

Order conferring Biodiversity Certification – Woodbury Ridge Estate

Under section 8.2 of the *Biodiversity Conservation Act 2016*

Under section 8.2 of the Act, I Dean Knudson, Deputy Secretary, Department of Planning and Environment, as delegate of the Minister for Environment and Heritage, confer Biodiversity Certification on the Certified Land.

Under section 8.7(1) of the Act, I am satisfied having considered the Biodiversity Certification Assessment Report, that the approved conservation measures under the Biodiversity Certification adequately address the likely impacts on biodiversity values of the Biodiversity Certification of the Certified Land.

Under section 8.3 of the Act, I specify the measures listed in Schedule 3 of the Order as approved conservation measures under this Biodiversity Certification.

Under section 8.3(3)(c) of the Act and clause 8.1 of the Regulation, I specify the measures listed in Schedule 4 of the Order as other approved measures to avoid or minimise impacts of clearing, loss of habitat and serious and irreversible impacts.

Under section 8.3(3)(a) and (b) of the Act, I specify the requirements listed in Schedule 4 of the Order as to the timing, monitoring, reporting and auditing of the implementation of the approved and other approved conservation measures.

Under section 8.9(1) of the Act, I identify the parties to the Biodiversity Certification in Schedule 5 of the Order.

Under section 8.2 of the Act, I determine that Biodiversity Certification of the Certified Land is to take effect from the date of publication of the Order in the NSW Government Gazette and is to remain in force indefinitely pursuant to section 8.10(1) of the Act.

Under section 8.12 of the Act, the Order will be reviewed every 5 years or at the discretion of the Minister.



DEAN KNUDSON

Deputy Secretary, Department of Planning and Environment
as a delegate of the Minister for Environment and Heritage

Signed this 1st day of April 2022

Definitions

In this Order:

“**Act**” means the *Biodiversity Conservation Act 2016* (NSW)

“**Approved Conservation Measures**” means any of the measures set out at section 8.3(2) of the Act.

“**Biodiversity Certification**” has the same meaning as in section 8.2 of the Act.

“**Biodiversity Credit**” means a biodiversity credit created under Part 6 Division 4 of the Act and includes a reference to an Ecosystem Credit and a Species Credit.

“**Biodiversity Stewardship Agreement**” has the same meaning as in section 1.6 of the Act.

“**Certified Land**” means the land marked as “Certified Land” shown in Schedule 2 of this Order.

“**Community Management Statement**” means the management statement under the *Community Land Development Act 2021* for the relevant scheme on the Certified Land under that Act.

“**Effective Date**” means the date on which Biodiversity Certification is conferred by the Minister on the Certified Land.

“**Environment Agency Head**” has the meaning given in section 6.1 of the Act.

“**Minister**” means the Minister of the State of New South Wales administering the Act and includes his or her successors in office and where not repugnant to the context includes the servants and agents of the Minister.

“**Other Approved Measures**” means any of the measures set out at section 8.3(3) of the Act and clause 8.1 of the Regulation.

“**Proponent**” has the same meaning as in Schedule 5 of this Order.

“**Proposed Biodiversity Stewardship Site**” means the land marked as such in Schedule 2B which is intended to be a ‘biodiversity stewardship site’ within the meaning of section 1.6 of the Act.

“**Regulation**” means the *Biodiversity Conservation Regulation 2017* (NSW)

“**Section 88E instrument**” means an instrument established in accordance with section 88E of the *Conveyancing Act 1919*.

“**Subdivision Certificate**” means a certificate issued under the provisions of section 6.15 of the *Environmental Planning and Assessment Act 1979*.

Schedule 1 – Description of the Certified Land

Lots within deposited plans	
DP Number	Lot
Lot 1	DP 1272209

Schedule 2 – Maps of the Woodbury Ridge Estate Biodiversity Certification

Schedule 2A



Woodbury Ridge Estate - Biodiversity Certification

Legend

- Biodiversity Certification Assessment Area 
- Avoided Land 
- Land Proposed for Certification 
- Retained Land not Proposed for Certification 
- Groundstorey Impacts Only within Certified Land 
- Current Lot Boundaries 

0 1 km



Schedule 2B



Woodbury Ridge Estate - Biodiversity Certification

Legend

- Biodiversity Certification Assessment Area 
- Avoided Land 
- Land Proposed for Certification 
- Retained Land not Proposed for Certification 
- Groundstorey Impacts Only within Certified Land 
- Current Lot Boundaries 
- Proposed Biodiversity Stewardship sites
- One 
- Two 
- Three 
- Four 
- 0 
- 1 km 

Note: Proposed Biodiversity Stewardship Sites in Schedule 2B have been nominally ordered for the purpose of identification only in this document and may not reflect the actual order in which the sites are established or later labelled.

Schedule 3 – Approved Conservation Measures

The approved conservation measures are:

1. The retirement of the Biodiversity Credits set out at Schedule 4A, Table 1.

Schedule 4 – Other Approved Measures

The other approved measures are:

- a) The preparation and registration of a Community Management Statement and by-laws applicable to the Certified Land, including provisions for the retention of overstorey vegetation that is specified as 'groundstorey impact only areas' within the Certified Land as identified in Schedule 2A.
- b) Preparation and registration of Section 88E instrument(s) applicable to the Certified Land.
- c) Requirements as to the timing of implementation of the conservation measures set out at Schedule 4A below.

Schedule 4A - Timing

Timing of retirement of biodiversity credits

- a) All Biodiversity Credits must be retired upon issue of the first Subdivision Certificate and establishment of the four (4) proposed Biodiversity Stewardship Sites.
 - i. If, after 2 calendar years from the Effective Date, the total amount of Biodiversity Credits specified at Table 1 have not been retired, the Proponent must, retire all outstanding Biodiversity Credits specified at Table 1 within fourteen (14) days.
- b) Proof of issue of the first Subdivision Certificate must be provided to the Minister in writing within fourteen (14) days of issue.
- c) Proof of entry into any or all of the four (4) proposed Biodiversity Stewardship Agreements must be provided to the Minister in writing within fourteen (14) days of execution.
- d) Proof of record of the retirement of Biodiversity Credits must be provided to the Minister in writing within fourteen (14) days after retirement of the Biodiversity Credits.

Table 1: Biodiversity Credits to be retired by the Proponent

Ecosystem Credits		Species Credits			Total Biodiversity Credits to be retired
PCT 1093	PCT 1330	Superb Parrot	Silky Swainson-pea	Golden Sun Moth	
37	98	87	12	419	653

Schedule 5 – Parties to the Biodiversity Certification

Party name	ACN/ABN (if relevant)
<p style="text-align: center;">Robyn Janette Holden, Peter Wayne Cartwright, and William Paul Cartwright, As joint executors of the Estate of the late W.A. Cartwright</p>	