

Mark Anderson
Senior Development Manager
Lendlease Communities

Our Reference: 14SUTPLA-0013

30 April 2019

Dear Mark

Addendum to Biocertification Assessment Report and revised statement of commitments for Mt Gilead Biodiversity Certification Assessment

The purpose of this document is to provide an overview and summary of changes to the Mt Gilead Biodiversity Certification Assessment and offset strategy during the assessment period.

This document is intended to become an addendum of the biodiversity assessment report and strategy.

1 Summary of Proposed Amendments

In the process of negotiating a Biocertification Agreement and commitments in the final Biocertification Assessment Report & Biocertification Strategy (version 11 dated 2 July 2018), there have been a number of key changes to Landownership, parties subject to the Biodiversity certification agreement, land management outcomes, biodiversity credit sources and biodiversity credit retirement timing.

In summary, the key change is to retire all required ecosystem credits (104 HN556 and 28 HN528) from the two existing (i.e. already registered) on-site Biobank sites (Macarthur-Onslow Mt Gilead BA 208 and Noorumba – Mt Gilead BA 209) prior to commencement of clearing rather than in two stages, in addition to retiring all credits from the proposed third Biobank site (Hillsborough Biobank site) (**Attachment 1**).

These changes do not affect the land to be certified, the net impact of the development or the number of credits required to be retired (these remain as per the application form and the final credit assessment report),

1.1. Landownership

During the assessment of the Biodiversity Certification the land described as Lot 61 DP 752042 was purchased by Lendlease Communities (Mt Gilead No 3) Pty Limited from Mr & Mrs Dzwonnik.

1.2. Parties Subject to the Agreement

Due to changes in landownership changes were required to reflect the parties subject to the agreement including defining the role of land owners and the developer, these changes are summarised in the table below.

Mt Gilead Biodiversity Certification Assessment Report V11 (July 2018)	Biodiversity Certification Agreement	Comments
Mt Gilead Pty Limited	'Owner B' – Mt Gilead Pty Limited	No change
Mr & Mrs Dzwonnik	'Owner A' - Lendlease Communities (Mt Gilead No 3) Pty Limited	Change of landownership
Lendlease Communities (Mt Gilead) Pty Limited	'Developer' - Lendlease Communities (Mt Gilead) Pty Limited	Retains obligations

1.3. Land Management Outcomes

Version 11 of the Mt Gilead Biodiversity Certification Assessment Report utilised a combination of Bio Banking and Managed Lands to ensure conservation outcomes. During the assessment period Lendlease Communities (Mt Gilead No 3) Pty Limited has agreed to make an application to enter into a Biobanking agreement over the proposed Managed Lands.

A Biobanking (Hillsborough) application will be made by Lendlease Communities (Mt Gilead No. 3) Pty Ltd within 12 months of the conferral of Biodiversity Certification. All credits generated will be retired by Lendlease Communities (Mt Gilead No. 3) Pty Ltd within 6 months of the Biobank Agreement being registered and prior to the transfer of land to Council.

Council have already provided correspondence to OEH confirming that they will accept the dedication of this land, categorise it as 'Community Land-Natural Area' under Division 2 of Chapter 6 the Local Government Act 1993 and prepare and implement a Plan on Management in accordance with the Local Govt Act (**Attachment 2**).

1.4. Biodiversity Credit Sources

The following table summarises the changes to the sources for biodiversity credits:

Ecosystem / Species Credit Type	Qty Credits Required for retirement	Credit Source - (Mt Gilead Biodiversity Certification Assessment Report V11 (July 2018))	Credit Source - (Mt Gilead Biodiversity Certification Agreement)
HN 528 – Grey Box – Forest Red Gum grassy woodland on flats	28	(28) - Noorumba- Mt Gilead Bio-stewardship site	(28) - Noorumba- Mt Gilead Biobank site (BA209)
HN 556 Narrow-leaved Ironbark – Broad leaved Ironbark -	104	(84) – Macarthur Onslow Bio-stewardship site (20) – Conservation Area	(104) – Macarthur Onslow Biobank site (BA209)

Ecosystem / Species Credit Type	Qty Credits Required for retirement	Credit Source - (Mt Gilead Biodiversity Certification Assessment Report V11 (July 2018))	Credit Source - (Mt Gilead Biodiversity Certification Agreement)
Koala Species	284	(48) - Noorumba- Mt Gilead Bio-stewardship site (85) – Macarthur Onslow Bio-stewardship site (151) Held by the Developer	(48) - Noorumba- Mt Gilead Biobank site (BA209) (85) – Macarthur Onslow Biobank site (BA209) (151) –Biobank site (BA239)

1.5. Biodiversity Credit Timing

The following table summarises the changes to the timing for the retirement of biodiversity credits:

Ecosystem / Species Credit Type	Credits to be retired- (Mt Gilead Biodiversity Certification Assessment Report V11 (July 2018))		Credits to be retired - (Mt Gilead Biodiversity Certification Agreement)
	Stage 1	Stage 2	Stage 1
N 528 – Grey Box – Forest Red Gum grassy woodland on flats	28		28
HN 556 Narrow-leaved Ironbark – Broad leaved Ironbark -	84	20	104*
Koala Species	284		284

* Any additional credits generated from the Hillsborough Biobank Site will also be retired within 6 months of their creation.

2 Confirmation that the proposed amendments do not alter /or require changes to the BCAM assessment and calculations

The changes described above do not affect the land to be certified or the number of credits required to be retired, for which the Accredited Assessor (Bruce Mullins Assessor #156), who is no longer employed by ELA, has already provided a written Statement to OEHL (17th August 2017) that they have reviewed and endorsed the calculations in the final report (**Attachment 3**). Bruce has reviewed the changes described above and has endorsed these changes (**Attachment 4**).

3 Provision of new maps for the Biocertification Agreement

Attachment 5 provides revised maps with the staging boundaries and labels removed and the boundary of the BCAA clearer.

Robert Humphries
Biodiversity Offsets Program Coordinator
Project Manager
Eco Logical Australia

Attachment 1: Revised / Final Statement of commitments

The following is a summary of the commitments made throughout this biocertification assessment and responses to submissions (ELA 2018_v11_dated 2 July 2018) as modified by the Biocertification Agreement between Campbelltown City Council (Council), Lendlease Communities (Mount Gilead No 3) Pty Limited (**Owner A**), Mt Gilead Pty Ltd (**Owner B**) and Lendlease Communities (Mount Gilead) Pty Limited (**Developer**).

1. 3.61 ha of land proposed for conservation measures within the BCAA will be submitted for registration as a Biobank Agreement site (the Hillsborough Biobank site) by **Owner A** within 12 months of the date of biocertification being conferred. All credits generated will be retired by **Owner A** within 6 months of entering into the Biobanking Agreement and prior to the transfer of the Conservation Area to Council. The Conservation Area will be transferred to Council by 31 December 2024 free of cost. Council will classify the land as 'Community Land – Natural Area' under the Local Government Act 1993 and prepare, adopt and implement a Management Plan.

- a. Within 30 days of the conferral of Biodiversity Conservation, **Owner A** will erect temporary fencing around the conservation Area to prevent access by stock, and subject to all required consents, approvals, licences, permits or authorisations being procured will undertake the following actions on the Conservation Area until 31 December 2024 or the Conservation Area is transferred to Council, whichever is earlier:-
- i. establishment of the management trail/walking path;
 - ii. weed control;
 - iii. feral animal control;
 - iv. revegetation/supplementary planting; and
 - v. bringing in of fallen timber from the adjacent development area.

The boundaries of the Conservation Area will be demarcated by appropriate post and cable fencing or other markers prior to the transfer of the Conservation Area to **Council**.

The Conservation Area will be transferred to **Council** by 31 December 2024 free of cost.

- b. Without limiting the obligations of Council, Council agrees to:-
- i. Accept the transfer of the Conservation Area;
 - ii. Use its best endeavours to prepare any documents necessary to enable Council to consider whether the Conservation Area should be classified as 'Community Land – Natural Area' under the Local Government Act 1993.
 - iii. Once the Hillsborough Biobank site is transferred to Council, Council will be responsible for classifying the land as Community Land - Natural Area – Bushland, under the Local Government Act, and adopting the Plan of Management.
 - iv. Council will be responsible for the on-going maintenance of the Hillsborough Biobank site in perpetuity from the date that the land is transferred to Council and the land is gazetted as a natural area – bushland..

2. After the conferral of Biodiversity Certification, and at the written request of the **Developer**, Owner B will transfer the following biodiversity credits to the **Developer**

- i. 28 HN528 credits from Noorumba-Mt Gilead Biobank site BA 209
- ii. 104 HN556 credits from Macarthur-Onslow -Mt Gilead Biobank site BA 208
- iii. 48 Koala credits from Noorumba-Mt Gilead Biobank site BA 209
- iv. 85 Koala credits from Macarthur-Onslow-Mt Gilead Biobank site BA 208

- a. Mt Gilead Pty Ltd will be responsible for the active management of the Noorumba-Mt Gilead and Macarthur-Onslow Mt Gilead Biobank sites from the date that biocertification is conferred and prior to the commencement of development (i.e. by Lendlease Communities (Mt Gilead) Pty Ltd (**Developer**) meeting the Total Fund Deposit Amount for each site),
 - b. The subsequent implementation, monitoring, reporting and review of the terms of the Biobanking Agreements will be the responsibility of Mt Gilead Pty Limited (BA 208 and BA 209) and CCC (Hillsborough Biobank site) and any future owners of the Biobank sites who would assume all responsibility for the implementation of the requirements of the Biobank Agreement.
3. The **Developer**) will retire **104** HN556, **28** HN528 and **284** Koala species credits prior to any clearing or the issue of a Subdivision Works Certificate in the BCAA as outlined in the table below.

Development Stage	HN528 Grey Box - Forest Red Gum grassy woodland on flats credits to be retired	HN556 Narrow-leaved Ironbark - Broad-leaved Ironbark - Grey Gum credits to be retired	Koala Species Credits
Number of Biodiversity Credits to be retired	28 from Noorumba-Mt Gilead Biobank site (ID BA 209) referred to in Biobanking Agreement Noorumba-Mt Gilead ID 209)	104 from Macarthur-Onslow Biobank Site (ID BA 208) referred to in Biobanking Agreement Macarthur-Onslow-Mt Gilead ID 208)	48 from Noorumba-Mt Gilead Biobank site (ID BA 209) as referred to in Biobanking Agreement Noorumba-Mt Gilead ID 209) 85 from Macarthur-Onslow Biobank Site (ID BA 208) as referred to in Biobanking Agreement Macarthur-Onslow-Mt Gilead ID 208) 151 as referred to as Biobanking Agreement ID 239 (Noorumba Reserve Biobank site)

4. Subject to the **Developer** obtaining all required consents, approvals, licences, permits or authorisations for vegetation clearing within the BCAA, the **Developer** will prepare a Construction Environment Management Plan (CEMP) to the satisfaction of Council, prior to clearing in the BCAA to incorporate the Developers Statement of Commitments
- a. Lendlease Communities (Mount Gilead) Pty Limited (the Developer) will prepare and implement a Construction Environment Management Plan (CEMP) to the satisfaction of Council, for vegetation clearing within the BCAA to guide the development outlined in this biocertification assessment and ensure that all direct and indirect impacts (e.g. APZs, utilities, access, stormwater run-off etc) are contained within the development footprint and appropriate mitigation measures are put in place to minimise indirect impacts to threatened fauna including Koala. Specifically, this will address the management of the land proposed for conservation measures and its buffer such that surrounding roads will be fully curbed and guttered with no stormwater being discharged into the conservation areas (treated water from the detention basins within the development footprint will flow into existing riparian areas).
- The CEMP will include, but not be limited to:
- i. temporary and permanent protective fencing will be erected around all areas identified for conservation prior to clearing activities commencing to minimise any inadvertent damage

- ii. hollow-bearing trees within the Biodiversity Certification Area that potentially contain roosting and breeding habitat for threatened microbats will be identified and, where possible, retained;
- iii. any trees, or parts thereof, that would be appropriate for use as fauna habitat in the Hillsborough, Noorumba-Mt Gilead (ID BA 209) and Macarthur-Onslow Mt Gilead (ID BA208) Biobank sites, will be identified and salvaged in accordance with the Biobanking Agreements;
- iv. roads surrounding each part of the Conservation Areas will be fully curbed and guttered with piped stormwater management infrastructure to ensure that stormwater will not flow into the Conservation Areas;
- v. a de-watering plan will be prepared for any farm dams that are removed from the Biodiversity Certification Area; and
- vi. a fauna pre-clearance protocol will be prepared for the removal of all trees within the Biocertification Area

Attachment 2: Letter from Campbelltown Council to OEH accepting land transfer



19 May 2017

Ms S Harrison
Senior Team Leader Planning
Office of Environment and Heritage
PO Box 644
PARRAMATTA NSW 2124

Dear Ms Harrison

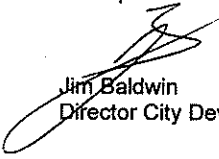
Biodiversity Certification Application

I refer to my correspondence dated 24 January 2017 regarding Mt Gilead Biodiversity Certification Application and your response of 31 March 2017 (DOC17/90620).

As requested I am writing to confirm Council's intent under the development proposal to acquire and classify lands within Lot 61 DP 752042 as indicated attached map as RE1. These lands will be categorised as a natural area and will be managed under a Plan of Management adopted under Division 2 or Part 2 of Chapter 6 of the *Local Government Act 1993*.

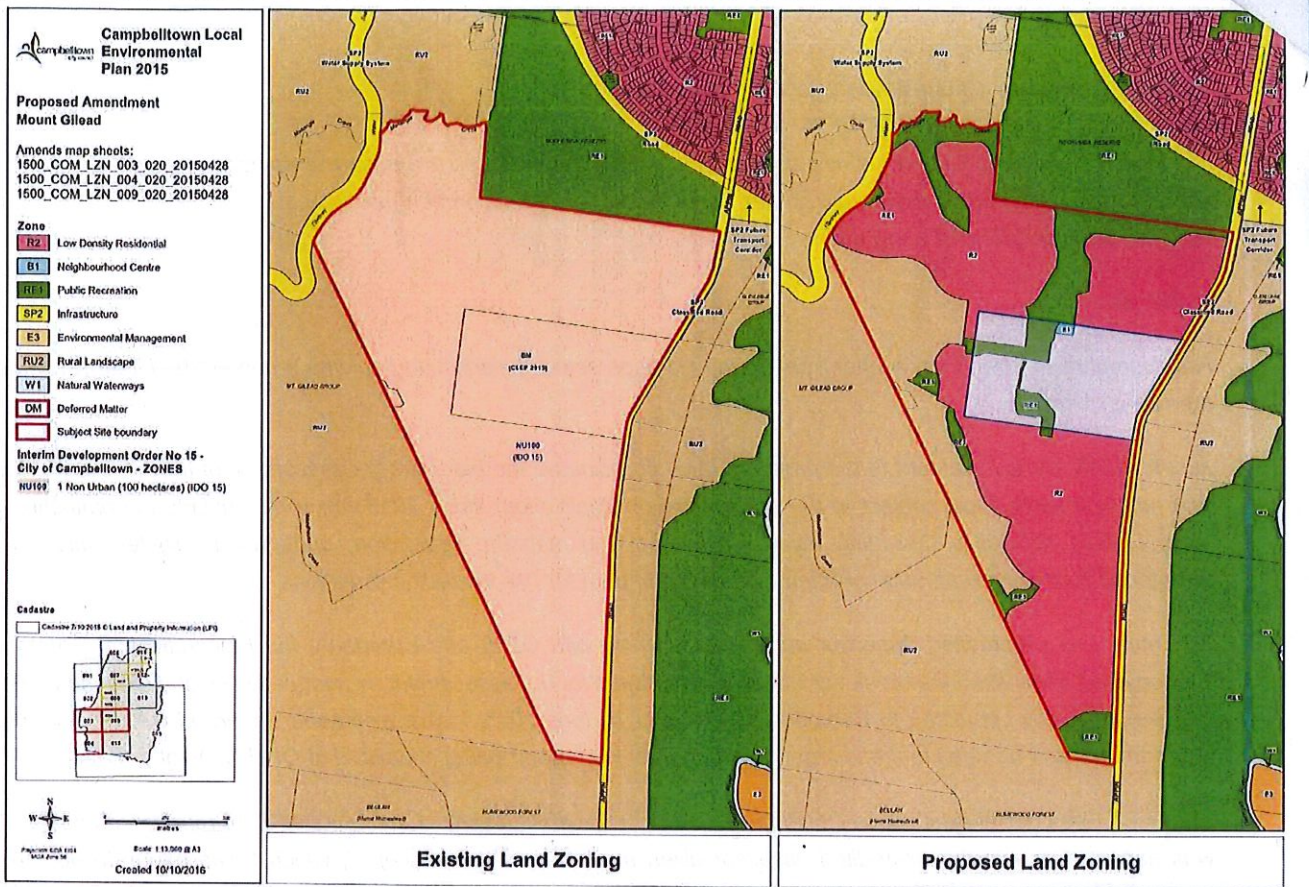
Should you have any further enquiries, please Council's Coordinator Environmental Planning, Renee Winsor on 4645 4610.

Yours sincerely



Jim Baldwin
Director City Development

Civic Centre Queen Street Campbelltown PO Box 57 Campbelltown NSW 2560 DX5114
Telephone 02 4645 4000 Facsimile 02 4645 4111 TTY 02 4645 4615
Email council@campbelltown.nsw.gov.au Web www.campbelltown.nsw.gov.au
ABN 31 459 914 087



Attachment 3: Correspondence from accredited assessor to OEH endorsing changed credit calculations

*From: Bruce Mullins <Bruce.Mullins@ecoplanning.com.au>
Sent: Friday, 11 August 2017 3:02 PM
To: Marnie.stewart@environment.nsw.gov.au; Robert Humphries <roberth@ecoaus.com.au>
Cc: renee.winsor@campbelltown.nsw.gov.au; jennifer.charlton@environment.nsw.gov.au
Subject: Mt Gilead Biocert application*

Hi Marnie,

Rob Humphries showed me a letter from Susan Harrison seeking clarification on who prepared the latest version of the assessment report.

Just to clarify my involvement in the project, I have coordinated the biodiversity assessment of the Mt Gilead MDP and adjacent lands (now subject to the Biocertification application) since 2013 which has included coordinating a team of field ecologists (including myself) to define and map the vegetation, undertaken targeted survey for threatened flora and fauna and collected biometric plot data for use in credit calculations.

Dr Enhua Lee (Accredited Assessor number 0176, now with OEH) and I prepared the Biocertification BAR and Strategy and supervised the credit calculations undertaken for the assessment by Joanne Daley and Deanne Hickey that was originally submitted to Campbelltown Council in June 2015. I have also supervised and QA'd the various amendments and updates to these reports prior to a revised report being submitted to OEH in October 2016.

After I left Eco Logical Australia in December 2016 prior to OEHs review of the October 2016 report, Rob asked if I was happy to remain the accredited assessor given my history with the project, which I was happy to do. Rob continued to liaise with me regarding the changes requested by OEH in regards to amendments to the vegetation mapping to align with the EPBC Act assessment, buffers to red flag areas and inclusion of additional plot data to better represent Vegetation Zone 11, and provided me with updated reports to review.

I am satisfied that the changes undertaken by ELA are in accordance with the BCAM and as such I am happy to sign the application form and keep my name as one of the authors who has prepared the various reports.

Regards

Bruce

Bruce Mullins

Director | Principal Ecologist

BSc MSc

M: 0497 888 225

Attachment 4: Correspondence from accredited assessor to ELA endorsing changed credit calculations

From: Bruce Mullins <Bruce.Mullins@ecoplanning.com.au>

Sent: Monday, 29 April 2019 2:45 PM

To: Humphries, Robert <RobertH@ecoaus.com.au>

Subject: Mt Gilead - Biodiversity Certification Assessment and Biodiversity Strategy, v11

Hi Rob,

Thank you for keeping me informed of updates to and progress of the Mt Gilead – Biodiversity Certification Assessment and Biodiversity Strategy. I understand that the version provided (version 11) is the final version to be supplied to the minister. Thank you for highlighting the new or revised sections in the report for my review and endorsement.

I am satisfied that the changes made are in accordance with the Biocertification Assessment Methodology and the latest information. I am happy to keep my name as one of the authors who has prepared the various reports as an accredited BBAM assessor (#0156).

Regards

Bruce

Bruce Mullins

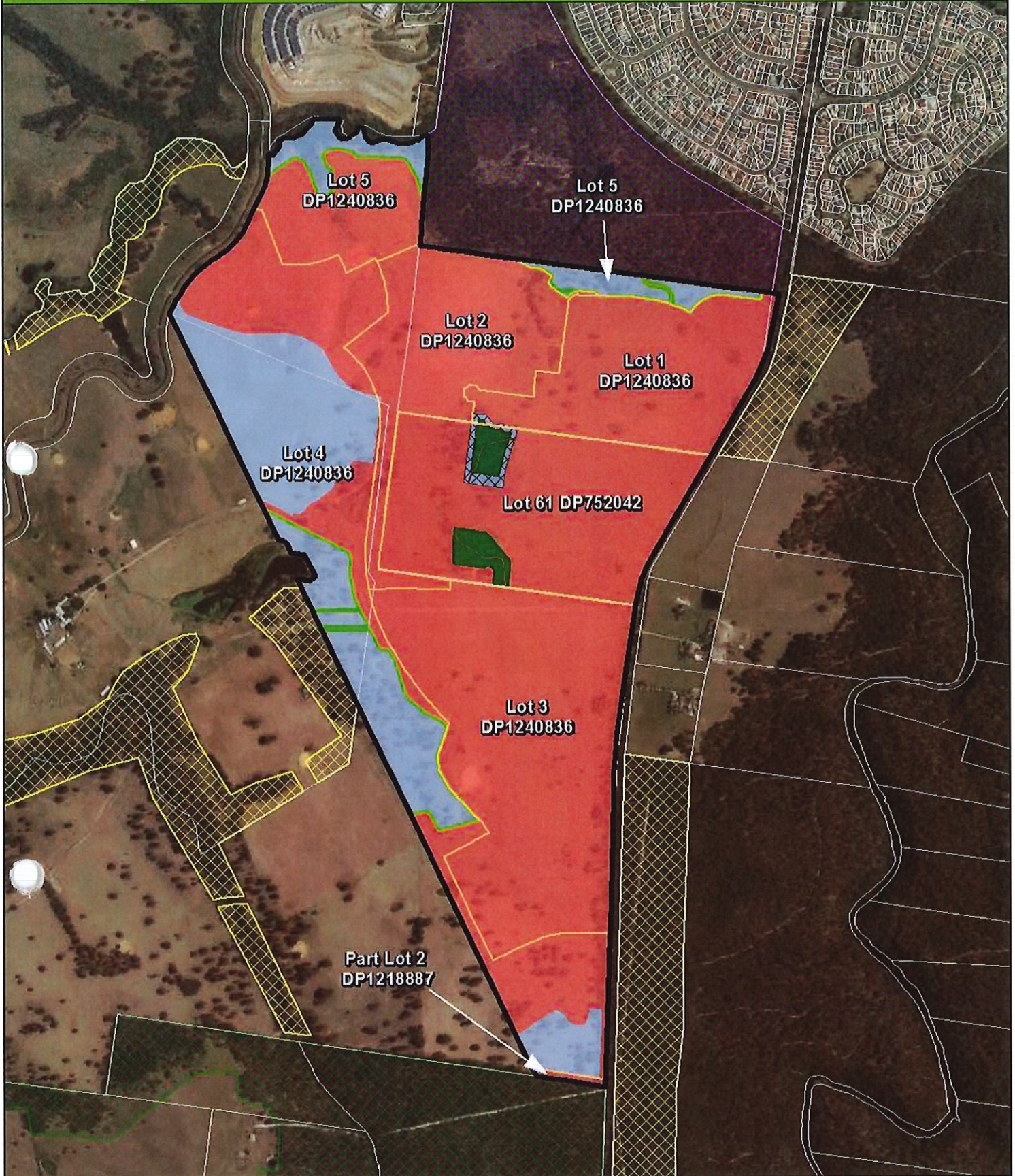
Director | Principal Ecologist | Accredited BAM Assessor (#17024)

BSc MSc

M: 0497 888 225



Biodiversity Certification Assessment Area



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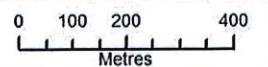
- Biodiversity Certification Assessment Area
- Cadastre
- Cadastre (updated)
- Land to be Certified
- Land Subject to Conservation Measures

Retained Land

- Retained Land
- Proposed Biobank Sites (Applications submitted)
- Red Flag EEC Buffer

Surrounding Conservation Areas

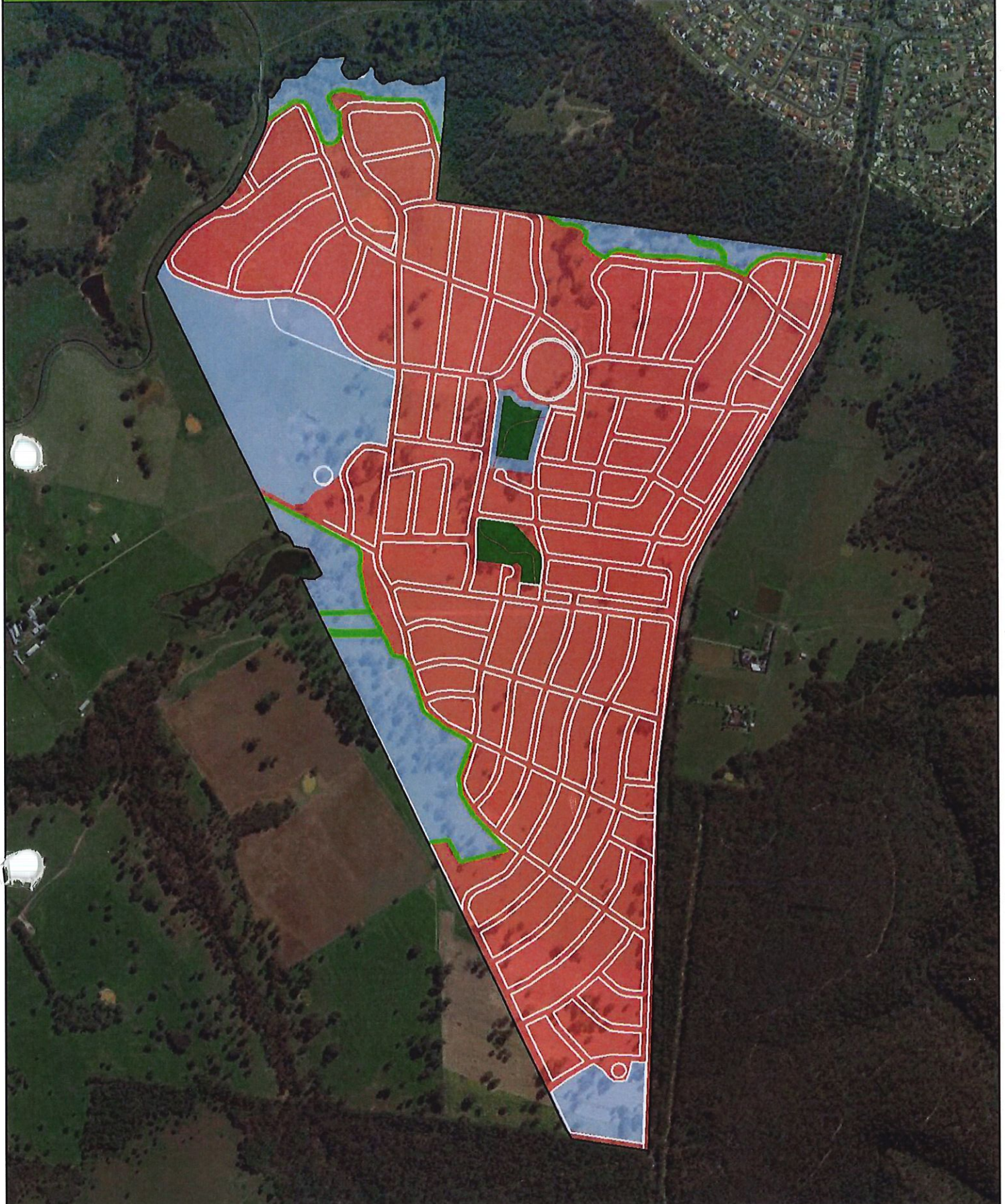
- Beulah Biobank Site
- Noorumba Council Reserve (Biobank Site)
- Potential Biobank Sites



Projection: GDA 1994 MGA Zone 56




Biodiversity Certification Assessment Area




Legend

 Biodiversity Certification Assessment Area

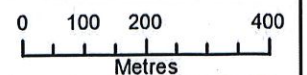
 Layout

 Registered Biobank sites
BB208 and BA209

 Land to be Certified

 Land Subject to Conservation Measures

 Retained Land



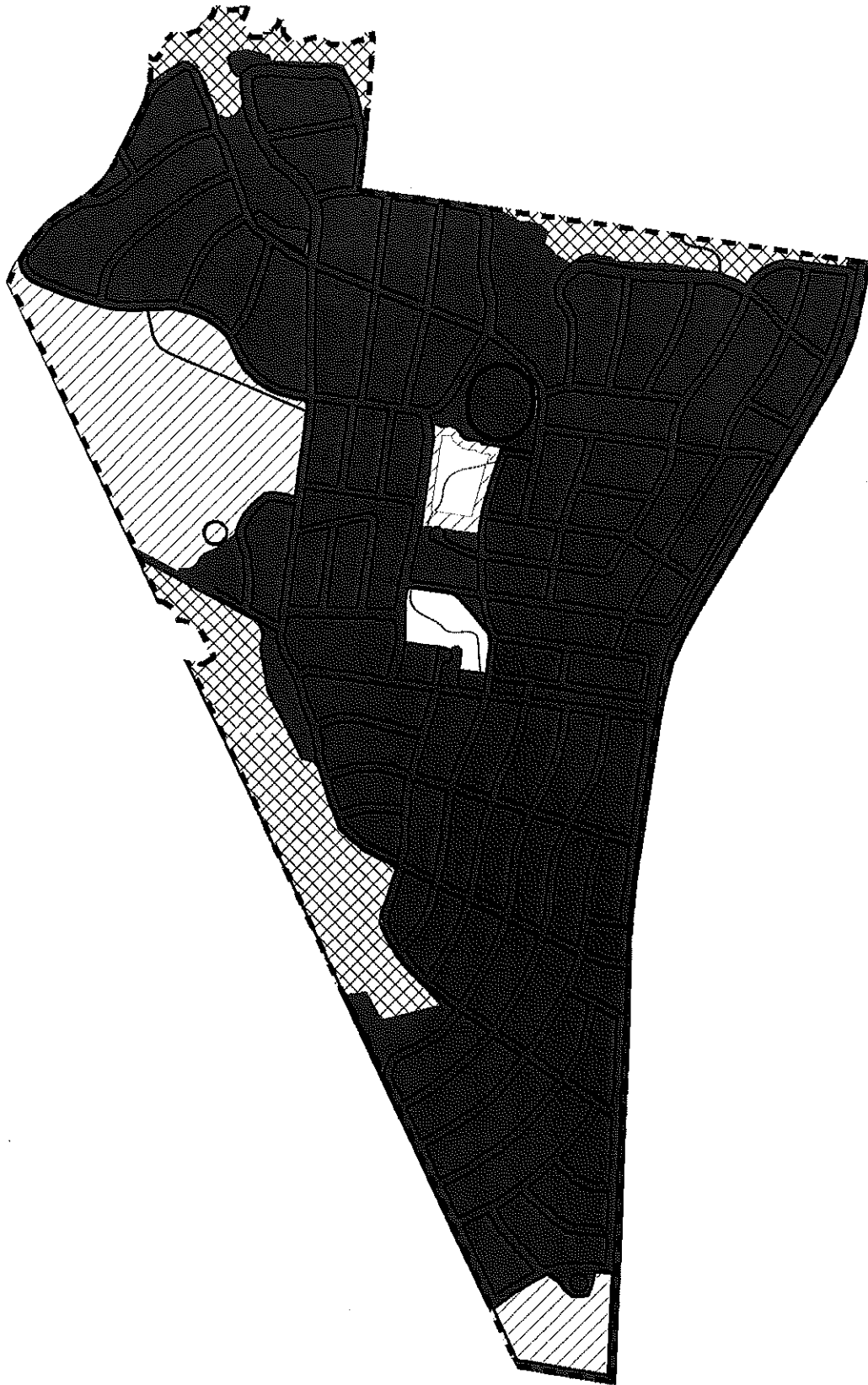
Projection: GDA 1994 MGA Zone 56





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
Biodiversity Certification Assessment Area



Legend


 Biodiversity Certification Assessment Area
 Layout

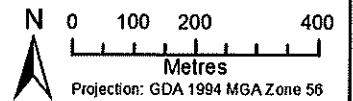
 Land to be Certified

 Land Subject to Conservation Measures

Retained Land

 Retained Land






 Registered Biobank sites - BB208 and BA209

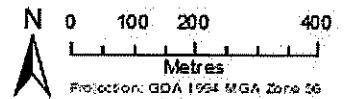


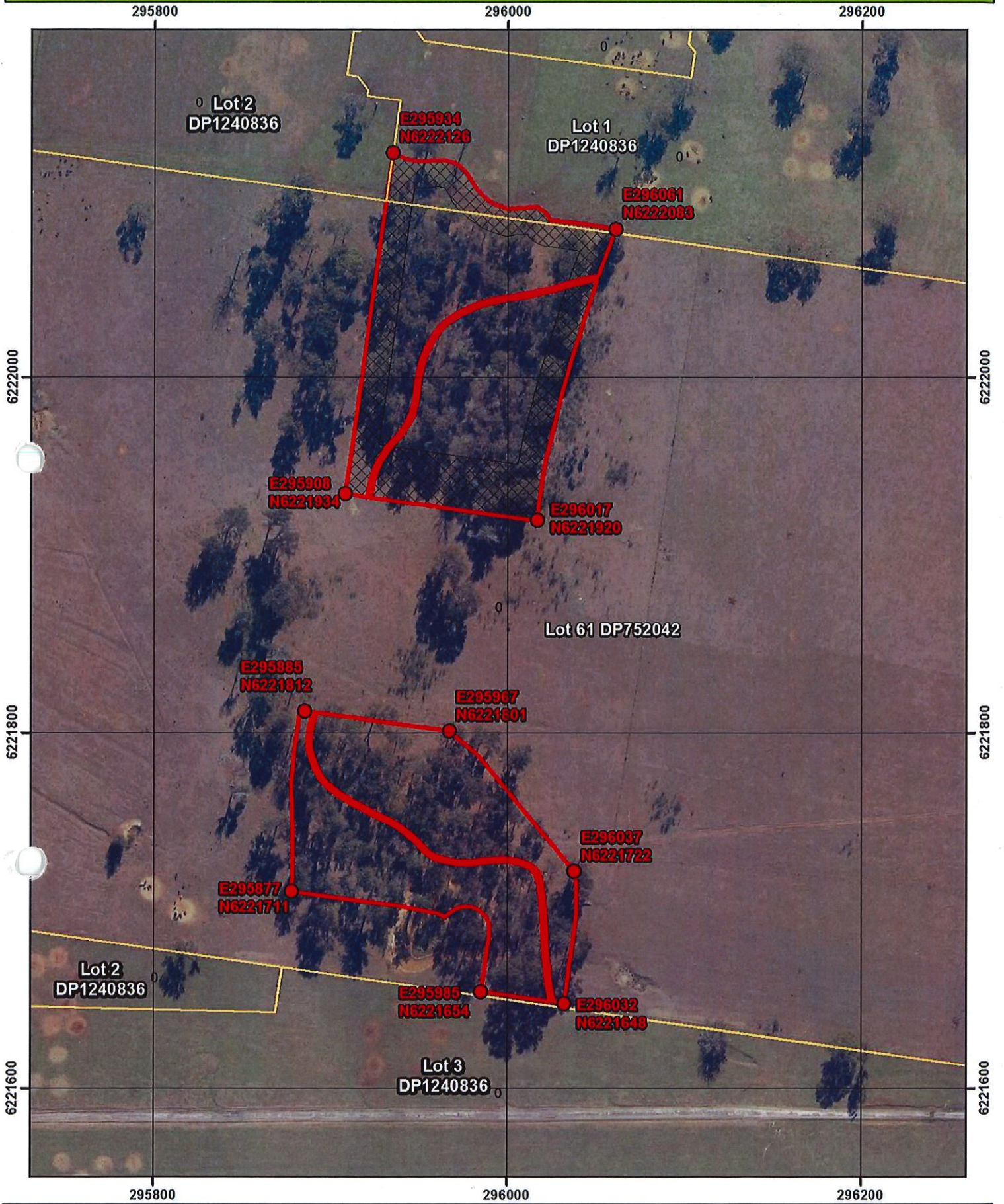
Biodiversity Certification Assessment Area



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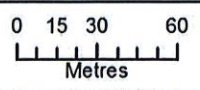
-  Biodiversity Certification Assessment Area
-  Land to be Certified
-  Land Subject to Conservation Measures
- Retained Land**
-  Retained Land
-  Registered Biobank sites - BB208 and BA209





Legend

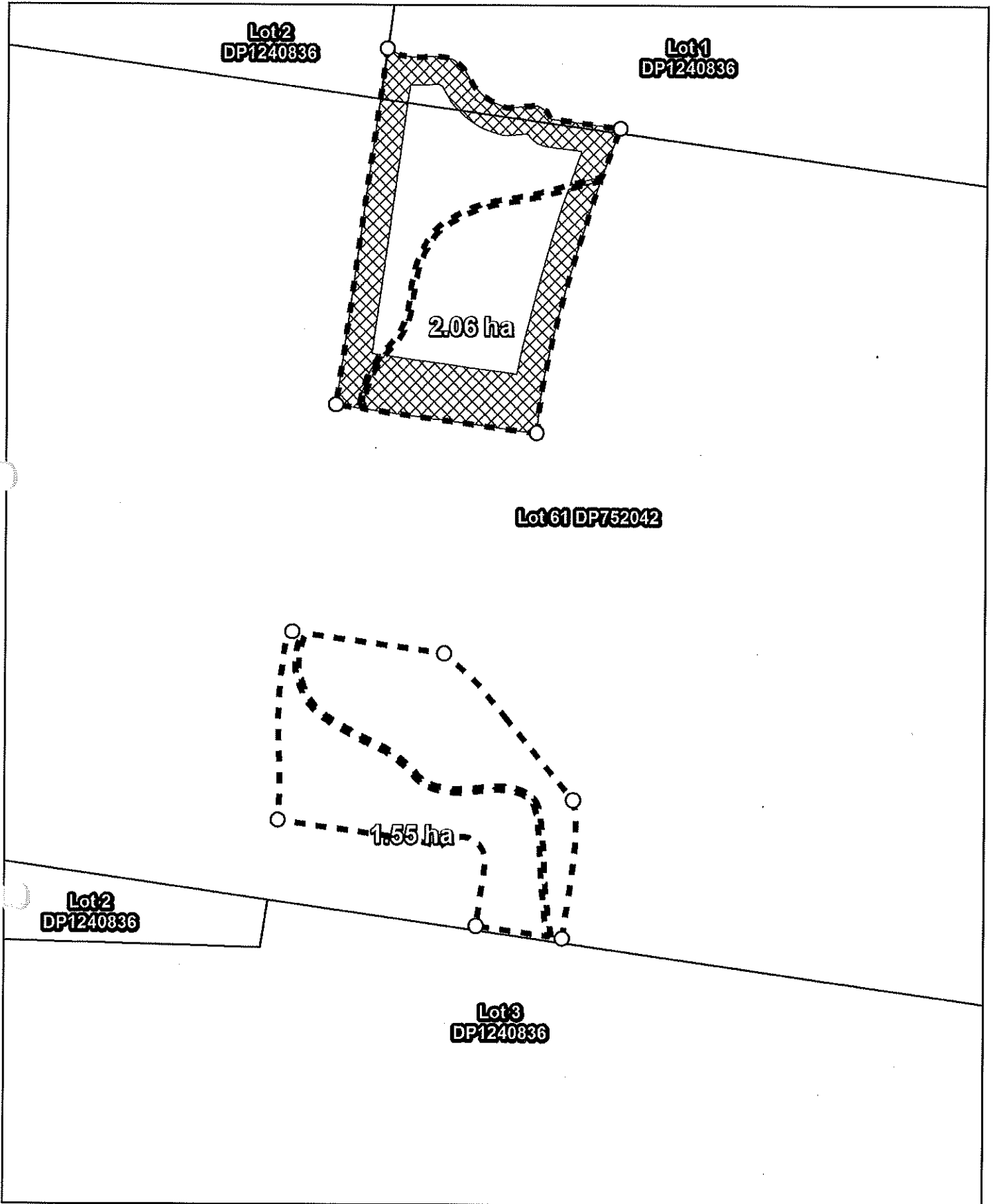
- Biobank Site Boundary
- Cadastre
- Biobank Site Corner Points
- Red Flag EEC Buffer



Projection: GDA 1994 MGA Zone 56

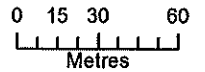
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 Lot DP: 61/752042
 Part Lot DP: 1/1240836
 Date prepared: 12/12/2018





Legend

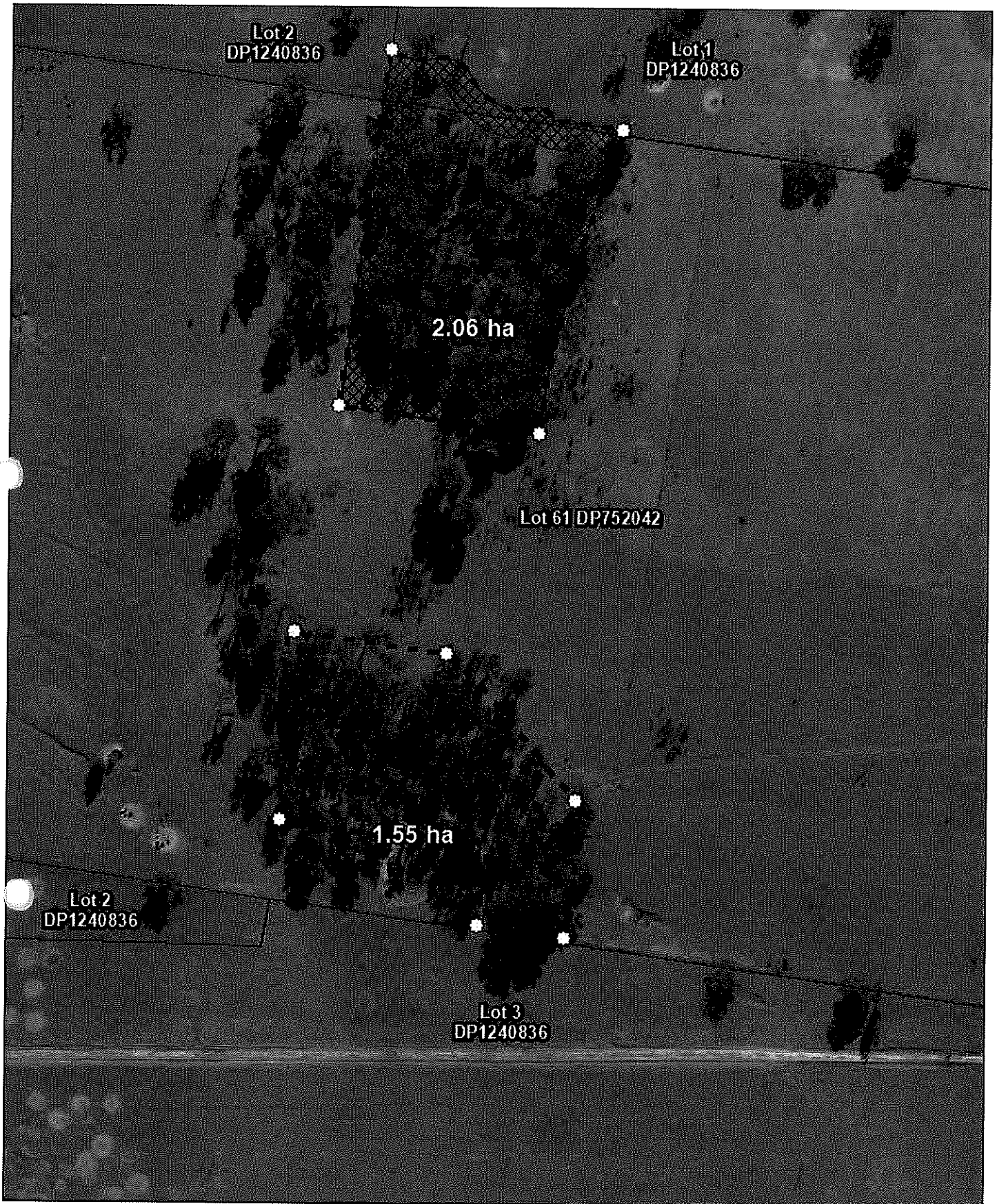
-  Biobank Site Boundary
-  Biobank Site Corner Points
-  Red Flag EEC Buffer
-  Cadastre







Projection: GDA 1994 MGA Zone 56

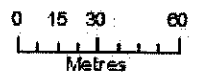
Location: Mt Gilead, NSW
Lot DP: 61//752042
Part Lot DP: 1//1240836
Date prepared: 12/12/2018





Legend

-  Biobank Site Boundary
-  Biobank Site Corner Points
-  Red Flag EEC Buffer
-  Cadastre



Projection: GDA 1994 MGA Zone 56

Location: Mt Gillesd, NSW
Lot DP: 61/752042
Part Lot DP: 1/1240836
Date prepared: 12/12/2018



