



Your ref: SSI-50831979
Our ref: DOC25/70167

Drew Anderson
Senior Planning Officer
Department of Planning, Housing and Infrastructure

By email: drew.anderson@dpie.nsw.gov.au

Dear Drew

Subject: Billabong Creek Environmental Water Regulators (SSI-50831979) - Response to Submissions

Thank you for your email dated 10 June 2026 seeking advice from the Regional Delivery Division (RD) of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) on the Response to Submissions (RTS) for the Billabong Creek Environmental Water Regulators (SSI-50831979) project.

We have reviewed the RTS against the Secretary's Environmental Assessment Requirements (SEARs) provided by the Department of Planning, Housing and Infrastructure to the proponent on 8 December 2022 and RD's advice on the Environmental Impact Statement (EIS) provided to you on 28 November 2024.

RD considers the flooding issues have been resolved. We are satisfied with the responses provided in the RTS.

RD also considers most issues relating to biodiversity have been resolved. We are satisfied with the responses provided in the RTS, together with the revised *Appendix D Billabong Creek Regulators - Biodiversity Development Assessment Report* (GHD, June 2025). When preparing the Biodiversity Management Plan (BMP) the proponent must use binding language (e.g. not use "consideration of" or "where appropriate") to ensure approved management actions are implemented. The BMP should also include the following statements:

- Construction works will avoid breeding periods for threatened species known or assumed to occur on site
- Supplementary survey will occur to confirm the extent of threatened species within the development footprint.

All plans required as a Condition of Approval that relate to biodiversity and flooding should be developed in consultation with, and to the satisfaction of, RD.

If you have any questions about this advice, please contact Giorginna Xu, Senior Conservation Planning Officer via planning.southwest@environment.nsw.gov.au or (02) 4927 3185.

Yours sincerely



Adam Vey
Director South West
Regional Delivery
Conservation Programs, Heritage and Regulation Group
NSW Department of Climate Change, Energy, the Environment and Water

23 June 2025