



Government Gazette

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Order conferring biodiversity certification – The Poplars Business Precinct

Under section 8.2 of the *Biodiversity Conservation Act 2016*

Under section 8.2 of the Act, I Brendan Bruce, Deputy Secretary, Biodiversity, Conservation and Science Group, Department of Climate Change, Energy, the Environment and Water, as delegate of the Minister for the Environment, confer biodiversity certification on the Certified Land.

Under section 8.7(1) of the Act, I am satisfied having considered the biodiversity certification assessment report, that the approved conservation measures under the biodiversity certification adequately address the likely impacts on biodiversity values of the biodiversity certification of the land.

Under section 8.3 of the Act, I specify the measures listed in Schedule 3 of the Order as approved conservation measures under this biodiversity certification.

Under section 8.3(3) of the Act and clause 8.1 of the Regulation, I specify the measures listed in Schedule 4 of the Order as other approved measures.

Under section 8.8(2) of the Act, I am of the opinion that the clearing of native vegetation and loss of habitat on the Certified Land is not likely to have serious and irreversible impacts on any threatened species or threatened ecological community.

Under section 8.9(1) of the Act, I identify the parties to the biodiversity certification in Schedule 5 of the Order.

Under section 8.2 of the Act, I determine that biodiversity certification of the specified land is to take effect from the date of publication of this order in the NSW Government Gazette and is to remain in force indefinitely pursuant to section 8.10 of the Act.

Under section 8.12 of the Act, the Order will be reviewed every two (2) years or at the discretion of the Minister.



Brendan Bruce
Deputy Secretary, Biodiversity, Conservation and Science Group
Department of Climate Change,
Energy, the Environment and Water
as a delegate of the Minister for the Environment

Signed this 31st day of January 2024

Definitions

In this Order:

“**Act**” means the *Biodiversity Conservation Act 2016* (NSW)

“**Approved Conservation Measures**” means any of the measures set out at section 8.3(2) of the Act.

“**Biodiversity Certification**” has the same meaning as in section 8.2 of the Act.

“**Biodiversity Credit**” means a biodiversity credit created under Part 6 Division 4 of the Act and includes a reference to an Ecosystem Credit and a Species Credit.

“**Certified Land**” means the land described in Schedule 1 and marked as “Certified Land” on the map in Schedule 2 of this Order.

“**Department**” means the NSW Department of Climate Change, Energy, the Environment and Water, being the Department principally involved in administering the Act.

“**Minister**” means the Minister of the State of New South Wales administering the Act and includes his or her successors in office and where not repugnant to the context includes the servants and agents of the Minister.

“**North Stage**” means the land marked as ‘North Stage’ in Figure 1 of Schedule 4.

“**Other Approved Measures**” means any of the measures set out at section 8.3(3) of the Act and clause 8.1 of the Regulation.

“**Proponent**” means Poplars Developments Pty Ltd, as stated in Schedule 5.

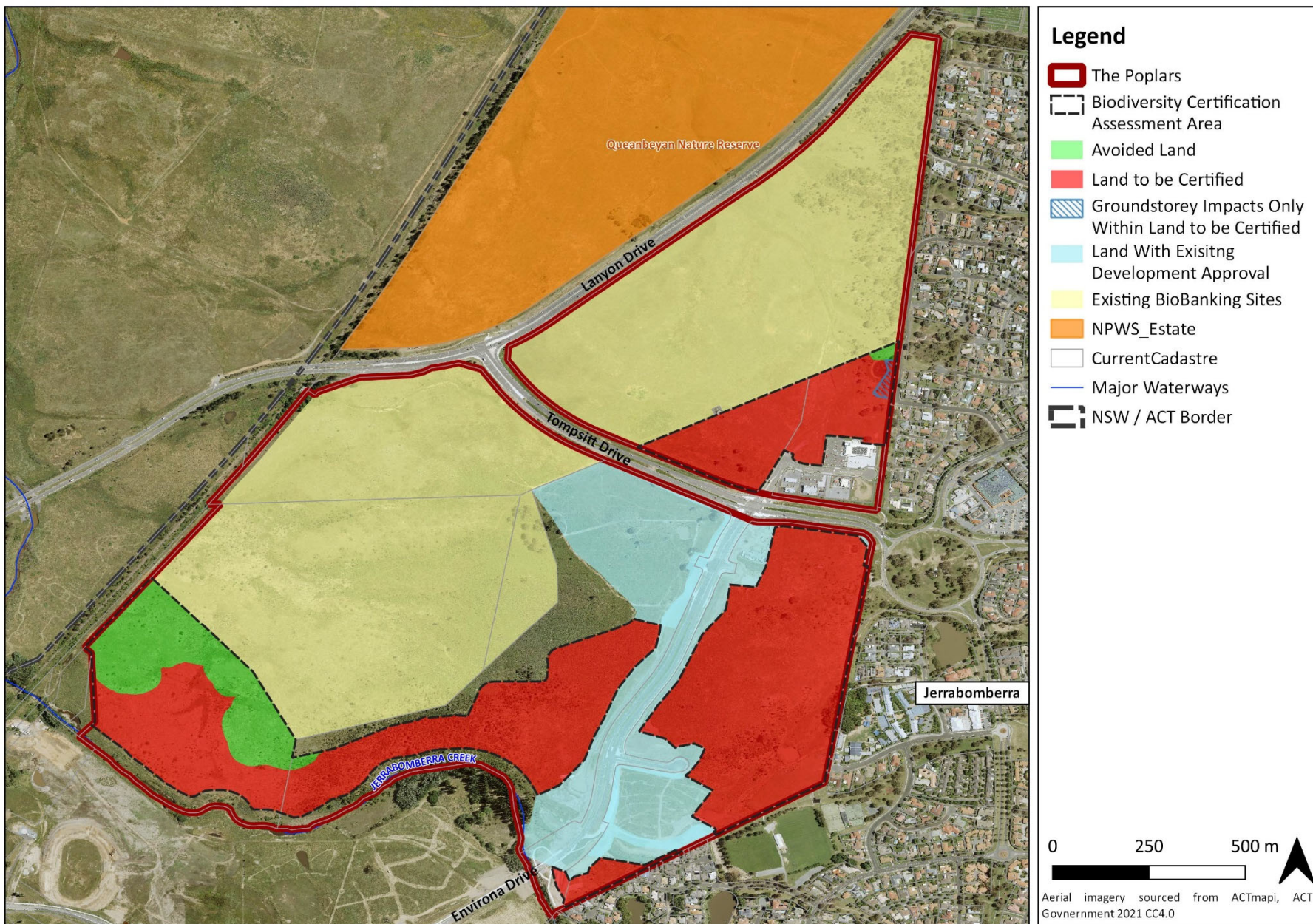
“**Regulation**” means the *Biodiversity Conservation Regulation 2017* (NSW).

“**South Stage**” means the land marked as ‘South Stage’ in Figure 1 of Schedule 4.

Schedule 1 – Description of the Certified Land

Lots within deposited plans		
DP Number	Lot	Part or Entire Lot
1243031	1	Entire
1246134	6	Entire
1126721	1	Part
1281781	1	Part

Schedule 2 – Map of the specified land



Schedule 3 – Approved Conservation Measures

The Approved Conservation Measures are:

- a) The retirement of the Biodiversity Credits set out at Schedule 4A, Table 1.

Schedule 4 – Other Approved Measures

The Other Approved Measures are:

- a) Requirements as to the timing and implementation of the Approved Conservation Measures being the retirement of Biodiversity Credits.

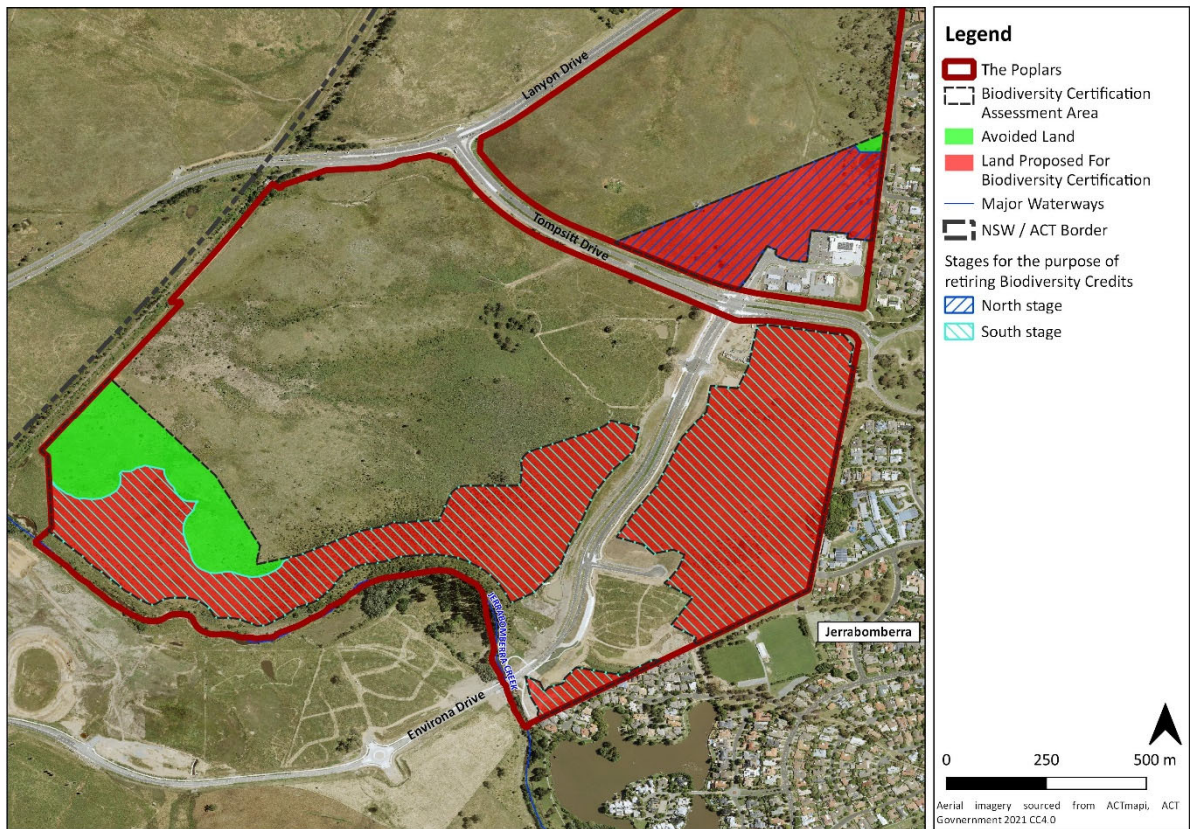
Schedule 4A – Timing and Implementation

- a) All Biodiversity Credits as set out in Schedule 4A, Table 1 must be retired as follows:
 - i) For the Biodiversity Credits in the row labelled 'North Stage', the Biodiversity Credits must be retired by the date on which the earlier of the following occurs:
 - a. The date of the issue of a Subdivision Works Certificate over the North Stage, or
 - b. Three (3) years after this order is published in the Government Gazette.
 - ii) For the Biodiversity Credits in the row labelled 'South Stage', the Biodiversity Credits must be retired by the date on which the earlier of the following occurs:
 - a. The date of the issue of a Subdivision Works Certificate over the South Stage, or
 - b. Three (3) years after this order is published in the Government Gazette.
- b) Proof of record of the retirement of Biodiversity Credits must be provided to the Minister by the Proponent in writing within fourteen (14) days after retirement.

Table 1: Biodiversity Credits to be retired in stages by the Proponent

Stage Name for the purpose of this Order (see Figure 1)	Ecosystem Credits (PCT 1334)	Species Credits (Golden sun moth)	Total credits (Ecosystem and Species credits combined)
North Stage	24	13	37
South Stage	0	9	9
Totals	24	22	46

Figure 1: Stages for the purpose of retiring Biodiversity Credits



Schedule 5 – Parties to the biodiversity certification

Party name	ACN/ABN (if relevant)
Poplars Developments Pty Ltd	ABN 97 128 465 887

PROTECTION OF THE ENVIRONMENT OPERATIONS (GENERAL) REGULATION 2022

Amendment to Order granting an exemption under section 150

Discharge of per- and poly-fluoroalkyl substances (PFAS) firefighting foams

This Order amends the Order granting an exemption under section 150 of the *Protection of the Environment Operations (General) Regulation 2022* published in the Gazette on 21 September 2023 (N2023-1746) by adding the following to Schedule 1 of that Order.

Column 1	Column 2
Persons to which the exemption applies	Premises to which this exemption applies
Terminals Pty Ltd ACN 000 348 407	Site A, Gate B38, 45 Friendship Road, Port Botany, NSW. 2036 Lots 16, 17 and 18, DP 1126332 and Lot 102, DP 1182871 Site C, Gate B32, 51 Friendship Road, Port Botany, NSW. 2036 Lot 104, DP 1182871



STEVE BEAMAN

Executive Director

Regulatory Practice & Services

(by delegation)

Date: 6 February 2024