6 Supporting documentation

Documentation required with this application

X Proof of ownership

Current certificate of title or other documentation (e.g. Crown lease, contract to purchase Crown land etc).

国际保险

BioBanking Assessment Report X Broulee Biodiversity Certification Strategy

The assessment report must be prepared by a person accredited⁵ to use the BioBanking Assessment Methodology and the BioBanking Credit Calculator. The report must include all the required supporting documentation as indicated by the BioBanking Assessment Methodology and operational manual (e.g. local reference data, expert reports, request of increase in gain in site value). Please list supporting documentation included with this application below. Both hard copies and soft copies (on CD) are required.

X Maps and GIS files

The map(s) must identify:

biobank site boundary (including GPS points)

vegetation zones

plots and transects

assessment circles

species polygons (showing location of any threatened species for which species credits are created)

Iocation of photo-points

management zones.

The map(s) must be prepared using GPS mapping on either a satellite image or ortho-rectified aerial image (see Appendix A of *Guide to establishing a biobank site*) in accordance with the Operational Manual Section 3.1. Both hard copies and soft copies (on CD) are required.

Management actions

Management actions and management plans must be drafted using the template available on the BioBanking website. The template wording must be used. A hard copy and soft copy (in Word on CD) are required.

X Proposed Total Fund Deposit

The Total Fund Deposit worksheet of the biodiversity credits pricing spreadsheet must be filled in for all annual management costs and other recurring costs. See *Guide to establishing a biobank site* for further information.

Additionality

If there are any existing conservation obligations over the site, a copy of any agreement(s) (e.g. conservation agreement, PVP, Nature Trust agreement) must be provided. See *Guide to establishing a biobank site* for further information.

Full survey (optional)

If you want to identify the biobank site's exact boundaries on the deposited plan you need to provide a LPMAapproved 'full plan' for irregular boundaries or 'sketch plan' for regular boundaries. See section 7.1 of *Guide to establishing a biobank site* for further information.

Application fee

Please attach a cheque or fill in credit card information in section 5 of this application.

Additional documentation included with this application

Item	Document title	Number of pages
1	Broulee Biodiversity Certification Strategy and Addendum Reports	an a
2	Submission Report	
3		
4		

⁵ Accredited persons (BioBanking Assessors) are individuals accredited under section 142B(1)(C) of the TSC Act.

Biobanking agreement application • August 2013

7 Signature(s) of the proposed biobank site owner(s)

This application should be signed by the person(s) who legally own(s) the land. 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.

Owner category	Application is signed and certified by
Individual(s)	All the individuals who are owners of the land
Company	the common seal being affixed in accordance with the Corporations Act 2001, or
	two directors, or
	a director and a company secretary, or
	the director, if a proprietary company that has a sole director who is also the sole company secretary.
X A local council	the general manager in accordance with s.377 of the Local Government Act 1993 (LG Act), or
	the seal of the council being affixed in a manner authorised under the LG Act.
A public authority other than a council	The chief executive officer of the public authority.

I/We (the landowner(s)):

- apply for a biobanking agreement, and
- declare that the information in this biobanking agreement application (including any attachments) is not false or misleading in any material particular.

Signature	n an	Signature	ener Bare on
Name	Dr Catherine Dale	Name	ulleud !!!
Position	General Manager	Position	
Date		Date	treduñ'' (
Signature		Signature	

Signature	Signature	
Name	Name	an contra de la brand
Position	Position	olisiineen oo oo oo oo oo oo oo
Date	Date	alth anna ann a' thài

Affix common seal (if signing under seal):

8 Lodging the application

Once completed and signed, send the application with all attachments to:

Biodiversity and Vegetation Programs Office of Environment and Heritage, NSW PO Box A290 Sydney South NSW 1232

Phone: 131 555 Fax: (02) 9995 6795 Email: <u>biobanking@environment.nsw.gov.au</u>

Office use only

Received date

1	1
1	1

d date
1

Confirmation issued

1

Invoice number

Published by: Office of Environment and Heritage, NSW 59–61 Goulburn Street, Sydney PO Box A290, Sydney South 1232 Phone: (02) 9995 5000 (switchboard) Phone: 131 555 (environment information and publications requests) TTY: (02) 9211 4723 Fax: (02) 9995 5999 Email: info@environment.nsw.gov.au Website: www.environment.nsw.gov.au

OEH 2012/0731 ISBN 978 1 74232 583 5 August 2013

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Attachment A

A1 Additional landowners

If the application for a biobanking agreement relates to land that is owned by more than one individual or corporation, then each landowner (other than the designated primary landowner, whose information is provided in sections 1 and 2) is required to provide the information requested in A1 and A2 of this attachment. Print as many of these attachments as necessary. All landowners must also sign the completed application form.

PATERNAL AND THE CASE	L TOTAL CONTRACTOR AND	f an individua	□ Partne	Without the second	<u>, na producta di Ka</u>		19 MISO
Category	D Private	e individual					
Title	🗋 Mr	🗌 Ms	Miss	☐ Mrs	🗌 Dr		
Last name	1						
First name						11 TO STR. S. S. S.	•
Additional la	indowner (l	f a corporation	on)				en al an
Company							in the second
ABN					GST registered	☐ Yes	□ No
URL							e e Yang and and
Street addre	SS		n an Wear e an Faidh an Taoint				
Address							
Town							
State		•		Postcode			
Mailing addi	ress (if diffe	erent from at	ove)	Anter and			
Address							
Town							
State				Postcode			
Contact det	ails					1	
Contact person (if a corporation)					· .		
Phone				Mobile			
Fax				Email			
Preferred co	ntact for cre	edits					
Designate	ed email add	iress* (please	specify)		Version and the second second	Contra state	
OEH to re	eceive initial nd forward t	inquiries from hese to the lar	n potential ndowner	biobanking@	Denvironment.nsw.g	ov.au	Constant Annigist (S Annigist (S

A2 Does the landowner meet the 'fit and proper person' criteria⁶ to establish a biobank site?

Has the land	owner (an individual or a corporation):
□Yes □ No	ever breached any relevant legislation ⁷ , or held a licence or other authority that has been suspended or revoked under any relevant legislation?
□Yes □ No	in the previous 10 years, been convicted in New South Wales, or elsewhere, of an offence involving fraud or dishonesty?
□Yes □ No	in the previous 3 years, been an undischarged bankrupt, or applied to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounded with creditors or made an assignment of remuneration for their benefit?
□Yes □ No	if an individual, been the director or person concerned in the management of a body corporate that is the subject of a winding-up order or for which a controller or administrator has been appointed during the previous 3 years?
□Yes □ No	if a corporation, been or is the subject of a winding-up order or has had a controller or administrator appointed during the previous 3 years?
	er is a corporation, has any director or other person concerned in the of the corporation ever:
Yes No	breached any relevant legislation, or held a licence or other authority that has been suspended or revoked under any relevant legislation?
🗌 Yesू 🗌 No	been or is the director of another body corporate that has breached any relevant legislation, or held a licence or other authority that has been suspended or revoked under any relevant legislation?
🗌 Yes 🔲 No	been convicted in New South Wales or elsewhere of an offence involving fraud or dishonesty in the previous 10 years?

If you answered '**Yes**' to any question in section A2, attach a statement with the specific circumstances and why you think those circumstances should not prevent you from establishing a biobank site.

Individual landowners must also provide two independent written references addressing the 'fit and proper person' criteria. The name, address and contact phone number/s of the referee must be included in the reference.

Note: In determining whether the person is a 'fit and proper person' to enter into and fulfil the obligations imposed by the agreement, OEH may take into consideration any or all of the above listed matters. OEH may also consider whether the applicant is honest and of a good repute, and whether the applicant is able to carry out conservation management as required under a biobanking agreement.

⁶ Refer to the Threatened Species Conservation (Biodiversity Banking) Regulation 2008 for more information.

Biobanking agreement application • August 2013

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⁷ Relevant legislation in this section means the following Acts: the Threatened Species Conservation Act 1995, the Contaminated Land Management Act 1997, the Environmental Planning and Assessment Act 1979, the Environmental Trust Act 1998, the Environmentally Hazardous Chemicals Act 1985, Parts 7 and 7A of the Fisheries Management Act 1994, the Marine Parks Act 1997, the National Parks and Wildlife Act 1974, the Native Vegetation Act 2003, the Ozone Protection Act 1989, the Pesticides Act 1999, the Protection of the Environment Administration Act 1991, the Protection of the Environment Operations Act 1997, the Radiation Control Act 1990, the Recreation Vehicles Act 1983, the Road and Rail Transport (Dangerous Goods) Act 1997, the Waste Avoidance and Resources Recovery Act 2001, the Wilderness Act 1987, a repealed Act or an Act of the Commonwealth, a state or a territory that corresponds to a previous Act.

- 1. In circumstances where:
 - (a) biocertification has been conferred by the Minister on the Biodiversity Certification Area; and
 - (b) the Conservation Area has been designated as a biobank site (Conservation Area biobank site); and
 - (c) biodiversity credits have been created in respect of the Conservation Area biobank site,

the Planning Authority agrees to retire 1476 ecosystem biodiversity credits of the Bangalay – Old-man Banksia open forest on coastal sands, Sydney Basin and South East Corner vegetation type and 1138 White-footed Dunnart species biodiversity credits before, or within 90 days after, the earliest of the following:

- the granting of development consent under Part 4 of the EP&A Act for development, or part of any development, on the Development Land;
- the granting of an approval for an activity, or any part of an activity, on the Development Land by a determining authority within the meaning of Part 5 of the EP&A Act;
- the carrying out by a determining authority of any part of an activity to which Part 5 of the EP&A Act applies on the Development Land;
- iv. the granting of approval for State significant infrastructure, or any part of State significant infrastructure, on the Development Land; or
- v. the clearing of 10% or more of the native vegetation identified on the Development Land at 13 September 2014 .
- 2. In this clause of this Schedule:

clearing of native vegetation means:

- (a) cutting down, felling, thinning, logging or removing native vegetation,
- (b) killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation.

excluding:

- (i) bush fire hazard reduction work carried out in accordance with a bush fire risk management plan that applies to the Development Land under the *Rural Fires Act* 1997.
- (ii) any work required to be done by or under the *Rural Fires Act 1997* in relation to any emergency fire fighting act within the meaning of that Act.

(iii) burning caused by a bushfire which results in an emergency fire fighting act within the meaning of the *Rural Fires Act 1997*.

native vegetation means any of the following types of *indigenous* vegetation:

- (a) trees (including any sapling or shrub, or any scrub),
- (b) understorey plants,
- (c) groundcover (being any type of herbaceous vegetation),
- (d) plants occurring in a wetland.

vegetation is *indigenous* if it is of a species of vegetation, or if it comprises species of vegetation, that existed in the State before European settlement.

3. The Planning Authority agrees to pay the relevant proportion of the total Fund deposit into the Biobanking Trust Fund in accordance with Part 6 of the *Threatened Species Conservation (Biodiversity Banking) Regulation 2008* within 31 days of the retirement of biodiversity credits referred to in clause 1 of this Schedule.

In this clause, relevant proportion of the total Fund deposit has the same meaning as in clause 25(4) of the *Threatened Species Conservation* (Biodiversity Banking) Regulation 2008.

4. The Planning Authority agrees not to sell or transfer the biodiversity credits referred to in clause 1 of this Schedule.

Schedule 4 – Conservation Area

Lot	Deposited Plan	Registered Proprietor
10	831878	Eurobodalla Shire Council
12	831878	Eurobodalla Shire Council
70	831111 (part lot)	Eurobodalla Shire Council
8	258299 (part lot)	Eurobodalla Shire Council
4	1090948 (part lot)	Eurobodalla Shire Council
11	771575 (part lot)	Eurobodalla Shire Council
49(41)	1036166	Eurobodalla Shire Council

Schedule 5 - Map of Conservation Area



Executed as a Deed of Agreement

Signed by The Honourable Robert Gordon Stokes M.P. Minister for the Environment for the State of New South Wales as the Minister administering the Threatened Species Conservation Act 1995 (NSW)

The Honourable Robert Gordon Stokes M.P. Minister for the Environment

the

Edword Thomas Steane

Name of Witness in full

--Signature of Witness

Executed by Eurobodalla Shire Council pursuant to resolution made on 7 July 2014

atherw

USHER INDSVAY

Name of the Witness in full

Dr Catherine Dale, General Manager IN

Signature of Witness

Morris Hayes & Edgar



Phone: (02) 9232 2411

Morris Hayes & Edgar hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act. Information provided through Tri-Search an approved LPINSIV Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 8/258299

SEARCH DATE	TIME	EDITION NO	DATE
5/8/2014	9:58 AM	-	-0

VOL 14114 FOL 35 IS THE CURRENT CERTIFICATE OF TITLE

LAND

LOT 8 IN DEPOSITED PLAN 258299 AT BROULEE LOCAL GOVERNMENT AREA EUROBODALLA PARISH OF TOMAGA COUNTY OF ST VINCENT

TITLE DIAGRAM DP258299

FIRST SCHEDULE EUROBODALLA SHIRE COUNCIL

SECOND SCHEDULE (2 NOTIFICATIONS)

- THE LAND ABOVE DESCRIBED IS AFFECTED BY S25A CROWN LANDS * 1 CONSOLIDATION ACT, 1913 AND MAY BE DEALT WITH AS CROWN LAND. SEE GOVERNMENT GAZETTE DATED 10/7/1981 FOLIO 3754
- * 2 THE LAND IS A RESERVE WITHIN THE MEANING OF PART 5 OF THE CROWN LANDS ACT 1989 AND THERE ARE RESTRICTIONS ON TRANSFER AND OTHER DEALINGS IN THE LAND UNDER THAT ACT, WHICH MAY REQUIRE CONSENT OF THE MINISTER.

NOTATIONS NOTATIONS UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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PRINTED ON 5/8/2014

*ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER,

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			REAL PROPERTY ACT, 1900	BOITTON DATE OF ISSUE 3 15/4/2011
				CERTIFICATE AUTHENTICATION CODE TP6R-VZ-HF2Y
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BOX 35D (DP831111)

NEW SOUTH WALES

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I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described aubject to such exceptions, encumbrances, interests and entries as uppear in the Second Schedule and to any additional entries in the Follo of the Register.

P U REGISTRAR GENERAL

LAND

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTFICATION HEREOM

LOT 70 IN DEPOSITED PLAN 831111 AT BROULEE SHIRE OF EUROBODALLA PARISH OF TOMAGA COUNTY OF ST VINCENT TITLE DIAGRAM: DP831111

FIRST SCHEDULE

THE COUNCIL OF THE SHIRE OF EUROBODALLA

SECOND SCHEDULE

WARNING: BEFORE DEALING WITH THIS LAND SEARCH THE CURRENT FOLIO OF THE REGISTER

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WARNING: BEFORE DEALING WITH THIS LAND, SEARCH THE CURRENT FOLIO OF THE REGISTER

BOX 35D (DP831878)

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NEW SOUTH WALES

CERTIFICATE OF TITLE REAL PROPERTY ACT, 1900

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EDITION	. DATE OF ISSUE
1	2. 8.1993

TORRENS TITLE

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the lend within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Follo of the Register.

REGISTRAR GENERAL

LAND

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

LOT 10 IN DEPOSITED PLAN 831878 AT BROULEE SHIRE OF EUROBODALLA PARISH OF TOMAGA COUNTY OF ST VINCENT TITLE DIAGRAM: DP831878

FIRST SCHEDULE

THE COUNCIL OF EUROBODALLA

SECOND SCHEDULE

1. LAND EXCLUDES MINERALS -SEE MEMORANDUM W347970

WARNING: BEFORE DEALING WITH THIS LAND SEARCH THE CURRENT FOLIO OF THE REGISTER

BOX 35D (DP831878)

NEW SOUTH WALES

CERTIFICATE OF TITLE REAL PROPERTY ACT, 1900

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EDITION	DATE OF ISSUE
1	2. 8.1993

TOPPENS TITLE

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple for such other estate or interest as is set forth in that Schedule) in the lend within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.

REGISTRAR GENERAL

LAND

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

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LOT 12 IN DEPOSITED PLAN 831878 AT BROULEE SHIRE OF EUROBODALLA PARISH OF TOMAGA COUNTY OF ST VINCENT TITLE DIAGRAM: DP831878

FIRST SCHEDULE THE COUNCIL OF EUROBODALLA

SECOND SCHEDULE

1. LAND EXCLUDES MINERALS -SEE MEMORANDUM W347970

WARNING: BEFORE DEALING WITH THIS LAND SEARCH THE CURRENT FOLIO OF THE REGISTER

Page 1 of 1 rocetrock sth

and & Property Information

RATE: 9221901 922 1915

A division of the Department of Finance & Services

PIN: 30557

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

NOTE: PIN 30557 LOT AI DP 1036166 URPOSES

FOLIO: 49/1016474

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SEARCH DATE	TIME		EDITION NO	DATE
		76 .		
22/11/2013	12:21 PM		. 3	23/7/2007

Use this LAND DD

LOT 49 IN DEPOSITED PLAN 1016474 AT MORUYA HEADS NORTH LOCAL GOVERNMENT AREA EUROBODALLA PARISH OF TOMAGA COUNTY OF ST VINCENT TITLE DIAGRAM DP1016474

FIRST SCHEDULE

THE COUNCIL OF THE SHIRE OF EUROBODALLA

SECOND SCHEDULE (7 NOTIFICATIONS)

1 EASEMENT(S) AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM CREATED BY:

DP809454 -RIGHT OF CARRIAGEWAY 8 WIDE, 22 WIDE & VARIABLE EASEMENT(S) APPURTENANT TO THE LAND ABOVE DESCRIBED CREATED BY: 2

DP771575 -RIGHT OF CARRIAGEWAY 40 WIDE DP771575 -RIGHT OF CARRIAGEWAY 40 WIDE AND VARIABLE

- 3 NOTIFICATION IN COMMONWEALTH OF AUSTRALIA GAZETTE DATED 3.5.1944 RIGHT OF WAY APPURTENANT TO THE LAND ABOVE DESCRIBED
- 4 DP1016474 RIGHT OF CARRIAGEWAY 8, 22 METRE(S) WIDE AND VARIABLE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM

DP1016474 EASEMENT FOR ELECTRICTY SUPPLY 22 METRES WIDE AND 5 VARIABLE WIDTH AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM

8779806 6 LEASE TO THELMORE RANGE PTY LIMITED OF LOT 42 IN DP1036166. EXPIRES: 31/12/2011.

7 AD227322 RIGHT OF CARRIAGEWAY & EASEMENT FOR SERVICES 6 WIDE, 8 WIDE & VARIABLE AFFECTING THE PART SHOWN IN PLAN WITH AD227322

NOTATIONS

DP1036166 NOTE: PLAN FOR LEASE PURPOSES UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

lpi:que-blazaro

PRINTED ON 22/11/2013

* ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.

