



**Approval**

**Residential and commercial development, Blocks 4 and 5, Section 38, Campbell ACT (EPBC 2014/7372)**

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

**Proposed action**

<b>person to whom the approval is granted</b>	Lakeview Holdings (ACT) Pty Ltd
<b>proponent's ACN</b>	612 877 602
<b>proposed action</b>	To develop Blocks 4 & 5, Section 38, Campbell, ACT for medium to high density residential and commercial development [See EPBC Act referral 2014/7372 and variation to the action of 14 March 2016]

**Approval decision**

Controlling Provision	Decision
Listed threatened species and communities (sections 18 & 18A)	Approve
Commonwealth land (sections 26 & 27A)	Approve

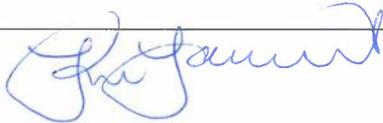
**conditions of approval**

This approval is subject to the conditions specified below.

**expiry date of approval**

This approval has effect until 30 June 2048

**Decision-maker**

<b>name and position</b>	Kim Farrant Assistant Secretary Assessments and Waste Branch
<b>signature</b>	
<b>date of decision</b>	24.7.18

## Conditions attached to the approval

1. To minimise the impacts of the approved action, the **approval holder** must not clear more than 0.47 hectares (ha) of **EPBC Act** listed Natural Temperate Grassland of the South Eastern Highlands (**NTG**) at the approved action site in accordance with Attachment 1.
2. To minimise the impacts of the action, the **approval holder** must not clear more than 0.78 hectares (ha) of Golden Sun Moth (*Synemon plana*) habitat (**GSM**) at the approved action site in accordance with Attachment 1.
3. To minimise impacts during the **construction phase** to **protected matters**, the **approval holder** must prepare a documented management plan to ensure there is no net loss to the extent and condition of **protected matters** (relative to the extent and condition of **protected matters** presented in the **Final Preliminary Documentation**). The management plan must be implemented from the **commencement of the action** and for the duration of the **construction phase**. Requirements of the plan must include but are not limited to measures that:
  - a) Avoid disturbance to **protected matters**;
  - b) Avoid the introduction and spread of weeds to **protected matters**;
  - c) Avoid impacts from herbicide use to **protected matters**;
  - d) Avoid sedimentation and erosion impacts to **protected matters**.
  - e) Prevent pest and feral predator impacts to **protected matters**; and
  - f) Protect mature trees along Quick Street road reserve and Limestone Avenue road reserve, verge, public open space and on unleased Territory land.
4. No less than one month prior to the **commencement of occupancy** the **approval holder** must establish and maintain a **buffer zone** of species associated with **NTG** along the northern boundary with Block 4 Section 63, Campbell ACT to minimise impacts to **protected matters** during the **occupancy phase**.
5. To minimise impacts during the **occupancy phase** to **protected matters** the **approval holder** must prepare a documented management plan to ensure there is no net loss to the extent and condition of **protected matters** (relative to the extent and condition of **protected matters** presented in the **Final Preliminary Documentation**). The management plan must be implemented from the **commencement of occupancy** and for the life of the approved action. Requirements of the plan must include but are not limited to measures that:
  - a) Avoid disturbance to **protected matters**;
  - b) Avoid the introduction and spread of weeds to **protected matters**;
  - c) Avoid impacts from herbicide use to **protected matters**;
  - d) Prevent pest and feral predator impacts to **protected matters**;
  - e) Ensure the landscaped buffer required by Condition 4 along the northern boundary with Block 4 Section 63, Campbell ACT is maintained and functions to prevent the invasion of weeds to **protected matters**;
  - f) Avoid stormwater impacts to **protected matters**;

- g) Avoid the impact of domestic pets on **protected matters**; and
  - h) Ensure signage required by Condition 9 and 11 to communicate the conservation and heritage values, is maintained.
6. The **approval holder** must install fencing along the northern boundary of the townhouse yards for the life of the approved action to prevent encroachment of weeds, dumping of rubbish by residents and to prevent pedestrian and vehicular access to areas supporting **protected matters** on Block 4 Section 63, Campbell ACT. The fence must be maintained in good condition for the life of the approved action.
7. To compensate for the clearing of 0.47 hectares of **NTG**, the **approval holder** must retire 18 **NTG** ecosystem credits in accordance with the *NSW Threatened Species Conservation Act 1995* or the *NSW Biodiversity Conservation Act 2016* in consultation with **NSW OEH** prior to clearing **NTG** for the approved action. The **approval holder** must notify the **Department** within 10 days of retiring the **NTG** ecosystem credits.
8. To compensate for the clearing of 0.78 hectares of **GSM** habitat, the **approval holder** must retire 62 species credits in accordance with with the *NSW Threatened Species Conservation Act 1995* or the *NSW Biodiversity Conservation Act 2016* in consultation with **NSW OEH** prior to clearing **GSM** habitat for the approved action. The **approval holder** must notify the **Department** within 10 days of retiring the **GSM** species credits.
9. Prior to the **commencement of occupancy**, and for the life of the approval, the **approval holder** must install signage at the approved action site to communicate the conservation significance of the retained native vegetation and threatened species habitat within and adjacent to the site, including requirements to minimise the impact of domestic pets on **protected matters**.
10. To address the loss of **heritage values** as a result of the action and prior to the **commencement of occupancy**, the **approval holder** must:
- a) Prepare an archival record by compiling available historic documentation including original architectural drawings and existing historic photographic recording of Buildings 1 to 3 on Blocks 4 and 5, Section 38, Campbell ACT prior to demolition of the buildings. The archival record must be prepared in compliance with *How to Prepare Archival Records of Heritage Items (1998) Guidelines* issued by the New South Wales Heritage Office.;
  - b) Develop, publish and maintain a public website for the life of the approval which summarises the history of the Buildings 1 to 3 on Blocks 4 and 5, Section 38, Campbell ACT and which outlines the heritage values, and provides a publicly accessible digital copy of the archival record for future reference; and
  - c) Provide a copy of the archival record to the CSIRO and the National Archives of Australia.
11. Prior to the **commencement of occupancy** and for the life of the approval, the **approval holder** must publicly display information about the history of the use of Buildings 1 to 3 on Blocks 4 and 5, Section 38, Campbell ACT. The information must include:
- a) Existing historic photographs of Buildings 1 to 3 prior to demolition of the buildings..
  - b) Descriptions of the history of Buildings 1 to 3 and its function as the former headquarters of the CSIRO; and

c) Descriptions and pictorial elements of the buildings as an example of the architectural work of McConnel Smith and Johnson during the 1960's and 1970's.

12. To address the loss of **heritage values** associated with the proposed demolition of Buildings 1-3, the **approval holder** must assist CSIRO in enhancing, protecting and/or promoting heritage values of another CSIRO site. The CSIRO Conservation Management Plan for Building 101 at the Black Mountain headquarters identifies external works required which the **approval holder** can assist with. The **approval holder** must enter into an agreement for the above heritage enhancement works which sets out the required measures to be implemented by the **approval holder**. The **Department** must be notified of the final agreement, prior to the **commencement of demolition of Buildings 1-3**. The agreement must be implemented prior to the **commencement of occupancy**.
13. To compensate for the indirect impact from the approved action on 1.62 ha of **GSM** habitat on Block 4 Section 63, Campbell ACT the **approval holder** must contribute \$100,000 to a **GSM** research project in collaboration with the ACT Government Environment, Planning and Sustainable Development Directorate, Parks and Conservation Service. The **Department** must be notified of the final agreed research approach prior to clearing **GSM** habitat for the approved action. The funded research should focus on the research priorities identified in the Conservation Advice for *Synemon plana* (golden sun moth).
14. Within 30 days after the **commencement of the action**, the **approval holder** must advise the **Department** in writing of the actual date of **commencement of the action**.
15. The **approval holder** must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans required by condition 3 and 5 of 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.
16. 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 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. Reports must remain published for the life of the approval. Reports must continue to be published until such time as advised by the **Minister** in writing.
17. 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**.
18. If, at any time after 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**.
19. Unless otherwise agreed to in writing by the **Minister**, the **approval holder** must publish all management plans reports and agreements referred to in these conditions of approval on

their website. Each management plan, report and agreement must be published on the website within 1 month of being finalised. Documents must remain published for the life of the approval.

## **Definitions**

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

**BGW:** the EPBC Act listed White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland (Critically Endangered).

**Buffer Zone:** Establishment of an area of locally native grassland species between residential development and **NTG** along the northern boundary of the **approved action site**. This buffer will be managed for the protection of adjoining **NTG**. The managed buffer will be 1 metre in width along the boundary with Block 4, Section 63, Campbell ACT. The buffer zone will be maintained for the life of this approval.

**Commence/Commenced/Commencement of the action:** the first instance of any activity to implement the action described in this approval, including (but not limited to) any:

- Preparatory works (but excluding fences and signage)
- Earthworks/clearing of vegetation
- The erection of any onsite temporary structures/building compound facilities
- Any use of heavy machinery for breaking ground, or for clearance of any vegetation

**Commencement of demolition of Buildings 1-3:** any activity impacting on the foundations, structure, internal or external surfaces of Buildings 1 – 3 as identified in Figure 1 of the **Final Preliminary Documentation** (page 11) and including the link between Buildings 1 and 2, but excluding any work essential to maintain building security and provide for public safety.

**Commencement of occupancy:** the first instance of any tenants occupying the completed development.

**Construction phase:** the period between the **commencement of the action** and the **commencement of occupancy**, which includes demolition and construction phases of the proposed action.

**Department:** the Commonwealth Department responsible for administering the **EPBC Act**.

**EPBC Act:** the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

**Final Preliminary Documentation:** Report prepared by Biosis, "*Preliminary Documentation: Residential development, Blocks 4 and 5, Section 38, Campbell, ACT. Final Report, Prepared for Doma Group. 24 November 2017*"

**GSM:** the **EPBC Act** listed Golden Sun Moth (*Synemon plana*) (Critically Endangered)

**Heritage values:** The Commonwealth heritage assessment criteria met by Buildings 1 to 3, Section 38, Campbell ACT as assessed in the Heritage Assessment (Attachment 2 to **Final Preliminary Documentation**):

- *Importance in the course, or pattern, of Australia's natural or cultural history.* The buildings former use for over 40 years as the former CSIRO Headquarters is significant.
- *Importance in demonstrating the principal characteristics of (i) a class of Australia's natural or cultural places; or (ii) a class of Australia's natural or cultural environments.* The buildings are representative of the Late Twentieth-Century International Style of architecture in Australia. The buildings exhibit characteristic elements of McConnel Smith and Johnson's architectural work being produced in Australia.
- Special association with the life or works of a person, or group of persons, of importance in Australia's natural or cultural history. The buildings are associated with the CSIRO, which has played a significant role in the research and advancement of science and technology in Australia.

**Hoary Sunray:** the **EPBC Act** listed threatened species: *Leucochrysum albicans* var. *tricolor* (Endangered)

**Minister:** the Minister responsible for administration of the **EPBC Act** and includes a delegate of the Minister.

**New or increased impact:** A new or increased impact on any matter protected by the controlling provisions for the action, when compared to the plan that has been approved by the Minister.

**NSW OEH:** New South Wales Office of Environment and Heritage

**NTG:** the **EPBC Act** listed Natural Temperate Grassland of the South Eastern Highlands (Critically Endangered)

**Occupancy phase:** from the **commencement of occupancy** and for the life of the approved action.

**Protected Matters:** The relevant protected matters for this project are: **EPBC Act** listed **GSM, NTG, BGW, Hoary Sunray** and *ACT Nature Conservation Act 2014* listed Canberra Raspy Cricket (*Cooraboorama canberrae*) and Perunga Grasshopper (*Perunga ochracea*), at Block 4 Section 63, Campbell ACT.

Attachment 1: Boundary of the approved action (blue referral boundary) (Figure 10 from the Final Preliminary Documentation)



