



Annual Compliance Report 2016 - 2017

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

Prepared for
SH Camden Lakeside Pty Ltd
October 2017

DOCUMENT TRACKING

ITEM	DETAIL
Project Name	ECBGL EPBC Compliance Report 2016/2017
Project Number	16WOL 5191
File location	N:\Projects\16WOL\5191
Project Manager	Jack Talbert +61 2 4201 2204 Suite 204, Level 2, 62 Moore Street, Austinmer
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Approved by	Brendan Dowd
Status	Final
Version Number	2
Last saved on	19 October 2017

This report should be cited as 'Eco Logical Australia, 2016. *2016/2017 Annual Compliance Report, ECBGL recreational and residential development, Western Sydney, NSW*. Prepared for SH Camden Lakeside Pty Ltd'

ACKNOWLEDGEMENTS

This document has been prepared by Eco Logical Australia Pty Ltd with support from Harrington Estates

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Abbreviations

ABBREVIATION	DESCRIPTION
BCA	Biodiversity Conservation Area
CPW	Cumberland Plain Woodland
DotEE	Department of the Environment and Energy
ELA	Eco Logical Australia
EPBC	Environment Protection and Biodiversity Conservation Act 1999
OEH	Office of Environment and Heritage

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 Threatened Ecological Community Cumberland Plain Woodland and Shale Gravel Transition Forest (herein referred to as CPW) remaining.

The project was approved on the 13th July 2016 with conditions.

Eco Logical Australia has prepared this Compliance Report on behalf of the proponent, SH Camden Lakeside Pty Limited, to assess compliance with the conditions for the period **July 2016 - July 2017** 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

The project commenced with Stage 0 – Golf Course on the 14th July 2016. The first phases of works have initially been limited to within the Golf Course Development areas (**Figure 1**). There has been minimal vegetation clearance, with the only earthworks incurring clearance of CPW occurring in the south-west (Stage 1) portion of the site, which included minor access roads and landscaping.

Works are continuing through Stage 1 in accordance with the below staging, impact and offset table.

Table 1: Staging table

Stage	Impact (ha)	Noorumba liability (ha)	offset	Alternative BioBanking site offset liability (credits)
Golf Course	0.0	0.0		0.0
1	2.1	4.92		49.2
2	4.4	10.22		102.2
3	1.3	3.13		31.3
4	1.2	2.82		28.2
5	1.4	3.16		31.6
Total	10.1	24.3		243

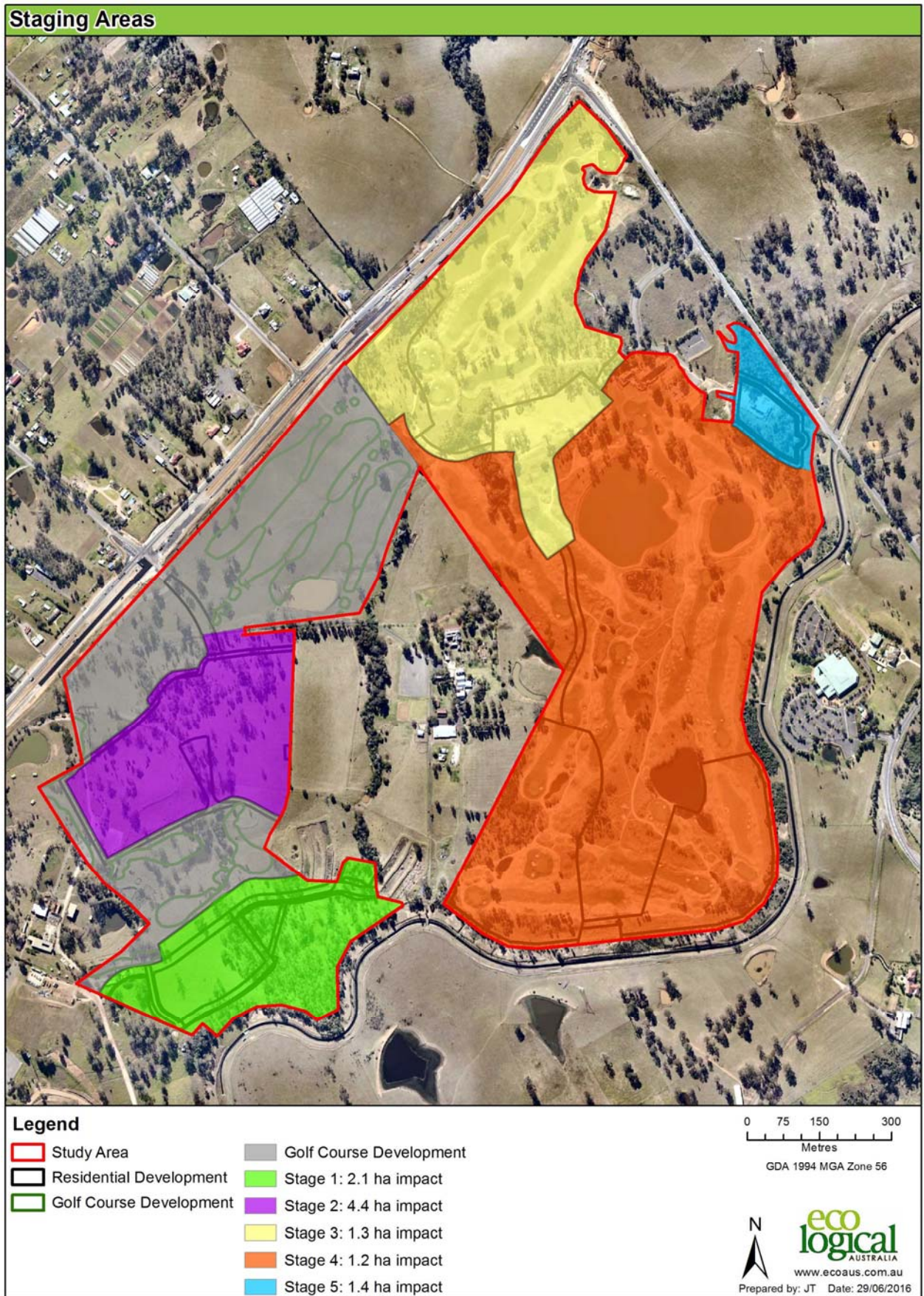


Figure 1: Staging map

The following works have also commenced 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 a site-specific vegetation management plan under a Voluntary Planning Agreement with the Council.

1.3 REASON FOR THIS REPORT

This report has been prepared in compliance with condition 10 of the ECBGL EPBC Approval which states:

By 31 March 2016 of each year after the commencement of the action, the approval holder must publish a report on their website addressing compliance with the conditions of this approval over the previous 12 months, including implementation of any management plans as specified in the conditions.

Eco Logical Australia has prepared this compliance report on behalf of SH Camden Lakeside examining compliance of the conditions set out by DotEE. As the works commenced July 2016, the annual reporting is accordingly due October 2017 (i.e. within 3 months of the 12-month anniversary). The following sub-sections discuss the conditions which required particular detail or where variations were sought and approved by DotEE. Section 2 illustrates the compliance relative to each condition.

1.4 VARIATION CONDITION 3

Condition 3 has been varied, as approved by DotEE (25 May 2017 – Attachment B), subject to the variation of deleting the original approved condition 3 and substituting with a new varied condition. Condition 3 originally read:

To compensate for the clearing of 10.4 ha of CPW, the approval holder must secure 24.3 ha of CPW at the Noorumba Biobanking Reserve, located in Appin within the Campbelltown Local Government Area prior to commencement of the action as specified in Annexure B of the decision notice.

Due to availability of offsite offsets, it was negotiated with DotEE that an allowance should be made for alternative offsets to be used. Condition 3 was accordingly amended to:

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

- within the Noorumba BioBanking Reserve shown at Annexure C; and . or
- within an alternative registered BioBanking site.

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.

1.5 CONDITION 4

Condition 4 of the approval required:

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.

Surveys were conducted on 25 November 2016 by ELA restoration ecologist Andrew Norvill to ensure that the population of Spiked Rice-flower was in a healthy condition. 164 individuals were counted (**Figure 2**). The patch was noted to be dry due to a recent lack of rainfall. Weed species were present (*Phalaris* sp., *Briza subaristata*, *Araujia sericifera* and a small number of *Olea europaea* subsp. *cuspidata*). Overall the patch was noted to be in good condition.



Figure 2: Spiked rice flower in situ (November 2016)

2 Compliance Reporting

The following table provides a summary of all the Approval conditions and their respective compliance status, outcomes achieved, and whether further action is to follow.

Table 2: Approval conditions (EPBC 2013/6979) compliance table

CONDITION 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 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. 	Y	Ongoing	50 credits have been retired from offsite Biobank. Evidence provided in letter dated 1 August 2017. Credit retirement report attached in Appendix A

CONDITION NUMBER	CONDITION	COMPLIANCE Y/N	DATE DUE	DETAILS
	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.			
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 1.5. At least 100 remain. Monitoring report available online as per Condition 11 of this approval
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	Y	Ongoing	Ongoing records kept as per standard site record keeping

CONDITION NUMBER	CONDITION	COMPLIANCE Y/N	DATE DUE	DETAILS
	audits may also be publicised through the general media.			
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 2017	Subject of this report. Report supplied October 2017 and to be made available online.
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	Any non-compliance will be discussed with DotEE
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
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	To be available on Sekisui House website

3 Conclusion

Eco Logical Australia, on behalf of SH Camden Lakeside, has prepared this Compliance Report to fulfil condition 8, and in doing so, all conditions of the project Approval (EPBC 2013/6979).

Since the granting of the project approval there has been one variation application approved by DotEE (on the 25th May 2017), relating to Condition 3 and the relinquishment of offset liabilities.

Attachment A – Credit Retirement Report

Attachment B – Approved s143 Variation



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