2191 ecosystem credits and 1,756 species credits.
Details of conservation measures proposed to be funded by the financial contribution	The financial contribution will enable the Office of Environment and Heritage to fund conservation land purchases, fund conservation agreements or retire biodiversity credits.
Is a biodiversity certification agreement proposed to secure the financial contribution? If 'yes', attach a copy of the draft agreement to this application.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

8 Special infrastructure contribution (SIC) proposed as a conservation measure

There is no SIC proposed as a conservation measure (go to section 9)

There is a SIC proposed as a conservation measure (specify below)

Special infrastructure contribution (SIC)

Details of SIC area declaration and Minister for Planning and Infrastructure's SIC determination	On 30 October 2008 the Minister for Planning made a Special Contributions (Warnervale) Order 2008, which declared Warnervale Town Centre Special Contribution Area. The Department of Planning and Infrastructure is to prepare an amendment to the existing WTC SIC determination for Ministerial approval to reflect the NSW Government's announcement to reduce the biodiversity offset costs by 50%. This will mean that the existing Special Infrastructure Contribution for purchase of biodiversity offsets will be reduced from \$4m million to \$2 million.
Amount of SIC to be dedicated to conservation measures for the purposes of biodiversity certification	To be determined. It is anticipated that contributions will be collected over a 10 year period.
Number and type of credits to which SIC is equivalent	2,191 ecosystem credits and 1,756 species credits*
Estimated timing of SIC collection into SIC Fund (including commencement of SIC collection and estimated collection rate)	To be determined. It is anticipated that contributions will be collected based on expected development rates. This is expected to occur over a 20 year period.
Estimated timing of SIC payments out of SIC fund for the purpose of funding conservation measures	It is anticipated that annual payments will be made to the NSW Environmental Trust for distribution to OEH.
Details of conservation measures proposed to be funded by the SIC	The financial contribution will enable OEH to fund acquisition, conservation agreements or retire biodiversity credits.

Note: Please attach evidence of support from Director-General of the Department of Planning and Infrastructure

NOTE

* The total contribution proposed (that is both the financial contribution and special contribution) is equivalent to 2,191 ecosystem credits and 1,756 species credits.

10 Documentation required to be attached

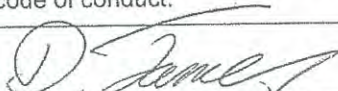
<input checked="" type="checkbox"/> Biodiversity certification strategy
The biodiversity certification strategy must detail: <input checked="" type="checkbox"/> land proposed for biodiversity certification <input type="checkbox"/> land proposed for biodiversity conservation <input checked="" type="checkbox"/> proposed conservation measures <input checked="" type="checkbox"/> parties to the biodiversity certification Both hard copies and electronic copies (on CD) of all information are required.
<input checked="" type="checkbox"/> Biodiversity certification assessment report
The assessment report should cover all land in the biodiversity certification area and all land proposed for conservation measures. Both hard copies and electronic copies (on CD) of all information are required.
<input type="checkbox"/> Biodiversity certification agreement(s)
Attach any draft or executed biodiversity certification agreements that relate to the conservation measures proposed in this form.

11 Public notification – OEH Office Use Only

This section is to be completed after the application form has been submitted and notification requirements have been met.

Name of newspaper where notification published	
Date of publication	
Start date of notification period	
End date of notification period	
Public submission response report provided?	<input type="checkbox"/> Yes <input type="checkbox"/> No

12 BioBanking Assessor declaration

Name	DARRELL JAMES
Accreditation number	0032
Declaration	<p>I declare that all information supplied in relation to the biodiversity certification assessment complies with the Biodiversity Certification Assessment Methodology and, where applicable, the BioBanking Assessment Methodology.</p> <p>I understand that I am personally accountable for the validity of all data collected and analysis performed and that I have adequately supervised all support team members for this assessment.</p> <p>I have undertaken this assessment within the terms of my accreditation as a BioBanking Assessor and have adhered to the BioBanking Assessor code of conduct.</p>
Signature	

13 Consent of other proposed parties

Photocopy extra pages if there are more than three other proposed parties

Name	
Consent	In accordance with s. 126Z(2)(b), I consent to being made a party to the biodiversity certification.
Signature	

Name	
Consent	In accordance with s. 126Z(2)(b), I consent to being made a party to the biodiversity certification.
Signature	

Name	
Consent	In accordance with s. 126Z(2)(b), I consent to being made a party to the biodiversity certification.
Signature	

14 Signature(s) of the planning authority(s)


This application should be signed by the legal representative(s) of the planning authority or authorities). The various ways in which the application may be signed, and the people who may sign the application, are set out in the categories below.

Planning authority	Application is signed and certified by
<input checked="" type="checkbox"/> A local council	<input checked="" type="checkbox"/> The general manager (or delegate) in accordance with s.377 of the <i>Local Government Act 1993</i> (LG Act), or <input type="checkbox"/> The seal of the council being affixed in a manner authorised under the LG Act
<input type="checkbox"/> Minister for Planning	<input type="checkbox"/> Minister for Planning and Infrastructure, or <input type="checkbox"/> Delegate of the Minister for Planning and Infrastructure
<input type="checkbox"/> Director-General of the Department of Planning and Infrastructure	<input type="checkbox"/> Director-General of the Department of Planning and Infrastructure, or <input type="checkbox"/> Delegate of the Director-General of the Department of Planning and Infrastructure
<input type="checkbox"/> Other (specify)	

I/we:

- apply to the Minister administering the *Threatened Species Conservation Act 1995* for biodiversity certification of land identified in section 3 of this form, and
- include particulars of the biodiversity certification strategy, and
- declare that the information in this biodiversity certification application (including any attachments) is not false or misleading in any material particular.

Photocopy extra pages if there are more than four signatories.

Signature		Signature	
Name	Greg McDonald	Name	
Position	Acting General Manager	Position	
Date	15/1/13	Date	

Signature		Signature	
Name		Name	
Position		Position	
Date		Date	

Affix common seal (if signing under seal)

15 Lodging the application

Once completed and signed, send the application with all supporting documentation to:

Minister for the Environment
c/- the Chief Executive, Office of Environment and Heritage
PO Box A290
SYDNEY SOUTH NSW 1232.

Published by:
Office of Environment and Heritage
Department of Premier and Cabinet
59-61 Goulburn Street, Sydney
PO Box A290, Sydney South 1232
Phone: (02) 9995 5000 (switchboard)
Phone: 131 555 (environment information and publications requests)
TTY: (02) 9211 4723
Fax: (02) 9995 5999
Email: info@environment.nsw.gov.au
Website: www.environment.nsw.gov.au

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