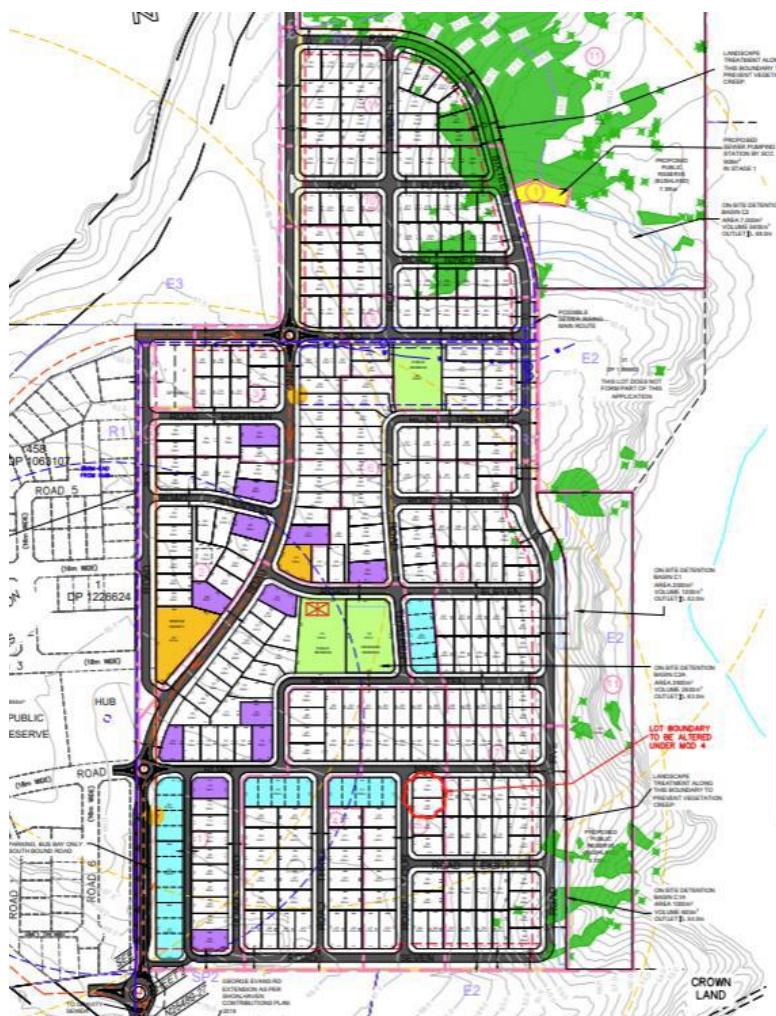


# Mundamia Residential Subdivision Modification 4

State Significant Development Modification Assessment Report (SSD-7169-MOD-4)

December 2024





# Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Modification 4 of Mundamia Residential Subdivision (SSD-7169-MOD-4)  
Assessment Report

Published: December 2024

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# Preface

This assessment report provides a record of the Department of Planning, Housing and Infrastructure's (the Department) assessment and evaluation of modification 4 of the State significant development (SSD) application for Mundamia Residential Subdivision. The report includes:

- an assessment of the modification against government policy and statutory requirements, including mandatory considerations
- a demonstration of how matters raised by the community and other stakeholders have been considered
- an explanation of any changes made to the modification during the assessment process
- an assessment of the likely environmental, social and economic impacts of the modification
- an evaluation which weighs up the likely impacts and benefits of the modification, having regard to the proposed mitigations, offsets, community views and expert advice; and provides a view on whether the impacts are on balance, acceptable
- an opinion on whether the modification is approvable or not, to assist the Independent Planning Commission in making an informed decision about whether the consent for the project can be modified and any conditions that should be imposed.

# Executive Summary

This report details the Department's assessment of the proposal to modify the State significant development application approval (SSD-7169) for a 308-lot residential subdivision in Mundamia, in the Shoalhaven local government area (LGA). This report is provided to the Independent Planning Commission (IPC) as the consent authority. The IPC is the consent authority because Allen Price Pty Ltd (the Applicant) disclosed a reportable political donation.

The modification seeks to modify Condition D14 to substitute biodiversity offset credits that are not available on biobanking credit registers with available credits, correct the Plant Community Types (PCTs) listed in D14, and shift the boundary between Lots 519 and 520.

The proposed modification is within the scope of section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and does not constitute a new development application.

The Department did not exhibit the modification but engaged with Biodiversity, Conservation and Science (BCS) from the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) (section 4.1) and published the application on the NSW Planning Portal. No public submissions were received.

Condition D14 requires specific credits to be retired in accordance with the Framework for Biodiversity Offset Assessment (the Framework). However, the Applicant identified that credits for the PCTs listed in Condition D14 were not available for purchase and that incorrect PCT Code numbers had been listed. It therefore is seeking more flexible wording in Condition D14 to allow credits to be varied, and the correct PCT Code numbers to be listed.

The Framework provides for offset credits to be varied, subject to reasonable steps having been taken to acquire credits, the proposed substitute credits including the same vegetation formation, the proposed credits not comprising PCTs associated with endangered ecological communities, and the proposed credits not including a cleared value that is less than the original credits. BCS and the Department are satisfied that the modification meets these requirements.

The modification also seeks to shift the boundary shared by approved Lots 519 and 520 by 1m to increase lot size diversity. The proposed boundary shift raises no concerns.

Overall, the Department's assessment concludes the modified project would enable biodiversity offset credits to be obtained and retired in accordance with the development consent and Condition D14, and support diversity in the size of housing lots within the subdivision.

As such, the Department considers the modified project to be in the public interest and concludes that the consent may be modified subject to conditions.

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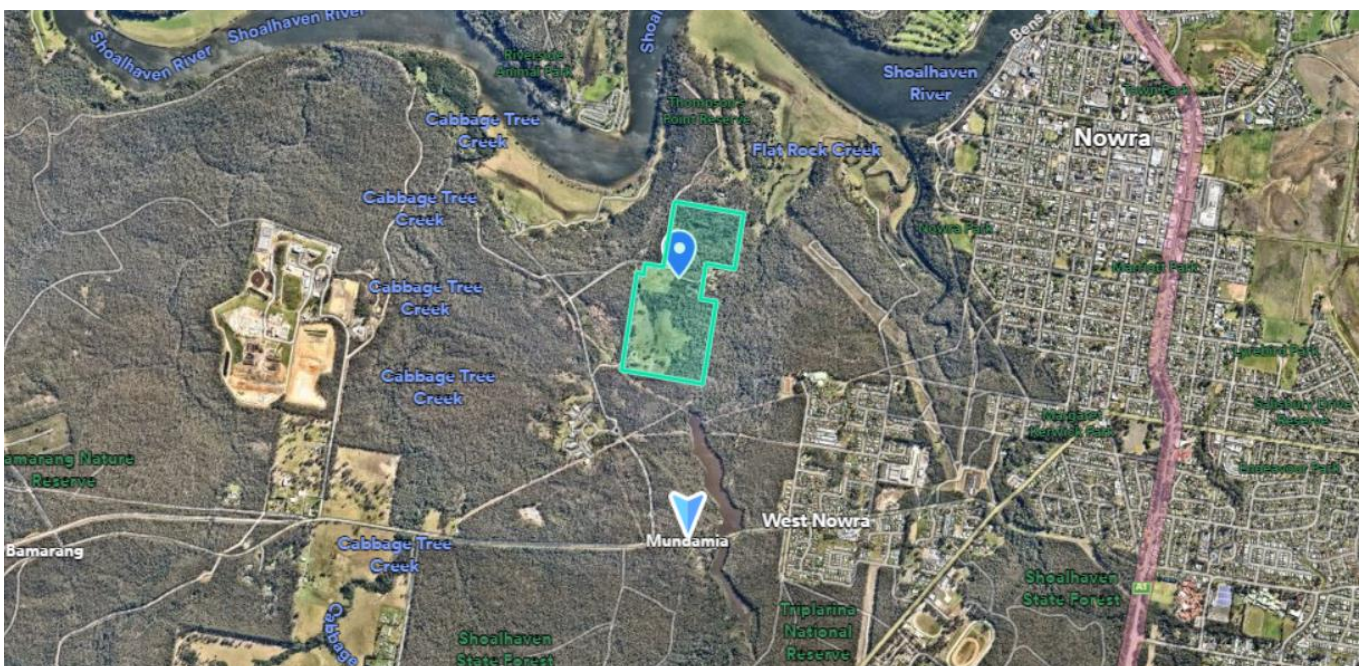
# 1 Introduction

## 1.1 The proposal

1. On 23 December 2019, the Independent Planning Commission granted consent for a 308-lot residential subdivision, open space and drainage reserves at Mundamia in the Shoalhaven local government area (LGA).
2. Allen Price Pty Ltd (the applicant) now proposes to modify the consent to substitute biodiversity offset credits within Condition D14, to correct the plant community types listed in D14, and to make minor changes to Lots 519 and 520.

## 1.2 Project location

3. The subject site is located at Mundamia in the Shoalhaven local government area (LGA) and within the Nowra-Bomaderry region of NSW (see Figure 1).
4. The site is legally described as Lot 30 in DP 1198692 and is approximately 41.3 hectares (ha).
5. The development site is located approximately 2.5 kilometres (km) west of the Nowra town centre, 1.5 km west of the suburb of West Nowra, and 300 m south of the Shoalhaven River.
6. The site forms part of the Mundamia Urban Release Area (URA). The Mundamia URA comprises approximately 53 ha of land and is intended to provide up to 720 new homes for approximately 1,800 residents within the Nowra-Bomaderry region.



**Figure 1** | Regional context map (Source: Nearthmaps 24 Aug 2024)

## 1.2.1 Approval history

7. Development application SSD-7169 was approved by the Independent Planning Commission (IPC) on 23 December 2019. The approval included:
  - a 308-lot residential subdivision
  - a Neighbourhood Safer Place (NSP)
  - open space
  - drainage reserves.
8. The IPC determination included deferred commencement conditions relating to bushfire, water supply and design amendments. These conditions were discharged in 2021.
9. Relevantly, the IPC determination also included Condition D14 to ensure that the clearing of 10.46ha of PCTs listed in the Framework for Biodiversity Offset Assessment was offset by the purchase of credits per the Applicant’s Biodiversity Offset Strategy. Condition D14 specifically listed PCT code numbers and the number of credits required.
10. The consent has been modified on two occasions and one modification (MOD 3) is currently under assessment (see **Table 1**).

**Table 1** | Summary of modifications

	Description	Decision-maker	Type	Date
<b>MOD 1</b>	Correct error in Condition A1(6)(iii) to remove Council as responsible for the Bushfire Traffic Management Plan and Emergency/ Evacuation Management Plan, and limiting Council responsibility for remaining plans.	IPC	4.55(1)	28/9/21
<b>MOD 2</b>	Replace Environment, Energy and Science Group (EESG) with the Planning Secretary as the approval authority for the Aboriginal Cultural Heritage Management Plan (ACHMP).	IPC	4.55(1)	23/6/23
<b>MOD 3</b>	Increase stormwater drainage basins capacities, reconfigure lots and roads, consolidate the public open space areas, alter delivery staging, examine the flora & fauna impacts of the sewer pumping station, and re-examine bushfire requirements	IPC	4.55(1A)	TBC

## 2 Proposed modification

### 2.1 Modification overview

11. The modification seeks changes to two aspects of the project:
  - Condition D14, which sets out the biodiversity offset credits the Applicant must retire
  - Appendix 1 which sets out the approved subdivision plans.

#### 2.1.1 Biodiversity offset credits (Condition D14)

12. Condition D14 was imposed by the IPC to ensure that the clearing of 10.46ha of plant community types listed in the Framework for Biodiversity Offset Assessment was offset by the purchase of credits per the Applicant's Biodiversity Offset Strategy. It includes:

*The Applicant must retire the credits listed in Table 1 to offset the ecological impacts of the development in accordance with the Framework for Biodiversity Offset Assessment. The credits must be retired in phases prior to the commencement of works within stages 1, 4 and 7 of the development, in accordance with the minimum requirements set out in Table 1 below.*

Table 1: Total Ecosystem and Species Credits Required to Offset the Development

Summary of Ecosystem Credits		
Plant Community Type	Impact Area (ha)	Credits Required
SR549 Grey Gum –Blue-leaved Stringybark open forest on gorge slopes, southern Sydney Basin Bioregion and north east South Eastern Highlands Bioregion	4.27	251
SR595 Hairpin Banksia- Kunzea ambigua – Allocasuarina distyla heath on coastal sandstone plateaux, Sydney Basin Bioregion	2.29	109
SR648 Red Bloodwood – scribbly gum healthy woodland on sandstone plateaus of the Sydney Basin Bioregion	3.16	151



### Summary of Ecosystem Credits

SR556 Swamp mahogany swamp sclerophyll forest on coastal lowlands of the Sydney Basin Bioregion and South East Corner Bioregion	0.74	33
<b>TOTAL</b>	10.46	544

13. The Applicant has identified the following constraints and errors with the wording of Condition D14 and seeks modifications to Condition D14 to address them:
- The condition should allow more flexibility in the process for varying credits by allowing the Planning Secretary to approve variations, and referring to the NSW Biodiversity Offset Policy for Major Projects rather than the Framework for Biodiversity Offset Assessment.
  - The Applicant has been unable to source credits for Grey Gum, Red Bloodwood and Hairpin Banksia PCTs in credit markets due to market constraints and therefore proposes to provide the following alternates:
    - SR549 Grey Gum (blue-leaved stringy bark) or SR594 Red Bloodwood (*hard-leaved scribbly gum*), both classed as dry sclerophyll forests
    - SR556 Hairpin Banksia (*Kunzea ambigua*, *allocasuarina distyla* heath) or SR557 Hairpin Banksia (*slender tea-tree heath*), both classed as Sydney coastal heaths
    - SR595 Red Bloodwood (*scribbly gum* heathy woodland) or SR594 Red Bloodwood (*hard-leaved scribbly gum*), both classed as dry sclerophyll forests.
  - The incorrect code numbers were applied for the Hairpin Banksia, Red Bloodwood and Swamp Mahogany PCTs and need to be corrected.

#### 2.1.2 Approved subdivision plans

14. The Applicant also proposes to shift the boundary of lots 519 and 520 by 1 metre to provide some diversity in lot size in this part of the subdivision. This would require the approved plan for the subdivision layout listed in Schedule 1 to be updated with reference to a revised plan.

# 3 Statutory context

## 3.1 Scope of modification and assessment pathway

15. Details of the legal pathway under which modification is sought are provided in Table 2 below.

**Table 2** | Permissibility and assessment pathway

Consideration	Description
<b>Scope of modification</b>	<p>Modification involving minimal environmental impact</p> <p>The Department has reviewed the scope of the modification and considers that it can be characterised as a modification involving minimal environmental impact as the proposal substitutes biodiversity offset credits specified in Condition D14 of the development consent, and the proposal otherwise only involves minor changes to D14 and to adjust one lot boundary by 1m within an approved 308 lot residential subdivision.</p> <p>The Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&amp;A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&amp;A Act rather than requiring a new development application to be lodged.</p>
<b>Consent Authority</b>	<p>Independent Planning Commission</p> <p>The Applicant has disclosed a reportable political donation. Therefore, the IPC is the consent authority for the project, as originally declared under section 4.5(a) of the EP&amp;A Act and s 2.7(1) of the Planning Systems SEPP.</p>

## 3.2 Mandatory matters for consideration

### 3.2.1 Matters of consideration required by the EP&A Act

16. In determining the modification, the consent authority must take into consideration the matters referred to in section 4.15(1) of the EP&A Act which are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is

sought to be modified. The Department’s consideration of these matters is shown in Table 3 below.

**Table 3 | Matters for consideration**

Matter for consideration	Department’s assessment
<b>Environmental planning instruments, proposed instruments, development control plans &amp; planning agreements</b>	Appendix C
<b>EP&amp;A Regulation</b>	Appendix C
<b>Likely impacts</b>	Section 5 - Assessment
<b>Suitability of the site</b>	Section 1 Introduction, Section 2 Proposed and Section 5 – Assessment
<b>Public submissions</b>	No public submissions were received.
<b>Public interest</b>	Section 4 - Engagement, Section 5 - Assessment and Section 6 - Evaluation

### 3.2.2 Objects of the EP&A Act

17. In determining whether or not to modify the consent, the consent authority should consider whether the modified project is consistent with the relevant objects of the EP&A Act (section 1.3) including the principles of ecologically sustainable development. Consideration of those factors is described in Appendix C.
18. The Department is satisfied that the development is consistent with the objectives of the EP&A Act and the principles of ecologically sustainable development (ESD).

### 3.2.3 Biodiversity development assessment report

19. Section 7.17(2) of the Biodiversity Conservation Act 2016 (BC Act) requires all SSD modifications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the authority or person determining the application is satisfied that the modification will not increase the impact on biodiversity values (as identified in the BC Act and in the Biodiversity Conservation Regulation 2017).

20. The Department is satisfied that the modification will not increase the impact on biodiversity values and consequently a BDAR is not required to accompany the modification application.

# 4 Engagement

## 4.1 Department's engagement

21. Prior to the lodgement of the subject modification application, the Department engaged with BCS who advised the proposed substitution of credits required by condition D14 is satisfactory.
22. In accordance with the EP&A Regulation the Department made the modification application publicly available on the Department's website on 18 November 2024. No public submissions were received.
23. The Department also advised BCS that the subject application had been lodged. BCS confirmed that the proposal remains satisfactory.



# 5 Assessment

## 5.1 Biodiversity Offset Credits (Condition D14)

24. Section 2.1.1 of this report describes Condition D14 and the constraints and errors identified by the Applicant. The Applicant seeks greater flexibility in the process for varying offset credits, alternative PCTs where supply of credits is constrained, and the correction of errors in PCT codes listed in the condition.

### 5.1.1 Flexible credit variation process

25. The Department has reviewed the current wording of Condition D14 in light of the applicant's request and accepts that it is unduly restrictive. On the basis that it is managed in accordance with the established relevant policy framework, the Department considers it appropriate to allow the substitution of credit requirements to be effectively managed as a post-approval matter without a formal modification of the consent being required. This approach is supported by BCS and will allow for a more streamlined approach to reasonably managing the ongoing requirements of the consent.

26. The Department also supports the replacement of reference to the Framework in Condition D14 with the NSW Biodiversity Offset Policy for Major Projects (OEH 2014b) as the more relevant policy. Again, this is supported by BCS.

### 5.1.2 Alternative plant community types

27. The Applicant seeks alternative PCTs to be listed in Condition D14 where the supply of credits is constrained. The Framework provides for variations to be granted to substitute credits subject to:

- the applicant having taken reasonable steps to acquire credits
- the proposed substitute credits including the same vegetation formation as the credits proposed for variation
- the proposed credits not comprising PCTs associated with endangered ecological community/ies (EECs), and
- the proposed credits not including a cleared value that is less than the original credits.

28. The Department is satisfied that the Applicant has demonstrated these requirements have been met for the following reasons:

- the Applicant has made reasonable efforts to acquire credits, following the Framework’s rules for seeking like-for-like credits, confirming matching credits have not been available for purchase in the last two years
  - the proposed credits include the same vegetation formation as those being varied
  - the proposed credits do not comprise PCTs associated with EECs, and
  - the proposed credits have the same or higher percentage cleared value as the original credits.
29. The Department notes that the approved development is subject to a Biodiversity Offsets Strategy, which describes credits can be acquired through an expression of interest (EOI) on the BioBanking ‘Credit Wanted’ register, and that an EOI was submitted in December 2015. While the current application does not include new or direct evidence from the Applicant of any recent EOI or register monitoring, the Department and BCS are satisfied with the information provided, that reasonable efforts have been made to acquire credits, that the credits meet the requirements of the Framework, and they are appropriate alternatives.
30. In summary, the Department considers that the proposed alternative PCT credits are appropriate, consistent with the Framework and supported by BCS.

### 5.1.3 Correction of errors

31. The Department acknowledges that the PCT codes listed in Condition D14 for Hairpin Banksia, Red Bloodwood and Swamp Mahogany were incorrect and should be corrected in accordance with the changes sought by the Applicant. This is supported by BCS.

## 5.2 Approved Subdivision Plans (Appendix 1)

32. The Department is satisfied that the proposed shift of the boundary between Lots 519 and 520 by 1 metre will have no adverse impacts and supports the provision of diverse lots within the subdivision. The Department supports the amendment of Appendix 1 to refer to a revised subdivision plan reflecting the boundary shift.

## 6 Evaluation

33. The Department's assessment has considered the relevant matters and objects of the EP&A Act, including the principles of ecologically sustainable development (**Appendix C**) and advice from government agencies (**Section 4**).
34. This includes consideration of SSD-7169, the Modification Report, the letter prepared by EcoPlanning dated 16 October 2024, the Biodiversity Offset Strategy prepared by SLR dated 17 February 2017, the Biodiversity Assessment Addendum prepared by EcoLogical Australia dated 19 December 2023, and expert advice by BCS.
35. If approved, the modification would:
  - enable suitable biodiversity offset credits to be retired to offset the biodiversity impacts of the project
  - enable the residential subdivision to proceed and facilitate the delivery of lots and housing.
36. The Department concludes the modification is approvable, subject to conditions. The Department has recommended changes to D14 and Schedule 1 of the development consent to reflect the modifications.

# Glossary

Abbreviation	Definition
<b>ACHMP</b>	Aboriginal Cultural Heritage Management Plan
<b>Applicant</b>	Allen Price Pty Ltd
<b>BCS of NSW DCCEEW</b>	Biodiversity Conservation and Science group of the NSW Department of Climate Change, Energy, the Environment and Water
<b>Council</b>	Shoalhaven City Council
<b>DCC</b>	Deferred Commencement Condition
<b>Department</b>	Department of Planning, Housing and Infrastructure
<b>EESG</b>	Environment, Energy and Science Group
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2021
<b>EPBC Act</b>	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
<b>EPI</b>	Environmental planning instrument
<b>EPL</b>	Environment protection licence
<b>ESD</b>	Ecologically sustainable development
<b>Framework</b>	Framework for Biodiversity Offset Assessment
<b>IPC</b>	Independent Planning Commission
<b>LGA</b>	Local government area
<b>LEP</b>	Local environmental plan
<b>NLALC</b>	Nowra Local Aboriginal Land Council

Abbreviation	Definition
<b>NSP</b>	Neighbourhood Safer Place
<b>Planning Systems SEPP</b>	State Environmental Planning Policy (Planning Systems) 2021
<b>PCT</b>	Plant Community Type
<b>Secretary</b>	Secretary of the Department of Planning, Housing and Infrastructure
<b>SEPP</b>	State environmental planning policy
<b>SSD</b>	State significant development
<b>URA</b>	Urban Release Area

## Appendices

### Appendix A – List of referenced documents

The following key documents were relied on by the Department in its assessment and can be found at the application webpage <https://www.planningportal.nsw.gov.au/major-projects/projects/mod-4-amend-condition-d14-and-minor-lot-amendment> :

- Modification Report prepared by Allen Price Pty Ltd dated 5 November 2024
- Letter prepared by EcoPlanning dated 16 October 2024
- Biodiversity Offset Strategy prepared by SLR dated 17 February 2017
- Biodiversity Assessment Addendum prepared by EcoLogical Australia dated 19 December 2023

### Appendix B – Submissions and government agency advice

The expert advice by BCS can be found at the application webpage:

<https://www.planningportal.nsw.gov.au/major-projects/projects/mod-4-amend-condition-d14-and-minor-lot-amendment>



## Appendix C – Statutory considerations

### Objects of the EP&A Act

A summary of the Department’s consideration of the relevant objects (found in section 1.3 of the EP&A Act) are provided in Table 6 below.

**Table 6 |** Objects of the EP&A Act and how they have been considered

Object	Consideration
<p><b>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources,</b></p>	<p>The biodiversity offset credits currently specified in Condition D14 are not available to purchase. The modification also corrects errors in references to credits. The modification enables credits to be obtained and retired in accordance with the development consent and D14, and the modification enables the residential subdivision to proceed and facilitates the delivery of lots and housing.</p>
<p><b>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</b></p>	<p>The Department has considered ecological outcomes associated with the proposed modification, including relevant environmental and social considerations. The modification enables credits to be obtained and retired in accordance with the development consent and D14, and the modification enables the residential subdivision to proceed and facilitates the delivery of lots and housing.</p>
<p><b>(c) to promote the orderly and economic use and development of land,</b></p>	<p>The modification enables credits to be obtained and retired and the residential subdivision to proceed.</p>
<p><b>(d) to promote the delivery and maintenance of affordable housing,</b></p>	<p>The modification does not affect the delivery and maintenance of affordable housing as a defined product, however the modification enables the residential subdivision to proceed and facilitates housing supply and availability.</p>

Object	Consideration
<b>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</b>	The proposed credits do not comprise PCTs associated with endangered ecological community/ies. In addition, the proposed credits include the same vegetation formation as, and a cleared value not less than, the credits currently specified at D14. The modification is consistent with the Framework for Biodiversity Assessment (Framework), and the Department and BCS are satisfied with the proposal.
<b>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</b>	The modification will not affect heritage.
<b>(g) to promote good design and amenity of the built environment,</b>	The modification will not affect the amenity of the built environment.
<b>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</b>	The modification will not affect any buildings.
<b>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the state,</b>	The modification will not affect planning governance.
<b>(j) to provide increased opportunity for community participation in environmental planning and assessment.</b>	The modification was not notified due to the minor nature of the proposed changes.

## EP&A Regulation

The EP&A Regulation requires the applicant to have regard to the *State Significant Development Guidelines*.

The Department considers the Modification Report to be consistent with *State significant development guidelines – preparing a modification report: Appendix E to the state significant development guidelines*.

## Environmental Planning Instruments (EPIs)

The Department is satisfied that the proposed modification does not alter the conclusions of the Department’s assessment of the project against relevant EPIs under SSD-7169.

## Other matters

### The Framework for Biodiversity Offset Assessment

The Framework for Biodiversity Offset Assessment (the Framework) enables a variation to the offset rules (section 10.5.4.1) if the Biodiversity Offset Strategy can demonstrate (section 10.5.4.2):

- all reasonable steps to secure a matching ecosystem credit have been taken by the proponent, and
- the required ecosystem credit is not for a PCT associated with a CEEC listed on the TSC Act or an ecological community listed on the EPBC Act, and
- the PCT from the same vegetation formation has a percent cleared value of the PCT in the major catchment area equal to or greater than the percent cleared of the PCT to which the required ecosystem credit relates, or
- where the required ecosystem credit is for a PCT that is associated with a CEEC/EEC, the PCT from the same formation is also associated with an CEEC/EEC.

The modification seeks variation to the four credits specified in Table 1 in Condition D14, as per the below table:

**Table 7 | Proposed biodiversity offset credits**

<b>Ecosystem Credit Plant Community Type specified in Table 1 in Condition D14 of the development consent</b>	<b>Extract from EcoPlanning letter dated 16 October 2024</b>
<b>SR549 Grey Gum – Blue-leaved Stringybark open forest on gorge slopes, southern Sydney Basin Bioregion and north east South Eastern Highlands Bioregion</b>	The credits required for SR 549 / PCT 858 and SR595 / PCT 1083 can be met by Sealark with credits that are in the same ‘Vegetation Formation’ (Dry Sclerophyll Forest) that have the same or higher per cent cleared (i.e. 20% cleared) and are in the same (or adjacent) IBRA subregion as the impacted vegetation types (refer to Figure 1), i.e. with SR594 credits as shown in rows 3 and 4 of Table 1.
<b>SR595 SR556* Harpin Banksia- Kunzea ambigua – Allocasuarina distyla heath on coastal sandstone plateaux, Sydney Basin Bioregion</b>	

**Ecosystem Credit Plant Community Type specified in Table 1 in Condition D14 of the development consent**

**Extract from EcoPlanning letter dated 16 October 2024**

**SR648 SR595\* Red Bloodwood – scribbly gum healthy woodland on sandstone plateaus of the Sydney Basin Bioregion**

The credit requirements for SR556 / PCT 881 and SR648 / PCT 1231 can be met by Sealark with the same PCTs as in the credit profile included in SLR 2017 (i.e. SR557 and SR648)

**SR556 SR648\* Swamp mahogany swamp sclerophyll forest on coastal lowlands of the Sydney Basin Bioregion and South East Corner Bioregion**

*\*The modification corrects PCT references in accordance with the approved Biodiversity Offset Strategy (2017)*

The application describes that Condition D14 attributes the wrong identification titles to Hairpin Banksia and Red Bloodwood: Hairpin Banksia should be listed as SR556 (not SR595), and Red Bloodwood should be listed as SR595 (not SR648).

The EcoPlanning letter dated 16 October 2024 also describes:

- (a) All reasonable steps were undertaken to acquire the credits specified in D14, however the credits have not been available to purchase on Biobanking credit registers for the last two years
- (b)&(d) The proposed credits do not comprise PCTs associated with endangered ecological community/ies
- (c) The proposed credits include a cleared value that is not less than the credits specified at D14.

The Department is satisfied that the modification is consistent with the Framework.

## Appendix D – Recommended instrument of modification

The recommended instrument of modification can be found at the application webpage:

<https://www.planningportal.nsw.gov.au/major-projects/projects/mod-4-amend-condition-d14-and-minor-lot-amendment>