APPROVAL

Mt Gilead residential development, NSW (EPBC 2015/7599)

This decision is made under sections 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). Note that section 134(1A) of the EPBC Act applies to this approval, which provides in general terms that if the approval holder authorises another person to undertake any part of the action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such condition.

Details

<table>
<thead>
<tr>
<th>Person to whom the approval is granted</th>
<th>Lendlease Communities (Mt Gilead) Pty Ltd</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACN of approval holder</td>
<td>605 278 331</td>
</tr>
<tr>
<td>Action</td>
<td>Construction of a residential development including water and sewerage infrastructure, a community centre, a small kiosk / store, internal roads and two open space and recreation reserves on Lots 1-5 DP 1240836* and Lot 61 DP 752042 at Gilead, approximately 7 km south of Campbelltown city centre, New South Wales (as described in EPBC Act Referral 2015/7599 received 2 November 2015, and subject to the variations of the action accepted by the Minister under section 1568 on Monday, 29 May 2017 and Thursday, 12 April 2018).</td>
</tr>
</tbody>
</table>

Note that prior to subdivision in May 2018, Lots 1-5 DP1240836 were collectively known as Lot 3 DP1218887.

Proposed Approval decision

My decision on whether or not to approve the taking of the action for the purposes of the controlling provision for the action is as follows.

Controlling Provisions

<table>
<thead>
<tr>
<th>Listed Threatened Species and Communities</th>
<th>Section 18</th>
<th>Approve</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Section 18A</td>
<td>Approve</td>
</tr>
</tbody>
</table>

Period for which the approval has effect

This approval has effect until 30 November 2038

Decision-maker

<table>
<thead>
<tr>
<th>Name and position</th>
<th>Kim Farrant</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Assistant Secretary of Assessments and Waste Branch</td>
</tr>
<tr>
<td></td>
<td>Department of the Environment and Energy</td>
</tr>
</tbody>
</table>

Signature

Date of decision 21/12/18
Conditions of approval

This approval is subject to the conditions under the EPBC Act as set out in ANNEXURE A.

ANNEXURE A – CONDITIONS OF APPROVAL

Part A – Conditions specific to the action

Impacts

1. The approval holder must ensure that clearing of protected matters within the proposed action area is limited to the area marked as ‘development area’ in Attachment 1.

Compensation measures

2. To offset the impacts on 3.3 ha of SSTF and 0.55 ha of CPW, the approval holder must ensure that 8 ha of SSTF and 1.2 ha of CPW is secured within onsite offset areas prior to the commencement of the action.

3. To offset the impacts on 1.79 ha of SSTF, the approval holder must secure a minimum of 4 ha of SSTF at the Fernhill Central West biobanking site prior to the commencement of the action.

4. To compensate for impacts on 0.85 ha of SSTF not compensated through offsetting through conditions 2 and 3, the approval holder must either:
   - secure 0.85 ha of SSTF within the Council reserve prior to the commencement of Stage 2 of the action; or (if the approval holder is unable to register the Council reserve as a BioBank site);
   - submit for the Minister’s approval, an offset strategy in accordance with the EPBC Act environmental offsets policy. The offset strategy must outline how these impacts will be offset in perpetuity. The offset strategy should be submitted at least three months prior to the intended date of commencement. The approval holder must not commence the action unless the offset strategy has been approved by the Minister.

5. To compensate for impacts on Koala, the approval holder must acquire or retire no less than 150 Biodiversity credits for the Koala from the Appin West offset site prior to the commencement of the action.

6. Within 10 business days of securing the relevant offsets specified in conditions 2 - 5, the approval holder must provide the Department with evidence of when the offsets were secured and what mechanism was used to secure the offsets.

7. Prior to the commencement of the action, the approval holder must prepare and implement a Koala Management Plan for the proposed action area to the satisfaction of the Minister. This must include provisions for the approval holder to contribute at least $50,000 each year for five years to fund activities outlined in the plan. The approval holder must provide the Department with evidence of the Koala Recovery Team’s endorsement of the Koala Management Plan prior to the commencement of the action. The first year’s contribution must be made within 20 business days from the commencement of the action.
Construction environmental management plan

8. At least three months prior to the commencement of the action, the approval holder must submit a construction environmental management plan (CEMP) for the Minister's approval to avoid and mitigate potential indirect impacts on protected matters in the onsite offset areas and the Council Reserve as a result of construction. If the Minister approves the CEMP, then the approved CEMP must be implemented.

9. The approval holder must not commence the action unless the Minister has approved the CEMP in writing.

10. The CEMP must be consistent with the Department's Environmental Management Plan Guidelines, and must include:
    a. The CEMP environmental objectives, relevant to protected matters and a reference to EPBC Act approval conditions to which the CEMP refers;
    b. A table of commitments made in the CEMP to achieve the objectives, and a reference to where the commitments are detailed in the CEMP;
    c. Details of the parties responsible for undertaking management actions;
    d. A description of management actions that will be implemented pre, during and post construction, including for stormwater discharge and road runoff, sediment and erosion control, invasion by exotic species and weeds, and fencing and access;
    e. Hygiene protocols to minimise the risk of spread of Phytophthora cinnamomi;
    f. Reporting and review mechanisms, and documentation standards to demonstrate compliance with the CEMP;
    g. An assessment of risks to achieving the CEMP environmental objectives and risk management strategies that will be applied;
    h. Impact avoidance, mitigation and/or repair measures, and their timing; and
    i. A monitoring program, which must include:
       i. measurable performance indicators;
       ii. trigger values for corrective actions;
       iii. the timing and frequency of monitoring to detect changes in the performance indicators and timely detection of trigger values; and
       iv. proposed corrective actions, if trigger values are reached.

Part B – Standard administrative conditions

Notification of date of commencement of the action

11. The approval holder must notify the Department in writing of the date of commencement of the action and the date of commencement of each stage of the action within 10 business days after the date of commencement of the action or the relevant stage of the action.

12. If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.