

Andrew Dooley  
Project Director - Kamay Ferry Wharves  
Transport for NSW  
PO Box K659  
Haymarket NSW 1240

30/06/2023

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Kamay Ferry Wharves (SSI-10049)

Extension of time request - evidence of the retirement of terrestrial biodiversity credits

Dear Mr Dooley,

I refer to your letter dated 27 June 2023, requesting an extension of time in accordance with condition A13 to provide evidence of the retirement of credits or payment to the Biodiversity Conservation Fund (BCF) before any impact occurs on the species or community types as required by condition E5 of SSI-10049. The terrestrial biodiversity offset obligations that must be met by Transport for NSW for ecosystem and species credits are set out in condition E4.

I understand that an inconsistency was identified between the ecosystem credit requirements in the Biodiversity Development Assessment Report (BDAR), dated 5 April 2022 and condition E4 Table 1 of SSI-10049. The extension of time request is required to allow Transport for NSW to amend condition E4 Table 1 through a modification to SSI-10049 and make payment to the Biodiversity Conservation Fund required by condition E5.

Accordingly, as nominee of the Planning Secretary, I agree to your request for an extension of time to 29 December 2023 to meet the requirements of condition E5 of SSI-10049.

Please ensure that you make this determination publicly available on the project website in accordance with condition B15.

If you wish to discuss the matter further, please contact Sam Heaton at [Samuel.Heaton@dpie.nsw.gov.au](mailto:Samuel.Heaton@dpie.nsw.gov.au).

Yours sincerely



Shelley Reed  
Acting Director  
Infrastructure Management

As nominee of the Planning Secretary

Mr Crinnion  
Department of Planning and Environment  
Level 17, 4PSQ, 12 Darcy Street  
Parramatta, NSW, 2150

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**Re: Kamay Ferry Wharves Project - Request for Approval to Defer the conditions of approval of E5.**

27 June 2023

Dear Mr Crinnion,

In accordance with the Kamay Ferry Wharves (SSI-10049) Condition of Approval (CoA) E5, Transport for NSW is required to provide evidence of the retirement of terrestrial biodiversity credits to satisfy CoA E4. Evidence of the retirement of credits are to be provided to Planning Secretary, Environment and Heritage Group and Commonwealth Department of Climate Change, Energy, Environment and Water for information before any impact occurs on the species or community types to be offset.

During consultation with the Environment and Heritage Group namely Biodiversity and Conservation Division on the Construction Biodiversity Management Sub Plan, comment was provided to Transport for NSW on the inconsistency with terrestrial credit numbers in the CoA and the Biodiversity Development Assessment Report (BDAR) dated 5 April 2022. Transport for NSW subsequently consulted with DPE on the terrestrial credit numbers and agreed that the BDAR dated 5 April 2022 which formed part of the original EIS provides the correct terrestrial offset numbers.

Transport for NSW is proposing to achieve its terrestrial offset obligations and make a payment into the Biodiversity Conservation Fund (BCF) in accordance with CoA E4(c). As the Biodiversity Conservation Trust (BCT) would base the application for credits on the credit numbers stated in the CoAs, Transport will seek to modify Condition E4 to manage this administrative error.

Additionally, under CoA A13 Transport for NSW requests that CoA E5 be deferred for 6 months from the date of the approved deferral. This allows time for the modification of the CoA to be prepared and determined by DPE, and credits to be retired with the BCF.

Should you have any questions please contact Chris Williams, Senior Environment and Sustainability Officer on 0427 782 678 or [christopher.williams2@transport.nsw.gov.au](mailto:christopher.williams2@transport.nsw.gov.au).

Sincerely,



Andrew Dooley  
Kamay ferry Wharve – Project Director  
Transport for NSW