

Department of Planning and Environment

Assessment of reasonable equivalence of biodiversity credits – created credits application

# Purpose of this form

The purpose of this form is to apply for assessment and determination of reasonably equivalent biodiversity credits for credits created by a BioBanking Agreement under the *Threatened Species Conservation Act 1995* (TSC Act) by the Department of Planning and Environment.

This process is not necessary for biodiversity credits created in accordance with the Biodiversity Assessment Method under the *Biodiversity Conservation Act 2016* (BC Act).

Clause 19 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017 (BC S&T Regulation) provides that obligations to retire biodiversity credits under the TSC Act become obligations to retire biodiversity credits under the Biodiversity Conservation Act 2016 (BC Act).

The Coordinator-General, Environment and Heritage Group, Department of Planning and Environment, or their delegate will determine the ‘reasonably equivalent’ created credits under the BC Act Biodiversity Offsets Scheme.

Once a determination of reasonable equivalence has been made, the department will provide a statement that sets out the number and class of biodiversity credits that are reasonably equivalent under the BC Act Biodiversity Offsets Scheme.

For any questions or for assistance completing this form, please email [boscredits@environment.nsw.gov.au](C:\\Users\\mcwhirk\\AppData\\Local\\Microsoft\\Windows\\INetCache\\Content.Outlook\\4AMZ055I\\boscredits@environment.nsw.gov.au)

## Applicant details

The applicant is the company or individual/s or other entity who owns the biodiversity credits. If you are acting on behalf of that company, individual/s or entity, you must provide documentary evidence of your power to act on their behalf.

You will need to attach a copy of your identification (such as a driver’s licence or passport) that has been certified by a Justice of the Peace or via Australia Post witnessing service for each credit owner and/or for persons acting on behalf of the credit owner.

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| --- | --- | --- | --- |
| Applicant details |  |  |  |
| |  |  | | --- | --- | | Full name | Click or tap here to enter text. | | Company name | Click or tap here to enter text. | | ACN | Click or tap here to enter text. | | ABN | Click or tap here to enter text. | | Street address | Click or tap here to enter text. | | Postal address | Same as residential, or Click or tap here to enter text. | | Contact name | Click or tap here to enter text. | | Contact phone | Click or tap here to enter text. | | Mobile | Click or tap here to enter text. | | Email | Click or tap here to enter text. | | Authorised capacity in which making application | Click or tap here to enter text. | | | |  |

## Biodiversity credits

Please specify which biodiversity credits you are applying for. Please note the department will assess all the selected credit types currently owned by you (that is – all ecosystem credits and or all species credits)

You may not elect for a partial assessment of a currently owned credit type. If you elect to have species credits assessed the department may contact you for further information to support the assessment.

|  |  |
| --- | --- |
| Biodiversity credit type |  |
| Ecosystem credits | Yes  N/A |
| Species credits | Yes  N/A |
| Both ecosystem and species credits | Yes  N/A |

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| --- | --- |
| Information required |  |
| Credit owner ID | Yes |
| BioBanking Agreement ID (if credits have been transferred to your ownership this is included in the ownership report) | Yes |

|  |  |
| --- | --- |
| Documentation required |  |
| Credit ownership report | Yes |
| Legal authority tossing this application if you are not named in the credit ownership report and or (where applicable) the BioBanking Agreement. | Yes  N/A |
| Identification such as driver’s licence or passport certified by a Justice of the Peace or Australian Post Witnessing Service | Yes |

## Declaration

This application must be completed and signed by the applicant or by the participant/appointed nominee who is making this application on behalf of the applicant and who has legal authority to sign.

If you are signing on the applicant’s behalf you must state the nature of your legal authority and attach documentary evidence of your legal authority (e.g. power of attorney, executor, trustee, company director, etc).

|  |  |  |
| --- | --- | --- |
|  | Owner category | Application is signed and certified by |
|  | Individuals | All the individuals who are credit holders of the biodiversity credits to be transferred |
|  | A corporation | * + - * two directors       * a director and a company secretary       * the director, if a proprietary company that has a sole director who is also the sole company secretary. |
|  | A council | * + - * the general manager in accordance with section 377 of the *Local Government Act 1993* (LG Act) |
|  | A public authority other than a council | * + - * the Chief Executive officer of the public authority. |
|  | A trust | * + - * the trustee   **Note**: trustees that are individuals should sign and certify this application as individuals. If the trustee is a corporation, the application should be signed and certified by the relevant person(s). |
|  | A partnership | * all partners   **Note:** partners that are individuals should sign and certify this application as individuals. If a partner is a corporation, council or public authority other than a council, the application should be signed and certified by the relevant person(s). |

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| --- | --- |
| Declaration |  |

I/we:

* Declare that information in this application form (including any attachments) is accurate and up to date to the best of my/our knowledge.
* That the provision of false or misleading information in, or in connection with, this application is an offence under section 13.10 of the *Biodiversity Conservation Act 2016* and section 307A of the *Crimes Act 1900*.
* Confirm that I am authorised to provide the personal details presented and I consented to my information being checked with the document issuer or official holder for the purpose of my identity.

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| --- | --- |
| Name | Click or tap here to enter text. |
| Position | Click or tap here to enter text. |
| Signature |  |
| Date | Click or tap to enter a date. |

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| Name | Click or tap here to enter text. |
| Position | Click or tap here to enter text. |
| Signature |  |
| Date | Click or tap to enter a date. |

Execution of the application by the applicant(s) must be witnessed in accordance with standard witnessing procedures. Witnesses must:

* be over 18 years of age
* have known the person whose signature they are witnessing for more than 12 months or have taken reasonable steps to ensure the identity of that person,
* be of sound mind, and
* not be a party to the application or have any financial interest in it.

## Lodging your request

Please submit signed scanned copies of this form and accompanying information to: [boscredits@environment.nsw.gov.au](mailto:boscredits@environment.nsw.gov.au).

Once received, the department will acknowledge receipt of your request.

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