



Biodiversity certification application

Complete this form if you wish to apply for biodiversity certification under the *Biodiversity Conservation Act 2016* (BC Act). It contains requirements found in the BC Act and Biodiversity Conservation Regulation 2017 (BC Regulation).

This is an interactive form. Click on the check boxes to mark with an X where appropriate. Each field has unlimited characters.

1 Type of application

Indicate below whether this application seeks biodiversity certification under section 8.5(1) of the BC Act (called standard biodiversity certification in this document) or strategic biodiversity certification (under section 8.5(1) and (2) of the BC Act).

If you wish to request that your biodiversity certification application be declared a strategic application, and you haven't already done so, please write to the Minister for Energy and Environment to make your request. Information to help you address the criteria required for a strategic declaration to be made is available on the [Department's website](#). Follow the link to *Request to declare biodiversity certification application as strategic – addressing the criteria*. An applicant for strategic biodiversity certification must be a planning authority identified in section 8.1 of the BC Act.

This application seeks standard biodiversity certification only

This application has already been declared by the Minister to be a strategic application

Note: Please attach the Minister's strategic declaration

A separate request has been made for this application to be declared as strategic

2 Applicant

Please provide details of the applicant below. If there are multiple applicants, each applicant's details must be provided.

An applicant for standard biodiversity certification may be a planning authority, owners of the land proposed for biodiversity certification or any other person who has the written approval of the land owner. An applicant for strategic biodiversity certification must be a planning authority (e.g. a local council or the Minister for Planning).

The form provides fields for two applicants. Please fill in relevant details for each applicant. Photocopy extra pages if more than two applicants are involved.

Applicant 1			
Name*	Hydro Aluminium Kurri Kurri Pty Limited		
ABN	55 093 266 221		
Street address			
Address	Hart Road		
Town	Loxford		
State	NSW	Postcode	2326

Mailing address (if different from above)			
Address	PO Box 1		
Town	Kurri Kurri		
State	NSW	Postcode	2327
Main contact			
Name	Richard Brown		
Phone		Mobile	+61 439 139 059
Email	richard.brown@hydro.com		
Alternative contact			
Name	Leanne Pringle		
Phone		Mobile	+61 432 458 278
Email	leanne.pringle@hydro.com		
Applicant 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	
Email			
Alternative contact			
Name			
Phone		Mobile	
Email			

* Name of the individual, company or planning authority that is the applicant

Note: Attach written evidence of authority to act on behalf of all affected land owners, if relevant

3 Other proposed parties to biodiversity certification

The applicant may propose any other person or body to join the biodiversity certification where the party is responsible for implementing the proposed conservation measures. By signing section 15 of this application form, the person or body consents to being made a party to the biodiversity certification. This form provides fields for three proposed parties. Photocopy extra pages if more than three parties are proposed.

Proposed other party 1 (if applicable)			
Name*	McCloy Loxford Land Pty Ltd		
ABN	46 624 968 092		
Street address			
Address	Suite 2, Ground Floor, 317 Hunter Street		
Town	Newcastle		
State	NSW	Postcode	2300
Mailing address (if different from above)			
Address			
Town			
State		Postcode	
Main contact			
Name	Shane Boslem		
Phone	(02) 4945 7500	Mobile	0488 068 765
Email	shane@mccloygroup.com.au		
Alternative contact			
Name			
Phone		Mobile	
Email			
Proposed other party 2 (if applicable)			
Name*	Downmere Pty Ltd		
ABN	50 002 160 152		
Street address			
Address	Suite 2, Ground Floor, 317 Hunter Street		
Town	Newcastle		
State	NSW	Postcode	2300
Mailing address (if different from above)			
Address			
Town			

State		Postcode	
Main contact			
Name	Shane Boslem		
Phone	(02) 4945 7500	Mobile	0488 068 765
Email	shane@mccloygroup.com.au		
Alternative contact			
Name			
Phone		Mobile	
Email			
Proposed other party 3 (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	
Email			
Alternative contact			
Name			
Phone		Mobile	
Email			

* Name of the individual, company or planning authority that is the proposed other party

4 Proposed land for biodiversity certification

List all 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 7 and 8 of this form deal with the area(s) of land conservation measures will be implemented on.

Location	
Name of location/property (if any)	The subject site is located off Hart Road, Cessnock Road and Bowdich Avenue in the suburb of Loxford, NSW approximately 30 km northwest of Newcastle Central Business District. The Hunter Expressway runs beneath Hart Road and is located adjacent to the south western extent of the site (refer to Figure 1-1). The entire subject site falls within the Cessnock City Council LGA.
Total area proposed for biodiversity certification (hectares)	The total area proposed area for biodiversity certification is 243.11 ha
Title reference (lot and DP numbers and folio identifiers)	Lot 1 DP71130 Part Lot 1 DP543057 Part Lot 1 DP998540 Lot 2 DP62332 Part Lot 427 DP755231 Part Lot 420 DP755231 Part Lot 435 DP755231 Part Lot 438 DP755231 Part Lot 449 DP755231 Lot 439 DP755231 Part Lot 1 DP589169 Part Lot 429 DP755231 Part Lot 448 DP755231 Part Lot 447 DP755231 Part Lot 436 DP755231 Part Lot 769 DP755231 Part Lot 318 DP755231 Part Lot 1 DP456769 Part Lot 428 DP755231 Lot 434 DP755231 Part Lot 437 DP755231 Lot 460 DP755231 Lot 459 DP755231 Lot 461 DP755231 Lot 462 DP755231 Lot 463 DP755231 Part Lot 456 DP755231 Part Lot 424 DP755231 Part Lot 425 DP755231

Part Lot 423 DP755231
Lot 536 DP755231
Lot 682 DP755231
Part Lot 2 DP502196
Part Lot 453 DP755231
Part Lot 1 DP502196
Part Lot 10 DP553542
Lot 416 DP755231
Lot 417 DP755231
Part Lot 2 DP233125
Part Lot 3 DP233125
Lot 458 DP755231
Part Lot 418 DP755231
Part Lot 414 DP755231
Part Lot 415 DP755231
Part Lot 421 DP755231
Part Lot 422 DP755231
Part Lot 3 DP456769
Lot 3 DP62332
Lot 5 DP62332
Part Lot 454 DP755231
Part Lot 451 DP755231
Part Lot 16 DP1082775
Part Lot 12 DP1082569
Part Lot 16 DP1082569
Part Lot 18 DP1082569
Lot 21 DP1082569
Part Lot 17 DP1082569
Lot 19 DP1082569
Part Lot 11 DP1082569
Lot 20 DP1082569
Part Lot 10 DP1082569
Part Lot 14 DP1082569
Part Lot 15 DP1082569
Lot 22 DP1082569
Part Lot 319 DP755231

Note: Attach separate documents including maps

5 Avoidance and minimisation of impacts

A key element of the Biodiversity Offset Scheme is avoiding and minimising impacts on biodiversity values before offsets are considered for any residual impacts. In the table below please indicate the sections of the biodiversity certification assessment report (BCAR) that demonstrate how impacts have been avoided and minimised¹.

The impact assessment of biodiversity values under the biodiversity assessment method (BAM) includes consideration of:

1. direct impacts on native vegetation and habitat
2. whether an impact is serious and irreversible
3. prescribed impacts
4. adaptive management for uncertain impacts
5. indirect impacts.

If the Minister is of the opinion that the clearing of native vegetation and loss of habitat on land proposed for biodiversity certification is likely to have serious and irreversible impacts on biodiversity values, the Minister is required to:

- take those impacts into consideration in determining the application for biodiversity certification
- determine whether there are any additional and appropriate measures that will minimise those impacts (see section 8.8 of the BC Act).

Under section 6.3 of the BC Act, the impacts of actions prescribed by the regulations are subject to assessment and offset under the biodiversity offset scheme. Clause 6.1 of the BC Regulation identifies these prescribed impacts.

Avoidance and minimisation of impacts	
Identify the section(s) of the BCAR that demonstrates how direct impacts on native vegetation and habitat have been avoided and minimised.	Refer to sections 6.2 and 6.3 of the BCAR.
Does the BCAR identify any potential serious and irreversible impacts?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If 'yes', identify the section(s) of the BCAR that demonstrates what actions and measures have been taken to avoid serious and irreversible impacts (required by chapter 10 of the BAM) and what additional and appropriate measures are proposed to minimise those impacts (see section 8.8 of the BC Act).	<p>The proposal has avoided and minimised impacts to Regent Honeyeater and Swift Parrot through an ongoing iteration process that was focused on avoiding the best quality habitat for these species and dedicating this land to conservation under a proposed stewardship site agreement. This has resulted in the avoidance of approximately 607 ha of habitat for the Swift Parrot and Regent Honeyeater</p> <p>Refer to section 6.2, section 6.3 and Table 6.2 of the BCAR and SAI assessments provided as Appendix G.</p> <p>Additional and appropriate measures proposed to minimise impacts on Swift Parrot and Regent Honeyeater habitat include undertaking noisy miner control within BSS in areas adjacent to the proposal site.</p>

¹ Clause 8.1 of the Biodiversity Conservation Regulation 2017 permits avoidance and minimisation measures to be specified as related other approved measures in an order conferring biodiversity certification. These are in addition to the approved conservation measures to offset residual impacts.

<p>Will the biodiversity certification of land result in any prescribed impacts?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>If 'yes', refer to the section(s) of the BCAR that demonstrates what measures are proposed to avoid and minimise any prescribed biodiversity impacts (required under chapters 8 and 9 of the BAM) and offset any remaining impacts (see section 6.3 of the BC Act). Any proposal to offset prescribed impacts using biodiversity credits should be separate to the calculation of biodiversity credits required to offset the residual impacts of clearing native vegetation and loss of habitat.</p>	<p>The proposal has the potential to result in prescribed impacts associated with removal of man-made structures (detention ponds), vehical strike and reduction in water quality.</p> <p>Potential prescribed impacts are discussed in section 7.5 of the BCAR and measures to avoid and minimise impacts are outlined in section 7.7 and 6.3.</p> <p>Provided mitigation measures are implemented, prescribed impacts are anticipated to be relatively minor.</p> <p>Additional offsets for indirect and pescribed impacts have been calculated and are discussed in section 8.1.4 of the BCAR</p>
<p>Does the BCAR identify any potential uncertain impacts?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>If 'yes', has an adaptive management strategy been prepared as required under chapter 9 of the BAM?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Identify the section(s) of the BCAR that demonstrates what measures are proposed to mitigate the indirect impacts of biodiversity certification on biodiversity values (required under chapters 9 and 10 of the BAM).</p>	<p>Refer to section 6.3 of the BCAR.</p>

6 Existing biodiversity credits proposed to be retired as a conservation measure for standard and strategic applications (not including credits identified in section 7)

This section only applies where biodiversity credits are proposed to be retired from an existing biodiversity stewardship agreement or biobanking site that was not entered into as a direct result of this application. Such credits may be found by reviewing the biodiversity credits register. Credits proposed to be retired from a biodiversity stewardship agreement entered into as a direct result of this application are captured under section 7 below. Note, the retirement of biodiversity credits (which can also be met by payment into the Biodiversity Conservation Fund – refer to section 11 of this form) is the only approved conservation measure available for standard biodiversity certification applications.

Are existing biodiversity credits proposed to be retired as a conservation measure? (not including credits identified in section 7)	
<input checked="" type="checkbox"/>	No , biodiversity credits are not proposed to be retired from an existing biodiversity stewardship agreement or biobanking site not entered into as a direct result of this application (go to section 7)
<input type="checkbox"/>	Yes , biodiversity credits are proposed to be retired from an existing biodiversity stewardship agreement or biobanking site not entered into as a direct result of this application (specify below)

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

Name of credit	BBAM or BAM credit ²	Number of credits	In accordance with like-for-like, or variation rules? ³	Current credit holder (name and ID number)	Timing of purchase/retirement of credits
Ecosystem credits					
Species credits					

² Where credits are proposed to be retired from a biobanking agreement under the former *Threatened Species Conservation Act 1995* (i.e. biodiversity banking assessment methodology (BBAM) credits), enter the BBAM credits here. A statement of reasonable equivalence from the Environment Agency Head is required to determine the equivalent number of BAM credits under the BC Act (see clause 19 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017) for section 12 of this form.

³ Strategic applications are only required to have regard to the offset rules in the BC Act as if they applied (see clause 6.9 of the BC Regulation).

7 Biodiversity stewardship agreements for standard and strategic applications

This section only applies where biodiversity credits are proposed to be retired from a biodiversity stewardship agreement that is entered into as a direct result of this application.

Are any biodiversity stewardship agreements proposed as a direct result of this application?	
<input type="checkbox"/>	No , biodiversity stewardship agreements are not proposed as a direct result of this application (go to section 8)
<input checked="" type="checkbox"/>	Yes , biodiversity stewardship agreements are proposed as a direct result of this application (specify below)

One of the ways of retiring credits is for a person to enter into a biodiversity stewardship agreement and then retire some or all of the credits generated. Please provide the information requested below, including a list of all land on which a biodiversity stewardship agreement is proposed as a direct result of this biodiversity certification application. A map showing the boundaries of the proposed biodiversity stewardship agreement(s) is also required.

Note: This part of the application relates to biodiversity stewardship agreements proposed for the purposes of supporting this biodiversity certification application. For retirement of credits from existing biodiversity stewardship agreements or existing biobanking sites, please use section 6 of this form.

This form provides fields for two biodiversity stewardship agreements proposed as a direct result of this biodiversity certification application. Photocopy extra pages if required.

Biodiversity stewardship agreement 1	
Name of proposed biodiversity stewardship agreement	Regrowth Stewardship Site, Kurri Kurri - Note that this site is still in the process of being established
BAM calculator reference number for proposed biodiversity stewardship agreement	00022143/BAAS17098/20/00022144
Party responsible for establishing the biodiversity stewardship agreement (include name, contact details and ACN or ABN if corporation)	McCloy Loxford Land Pty Ltd Suite 2, Ground Floor, 317 Hunter Street, NSW, 2300 46 624 968 092
Timing of retirement of required credits from biodiversity stewardship agreement	Credits will be retired in four stages prior to the commencement of construction of each development stage. This would occur immediately after each development stage is approved if possible, or immediately after the biodiversity stewardship agreement is obtained if development consent is granted prior.
Number and type of credits to be generated and retired	Refer to appendix K of BCAR
Property name and/or street address (if any)	Hart Road Loxford
Number of hectares covered by the proposed stewardship site	Approximately 770 ha

Title reference (lot and DP numbers and folio identifiers)	TBC
Is a biodiversity certification agreement proposed to secure the conservation measure?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Biodiversity stewardship agreement 2	
Name of proposed biodiversity stewardship agreement	
BAM calculator reference number for proposed biodiversity stewardship agreement	
Party responsible for establishing the biodiversity stewardship agreement (include name, contact details and ACN or ABN if corporation)	
Timing of retirement of required credits from biodiversity stewardship agreement	
Number and type of credits to be generated and retired	
Property name and/or street address (if any)	
Number of hectares covered by the proposed stewardship site	
Title reference (lot and DP numbers and folio identifiers)	
Is a biodiversity certification agreement proposed to secure the conservation measure?	<input type="checkbox"/> Yes <input type="checkbox"/> No

8 Additional land-based conservation measures for strategic applications only

Biodiversity stewardship agreements (dealt with in section 7 above) are the only way to create biodiversity credits that can be traded and retired. This section applies to other land-based conservation measures that can be quantified in terms of biodiversity credits, but don't generate tradable biodiversity credits.

Such measures for strategic applications may include reservation of land under the *National Parks and Wildlife Act 1974* or the adoption of development controls under the *Environmental Planning and Assessment Act 1979* that conserve or enhance the natural environment.

Are any additional land-based conservation measures (that don't generate credits) proposed?

(this section is for strategic applications only)

- No**, additional land-based conservation measures are not proposed as a direct result of this strategic biodiversity certification application (go to section 9)
- Yes**, additional land-based conservation measures are proposed as a direct result of this strategic biodiversity certification application (specify below)

Specify the land-based conservation measures that don't generate credits proposed to be implemented as a direct result of this strategic biodiversity certification application.

Note: This part of the application relates to land-based conservation measures that don't generate credits proposed for the purposes of supporting this biodiversity certification application. Do not include biodiversity stewardship agreements or special infrastructure contributions; these are dealt with in sections 7 and 9 respectively. For any other approved conservation measures determined by the Minister in accordance with s8.3(2)(b) of the BC Act, use section 10 of this form.

Please provide the information requested below including a list of all land on which the conservation measures are proposed. A map showing the boundaries of the conservation measure area(s) is also required.

This form provides fields for two land-based conservation measures that don't generate credits proposed as a direct result of this biodiversity certification application. Please photocopy extra pages if required.

Land-based conservation measure 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	
Number and type of credits that conservation measure is equivalent to	
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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Land-based conservation measure 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	
Number and type of credits that conservation measure is equivalent to	
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?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Note: If the conservation measure is the adoption of development controls, supply the relevant local environmental plan or development control plan, including zoning maps

9 Special infrastructure contribution proposed as a conservation measure (strategic applications only)

Applications for strategic biodiversity certification may include special infrastructure contributions (SIC) under the *Environmental Planning and Assessment Act 1979* that are used to conserve or enhance the natural environment in accordance with s8.3(2)(b) of the BC Act.

Is a SIC proposed as a conservation measure?

(this section is for strategic applications only)

No, a SIC is not proposed as a conservation measure (go to section 10)

Yes, a SIC is proposed as a conservation measure (specify below)

Please provide details of the SIC in the table below.

State infrastructure contribution

Details of SIC area declaration and Minister for Planning SIC determination	
Amount of SIC to be dedicated to actions to conserve or enhance the natural environment for the purposes of biodiversity certification	
Number and type of credits to which SIC is equivalent	
Estimated timing of SIC collection into SIC fund (including commencement of SIC collection and estimated collection rate)	
Estimated timing of SIC payments out of SIC fund for the purpose of funding actions to conserve or enhance the natural environment	
Details of actions to conserve or enhance the natural environment proposed to be funded by the SIC	

10 Other measures to be determined by the Minister for Energy and Environment (strategic applications only)

The Minister for Energy and Environment may determine any other measure as an approved conservation measure in accordance with section 8.3(2)(b) of the BC Act (for strategic applications only).

Are any other measures proposed as a conservation measure to be determined by the Minister?

(this section is for strategic applications only)

No, no other conservation measures to be determined by the Minister are proposed (go to section 11)

Yes, other conservation measures to be determined by the Minister are proposed (specify below)

This form provides fields for one other conservation measure to be proposed for determination by the Minister for Energy and Environment as an approved conservation measure. Photocopy extra pages if required.

Other approved conservation measure

Details of the other approved conservation measure	
Number and type of credits to which the other measure is equivalent (if known)	
Timing of implementation of the other conservation measure	
Is a biodiversity certification agreement proposed to secure the other conservation measure?	<input type="checkbox"/> Yes <input type="checkbox"/> No

11 Credit summary

List the name and number of all ecosystem and species credits required for the land where biodiversity certification is proposed. Against each required credit, list the name and number of credits to be retired or the name and number of credits that the conservation measure is equivalent to (where possible). Photocopy extra pages if required.

Type ⁴ of credit required for the land where biodiversity certification is proposed	Name of credit and details of credit profile	Number of credits required for land proposed for certification (A)	Name of credit to be retired or name of credit proposed conservation measure is considered to be equivalent to	Number of credits to be retired or number of credits proposed conservation measure is considered to be equivalent to (B) ⁵	Name of conservation measure ⁶	Surplus/deficit of credits (B – A)
Ecosystem	PCT 1633 Parramatta Red Gum – Narrow-leaved Apple - Prickly-leaved Paperbark shrubby woodland in the Cessnock-Kurri Kurri area	1513	PCT 1633 Parramatta Red Gum – Narrow-leaved Apple - Prickly-leaved Paperbark shrubby woodland in the Cessnock-Kurri Kurri area	1513	Retiring credits at Loxford stewardship site - remainder will be purchased and from open market or funds paid into BCF	0
Ecosystem	PCT 1594 Cabbage Gum-Rough-barked Apple grassy woodland on alluvial floodplains of the lower Hunter	440	PCT 1594 Cabbage Gum-Rough-barked Apple grassy woodland on alluvial floodplains of the lower Hunter	440	Retiring credits at Loxford stewardship site - remainder will be purchased and from open market or funds paid into BCF	0
Ecosystem	PCT 1591 Grey Gum –Rough-braked Apple shrubby open	276	PCT 1591 Grey Gum – Rough-braked Apple shrubby open forest of the lower Hunter	276	Retiring credits at Loxford stewardship site - remainder will be	0

⁴ Ecosystem or species.

⁵ If the credits are from a biobanking agreement, use the number of BAM credits from the statement of reasonable equivalence and attach a copy of the statement.

⁶ Where payment into the Biodiversity Conservation Fund (BCF) is proposed, please record the conservation measure as “BCF payment as alternative to retiring credits”.

	forest of the lower Hunter				purchased and from open market or funds paid into BCF	
Ecosystem	PCT 1600 Spotted Gum - Red Ironbark - Narrow-leaved Ironbark - Grey Box shrub grass open forest of the lower Hunter	938	PCT 1600 Spotted Gum - Red Ironbark - Narrow-leaved Ironbark - Grey Box shrub grass open forest of the lower Hunter PCT 1563 Red Ironbark-Spotted Gum - Prickly-leaved Paperbark shrubby open forest of the Lower Hunter PCT 1592 Spotted Gum-Red Ironbrak - Grey Box shrub-grass open forest of the Lower Hunter	938	Retiring credits at Loxford stewardship site - remainder will be purchased and from open market or funds paid into BCF	0
Ecosystem	PCT 1737 Typha rushland	35	PCT 1737 Typha Rushland	35	Retiring credits at Loxford stewardship site - remainder will be purchased and from open market or funds paid into BCF	0
Species	Acacia bynoeana	87	Acacia bynoean	87	Retiring credits at Loxford stewardship site - remainder will be purchased and from open market or funds paid into BCF	0

Species	Callistemon linearifolius	601	Callistemon linearifolius	601	Retiring credits at Loxford stewardship site - remainder will be purchased and from open market or funds paid into BCF	0
Species	Eucalyptus parramattensis subsp. decedens	6448	Eucalyptus parramattensis subsp. decedens	6448	Retiring credits at Loxford stewardship site - remainder will be purchased and from open market or funds paid into BCF	0
Species	Grevillea parviflora subsp. parviflora	348	Grevillea parviflora subsp. parviflora	348	Retiring credits at Loxford stewardship site - remainder will be purchased and from open market or funds paid into BCF	0
Species	Myotis macropus	699	Myotis macropus	699	Retiring credits at Loxford stewardship site - remainder will be purchased and from open market or funds paid into BCF	0
Species	Petaurus norfolcensis	2420	Petaurus norfolcensis	2420	Retiring credits at Loxford stewardship site - remainder will be purchased and from open market	0

Species	Lanthamus discolor	2899	Lanthamus discolor	2899	or funds paid into BCF	
					Retiring credits at Loxford stewardship site - remainder will be purchased and retired from open market or funds paid into BCF	0
Species	Anthochaera phrygia	2383	Anthochaera phrygia	2383	Retiring credits at Loxford stewardship site - remainder will be purchased and retired from open market or funds paid into BCF	0

12 Documentation required to be attached

Biodiversity certification assessment report

The BCAR must include (sections 6.13 and 6.16 of the BC Act, and clause 6.9 of the BC Regulation):

- assessment of biodiversity values on land proposed for biodiversity certification in accordance with the BAM and assessment of impacts on those biodiversity values in accordance with the BAM
- assessment of biodiversity values on land proposed for conservation measures in accordance with the BAM
- standard application – the number and classes of biodiversity credits required to be retired in accordance with the offset rules (and in accordance with the variation rules if being applied)
- strategic application – the number and classes of biodiversity credits required to be retired if the offset rules applied, and the number and classes of biodiversity credits proposed to be retired
- strategic application – details of any other approved conservation measures that are to be undertaken
- date of the report and certification under section 6.15 of the BC Act
- details of the accreditation of the person preparing the report
- qualifications and experience of any other person commissioned to conduct research or investigations that are relied on in preparing the report
- any other information required by the BAM or ancillary rules

Conservation measures implementation plan

It is a requirement of this application form that a conservation measures implementation plan be provided which details the:

- mechanism for delivery of conservation measures
- responsibility for delivery, including details of biodiversity certification agreements entered or proposed to be entered into
- timing of implementation of conservation measures
- funding sources for delivery of conservation measures
- framework for monitoring, reporting or auditing of the implementation of proposed conservation measures

Consultation with council prior to public consultation

Applicants who are not planning authorities (or who are Local Land Services) must consult with the local council of the area to which the application relates, prior to public consultation.

If applicable, attach to this application:

- a copy of the letter to the local council inviting them to comment on the proposal and giving them at least 42 days to do so
- a copy of any submission received by the local council
- a description of how council's comments have been addressed and any resulting changes to the application. Include justification for any council comments that have not been addressed
- a copy of the applicant's response to council's submission

Biodiversity certification agreements

- attach any draft or executed biodiversity certification agreements that relate to the conservation measures proposed in this form

13 Consultation – Office Use Only

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

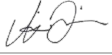
Consultation with council where required

Is the applicant required to consult with the local council?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Did the consultation occur?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Was council given at least 42 days to respond?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Did the consultation occur prior to public consultation?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Copy of council submission provided?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Copy of applicant's response to council's submission provided?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Public consultation

Name of newspaper where notification published	
Website 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
Any changes made to the application as a result of public consultation?	<input type="checkbox"/> Yes <input type="checkbox"/> No

14 Accredited Assessor declaration

Name	Arien Quin
Accreditation number	BSSA 17098
Declaration	<p>I declare that all information supplied in the biodiversity certification assessment report (BCAR) complies with the biodiversity assessment methodology (BAM) and that the BCAR includes certification of its currency (in accordance with section 6.15 of the BC Act).</p> <p>I understand that I am personally accountable for the validity of all data collected and analysis performed in relation to the BCAR and that I have adequately supervised all support team members for this BAM assessment.</p> <p>I have undertaken this BAM assessment within the terms of my accreditation as a Biodiversity Assessment Methodology Assessor and have adhered to the Accredited BAM Assessor Code of Conduct.</p>
Signature	
Date	2/08/2022

15 Consent of other proposed parties

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

Name	McCloy Loxford Land Pty Ltd, ACN 624 968 092
Consent	I consent to being made a party to the biodiversity certification.
Signature	<i>S. Boslem</i> Shane Boslem as attorney under POA Book 4792 No.922
Date	7/07/2022

Name	Dowmere Pty Ltd, ACN 002 160 152
Consent	I consent to being made a party to the biodiversity certification.
Signature	<i>S. Boslem</i> Shane Boslem as attorney under POA Book 4794 No.431
Date	7/07/2022

Name	
Consent	I consent to being made a party to the biodiversity certification.
Signature	
Date	Click or tap to enter a date.

16 Signatures of the applicants

This application should be signed by the applicant or applicants, or their legal representative(s)⁷. 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.

Applicant	Application is signed and certified by either
<input type="checkbox"/> Individual(s)	<input type="checkbox"/> All the individuals who are owners of the land proposed for biodiversity certification <input type="checkbox"/> Individual(s) with the approval in writing of all above land owners
<input checked="" type="checkbox"/> Company	<input type="checkbox"/> the common seal being affixed in accordance with the <i>Corporations Act 2001</i> <input type="checkbox"/> two directors <input checked="" type="checkbox"/> a director and a company secretary <input type="checkbox"/> the director, if a proprietary company that has a sole director who is also the sole company secretary
<input type="checkbox"/> A local council	<input type="checkbox"/> The General Manager (or delegate) in accordance with s377 of the <i>Local Government Act 1993</i> (LG Act) <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 <input type="checkbox"/> Delegate of the Minister for Planning
<input type="checkbox"/> Secretary of the Department of Planning, Industry and Environment	<input type="checkbox"/> Secretary of the Department of Planning, Industry and Environment <input type="checkbox"/> Delegate of the Secretary of the Department of Planning, Industry and Environment
<input type="checkbox"/> Other (specify)	

I/we:

- apply to the Minister administering the *Biodiversity Conservation Act 2016* for biodiversity certification of land identified in section 4 of this form
- include a biodiversity certification assessment report
- 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	RICHARD BROWN	Name	STEPHEN ROBERT
Position	MANAGING DIRECTOR	Position	COMPANY SECRETARY
Date	11/7/22	Date	11/7/22



⁷ 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).

Signature		Signature	
Name		Name	
Position		Position	
Date		Date	

Affix common seal (if signing under seal)

17 Application fee payment method

Enter your payment details below if you are paying by credit card (a merchant fee of 0.4% will be charged to all credit card transactions). Please ensure you provide your signature to authorise the transaction.

Card type	<input type="checkbox"/> MasterCard <input type="checkbox"/> Visa
Card number	■ ■ ■ ■ ■ ■ ■ ■ ■ ■
Expiry date month/year (xx/xx)	■ / ■
CCV number	this is located on the back of your credit/debit card next to the signature panel strip.
Amount (\$)	\$ Click or tap here to enter text.
Cardholder's name	As it appears on the card.
Cardholder's signature	

You may also pay by cheque or money order made payable to the Department of Planning, Industry and Environment. Cheques and money orders should be mailed with the application form.

18 Lodging the application

When you have completed the form, print it and sign where necessary. Then scan the form, ensuring pages with signatures are in colour and the signatures are clear. Finally, submit the application with all supporting documentation electronically to:

Minister for Energy and Environment
 c/- Department of Planning, Industry and Environment
 at the relevant regional office email from the table below

Regional office	Email	Phone
Greater Sydney (Parramatta)	rog.gsrplanning@environment.nsw.gov.au	02 9995 5000
Hunter and Central Coast (Newcastle)	rog.hcc@environment.nsw.gov.au	02 4927 3201
North West (Dubbo)	rog.nw@environment.nsw.gov.au	02 6883 5300
South West (Albury)	rog.southwest@environment.nsw.gov.au	02 6022 0600
North East (Coffs Harbour)	rog.ne@environment.nsw.gov.au	02 6659 8200
South East (Queanbeyan)	rog.southeast@environment.nsw.gov.au	02 6229 7188
Illawarra (Wollongong)	rog.illawarra@environment.nsw.gov.au	02 4224 4150

Office use only

Received date

Completed date

Confirmation issued

Invoice number