This report evaluates the request for an exemption under section 211 of the *Planning and Development Act 2007*, from requiring a completed Environmental Impact Statement (EIS) for the University of Canberra Public Hospital.

**Ref no:** 201400258  
**Date lodged:** 16 October 2014  
**Project:** University of Canberra Public Hospital  
**Street no. and name:** Corner of Aikman and Ginninderra Drive, Bruce  
**Applicant:** ACT Health Directorate

The following information provides the certificate of approval for issue of this report.

**Document no:** A9990685  
**Date of issue:** November 2014
Table of Contents

1. Introduction ...................................................................................................................... 5
   1.1. Project ....................................................................................................................... 5
       Proponent ....................................................................................................................... 6
   1.2. Background ............................................................................................................... 7
   1.3. Public consultation .................................................................................................... 7
2. Environmental impact assessment ..................................................................................... 8
   2.1. Impact track ............................................................................................................... 8
       2.1.1. Impact track triggers ............................................................................................ 8
   2.2. s.211 Process .......................................................................................................... 9
   2.3. s.211 requirements under the Planning and Development Regulation 2008 .......... 10
   2.4. The s.211 request ..................................................................................................... 11
   2.5. Entity referral ........................................................................................................... 11
3. Matters of National Environmental Significance ............................................................. 12
   3.1 EPBC referral .......................................................................................................... 12
   3.2 Decision on method of assessment ........................................................................... 12
   3.3 EPBC decision ......................................................................................................... 12
4. Evaluation of information - Schedule 4 items .................................................................. 12
   4.1 Item 1 Part 4.3 Schedule 4 – impacts on species or ecological communities .......... 13
   4.2 Item 2 Part 4.3 Schedule 4 – clearing of more than 0.5ha of native vegetation .......... 17
5. Other potential environmental impacts ............................................................................ 20
   5.1 Infrastructure/engineering ....................................................................................... 20
   5.2 Traffic and Transport ............................................................................................... 21
   5.3 Materials, waste and contamination ....................................................................... 21
   5.4 Heritage .................................................................................................................... 22
   5.5 Noise and vibration ................................................................................................. 22
   5.6 Air quality ................................................................................................................ 23
   5.7 Bushfire .................................................................................................................... 23
   5.8 Hydrology ................................................................................................................ 24
   5.9 Amenity ..................................................................................................................... 24
6. Development application considerations ........................................................................ 25
7. Conclusion ....................................................................................................................... 28
8. Bibliography .................................................................................................................... 29
Glossary and definitions

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT</td>
<td>Australian Capital Territory</td>
</tr>
<tr>
<td>CEMP</td>
<td>construction environmental management plan</td>
</tr>
<tr>
<td>DA</td>
<td>development application</td>
</tr>
<tr>
<td>EPBC Act</td>
<td>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</td>
</tr>
<tr>
<td>EIA</td>
<td>environmental impact assessment: the process of identifying, predicting, evaluating and mitigating the biophysical, social, and other relevant effects of development proposals before major decisions and commitments are made.</td>
</tr>
<tr>
<td>EIS</td>
<td>environmental impact statement: a document prepared to detail the expected environmental, social and economic effects of a development, and state commitments to avoid, mitigate or satisfactorily control and manage any potential adverse impacts of the development on the environment. In the ACT, an EIS is required for proposals in the impact track as per Section 123 of the Planning and Development Act 2007.</td>
</tr>
<tr>
<td>EPA</td>
<td>Environment Protection Authority</td>
</tr>
<tr>
<td>EPD</td>
<td>Environment and Planning Directorate</td>
</tr>
<tr>
<td>PD Act</td>
<td>Planning and Development Act 2007 (ACT)</td>
</tr>
<tr>
<td>TAMS</td>
<td>Territory and Municipal Services Directorate</td>
</tr>
<tr>
<td>UCPH</td>
<td>University of Canberra Public Hospital</td>
</tr>
</tbody>
</table>
1. **Introduction**

This report is to the ACT Minister for Planning on the assessment of the request for exemption from requiring a completed Environmental Impact Statement (EIS) for the University of Canberra Public Hospital. The request for exemption is made by the ACT Health Directorate under section 211 (s.211) of the *Planning and Development Act 2007* (the PD Act).

The ACT Health Directorate has prepared a request identifying potential impacts of the proposed development and providing information supporting the request for Ministerial exemption under s.211.

1.1. **Project**

This section gives an overview of the UCPH proposal and outlines any public consultation undertaken by the proponent for the proposal.

The ACT Health Directorate is proposing the development of a new sub-acute hospital on the University of Canberra’s (UC) Bruce Campus in Belconnen. The University of Canberra Public hospital (UCPH) will be the first sub-acute rehabilitation hospital in the ACT.

The project involves:

- clearing of land and site preparation;
- construction of hospital buildings and car parks;
- installation of associated services and infrastructure, including road connections to Aikman Drive and Ginninderra Drive;
- landscaping of open space areas;
- a backup generator under 4 MW; and
- operational use of the buildings as a sub-acute hospital.

The new hospital will comprise 140 overnight inpatient beds and 75 day places which consist of 25 mental health, 25 rehabilitation and 25 aged care beds.

Subject to relevant approvals, construction of the new sub-acute hospital is expected to begin in 2015.

The University of Canberra site for the proposal was selected as the preferred location following consultation with the community. A six week period of public consultation was held in 2011 on a discussion paper ‘Expanding hospital services in the ACT: an additional 400 hospital beds’ which presented a number of options to expand the ACT hospital system including a new sub-acute hospital which was supported through this process.

The proponent considers there to be no feasible alternative to constructing the UCPH and that the nature of habitat on the site compared to other potentially suitable sites supports the construction of the public hospital on the UC campus. A number of alternative access options for the facility were investigated, including connections to Pantowora Street. Access via Ginninderra Drive was determined to be the most suitable.

The proposal was assessed by preliminary documentation under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act). As part of this process, both the EPBC Act
request for the project and the preliminary documentation was made available for public consultation for 20 working days. Public comments on the assessment documentation were addressed by the proponent in preparing final EPBC Act assessment documentation for the project.

1.1.1. Project location
The UCPH s.211 exemption request relates to land on the University of Canberra campus, Bruce in the northern suburbs of Canberra. The site is on the corner of Ginninderra Drive and Aikman Drive (see Figure 1).

Figure 1 - Location of the action

1.1.2. Legal land description and tenancy
The proposed UCPH will affect one block. Table 1 shows the legal land description of the block affected by the proposal and the details of tenancy type and tenant.

<table>
<thead>
<tr>
<th>Block</th>
<th>District</th>
<th>Tenancy</th>
<th>Tenant</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3</td>
<td>Leased Territory Land</td>
<td>Private Lessee</td>
</tr>
</tbody>
</table>

Proponent
The Act Health Directorate is the proponent for this request for s.211 exemption.
1.2. Background
In 2011, the Council of Australian Governments made a commitment to deliver better health care for all Australians and secure the sustainability of Australia’s health system into the future. This commitment was formalised with the National Health Reform Agreement which has provided the platform for the ACT to improve its health system.

The UCPH proposal is part of the ACT Government’s Health Infrastructure Program. The Health Infrastructure Program is the single largest capital works project undertaken in the ACT and involves the overhaul and expansion of the ACT Health system.

The UCPH will be the first sub-acute rehabilitation hospital in the ACT and will contribute to the expansion of the ACT public health care system to assist in meeting future health demand. Sub-acute services at the proposed UCPH will relieve pressure on acute care services at the Canberra Hospital and Calvary Hospital.

Co-location of the proposal with the University of Canberra will allow for integration of both educational and research facilities. The proposal will extend and enable joint clinical training, teaching and research opportunities between the University of Canberra and ACT Health.

The ACT Government signed a Deed of Collaboration and a Deed of Acquisition and Development with the University of Canberra on 24 December 2013 to build the new sub-acute hospital on the University’s land and to facilitate joint teaching and research activities.

1.3. Public consultation
The supporting information for the proposal was publically notified during the EPBC Act referral and assessment stages for the project. The consultation was not directly related to this request however it did result in the supporting information being available from 10 June 2014 to 7 July 2014 and notified on the Commonwealth Department of the Environment’s website.

Table 2 provides a summary of which information was made available during the public consultation process and for what length of time.

Table 2 - Summary of public consultation

<table>
<thead>
<tr>
<th>Title of report</th>
<th>Public consultation method</th>
<th>Number of days</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of Canberra Public Hospital Referral under EPBC Act</td>
<td>Invitation to comment on Department of the Environment’s Website</td>
<td>20 working days during referral and 20 working days during assessment</td>
</tr>
<tr>
<td>University of Canberra Public Hospital Preliminary Documentation EPBC Ref: 2013/6987, Umwelt (Australia) Pty Limited, August 2014</td>
<td>Invitation to comment on Department of the Environment’s Website</td>
<td>20 working days during assessment</td>
</tr>
<tr>
<td>Natural vegetation as fauna habitat on the campus of the University of Canberra: the importance of grassland and woodland remnants: A short report to accompany maps, Osborne et al, January 2012</td>
<td>Invitation to comment on Department of the Environment’s Website</td>
<td>20 working days during referral and 20 working days during assessment</td>
</tr>
</tbody>
</table>
Following the issuing of a section 211 exemption, a development application (DA) will be required in the impact track. The DA process will include a public notification period in accordance with the PD Act. ACT Health has indicated that additional consultation will also be undertaken on the proposal.

Environmental impact assessment

Environmental impact assessment is a process for identifying, predicting, planning for and managing the physical, ecological, economic and social impacts of development proposals prior to approval being considered.

2.1. Impact track

A development proposal which requires development approval is in the impact track if the development is of a type mentioned in section 123 of the PD Act. Section 123 of the PD Act states that the impact track applies to a development if:

- the relevant development table states that the impact track applies;
- the proposal is of a kind mentioned in schedule 4 of the PD Act;
- the Minister makes a declaration under section 124;
- section 125 or section 132 applies to the proposal; or
- the Commonwealth Minister responsible for the EPBC Act advises the Minister in writing that the development is a controlled action under the EPBC Act and the bilateral agreement applies.

2.1.1. Impact track triggers

The UCPH is in the impact track as it is a development of a kind mentioned in Schedule 4 of the PD Act. The proposed development triggers two areas from Schedule 4 of the PD Act as described in Table 3.

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Description</th>
<th>Project Component</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part 4.3, Item 1</td>
<td>proposal that is likely to have a significant adverse environmental impact on 1 or more of the following, unless the conservator of flora and fauna produces an environmental significance opinion that the proposal is not likely to have a significant adverse environmental impact:</td>
<td>Item 1 is triggered by site preparation and construction of the hospital and associated infrastructure which is likely to have a significant adverse environmental impact on:</td>
</tr>
<tr>
<td></td>
<td>(a) a species or ecological community that is endangered;</td>
<td>- Box gum woodland.</td>
</tr>
<tr>
<td></td>
<td>(b) a species that is vulnerable;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c) a species that is protected;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(d) a species with special protection status;</td>
<td></td>
</tr>
<tr>
<td>Item Number</td>
<td>Description</td>
<td>Project Component</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>(e)</td>
<td>a species or ecological community if a threatening process has been declared under the <em>Nature Conservation Act 1980</em>, s 38 (4) in relation to the species or community;</td>
<td></td>
</tr>
<tr>
<td>(f)</td>
<td>a species or ecological community if the flora and fauna committee has stated criteria for assessing whether the committee should recommend the making of a declaration under the <em>Nature Conservation Act 1980</em>, s 38 (Declaration of species, community or process) in relation to the species or community;</td>
<td></td>
</tr>
<tr>
<td>(g)</td>
<td>an endangered species, an endangered population, an endangered ecological community, a critically endangered species, a critically endangered ecological community or species presumed extinct under the <em>Threatened Species Conservation Act 1995</em> (NSW), if the potential impact of the proposal will be on the species or community in New South Wales</td>
<td></td>
</tr>
<tr>
<td>Part 4.3, Item 2</td>
<td>proposal involving—</td>
<td>Item 2 is triggered by site preparation and construction of the hospital and associated infrastructure which will clear more than 0.5ha of native vegetation.</td>
</tr>
<tr>
<td>(a)</td>
<td>the clearing of more than 0.5ha of native vegetation other than on land that is designated as a future urban area under the territory plan unless the conservator of flora and fauna produces an environmental significance opinion that the clearing is not likely to have a significant adverse environmental impact; or</td>
<td></td>
</tr>
<tr>
<td>(b)</td>
<td>the clearing of more than 5.0ha of native vegetation on land that is designated as a future urban area under the territory plan unless the conservator of flora and fauna produces an environmental significance opinion that the clearing is not likely to have a significant adverse environmental impact</td>
<td></td>
</tr>
</tbody>
</table>

**2.2. s.211 Process**
A s.211 consideration report documents the information presented by the proponent to demonstrate that the environmental impacts of a project have been investigated and are fully understood. It informs both decision makers and the community of the likely impacts of the
proposal. The s.211 report should also include measures, or reasonable alternatives, that would avoid or minimise adverse impacts or enhance the quality of the environment.

A s.211 exemption may be given for a proposal if the Minister is satisfied that the expected environmental impact of the development proposal has already been sufficiently addressed by another study, whether or not the study relates to the particular development proposal.

**Figure 2 - The s.211 process**

2.3. **s.211 requirements under the Planning and Development Regulation 2008**

Section 211 of the PD Act requires the Minister to take into account prescribed criteria in deciding whether the environmental impact of the development proposal has been sufficiently addressed by other studies in deciding whether to grant an exemption from requiring a completed EIS.
Section 50A of the Planning and Development Regulation 2008 (the PD Regulation) prescribes the following criteria that the Minister must consider:

(a) whether the study was conducted by an appropriately qualified person with relevant expertise and experience in relation to the environmental values of the land in the proposal;
(b) if the study does not relate directly to the proposal—whether there is sufficient detail to allow assessment of the environmental impacts likely to occur if the proposal proceeds;
(c) whether the part of the study relevant to the proposal required public consultation through a statutory process or as part of a government policy development;
(d) that the study is not more than 5 years old;
(e) if the study is more than 18 months old—that an appropriately qualified person with no current professional relationship with the proponent verifies that the information in the study is current.

For each impact track trigger of the proposal an assessment of the supporting information will be made against the criteria above in the corresponding sub-sections under section 4 of this report.

2.4. The s.211 request

The request for a s.211 exemption was submitted by the ACT Health Directorate to the planning and land authority (the Authority), within the Environment and Planning Directorate (EPD) on 16 October 2014. In accordance with the requirements of Application for exemption from EIS (s.211) - Form 1M, the request contained the following information to inform the assessment of the request:

- Section 211 Supporting Documentation Report – University of Canberra Public Hospital, Umwelt, August 2014. This report included:
  - a preliminary risk assessment;
  - information on the EPBC Act decision for this project;
  - preliminary documentation for the EPBC Act decision; and
  - a tree survey.

2.5. Entity referral

The PD Act does not require mandatory referral of a request for s.211 exemption to entities. The Authority may however seek advice from entities on more specific subject matter. For the UCPH the Authority referred the request to the following entities:

- Heritage Council;
- Chief Executive for TAMS;
- Conservator of Flora and Fauna;
- Environment Protection Authority;
- Emergency Services Commissioner;
- Chief Executive for Health Policy; and
- ActewAGL Distribution and Actew Corporation.

The comments of each agency are included in this report as they relate to each trigger or potential impact and set out at APPENDIX 1. Any conditions recommended by a referral entity will be included in section 6 of this report.
2. Matters of National Environmental Significance
Under the EPBC Act a person must not take an action that has, will have, or is likely to have a significant impact on a Matter of National Environmental Significance (MNES) without approval from the Australian Government Minister for the Environment.

The MNES associated with this request are listed threatened species and ecological communities, and in particular White box – yellow box – Blakely’s red gum grassy woodland and derived native grassland (box gum woodland).

3.1 EPBC referral
On 18 October 2013, the ACT Health Directorate referred the UCPH to the Australian Government Minister for the Environment as required under the EPBC Act. Under the EPBC Act there are four possible outcomes of an assessment of a proposed development, they are that the project is:

- a controlled action – action is subject to the assessment and approval process under the EPBC Act;
- not a controlled action ‘particular manner’ – approval is not required if the action is taken in accordance with the manner specified;
- not a controlled action – approval is not required if the action is taken in accordance with the referral; or
- clearly unacceptable.

The Australian Government Environment Minister’s decision on the project was that the proposed development was a controlled action and that assessment and approval under the EPBC Act was required.

3.2 Decision on method of assessment
The Australian Government Minister for the Environment must decide the method of assessment required for the project within 20 days of the referral of the project. The method of assessment decided for this project was assessment by preliminary documentation under Division 7 of the EPBC Act. The project was not assessed under the bilateral agreement between the ACT Government and the Australian Government.

3.3 EPBC decision
Under the EPBC Act the outcome of the assessment (reference decision EPBC 2013/6987) was that the development proposal is approved subject to conditions. A copy of the EPBC decision dated 17 October 2014 is included at APPENDIX 2.

Evaluation of information - Schedule 4 items
This section summarises the impacts of the development on relevant items from Schedule 4 of the PD Act. For each item the supporting studies, investigations or reports and the comments of referral entities are listed along with any recommended mitigation measures. A conclusion is made on whether or not the information satisfies the requirements of s.211 of the Act.
4.1 Item 1 Part 4.3 Schedule 4 – impacts on species or ecological communities

The UCPH proposal will impact on up to 7.6 hectares of low quality derived box gum woodland, which is listed as an endangered ecological community under the Nature Conservation Act 1980 (ACT) and also as a critically endangered ecological community under the EPBC Act.

The studies conclude that, based on extensive survey effort, Golden Sun Moth is unlikely to be present in the project area, and there is relatively poor habitat structure on site for the species. There is however Golden Sun Moth habitat outside of the project area that could be indirectly impacted, though there is a low chance of this occurring.

No other protected species or ecological communities have been identified as present within the project area or likely to be impacted by the project.

4.1.1 Impacts

Box gum woodland

The identified activities associated with the proposed development which will potentially impact on box gum woodland are:

- Clearing of 7.6 hectares of box gum woodland during site preparation and construction; and
- Indirect impacts to low quality box gum woodland adjacent to the project area and cleared areas such as:
  - edge effects, being changes to community structure that could occur at the boundary of patches of this community as a result of disturbance for the proposal such as changing species composition and weed invasion; and
  - erosion and sedimentation.

The existing box gum woodland community onsite is small and disconnected. The highly disturbed nature of existing remnants means that no areas are unaffected by edge-effects and the area is already weed infested. The quality of box gum woodland onsite is generally low (see Figure 3) and is considered to be highly modified. The majority of the area is of very low floristic diversity, and some patches have been revegetated with eucalypts not diagnostic of the community. The quality of the impacts area of box gum woodland has been determined to have an overall quality of 2, where 10 represents the best possible quality for the community.
Approximately 3.2 ha of very low quality box gum woodland occurs to the east, between the project area and Pantowora Street. This is outside the project area and would not be removed as a result of the project.

**Golden Sun Moth**

There is the potential for impacts from the proposal on Golden Sun Moth habitat offsite (see figure 4). Given the topography of the site, runoff will not impact on this habitat. There is a small risk that this habitat could be disturbed due to unclear delineation of boundaries. The proponent has proposed a number of mitigation and management measures to ensure this does not happen, including clearly marking limits for clearing prior to any construction commencing, implementing a best practice Construction and Environment Management Plan (CEMP), and restricting site access to Aikman drive only during construction.
4.1.2 Previous Studies and Investigation

Three studies have been considered in investigating impacts on species and ecological communities in support of the request for s.211 exemption. The information used by the proponent to support the request is listed and assessed for relevance in Table 4.

Table 4 - Assessment of supporting information - Item 1, Part 4.3, Schedule 4

<table>
<thead>
<tr>
<th>Title of report</th>
<th>Public consultation</th>
<th>Age of report</th>
<th>Reviewed for currency</th>
<th>Expert/Peer reviewed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Striped legless Lizard (Delma impar) Survey and Vegetation Assessment Report, Biosis (April 2012)</td>
<td>Yes as part of EPBC Act assessment.</td>
<td>30 Months</td>
<td>Yes. This was determined to be current in August 2014 by Umwelt.</td>
<td>Externally reviewed by Dr Michael Mulvaney and Dr Murray Evans.</td>
</tr>
<tr>
<td>Natural vegetation as fauna habitat on the campus of the university of Canberra: the importance of grassland and woodland remnants: A short report to accompany maps, Osborne et al (January 2012)</td>
<td>Yes as part of EPBC Act assessment.</td>
<td>33 Months</td>
<td>Yes. This was determined to be current in August 2014 by Umwelt.</td>
<td>Department of the Environment during EPBC assessment.</td>
</tr>
<tr>
<td>University of Canberra Public Hospital Flora and Fauna Assessment, Umwelt (August 2013)</td>
<td>Yes as part of EPBC Act assessment.</td>
<td>26 Months</td>
<td>Yes. This was determined to be current in August 2014 by Umwelt.</td>
<td>Department of the Environment during EPBC assessment.</td>
</tr>
</tbody>
</table>
For additional information on the public consultation undertaken by the proponent refer to section 1.3 of this report.

4.1.3 Key findings
The project will impact on up to 7.6 hectares of low quality box gum woodland, mostly though site preparation and construction.

The studies conclude that the area of impact is not considered to represent a quality remnant of box gum woodland, or considered likely to have the potential to persist or improve in the long term without conservation management.

No local or regional links of moderate or greater value have been modelled as occurring near the project area.

The site does not represent a characteristic example of the box gum woodland ecological community. There is a history of land disturbance and landscape planting.

There are unlikely to be indirect impacts on Golden Sun Moth habitat offsite, but the proponent has provided mitigation measures to further reduce this likelihood.

4.1.4 Entity referral and comments
The Conservator of Flora and Fauna provided comment on the proposal which related to impacts on this trigger. These comments are summarised below:

- the expected environmental impact of development within this area has already been sufficiently addressed;
- the biodiversity values of this site have been thoroughly surveyed;
- the site contains a patch of relatively low diversity Box-Gum woodland;
- targeted surveys have shown that the development area is not current habitat of the Golden Sun Moth or Striped Legless Lizard; and
- the environmental report sufficiently addresses the environmental impact of the proposed development.

4.1.5 Recommended mitigation measures
The recommended mitigation measures from the entity comments received and the studies submitted by the proponent against the impacts of the development on species and ecological communities are included in Table 5.

Table 5 - Mitigation measures - species and ecological communities

<table>
<thead>
<tr>
<th>Number</th>
<th>Impact of development</th>
<th>Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Clearing of box gum woodland</td>
<td>Minimise the extent of clearing as much as possible, and retain mature remnant eucalypts and native groundcover where practicable.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reseed disturbed areas with native grass mix where possible, particularly adjacent to areas of box gum woodland.</td>
</tr>
</tbody>
</table>
Request for s.211 Exemption Consideration Report
University of Canberra Public Hospital
November 2014

<table>
<thead>
<tr>
<th>Number</th>
<th>Impact of development</th>
<th>Mitigation Measure</th>
</tr>
</thead>
</table>
| 2      | Clearing or disturbance outside the development footprint | • Clearly mark limits for clearing prior to any construction commencing.  
• The area outside the development footprint will be a designated ‘no-go’ zone and will be clearly fenced and signposted. Access to the site will be constrained to the connection to Aikman Drive, and no construction traffic will be allowed access via Pantowora Street.                                                                                                                                                                                                                     |
| 3      | Indirect impacts from storm water runoff, erosion and sedimentation | • A construction environmental management plan (CEMP) will include permitted locations for stockpiles, material storage and car parking with association controls.  
• Areas will be cleared progressively and stabilised to minimise erosion and run-off adjacent to areas.                                                                                                                                                                                                                                                                                                                                 |
| 4      | Indirect impacts from weed invasion                       | • Manage weed species during construction to prevent the spread of weeds and further accelerated degradation of adjacent areas. The CEMP will include weed management.                                                                                                                                                                                                                                                                                                                        |
| 5      | Indirect edge effects                                     | • Weed management measures.  
• Reseed disturbed areas with native grass mix.  
• Include adjacent areas of box gum woodland in monitoring to be undertaken during the construction phase.                                                                                                                                                                                                                                                                                                                                 |

### 4.1.6 Offset

As part of the EPBC Act approval for this project, the Commonwealth has required an offset area in the Pinnacle Nature Reserve to compensate for residual impacts to box gum woodland from the proposal. An offset management plan must be submitted to the Commonwealth Environment Minister for approval and include the location of the offset site and how it will be managed.

### 4.1.7 Conclusion

The supporting studies and the comments of the Conservator of Flora and Fauna provide sufficient information on the impacts of the proposal on species and ecological communities.

Further investigation and environmental assessment of the impacts of the proposal on species and ecological communities is not required for this project. The recommended mitigation measures will be applied through conditions of approval in any subsequent development application. In addition, an offset and offset management plan is required for Box gum woodland as part of the Commonwealth conditions of approval for the proposal.

### 4.2 Item 2 Part 4.3 Schedule 4 – clearing of more than 0.5ha of native vegetation

The project will involve the clearing of more than 0.5ha of native vegetation in an area that is not designated as a future urban area.

### 4.2.1 Impacts

The UCPH development will remove up to 7.6 hectares of native vegetation. Native vegetation will be permanently cleared and disturbed during construction and during habitation of the site. There is also the potential for additional indirect impacts to native vegetation, including:
- edge effects, being changes to vegetation structure that could occur at the boundary of patches of vegetation as a result of disturbance for the proposal such as changing species composition and weed invasion; and
- erosion and sedimentation.

Vegetation in the project area has been subject to clearing and agricultural use in the past, and is degraded. The vast majority of upper and mid storey vegetation has been cleared across the project area. There is currently a matrix of native and exotic pastures on the site.

Areas of high value native vegetation occur on the drier, slightly elevated and less fertile parts of the project area and support a greater diversity of native grass and forb species. Moist drainage lines in low lying areas are substantially weed infested. Accumulation of grass litter as a result of the area’s mowing regime has formed a thick layer of dead thatch over the soil surface, which could potentially have inhibited the persistence and germination of native forbs. The majority of the woodland and open forest which would have once occurred has been cleared for agricultural land practices.

### 4.2.2 Previous Studies and Investigation

The proponent has submitted three studies which support the request for s.211 exemption. The information submitted by the proponent to support the request is listed and assessed for relevance in Table 4.

**Table 6 - Assessment of supporting information - Item 2, Part 4.3, Schedule 4**

<table>
<thead>
<tr>
<th>Title of report</th>
<th>Public consultation</th>
<th>Age of report</th>
<th>Reviewed for currency</th>
<th>Expert/Peer reviewed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Striped legless Lizard (Delma impar) Survey and Vegetation Assessment Report, Biosis, April 2012</td>
<td>Yes as part of EPBC Act assessment.</td>
<td>30 Months</td>
<td>Yes. This was determined to be current in August 2014 by Umwelt.</td>
<td>Externally reviewed by Dr Michael Mulvaney and Dr Murray Evans.</td>
</tr>
<tr>
<td>Natural vegetation as fauna habitat on the campus of the university of Canberra: the importance of grassland and woodland remnants: A short report to accompany maps, Osborne et al, January 2012</td>
<td>Yes as part of EPBC Act assessment.</td>
<td>33 Months</td>
<td>Yes. This was determined to be current in August 2014 by Umwelt.</td>
<td>Department of the Environment during EPBC assessment.</td>
</tr>
<tr>
<td>University of Canberra Public Hospital Flora and Fauna Assessment, Umwelt, August 2013)</td>
<td>Yes as part of EPBC Act assessment.</td>
<td>26 Months</td>
<td>Yes. This was determined to be current in August 2014 by Umwelt.</td>
<td>Department of the Environment during EPBC assessment.</td>
</tr>
</tbody>
</table>

For additional information on the public consultation undertaken by the proponent refer to section 1.3 of this report.
4.2.3  Key findings
Up to 7.6 hectares of native vegetation will be removed during construction of the University of Canberra Public Hospital. Some planted trees within up to 4.9 hectares of exotic grassland to be cleared may also meet the definition of native vegetation, however as the understorey is exotic the proponent has not included this as native vegetation.

No local or regional links of moderate or greater value have been modelled near the project area.

4.2.4  Entity referral and comments
The Conservator of Flora and Fauna provided comment on the proposal which related to impacts on this trigger. These comments are summarised below:

1. the expected environmental impact of development within this area has already been sufficiently addressed;
2. the biodiversity values of this site have been thoroughly surveyed;
3. the site contains a patch of relatively low diversity Box-Gum woodland; and
4. the environmental report sufficiently addresses the environmental impact of the proposed development.

4.2.5  Recommended mitigation measures
The recommended mitigation measures from the entity comments received and the studies submitted by the proponent against the impacts of the development on native vegetation are included in Table 5.

Table 7 - Mitigation measures - species and ecological communities

<table>
<thead>
<tr>
<th>Number</th>
<th>Impact of development</th>
<th>Mitigation Measure</th>
</tr>
</thead>
</table>
| 1      | Clearing of native vegetation                             | • Minimise the extent of clearing as much as possible, and retain mature remnant eucalypts and native groundcover where practicable.  
        |                                                             | • Reseed disturbed areas with native grass mix where possible, particularly adjacent to areas of box gum woodland. |
| 2      | Clearing or disturbance outside the development footprint  | • Clearly mark limits for clearing prior to any construction commencing.           
        |                                                             | • The area outside the development footprint will be a designated ‘no-go’ zone and will be clearly fenced and signposted. Access to the site will be constrained to the connection to Aikman Drive, and no construction traffic will be allowed access via Pantowora Street. |
| 3      | Indirect impacts from storm water runoff, erosion and sedimentation | • A construction environmental management plan (CEMP) will include permitted locations for stockpiles, material storage and car parking with association controls.  
<pre><code>    |                                                             | • Areas will be cleared progressively and stabilised to minimise erosion and run-off adjacent to areas. |
</code></pre>
<p>| 4      | Indirect impacts from weed invasion                       | • Manage weed species during construction to prevent the spread of weeds and further accelerated degradation of adjacent areas. The CEMP will include weed management. |</p>
<table>
<thead>
<tr>
<th>Number</th>
<th>Impact of development</th>
<th>Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Indirect edge effects</td>
<td>• Weed management measures.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• disturbed areas with native grass mix.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Include adjacent areas of box gum woodland in monitoring to be undertaken during the construction phase.</td>
</tr>
</tbody>
</table>

**4.2.6 Conclusion**
The supporting studies and the comments of the Conservator of Flora and Fauna provide sufficient information on the impacts of the proposal on native vegetation.

Further investigation and environmental assessment of the impacts of the proposal on native vegetation is not required for this project. The recommended mitigation measures will be applied through conditions of approval in any subsequent development application.

**5. Other potential environmental impacts**
This section summarises the potential impacts of the development on the environment other than those impacts which are impact track triggers discussed in section 0.

**5.1 Infrastructure/engineering**
The proponent has identified a number of risks for the project associated with infrastructure/engineering.

**5.1.1 Impacts**
The following potential impacts were identified:

- local drainage conditions being altered by design of the facility and carparks, resulting in downstream impacts;
- new infrastructure impacting on other infrastructure or factors that needs consideration during design; and
- existing road networks not having capacity to service the new development.

**5.1.2 Recommended mitigation measures**
The key commitments and mitigation measures are:

- a topographical survey of the area to avoid unnecessary impacts during the design phase for the project;
- undertake stormwater design in line with the Water Ways: Water Sensitive urban Design General Code;
- consult with utility entities early in the design phase;
- consider utility installation constraints in site investigation study;
- recommendations of the transport planning study are to be incorporated into detailed design; and
- early consultation with Roads ACT and TaMS.
5.2 Traffic and Transport
The proponent has identified a number of traffic and transport risks from the project.

5.2.1 Impacts
The following potential impacts were identified:

- existing road networks not having capacity to service the new development;
- increased volumes of construction traffic on Aikman and Ginninderra Drives;
- construction of road connections resulting in traffic disruptions;
- operation of the facility increases vehicle traffic on local network resulting in traffic congestion and increases in accidents;
- site does not have adequate access for public transport;
- pedestrian access from Aikman and Ginninderra Drives not provided inhibiting access to services for some patients; and
- roads and infrastructure deteriorate due to increased use requiring more frequent maintenance.

5.2.2 Recommended mitigation measures
The key commitments and mitigation measures are:

- transport planning has been undertaken prior to detailed design and construction. Recommendations of the transport planning study will be incorporated into detailed design;
- early consultation with Roads ACT and TaMS;
- develop and implement a Construction and Environment Management Plan (CEMP) which includes a construction traffic management plan;
- undertake traffic assessment during the design period to identify whether additional upgrades are required to local network to service the facility;
- ensure roads are constructed with specifications to accommodate public transport;
- consult with Action regarding bus services to the facility;
- include pedestrian access, particularly across Aikman Drive, and from Lawson South in hospital construction; and
- include internal access roads and intersections in road maintenance and upgrade program.

5.3 Materials, waste and contamination
The proponent has identified an environmental risk from litter, pollution and contamination from the project.

5.3.1 Impacts
The following potential impacts were identified:

- uncontrolled access by vehicles leading to litter and dispersal of pollutants;
- discovery of previously unidentified contaminated soil during construction;
- fuel or chemical spills;
- inappropriate material storage resulting in contamination of soil, ground water and/or local waterways; and
• earthworks, vegetation clearing and construction activities result in release of sequestered carbon and greenhouse gases.

5.3.2 Recommended mitigation measures
The key commitments and mitigation measures are:

• establish no-go zones, site boundaries and fences prior to construction commencing to prevent unauthorised access into adjacent areas;
• undertake a contamination assessment of the site to determine the risk of contamination being present;
• develop and implement an Unexpected Find Protocol for all earthworks and construction activities on site, including training personnel in an Unexpected Finds Procedure;
• develop and implement a CEMP which includes a waste management plan, including storage and stockpiling of raw materials, transport of materials to site and disposal of materials;
• identify location of site sheds/storage areas and construction vehicle parking in CEMP away from sensitive areas;
• develop a spill management protocol;
• maintain appropriate hazardous material management practices during the operational phase;
• include an assessment of carbon balance in environmental assessment to identify appropriate offsetting measures to be incorporated into the project design or managed separately; and
• consider carbon offsetting measures if appropriate.

5.4 Heritage
The proponent has identified risks to heritage items.

5.4.1 Impacts
The following potential impact was identified:

• earthworks resulting in the destruction of previously unidentified Aboriginal or European cultural heritage items.

5.4.2 Recommended mitigation measures
The key commitment and mitigation measure is:

• develop and implement an Unanticipated Discovery Plan during clearing and construction activities, including training personnel in procedures.

Advice from the Heritage Council has been considered and recommendations will be addressed during the development application process.

5.5 Noise and vibration
The proponent has identified potential noise and vibration impacts.

5.5.1 Impacts
The following potential impacts were identified:
• reduction in local amenity due to noise and vibration impacts from construction activities; and
• non-compliance with the Environment Protection Act 1997 (ACT).

5.5.2 Recommended mitigation measures
The key commitments and mitigation measures are:

• develop and implement a CEMP which includes a noise and vibration management plan;
• identify sensitive receivers;
• conduct construction activities in accordance with EPA requirements; and
• maintain plant and equipment in accordance with manufacturer’s recommendations and best practice.

5.6 Air quality
The proponent has identified potential air quality impacts.

5.6.1 Impacts
The following potential impacts were identified:

• reduced air quality from construction impacts, for example vehicle emissions and dust;
• reduced local amenity; and
• non-compliance with the Environment Protection Act 1997 (ACT).

5.6.2 Recommended mitigation measures
The key commitments and mitigation measures are:

• develop and implement a CEMP which includes an air quality and dust management plan;
• identify sensitive receivers;
• conduct construction activities in accordance with EPA requirements; and
• maintain plant and equipment in accordance with manufacturer’s recommendations and best practice.

5.7 Bushfire
The proponent has identified potential bushfire risks.

5.7.1 Impacts
The following potential impacts were identified:

• sparks from machinery during construction which could start a bushfire; and
• fire hazard management conducted in a way that leads to loss of biodiversity.

5.7.2 Recommended mitigation measures
The key commitments and mitigation measures are:

• maintain plant and equipment in accordance with manufacturer’s recommendations and best practice;
• observe seasonal and daily fire hazard warnings issues by the ACT Emergency Services Agency;
• implement an approved bushfire hazard management plan during construction and operation;
• keep vehicles on formed roads and paths, and away from long grass where possible;
• provide appropriate parking areas for personnel that are away from long grass and other ignition sources;
• avoid unnecessary idling of vehicles;
• equip all vehicles on site with fire extinguishers;
• include fire prevention and fire control instructions in site induction;
• do not undertake hotworks outside designated workshop areas; and
• following construction, operational management plans should be implemented to management maintenance operations, particularly adjacent to environmental sensitive areas.

5.8 Hydrology
The proponent has identified potential hydrological impacts from the project.

5.8.1 Impacts
The following potential impacts were identified:

• interception of ground water and altered drainage regimes resulting in downstream environmental impacts; and
• increased run off from impervious surfaces, such as carparks, which increases flow downstream.

5.8.2 Recommended mitigation measures
The key commitments and mitigation measures are:

• incorporate water sensitive urban design principles and water quality considerations in drainage construction; and
• design will meet the requirements of the Water Sensitive and Urban Design General Code to ensure post-development flows do not exceed pre-development flows.

5.9 Amenity
The proponent has identified potential impacts from the project to the amenity of the local area.

5.9.1 Impacts
Visual impacts were identified from land clearing and construction.

5.9.2 Recommended mitigation measures
The key commitments and mitigation measures are:

• management measures included in the CEMP, including in relation to landscaping to assist in managing adverse amenity impacts;
• visual aesthetics of the hospital building in line with the ACT Territory Plan’s Community Facility Zone Development Code;
• landscaping buffers and visual screens to be incorporated into the design and construction; and
• high quality materials are to be used.
6. Development application considerations

This section outlines key considerations for the planning and land authority to take into account when assessing a development application for the proposal. The development application considerations include any recommendations from the supporting information submitted by the proponent as well as any matters raised by referral entities.

Development application considerations are summarised in Table 8.
Table 8 - Development application considerations

<table>
<thead>
<tr>
<th>No</th>
<th>Consideration requirement</th>
<th>Endorsement/ approval</th>
<th>Development stage</th>
<th>Details of considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Offsets strategy</td>
<td>DoE</td>
<td>As required by EPBC Act approval</td>
<td>Preparation of an Offset Management Plan consistent with the EPBC Act decision. Refer to Appendix 2 – EPBC Act Decision of this report for a copy of the EPBC Act decision.</td>
</tr>
<tr>
<td>2</td>
<td>Develop and implement a Conservation Management Plan</td>
<td>Heritage Council</td>
<td>Prior to heritage management and salvage works being undertaken</td>
<td>A Conservation Management Plan authorised under section 76 of the Heritage Act 2004 to clearly identify the Project’s heritage impacts and outline the aims and methods of heritage impact mitigation works to be undertaken.</td>
</tr>
<tr>
<td>3</td>
<td>Develop and implement a construction environment management plan</td>
<td>Planning and land authority</td>
<td>Prior to construction</td>
<td>This should address the commitments made by the proponent in respect of the CEMP as outlined in this document</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>The CEMP should include, but not be limited to including:</td>
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<tr>
<td></td>
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<td></td>
<td></td>
<td>• weed management plan;</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• stormwater management plan;</td>
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<tr>
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<td></td>
<td>• pollution control plan;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• construction traffic management plan;</td>
</tr>
<tr>
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<td></td>
<td>• waste management plan;</td>
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<tr>
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<td></td>
<td></td>
<td>• noise and vibration management plan;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• air quality and dust management plan; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• sediment and erosion control plan.</td>
</tr>
<tr>
<td>4</td>
<td>ACTEW Water asset acceptance</td>
<td>ACTEW Water</td>
<td>Prior to DA submission</td>
<td>In principle agreement from ACTEW’s Hydraulic Asset Acceptance section is required for the water and sewerage servicing of the proposed development.</td>
</tr>
<tr>
<td>No</td>
<td>Consideration requirement</td>
<td>Endorsement/ approval</td>
<td>Development stage</td>
<td>Details of considerations</td>
</tr>
<tr>
<td>----</td>
<td>---------------------------</td>
<td>-----------------------</td>
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<td>--------------------------</td>
</tr>
<tr>
<td>5</td>
<td>Bushfire</td>
<td>Emergency Services and the Authority</td>
<td>Development application and prior to construction</td>
<td>Prepare and implement a bushfire hazard management plan during construction and operation.</td>
</tr>
<tr>
<td>6</td>
<td>Mitigation measures</td>
<td>The Authority</td>
<td>Development application, prior to construction &amp; during construction</td>
<td>All mitigation measures identified in this report should be incorporated into the design of the development, development application documentation, conditions of approval and relevant construction management plans.</td>
</tr>
</tbody>
</table>
### 7. Conclusion

Having regard to the supporting information provided and the comments received from referral entities, the Authority has assessed the University of Canberra Public Hospital as meeting the requirements of s.211 of the PD Act.

It is the Authority’s assessment that the proponent has provided sufficient information to the ACT Government and the community to allow an informed evaluation of potential environmental impacts which could be attributed to the proposal. The supporting information and referral entities have proposed a range of mitigation measures to reduce or avoid potential environmental impacts arising from construction and operational activities associated with the project. It is considered that any potential adverse impacts can be adequately addressed by implementing these measures and the relevant development application considerations outlined in this report. In addition, the Commonwealth has required an offset for box gum woodland as part of the EPBC Act approval for the proposal.

The Authority’s recommendation is that the supporting information submitted with the request has adequately identified and considered those matters of potentially significant impact and that further environmental assessment is not required.

The Authority’s recommendation is that the Minister grants the University of Canberra Public Hospital an exemption under section 211 of the Act from the requirement to complete an Environmental Impact Statement.
8. Bibliography

FINAL Section 211 Supporting Documentation, University of Canberra Public Hospital, Umwelt (Australia) Pty Limited, August 2014.

Natural vegetation as fauna habitat on the campus of the University of Canberra: the importance of grassland and woodland remnants: A short report to accompany maps, Osborne et al, January 2012.

Phase 1 and 2 Environmental Site Assessment, Corner of Aikman Drive and Ginninderra Drive, Bruce, ACT 2617, Robson Environmental Pty Ltd, February 2013.


Tree Survey and Assessment: University of Canberra, Public Hospital Site, Umwelt (Australia) Pty Limited, 5-6 February 2013.

University of Canberra Public Hospital Flora and Fauna Assessment, Umwelt, August 2013.

University of Canberra Public Hospital Heritage Assessment, Umwelt, 2014.

University of Canberra Public Hospital Interim Offset Management Plan EPBC Ref: 2013/6987, Umwelt (Australia) Pty Limited, April 2014.

University of Canberra Public Hospital Preliminary Documentation EPBC Ref: 2013/6987, Umwelt (Australia) Pty Limited, August 2014.
Appendix 1 – Referral Entity Comments

ACT Heritage Council

The following comments were received from the ACT Heritage Council:

*ACT Heritage Council supports the findings presented in the Project’s heritage assessment (Umwelt 2014) and identifies that this study provides sufficient information to understand the likely heritage impacts of the Project.*

*However, the Council also identifies that the project will require a Conservation Management Plan (CMP) authorised under Section 76 of the Heritage Act 2004, to clearly identify the Project’s heritage impacts and to outline the aims and methods of heritage impact mitigation works to be undertaken. This is required on the understanding that a recorded Aboriginal heritage site (UCPH IF 1) is likely to be impacted by the Project, and as heritage impact mitigation works may include surface collection of site UCPH IF 1, and possible, also the excavation of archaeological test pits in two areas of cultural interest adjacent to site UCPH IF 1.*

Conservator of Flora and Fauna

The following comments were received from the Conservator of Flora and Fauna:

*The granting of a s.211 exemption from an EIS for these development works can be supported as the expected environmental impact of development within this area has already been sufficiently addressed. The biodiversity values of this site have been thoroughly surveyed. The site contains a patch of relatively low diversity Box-Gum woodland, and targeted surveys have shown that the development area is not current habitat of the Golden Sun Moth or Striped Legless Lizard. It is determined that the environmental report sufficiently addresses the environmental impact of the proposed development.*

ACTEW Water

The following comments were received from ACTEW Water:

*ACTEW Water is supported of the s11 Exemption Request from an Environmental Impact Statement.*

*The following aspect has not been fully addressed:*

- *In principle agreement from ACTEW’s Hydraulic Asset Acceptance section is required for the water and sewerage servicing of the proposed development.*

*ACTEW requests that this be done prior to the Development Application being submitted. Any unforeseen impacts on existing or proposed water and sewer assets are also to be addressed through negotiations with ACTEW Water prior to the Development Application process.*
Environment Protection Authority

The Environment Protection Authority provided comment that they support the exemption in its current form and that further advice will be provided at the development application stage.

ACT Health Protection service

The ACT Health Protection Service commented that it has no health concerns regarding the s.211 exemption request.

Territory and Municipal Services (TaMS)

TaMS provided comment that it had no objection to the s.211 request.
Appendix 2 – EPBC approval decision

Approval

University of Canberra Public Hospital, Bruce, ACT (2013/6987)

This decision is made under sections 130(1) and 133 of the Environment Protection and Biodiversity Conservation Act 1999.

Proposed action

<table>
<thead>
<tr>
<th>person to whom the approval is granted</th>
<th>ACT Health Directorate</th>
</tr>
</thead>
<tbody>
<tr>
<td>proponent’s ABN</td>
<td>82 049 056 234</td>
</tr>
<tr>
<td>proposed action</td>
<td>To construct a new, sub-acute hospital on the grounds of the University of Canberra, on the corner of Ginninderra Drive and Aikman Drive, Bruce [See EPBC Act referral 2013/6987].</td>
</tr>
</tbody>
</table>

Approval

<table>
<thead>
<tr>
<th>Controlling Provision</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Listed threatened species and communities (sections 18 &amp; 18A)</td>
<td>Approved</td>
</tr>
</tbody>
</table>

conditions of approval

This approval is subject to the conditions specified below.

expiry date of approval

This approval has effect until 30 September 2030.

Decision-maker

<table>
<thead>
<tr>
<th>name and position</th>
<th>Mahani Taylor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A/Assistant Secretary</td>
</tr>
<tr>
<td></td>
<td>South Eastern Australia Environment Assessment Branch</td>
</tr>
</tbody>
</table>

signature


date of decision

17 October 2014
Conditions

Avoidance and mitigation of impacts

1. The approval holder must not clear more than 7.6 hectares (ha) of box gum woodland.

2. The approval holder must undertake all measures to avoid and minimise indirect impacts to box gum woodland on land adjoining the project area, that may result from the action during and after construction. Measures must address:

   a) soil erosion and sedimentation
   b) site water run-off
   c) incidental trampling by workforce personnel, equipment, vehicles, machinery and stock piling of materials
   d) weed control (specifically, measures to ensure adjoining box gum woodland areas do not degrade beyond their current quality).

Offsetting of residual impacts

3. To compensate for residual impacts to box gum woodland, the approval holder must formally incorporate the offset site into the Pinnacle Nature Reserve for conservation purposes (as further described at condition four (4)). Evidence of the formal transition must be provided to the Department within two (2) years of the date of this approval.

4. For the enduring conservation, management and monitoring of the offset site, the approval holder must engage a suitably qualified person to develop an Offset Management Plan (OMP). The OMP must be submitted to the Minister for approval within twelve (12) months of the date of this approval. The OMP must include details on:

   a) location of the offset site including clear maps and accompanying shapefiles
   b) baseline surveys to confirm the extent and quality of box gum woodland onsite
   c) management of:
      i. soil erosion
      ii. pests, feral animals and grazing stock
      iii. weeds and pathogens (in particular, measures to avoid the seed setting and dispersal of key weed species)
      iv. fire (to maintain the ecological integrity of ecosystems)
      v. unwanted access (including the use of fencing and signage)
      vi. assisted regeneration and revegetation

This must include details on timing and duration. Priority areas for rehabilitation (both short and long term) must also be clearly illustrated using maps.
d) objectives and performance indicators associated with all items listed at (c) making reference to claimed offset scores and corresponding contingency or remedial measures. These must be framed in the context of restoring structure and ecological function to box gum woodland consistent with Departmental policy statements.

e) monitoring and reporting measures associated with all items listed at (c). Monitoring must be able to quantify a change in the quality of box gum woodland onsite, in response to management actions.

f) scheduling and costing estimates associated with all management actions.

g) provisions for the transition of the offset site to the Pinnacle Nature Reserve, including a statement of commitment by the relevant government agency to ongoing maintenance, enduring management, and associated annual resourcing.

The OMP must demonstrate how management of the offset site is complimentary (and additional) to restoration activities previously carried out on site. The approved OMP must be implemented. Until such time as the Minister has approved the OMP, the interim offset management plan must be implemented.

Standard conditions of approval

5. Within 30 days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.

6. 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 OMP 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.

7. Within three months of every 12 month anniversary of the commencement of the action, the approval holder must publish a report on their website addressing compliance with each of the conditions of this approval, including details on the implementation of required management actions, and the implementation of the OMP 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.

8. 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.

9. If the approval holder wishes to carry out any activity otherwise than in accordance with OMP as specified in the condition four (4), the approval holder must submit to the Department for the Minister’s written approval a revised version of that strategy. The varied activity shall not commence until the Minister has approved the varied OMP in writing. The Minister will not approve a varied OMP unless the revised OMP would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised OMP, that OMP must be implemented in place of the OMP, originally approved...
10. If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and communities to do so, the Minister may request that the approval holder make specified revisions to OMP specified in the condition four (4) and submit the revised OMP for the Minister’s written approval. The approval holder must comply with any such request. The revised approved OMP must be implemented. Unless the Minister has approved the revised OMP, then the approval holder must continue to implement the OMP originally approved, as specified in the condition four (4).

11. If, at any time after five (5) years from the date of this approval, the approval holder has not substantially commenced the action, then the approval holder must not substantially commence the action without the written agreement of the Minister.

12. Unless otherwise agreed to in writing by the Minister, the approval holder must publish the interim offset management plan and the OMP referred to in these conditions of approval on their website. The interim offset management plan must be published on the website within one (1) month of the date of this approval. The OMP must be published on the website within one (1) month of being approved.

Definitions

Approval holder - the person to whom the approval is granted, or to whom the approval is transferred to under section 145B of the EPBC Act.

Box gum woodland - the ecological community 'white box – yellow box – Blakely’s red gum grassy woodland and derived native grassland' protected under the EPBC Act.

Claimed offset scores - the values provided in the interim offset management plan in relation to the Department's guidance document titled 'How to Use the Offsets Assessment Guide'.

Commencement of the action - the undertaking of any preparatory works (excluding fences and signage), the erection of any onsite temporary structures/building compound facilities, the use of heavy duty equipment for breaking ground, and the clearance of any vegetation.

Condition – community condition and structure, ecological function/integrity, diversity of habitat species present, number of habitat features present, and abundance of weeds.

Departmental policy statements – the 'White Box – Yellow Box – Blakely’s Red Gum grassy woodlands and derived native grasslands' EPBC Act Policy Statement, and the 'National Recovery Plan for White Box – Yellow Box – Blakely’s Red Gum grassy woodlands and derived native grassland'.

Enduring management – targeted measures to ensure box gum woodland within the offset site remains in a state of resilient health and does not undergo a decline in condition after all performance objectives (as described in the OMP) have been met.


Interim offset management plan – the document titled 'University of Canberra Public Hospital Interim Offset Management Plan – EPBC Ref. 2013/6987' dated April 2014.

Key weed species – St John’s wort, horehound, saffron thistle, Paterson’s curse, spear thistle, Verbascum sp., briar rose, African lovegrass, and any wood weed species.
Listed threatened species and communities – any species or ecological community that is listed as threatened under the EPBC Act.

Long term – no less than ten (10) years.

Offset site – the area identified as ‘proposed offset area’ at Annexure B.

Project area – the area identified as ‘impact area’ at Annexure A.

Quality – ‘quality’ as defined in the Department’s guidance document titled ‘How to Use the Offsets Assessment Guide’.

Rehabilitation/restoration – active management through weed control, revegetation, control of soil erosion, and assisted habitat restoration.

Revegetation – the planting of species which are characteristic of box gum woodland.

Shapefile – an ESRI shapefile, containing .shp, .shx, and .dbf files and other files capturing attributes including (but not necessarily limited to) the EPBC reference number for the proposal and the matters of national environmental significance present at the offset site. Attributes should also be captured in .xls format.

Short term – 12 months.

Substantially commence(d) the action – the erection (or partial erection) of any permanent hospital buildings.

Suitably qualified person – any individual with tertiary qualification and/or a minimum of five (5) years demonstrated experience relevant to the task in question.

The Department – the Commonwealth Department responsibility for administering the EPBC Act.

The Minister – the Minister responsible for the administration of the EPBC Act.

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