

s47F

From: TAYLOR Garth
Sent: Monday, 6 November 2017 12:23 PM
To: Steven House
Cc: s47F
Subject: RE: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

Steve

Thanks for the update – it's good to see things progressing with Hardwicke.

Regards

Garth Taylor
 Communications, Environment, Legal
 Western Sydney Unit
 T 02 6274 6510

This material contains information that, if disclosed inappropriately, may cause limited damage to national security, Australian Government agencies, commercial entities or members of the public. Recipients should ensure they handle and store this material appropriately.

From: Steven House [mailto:stevenh@ecoaus.com.au]
Sent: Monday, 6 November 2017 11:45 AM
To: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>
Cc: s47F @infrastructure.gov.au
Subject: RE: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

Dear Garth

Thank you for getting in touch.

We are happy to progress with the next stage of this process.

With regards to changes, we have extended the size of the Hardwicke Biobank site and decided to merge stage 2 and 3 into a single biobank. These changes will increase the number of credits available from the Hardwicke site. The Office of Environment and Heritage were supportive of this approach and the additional studies required to implement this have been completed. We do not envisage that this will cause any major delays and anticipate signing the biobanking agreement this calendar year.

Thank you
 Steve

Steven House

From: TAYLOR Garth [mailto:Garth.Taylor@infrastructure.gov.au]
Sent: Friday, 3 November 2017 4:32 PM
To: Steven House <stevenh@ecoaus.com.au>
Cc: s47F @infrastructure.gov.au
Subject: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

Dear Steve

Thank you for meeting with us late in September, and with your partners, to discuss your biobanking activities. As discussed in that meeting, the Commonwealth is considering credits generated or that may be generated from the site/s (Credits) to satisfy the requirements for biodiversity offsets for the Western Sydney Airport Stage 1 development.

I expect to shortly send you a letter which you (and the site owner where different) would sign and return as a pre-requisite to commencing any negotiations for the potential purchase of relevant Credits. The letter would set out the terms on which any negotiations would occur.

To give you an advance sense of what the letter would contain, I've attached below the matters I expect you would need to confirm in response to the letter:

- you are authorised to represent the owners for the purposes of negotiations with the Commonwealth

s 47G

- no legal or equitable obligations will arise between the Commonwealth and any other person (other than the matters specifically provided for in the letter) until a legally binding agreement has been executed.
- either party may terminate negotiations at any time without any ongoing obligations to the other party.
- each party is responsible for its own costs or expenses incurred to participate in the negotiation.
- the Commonwealth's policy is to promote the ethical use of Commonwealth resources and to engage in ethical behaviour throughout its procurement processes. The Commonwealth requires the same standards from those with whom it deals.
- you and the owners must disclose to the Commonwealth any matters of which you or the owners become aware which might be relevant to the Commonwealth's decision to proceed to enter into an agreement in relation to the site.

Prior to commencing any negotiations with the Commonwealth, you should also be aware of:

- Division 137.1 of the Criminal Code which makes it an offence to knowingly provide false or misleading information to a Commonwealth entity;
- the *Freedom of Information Act 1982* (Cth) which requires Australian Government departments and agencies to provide access to certain documents in their possession subject to certain exemptions; and
- the *Auditor-General Act 1997* (Cth) which allows the Auditor-General to conduct a review or examination, at any time, of any aspect of the operations

In the meantime, please let me know if there have been any changes to the information we discussed in September.

Kind regards

Garth Taylor
General Manager
Communications, Environment, Legal | Western Sydney Unit | westernsydneyairport.gov.au
Department of Infrastructure and Regional Development
GPO Box 594, Canberra ACT 2601
t 02 6274 6510 | m s47F
e garth.taylor@infrastructure.gov.au | w www.infrastructure.gov.au

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If you have received this e-mail in error, please notify the Department on (02) 6274-7111 and delete all copies of this transmission together with any attachments.

s47F

From: s 47F
Sent: Thursday, 9 November 2017 11:33 AM
To: TAYLOR Garth
Cc: s 47F; s47F
Subject: Re: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

Dear Garth,

Many thanks for your email below. We look forward to receiving the letter which you have mentioned and to engaging with the Commonwealth in the process you have outlined.

s47C; s47G

We look forward to hearing from you in relation to this, and should you have any queries or wish to discuss further, please do not hesitate to contact s 47F or myself.

With kind regards,

s 47F

s 47F

On 3 Nov 2017, at 4:33 pm, TAYLOR Garth <Garth.Taylor@infrastructure.gov.au> wrote:

Dear s 47F

Thank you for meeting with us late in September to discuss your biobanking activities. As discussed in that meeting, the Commonwealth is considering credits generated or that may be generated from

the site/s (Credits) to satisfy the requirements for biodiversity offsets for the Western Sydney Airport Stage 1 development.

I expect to shortly send you a letter which you (and the site owner where different) would sign and return as a pre-requisite to commencing any negotiations for the potential purchase of relevant Credits. The letter would set out the terms on which any negotiations would occur.

To give you an advance sense of what the letter would contain, I've attached below the matters I expect you would need to confirm in response to the letter:

- you are authorised to represent the owners for the purposes of negotiations with the Commonwealth

s 47G



- no legal or equitable obligations will arise between the Commonwealth and any other person (other than the matters specifically provided for in the letter) until a legally binding agreement has been executed.
- either party may terminate negotiations at any time without any ongoing obligations to the other party.
- each party is responsible for its own costs or expenses incurred to participate in the negotiation.
- the Commonwealth's policy is to promote the ethical use of Commonwealth resources and to engage in ethical behaviour throughout its procurement processes. The Commonwealth requires the same standards from those with whom it deals.
- you and the owners must disclose to the Commonwealth any matters of which you or the owners become aware which might be relevant to the Commonwealth's decision to proceed to enter into an agreement in relation to the site.

Prior to commencing any negotiations with the Commonwealth, you should also be aware of:

- Division 137.1 of the Criminal Code which makes it an offence to knowingly provide false or misleading information to a Commonwealth entity;
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- the *Auditor-General Act 1997* (Cth) which allows the Auditor-General to conduct a review or examination, at any time, of any aspect of the operations

In the meantime, please let me know if there have been any changes to the information we discussed in September.

Kind regards

Garth Taylor
General Manager
Communications, Environment, Legal | Western Sydney Unit | westernsydneyairport.gov.au
Department of Infrastructure and Regional Development
GPO Box 594, Canberra ACT 2601
t 02 6274 6510 | m s47F
e garth.taylor@infrastructure.gov.au | w www.infrastructure.gov.au



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s 47F

s47F

From: s 47F
Sent: Friday, 10 November 2017 6:29 PM
To: TAYLOR Garth
Cc: s22 - out of scope s47F; Steven House
Subject: Re: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

Dear Garth,

s 47C; s 47G

I had consulted Steven House on this matter before sending my email below. I should perhaps have copied him on the email; I have done so now.

I'm sure Steve will be in contact as you suggest.

s 47F and I will respond separately with regards to the letter.

Kind regards,

s 47F

On 10 Nov 2017, at 6:04 pm, TAYLOR Garth <Garth.Taylor@infrastructure.gov.au> wrote:

Dear s 47F

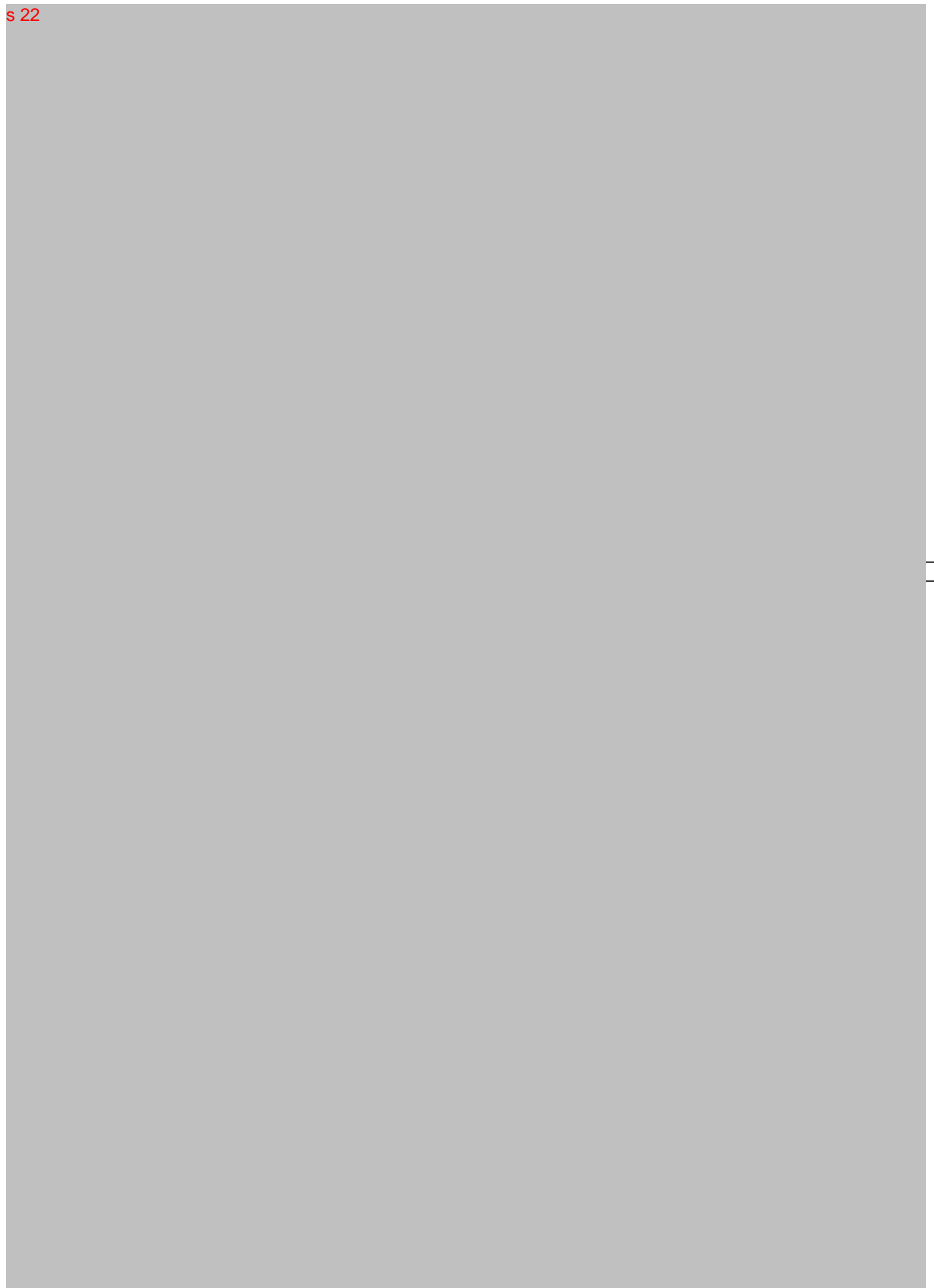
s 47C; s 47G

Kind regards

Garth Taylor
Communications, Environment, Legal
Western Sydney Unit
T 02 6274 6510

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s 22



s47F

From: TAYLOR Garth
Sent: Wednesday, 15 November 2017 6:44 PM
To: s 47F
Cc: s22 - out of scope s47F Steven House
Subject: RE: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

s 47F

Thanks for the response.

Kind regards

Garth Taylor
Communications, Environment, Legal
Western Sydney Unit
T 02 6274 6510

This material contains information that, if disclosed inappropriately, may cause limited damage to national security, Australian Government agencies, commercial entities or members of the public. Recipients should ensure they handle and store this material appropriately.

From: s 47F
Sent: Wednesday, 15 November 2017 5:42 PM
To: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>
Cc: s 47F s47F
@infrastructure.gov.au>; Steven House s 47F
Subject: Re: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

Dear Garth,

My apologies for Meridolum not yet having responded to your letter of 10 November. We intend to respond and confirm our acceptance of the terms for the negotiation as outlined. s 47F however is overseas and signing logistics have proven a little complicated. I hope to have our official response to you tomorrow.

With kind regards,
s 47F

s 47F

s22 - duplicate document





s47F

From: TAYLOR Garth
Sent: Wednesday, 15 November 2017 3:22 PM
To: Steven House
Cc: s47F
Subject: RE: Letters dated 10 November 2017 - Department of Infrastructure and Regional Development [SEC=UNCLASSIFIED]

Dear Steve

Yes, your proposed approach is acceptable and is what is being sought by the confidentiality agreement.

Kind regards

Garth Taylor
 Communications, Environment, Legal
 Western Sydney Unit
 T 02 6274 6510

From: Steven House [mailto:stevenh@ecoaus.com.au]
Sent: Tuesday, 14 November 2017 11:55 AM
To: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>
Cc: s47F @infrastructure.gov.au
Subject: FW: Letters dated 10 November 2017 - Department of Infrastructure and Regional Development [SEC=UNCLASSIFIED]

Dear Garth

Thank you for providing these letters, I am in the process of obtaining signed copies from the Hardwicke owners.

I understand s 47F from Meridolum has been in contact regarding my ownership across the Hardwicke, Hampden Vale and Cawdor sites.

I understand my responsibilities under the Criminal Code and the Competition and Consumer Act 2010 as outlined in the attached letters.

My only difficulty with the attached letters relates to confidentiality – I am both an owner and key advisor to all three properties. In this regard I seek agreement that my confidentiality obligations relate to individuals or entities that are not associated with Hardwicke, Hampden Vale or Cawdor.

Could you advise if this is acceptable.

If you would like to discuss this matter I can be reached on s 47F

Thank you
 Steve

Steven House

From: s47F @infrastructure.gov.au
Sent: Friday, 10 November 2017 5:23 PM

To: Steven House <stevenh@ecoaus.com.au>

Subject: Letters dated 10 November 2017 - Department of Infrastructure and Regional Development
[SEC=UNCLASSIFIED]

Dear Steven

Please find attached a two letters dated 10 November 2017 from Mr Garth Taylor.

Kind regards

Teresa

s47F

Executive Assistant to General Manager – Garth Taylor

Department of Infrastructure and Regional Development - Western Sydney Unit GPO Box 594, Canberra ACT 2601

s47F

[@infrastructure.gov.au](mailto:teresa@infrastructure.gov.au) | www.infrastructure.gov.au

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and delete all copies of this transmission together with any attachments.

s47F

From: TAYLOR Garth
Sent: Thursday, 16 November 2017 8:00 PM
To: s 47F
Cc: s22 - out of scope s47F Steven House
Subject: RE: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

Thank you.

Garth Taylor
 Communications, Environment, Legal
 Western Sydney Unit
 T 02 6274 6510

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From: s 47F s 47F
Sent: Thursday, 16 November 2017 9:09 AM
To: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>
Cc: s22 - out of scope s47F
 @infrastructure.gov.au>; Steven House s 47F
Subject: Re: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

Garth,

Please see executed acceptance of your letter dated 10 November.

I look forward to getting a meeting scheduled for next week and progressing this matter.

With kind regards,

s 47F

On 15 Nov 2017, at 6:44 pm, TAYLOR Garth <Garth.Taylor@infrastructure.gov.au> wrote:

s 47F

Thanks for the response.

Kind regards

Garth Taylor

Communications, Environment, Legal
Western Sydney Unit
T 02 6274 6510

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From: s 47F
Sent: Wednesday, 15 November 2017 5:42 PM
To: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>
Cc: s22 - out of scope; s47F
@infrastructure.gov.au>; Steven House <stevenghouse@gmail.com>
Subject: Re: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

Dear Garth,

My apologies for Meridolum not yet having responded to your letter of 10 November. We intend to respond and confirm our acceptance of the terms for the negotiation as outlined. s 47 (a) however is overseas and signing logistics have proven a little complicated. I hope to have our official response to you tomorrow.

s 47F

On 10 Nov 2017, at 6:04 pm, TAYLOR Garth
<Garth.Taylor@infrastructure.gov.au> wrote:

Dear s 47F

s 47C; s 47G

Kind regards

Garth Taylor
Communications, Environment, Legal
Western Sydney Unit
T 02 6274 6510

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From: s 47F
Sent: Thursday, 9 November 2017 11:33 AM
To: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>
Cc: s22 - out of scope
s47F @infrastructure.gov.au
Subject: Re: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

Dear Garth,

Many thanks for your email below. We look forward to receiving the letter which you have mentioned and to engaging with the Commonwealth in the process you have outlined.

s 47C; s 47G



We look forward to hearing from you in relation to this, and should you have any queries or wish to discuss further, please do not hesitate to contact Matt or myself.

With kind regards,

s 47F

s 47F



On 3 Nov 2017, at 4:33 pm, TAYLOR Garth
<Garth.Taylor@infrastructure.gov.au> wrote:

Dear s 47F

Thank you for meeting with us late in September to discuss your biobanking activities. As discussed in that meeting, the Commonwealth is considering credits generated or that may be generated from the site/s (Credits) to satisfy the requirements for biodiversity offsets for the Western Sydney Airport Stage 1 development.

I expect to shortly send you a letter which you (and the site owner where different) would sign and return as a pre-requisite to commencing any negotiations for the potential purchase of relevant Credits. The letter would set out the terms on which any negotiations would occur.

To give you an advance sense of what the letter would contain, I've attached below the matters I expect you would need to confirm in response to the letter:

- you are authorised to represent the owners for the purposes of negotiations with the Commonwealth

s 47G

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throughout its procurement processes. The Commonwealth requires the same standards from those with whom it deals.

- you and the owners must disclose to the Commonwealth any matters of which you or the owners become aware which might be relevant to the Commonwealth's decision to proceed to enter into an agreement in relation to the site.

Prior to commencing any negotiations with the Commonwealth, you should also be aware of:

- Division 137.1 of the Criminal Code which makes it an offence to knowingly provide false or misleading information to a Commonwealth entity;
- the *Freedom of Information Act 1982* (Cth) which requires Australian Government departments and agencies to provide access to certain documents in their possession subject to certain exemptions; and
- the *Auditor-General Act 1997* (Cth) which allows the Auditor-General to conduct a review or examination, at any time, of any aspect of the operations

In the meantime, please let me know if there have been any changes to the information we discussed in September.

Kind regards

Garth Taylor

General Manager

Communications, Environment, Legal | Western Sydney Unit | westernsydneyairport.gov.au

Department of Infrastructure and Regional Development

GPO Box 594, Canberra ACT 2601

t 02 6274 6510 | m s47F

e garth.taylor@infrastructure.gov.au | w www.infrastructure.gov.au



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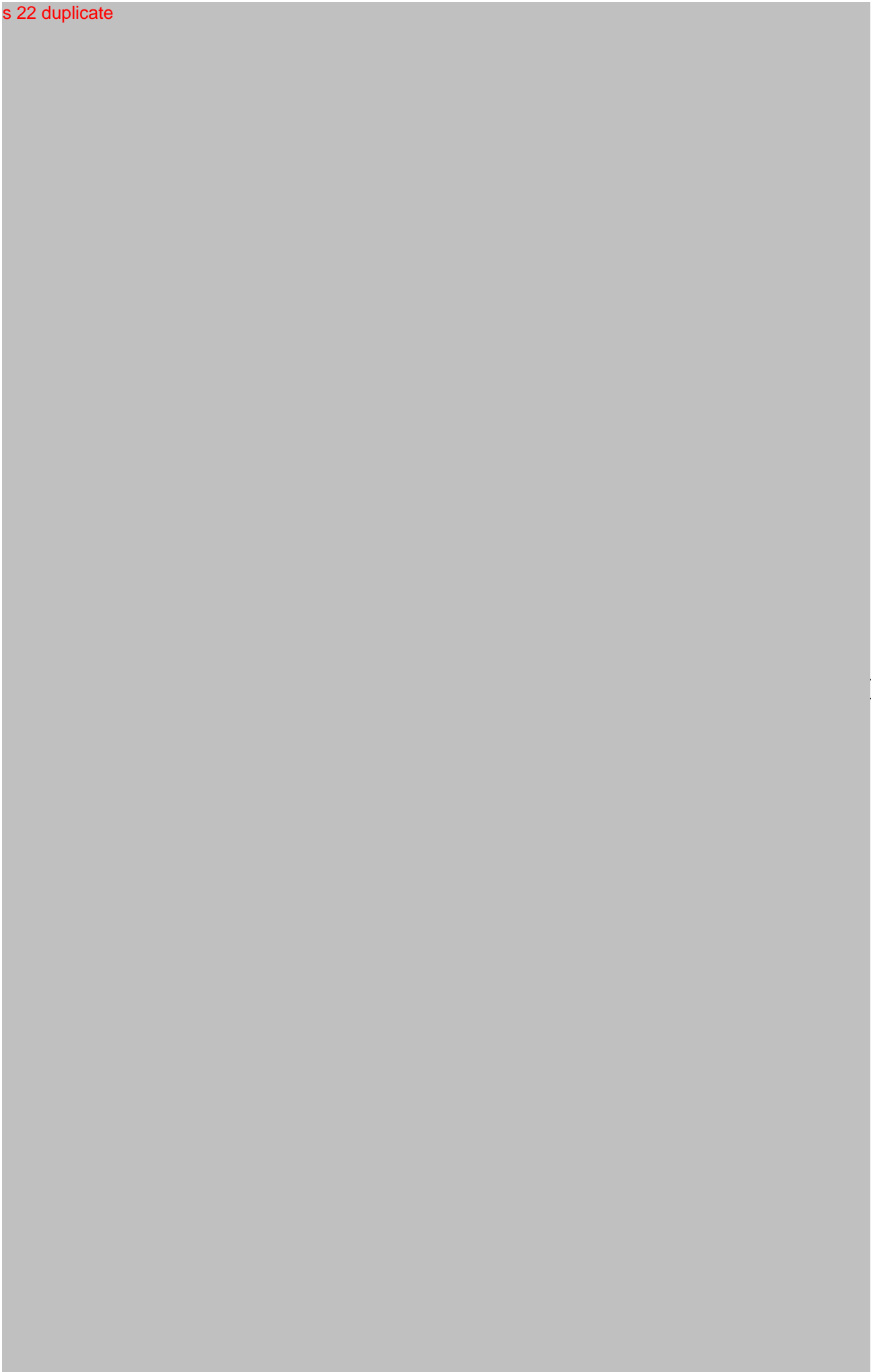
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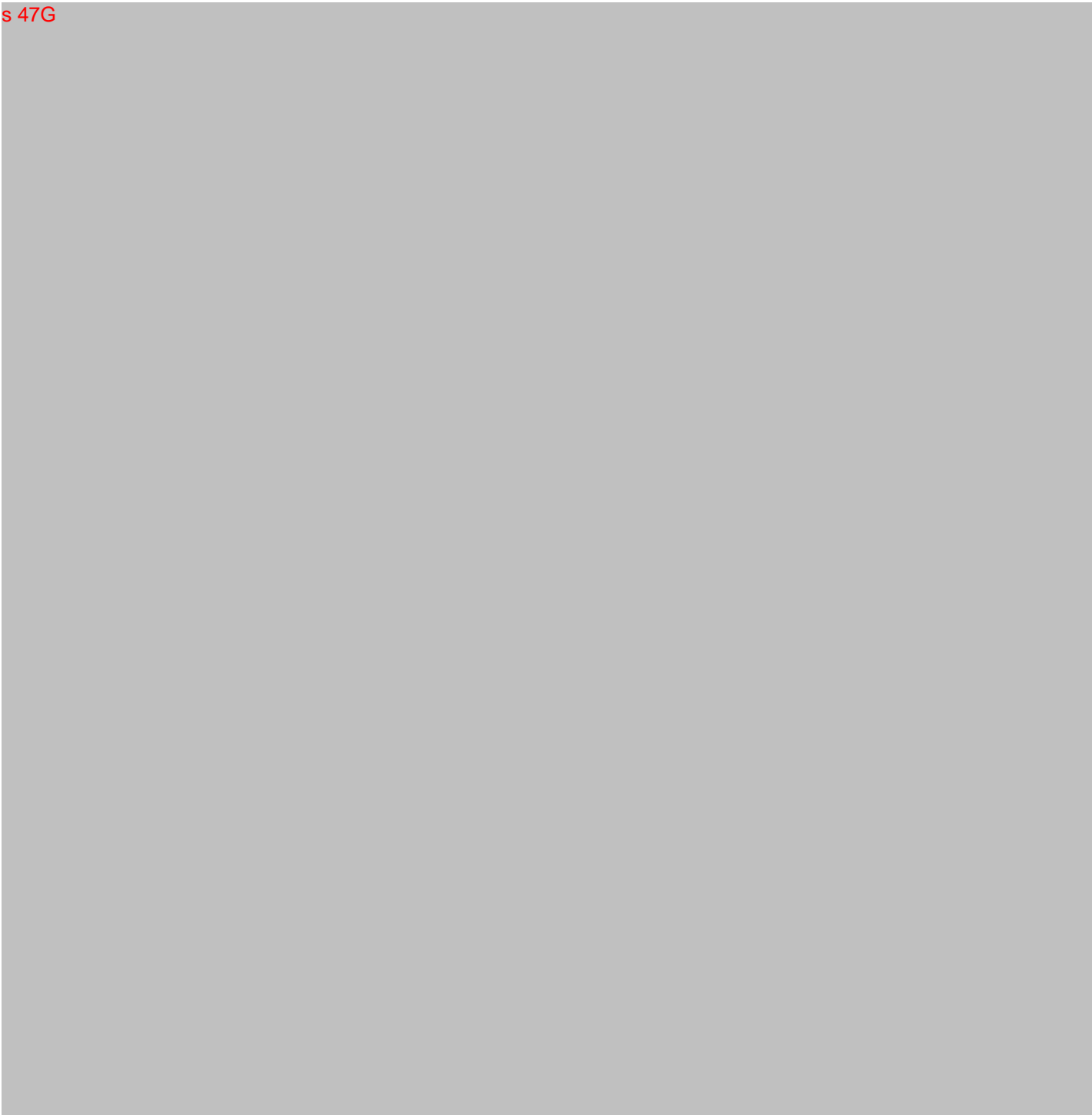




s 47G







s47F

From: Steven House <stevenh@ecoaus.com.au>
Sent: Thursday, 16 November 2017 12:36 PM
To: TAYLOR Garth
Cc: s47F
Subject: RE: Letters dated 10 November 2017 - Department of Infrastructure and Regional Development [SEC=UNCLASSIFIED]
Attachments: Hardwicke 1.pdf; Hardwicke 2.pdf; Hardwicke 3.pdf; Hampden Vale.pdf

Dear Garth

Thank you for clarifying the confidentiality.

Attached are signed documents from the Hardwicke owners and myself as Hampden Vale owner.

Due to logistical difficulties in getting the Hardwicke owners to sign the one document I have attached 3 documents with signatures – I hope this is ok

With regards meeting times I am available all day on Wednesday. The Hardwicke owners have a preference for Wednesday afternoon or potentially Thursday – although I am awaiting to confirm the availability of one of the owners for the thursday.

Thank you
 Steve

Steven House

From: s47F @infrastructure.gov.au]
Sent: Wednesday, 15 November 2017 3:22 PM
To: Steven House <stevenh@ecoaus.com.au>
Cc: s47F @infrastructure.gov.au>
Subject: RE: Letters dated 10 November 2017 - Department of Infrastructure and Regional Development [SEC=UNCLASSIFIED]

Dear Steve

Yes, your proposed approach is acceptable and is what is being sought by the confidentiality agreement.

Kind regards

Garth Taylor
 Communications, Environment, Legal
 Western Sydney Unit
 T 02 6274 6510

From: Steven House [<mailto:stevenh@ecoaus.com.au>]
Sent: Tuesday, 14 November 2017 11:55 AM
To: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>
Cc: s47F @infrastructure.gov.au>
Subject: FW: Letters dated 10 November 2017 - Department of Infrastructure and Regional Development [SEC=UNCLASSIFIED]

Dear Garth

Thank you for providing these letters, I am in the process of obtaining signed copies from the Hardwicke owners.

I understand s 47F from Meridolum has been in contact regarding my ownership across the Hardwicke, Hampden Vale and Cawdor sites.

I understand my responsibilities under the Criminal Code and the Competition and Consumer Act 2010 as outlined in the attached letters.

My only difficulty with the attached letters relates to confidentiality – I am both an owner and key advisor to all three properties. In this regard I seek agreement that my confidentiality obligations relate to individuals or entities that are not associated with Hardwicke, Hampden Vale or Cawdor.

Could you advise if this is acceptable.

If you would like to discuss this matter I can be reached on s 47F

Thank you
Steve

Steven House

From: s47F [redacted]@infrastructure.gov.au]
Sent: Friday, 10 November 2017 5:23 PM
To: Steven House <stevenh@ecoaus.com.au>
Subject: Letters dated 10 November 2017 - Department of Infrastructure and Regional Development
[SEC=UNCLASSIFIED]

Dear Steven

Please find attached a two letters dated 10 November 2017 from Mr Garth Taylor.

Kind regards

s47F [redacted]

Executive Assistant to General Manager – Garth Taylor
Department of Infrastructure and Regional Development - Western Sydney Unit GPO Box 594, Canberra ACT 2601
s47F [redacted]@infrastructure.gov.au | www.infrastructure.gov.au

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The terms of negotiation for the potential purchase of Credits are agreed.

SIGNED by Steven House:

s 47F

Signature

Date signed:

16/11/17

s 47F

SIGNED for and on behalf of South
West Land Holdings Pty Ltd
ABN 51 143 981 113
ACN 143 981 113 in accordance with
the requirements of section 127 of the
Corporations Act 2001 (Cth) by:

Name of director

Signature of director

s 47F

Name of director/secretary

Signature of director/secretary

s 47F

Date signed: 13-11-17

SIGNED for and on behalf of D.
Vitocco Constructions Pty Limited
ACN 001 681 465 in accordance with
the requirements of section 127 of the
Corporations Act 2001 (Cth) by:

Name of director

Signature of director

Name of director/secretary

Signature of director/secretary

Date signed: _____

SIGNED for and on behalf of Petroica
Pty Ltd ACN 612 698 727 in
accordance with the requirements of
section 127 of the *Corporations Act*
2001 (Cth) by:

Name of director

Signature of director

s 47F

s 47F

Name of director/secretary

Signature of director/secretary

Date signed:

16/11/17

SIGNED for and on behalf of Palolem)
Pty Ltd ACN 166 996 005 in)
accordance with the requirements of)
section 127 of the *Corporations Act*
2001 (Cth) by:

Name of director

Signature of director

s 47F

Name of director/secretary

Signature of director/secretary

s 47F

Date signed: 13.11.17



Australian Government

Department of Infrastructure and Regional Development

Steven House

By email: stevenh@ecoaus.com.au

Dear Steven

I refer to my email on 3 November and our meeting in late September. Thank you for your engagement with the Commonwealth to date regarding the potential establishment of land as a biodiversity stewardship site and the creation of credits which the Commonwealth could purchase. The potential biodiversity stewardship sites are:

- Lot 1 DP 1101523, Orangeville (Hardwicke 2 biobank)
- Lot 1 DP 1101523, Orangeville (Hardwicke 3 and 4 biobank)

which is owned by South West Land Holdings Pty Ltd, D. Vitocco Constructions Pty Limited, Petroica Pty Ltd, Palolem Pty Ltd (the Owners).

You have advised the Commonwealth that the Owner of the site anticipates that once established the biodiversity stewardship site could potentially produce biodiversity credits of the following type that could be available for purchase by the Commonwealth (Credits):

Site	Available HN528 credits	Available HN529 credits	Available HN526 credits	Available HN512 credits	Available HN630 credits	Available HN524 credits	Available HN556 credits	Species credits
Hardwicke 2	106	414	0	0	0		59	
Hardwicke 3 and 4 biobank	350	889	0	0	0		158	Pimelea spicata

The Commonwealth would like to enter negotiations for the possible purchase of some of the Credits when available subject to reaching an agreement satisfactory to the Commonwealth and the Owners. The purpose of this letter is to set out the basis upon which the negotiations would occur.

The following terms would apply to any negotiations:

- Unless otherwise advised to the Commonwealth by the Owner, you are authorised to represent the Owners for the purposes of negotiations with the Commonwealth.

s 47G



s 47G

- No legal or equitable obligations will arise between the Commonwealth and any other person (other than the matters specifically provided for in this letter) until a legally binding agreement has been executed.
- Each party may terminate negotiations at any time without any ongoing obligations to the other party.
- Each party is responsible for its own costs or expenses incurred to participate in the negotiation.
- The Commonwealth's policy is to promote the ethical use of Commonwealth resources and to engage in ethical behaviour throughout its procurement processes. The Commonwealth requires the same standards from those with whom it deals.
- You and the Owners must disclose to the Commonwealth any matters of which you or the Owners become aware which might be relevant to the Commonwealth's decision to proceed to enter into an agreement in relation to the Credits.

Prior to commencing negotiations with the Commonwealth, you should also be aware of:

- Division 137.1 of the Criminal Code which makes it an offence to knowingly provide false or misleading information to a Commonwealth entity
- the *Competition and Consumer Act 2010* which contains penalties for misleading or deceptive conduct and cartel conduct such as price-fixing
- the *Freedom of Information Act 1982* (Cth) which requires Australian Government departments and agencies to provide access to certain documents in their possession subject to certain exemptions and
- the *Auditor-General Act 1997* (Cth) which allows the Auditor-General to conduct a review or examination, at any time, of any aspect of the operations of Australian Government agencies.

Please advise as soon as possible if you and the Owners are willing to proceed to negotiations with the Commonwealth on the terms set out above by both you and the Owner signing and returning a copy of this letter by return email. The Department would be available to commence negotiations in Sydney from Wednesday 22 November. If you have any queries in relation to this letter, please contact Michael Gregory by email to the following address WSU.Environment@infrastructure.gov.au

Yours sincerely

s47F

Garth Taylor
General Manager, Communications, Environment, Legal
Western Sydney Unit

10 November 2017

The terms of negotiation for the potential purchase of Credits are agreed.

SIGNED by Steven House:

)
)
)

Signature

Date signed: _____

SIGNED for and on behalf of South
West Land Holdings Pty Ltd
ABN 51 143 981 113
ACN 143 981 113 in accordance with
the requirements of section 127 of the
Corporations Act 2001 (Cth) by:

)
)
)

Name of director

Signature of director

Name of director/secretary

Signature of director/secretary

Date signed: _____

SIGNED for and on behalf of D.
Vitocco Constructions Pty Limited
ACN 001 681 465 in accordance with
the requirements of section 127 of the
Corporations Act 2001 (Cth) by:

)
)
)

s 47F

Name of director

s 47F

Signature of director

Name of director/secretary

Signature of director/secretary

Date signed: _____

SIGNED for and on behalf of Petroica
Pty Ltd ACN 612 698 727 in
accordance with the requirements of
section 127 of the *Corporations Act*
2001 (Cth) by:

)
)
)

Name of director

Signature of director

Name of director/secretary

Signature of director/secretary

Date signed: _____

SIGNED for and on behalf of Palolem)
Pty Ltd ACN 166 996 005 in)
accordance with the requirements of)
section 127 of the *Corporations Act*
2001 (Cth) by:

Name of director

Signature of director

Name of director/secretary

Signature of director/secretary

Date signed: _____



Australian Government

Department of Infrastructure and Regional Development

Steven House

By email: stevenh@ecoaus.com.au

Dear Steven

I refer to my email on 3 November and our meeting in late September. Thank you for your engagement with the Commonwealth to date regarding the potential establishment of land as a biodiversity stewardship site and the creation of credits which the Commonwealth could purchase. The potential biodiversity stewardship site is:

- Lot 1 DP 724938 at Razorback (Hampden Vale biobank)

which is owned by you (the Owner).

You have advised the Commonwealth that it is anticipated that once established the biodiversity stewardship site could potentially produce biodiversity credits of the following type that could be available for purchase by the Commonwealth (Credits):

Site	Available HN528 credits	Available HN529 credits	Available HN526 credits	Available HN512 credits	Available HN630 credits	Available HN524 credits	Available HN556 credits	Species credits
Hampden Vale biobank	248	745	73	0	0	0	0	

The Commonwealth would like to enter negotiations for the possible purchase of some of the Credits when available subject to reaching an agreement satisfactory to the Commonwealth and the Owner. The purpose of this letter is to set out the basis upon which the negotiations would occur.

The following terms would apply to any negotiations:

s 47G

- No legal or equitable obligations will arise between the Commonwealth and any other person (other than the matters specifically provided for in this letter) until a legally binding agreement has been executed.

- Either party may terminate negotiations at any time without any ongoing obligations to the other party.
- Each party is responsible for its own costs or expenses incurred to participate in the negotiation.
- The Commonwealth's policy is to promote the ethical use of Commonwealth resources and to engage in ethical behaviour throughout its procurement processes. The Commonwealth requires the same standards from those with whom it deals.
- You must disclose to the Commonwealth any matters of which you become aware which might be relevant to the Commonwealth's decision to proceed to enter into an agreement in relation to the Credits.

Prior to commencing negotiations with the Commonwealth, you should also be aware of:

- Division 137.1 of the Criminal Code which makes it an offence to knowingly provide false or misleading information to a Commonwealth entity
- the *Competition and Consumer Act 2010* which contains penalties for misleading or deceptive conduct and cartel conduct such as price-fixing
- the *Freedom of Information Act 1982* (Cth) which requires Australian Government departments and agencies to provide access to certain documents in their possession subject to certain exemptions and
- the *Auditor-General Act 1997* (Cth) which allows the Auditor-General to conduct a review or examination, at any time, of any aspect of the operations of Australian Government agencies.

Please advise as soon as possible if you are willing to proceed to negotiations with the Commonwealth on the terms set out above by signing and returning a copy of this letter by return email. The Department would be available to commence negotiations in Sydney from Wednesday 22 November.

If you have any queries in relation to this letter, please contact Michael Gregory by email to the following address WSU.Environment@infrastructure.gov.au

Yours sincerely

s47F

Garth Taylor
General Manager, Communications, Environment, Legal
Western Sydney Unit

10 November 2017

The terms of negotiation for the potential purchase of Credits are agreed.

SIGNED by Steven Gregory House:

)
)
)

s 47F



Signature

Date signed:

16/11/17

s47F

From: TAYLOR Garth
Sent: Monday, 20 November 2017 7:14 PM
To: s 47F s47F
Cc: s47F s 47F 47F s 22
Subject: RE: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

For-Official-Use-Only

s 47F

We'll be able to arrange a dial in tomorrow and send it through for s 47F We note your request regarding s 47F

Regards
 Garth

Sent with BlackBerry Work
 (www.blackberry.com)

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From: s 47F
Date: Monday, 20 Nov 2017, 6:25 pm
To: s47F @infrastructure.gov.au>
Cc: s47F @infrastructure.gov.au>, TAYLOR Garth
 <Garth.Taylor@infrastructure.gov.au>, s22 - out of scope s 47F
 s 47F s22 - out of scope
Subject: Re: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

Dear s47F and Garth,

Thank you for confirming the meeting below. I will be attending for Meridolum, and s 47F is likely to be dialing in. Would it be possible to make provision for him to do so, including, if necessary, circulating a dial-in?

s47C; s47(a)(b); s47G(a)(b)

I look forward to seeing you on Wednesday.

With kind regards,

s 47F

On 20 Nov 2017, at 4:40 pm, s47F <[REDACTED]>@infrastructure.gov.au> wrote:

Hi s 47F

This email is to confirm the details of the meeting with the Department of Infrastructure and Regional Development to discuss your biobanking activities. Please let me know if the below time is not suitable.

Time: 15:30 – 16:15 pm, Wednesday 22 November 2017
Location: Level 15, 1 Bligh Street, Sydney NSW 2000

Upon arrival you will need to go to the concierge desk to get a pass to allow you to take the lift up to Level 15. Level 15 is the reception desk for Clayton Utz, where the meeting will be held.

Please send me details of who will be attending the meeting from your end and I will pass it on to Clayton Utz.

Let me know if you have any questions concerning the arrangements for the meeting.

Kind regards

s47F

[REDACTED]
A/Assistant Director | Environmental Conditions and Approvals
Western Sydney Unit
Department of Infrastructure and Regional Development
s47F <[REDACTED]>@infrastructure.gov.au | s47F <[REDACTED]> | w www.infrastructure.gov.au



From: TAYLOR Garth
Sent: Thursday, 16 November 2017 8:00 PM
To: s 47F
Cc: s22 - out of scope <[REDACTED]> s47F <[REDACTED]>
<[REDACTED]>@infrastructure.gov.au>; s 47F <[REDACTED]>
Subject: RE: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

Thank you.

Garth Taylor
Communications, Environment, Legal
Western Sydney Unit
T 02 6274 6510

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From: s 47F

Sent: Thursday, 16 November 2017 9:09 AM

To: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>

Cc: s22 - out of scope

s47F @infrastructure.gov.au>; s 47F

Subject: Re: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only]

Garth,

Please see executed acceptance of your letter dated 10 November.

I look forward to getting a meeting scheduled for next week and progressing this matter.

With kind regards,

s 47F

On 15 Nov 2017, at 6:44 pm, TAYLOR Garth
<Garth.Taylor@infrastructure.gov.au> wrote:

s 47F

Thanks for the response.

Kind regards

Garth Taylor
Communications, Environment, Legal
Western Sydney Unit
T 02 6274 6510

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s22 - duplicate



s22 - duplicate



s47F

From: s47F
Sent: Monday, 20 November 2017 4:38 PM
To: stevenh@ecoaus.com.au
Cc: s47F TAYLOR Garth
Subject: RE: Letters dated 10 November 2017 - Department of Infrastructure and Regional Development [SEC=UNCLASSIFIED]

Hi Steve

This email is to confirm the details of two meetings with the Department of Infrastructure and Regional Development to discuss your biobanking activities. Please let me know if the below times are not suitable.

Subject: Hardwicke biobank sites
Time: 12:30 – 13:15 pm, Wednesday 22 November 2017
Location: Level 15, 1 Bligh Street, Sydney NSW 2000

Subject: Hampden Vale biobank site
Time: 14:15 – 14:45 pm, Wednesday 22 November 2017
Location: Level 15, 1 Bligh Street, Sydney NSW 2000

Upon arrival you will need to go to the concierge desk to get a pass to allow you to take the lift up to Level 15. Level 15 is the reception desk for Clayton Utz, where the meeting will be held.

Please send me details of who will be attending the meetings from your end and I will pass it on to Clayton Utz.

Let me know if you have any questions concerning the arrangements for the meeting.

Kind regards

s47F

A/Assistant Director | Environmental Conditions and Approvals
 Western Sydney Unit
 Department of Infrastructure and Regional Development
 s47F @infrastructure.gov.au | s47F | w www.infrastructure.gov.au

x

From: s47F
Sent: Monday, 20 November 2017 3:44 PM
To: Steven House <stevenh@ecoaus.com.au>
Cc: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>; s47F @infrastructure.gov.au
Subject: RE: Letters dated 10 November 2017 - Department of Infrastructure and Regional Development [SEC=UNCLASSIFIED]

Thanks Steve.

No problems, we will plan accordingly.

Kind regards,

s47F

Director – Environmental Conditions and Approvals Section
Communication, Environment and Legal Branch
Western Sydney Unit
Department of Infrastructure and Regional Development

s47F

@infrastructure.gov.au

From: Steven House [<mailto:stevenh@ecoaus.com.au>]
Sent: Monday, 20 November 2017 3:37 PM
To: s47F @infrastructure.gov.au>
Cc: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>
Subject: Re: Letters dated 10 November 2017 - Department of Infrastructure and Regional Development
[SEC=UNCLASSIFIED]

Hi s47F

One of our owners need to fly to Melbourne at 4.30. Could I request a meeting time around 1pm?

Thank you
Steve

Sent from my iPhone

On 20 Nov 2017, at 1:22 pm, s47F @infrastructure.gov.au> wrote:

Thanks Steve.

Yes, we are still going ahead with Wednesday and will email you location and timing details for confirmation shortly.

Kind regards,

s47F

Director – Environmental Conditions and Approvals Section
Communication, Environment and Legal Branch
Western Sydney Unit
Department of Infrastructure and Regional Development

s47F

@infrastructure.gov.au

From: Steven House [<mailto:stevenh@ecoaus.com.au>]
Sent: Monday, 20 November 2017 1:21 PM
To: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>
Cc: s47F @infrastructure.gov.au>

Subject: Re: Letters dated 10 November 2017 - Department of Infrastructure and Regional Development [SEC=UNCLASSIFIED]

Hi Garth and s47F

On behalf of the Hardwicke owners could you confirm if meetings are going ahead this week. If they are occurring can you provide details on when and where?

Thank you
Steve

Sent from my iPhone

s22 - duplicate document



<image0

s47F

From: s47F
Sent: Wednesday, 22 November 2017 11:33 AM
To: s 47F
Subject: RE: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only] [SEC=UNCLASSIFIED]

Thanks s 47F – I've passed it on.

S
47F

From: s 47F
Sent: Wednesday, 22 November 2017 10:42 AM
To: s47F @infrastructure.gov.au>
Subject: Re: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only] [SEC=UNCLASSIFIED]

Hi s47F

The number is s 47F

With thanks
s 47F

On 22 Nov 2017, at 10:31 am, s47F @infrastructure.gov.au> wrote:

Hi s 47F

Just checking if s 47F has sent through a UK number?

Kind regards

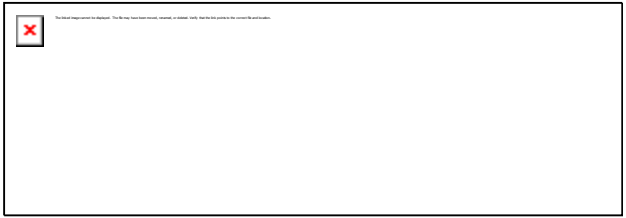
s47F

s47F

A/Assistant Director | Environmental Conditions and Approvals
Western Sydney Unit

Department of Infrastructure and Regional Development

s47F @infrastructure.gov.au | s47F | w www.infrastructure.gov.au



From: s 47F

Sent: Tuesday, 21 November 2017 5:49 PM

To: s47F @infrastructure.gov.au>

Cc: s22 - out of scope >

Subject: Re: Potential letter from the Commonwealth, WSA [DLM=For-Official-Use-Only] [SEC=UNCLASSIFIED]

s 47F do you have a UK number we can call you on?

On 21 Nov 2017, at 5:15 pm, s 47F > wrote:

Hi s47F - s 47F number is s 47F. He is however in the UK so that may not be the best option. Any chance Clayton Utz has a dial-in with a UK number (I'm sure they will). Thanks, s 47F

On 21 Nov 2017, at 4:27 pm, s47F @infrastructure.gov.au> wrote:

Hi s 47F

I just left a message on your mobile. We think the easiest way to dial-in s 47F to tomorrow's meeting would be to call him directly from the meeting room at the start of the meeting. That way he would not have to wait on an empty line.

If you both are okay with that, could you please provide me with s 47F contact number?

If it doesn't suit, we can send through some dial-in details.

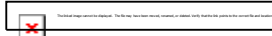
Let me know either way.

Kind regards

s47F

[REDACTED]
A/Assistant Director | Environmental Conditions and Approvals
Western Sydney Unit
Department of Infrastructure and Regional Development

s47F [REDACTED] @infrastructure.gov.au | s47F [REDACTED] | w www.infrastructure.gov.au



s22 - duplicate

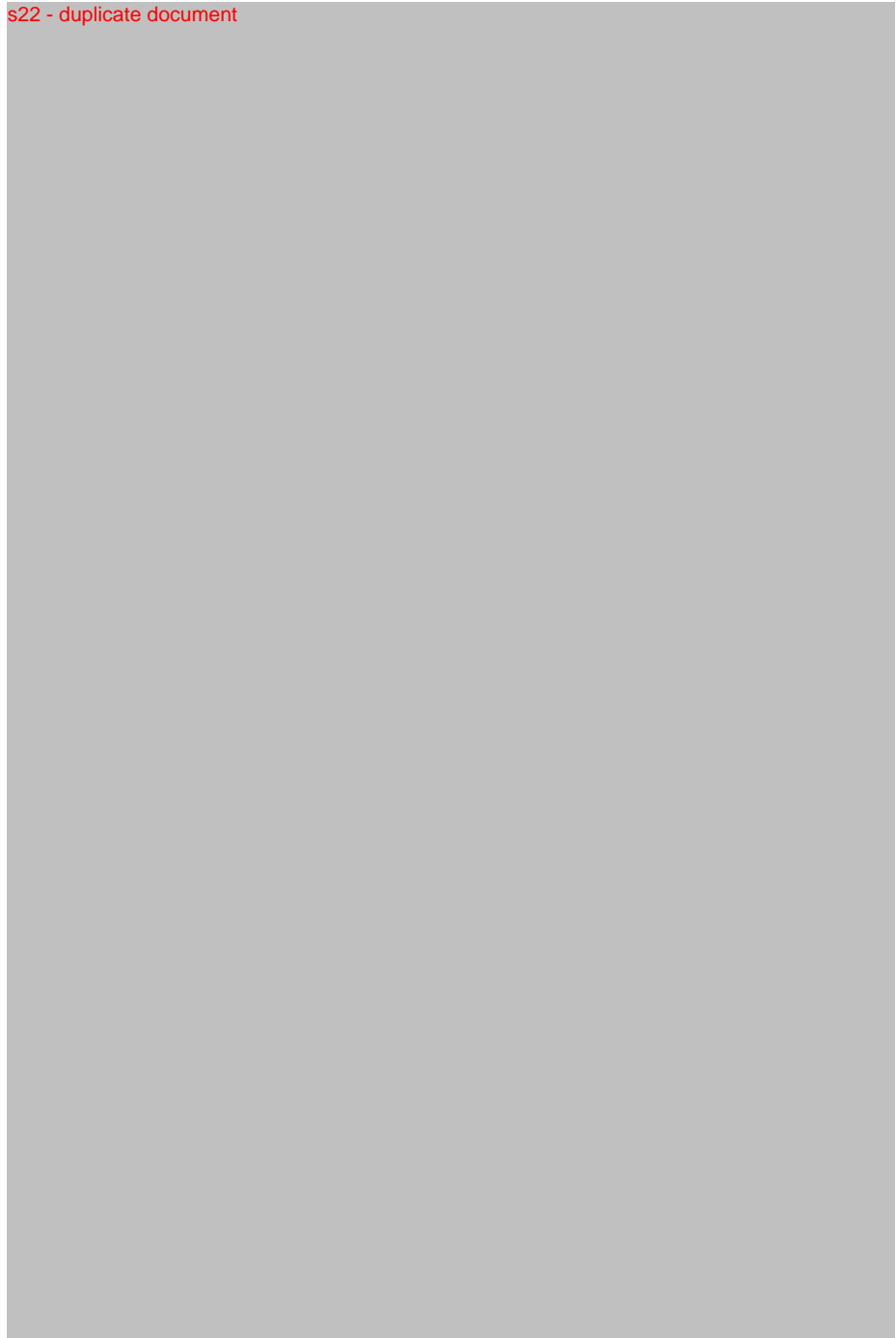
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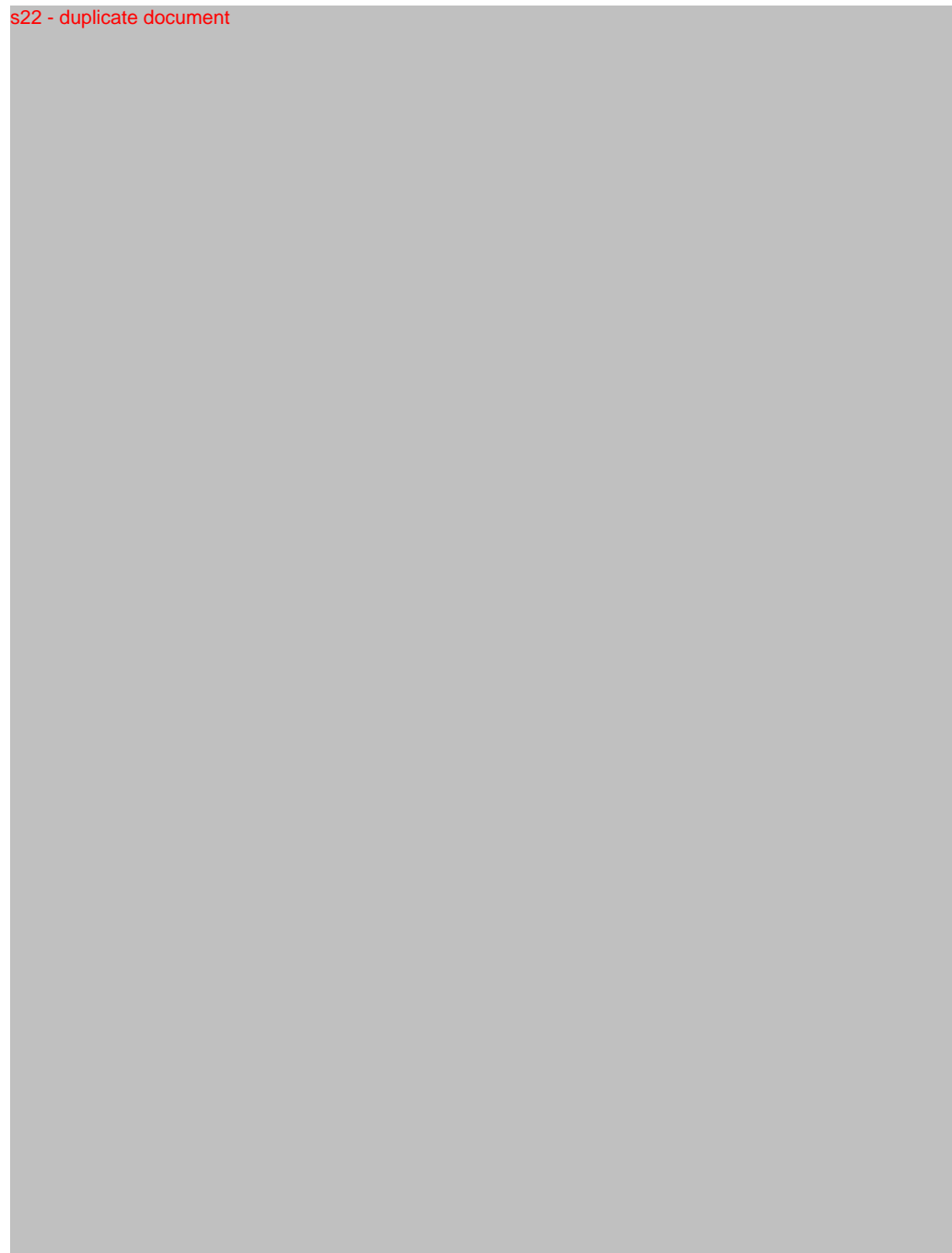
s22 - duplicate document



s22 - duplicate document









s47F

From: TAYLOR Garth
Sent: Friday, 24 November 2017 5:02 PM
To: Steven House
Cc: s22 - out of scope s47F
Subject: RE: Hampden Vale Response to Offer [DLM=For-Official-Use-Only]

Steve

Thank you for meeting with us yesterday and for this speedy response. We'll respond to your request (below) more completely next week.

Kind regards

Garth Taylor
Communications, Environment, Legal
Western Sydney Unit
T 02 6274 6510

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From: Steven House [mailto:stevenh@ecoaus.com.au]
Sent: Friday, 24 November 2017 3:31 PM
To: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>; s47F
@infrastructure.gov.au>
Subject: Hampden Vale Response to Offer

Dear Garth and s47F

Thank you for your time on Wednesday to discuss the potential purchase of biobanking credits from Hampden Vale.

s 47G

s 47G

Thank you

Steve

Steven House

s 47F

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s47F

From: Steven House <stevenh@ecoaus.com.au>
Sent: Tuesday, 28 November 2017 3:57 PM
To: TAYLOR Garth; s47F
Cc: s22 - out of scope s22 - out of scope
Subject: Hardwicke owners response to offer

Dear Garth and s47F

s 47G

Kind Regards,

Hardwicke Owners

s47F

From: TAYLOR Garth
Sent: Tuesday, 5 December 2017 2:29 PM
To: s 47F
Cc: s22 - out of scope s22 - out of scope s47F s22 - out of
Subject: RE: Cawdor Heights biobank [DLM=For-Official-Use-Only] [SEC=UNCLASSIFIED]

Dear s 47F

Thank you for your email – I appreciate your further clarifying your position.

s 47C; s 47G

Kind regards

Garth Taylor

General Manager, Communications, Environment, Legal
Western Sydney Unit
t 02 6274 6510
w www.westernsydneyairport.gov.au

From: s 47F
Sent: Monday, 4 December 2017 10:28 AM
To: TAYLOR Garth
Cc: s22 - out of scope s22 - out of scope s47F s22 - out of
Subject: Re: Cawdor Heights biobank [DLM=For-Official-Use-Only] [SEC=UNCLASSIFIED]

Dear Garth,

s 47C; s 47G

s 47C; s 47G

47C;

We

look forward to hearing from you.

Kind regards,

s 47F

On 1 Dec 2017, at 2:21 pm, TAYLOR Garth <Garth.Taylor@infrastructure.gov.au> wrote:

Dear s 47F

Thank you for meeting with us on 22 November to discuss the commercial principles which may apply if the Commonwealth were to purchase credits which become available in respect of the potential Cawdor Heights biodiversity stewardship site and for your response to that meeting as set out in your email dated 24 November. I also acknowledge s 47F email a little earlier today.

s 47C; s 47G

Once again, thank you for your engagement with the Commonwealth.

Kind regards

Garth Taylor

General Manager, Communications, Environment, Legal

Western Sydney Unit

t 02 6274 6510

w www.westernsydneyairport.gov.au

s22 - out of scope

Cc: s22 - out of scope s22 - out of scope ; s47F
@infrastructure.gov.au>; s 47F

Subject: RE: Cawdor Heights biobank [DLM=For-Official-Use-Only]

Dear Garth,

We trust that all is good from your end. s 47F and I spoke today and we wondered whether it might make sense for our lawyers at Allen & Overy to touch bases with Clayton Utz. Without wanting to jump the gun at all given we are still discussing price, it nonetheless seemed to us that if we want to close a transaction this year there are a number of legal issues that will need to be dealt with in order to get a deal done. For example we have not yet seen a draft contract.

If this is acceptable to you please do let us know,

Best
s22 -
out of

From: TAYLOR Garth [mailto:Garth.Taylor@infrastructure.gov.au]

Sent: 24 November 2017 17:03

To: s 47F s47F
@infrastructure.gov.au>

Cc: s22 - out of scope s22 - out of scope

Subject: RE: Cawdor Heights biobank [DLM=For-Official-Use-Only]

Dear s 47F

Thank you for meeting with us yesterday and for this speedy response. We'll respond to your email more completely next week.

Kind regards

Garth Taylor
Communications, Environment, Legal
Western Sydney Unit
T 02 6274 6510

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From: s 47F
Sent: Friday, 24 November 2017 2:42 PM
To: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>; s47F
@infrastructure.gov.au>
Cc: s22 - out of scope
Subject: Cawdor Heights biobank

Dear Garth and s47F

Thank you again for hosting s22 - out of (by phone) and me on Wednesday.

Yours sincerely,

s 47F

s 47F

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s47F

From: TAYLOR Garth
Sent: Tuesdav. 5 December 2017 9:59 PM
To: s47F s22 - out of scope

Subject: [DLM=For-Official-Use-Only]

For-Official-Use-Only

s47F

s22 -
out of

I received a couple of phone calls this afternoon.

s 47C; s 47G

47G

Garth Taylor
General Manager
WSU, 02 6274 6510

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s47F

From: Steven House <stevenh@ecoaus.com.au>
Sent: Tuesday, 5 December 2017 10:03 AM
To: TAYLOR Garth
Cc: s47F s22 - out of scope s 47F
Subject: RE: Hampden Vale Response to Offer [SEC=UNCLASSIFIED]

Dear Garth

Thank you for meeting with me and considering my earlier email. Whilst not proceeding further is disappointing I understand and respect the Commonwealth's position.

If the Commonwealth would like to discuss Hampden Vale credits in the future, could you contact me on my personal email or phone as I am about to take long service leave and won't be checking my ecoaus email. My personal contact details are;

s 47F

It has been a pleasure meeting with you and I would like to wish you and your team every success in delivering this great project for Western Sydney.

Kind Regards,

Steve

Steven House

From: TAYLOR Garth [mailto:Garth.Taylor@infrastructure.gov.au]
Sent: Friday, 1 December 2017 2:21 PM
To: Steven House <stevenh@ecoaus.com.au>
Cc: s47F @infrastructure.gov.au; s22 - out of scope
Subject: RE: Hampden Vale Response to Offer [SEC=UNCLASSIFIED]

Dear Steven

Thank you for meeting with us on 22 November to discuss the commercial principles which may apply if the Commonwealth were to purchase credits which become available in respect of the potential Hampden Vale biodiversity stewardship site and for your response to that meeting as set out in your email dated 24 November.

The Commonwealth has considered your position as set out in your email and has decided not to proceed to negotiations and make a written offer in respect of the potential credits available at Hampden Vale at this time. While it appears that agreement can be reached in relation to the issues of timing and access, agreement is unlikely to be reached on price.

I may discuss the credits at Hampden Vale with you again at some time in the future but neither party has any ongoing obligation in respect of the credits or the other party and I am aware that you are free to sell the credits at any time to anyone.

I would like to take this opportunity to remind you of your obligations of confidentiality and that all communications that we have had in relation to the potential credits at the Hampden Vale site remain confidential between yourself and the Commonwealth.

Once again, thank you for your engagement with the Commonwealth.

Kind regards

Garth Taylor

General Manager, Communications, Environment, Legal

Western Sydney Unit

t 02 6274 6510

w www.westernsydneyairport.gov.au

s 22 - duplicate





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s47F

From: Steven House s 47F
Sent: Tuesday, 13 February 2018 6:58 PM
To: TAYLOR Garth
Cc: s47F s22 - out of scope
Subject: Re: Hardwicke Biobank [SEC=UNCLASSIFIED]

Dear Garth

Thank you for getting back to me.

If the commonwealth's position changes in the future I would be happy to hear from you.

Kind Regards
 Steve

On Mon, 12 Feb 2018 at 7:22 pm, TAYLOR Garth <Garth.Taylor@infrastructure.gov.au> wrote:

Dear Steve

We had a productive meeting with our biodiversity experts group on Friday and the Commonwealth is continuing to consider a range of offset options including biobanking credits. However, we do not seek a further offer from the Hardwicke biobank site regarding Hardwicke's biobanking credits at this time.

As set out in my email of 1 December, I may discuss the credits at Hardwicke with you again at some time in the future but neither party has any ongoing obligation in respect of the credits or the other party and I am aware that the owners of Hardwicke are free to sell the credits at any time to anyone.

Thank you for your ongoing interest.

Kind regards

Garth Taylor
 General Manager, Communications, Environment, Legal
 Western Sydney Unit
 t 02 6274 6510
 w www.westernsydneyairport.gov.au

From: TAYLOR Garth
Sent: Thursday, 8 February 2018 6:39 PM
To: 'Steven House' s 47F s47F @infrastructure.gov.au>;

s22 - out of scope

Subject: RE: Hardwicke Biobank [SEC=UNCLASSIFIED]

Dear Steve

Happy New Year.

Your timing is good – we have a discussion with our reference group tomorrow and will be outlining offsetting options for them. I'll get back in touch with you after the meeting.

Kind regards

Garth Taylor

General Manager, Communications, Environment, Legal
Western Sydney Unit
t 02 6274 6510
w www.westernsydneyairport.gov.au

From: Steven House s 47F

Sent: Thursday, 8 February 2018 4:27 PM

To: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>; s47F
<@infrastructure.gov.au>; s22 - out of scope

Subject: Hardwicke Biobank

Dear Garth

I trust you and your team had a relaxing break over the Christmas period.

Could you advise whether the commonwealth is still seeking biobanking credits and if so whether you would like to receive an offer from the Hardwicke Biobank site.

Kind Regards

Steven House

s47F

From: TAYLOR Garth
Sent: Friday, 7 September 2018 8:49 AM
To: Steven House
Cc: s47F s22 - out of scope
Subject: RE: Hardwicke Biobank [SEC=UNCLASSIFIED]

Dear Steve

It is good to hear from you again and your timing is good. The airport's Biodiversity Offset Delivery Plan was approved late last month and we intend to publish it later this month. At the time of publishing, we intend to start advertising for our first tranche of credit purchases – we'll also update our website with information on the type of credits we're seeking as well as register our interest as a buyer on OEH's credits register. I expect that you'll see the advertisements in the major dailies from around 21 September. Once we have the process commenced, we will write to you and other vendors we're in contact with to inform you of the process underway. We're aiming to complete the first tranche of credit purchases this year, though we are aware that some vendors may prefer a later settlement date and will be flexible depending on the offer. I expect there to be up to four tranches of such credit purchases.

Kind regards

Garth Taylor
 General Manager | Communications, Environment, Legal
 Western Sydney Unit
 t 02 6274 6510
 w www.westernsydneyairport.gov.au | w www.infrastructure.gov.au

From: Steven House s 47F
Sent: Thursday, 30 August 2018 11:21 AM
To: TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>
Cc: s47F @infrastructure.gov.au; s22 - out of scope
Subject: Re: Hardwicke Biobank [SEC=UNCLASSIFIED]

Dear Garth

Its has been many months since our last communication, I trust you and your team have been well.

I am writing to see if the Commonwealth would be interested in revisiting the biodiversity credits at Hardwicke. Whilst the owners have committed a proportion of credits to other parties they would still be in a position to meet a substantial part of the Western Sydney Airport direct offset requirements. Moreover with the greater pricing transparency provided by the Biodiversity Conservation Trusts online offsets calculator I am confident that the owners would take a fair approach to pricing credits to enable the Commonwealth to demonstrate value for money for the taxpayer.

Kind Regards

Steven House

On Mon, Feb 12, 2018 at 7:22 PM TAYLOR Garth <Garth.Taylor@infrastructure.gov.au> wrote:

s47F

From: ENVIRONMENT WSU
Sent: Tuesday, 9 October 2018 11:29 AM
To: Steven House
Subject: RE: EOI - Biobank credits, Hampden Vale [DLM=For-Official-Use-Only]

Hi Steve,

Thank you for the below advice.
 I will discuss this with the team here and we will contact GHD for additional information as required.
 We will follow up if any further information is required at this stage.

Regards,

s47F

Environmental Conditions and Approvals
 Western Sydney Unit
 Department of Infrastructure, Regional Development and Cities
 GPO Box 594, Canberra ACT 2601
 e w www.infrastructure.gov.au



This material contains information that, if disclosed inappropriately, may cause limited damage to national security, Australian Government agencies, commercial entities or members of the public. Recipients should ensure they handle and store this material appropriately.

From: Steven House s 47F
Sent: Monday, 8 October 2018 10:33 AM
To: ENVIRONMENT WSU <WSU.Environment@infrastructure.gov.au>
Subject: Re: EOI - Biobank credits, Hampden Vale [DLM=For-Official-Use-Only]

Hi s47F

Thank you for sending this confirmation.

Please also be advised that GHD recorded *Marsdenia viridiflora* within the biobank. As the site is located in Wollondilly Shire I did not pursue credits for this species. However if WSU requires known habitat for this species than the site might be suitable for this purpose.

I understand WSU has been using GHD and I am happy for you to contact them directly and access data from the Hampden Vale Biobank to confirm their records.

Kind Regards
 Steve House

On Mon, 8 Oct 2018 at 10:01 am, ENVIRONMENT WSU <WSU.Environment@infrastructure.gov.au> wrote:

Commercial In Confidence

Dear Steven,

Biodiversity Credits for Western Sydney Airport – Confirmation of receipt of expression of interest

This email is to confirm that the Department of Infrastructure, Regional Development and Cities (the Department) has received your expression of interest for the Western Sydney Airport Biodiversity Credits Program. The Department will contact you in due course to advise whether you have been selected to be invited to submit a tender.

Kind Regards

s47F

Graduate | Environmental Conditions and Approvals
Western Sydney Unit
Department of Infrastructure, Regional Development and Cities
GPO Box 594, Canberra ACT 2601
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From: Steven House s 47F
Sent: Saturday, 6 October 2018 10:45 AM
To: ENVIRONMENT WSU <WSU.Environment@infrastructure.gov.au>
Subject: EOI - Biobank credits, Hampden Vale

Dear WSU

I would like to express interest in the sale of credits from the Hampden Vale Biobank.

Biobank Site: Hampden Vale, [140 Rotherwood Road, Razorback](#)

Vendor Details: Steven House ABN 82 296 863 773. Phone - s 47F email - s 47F

Biobank Status - the Hampden Vale Biobank was registered in May 2018 (Agreement ID 250). The following credits are currently available;

Credit type	Credit ID	Available credits
HN526	2458	76
HN528	2461	161
HN528	2460	44
HN529	2454	315
HN529	2453	260
HN529	2456	14
HN538	2462	34

Please let me know if you require any further information.

Kind Regards

Steven House

s47F

From: s 47F
Sent: Tuesday, 16 October 2018 12:35 PM
To: ENVIRONMENT WSU
Subject: Re: Expression of interest [DLM=For-Official-Use-Only]

Thanks s47F I look forward to hearing from you in due course. Kind regards, s 47F

On 16 Oct 2018, at 11:09 am, ENVIRONMENT WSU
 <WSU.Environment@infrastructure.gov.au> wrote:

Commercial In Confidence

Dear s 47F

Biodiversity Credits for Western Sydney Airport – Confirmation of receipt of expression of interest

This email is to confirm that the Department of Infrastructure, Regional Development and Cities (the Department) has received your expression of interest for the Western Sydney Airport Biodiversity Credits Program. The Department will contact you in due course to advise whether you have been selected to be invited to submit a tender.

Kind Regards

s47F

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From: s 47F
Sent: Monday, 15 October 2018 6:31 PM
To: ENVIRONMENT WSU <WSU.Environment@infrastructure.gov.au>
Cc: s22 - out of scope; s47F
 @infrastructure.gov.au>; TAYLOR Garth <Garth.Taylor@infrastructure.gov.au>
Subject: Expression of interest

To: Department of Infrastructure, Regional Development & Cities

I wish to register an expression of interest for the upcoming procurement round with an anticipated tender date of 20 November 2018 in relation to biodiversity credits for the Western Sydney Airport project.

Vendor details: Meridolum No.1 Pty Ltd ATF Meridolum No.1 Unit Trust ABN 23 867 628 400.

Contact details: s 47F

Credit details:

- Site: Cawdor Heights biobank, 519 Old Razorback Road Cawdor and 120 Rotherwood Rd Razorback
- Credit type: HN529
- Number of credits: 1464
- Agreement ID 284, Credit ID 2598

You should already have much of the relevant information in relation to the site from prior discussions. By way of update, we are now in the process of implementing our 180 Ha biobank site in Cawdor.

The BODP (p172) outlines a number of criteria, in addition to value for money, that may be considered when confirming direct offset sites. The Cawdor Heights biobank, and credits derived from it, are a strong fit with these criteria:

- The site meets the condition criteria required to comprise the community as defined under the EPBC Act and associated policy (DEWHA 2010);
- While there are currently no known records of *Pimelea spicata* in the Cawdor Heights Biobank, there is suitable habitat, a potential seed bank source and with management actions funded and planned a high likelihood that the species will be detected on site in the future;
- The site contains habitat critical to survival, or essential habitat, for Grey Headed Flying-foxes;
- The site contains tree species identified as a commonly-used food source for the Swift Parrot, which is predicted to occur on site;
- The site possesses other biodiversity values appropriate to offset the airport's impacts on plants, animals and their habitats, such as the presence of the Cumberland Plain Land Snail and freshwater wetlands;
- The site is within the Cumberland IBRA sub-region and within 30km of the airport site;
- The site is within the CCC as an area identified as a "Core" Priority Investment Area, part of the Regional Corridor under the OEH *Cumberland Subregion Biodiversity Investment Opportunities Map* (previously known as Priority Conservation Lands by OEH), sits on a fourth order stream and, with neighbouring biobanks, protects over 300ha of contiguous CPW along Razorback Range at Cawdor. The restoration of these areas will reduce fragmentation and provide one of the largest patches of remnant CPW on the Cumberland Plain.

Further details relating to the Cawdor Heights biobank and its fit with these criteria are included as attachment A to this email.

Please be in contact if you require further information.

Yours sincerely,

s 47F

Disclaimer

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Any review, re-transmission, disclosure, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited and may result in severe penalties.
If you have received this e-mail in error, please notify the Department on (02) 6274-7111 and delete all copies of this transmission together with any attachments.

s 47F

Attachment A: Addressing the BODP direct offset site selection criteria for the *Cawdor Heights* biobank (Biobank 284):

The following sections address the ecological selection criteria for direct offset sites as outlined on page 172 of the Biodiversity Offset Delivery Plan, as they relate to the Cawdor Heights biobank (Biobank 284).

1. Presence of Cumberland Plain Woodland, linked to the credit types HN528, HN529 and HN512 (OEH 2018c)

Biobank 284 is dominated by Cumberland Plain Woodland. The registered NSW Biobank has available credits HN529. These credits have been verified by independent Biobanking Accredited Assessors § 47F and are registered with OEH (see OEH Register [here](#)).

These credits also meet the condition criteria required to comprise the community as defined under the EPBC Act and associated policy (DEWHA 2010).

2. Presence of occupied *Pimelea spicata* habitat.

While there are no known records of *Pimelea spicata* in Biobank 284, there is suitable habitat, a potential seed bank source and, with management actions as funded and planned, a high likelihood that the species will be detected on site in the future.

This judgement is based on the following:

Historical records of *Pimelea spicata*

Pimelea spicata is likely to have been relatively abundant across the Cumberland Plain prior to European settlement. It is difficult to accurately estimate current population size and extent of occurrence for *P. spicata* given that the species is cryptic and difficult to detect, particularly when not in flower, and may not be apparent aboveground during drought conditions such as we are experiencing currently.

There are several known populations in Camden (see Figure 1).

Seed bank

As outlined in the TSC Recovery plan (OEH 2007) a soil-stored seed bank may exist in areas where mature plants are no longer apparent. For example, Willis et al. (2003) found viable *P. spicata* seed beneath infestations of Bridal Creeper and African Olive where no mature *P. spicata* were apparent (Section 6.3). The *P. spicata* Recovery Plan (2007) concludes that estimates of above ground abundance may be a poor indicator of the potential abundance of *P. spicata* at a site.

Pimelea spicata can maintain a soil-stored seed bank. Willis et al. (2003) found that '*P. spicata* seed bank appears to be about as extensive beneath infestations of Bridal Creeper and African Olive as it is in relatively weed free areas. As *P. spicata* has no obvious adaptations to aid seed dispersal, this result may suggest that extant individuals have been displaced from invaded habitats, leaving only the soil seed bank as evidence of their previous occurrence.' This information suggests that not only is the species capable of maintaining a long-lived persistent soil seed bank, but also that there may be populations in existence that are represented only by a soil stored seed bank.

Figure 1: *P. spicata* habitat (source OEH)

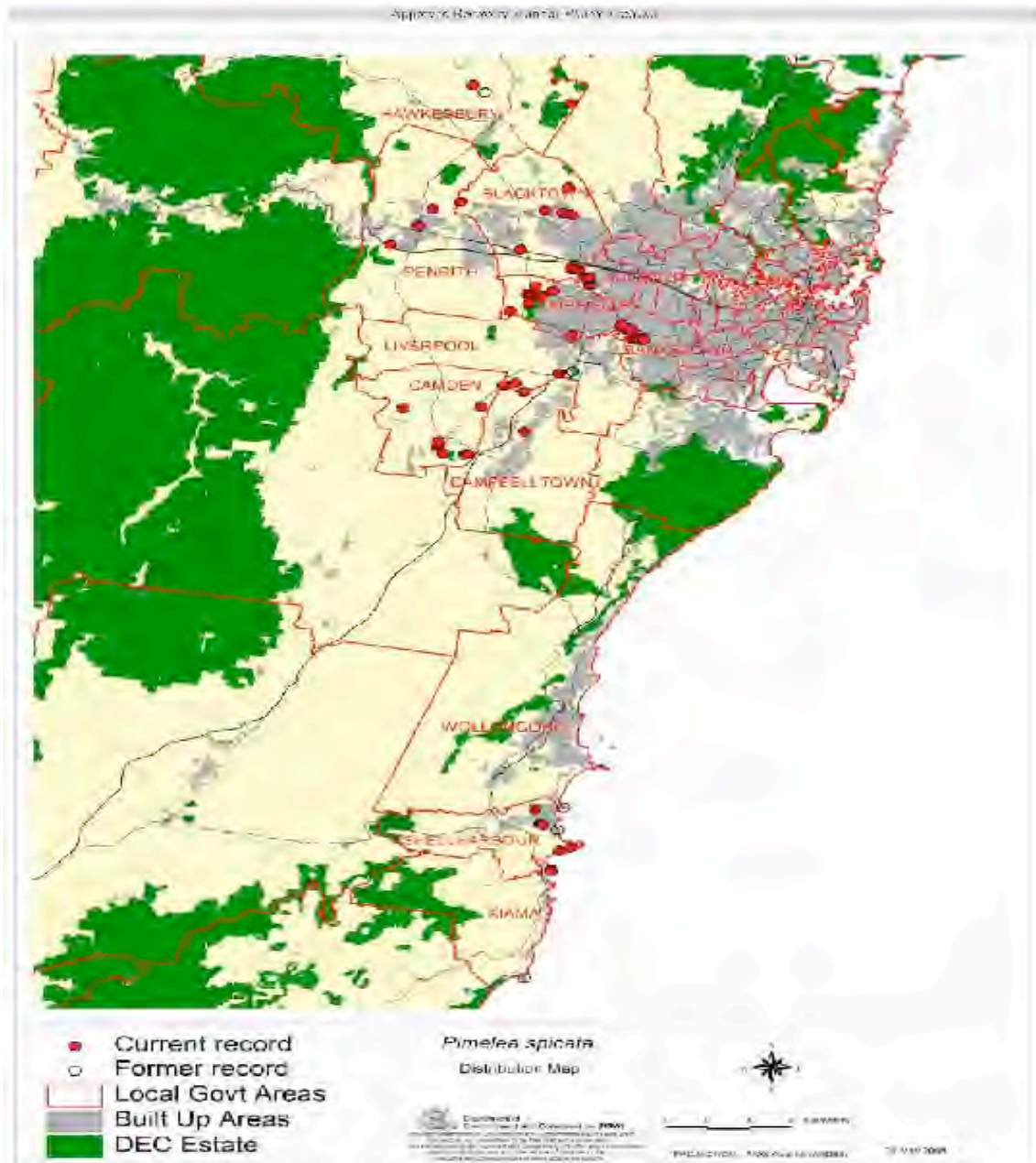


Figure 1: The known distribution of *Pimelea spicata* in western Sydney and the Blue Mountains.

Suitable Habitat

P. spicata is restricted to areas supporting, or that previously supported, the Cumberland Plain Woodland (CPW) vegetation community. *P. spicata* has been recorded in both Shale Hills and Shale Plains Woodlands. Biobank 284 contains both HN529 (Shale Hills Woodland) and HN528 (Shale Plains Woodland) and is currently dominated by African Olive.

Suitable Management

Germination from the soil-stored seed bank has been observed following fire, slashing/mowing, grazing and soil disturbance (NSW National Parks and Wildlife Service 1997; Willis et al. 2003; P. Hogbin pers. obs). These management measures are planned for Biobank 284.

3. Presence of habitat for the Grey-headed Flying-fox:

Biobank 284 contains foraging habitat critical to survival, or essential habitat, for Grey-Headed Flying-Foxes.

Based on the presence of known food trees and critical habitat criteria listed in recovery plans

Grey-Headed Flying-Foxes (GHFF) feed on blossom and fruit in canopy vegetation and forage over extensive areas. The Commonwealth's Draft Recovery Plan states that loss of foraging habitat is consistently identified as the primary threat to GHFF (Ratcliffe 1931, Tidemann et al. 1999, Dickman and Fleming 2002, Eby and Lunney 2002). Clearing of winter forage is a particular concern for the species.

The GHFF is a highly mobile, migratory species that relies on food sources with largely irregular patterns of production (Law et al. 2000). Patterns of occurrence and relative abundance within its distribution vary widely between seasons and between years. When assessed at a local scale, the species is generally present intermittently and irregularly (Eby and Lunney 2002).

The majority of myrtaceous plants in the diet of GHFF flower within a defined season but are not annually reliable, and the locations of productive foraging habitat provided by these plants vary (Law et al. 2000, Eby and Lunney 2002, Birt 2005). In most months it is not possible to predict what localities will be productive, and therefore what localities will provide essential habitat for the species. All foraging habitat has the potential to be productive during general food shortages and to therefore provide a resource critical to survival.

On the basis of current knowledge, foraging habitat that meets at least one of the following criteria can be explicitly identified as habitat critical to survival, or essential habitat, for GHFF. Biobank 284 meets at least two, and potentially all three, of these.

Natural foraging habitat that is productive during winter and spring, when food bottlenecks have been identified (ParryJones and Augee 1991, Eby et al. 1999).

Diet lists for GHFF include over 100 species of flowering trees and fleshy-fruited trees and lianas (ParryJones and Augee 1991, Eby 1995 and 1998, Hall and Richards 2000). All the tree species on Biobank 284 have been identified as food trees for GHFF. The two main tree species on site,

Eucalyptus cerebra (in all months except February) and *E. tereticornis* (from June until November) flower during the winter and spring bottleneck period and are listed as significant species for the GHFF (GHFF Recovery Plan - OEH 2018). Further:

- *Eucalyptus cerebra* flowers in all months but February.
- *Eucalyptus tereticornis* flowers in winter (June) until late spring (November).
- *Eucalyptus moluccana* – the white flowers appear in mid-summer to mid-autumn.
- *Angophora floribunda* – flowers appear from November to March.

These species are dominant on Biobank 284 as illustrated in **Table 1** (see overleaf).

Table 1: Plant Community Types at BB281 and GHFF Food Trees

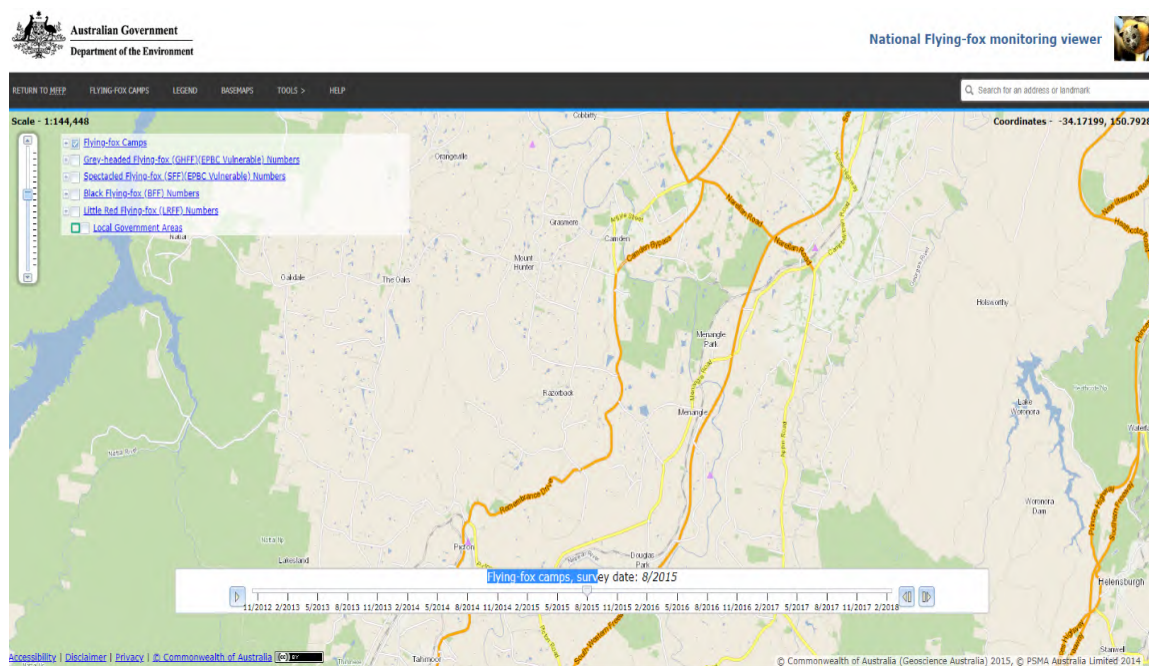
BVT	Plant Community type	Equivalent Map Units	Overstorey	Midstorey	GHFF known food trees	Considered Significant Food Plants	Hectares in Biobank (ha)
HN529	Grey Box – Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion (PCT 850)	Cumberland Shale Hills Woodland (GW p28) (Tozer et al., 2010); Shale Hills Woodland (NPWS, 2002)	<i>Eucalyptus moluccana</i> <i>Eucalyptus tereticornis</i> <i>Eucalyptus crebra</i>	<i>Bursaria spinosa</i> subsp. <i>spinosa</i> <i>Melaleuca styphelioides</i> <i>Acacia implexa</i>	<i>E.moluccana</i> <i>E. tereticornis</i> <i>E. crebra</i>	<i>E.moluccana</i> <i>E. tereticornis</i> <i>E. crebra</i>	136.6
HN528	Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion (PCT849)	Cumberland Plains Shale Woodland (GW p29) (Tozer et al., 2010); Shale Plains Woodland (NPWS 2002)	<i>Eucalyptus moluccana</i> <i>Eucalyptus tereticornis</i> <i>Eucalyptus crebra</i>	<i>Bursaria spinosa</i> subsp. <i>spinosa</i> <i>Acacia implexa</i>	<i>E.moluccana</i> <i>E. tereticornis</i> <i>E. crebra</i>	<i>E.moluccana</i> <i>E. tereticornis</i> <i>E. crebra</i>	30.1
HN526	Forest Red Gum- Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion (PCT835)	Cumberland River-flat Forest (FoW p33) (Tozer et al., 2010); Alluvial Woodland and Riparian forest (NPWS 2002).	<i>Eucalyptus moluccana</i> <i>Eucalyptus tereticornis</i> <i>Eucalyptus amplifolia</i> <i>Angophora floribunda</i>	<i>Melaleuca styphelioides</i> <i>Bursaria spinosa</i> subsp. <i>spinosa</i>	<i>E.moluccana</i> <i>E. tereticornis</i> <i>E. amplifolia</i> <i>A. floribunda</i>	<i>E.moluccana</i> <i>E. tereticornis</i>	7
HN538	Grey Myrtle dry rainforest of the Sydney Basin Bioregion and South East Corner Bioregion (PCT877)	Western Sydney Dry Rainforest (RF p39) (Tozer et al., 2010); Western Sydney Dry Rainforest (NPWS 2002)	<i>Eucalyptus tereticornis</i> <i>Melaleuca styphelioides</i>	<i>Clerodendrum tomentosum</i> <i>Notelaea longifolia</i> <i>Streblus brunonianus</i> <i>Cayratia clematidea</i> <i>Pandorea pandorana</i>	<i>E. tereticornis</i>	<i>E. tereticornis</i>	5.8

Natural foraging habitat that is known to support populations of > 30 000 individuals within an area of 50 km radius (the maximum foraging distance of an adult)

Grey-headed Flying-foxes roost in large aggregations in the exposed branches of canopy trees (Ratcliffe 1931, Nelson 1965a, Parry-Jones and Augee 1992). The locations of camps are generally stable through time, and several sites have documented histories that exceed 100 years (Lunney and Moon 1997).

The Department of the Environment maintains records of known flying-fox camps. These locations have been used to produce maps of the modelled distribution for both Grey-headed and Spectacled Flying-foxes (*Pteropus conspicillatus*). A list and maps of known and historic Grey-headed Flying-fox camps are available from the department's website (DSEWPac 2012g and example below in **Figure 2**). There are four camps within 13kms of Biobank 284 – well within maximum foraging range (50km) but also within known daily commutes to foraging areas, usually within 15 km of the day roost site (Tidemann 1998).

Figure 2: The Four GHFF camps within 15km of Biobank 284



Further, the combined the GHFF colonies within 50km of BB284 in 2018 are listed below in **Table 2** and total above 30,000 listed as the threshold in the BDOP:

Table 2: GHFF camps within 50kms of BB284 (source DSEWPac 2012g)

Camp	Kms from Bb 284	CSIRO population estimate
Picton	within 8kms	2,500-9,999
Manangle camp	within 8kms	was surveyed but no GHFF found
Campbelltown	14km	500-2,499
Brownlow Hill	14	500-2,499
Macquarie Fields	50	2,500-9,999
Cabramatta	50	2,500-9,999
Kareela	50	2,500-9,999
West Dapto	50	500-2,499
TOTAL		11,500-47,500

Natural foraging habitat that is productive during the final weeks of gestation, and during the weeks of birth, lactation and conception (September to May)

The two main tree species on site, *Eucalyptus cerebra* (in all months except February) and *E. tereticornis* (from June until November) flower during winter and spring. Other tree species on site flower during GHFF juvenile birth, lactation and conception periods.

Eucalyptus moluccana and *Angophora floribunda*, which both flower from in mid-summer to mid-autumn provide normal foraging habitat only.

4. Presence of habitat for the Swift Parrot

Biobank 284 contains tree species identified as a commonly-used food source for the Swift Parrot, which is predicted to occur on site.

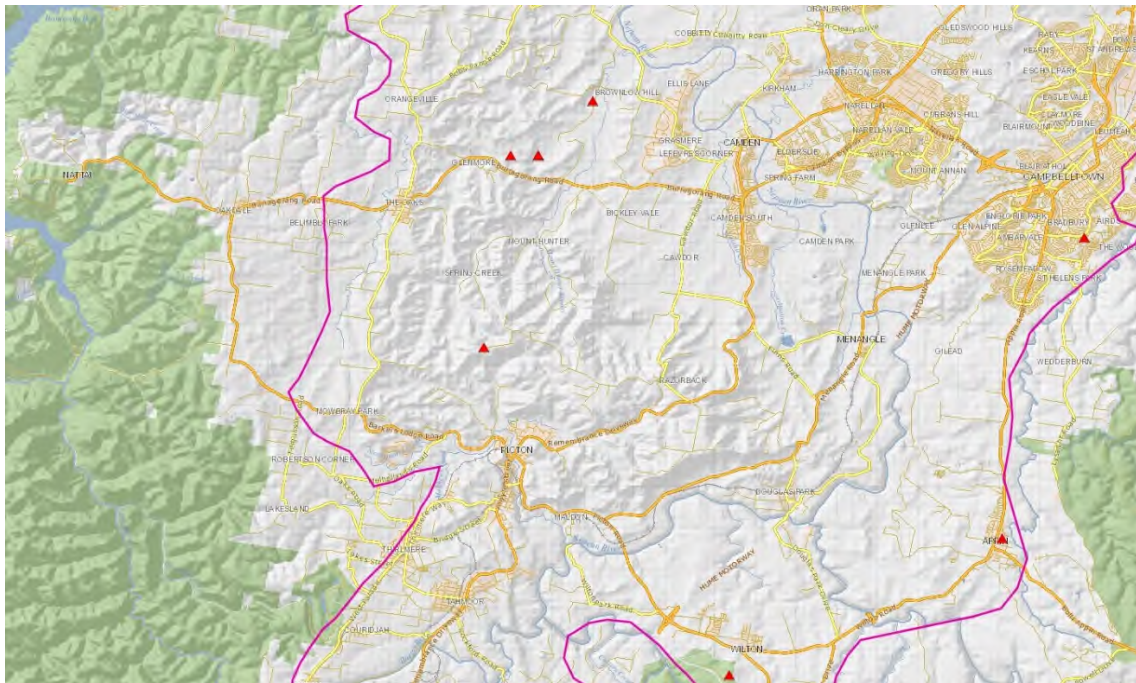
Based on the presence of known food trees and critical habitat criteria listed in recovery plans

In Appendix C of BB284 - Biodiversity Assessment Report (Eco Logical Australia 2017), Swift Parrot is a species that was predicted to occur on site and is accounted for in ecosystem credits in accordance with the NSW BAM Methodology.

Based on the presence of known food tree species and critical habitat criteria listed in recovery plans for the species.

BB284 is contains large areas of lerp infested Grey Box *E. microcarpa*, a known food tree commonly used by Swift Parrots (OEH Recovery Plan). Further there are recent records within the locality (see **Figure 3**).

Figure 3: BioNet (NSW Atlas) records of *Lathamus discolor* near Camden



5. Presence of other biodiversity values appropriate to offset the airport's impacts on plants, animals and their habitats

Biobank 284 also supports:

- Cumberland Plain Land Snails (CPLS). Subject to removal of the African Olive, CPLS available habitat and resident populations on site are expected to increase.
- Approximately 1 hectare of freshwater wetlands are contained within BB284. While this credit type was not included as an ecosystem credit within the Biobanking agreement, the habitat present was assessed (by ELA and GHD) as HN630: *Phragmites australis* and *Typha orientalis* coastal freshwater wetlands of the Sydney Basin.
- BB284 is on a fourth order stream and connected to 2 other Biobanking properties. The combination and connection of this corridor conserves over 300ha along Razorback Range at Cawdor.

6. Land that is relatively close to the airport site, in order to more directly benefit the populations and communities affected by the airport, and which as a minimum is located in the Cumberland Interim Biogeographic Regionalisation for Australia (IBRA) sub-region (DSEWPaC 2011)

BB284 is located within the Cumberland Interim Biogeographical Sub-Region (IBRA) and is within 30kms of the Badgerys Creek Airport site.

7. Land that is within the CCC or other identified priority conservation lands or wildlife corridors or that could connect fragmented patches of habitat

Biobank 284 is identified as a “Core” Priority Investment Area and part of the Regional Corridor under the OEH Cumberland Subregion Biodiversity Investment Opportunities Map (source: <https://www.environment.nsw.gov.au/resources/conservation/bio-map-cumberland-subregion.pdf>) previously known as Priority Conservation Lands by OEH.

Further, BB284 is on a fourth order stream and connected to 2 other registered Biobanking properties. The combination and connection of this private conservation corridor protects over 300ha of contiguous CPW along Razorback Range at Cawdor. The restoration of these areas will remove fragmentation and provide one of the largest patches of remnant CPW on the Cumberland Plan.

8. Land that is already set aside as a BSA site and that has suitable biodiversity credits for sale; that is likely to be set aside as a BSA site or otherwise protected under a conservation covenant; or that may be available for sale and would be suitable for the purposes of establishing a new offset site.

The site is already a Biobank, Agreement number #284 and the credits available for sale (<https://www.environment.nsw.gov.au/bimsprapp/AgreementDetails.aspx?ID=284>).

s47F

From: ENVIRONMENT WSU
Sent: Tuesday, 16 October 2018 3:05 PM
To: Steven House; s22 - out of scope
Subject: RE: Expression of Interest - Biobank Credits Hardwicke [DLM=For-Official-Use-Only]

Good afternoon Steven,

Not a problem, we have noted the alternate contact details for this EOI.

Regards,

s47F
 Environmental Conditions and Approvals
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 Department of Infrastructure, Regional Development and Cities
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From: Steven House s 47F
Sent: Tuesday, 16 October 2018 2:43 PM
To: ENVIRONMENT WSU <WSU.Environment@infrastructure.gov.au>; s22 - out of scope
 [Redacted]
Subject: Re: Expression of Interest - Biobank Credits Hardwicke [DLM=For-Official-Use-Only]

Dear s47F

The owners of Hardwicke discussed my involvement with this EOI process and due to my interest in other properties would prefer it if I was no longer involved with the Hardwicke EOI to avoid any perceptions of a conflict of interest. Would you mind revising the contact details for the Hardwicke EOI to:

Contact: Stephen McMahon

P. s 47F

E. s 47F

All other details in the EOI remain the same.

If you require any further information please contact Stephen McMahon on the phone number above

Kind Regards,

Steven House

On Mon, Oct 8, 2018 at 10:02 AM ENVIRONMENT WSU <WSU.Environment@infrastructure.gov.au> wrote:

Commercial In Confidence

Dear Steven,

Biodiversity Credits for Western Sydney Airport – Confirmation of receipt of expression of interest

This email is to confirm that the Department of Infrastructure, Regional Development and Cities (the Department) has received your expression of interest for the Western Sydney Airport Biodiversity Credits Program. The Department will contact you in due course to advise whether you have been selected to be invited to submit a tender.

Kind Regards

s47F

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From: Steven House s 47F
Sent: Saturday, 6 October 2018 10:33 AM
To: ENVIRONMENT WSU <WSU.Environment@infrastructure.gov.au>; s22 - out of scope

Subject: Expression of Interest - Biobank Credits Hardwicke

Dear WSU

The owners of the Hardwicke Biobank site would like to lodge this expression of interest for the sale of credits, details below.

Vendor: South West Land Holdings, D. Vitocco Constructions, Palolem Pty Ltd, Petroica Pty Ltd trading as Hardwicke Management Account, ABN 62 200 433 863

Contact: Steven House

P. s 47F

E. s 47F

Biobank Property: 'Hardwicke', Burragorang Road, The Oaks. Lot 1 in Deposited Plan number 1101523

Credits Available: Hardwicke comprises two biobanks known as Hardwicke Stage 1 Biobank (Agreement ID 168) and Hardwicke Stage 2 Biobank (Agreement ID 213), details below;

	Hardwicke Stage 1 Biobank	Hardwicke Stage 2 biobank
Status	Established March 2017	Agreement signed by landowners in October 2018, anticipate credits will be issued in late October/early November 2018
Biobank ID	168	213
Credits currently registered		
HN524 (Credit ID 2527)	23	
HN538 (Credit ID 2528)	19	

HN556 (Credit ID 2529)	43	
Credits to be registered in late October/early November		
HN528		494
HN529		1662
HN538		105
HN556		256
<i>Pimelea spicata</i>		824

Please let me know if you require any further information.

Kind Regards

Steven House

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From: s 47F
Sent: Tuesday, 20 November 2018 9:32 AM
To: ENVIRONMENT WSU
Cc: s22 - out of scope
Subject: Re: Biodiversity Credit Procurement - Invitation to Tender [DLM=For-Official-Use-Only]
Attachments: Credit Offer Deed Poll Meridolum 20-Nov-2018.pdf

Dear s47F

Please see the attached tender from Meridolum No 1 Pty Ltd ATF Meridolum No 1 Unit Trust.

Would you be so kind as to confirm that this is all in order, ahead of the deadline of 12pm?

Thank you for the opportunity to participate in this process.

With kind regards,

s 47F

On 26 Oct 2018, at 5:29 pm, ENVIRONMENT WSU
<WSU.Environment@infrastructure.gov.au> wrote:

Dear s 47F

Thank you for your expression of interest (EOI) for the Western Sydney Airport Biodiversity Credits procurement.

Attached to this email is an Invitation to Tender, a Credit Offer Deed Poll, and a draft Sale Agreement. The Invitation to Tender includes the terms and conditions which apply to participation in this process.

In order to submit a tender response to the Department, a Credit Offer Deed Poll (Deed Poll) must be received by the Department no later than **12 midday on Tuesday 20 November 2018** or any later date notified by the Department (Tender Close). Tenders should be emailed to WSU.Environment@Infrastructure.gov.au.

Before submitting a tender, it is important that you understand and, if necessary, address the following:

- The Deed Poll is to be executed by or on behalf of the owner of the relevant credits (referred to as 'the Vendor' in the documents) by someone authorised to bind the Vendor.

- Where a credit is jointly owned by multiple parties, the same Deed Poll is to be executed by or behalf of all of each of the owners (who are collectively 'the Vendor').
- Vendors should list an authorised person to send and receive communications about their tender response on their behalf in the Vendor Details section of the Deed Poll.
- The credits offered in a Deed Poll must exist by Tender Close. It is the responsibility of each Vendor to ensure that any proposed or pending credits included in a tender response are registered as issued by Tender Close.
- Vendors must not engage in any collusive, anti-competitive, or any other unlawful or unethical conduct with any Vendor or other person in connection with this tender process.

This email highlights some key points from the attached documents. These points are explained in more detail in the attached documents. Please read the documents carefully. If you have any queries in relation to this tender process, please email WSU.Environment@infrastructure.gov.au.

s47F

Director – Environmental Conditions and Approvals Section
Communication, Environment and Legal Branch
Western Sydney Unit
Department of Infrastructure, Regional Development and Cities



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<Invitation to Tender - (Biodiversity Credits Procurement) 26 Oct 2018.PDF><Attachment B - Sale Agreement (Biodiversity Credits Procurement).PDF><Attachment A - Credit Offer Deed Poll (Biodiversity Credits Procurement)....DOCX>



Australian Government

Department of Infrastructure, Regional Development and Cities

INVITATION TO TENDER FOR SALE OF BIODIVERSITY CREDITS TO THE DEPARTMENT OF INFRASTRUCTURE, REGIONAL DEVELOPMENT AND CITIES

Attachment A – Credit Offer Deed Poll¹

This Deed Poll is made in favour of the Commonwealth of Australia as represented by the Department of Infrastructure, Regional Development, and Cities (**the Department**) in response to an Invitation to Tender issued by the Department on Friday 26 October 2018 (**Invitation to Tender**).

Vendor Details	
Legal name of Vendor	Meridolum No.1 Pty Ltd ATF Meridolum No.1 Unit Trust
ABN / ACN	23 867 628 400
Contact details for Vendor – this is the person authorised to send communications to and receive communications from the Department about Credit Offer Deed Poll	<div>s 47F</div> <div>c/- Kellaway Cridland 9 Hunter Street Sydney NSW 2000</div>

Price Per Credit Offer (mandatory)

- The Vendor offers to sell any or all of the biodiversity credits at the price specified per credit in the table below on the terms and conditions of the Sale Agreement included as Attachment B to the Invitation to Tender (**Sale Agreement**) (subject to any amendment identified in paragraph 5 below) (**Price Per Credit Offer**).

Credit class(es) offered	Maximum quantity of credits offered for sale	Properties from which the credits are sourced (Title Reference – Lot/DP)	Price per credit (GST exclusive)	Agreement ID and Credit ID
HN529	s 47C; s 47F; s 47G			Agreement ID 284 Credit ID 2598

¹ Any personal information you provide in this Deed Poll will be collected by the Department of Infrastructure, Regional Development and Cities and used for the purposes of implementing the Biodiversity Offset Delivery Plan. The Department may also disclose your information to advisers it is has engaged to assist it. Further information about the Department's privacy policy is available on its website: <https://infrastructure.gov.au/departments/about/privacy-policy.aspx>.



Package Offer(s) (optional)

2. As a separate offer to the Price Per Credit Offer, the Vendor also makes the following offer(s) to sell any or all of the biodiversity credits at the price specified in the table below on the terms and conditions of the Sale Agreement (subject to any amendment identified in paragraph 5 below) (**Package Offer(s)**):

Alternative Offer(s) details

s47C; s47G

Offers irrevocable until 31 January 2019

3. The Price Per Credit Offer and each of the Package Offers (if any) (together '**Offers**') are irrevocable and binding on the Vendor and open to be accepted by the Department until the later of:

- a. 5PM on 31 January 2019 (**Acceptance Closing Date**); and
- b. if the Department notifies that it accepts an Offer by the Vendor on or before the Acceptance Closing Date, the date on which a binding Sale Agreement for those credits subject to the Offer is made.

4. The Vendor represents and warrants that, as at the date of this Deed Poll:

- a. the credits offered for sale in an Offer (**Credits**) are legally owned by the Vendor and are not subject to any security, encumbrance or beneficial ownership, except as shown in the following box:

Details of any other interests

As identified above, Meridolum No.1 Pty Ltd holds the credits as trustee for the Meridolum No.1 Unit Trust

- b. the Vendor has the legal right and full power and capacity to sell the Credits on the terms of this Deed Poll; and
- c. the Credits are not subject to any other binding offer or other contract or arrangement, and will not be the subject of any other binding offer or other contract or arrangement before the later of:
 - the Acceptance Closing Date; and
 - if the Department accepts an Offer on or before the Acceptance Closing Date, then for the Credits which are subject to that Offer - the date on which a binding Sale Agreement for those Credits is made.

5. The Vendor warrants that if the Department accepts an Offer, the Vendor will promptly execute the Sale Agreement, as completed by the Department by inserting the relevant details in place of the italicised or highlighted notes in the Sale Agreement and the Vendor will not require any amendments to the terms and conditions except as indicated in the box below.



Amendments to the Sale Agreement

s 47C; s 47(a) and (b); s 47G(a)

Power of attorney

6. In consideration of the Department inviting the Vendor to participate in the tender process, the Vendor irrevocably appoints the Department as the Vendor's attorney from the date that the Department accepts an Offer until the date that a Sale Agreement is executed by or on behalf of the Vendor, with the effect that the Department may do in the name of the Vendor and on the Vendor's behalf everything which is necessary or expedient, in the Department's sole discretion, to bring into existence a completed and executed Sale Agreement, including without limitation, inserting relevant details in place of any italicised or highlighted notes in the Sale Agreement to reflect the Offer which the Department has accepted, and executing the Sale Agreement for and on behalf of the Vendor.

The Vendor declares that all acts and things done by the Department in exercising powers under this power of attorney will be as good and valid as if they had been done by the Vendor, and agrees to ratify and confirm whatever the Department does in exercising powers under this power of attorney.

Compliance and other matters

7. The Vendor warrants that as at the date of this Deed Poll no adverse notices or legal proceedings have been issued by any authorities in relation to any Credits, the site from which any Credits are sourced or the agreements under which any Credits were created (including any notices regarding non-compliance with the agreement) other than as set out in the box below, and that it will notify the Department of any such notices should they arise prior to the Acceptance Closing Date.

Non-compliance details

None

8. The Vendor declares that:
- the information contained in this Deed Poll is true and correct and not misleading;
 - neither this Deed Poll, nor the terms of any Offer has been prepared with any consultation, contract, arrangement or understanding with any other owner of credits which may be the subject of a response to the Invitation to Tender; and
 - the Vendor has not otherwise engaged in any collusion, anti-competitive conduct or any other similar conduct in relation to the preparation of this or any other response to the Invitation to the Tender.
9. The Vendor represents that:
- there are no current or impending legal actions (either formal proceedings or notification of legal action) of which the Vendor is aware and which could impact the Vendor's ability to complete the sale of the Credits to the Department;



Australian Government

Department of Infrastructure, Regional Development and Cities

- b. it is not presently aware of any matter or thing concerning the Vendor, the Credits or the sites to which the Credits relate which, if an Offer is accepted, could reasonably be expected to cause the Department to be embarrassed in any way or otherwise cause the Department to reconsider its acceptance;
- c. it will keep confidential, and will not disclose to any person, the nature or content of any communications taking place between the Vendor and the Department in relation to anything connected with the Invitation to Tender or this Deed Poll, unless otherwise agreed by the Department; and
- d. it complies, and will continue to comply with, the terms and conditions attached to the Invitation to Tender.

10. s 47C; s 47(a) and (b); s 47G(a) and (b); s 47F

- 11. The Vendor agrees that it is aware that giving false or misleading information is a serious offence, pursuant to section 137.1 of the *Criminal Code Act 1995* (Cth).
- 12. The Vendor agrees that
 - a. the submission of this Deed Poll and the tender process are subject to the terms and conditions set out in the Invitation to Tender; and
 - b. this Deed Poll is governed by, and construed in all respects in accordance with, the law of New South Wales, and agrees to submit to the non-exclusive jurisdiction of the Courts of New South Wales in respect of all matters arising under, or in relation to, this Deed Poll.

EXECUTED AS A DEED POLL for the benefit of the Commonwealth of Australia

Dated: _____



Australian Government

Department of Infrastructure, Regional Development and Cities

SIGNED, SEALED AND DELIVERED)
for and on behalf of Meridolum No.1)
Pty Ltd ATF Meridolum No.1 Unit)
Trust ABN 23 867 628 400 in)
accordance with the requirements of
section 127 of the *Corporations Act*
2001 (Cth) by:

s 47F

Name of director

s 47F

Name of director

Date signed: _____

19/11/18

s 47F

Signature of director

s 47F

Signature of director

s47F

From: ENVIRONMENT WSU
Sent: Tuesday, 20 November 2018 10:52 AM
To: Steven House
Subject: RE: Hampden Vale credit tender [DLM=For-Official-Use-Only]

Dear Steven,

Biodiversity Credits for Western Sydney Airport – Confirmation of receipt of tender submission

This email is to confirm that the Department of Infrastructure, Regional Development and Cities (the Department) has received your tender submission for the Western Sydney Airport Biodiversity Credits Program. The Department will contact you in due course to advise the outcome of your submission.

s47F

Director – Environmental Conditions and Approvals Section
 Communication, Environment and Legal Branch
 Western Sydney Unit
Department of Infrastructure, Regional Development and Cities



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From: Steven House s 47F
Sent: Tuesday, 20 November 2018 10:39 AM
To: ENVIRONMENT WSU <WSU.Environment@infrastructure.gov.au>
Subject: Hampden Vale credit tender

Dear WSU

Please find attached signed deed poll for credits from my Hampden Vale Biobank. If you require any further information please contact me on s 47F

Kind Regards,
 Steven House



Australian Government

Department of Infrastructure, Regional Development and Cities

**INVITATION TO TENDER FOR SALE OF BIODIVERSITY CREDITS
TO THE DEPARTMENT OF INFRASTRUCTURE, REGIONAL DEVELOPMENT AND CITIES**

Attachment A – Credit Offer Deed Poll¹

This Deed Poll is made in favour of the Commonwealth of Australia as represented by the Department of Infrastructure, Regional Development, and Cities (**the Department**) in response to an Invitation to Tender issued by the Department on Friday 26 October 2018 (**Invitation to Tender**).

Vendor Details	
Legal name of Vendor	Steven House Where more than one person owns the Credits, all owners are together jointly and severally the Vendor .
ABN / ACN	82 296 863 773
Contact details for Vendor – this is the person authorised to send communications to and receive communications from the Department about Credit Offer Deed Poll	Steven House e. s 47F P. s 47F s 47F

Price Per Credit Offer (mandatory)

- The Vendor offers to sell any or all of the biodiversity credits at the price specified per credit in the table below on the terms and conditions of the Sale Agreement included as Attachment B to the Invitation to Tender (**Sale Agreement**) (subject to any amendment identified in paragraph 5 below) (**Price Per Credit Offer**).

Credit class(es) offered	Maximum quantity of credits offered for sale	Properties from which the credits are sourced (Title Reference – Lot/DP)	Price per credit (GST exclusive)	Agreement ID and Credit ID
HN528	205	Hampden Vale (Lot 1, DP 724938)	s 47G	BA 250 Credit ID 2460 Credit ID 2461

¹ Any personal information you provide in this Deed Poll will be collected by the Department of Infrastructure, Regional Development and Cities and used for the purposes of implementing the Biodiversity Offset Delivery Plan. The Department may also disclose your information to advisers it has engaged to assist it. Further information about the Department's privacy policy is available on its website: <https://infrastructure.gov.au/departments/about/privacy-policy.aspx>.



HN529	589	Hampden Vale (Lot 1, DP 724938	s 47G	BA 250 Credit ID 2453 Credit ID 2454 Credit ID 2456
HN538	34	Hampden Vale (Lot 1, DP 724938	s 47G	BA 250 Credit ID 2462

Package Offer(s) (optional)

2. As a separate offer to the Price Per Credit Offer, the Vendor also makes the following offer(s) to sell any or all of the biodiversity credits at the price specified in the table below on the terms and conditions of the Sale Agreement (subject to any amendment identified in paragraph 5 below) (**Package Offer(s)**):

Alternative Offer(s) details

Package Offer 1 = Purchase all remaining Cumberland Plain Woodland credits from the Hampden Vale biobank, being 205 HN528 and 589 HN529 at a price of \$16,000+GST per credit.

Package Offer 2 = Package Offer 1 plus the purchase of 34 HN538 (Western Sydney Dry Rainforest) at a price of s 47G

s 47G

[Redacted content]



Offers irrevocable until 31 January 2019

3. The Price Per Credit Offer and each of the Package Offers (if any) (together '**Offers**') are irrevocable and binding on the Vendor and open to be accepted by the Department until the later of:
- a. 5PM on 31 January 2019 (**Acceptance Closing Date**); and
 - b. if the Department notifies that it accepts an Offer by the Vendor on or before the Acceptance Closing Date, the date on which a binding Sale Agreement for those credits subject to the Offer is made.

4. The Vendor represents and warrants that, as at the date of this Deed Poll:

- a. the credits offered for sale in an Offer (**Credits**) are legally owned by the Vendor and are not subject to any security, encumbrance or beneficial ownership, except as shown in the following box:

Details of any other interests
None

- b. the Vendor has the legal right and full power and capacity to sell the Credits on the terms of this Deed Poll; and
 - c. the Credits are not subject to any other binding offer or other contract or arrangement, and will not be the subject of any other binding offer or other contract or arrangement before the later of:
 - the Acceptance Closing Date; and
 - if the Department accepts an Offer on or before the Acceptance Closing Date, then for the Credits which are subject to that Offer - the date on which a binding Sale Agreement for those Credits is made.
5. The Vendor warrants that if the Department accepts an Offer, the Vendor will promptly execute the Sale Agreement, as completed by the Department by inserting the relevant details in place of the italicised or highlighted notes in the Sale Agreement and the Vendor will not require any amendments to the terms and conditions except as indicated in the box below.

Amendments to the Sale Agreement
None



Power of attorney

6. In consideration of the Department inviting the Vendor to participate in the tender process, the Vendor irrevocably appoints the Department as the Vendor's attorney from the date that the Department accepts an Offer until the date that a Sale Agreement is executed by or on behalf of the Vendor, with the effect that the Department may do in the name of the Vendor and on the Vendor's behalf everything which is necessary or expedient, in the Department's sole discretion, to bring into existence a completed and executed Sale Agreement, including without limitation, inserting relevant details in place of any italicised or highlighted notes in the Sale Agreement to reflect the Offer which the Department has accepted, and executing the Sale Agreement for and on behalf of the Vendor.

The Vendor declares that all acts and things done by the Department in exercising powers under this power of attorney will be as good and valid as if they had been done by the Vendor, and agrees to ratify and confirm whatever the Department does in exercising powers under this power of attorney.

Compliance and other matters

7. The Vendor warrants that as at the date of this Deed Poll no adverse notices or legal proceedings have been issued by any authorities in relation to any Credits, the site from which any Credits are sourced or the agreements under which any Credits were created (including any notices regarding non-compliance with the agreement) other than as set out in the box below, and that it will notify the Department of any such notices should they arise prior to the Acceptance Closing Date.

Non-compliance details

None

8. The Vendor declares that:
- a. the information contained in this Deed Poll is true and correct and not misleading;
 - b. neither this Deed Poll, nor the terms of any Offer has been prepared with any consultation, contract, arrangement or understanding with any other owner of credits which may be the subject of a response to the Invitation to Tender; and
 - c. the Vendor has not otherwise engaged in any collusion, anti-competitive conduct or any other similar conduct in relation to the preparation of this or any other response to the Invitation to the Tender.
9. The Vendor represents that:
- a. there are no current or impending legal actions (either formal proceedings or notification of legal action) of which the Vendor is aware and which could impact the Vendor's ability to complete the sale of the Credits to the Department;
 - b. it is not presently aware of any matter or thing concerning the Vendor, the Credits or the sites to which the Credits relate which, if an Offer is accepted, could reasonably



be expected to cause the Department to be embarrassed in any way or otherwise cause the Department to reconsider its acceptance;

- c. it will keep confidential, and will not disclose to any person, the nature or content of any communications taking place between the Vendor and the Department in relation to anything connected with the Invitation to Tender or this Deed Poll, unless otherwise agreed by the Department; and
- d. it complies, and will continue to comply with, the terms and conditions attached to the Invitation to Tender.

10. The Vendor represents and warrants that it has made reasonable enquiries and is not aware of any conflict of interest that exists or may arise in relation to the Offers other than the following:

Conflicts of interest

As previously identified to the Department I have a commercial interest in two other biobanks being 'Hardwicke' and 'Cawdor Heights and Rotherwood'. This potential conflict of interest has been managed through excluding myself from the preparation of any tender that the remaining owners of these other biobanks may submit.

11. The Vendor agrees that it is aware that giving false or misleading information is a serious offence, pursuant to section 137.1 of the *Criminal Code Act 1995* (Cth).
12. The Vendor agrees that
- a. the submission of this Deed Poll and the tender process are subject to the terms and conditions set out in the Invitation to Tender; and
 - b. this Deed Poll is governed by, and construed in all respects in accordance with, the law of New South Wales, and agrees to submit to the non-exclusive jurisdiction of the Courts of New South Wales in respect of all matters arising under, or in relation to, this Deed Poll.

EXECUTED AS A DEED POLL for the benefit of the Commonwealth of Australia

Dated: 20th November, 2018_____

SIGNED, SEALED AND DELIVERED

Steven House:

)
)
)

s 47F

Signature

Date signed: 20th November, 2018

s47F

From: ENVIRONMENT WSU
Sent: Wednesday, 23 January 2019 9:12 AM
To: s 47F ENVIRONMENT WSU
Cc: s22 - out of scope
Subject: RE: Biodiversity Credit Procurement - Invitation to Tender [DLM=For-Official-Use-Only] [SEC=UNCLASSIFIED]

Hi s 47F

Evaluation of the tenders is currently underway in accordance with the Invitation to Tender, noting that offers remain open and capable of acceptance by the Department until 31 January 2019. If the Department decides to purchase credits offered by a vendor and provides a Sale Agreement to the vendor for execution, the Completion Date for the sale will be set out in the agreement (the Completion Date will not be any later than Thursday 28 February 2019 unless otherwise agreed with the Vendor).

Regards

s47F

From: s 47F
Sent: Tuesday, 22 January 2019 3:27 PM
To: ENVIRONMENT WSU <WSU.Environment@infrastructure.gov.au>
Cc: s22 - out of scope
Subject: Re: Biodiversity Credit Procurement - Invitation to Tender [DLM=For-Official-Use-Only]

Hi s47F

Happy New Year. I hope you managed to enjoy a nice break and have returned refreshed and ready for the year ahead.

If you have a moment we would appreciate an update regarding our tender for the Western Sydney Airport Biodiversity Credits procurement process. Whilst, pursuant to the agreed process, we have granted WSU exclusivity in relation to our tendered credits until 31 January, we have received another approach regarding these credits. If you are not intending to acquire our credits it would be helpful to know this so that we can engage with the alternative party with clarity.

If you are intending to acquire some or all of our credits, we look forward to completing this transaction with you. Again, the sooner you could let us know if this is to be the case, the better.

I look forward to discussing this with you further at your convenience.

With kind regards,
s 47F

On 20 Nov 2018, at 10:14 am, ENVIRONMENT WSU
<WSU.Environment@infrastructure.gov.au> wrote:

Hi **s 47F**

Thanks for your submission. The Department will undertake the evaluation of tenders following Tender Closing time in accordance with the Invitation to Tender document.

Regards

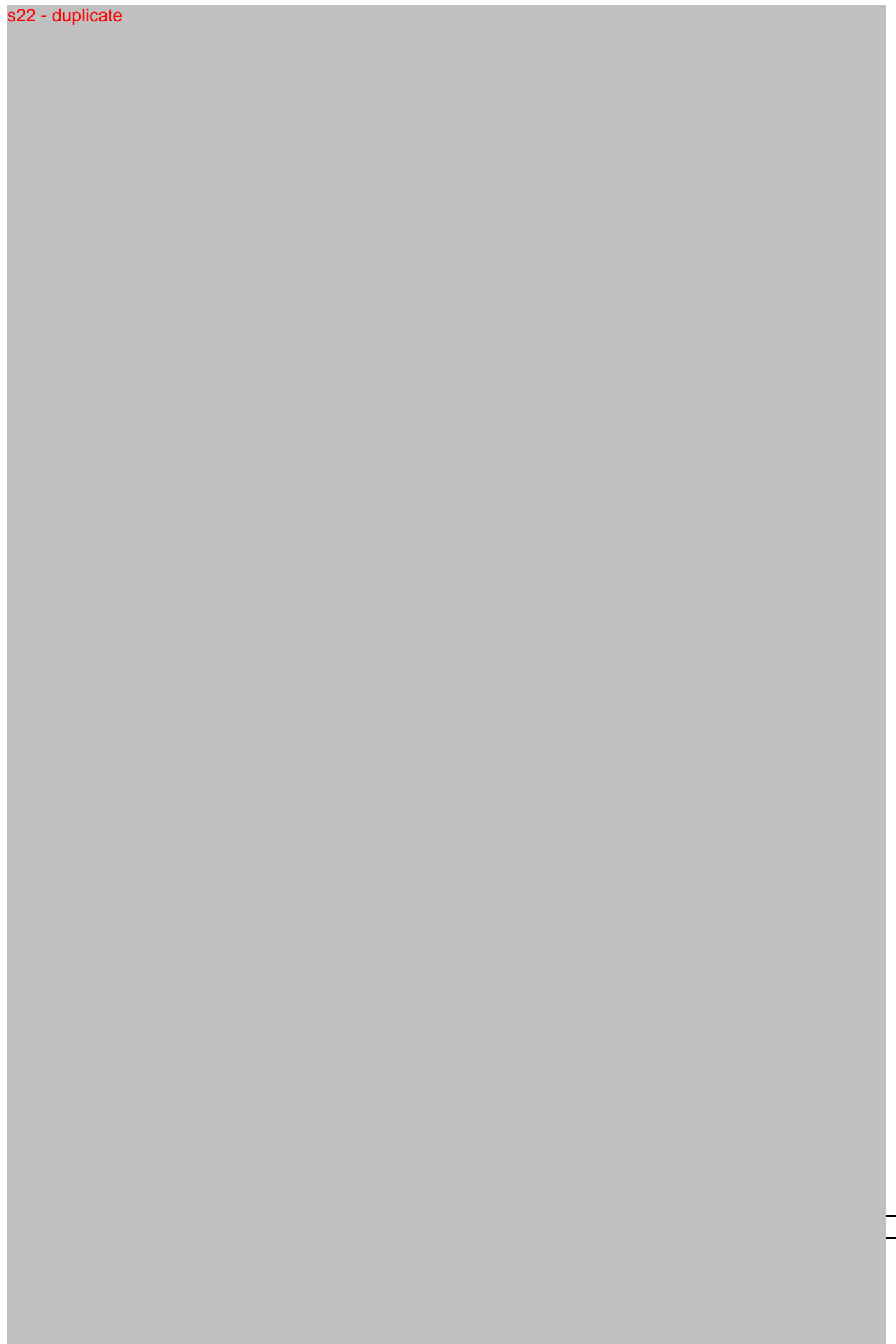
s47F

Director – Environmental Conditions and Approvals Section
Communication, Environment and Legal Branch
Western Sydney Unit
Department of Infrastructure and Regional Development

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s22 - duplicate





s47F

From: ENVIRONMENT WSU
Sent: Friday, 1 February 2019 3:26 PM
To: s 47F ENVIRONMENT WSU
Cc: s22 - out of scope
Subject: RE: Invitation to Tender in relation to the sale of biodiversity credits for the Western Sydney Airport Project (No. 10016156_3) [DLM=For-Official-Use-Only]

Dear s 47F

Thank you for your email.

The Department acknowledges your advice that you agree to the extension of the Acceptance Closing Date but not for the credits specified in your email below.

Therefore the Department will proceed to evaluate your offer in relation to the remaining credits and will advise you of the Department's decision upon the completion of the evaluation.

Environmental Conditions and Approvals | Western Sydney Unit
 Department of Infrastructure, Regional Development and Cities
 GPO Box 594, Canberra ACT 2601
 e WSU.Environment@infrastructure.gov.au | w www.infrastructure.gov.au

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From: s 47F
Sent: Friday, 1 February 2019 10:58 AM
To: ENVIRONMENT WSU <WSU.Environment@infrastructure.gov.au>
Cc: s22 - out of scope
Subject: Re: Invitation to Tender in relation to the sale of biodiversity credits for the Western Sydney Airport Project (No. 10016156_3) [DLM=For-Official-Use-Only]

To the Department (WSU),

Meridolum No.1 Pty Ltd ATF the Meridolum No.1 Unit Trust agrees to extend the Acceptance Closing Date under clause 3 of the Credit Offer Deed Poll to 5pm on 14 February 2019, s 47C; s 47G

Yours sincerely,

s 47F

Director

On 30 Jan 2019, at 4:02 pm, ENVIRONMENT WSU
<WSU.Environment@infrastructure.gov.au> wrote:

To s 47F

I refer to the vendor's offer of biodiversity credits in response to the Invitation to Tender.

Due to the number of responses to this invitation, the Department requires further time to complete its evaluation of all offers.

As a result the Department requests the vendor's agreement to extend the Acceptance Closing Date under clause 3 of the Credit Offer Deed Poll until **5 pm on 14 February 2019**. The Department will advise the vendor of its decision about the offer on or before that date.

We would be grateful to receive your response to this request by not later than 12 noon on Friday 1st of February 2019.

This email does not constitute a notice of refusal or acceptance of the vendor's Offer for the purposes of clause 3.b of the Credit Offer Deed Poll the vendor signed.

I remind you of the vendor's obligation to keep confidential, and not disclose to any person, the nature or content of any communications taking place between the vendor and the Department in relation to anything connected with the Invitation to Tender, unless otherwise agreed by the Department.

If you have any queries on this matter, please do not hesitate to contact the Environmental Conditions and Approvals Section, on WSU.Environment@infrastructure.gov.au.

Environmental Conditions and Approvals | Western Sydney Unit
Department of Infrastructure, Regional Development and Cities
GPO Box 594, Canberra ACT 2601
e WSU.Environment@infrastructure.gov.au | w www.infrastructure.gov.au

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s47F

From: Microsoft Outlook on behalf of s 47F
Sent: Monday, 25 February 2019 5:19 PM
To: ENVIRONMENT WSU
Cc: s22 - out of scope s22 - out of scope
Subject: Re: Tender outcome for the procurement of biodiversity credits for the Western Sydney Airport Project [DLM=For-Official-Use-Only]
Attachments: Re: Tender outcome for the procurement of biodiversity credits for the Western Sydney Airport Project [DLM=For-Official-Use-Only]

Sender: s 47F
Subject: Re: Tender outcome for the procurement of biodiversity credits for the Western Sydney Airport Project [DLM=For-Official-Use-Only]
Message-Id: <38F2B3E8-53E5-4165-8CBE-7C9179EC8FA7@meridolum.com>
Recipient: WSU.Environment@infrastructure.gov.au



HERBERT
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FREEHILLS

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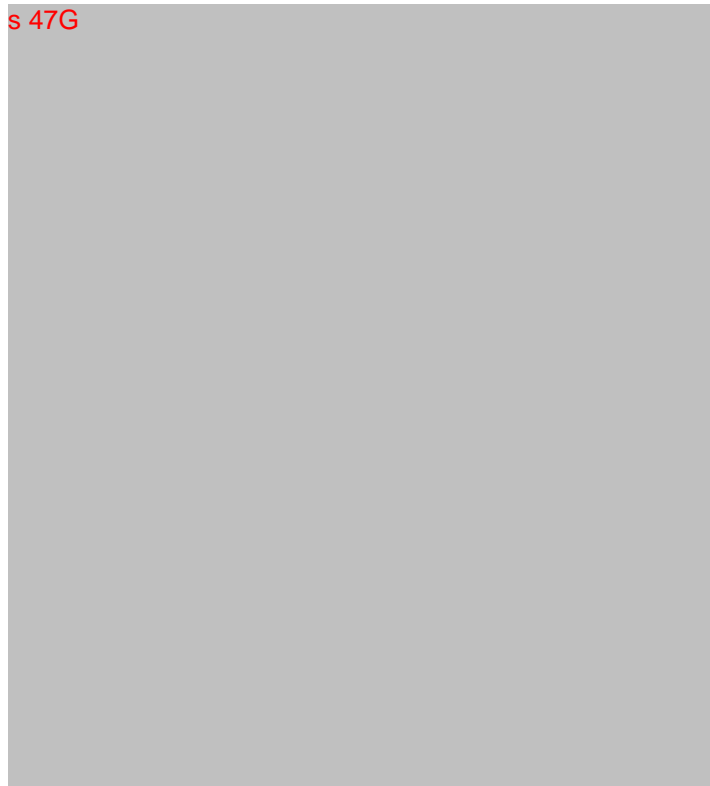
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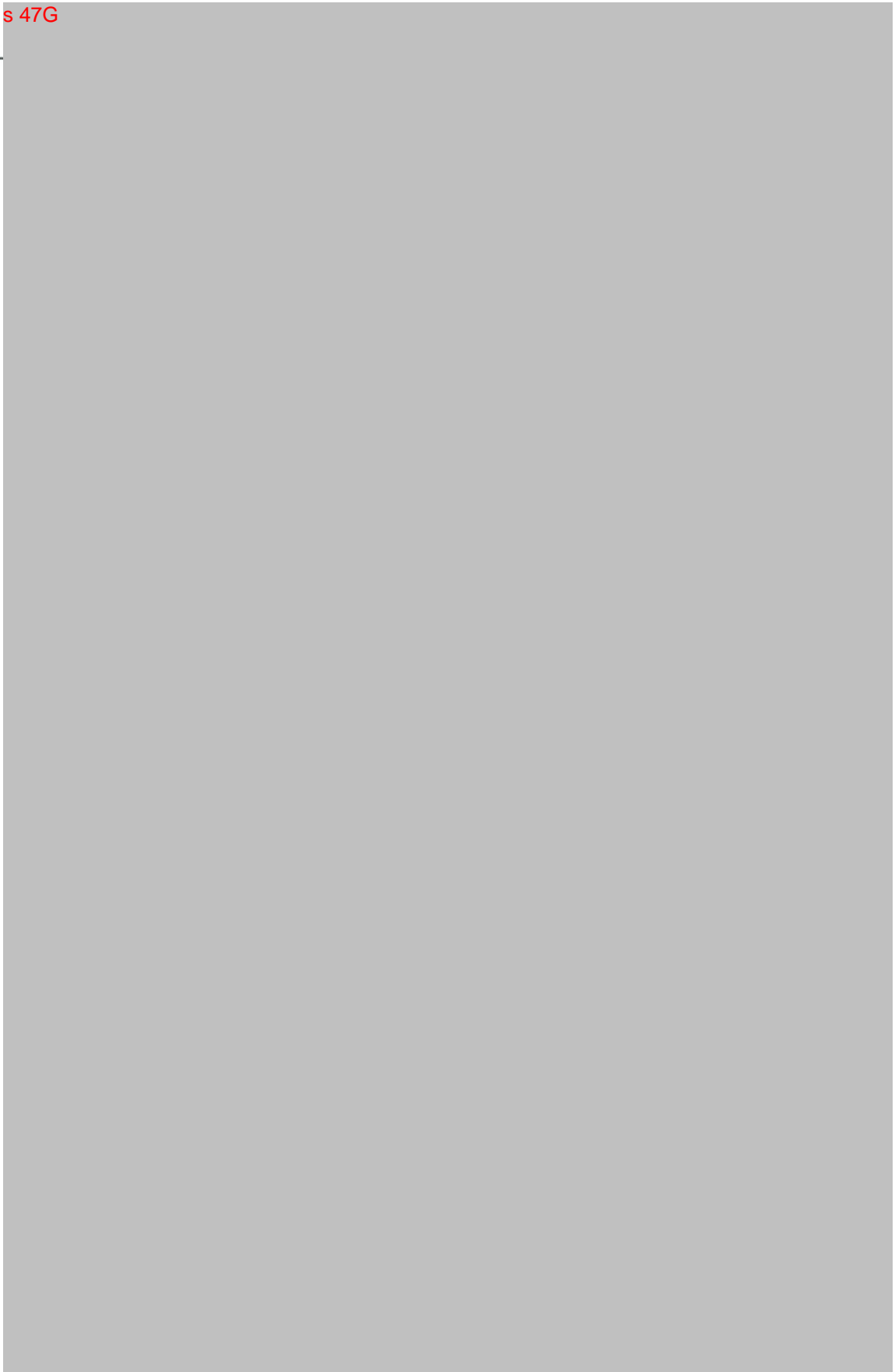


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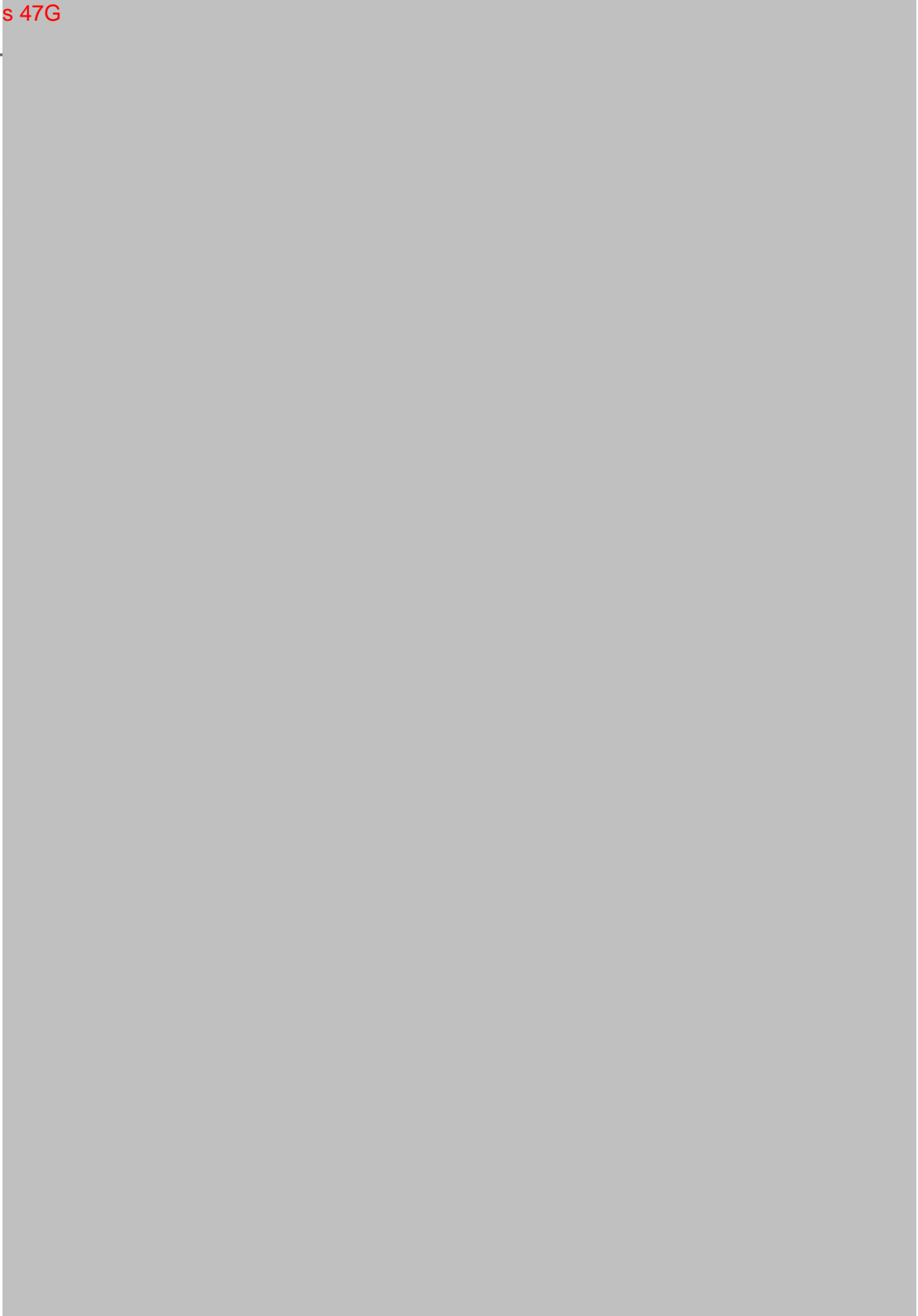
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HERBERT
SMITH
FREEHILLS

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print name

s22



From: Steven H s 47F
Sent: Monday, 20 May 2019 4:26 PM
To: WSU ENVIRONMENT <WSU.Environment@infrastructure.gov.au>
Subject: Re: Seeking further information and surveys [SEC=UNCLASSIFIED]

Dear s 47F

GHD prepared the biobank assessment for my property and have copies of the assessment reports and GIS data. I hereby authorise them to provide this to the Commonwealth and/or use this information for the purposes of annual reporting as outlined in your email.

I don't have any objections to GHD accessing my property to undertake EPBC surveys. I will need at least 2 weeks notice of their intention to access the property. Would it be possible for them to also provide me with a copy of the results of their survey and analysis?

Kind Regards,

Steven House
P. s 47F

On Mon, May 20, 2019 at 3:45 PM WSU ENVIRONMENT <WSU.Environment@infrastructure.gov.au> wrote:

Dear Steven,

We hope this email finds you well. The Department is progressing its offset obligations as outlined in the Biodiversity Offset Delivery Plan (BODP) and, in anticipation of the purchase of NSW Biodiversity Offset Scheme credits from you in July, seeks further information from you in relation to our reporting requirements.

As you may know, the Department has engaged GHD to assist with implementation of the BODP over the next few years. Part of this implementation involves annual reporting to the Department of the Environment and Energy with details of offsets secured including how each offset meets obligations under both the NSW BC Act and the EPBC Act. Additional survey and assessment to that of the BioBanking assessments already completed at your properties may be required to meet the requirements of the EPBC Act. Any additional survey and assessment would be fully funded by the Department. The Department is therefore informing you that GHD may be in contact with yourself and/or your accredited assessor:

- Seeking BioBanking Assessment Reports and GIS shape files, if required, and;
- Seeking to conduct surveys on EPBC Act-listed ecosystems and species at your properties after completion in July.

If you have any questions or concerns then please don't hesitate to get in contact.

Regards

s 47F

Director | Environmental Conditions and Approvals Section
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