



EPBC 2013/6979 Annual Compliance Report 2018 - 2019

El Caballo Blanco, Gledswood, Lakeside Recreational and Residential Development, Gledswood Hills NSW

Prepared for
SH Camden Lakeside Pty Ltd

October 2019



DOCUMENT TRACKING

Item	Detail
Project Name	ECBGL EPBC Annual Compliance Report 2017 / 2018
Project Number	16WOL - 5191
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Approved by	Robert Humphries
Status	DRAFT
Version Number	2
Last saved on	1 October 2019
Cover photo	<i>Pimelea spicata</i> in the study area. Taken by Alex Gorey on 24 August 2018

This report should be cited as 'Eco Logical Australia 2019. *ECBGL EPBC Annual Compliance Report 2018 / 2019*. Prepared for SH Camden Lakeside Pty Ltd.'

ACKNOWLEDGEMENTS

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Template 29/9/2015

Contents

1	Introduction	1
1.1	Project Background	1
1.2	Project status	1
1.2.1	Condition 3 Credit retirement.....	1
1.2.2	Commencement of works.....	1
1.2.3	Implementation of on-site works.....	2
1.3	Variations.....	2
1.4	Reason for this report	2
2	Compliance reporting	5
3	Additional information	8
3.1	Pimelea spicata survey.....	8
4	Conclusion	10
	Appendix A - BioBanking credit retirement report (June 2017)	11
	Appendix B - BioBanking credit retirement report (June 2018)	12
	Appendix C - Variation approval to annexure B (April 2018)	13

List of figures

Figure 1: Staging map	4
Figure 2: Pimelea spicata in the study area (June survey 2019)	8
Figure 3: Proposed fencing around 1 ha of CPW to protect Pimelea spicata (records and tracks from 2019 and 2018 (tracks only) within the Lakeside Golf Course	9

List of tables

Table 1: Staging and offsets at ECBGL	1
Table 2: Compliance with conditions of approval.....	5

1 Introduction

1.1 Project Background

El Caballo Blanco, Gledswood, Lakeside (ECBGL; the site) is an urban and recreational development within the south-western Sydney region of NSW. The site (incorporating both development and conservation areas) has an area of approximately 144.6 ha.

The development will comprise residential precincts set within a remodelled Camden Lakeside golf course and residential precincts set within a new 9 hole golf course, public parks and areas set aside for riparian and woodland conservation. The majority of the development areas are cleared of vegetation, having been previously used for golf course, tourist attractions, rural and cattle grazing purposes, with some stands of the EPBC listed critically endangered ecological community Cumberland Plain Woodland and Shale Gravel Transition Forest (herein referred to as CPW) remaining.

The project was originally approved on the 13th July 2016 with conditions and subsequently amended on 25 May 2017 and 3 April 2018.

Eco Logical Australia has prepared this Compliance Report on behalf of the Approval Holder, SH Camden Lakeside Pty Limited, to assess compliance with the conditions for the period **1 July 2018 – 30 June 2019** as set out in Construction of a residential and recreational development on Raby Road, Gledswood Hills, NSW (*Environment Protection and Biodiversity Conservation Act 1999* (EPBC) 2013/6979) approval signed 13 July 2016 (the Approval).

1.2 Project status

1.2.1 Condition 3 Credit retirement

All 243 biobanking credits were secured and retired in June 2018 under the BioBanking scheme (**Appendix A** and **Appendix B**).

1.2.2 Commencement of works

The project commenced with Stage 0 – Golf Course on the 14th July 2016. The first phases of works were initially limited to the Golf Course Development areas (**Figure 1**). Works had commenced in Stage 1 with some clearing of CPW in the south west. Since the 2016 / 2017 annual compliance report additional clearing and bulk earthworks in Stage 1 have continued including bulk earthworks, road construction and service installation (**Table 1**). Clearing of vegetation in stages 2 (stage 32) and 4 (stages 31A and 44) has commenced to facilitate bulk earthworks.

Table 1: Staging and offsets at ECBGL

Stage	Impact (ha)	Noorumba offset liability (ha)	Alternative BioBanking site offset liability (credits)	Status at 31 July 2019
Golf Course	0.0	0.0	0.0	Complete/Ongoing
1	2.1	4.92	49.2	Vegetation clearance, road construction, utilities
2	4.4	10.22	102.2	Clearing of vegetation and bulk earthworks

Stage	Impact (ha)	Noorumba offset liability (ha)	Alternative BioBanking site offset liability (credits)	Status at 31 July 2019
3	1.3	3.13	31.3	
4	1.2	2.82	28.2	Clearing of vegetation and bulk earthworks
5	1.4	3.16	31.6	
Total	10.1	24.3	243	

1.2.3 Implementation of on-site works

The following works have also continued within the on-site conservation area;

- exclusion of livestock
- installation of fencing
- primary weed control
- maintenance weed control
- grassland weed control
- follow up weed control
- reintroduction of woody debris
- seed collection
- hand direct seeding
- hand planting to supplement natural regeneration of native grasses
- spreading recovered topsoil
- brush matting.

These undertakings are guided by the site-specific vegetation management plan under a Voluntary Planning Agreement with Council.

1.3 Variations

Since the granting of the project approval there have been two variation applications requested by the proponent and approved by DotEE:

- relating to condition 3 (dealt with in the 2016/17 annual report) approved on 25 May 2017)
- relating to Annexure B (approved 3 April 2018).

The variation to Annexure B of the approval decision relates to allowing works to commence in other stages of the development that do not impact Matters of National Environmental Significance (**Appendix C**). No other variations have been applied for.

1.4 Reason for this report

This report has been prepared in compliance with condition 8 of the ECBGL EPBC Approval which states:

Within three months of every 12 month anniversary of the commencement of action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published. Eco Logical Australia has prepared this compliance report on behalf of SH Camden

Lakeside Pty Ltd examining compliance of the conditions set out by DotEE. As the works commenced July 2016, the annual reporting is accordingly due October 2019 (i.e. within 3 months of the 12-month anniversary). The following sub-sections discuss the conditions which required detail or where variations were sought and approved by DotEE. Section 2 illustrates the compliance relative to each condition.

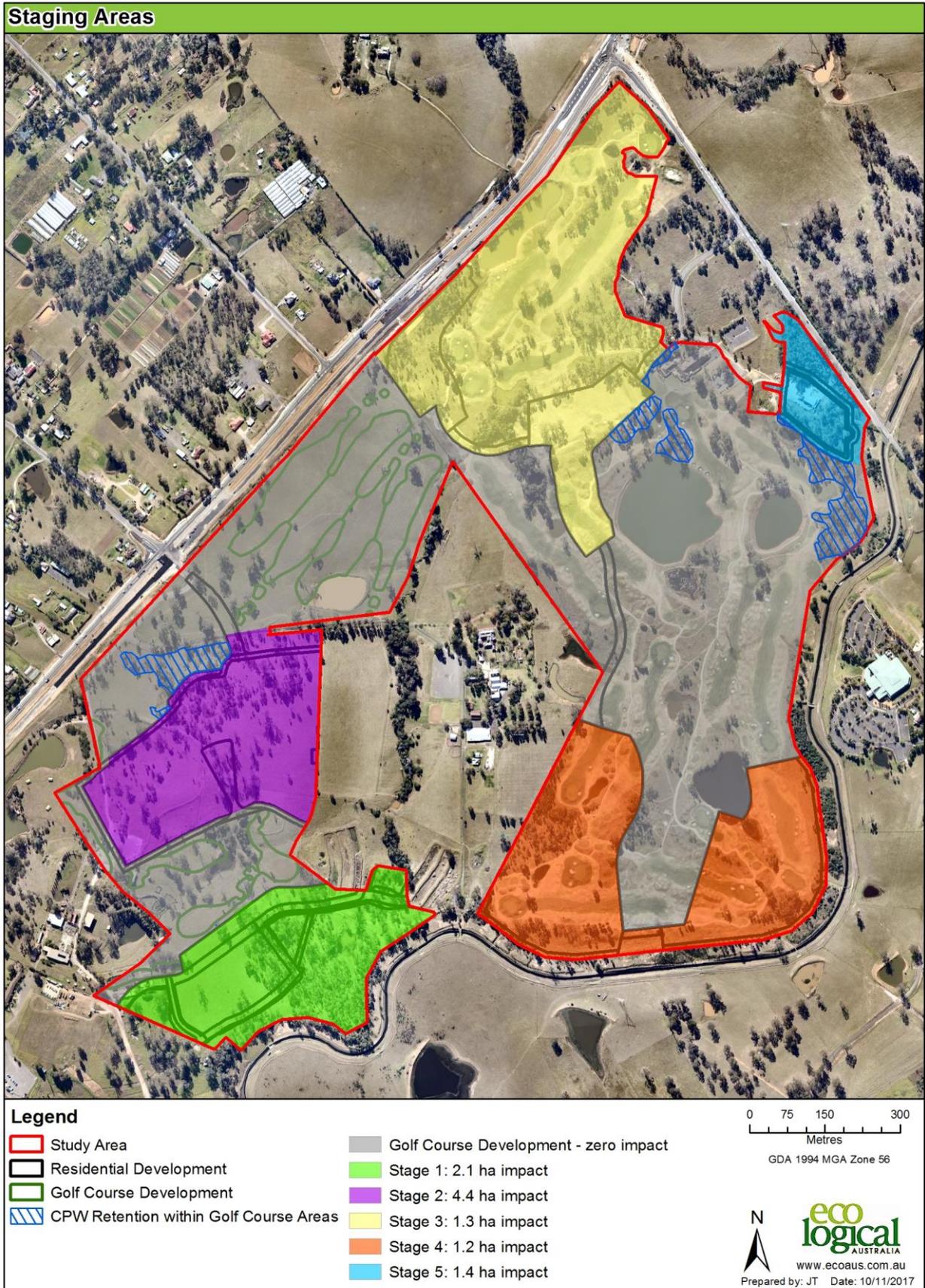


Figure 1: Staging map

2 Compliance reporting

The following tables provides a summary of the approved condition and their respective compliance status, outcomes achieved and whether further action is required. Additional information for some of the conditions of approval are presented in **Section 3**.

Table 2: Compliance with conditions of approval

Number	Condition	Compliance Y/N	Date due	Details
1	The approval holder must not impact on the Onsite Conservation Area specified in Annexure A except in accordance with plan described in condition 2.	Y	Ongoing	All works on site undertaken as per approval.
2	Prior to commencement of construction the approval holder must develop a plan for the management of the onsite conservation area specified in Annexure A, to be adopted under adopted under the Local Government Act 1993 NSW, to prevent direct and indirect impacts to vegetation.	Y	Project duration	Management plans consist of site specific Vegetation Management Plans approved by Council
3	<p>To compensate for the clearing of 10.4 ha of Cumberland Plain Shale Woodland, prior to the commencement of each stage of the action described in Annexure B, the approval holder must secure the corresponding quantity of direct offsets consisting of Cumberland Plain Woodland of equal or better quality</p> <ul style="list-style-type: none"> • within the Noorumba BioBanking Reserve shown at Annexure C; and. or • within an alternative registered BioBanking site. <p>Within one week of securing the required offsets for each stage, the approval holder must submit the signed BioBanking agreement and corresponding management plan or the signed BioBanking credit retirement report to the Department as evidence of compliance and retiring of BioBanking credits.</p>	Y	Complete	50 credits retired on 30 June 2017 (Appendix A). Remaining 193 credits retired on 21 June 2018 (Appendix B).
4	The approval holder must ensure that a population of at least 100 <i>Pimelea spicata</i> (Spiked Rice-flower) remains intact on the site of the action at all times.	Y	At all times	Records from monitoring survey provided in Section 3 indicating population of 190, up from 134

Number	Condition	Compliance Y/N	Date due	Details
				in previous count. At least 100 remain.
5	Prior to commencement of construction, the approval holder must provide to the Minister a construction environmental management plan, approved by Camden Council, describing measures to be taken to protect retained vegetation.	Y	Provided 28 June 2016	Sent to DotEE 28 June 2016
6	Within 10 business days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.	Y	10 business days after commencement	Commenced with Stage 0 (Golf Course) DotEE Advised August 2016
7	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans and reports required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	Y	Ongoing	Ongoing records kept as per standard site record keeping
8	Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.	Y	October 2019	October 2019 compliance report is the subject of this report. Previous reports provided October 2017 & 2018 and available online at https://www.sekisuihouse.com.au/the-hermitage/news
9	Non-compliance with any of the conditions of this approval must be reported to the Department within 48 hours of the approval holder becoming aware of the non-compliance.	NA	Ongoing	No non-compliances reported for 2018 / 2019. Any non-compliance will be discussed with DotEE

Number	Condition	Compliance Y/N	Date due	Details
10	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	Y	Ongoing	No ministerial requests made for independent audit of compliance
11	Unless otherwise agreed to in writing by the Minister, the approval holder must publish all management plans and reports referred to in these conditions of approval on their website. Each management plan and report must be published on the website within 1 month of being approved by the Minister.	Y	Ongoing	Available at https://www.sekisuihouse.com.au/the-hermitage/news

3 Additional information

3.1 *Pimelea spicata* survey

Condition 4 of the approval states:

The approval holder must ensure that a population of at least 100 Pimelea spicata (Spiked Rice-flower) remains intact on the site of the action at all times.

Targeted counts were conducted on 17 June 2019 by ELA ecologists Alex Gorey and Andrew Norvill to ensure that the population of *Pimelea spicata* was in a healthy condition. The survey traversed the area known to contain the population. A total of about 190 individuals were counted, compared to 134 in 2017 / 2018 and 164 individuals in 2016 / 2017. The patch was dry and the species was not in flower during the survey (**Error! Reference source not found.**). The groundcover was dominated by *Themeda triandra* (Kangaroo grass), *Microlaena stipoides* (Weeping Grass), *Glycine tabacina* and *Dichondra repens* (Kidney Weed). *Araujia sericifera* (Moth Vine) and *Olea europaea* subsp. *cuspidata* (African Olive) was also identified.

As per the previous compliance report, SH Camden Lakeside Pty Ltd is in negotiations with the land owner to establish flagging and signage around the perimeter of the population. It is recommended that the flagging follow the E2 – Environmental Conservation zoning boundary. If any *Pimelea spicata* individuals are outside of the previously fenced area, the fencing should be extended (where possible) to incorporate these individuals (4).



Figure 2: *Pimelea spicata* in the study area (June survey 2019)



Figure 3: Proposed fencing around 1 ha of CPW to protect *Pimelea spicata* (records and tracks from 2019 and 2018 (tracks only) within the Lakeside Golf Course

4 Conclusion

Eco Logical Australia, on behalf of SH Camden Lakeside Pty Limited, has prepared this Compliance Report to fulfil condition 8, and in doing so, all conditions of the project Approval (EPBC 2013/6979). Since the commencement of the action there has been no non-compliances in the past year. The population of *Pimelea spicata* was found to be in good condition and contained 190 individuals at the time of survey.

Appendix A - BioBanking credit retirement report (June 2017)

Credit retirement report

Effective date: 30-June-2017

Transaction number: 201706-RT-200

Credit owners' details

Credit owner ID: 411

Name of credit holder: Sekisui House Australia Pty Limited

Other owner(s):

No other owners

Reason for retirement: Retirement for Stage 1 EPBC Approval no. 2013/6979 and Stage 3 El Caballo Blanco Biocertification

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)
50	2,260	215	HN528	HN528/Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	Cumberland - Hawkesbury/Nephean	>70%	>100 ha	GRW

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

Appendix B - BioBanking credit retirement report (June 2018)

Credit retirement report

Effective date: 21-June-2018

Transaction number: 201806-RT-292

Credit owners' details

Credit owner ID: 411

Name of credit holder: Sekisui House Australia Pty Limited

Other owner(s):

No other owners

Reason for retirement: El Caballo Blanco, Gledswood & Camden Lakeside biocertification and EPBC approval
2013/6979

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)
67	2,535	274	HN528	HN528/Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	Cumberland - Hawkesbury/Nep ean	31-70%	>100 ha	GRW
30	2,536	274	HN528	HN528/Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	Cumberland - Hawkesbury/Nep ean	31-70%	>100 ha	GRW
26	2,537	274	HN528	HN528/Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	Cumberland - Hawkesbury/Nep ean	31-70%	>100 ha	GRW
43	1,871	156	HN528	HN528/Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	Cumberland - Hawkesbury/Nep ean	31-70%	>100 ha	GRW
75	2,459	250	HN528	HN528/Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	Cumberland - Hawkesbury/Nep ean	31-70%	<5 ha	GRW
5	2,460	250	HN528	HN528/Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion	Cumberland - Hawkesbury/Nep ean	31-70%	>100 ha	GRW

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

Appendix C - Variation approval to annexure B (April 2018)



Our reference: 2013/6979

Mr Oliver Roborgh
Development Manager - Development & Communities
Sekisui House Australia Pty Limited
Ground Floor, 68 Waterloo Road
MACQUARIE PARK NSW 2113

Dear Mr Roborgh

**Residential and Recreational Development on Raby Road, Gledswood Hills NSW
(EPBC 2013/6979)**

Thank you for the letter dated 10 November 2017 to the Department, requesting a variation to Annexure B of the approval decision dated 13 July 2016.

Officers of this Department have reviewed the variation request. As delegate of the Minister, I have varied Annexure B of EPBC Approval 2013/6979 under section 143(1)(c) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This variation is to alter the staging of the development to allow works to commence in areas containing no impacts to matters of national environmental significance. Annexure B must now be undertaken in accordance with the specified variation notification, which has been attached for your information.

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.

If you require any further information please contact Ruth Crabb, Post Approvals Section, on (02) 6274 2081 or by email: post.approvals@environment.gov.au.

Yours sincerely

Greg Manning
Assistant Secretary
Assessments (WA, SA, NT) and Post Approvals Branch
Environment Standards Division

3 April 2018



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