

Appendix B Notification of commencement of the action

West Culburra Residential Subdivision - NSW (EPBC 2023-09524) - Commencement of the Action

 Mark Klein <mark@sealark.com.au>
To:  epbcmonitoring@dcceew.gov.au
Cc:  Matt Philpott;  Belinda Davie;  Gorey, Alex;  Rebecca Lockart;  Cam Weller
Archive 11/05/2028
 Follow up. Start by Tuesday, 12 May 2026. Due by Tuesday, 12 May 2026.

  Reply  Reply All  Forward  
Tue 12/05/2026 8:20 AM

Dear Approvals Compliance Section,

We wish to advise that in accordance with Conditions 18), 19) and 20) of EPBC Approval, NSW (EPBC 2023-09524) – West Culburra dated 26 March 2026, the Action was commenced on Monday 11 May 2026.

Works commenced on Stage 0 in the vicinity of the western end of Regmoore Close, Culburra Beach as shown on Attachment F of the Approval.

Works undertaken included;

- Minor clearing of grasses;
- Breaking of the ground;
- Excavation; and
- Laying of pipes.

Please advise if you require any further information in relation to this notification.

Regards,

Mark Klein
Senior Development Manager
Sealark Pty Limited



| 02 8062 5376 | mark@sealark.com.au
| Sydney Office: Suite 1006 97-99 Bathurst Street, Sydney NSW 2000
| Sydney Postal Address: GPO Box 2678, Sydney NSW 2001
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| www.sealark.com.au | www.hallorantrust.com.au

Appendix C – Pre-clearance and Clearance reports (ELA 2026)

Provided as separate attachments.

29 May 2026
Our ref: 26GWS12950

Sealark Pty Ltd
PO Box 12
Culburra Beach
NSW 2540

Attention: Mark Klein

Dear Mark,

West Culburra mixed-use development, Early Works 1 - pre-clearance report

Eco Logical Australia Pty Ltd (ELA) was commissioned by Sealark Pty Ltd to undertake a pre-clearance survey prior to clearing of vegetation associated with Early Works 1 (EW1) at the West Culburra mixed-used development, located at Culburra Road, West Culburra, NSW. This task was completed to meet the requirements of the EPBC Act approval for the West Culburra Mixed-use Development (EPBC 2023/09524). As required by the EPBC Approval, the Construction Environment Management Plan/Development Operational Environmental Management Plan (CEMP/OEMP) outlines pre-clearance and clearance procedures for the development, including that vegetation requires a pre-clearance inspection by an ecologist prior to clearance. The pre-clearance survey comprised identification of habitat features and opportunistic surveys for the following Matters of National Environmental Significance (MNES):

- *Pteropus poliocephalus* (grey-headed flying-fox)
- *Petaurus australis* (yellow-bellied glider)
- *Callocephalon fimbriatum* (gang-gang cockatoo).

These tasks were undertaken to comply with the requirements outlined in the Construction Environmental Management Plan - Development Operational Environmental Management Plan, prepared by Eco Logical Australia for Sealark Pty Ltd, C/- Allen Price Pty Ltd (ELA 2026) and the EPBC Act approval for the West Culburra Mixed-use Development (EPBC 2023/09524). Further details on the requirements addressed are listed in Appendix A.

Summary of results

Pre-clearance surveys were completed by ELA ecologists David Coombes and Elizabeth Fackerell on Friday 20 March 2026. These surveys focused on the proposed clearing footprint for EW1, (which includes the construction of a traffic route for the sewer works, and the immediate buffer for the vegetation management/tree-protection fencing) was inspected for hollow bearing trees (HBTs), other fauna habitat features, foraging habitat and presence of MNES fauna species. No HBTs or foraging habitat for the targeted species were identified within EW1. One wooden fence post with potential cavities for small terrestrial fauna species will require removal from the EW1 clearing footprint under

ecologist supervision. Ground habitat features for small mammals, reptiles and frogs (notably log piles) were recorded on the perimeter of the future vegetation management fence.

It is recommended that the fencing be installed to exclude the log piles from the works footprint, so that they remain undisturbed. If that is not possible, these features should be relocated under ecologist supervision within the boundaries of the adjacent vegetation management zone.

Further details on the methodology and results are provided in Appendix B and a site map, and photos of habitat features are provided in Appendix C. If you have any questions about this report, please do not hesitate to contact me on the number above or at charlotte.msills@ecoaus.com.au.

Regards,

A handwritten signature in black ink, appearing to read 'C Mills', with a stylized flourish at the end.

Charlotte Mills
Senior Ecologist

Appendix A: Requirements to be addressed

The protocols for pre-clearance and clearance surveys are outlined in the CEMP/OEMP (ELA 2026). The preparation and implementation of the CEMP/OEMP was a condition of the EPBC Act approval for the West Culburra Mixed-use Development (EPBC 2023/09524) (see conditions 4 and 5 of the approval - Appendix D:). The EPBC Act approval also contained conditions relevant to clearing of habitat for protected matters to avoid inadvertent harm which form part of the CEMP.

The relevant preclearing requirements from the CEMP are outlined below:

A. Construction Environmental Management Plan

2.2 Detailed description of works and tree removal protocol

2.2.1. Prior to construction

2.2.1.2. Pre-clearance surveys:

The protection of diversity is important in fostering the long-term health of native ecological communities. There is some likelihood that vegetation removal during development can result in the displacement of fauna. Therefore, contractors must take care during clearance activities to minimise impacts/disruption to fauna. The Bringing the bush back manual (DoIPNR, 2003) provides practical management techniques to assist practitioners to minimise impacts to native fauna during revegetation works.

Pre-clearance surveys will be undertaken in the development footprint by a qualified ecologist at least one week prior to the commencement of clearing, unless otherwise stated by consent conditions. The location of habitat features will be recorded using a handheld GPS (accuracy of 5-15 m) and marked with high visibility spray paint or flagging tape. Habitat features include habitat trees, log piles, stags, dens and burrows. Habitat trees are considered any tree with a hollow > 1 m above ground level, as well as trees harbouring nests or containing decorticated bark. Habitat features must be inspected for signs of fauna occupancy or present fauna from the ground via visual inspections using binoculars for those above eye level and a held torch for those features close the ground. During the preclearance survey the following details will be recorded:

- *All habitat considered critical habitat, and in this case foraging habitat to the fauna Matters of National Environmental Significance (MNES) in Section 2.1:*
 - *Grey-headed flying-fox: winter flowering Eucalypts and other flowering and fruiting native species.*
 - *Yellow-bellied glider: large, contiguous areas of floristically diverse forest dominated by winter flowering and smooth-barked Eucalypts with mature living Hollow bearing trees (HBTs)*
 - *Gang-gang cockatoo: old growth forest and woodland with an abundance of HBTs with most foraging occurring in the canopy of Eucalyptus spp.*
- *Any MNES present*
- *Location:*
 - *Locations of all habitats features within the clearance footprint by GPS and with flagging tape and/or spray paint.*
- *Habitat feature description:*
 - *Habitat feature ID*
 - *Type (Hollow, stag, nest, den, burrow (etc.))*
 - *Tree species*

- HBTs along with the number and size class of each hollow
 - Small = <10cm
 - Medium = 10-20 cm
 - Large = 20-30 cm
 - Extra-large =>30cm
- Any other key habitat feature fauna may use for refuge e.g. log piles / windrows, fallen trees with hollows, rocky outcrops, arboreal termitaria, dens, large and dense Lantana thickets, etc.
- Signs of occupancy if present (i.e. scratch marks, faeces and nesting material)
- Any bird nests or possum dreys
- Intended fauna relocation sites.

Council should be notified of the results of the pre-clearance survey. Marked habitat features must be left undisturbed until all other vegetation on site is cleared. The number of hollows to be replaced within the area to be cleared will be identified and recorded during the preclearance inspection and installed prior to the removal of the hollow bearing trees.

Vegetation removal must be undertaken in a staged or mosaic pattern and any scheduled removal of hollow bearing trees should be undertaken outside peak bird breeding times (spring to summer), where practical. When clearing vegetation in the development footprint, a qualified fauna ecologist must be present to capture and release any displaced fauna, following the procedures outlined in Section 2.2.2.

2.2.2. Clearance works

2.2.2.4. Removal of other key refuge habitats

These include:

- hollow logs
- large log piles
- materials such as abandoned vehicles, construction debris (excluding asbestos contaminated materials), roofing sheets, etc.
- bushrock / boulders / rocky outcrops.

These features will be marked during pre-clearing surveys or checks. These features will be cleared and natural materials will be re-installed in conservation areas prior to clearing commencing in the area in efforts to avoid damage to the habitat features once works commence. The clearance and re-installation of the natural materials to be retained will be done under the supervision of a suitably qualified ecologist.

Trees (and shrubs) removed within the development footprint may be of further use by providing suitable habitat features within the VMP area as stags, logs, hollows, debris, leaf litter, mulch or be used for soil stability and brush matting material in cleared areas, as well as a source of nutrient cycling. If vegetation is to be removed, natural timber >10 cm diameter including tree barrels and fallen logs/ branches, should be retained for use within the VMP area where suitable. Exotic vegetation is to be taken off-site and must not be used as mulch. Exotic timber is not recommended to be used as habitat enhancement but can be used only if approved by a suitably qualified and experienced restoration ecologist and will not regrow. Reuse of any vegetation, including mulch, within the VMP area needs to be approved by a suitably qualified and experienced restoration ecologist to ensure it does not impact on the ability of the site to achieve the performance criteria.

Where hollow-bearing trees are removed from the development footprint, best practice for habitat management recommends that nest boxes be installed in the VMP area at the following rates to compensate for hollow removal:

- Microbats – 1 nest box for every small hollow (<5cm) removed (species suitable)
- Birds (parrot species) – 1 nest box for every 5-15cm hollow removed (species suitable)
- Possums/glidens – 1 nest box for every 5-15cm hollow removed (species suitable).

The placement of all faunal habitat augmentation features and the nest box installation is to be carried out under the supervision of a qualified ecologist.

Suitable quantities of viable seed and genetic material present that can be reasonably collected will be collected for plant propagation uses and suitable quantities of timber is to be cut into logs to be utilised as ground habitat for native fauna.

B. Variation of conditions attached to approval, West Culburra Residential Subdivision, NSW (EPBC 2023/09524), dated 26 March 2026

PROTECTED MATTERS

Original dated 23 May 2025

3) To avoid and mitigate harm to protected matters, the approval holder must:

- a) within 48 hours prior to clearing, ensure that a suitably qualified field ecologist inspects all potential foraging habitat for the Gang-gang Cockatoo, Grey-headed Flying-fox and Yellow-bellied Glider,*
- b) ensure that, if protected matters are identified in the Development footprint, the suitably qualified field ecologist uses techniques to encourage them to leave any tree, using non-invasive techniques, prior to that tree or any adjacent tree being felled,*
- c) ensure that the suitably qualified field ecologist has the authority to cease clearance for sufficient time to enable relocation of protected matters to an appropriate nearby habitat area if required,*
- d) ensure that clearing does not recommence until the suitably qualified field ecologist is satisfied that any protected matter has safely moved out of the area to be cleared, and*
- e) ensure that all fencing that is installed in the Action area is fauna safe fencing.*

Appendix B: Methodology

B1: PERMITS AND LICENCES

ELA is accredited as an 'Animal Research Establishment' under the NSW Animal Research Act 1985. In addition, ELA holds a Biodiversity Conservation Licence under Part 2, Division 3 of the *Biodiversity Conservation Act 2016*. Copies of the relevant permits and licenses can be provided if required.

B2: METHOD

A pre-clearance survey of EW1 of the West Culburra mixed-used development was completed by ELA ecologists David Coombes and Elizabeth Fackerell on Friday 20 March 2026. The survey aimed to determine the presence and location of habitat features and foraging habitat (trees and large shrubs) for Matters of National Environmental Significance (MNES) targeting *Pteropus poliocephalus* (grey-headed flying-fox), *Petaurus australis* (yellow-bellied glider), and *Callocephalon fimbriatum* (gang-gang cockatoo) within the proposed EW1 construction footprint, which includes a traffic route for the sewer works and the immediate buffer for vegetation management/tree-protection fencing (Figure C1).

All areas of vegetation proposed for removal were inspected from the ground prior to the commencement of clearing. Inspections were undertaken as systematic walk-throughs within the EW1 footprint. Visual searches were used to identify above and below-ground habitat features; binoculars were used for features above eye level, and a handheld torch was used to inspect ground-level refugia and sheltered cavities where required.

The location of all recorded ground and vegetation habitat features was captured using a handheld GPS (typical horizontal accuracy 5–15 m), these features were mapped using Arc GIS Field maps, and details such habitat feature type were recorded.

B3: RESULTS

No targeted MNES species were recorded during the pre-clearing survey. No hollow bearing trees or foraging habitat for targeted MNES species proposed for removal, were identified within the surveyed footprint within EW1. Several ground habitat features were recorded in the vicinity of the proposed works, which provided potential shelter sites for small mammals, reptiles or frogs. These features included log/wood piles and fence posts with potential cavities outlined in Table B1 below and mapped in Figure C1, Appendix C. Only HF1 occurred within the works footprint.

Table B1: Pre-clearance survey habitat features (HF)

Habitat feature ID	Latitude	Longitude	Habitat feature type
HF1	-34.93006	150.74722	Wooden post with rot
HF2	-34.93002	150.74719	Tree stump and wood piles
HF3	-34.93045	150.74712	Tree and wood piles

B4: RECOMMENDATIONS

Ensure that the vegetation management/tree protection fencing is installed to exclude HF2 and HF3 from the EW1 footprint. If that is not possible, these features should be relocated under ecologist supervision within the boundaries of the adjacent vegetation management zone. The removal of one

wooden post containing rot and potential cavities (HF1) from within the EW1 footprint is to be supervised by an ecologist.

In addition to the recommendation above, clearance of vegetation in the EW1 footprint needs to be supervised by a qualified fauna ecologist, who, in the case of displaced fauna, is required to follow the protocol outlined in Section 2.2.2 of the CEMP. Section 2.2.2 of the CEMP is reproduced above in Appendix A:. A fauna ecologist should therefore be present to supervise the vegetation clearance works associated with EW1.

Appendix C: Site map and photos



Figure C1: Location of habitat features identified either within or in proximity to the Early Works 1 clearing boundary



Figure C2: HF1



Figure C3: HF2



Figure C4: HF3



Figure C5: View of sewer works traffic route

Appendix D: EPBC Act conditions of approval EPBC 2023/09524

Provided as a separate attachment.

29 May 2026

Our ref: 26GWS12950

Sealark Pty Ltd
PO Box 12
Culburra Beach
NSW 2540

Attention: Mark Klein

Dear Mark,

West Culburra mixed-use development, Early Works 1 - Clearance report

Eco Logical Australia Pty Ltd (ELA) was commissioned by Sealark Pty Ltd to undertake clearance supervision and prepare a clearance report on vegetation clearance associated with Early Works 1 (EW1) at the West Culburra mixed-used development, located at Culburra Road, West Culburra, NSW. This task was completed to meet the requirements of the EPBC Act approval for the West Culburra Mixed-use Development (EPBC 2023/09524). As required by the EPBC Approval, the Construction Environment Management Plan/Development Operational Environmental Management Plan (CEMP/OEMP) outlines pre-clearance and clearance procedures for the development, including that clearance of habitat is to be supervised by an ecologist. Details of the EPBC Conditions and protocols in the CEMP/OEMP are provided in Appendix A1.

Summary of Results

A pre-clearance survey of EW1 of the West Culburra mixed-used development was completed on 20 March 2026 by ELA Ecologists David Coombes and Elizabeth Fackerell. During this survey, the proposed footprint for EW1 was inspected. One habitat feature (HF1) that required clearance supervision was identified within EW1. HF1 provided potential sheltering sites for small mammals, reptiles or frogs. No hollow-bearing trees (HBTs) or foraging habitat for Matters of National Environmental Significance (MNES) fauna species that required removal were identified within EW1. Additional habitat features were recorded on the perimeter of the EW 1 clearing footprint (Appendix B).

Clearing of the vegetation and habitat features associated with EW1 was completed on Monday 11 May 2026 and was supervised by ELA Ecologist David Coombes. HF1 was inspected and approved for removal prior to clearing commencing. The remaining habitat features outside of the EW1 clearing footprint were retained and protected by fencing. No fauna was identified or displaced during the clearing works. Photos of clearance activities are provided in Appendix C.

If you have any questions about this report, please do not hesitate to contact me on 0400 494 261 or at charlotte.mills@ecoaus.com.au

Regards,



Charlotte Mills

Senior Ecologist

Appendix A Conditions of approval, method and results

A1: CONDITIONS ADDRESSED

The protocols for pre-clearance and clearance surveys are outlined in the CEMP/OEMP (ELA 2026). The preparation and implementation of the CEMP/OEMP was a condition of the EPBC Act approval for the West Culburra Mixed-use Development (EPBC 2023/09524) (see conditions 4 and 5 of the approval - Appendix D). The EPBC Act approval also contained conditions relevant to clearing of habitat for protected matters to avoid inadvertent harm which form part of the CEMP.

The relevant clearing requirements from the CEMP are outlined below:

A. Construction Environmental Management Plan

2.2. Detailed description of works and tree removal protocol

2.2.2. Clearance works

2.2.2.4 Removal of other key refuge habitats

These include:

- hollow logs
- large log piles
- materials such as abandoned vehicles, construction debris (excluding asbestos contaminated materials), roofing sheets, etc.
- bushrock / boulders / rocky outcrops.

These features will be marked during pre-clearing surveys or checks. These features will be cleared and natural materials will be re-installed in conservation areas prior to clearing commencing in the area in efforts to avoid damage to the habitat features once works commence. The clearance and re-installation of the natural materials to be retained will be done under the supervision of a suitably qualified ecologist.

Trees (and shrubs) removed within the development footprint may be of further use by providing suitable habitat features within the VMP area as stags, logs, hollows, debris, leaf litter, mulch or be used for soil stability and brush matting material in cleared areas, as well as a source of nutrient cycling. If vegetation is to be removed, natural timber >10 cm diameter including tree barrels and fallen logs/ branches, should be retained for use within the VMP area where suitable. Exotic vegetation is to be taken off-site and must not be used as mulch. Exotic timber is not recommended to be used as habitat enhancement but can be used only if approved by a suitably qualified and experienced restoration ecologist and will not regrow. Reuse of any vegetation, including mulch, within the VMP area needs to be approved by a suitably qualified and experienced restoration ecologist to ensure it does not impact on the ability of the site to achieve the performance criteria.

Where hollow-bearing trees are removed from the development footprint, best practice for habitat management recommends that nest boxes be installed in the VMP area at the following rates to compensate for hollow removal:

- Microbats – 1 nest box for every small hollow (<5cm) removed (species suitable)
- Birds (parrot species) – 1 nest box for every 5-15cm hollow removed (species suitable)
- Possums/gliders – 1 nest box for every 5-15cm hollow removed (species suitable).

The placement of all faunal habitat augmentation features and the nest box installation is to be carried out under the supervision of a qualified ecologist.

Suitable quantities of viable seed and genetic material present that can be reasonably collected will be collected for plant propagation uses and suitable quantities of timber is to be cut into logs to be utilised as ground habitat for native fauna.

B. Variation of conditions attached to approval, West Culburra Residential Subdivision, NSW (EPBC 2023/09524), dated 26 March 2026

PROTECTED MATTERS

Original dated 23 May 2025

3) To avoid and mitigate harm to protected matters, the approval holder must:

- a) within 48 hours prior to clearing, ensure that a suitably qualified field ecologist inspects all potential foraging habitat for the Gang-gang Cockatoo, Grey-headed Flying-fox and Yellow-bellied Glider,*
- b) ensure that, if protected matters are identified in the Development footprint, the suitably qualified field ecologist uses techniques to encourage them to leave any tree, using non-invasive techniques, prior to that tree or any adjacent tree being felled,*
- c) ensure that the suitably qualified field ecologist has the authority to cease clearance for sufficient time to enable relocation of protected matters to an appropriate nearby habitat area if required,*
- d) ensure that clearing does not recommence until the suitably qualified field ecologist is satisfied that any protected matter has safely moved out of the area to be cleared, and*
- e) ensure that all fencing that is installed in the Action area is fauna safe fencing.*

A2: PERMITS AND LICENCES

ELA is accredited as an 'Animal Research Establishment' under the NSW *Animal Research Act 1985*. In addition, ELA holds a Biodiversity Conservation Licence under Part 2, Division 3 of the *Biodiversity Conservation Act 2016*. Copies of the relevant permits and licenses can be provided if required.

A3: METHOD AND RESULTS

A pre-clearance survey of EW1 of the West Culburra mixed-used development was completed on 20 March 2026 by ELA Ecologists David Coombes and Elizabeth Fackerell. During this survey, the proposed footprint for Early Works 1 (EW1 - which includes the traffic route for the sewer works, and the immediate buffer for the vegetation management/tree protection fencing) was inspected. One habitat feature, consisting of a wooden post with potential cavities (HF1), was identified within EW1.

No hollow-bearing trees (HBTs) or foraging habitat for Matters of National Environmental Significance (MNES) species *Pteropus poliocephalus* (grey-headed flying-fox), *Petaurus australis* (yellow-bellied glider), and *Callocephalon fimbriatum* (gang-gang cockatoo) target species that required removal were identified within EW1. Habitat features, including log piles, a tree stump and a tree, were recorded on the perimeter of the EW 1 clearing footprint (Appendix B). The locations of the habitat features are provided in Table 1 and Figure 1 of Appendix B.

Clearing of the vegetation associated with EW1 was completed on Monday 11 May 2026 under the supervision of ELA Ecologist David Coombes. HF1 was re-inspected immediately prior to clearance works and approved for removal by the supervising ecologist. The two habitat features immediately adjacent to the EW1 clearing footprint were left intact and protected by the site fencing. No fauna was identified or displaced during the clearing works. Photographs of the clearance activities are provided in Appendix C.

Table 1: Details of habitat features

Tree number	Description	Latitude	Longitude	Cleared Y/N	Findings
HF1	Wooden post with rot	-34.93006	150.74722	Y	no fauna activity
HF2	Tree stump and wood piles	-34.93002939	150.74715967	N	retained in situ
HF3	Tree and wood piles	-34.93047014	150.7470903 4	N	retained in situ

Appendix B Site map and photos



Figure 1: Map showing impact area and potential habitat features of Early Works 1

Appendix C Photos of clearance activities



Figure 2: HF1 after checking and removal



Figure 2: Fencing protecting trees and other habitat features outside of the EW1 clearing footprint

Appendix D EPBC Act conditions of approval EPBC 2023/09524

Provided as a separate attachment.

Appendix D - Commonwealth approval of the VMP (ELA 2026, v13) and the CEMP (ELA 2026, v8)

Provided as a separate attachment.



Australian Government

Department of Climate Change, Energy,
the Environment and Water

EPBC 2023/09524

Mr Matt Philpott
Managing Director
Sealark Pty Ltd
GPO Box 2678
SYDNEY NSW 2000

**Approval of Vegetation Management Plan for West Culburra Residential Subdivision,
NSW (2023/09524)**

Dear Mr Philpott

Thank you for your email dated 2 September 2025 to the Department of Climate Change, Energy, the Environment and Water (the department), seeking approval of the Vegetation Management Plan, in accordance with conditions 4, 5, 6, 6b and 7 of the above project under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

I have considered the Vegetation Management Plan and the requirements of the conditions of the approval for this project. On this basis, and as a delegate of the Minister for the Environment and Water (the Minister), I have decided to approve the Vegetation Management Plan, Version 13, dated 6 March 2026.

Now this plan has been approved, it must be implemented. The approved plan must also be published in accordance with your conditions of approval.

Approval condition 11 for this project allows you (under certain circumstances) to implement revised plans without seeking approval from the Minister. If you require any advice on whether to submit a revised plan for approval, please contact the officer below. When submitting any revised plan to the Minister, please provide a 'tracked changes' version of the plan.

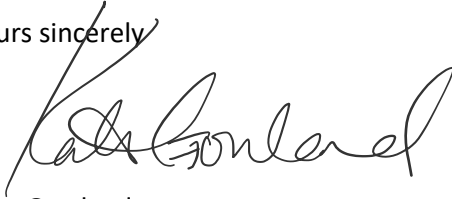
I also attach a fact sheet providing guidance on new or increased impact relating to changes to approved management plans under the EPBC Act.

I note that Sealark have submitted a request to vary the conditions of approval for this action. No decision on that request has been made at this time, and Sealark are required to comply with conditions attached to the EPBC Act approval, including clearing limits.

As you are aware, the department has an active monitoring program which includes monitoring inspections, desk top document reviews and audits. Please ensure that you maintain accurate records of all activities associated with, or relevant to, the conditions of approval so that they can be made available to the department on request.

Should you require any further information please contact Sidney Dwyer by email Sidney.dwyer@dcceew.gov.au or PostApproval@dcceew.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kate Gowland', written over the closing 'Yours sincerely,'.

Kate Gowland
Branch Head
Environment Assessments (NSW, ACT)

6 March 2026

Enc.

- New or Increased Impact factsheet



Australian Government

Department of Climate Change, Energy,
the Environment and Water

EPBC 2023/09524

Mr Matt Philpott
Managing Director
Sealark Pty Ltd
GPO Box 2678
SYDNEY NSW 2000

Approval of Construction Environmental Management Plan for West Culburra Residential Subdivision

Dear Mr Philpott

Thank you for your email dated 2 September 2025 to the Department of Climate Change, Energy, the Environment and Water (the department), seeking approval of the Construction Environmental Management Plan, in accordance with conditions 4, 5, 6, 6a and 7 of the above project under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

I have considered the Construction Environmental Management Plan and the requirements of the conditions of the approval for this project. On this basis, and as a delegate of the Minister for the Environment and Water (the Minister), I have decided to approve the *West Culburra Construction and Operations Environmental Management Plan* version 8, dated 6 March 2026.

Now this plan has been approved, it must be implemented. The approved plan must also be published in accordance with your conditions of approval.

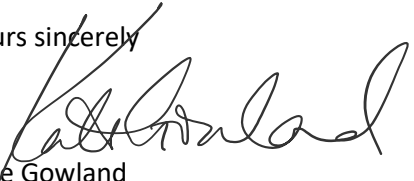
Approval condition 11 for this project allows you (under certain circumstances) to implement revised plans without seeking approval from the Minister. If you require any advice on whether to submit a revised plan for approval, please contact the officer below. When submitting any revised plan to the Minister, please provide a 'tracked changes' version of the plan.

I also attach a fact sheet providing guidance on new or increased impact relating to changes to approved management plans under the EPBC Act.

As you are aware, the department has an active monitoring program which includes monitoring inspections, desk top document reviews and audits. Please ensure that you maintain accurate records of all activities associated with, or relevant to, the conditions of approval so that they can be made available to the department on request.

Should you require any further information please contact Sidney Dwyer by email sidney.dwyer@dcceew.gov.au or PostApproval@dcceew.gov.au.

Yours sincerely



Kate Gowland
Branch Head
Environment Assessments (NSW, ACT)

6 March 2026

Enc:

- Factsheet: New or increased impact

Appendix E – Credit retirement statement for EPBC 2023/09524 and SSD3846-250399

Provided as a separate attachment.

Credit retirement report

Effective date: 09-April-2026

Transaction number: 202604-RT-1165

Credit owners' details

Credit owner ID: 467

Name of credit holder: Sealark Pty Limited

Other owner(s):
No other owners

Reason for retirement: SSD3846 BAM-equivalent credit retirements 3872: 95 credits & 2990: 6 credits EPBC App: 2023/09524

Ecosystem credit(s) retired								
Number of credits	Credit profile ID	Agreement ID	Vegetation code	Vegetation type	CMA subregion	% surrounding vegetation	Patch size	Vegetation formation(see key)
95	3,782	364	SR592	SR592/Red Bloodwood - Blackbutt - Spotted Gum shrubby open forest on coastal foothills, southern Sydney Basin Bioregion	Jervis	>70%	>100 ha	WSG
6	2,990	364	SR592	SR592/Red Bloodwood - Blackbutt - Spotted Gum shrubby open forest on coastal foothills, southern Sydney Basin Bioregion	Jervis	31-70%	<5 ha	WSG

Key to vegetation formations

Code	Vegetation formation
ALP	Alpine complex
ASA	Arid shrublands (Acacia)
ASC	Arid shrublands (Chenopod)
DSG	Dry sclerophyll forests (shrub/grass)
DSS	Dry sclerophyll forests (shrubby)
FRW	Forested wetlands
FWW	Freshwater wetlands
GLD	Grasslands
GRW	Grassy woodlands
HLD	Heathlands
MES	Miscellaneous ecosystems
RFT	Rainforests
SAW	Saline wetlands
SWG	Semi-arid woodlands (grassy)
SWS	Semi-arid woodlands (shrubby)
WSG	Wet sclerophyll forests (grassy)
WSS	Wet sclerophyll forests (shrubby)

The credit register provides further information about credit holdings and reports about credit trading activity. To view this information, please visit the public register website at www.environment.nsw.gov.au/bimspr/index.htm

For more information, please contact the BioBanking Scheme Manager - phone (02) 9995 6753; email biobanking@environment.nsw.gov.au