

Fact Sheet

Biodiversity Certification Application Callala Bay

Halloran Trust Lands – Emmett Street, Callala Bay

Overview

A Planning Proposal (rezoning) that applies to Halloran Trust Land at Callala Bay, Wollumboola and Kinghorne is on exhibition from **14 April 2022** to **17 June 2022**. The Planning Proposal seeks to rezone land north of Emmett Street on the western side of Callala Bay to enable housing and associated reserves and infrastructure. The balance of the land at Callala Bay, Wollumboola and Kinghorne will be zoned for environmental conservation.

The decision on the Planning Proposal will be made by the Minister for Planning under the NSW *Environmental Planning and Assessment Act 1979*. More information on the Planning Proposal (rezoning) is available on the NSW Planning Portal at:

www.planningportal.nsw.gov.au/CallalaBayPP

A biodiversity certification application is also being exhibited from **14 April 2022** to **17 June 2022** in conjunction with the Planning Proposal (rezoning). The application seeks to 'biodiversity certify' the proposed residential expansion area.

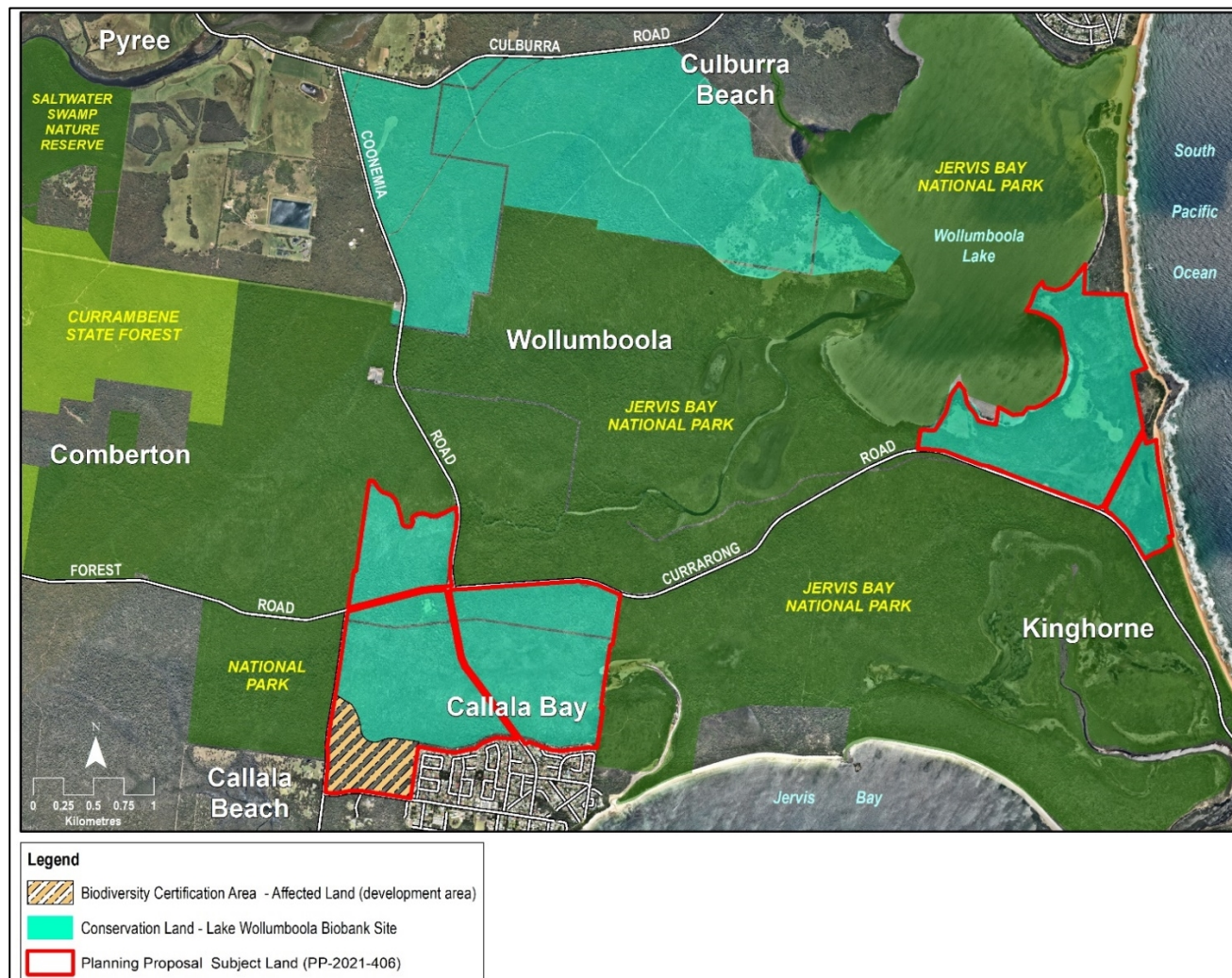
Biodiversity certification allows biodiversity and threatened species to be considered strategically in the rezoning process, helping to secure conservation outcomes while reducing uncertainty and assessment requirements for development applications. It identifies areas that can be developed without the need for further site-level biodiversity assessment, while also securing conservation measures to offset the impacts of this on biodiversity.

The decision on the biodiversity certification application will be made by the NSW Minister for Environment. The Callala Bay biodiversity certification application is being exhibited and assessed under Part 7AA of the now repealed *Threatened Species Conservation Act 1995* (TSC Act) in accordance with transitional provisions under the *Biodiversity Conservation Act 2016*. The Minister can only biodiversity certify the land if doing so will improve or maintain biodiversity values.

Biodiversity Certification Area - Affected Land

The biodiversity certification application applies to the proposed overall residential expansion area, which is identified as an Urban Release Area (URA) in the Planning Proposal.

The affected land (approx. 40 ha) is located between Callala Beach Road, Emmett Street and the existing residential area of Callala Bay (west of Stott Crescent) - see **Map 1**. The Planning Proposal seeks to rezone the affected land to a mix of R1 General Residential, RE1 Public Recreation and C3 Environmental Management.



Map 1: Affected Land - Biodiversity Certification Application.

Note: Impacts of developing the 'affected land' are proposed to be offset by purchasing (and retiring) biodiversity credits from the Lake Wollumboola Biobank site, which is proposed to be dedicated to the NSW Environment Minister for inclusion into Jervis Bay National Park 5 years after the biodiversity certification is 'conferred' by the Minister.

Key Elements

The biodiversity certification application is supported by the proponent's [Biodiversity Certification Assessment Report \(BCAR\)](#). The BCAR details proposed conservation measures and biodiversity offsets associated with the proposed Callala Bay Urban Release Area. Key elements of the BCAR include:

- Removal of approximately 38 ha of native bushland habitat for housing development and associated infrastructure (stormwater, roads, park, utilities etc). This land is proposed to be biodiversity certified.

- The impacts of this development are proposed to be offset through the purchase and retirement of credits from the neighboring Lake Wollumboola BioBank site (which is land also owned by the Halloran Trust and is proposed to be rezoned to C2 Environmental Conservation).
- The number of credits generated by the Lake Wollumboola BioBank Site is significantly more than the credits required to offset development impacts from the biodiversity certification area in Callala Bay (see section 5.4 of the BCAR).
- The purchase and retirement of biobank credits will provide funding for ongoing environmental rehabilitation and protection of the conservation land / offset area.
- The Lake Wollumboola BioBank site (conservation land) is proposed to be transferred to the NSW Environment Minister for addition to the Jervis Bay National Park 5 years after receiving biodiversity certification.

Refer to the [Biodiversity Certification Assessment Report \(BCAR\)](#) for further detail.

Federal Environmental Approval (EPBC Act ref: 2020/8637)

In 2020 the proponent referred a concept proposal for the Callala Bay residential expansion area to the Federal Department of Agriculture, Water and the Environment (DAWE) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The proposal was determined to be a 'controlled action' in June 2020, and was approved with conditions in June 2021. In general terms, the EPBC approval involves:

- The retention of 2.1 ha of bushland around 35 known individuals of the endangered Yellow-Gnat Orchid (also known as the Bauer's Midge Orchid – *Genoplesium baueri*).
- The removal of one known individual of the threatened *G. baueri*.

Further information on the EPBC assessment is available at:

<http://epbcnotices.environment.gov.au/referralslist/> and search by referral number 2020/8637.

The Planning Proposal (rezoning) and Biodiversity Certification Application are generally consistent with the EPBC approval. Some minor discrepancies have been identified and will need to be resolved by the proponent in consultation with DAWE prior to any development proceeding.

Viewing the Exhibition Documents

The [biodiversity certification application](#) is on public exhibition from **14 April 2022** to **17 June 2022** (inclusive) and available for viewing online at:

www.shoalhaven.nsw.gov.au/MyCouncil/Public-exhibition/Documents-on-exhibition

www.planningportal.nsw.gov.au/CallalaBayPP)

Electronic copies of the exhibition package will be available at Council's City Administration Centre (Bridge Road, Nowra) and at the Ulladulla Administration Building (Deering Street, Ulladulla) during business hours (9am-5pm) for the duration of the exhibition period.

The exhibition package includes:

1. Fact Sheet – Callala Bay Biodiversity Certification Application
2. Biodiversity Certification Assessment Report (BCAR), January 2022, EcoLogical Australia (prepared for Sealark Pty Ltd)
3. Public Notice

The Planning Proposal can also be viewed on the NSW Planning Portal:

www.planningportal.nsw.gov.au/CallalaBayPP

Request For Comment

Important: submissions on the Planning Proposal (i.e. land use zoning and related planning matters) must be made directly to the NSW Department of Planning and Environment via the NSW Planning Portal at: www.planningportal.nsw.gov.au/CallalaBayPP

Written submissions on the **biodiversity certification application** are invited via any of the following:

Post: The Chief Executive Officer, Shoalhaven City Council, PO Box 42, Nowra, NSW 2541

E-mail: council@shoalhaven.nsw.gov.au

Website: via the form on the Exhibition page at:

<https://www.shoalhaven.nsw.gov.au/Council/Access-to-Information/Documents-on-Exhibition>

All submissions must be received in writing by **5pm 17 June 2022** quoting Council's reference **56566E/2**.

Please note that correspondence submitted to Council may be open to public inspection without notifying the correspondents. Pre-printed form letters, which have been individually signed will be considered but not formally acknowledged. All persons who lodge a submission are required to declare any relevant political, donations and/or gifts in accordance with *Section 10.4(5)* of the *Environmental Planning and Assessment Act 1979*.

Enquiries

Enquiries on the Biodiversity Certification Application should be directed to Eric Hollinger on (02) 4429 3320 or email eric.hollinger@shoalhaven.nsw.gov.au.

Enquiries on the Planning Proposal (rezoning) should be directed to George Curtis on (02) 4247 1824 or Rachel Hughes on (02) 9995 5936 at the Department of Planning and Environment (DPE).