



## 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

Person to whom the approval is granted (approval holder)	Lendlease Communities (Mt Gilead) Pty Ltd
ACN of approval holder	605 278 331
Action	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 156B on Monday, 29 May 2017 and Thursday, 12 April 2018).
Document tendered by <i>Mr Saul Deane</i> Received by <i>Time Monitors</i> Date: <i>16/08/2018</i> Resolved to publish Yes / No	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

Listed Threatened Species and Communities	
Section 18	Approve
Section 18A	Approve

*Document tendered by*  
*Mr Saul Deane*  
*Received by*  
*Time Monitors*  
*Date: 16/08/2018*  
*Resolved to publish* ☒ Yes / No

#### Period for which the approval has effect

This approval has effect until 30 November 2038

#### Decision-maker

Name and position	Kim Farrant Assistant Secretary of Assessments and Waste Branch Department of the Environment and Energy
Signature	<i>Kim Farrant</i>
Date of decision	<i>21.12.18</i>



## Conditions of approval

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

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## ANNEXURE A – CONDITIONS OF APPROVAL

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### Part A – Conditions specific to the action

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#### 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.

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### Part B – Standard administrative conditions

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#### 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**.

