



**Compliance Report EPBC 2010/5549 Lawson Residential Development. Report for the Australian Government
Department of the Environment. December 2014**

This report demonstrates how the Land Development Agency (LDA) has complied with the conditions of the EPBC 201/5549 approval.

Condition Number	Condition	Compliance	Evidence to support claims regarding compliance
1.	All ground disturbed as a result of construction within the Inner Asset Protection Zone (IAPZ) and Golden Sun Moth (GSM) habitat within Reservoir Hill must be rehabilitated, by re-establishment of native grass species, no later than 30 days after completion of construction within the IAPZ and GSM habitat within Reservoir Hill.	Compliant	Civil construction is ongoing, however disturbed areas of the IAPZ and the disturbed areas of GSM habitat within Reservoir Hill have been rehabilitated with the nominated grass mix. This has been monitored for weed invasion. Further construction works will occur as part of the landscaping on Reservoir Hill. This contract will not be tendered until early 2015 with construction occurring throughout 2015
2.	The person taking the action must not plant trees where they could shade GSM habitat within Reservoir Hill and GSM and Natural Temperate Grassland (NTG).	Compliant	No trees are proposed in the habitat area.
3.	The person taking the action must ensure that the GSM habitat within Reservoir Hill and Belconnen Naval Transmitting Station are separated from residential development by vehicular roads.	Compliant	The open space that the GSM habitat and NTG are located in are separated by either edge roads (Wanderlight Avenue and Dawn Crescent) or fire roads.
4.	The person taking the action must prevent sediment, eroded material, untreated and uncontrolled stormwater from entering the Belconnen Naval Transmitting Station and the GSM habitat within Reservoir Hill.	Not applicable	The Environmental Management Plan (EMP) identifies appropriate erosion and sediment controls for the site. This has been approved by the ACT EPA and implemented by the contractors. The landscape contractors will need to prepare an EMP and obtain

Condition Number	Condition	Compliance	Evidence to support claims regarding compliance
			approval from ACT EPA prior to commencing construction works on Reservoir Hill.
5.	<p>The person taking the action must engage a suitably qualified expert to prepare an Environmental Management Plan (EMP) to maintain or improve the GSM habitat within Reservoir Hill.</p> <p>The EMP must be submitted to the Minister for approval by 1 July 2013. The approved EMP must be implemented.</p>	Compliant	<p>Approved 11 December 2013.</p> <p>The EMP includes management recommendations for the pre-construction, construction and post construction period. The following points address compliance against the Pre-construction and Construction Period management recommendations of the EMP.</p> <p>PRE-CONSTRUCTION</p> <ul style="list-style-type: none"> • Site Induction – Site inductions identify the protected habitat areas (a map of the habitat area is displayed in the Site Office). Regular Tool Box meetings reinforce the importance of the habitat area. • Fencing and Signage – Prior to construction commencing the habitat area was cordoned off from the rest of the site with star picket posts and flagging. This barrier option was chosen, in liaison with the ACT Conservator for Flora and Fauna, to ensure kangaroo mobility on site would not be impeded whilst clearly delineating the boundary. • Site hygiene and protocols – the only machinery that has been allowed within the habitat area are slashers and machinery for asbestos removal. All machinery was clean and used only in dry conditions. Surrounding construction works and the topography of the site mean that pedestrian activity within the habitat area is avoided. • Timing – asbestos removal through the habitat areas occurred in September, outside the breeding season for the GSM. The areas of disturbance were seeded with the nominated mix of grass species from Condition 1 EPBC 2010/5549 and have been regularly monitored for weed invasion.

Condition Number	Condition	Compliance	Evidence to support claims regarding compliance
			<ul style="list-style-type: none"> • Asbestos removal – asbestos was removed in accordance with the approved Remedial Action Plan (RAP). Trench soil was used to back fill the trench once the asbestos pipe was removed. Topsoil was disposed of offsite as Asbestos Contaminated Material (ACM). Access to remediate the top of Reservoir Hill occurred along the disturbed areas where the pipeline had been removed and alongside the pine windbreak. • Path and facility construction and revegetation – No action required as landscape construction works have not commenced. • Biomass and fuel management – Slashing of Reservoir Hill occurred in July 2013, after stock was removed from site and prior to construction commencing in September 2013. Slashing occurred in accordance with the prescriptions of the EMP. Kangaroos have maintained adequate levels of biomass on site. Weed control – all disturbed areas have been seeded with the nominated mix of grass species from Condition 1 EPBC 2010/5549 and have been regularly monitored for weed invasion. • Landscaping – No action required as landscape construction works have not commenced. • GSM Corridor – a corridor has been retained in the subdivision plans and zoned open space. No action required as landscape construction works have not commenced. • Administration – these requirements have been delegated to the Superintendent during construction works and monitored by the LDA at fortnightly site meetings. <p>POST CONSTRUCTION No action required as construction works are ongoing.</p>
6.	The person taking the action must install interpretive educational signage at no less than five locations along the boundary of GSM habitat within Reservoir Hill.	Not applicable	No action required as landscape construction works have not commenced within Reservoir Hill..

Condition Number	Condition	Compliance	Evidence to support claims regarding compliance
7.	<p>The person taking the action must ensure that, during the management of the Outer Asset Protection Zone (OAPZ):</p> <ul style="list-style-type: none"> a) Grass and other flora is not slashed to a height less than 300mm above the ground b) The removal or movement of rocks to facilitate the slashing of grass and other flora is prevented c) The slashing of grass and other flora be restricted to occurring within the OAPZ d) All grass clippings and biomass removed must be mulched and spread or caught and removed to prevent windrows or clumps of slashed biomass forming on top of grassland flora e) All machinery and equipment involved in the slashing of grass and flora are free from flora reproductive matter (for example seeds) prior to entering the OAPZ f) A log book is maintained that records all management actions including date, time and details of machinery, equipment and personnel as well as details of hygiene measures undertaken to demonstrate compliance with this condition g) Slashing or any other biomass management must not be undertaken: <ul style="list-style-type: none"> i. When the use of vehicles or machinery could result in the churn or compaction of soil due to high levels of soil moisture ii. During peak times of significant weed seeding as determined by a suitably qualified expert 	Not applicable	The site is still under construction. No bushfire management is required until residents are living in the suburb.

Condition Number	Condition	Compliance	Evidence to support claims regarding compliance
8.	Prior to the commencement of actions to manage or reduce biomass within the OAPZ, a detailed baseline ecological survey must be undertaken by a suitably qualified expert at an optimal ecological time within the OAPZ to gain sufficient baseline ecological information to identify and map the extent and condition of all listed threatened species and ecological communities or their habitat and any weed species, This information must be published and maintained on the person taking the action's website within 30 days after the completion of surveys.	Not applicable	The site is still under construction. No bushfire management is required until residents are living in the suburb.
9.	The person taking the action must control weed species detected in the baseline ecological survey required by Conditions 2C) and 8 to ensure that the abundance and cover of weed species does not increase. Weed control must be informed by a suitably qualified expert and be undertaken in a manner that does not impact non-target flora or listed threatened species and ecological communities.	Not applicable	The site is still under construction. No bushfire management is required until residents are living in the suburb.
10.	Should biomass management within the OAPZ be undertaken three or more times in any two year period, the person taking the action must conduct an ecological assessment using a suitably qualified expert. The ecological assessment must be undertaken at an optimal ecological time no earlier than six months following the last biomass management activity, and be sufficient to detect any changes in ecological condition from the baseline survey required by condition 8.	Not applicable	The site is still under construction. No bushfire management is required until residents are living in the suburb.
11.	Within 30 days of the surveys required by Condition 5d) and 10, a suitably qualified expert must assess whether there has been a decline in the ecological condition of habitat for the GSM and NTG within the OAPZ and or GSM habitat within Reservoir Hill, if a decline is detected, the person taking the	Not applicable	The site is still under construction and monitoring is not required yet.

Condition Number	Condition	Compliance	Evidence to support claims regarding compliance
	action must prepare, within 30 days for the approval of the Minister, a Restoration Plan for the restoration of the ecological condition of the OAPZ and of the GSM habitat within Reservoir Hill.		
12.	To compensate for impacts from the action to the GSM and NTG, the person taking the action must develop an Offset Strategy. The Offset Strategy must be submitted to the Minister for approval within six months of the commencement of construction.	Compliant	Approved 11 December 2013.
13.	To manage the McGregor West Offset area, the person taking the action must develop an Offset Management Plan (OMP), for approval by the Minister.	Compliant	Approved 11 December 2013.
14.	If, after two years, the monitoring required by Condition 11c) identifies that the actions outlined in the Restoration Plan for restoration of the ecological condition of the OAPZ and/or the GSM habitat within Reservoir Hill have been unsuccessful as determined by a suitably qualified expert, then the person taking the action must develop an Additional Offset Strategy (AOS). The AOS must be submitted to the Minister for approval within six months of determining that actions were unsuccessful.	Not applicable	The site is still under construction and monitoring is not required yet.
15.	Within 30 days after the commencement of the action, the person taking the action must advise the department in writing of the actual date of commencement.	Compliant	DSEWPAC advised on 24 September 2013 that construction commenced on 12 September 2013.
16.	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the offset, OMP and, if required the Restoration Plan and any other report, strategies, agreements however described required by this approval, and make them available upon request to the department.	Compliant	All relevant documentation is maintained on ACT Government files.
17.	Within three months of every 12 month anniversary of the	Compliant	This is the first Compliance Report.

Condition Number	Condition	Compliance	Evidence to support claims regarding compliance
	commencement of the action, the person taking the action must publish and maintain 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.		
18.	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of the compliance with the conditions of approval is conducted and report submitted to the Minister.	Not Applicable	No direction given.
19.	If the person taking the action wishes to carry out an activity otherwise than in accordance with the Offset Strategy, OMP and, if required, the Restoration Plan or AOS, and any other report, strategies, agreements however described as specified in the conditions, the person taking the action must submit to the department for the Minister's written approval a revised version of the Offset Strategy, OMP and, if required, the Restoration Plan or AOS, and any other report, strategies, agreements however described.	Not Applicable	No variation proposed.
20.	If the Minister believes that it is necessary or convenient for the better protection of the listed threatened species and communities and Commonwealth land to do so, the Minister may request that the person taking the action make specified revisions to the Offset Strategy, OMP and, if required, the Restoration Plan or AOS, and any other report, strategies, agreements however described as specified in the conditions and submit the revised Offset Strategy, OMP and, if required, the Restoration Plan or AOS, and any other report, strategies, agreements however described for the	Not Applicable	No request made.

Condition Number	Condition	Compliance	Evidence to support claims regarding compliance
	Minster's written approval.		
21.	If, at any time after five years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.	Compliant	Action commenced on 12 September 2013 and substantially commenced by January 2014.
22. .	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all management plans, ecological surveys, reports, strategy and agreement however described referred to in these conditions of approval on their website. Each management plan, ecological surveys, reports, strategy and agreement must be published on the website within 30 days of being approved.	Compliant	