



31 August 2020

Planning Secretary  
Department of Planning and Environment  
320 Pitt Street  
Sydney NSW 2000

Dear Planning Secretary,

**SSD7348 – OAKDALE WEST BIODIVERSITY OFFSETS**

I write on behalf of the Applicant, Goodman Property Services (Aust) Pty Ltd in respect of Condition D90 of SSD7348 for the Oakdale West Estate & Western North South Link Road (Lot 3031 DP1168407, Lot 6 DP229784, Lot 2 DP84578, Lot 3 DP85393, Lot 11 DP 1178389), confirming that the biodiversity offsetting requirements detailed in Condition D.90 have now been satisfied.

***D90.** Within 12 months of the date of this development consent, or as otherwise agreed with the Planning Secretary, the Applicant must retire 173 ecosystem credits to offset the removal of 4.36 hectares of native vegetation on the site.*

Please find the attached letter from EMM Consulting which details how the credit offsetting obligations have been achieved.

Yours sincerely,

Kym Dracopoulos  
Manager Technical Services  
Goodman Property Services (Aust) Pty Ltd

28 August 2020



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To: Luke Ridley  
Project Manager  
Goodman Property Services (Aust) Pty Ltd  
From: Steven Ward  
Subject: Oakdale West biodiversity offsets

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Dear Luke,

## 1 Background

Goodman Property Services (Aust) Pty Ltd are currently developing an industrial estate in western Sydney, known as Oakdale West. Oakdale West has State Significant Development (SSD) consent SSD\_7348 under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). There have been a number of modifications to the project, with Modification 4 the current most recent approval. The relevant updated conditions of consent relating to biodiversity credit requirements from modification 4 are:

D90. Within 12 months of the date of this development consent, or as otherwise agreed with the Planning Secretary, the Applicant must retire 173 ecosystem credits to offset the removal of 4.36 hectares of native vegetation on the Site.

**Note:** *If the Applicant seeks a variation to the offset rules, the Applicant must demonstrate that reasonable steps have been taken to find like-for-like offsets in accordance with Section 10.5.4.2 of the FBA and Appendix A of the OEH's NSW Biodiversity Offsets Policy for Major Projects 2014. In accordance with Principle 3 of the OEH's NSW Biodiversity Offsets Policy for Major Projects 2014, the Policy does not allow variations to the offset rules to be applied to 'threatened species and ecological communities that are considered nationally significant (listed under the Environmental Protection and Biodiversity Conservation Act 1999)'. These must be offset in a like for like manner*

This letter addresses condition of consent D90 with regards to evidence of retirement of credits.

## 2 Details of biodiversity credit requirements to be met

The biodiversity assessment for the project was performed using the Framework for Biodiversity Assessment method, which identified the Biobanking credit obligation.

The credits required were converted to a Biodiversity Assessment Method (BAM) credit requirement by obtaining a 'statement of reasonable credit equivalence' from the Department of Planning, Industry and Environment (DPIE) Environment Agency Head on 2 July 2020 (Appendix A; Table 2.1). This resulted in a change of the number of credits required for plant community type (PCT) 1232 - *Swamp Oak floodplain, Swamp forest, Sydney Basin Bioregion and South East Corner Bioregion* (HN594), but with credit requirements unchanged for the other three PCTs (Table 2.1).

**Table 2.1 Ecosystem credits**

Plant Community Type	Biodiversity credit name	Biobanking credits required	BAM credits required (from statement of reasonable equivalence)
PCT 1232	Swamp Oak floodplain swamp forest, Sydney Basin Bioregion and South East Corner Bioregion (HN594)	69	54
PCT 835	Forest red gum – Rough-barked apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion (HN526)	33	33
PCT 849	Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion (HN528)	41	41
PCT850	Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion (HN529)	30	30
<b>Total</b>		<b>173</b>	<b>158</b>

### 3 How biodiversity credit requirements have been met

The biodiversity credit requirements have been met through two processes:

1. Utilising the NSW Government's Biodiversity Conservation Fund (BCF).
2. Retirement of credits.

Further details are provided in the sections below.

#### 3.1 Payment into the Biodiversity Conservation Fund

Offset requirements for two PCTs (PCT 1232 and PCT 8365) were met through payment into the BCF on 13 August 2020 (Table 3.1). A copy of statement confirming payment into the fund to meet these credit obligations is provided in Appendix B.

**Table 3.1 Credit requirements met via payment into the Biodiversity Conservation Fund**

Biodiversity credit ID	Biodiversity credit name	Number of credits	Cost per credit (excl. GST)	Total payment (excl. GST)
PCT 1232	Swamp Oak floodplain swamp forest, Sydney Basin Bioregion and South East Corner Bioregion (HN594)	54	\$16,487.13	\$890,304.97
PCT 835	Forest red gum – Rough-barked apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion (HN526)	33	\$16,487.13	\$544,075.26
<b>Total (incl. GST)</b>				<b>\$1,434,380.23</b>

## 3.2 Credit retirement

Biobanking credits were retired to meet the obligation for two PCTs (PCT 849 and PCT 850), as summarised in Table 3.2.

Credits were retired in two tranches. Goodman Property Services (Aust) purchased 13 x PCT 849 credits. The adjoining Oakdale South development (SSD\_6917), also being managed by Goodman, needed to retire a total of 12 x PCT 849 credits. On 8 April 2020 13 x PCT 849 credits were retired, with 12 of the 13 credits applied to SSD\_6917 and one credit applied to development SSD\_7348. A letter from the Department of Planning, Industry and Environment (DPIE) is attached (Appendix C) as evidence of the retirement of this one credit for PCT 849 against SSD\_6917.

A second tranche of credit retirement occurred on 11 August 2020 (Appendix D). In this transaction 40 x PCT 849 and 30 x PCT 850 credits were retired.

**Table 3.2 Credits to be retired**

Biodiversity credit ID number	Biodiversity credit name	Number of credits
PCT 849	Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion (HN528)	1 <sup>1</sup>
PCT 849	Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion (HN528)	40 <sup>2</sup>
PCT 850	Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion (HN529)	30 <sup>2</sup>
<b>Total</b>		<b>71</b>

Notes: 1. Transaction on 8 April 2020, transaction number 202004-RT-524 (Appendix C).  
2. Transaction on 11 August 2020, transaction number 202008-RT-558 (Appendix D).

## 4 Conclusion

A total of 173 ecosystems credits were required to be offset as part of the condition of consent D90. Through an assessment of reasonable equivalence, converting BioBanking credits to BAM credits, this became 158 ecosystem credits.

This biodiversity credit obligation has been met in full through a combination of payment to the BCT to offset 87 credits, and retirement of 71 BioBanking ecosystem credits to meet the remaining credit requirement.

Yours sincerely,



**Steven Ward**  
Associate Ecologist  
[sward@emmconsulting.com.au](mailto:sward@emmconsulting.com.au)

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Appendix A

# Statement of reasonable credit equivalence

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## Statement of assessment of reasonable equivalence of biodiversity credits

A delegate of the Environment Agency Head of the Department of Planning Industry and Environment has determined that the number of biodiversity credits required to be retired under the *Threatened Species Conservation Act 1995 (TSC Act)* as part of the development consent listed in Part 1, are reasonably equivalent to the number and class of biodiversity credits under the *Biodiversity Conservation Act 2016 (BC Act)* set out in Part 2.

This document outlines that determination, made in accordance with clause 22(3) of the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*.

### Part 1 Existing statutory obligation to retire credits

<b>Request made by:</b>	Goodman Property Services (Aust) Pty Ltd
<b>Date request received</b>	15 <sup>th</sup> June 2020
<b>Development Consent reference</b>	SSD7348 MOD1
<b>Development name</b>	Oakdale West Estate

Existing statutory obligation reference	Biodiversity credit name (Plant Community Type name and ID, or threatened species name)	IBRA sub region	Number of credits
SSD7348 MOD1	Forest Red Gum - Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion	Cumberland	33
SSD7348 MOD1	Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	Cumberland	41
SSD7348 MOD1	Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion	Cumberland	30
SSD7348 MOD1	Swamp Oak floodplain swamp forest, Sydney Basin Bioregion and South East Corner Bioregion	Cumberland	69

## Part 2 Determination of reasonable equivalence

The number and class of biodiversity credits that are reasonably equivalent under the BC Act are:

### Ecosystem Credits

1. **Name of Plant Community Type:** Forest Red Gum - Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion PCT 835 (HN526)

<b>Number of ecosystem credits required</b>	33 <sup>12</sup>
<b>Offset trading group</b>	River-Flat Eucalypt Forest on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions
<b>Hollow bearing trees</b>	Not applicable
<b>Vegetation class</b>	Coastal Floodplain Wetlands
<b>Vegetation formation</b>	Forested Wetlands
<b>IBRA<sup>3</sup> subregion</b>	Cumberland and any IBRA subregion that adjoins the subregion within which the development occurs and any such subregion that is within 100 kilometres of the outer edge of the impact site.

<sup>1</sup> Management zone Moderate-Good, Moderate-Good Medium and Moderate-Good High combined

<sup>2</sup> Matching credits are available on the Biobanking Register for HU526 in 26 Biobanking Agreements including BA413 and BA112. In accordance with the approved method a full recalculation of credit numbers was not undertaken.

<sup>3</sup> Interim Biogeographic Regionalisation for Australia

2. **Name of Plant Community Type:** Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion PCT 849 (HN528)

<b>Number of ecosystem credits required</b>	36 <sup>45</sup>
<b>Offset trading group</b>	Cumberland Plain Woodland in the Sydney Basin Bioregion
<b>Hollow bearing trees</b>	Vegetation containing hollow-bearing trees
<b>Vegetation class</b>	Coastal Valley Grassy Woodlands
<b>Vegetation formation</b>	Grassy Woodlands
<b>IBRA<sup>6</sup> subregion</b>	Cumberland and any IBRA subregion that adjoins the subregion within which the development occurs and any such subregion that is within 100 kilometres of the outer edge of the impact site.

3. **Name of Plant Community Type:** Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion PCT 849 (HN528)

<b>Number of ecosystem credits required</b>	5 <sup>78</sup>
<b>Offset trading group</b>	Cumberland Plain Woodland in the Sydney Basin Bioregion
<b>Hollow bearing trees</b>	Not applicable
<b>Vegetation class</b>	Coastal Valley Grassy Woodlands
<b>Vegetation formation</b>	Grassy Woodlands
<b>IBRA<sup>9</sup> subregion</b>	Cumberland and any IBRA subregion that adjoins the subregion within which the development occurs and any such subregion that is within 100 kilometres of the outer edge of the impact site.

<sup>4</sup> Management zone Moderate-Good

<sup>5</sup> Matching credits are available on the Biobanking Register for HU528 in 44 Biobanking Agreements including BA284 and BA213. In accordance with the approved method a full recalculation of credit numbers was not undertaken.

<sup>6</sup> Interim Biogeographic Regionalisation for Australia

<sup>7</sup> Management zone Moderate-Good Medium and Moderate-Good High combined

<sup>8</sup> Matching credits are available on the Biobanking Register for HU528 in 44 Biobanking Agreements including BA284 and BA213. In accordance with the approved method a full recalculation of credit numbers was not undertaken.

<sup>9</sup> Interim Biogeographic Regionalisation for Australia



4. **Name of Plant Community Type:** Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion PCT 850 (HN529)

<b>Number of ecosystem credits required</b>	27 <sup>1011</sup>
<b>Offset trading group</b>	Cumberland Plain Woodland in the Sydney Basin Bioregion
<b>Hollow bearing trees</b>	Not applicable
<b>Vegetation class</b>	Coastal Valley Grassy Woodlands
<b>Vegetation formation</b>	Grassy Woodlands
<b>IBRA<sup>12</sup> subregion</b>	Cumberland and any IBRA subregion that adjoins the subregion within which the development occurs and any such subregion that is within 100 kilometres of the outer edge of the impact site.

5. **Name of Plant Community Type:** Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion PCT 850 (HN529)

<b>Number of ecosystem credits required</b>	3 <sup>1314</sup>
<b>Offset trading group</b>	Cumberland Plain Woodland in the Sydney Basin Bioregion
<b>Hollow bearing trees</b>	Vegetation containing hollow-bearing trees
<b>Vegetation class</b>	Coastal Valley Grassy Woodlands
<b>Vegetation formation</b>	Grassy Woodlands
<b>IBRA<sup>15</sup> subregion</b>	Cumberland and any IBRA subregion that adjoins the subregion within which the development occurs and any such subregion that is within 100 kilometres of the outer edge of the impact site.

<sup>10</sup> Management zone Moderate-Good

<sup>11</sup> Matching credits are available on the Biobanking Register for HU529 in 51 Biobanking Agreements including BA284 and BA213. In accordance with the approved method a full recalculation of credit numbers was not undertaken.

<sup>12</sup> Interim Biogeographic Regionalisation for Australia

<sup>13</sup> Management zone Moderate-Good High

<sup>14</sup> Matching credits are available on the Biobanking Register for HU529 in 51 Biobanking Agreements including BA284 and BA213. In accordance with the approved method a full recalculation of credit numbers was not undertaken.

<sup>15</sup> Interim Biogeographic Regionalisation for Australia

6. **Name of Plant Community Type:** Swamp Oak floodplain swamp forest, Sydney Basin Bioregion and South East Corner Bioregion PCT 1232 (HN594)

<b>Number of ecosystem credits required</b>	54
<b>Offset trading group</b>	River-Flat Eucalypt Forest on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions
<b>Hollow bearing trees</b>	Not applicable
<b>Vegetation class</b>	Coastal Swamp Forests
<b>Vegetation formation</b>	Forested Wetlands
<b>IBRA<sup>16</sup> subregion</b>	Cumberland and any IBRA subregion that adjoins the subregion within which the development occurs and any such subregion that is within 100 kilometres of the outer edge of the impact site.

This statement was issued on 2 July 2020.

Authorised by:



**DEREK RUTHERFORD**  
**Director Conservation Programs**  
**Department of Planning Industry and Environment**  
 Delegate of the Environment Agency Head

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<sup>16</sup> Interim Biogeographic Regionalisation for Australia

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Appendix B

# Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation

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## Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation

Pursuant to section 6.33 of the *Biodiversity Conservation Act 2016*, the NSW Biodiversity Conservation Trust confirms that the following payments have been made into the Biodiversity Conservation Fund under section 6.30(1) of the Act to satisfy an obligation to retire biodiversity credits.

Payment made by:		Goodman Property Services (Aust) Pty Ltd			
Date received:		13/08/2020			
NSW statutory obligation reference <sup>1</sup>		SSD 7348			
Commonwealth EPBC Act controlled action reference (if applicable) <sup>2</sup>					
BCT Reference		BCF123			
Biodiversity credit retirement obligations satisfied by payment to the Biodiversity Conservation Fund:					
Biodiversity credit type (Credit ID and name)	Offset trading group	EPBC Act Controlled Action offset obligation (Y / N)	Number of credits	Cost per credit  (Exc. GST)	Total payment per credit type  (Exc. GST)
835- Forest Red Gum - Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion	River-Flat Eucalypt Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions Endangered Ecological Community	No	33	\$16,487.13	\$544,075.26
1232-Swamp Oak floodplain swamp forest, Sydney Basin Bioregion and South East Corner Bioregion	River-Flat Eucalypt Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions Endangered Ecological Community	No	54	\$16,487.13	\$890,304.97
Total (Exc. GST)					\$1,434,380.23
GST					\$143,438.02
Total (Inc. GST)					\$1,577,818.25

<sup>1</sup>This refers to either; a development application number for a development consent under Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, a State significant infrastructure approval under the previous Part 5.1 (now Part 5, Division 5.2) of the EP&A Act, a decision of a determining authority to carry out or approve the carrying out of an activity under Part 5 of the EP&A Act, or a biobank statement number or biodiversity certification number.

<sup>2</sup> This refers to a controlled action under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* for which a biodiversity offset obligation has been met through payment into the BCF.

A handwritten signature in black ink, appearing to read 'P. Elton', with a long horizontal flourish extending to the right.

Paul Elton

**Chief Executive Officer**

**Date:** 14 August 2020

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Appendix C

# Letter from DPIE for credit retirement on 8 April 2020

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Goodman Property Services (Aust) Pty Ltd is the managing agent for BGMG 8, and a total of 13 credits were retired by this entity. It was discussed and agreed with NSW Environment, Energy and Science that 12 credits were retired to meet offset obligations for SSD6917 (Oakdale South), and the remaining credit 1 credit to meet part of the biodiversity offset obligation for SSD7348 (Oakdale West). This appendix provides documentation to the retirement of this credit.



Mr Luke Ridley  
Level 17, 60 Castlereagh Street  
Sydney NSW 2000

Our ref: EF 18/1871

06 August 2020

Dear Mr Ridley

**Subject: Credit Retirement 202004-RT-524\_BGMG**

With reference to Goodman's recent application to retire Biodiversity credits, I confirm that thirteen (13) HN528 (Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion) credits were retired on 8<sup>th</sup> April 2020.

Of the credits retired, twelve (12) HN528 credits were retired against SSD6917 (Oakdale South). One (1) HN528 credit was retired against SSD7348 (Oakdale West).

I have attached a copy of the credit retirement report for the transaction. Please do not hesitate to contact me on (02) 9995 5853 or [phil.wood@environment.nsw.gov.au](mailto:phil.wood@environment.nsw.gov.au) should you require any further information.

Yours sincerely,

Phil Wood  
Principal Project Officer  
Ecosystem Assessment  
Biodiversity and Conservation Division



## Credit retirement report

**Effective date:** 08-April-2020

**Transaction number:** 202004-RT-524

### Credit owners' details

**Credit owner ID:** 519

**Name of credit holder:** BGMG 8 PTY LTD

**Other owner(s):**

No other owners

**Reason for retirement:** to comply with a State significant development or State significant infrastructure project approval

Ecosystem credit(s) retired								
Number of credits	Credit profile ID	Agreement ID	Vegetation code	Vegetation type	CMA subregion	% surrounding vegetation	Patch size	Vegetation formation(see key)
13	2,770	336	HN528	HN528/Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	Cumberland - Hawkesbury/Nep ean	>70%	<5 ha	GRW

**Key to vegetation formations**

<b>Code</b>	<b>Vegetation formation</b>
ALP	Alpine complex
ASA	Arid shrublands (Acacia)
ASC	Arid shrublands (Chenopod)
DSG	Dry sclerophyll forests (shrub/grass)
DSS	Dry sclerophyll forests (shrubby)
FRW	Forested wetlands
FWW	Freshwater wetlands
GLD	Grasslands
GRW	Grassy woodlands
HLD	Heathlands
MES	Miscellaneous ecosystems
RFT	Rainforests
SAW	Saline wetlands
SWG	Semi-arid woodlands (grassy)
SWS	Semi-arid woodlands (shrubby)
WSG	Wet sclerophyll forests (grassy)
WSS	Wet sclerophyll forests (shrubby)

The credit register provides further information about credit holdings and reports about credit trading activity. To view this information, please visit the public register website at [www.environment.nsw.gov.au/bimspr/index.htm](http://www.environment.nsw.gov.au/bimspr/index.htm)

For more information, please contact the BioBanking Scheme Manager - phone (02) 9995 6753; email [biobanking@environment.nsw.gov.au](mailto:biobanking@environment.nsw.gov.au)

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Appendix D

# Credit Retirement Report - 11 August 2020

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## Credit retirement report

**Effective date:** 11-August-2020

**Transaction number:** 202008-RT-558

**Credit owners' details**

**Credit owner ID:** 690

**Name of credit holder:** BGMG 11 Pty Limited as trustee for BGMG 1 Oakdale West Trust

**Other owner(s):**  
No other owners

**Reason for retirement:** to meet part of the biodiversity credit development obligation for SSD 7348.

# Ecosystem credit(s) retired

Number of credits	Credit profile ID	Agreement ID	Vegetation code	Vegetation type	CMA subregion	% surrounding vegetation	Patch size	Vegetation formation(see key)
18	3,287	413	HN528	HN528/Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	Cumberland - Hawkesbury/Nep ean	11-30%	<5 ha	GRW
22	2,596	283	HN528	HN528/Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	Cumberland - Hawkesbury/Nep ean	>70%	<5 ha	GRW
28	3,509	447	HN529	HN529/Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion	Cumberland - Hawkesbury/Nep ean	31-70%	<5 ha	GRW
2	3,514	447	HN529	HN529/Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion	Cumberland - Hawkesbury/Nep ean	31-70%	<5 ha	GRW

**Key to vegetation formations**

<b>Code</b>	<b>Vegetation formation</b>
ALP	Alpine complex
ASA	Arid shrublands (Acacia)
ASC	Arid shrublands (Chenopod)
DSG	Dry sclerophyll forests (shrub/grass)
DSS	Dry sclerophyll forests (shrubby)
FRW	Forested wetlands
FWW	Freshwater wetlands
GLD	Grasslands
GRW	Grassy woodlands
HLD	Heathlands
MES	Miscellaneous ecosystems
RFT	Rainforests
SAW	Saline wetlands
SWG	Semi-arid woodlands (grassy)
SWS	Semi-arid woodlands (shrubby)
WSG	Wet sclerophyll forests (grassy)
WSS	Wet sclerophyll forests (shrubby)

The credit register provides further information about credit holdings and reports about credit trading activity. To view this information, please visit the public register website at [www.environment.nsw.gov.au/bimspr/index.htm](http://www.environment.nsw.gov.au/bimspr/index.htm)

For more information, please contact the BioBanking Scheme Manager - phone (02) 9995 6753; email [biobanking@environment.nsw.gov.au](mailto:biobanking@environment.nsw.gov.au)