



Environment,
Climate Change
& Water



Planning

Sydney Growth Centres Strategic Assessment Program Report

November 2010

Sydney Growth Centres Strategic Assessment Program Report – Addendum

This is an addendum¹ to the *Sydney Growth Centres Strategic Assessment Program Report* (the Program). The Program was prepared under the strategic assessment provisions of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and submitted to the Commonwealth Government in November 2010. The addendum relates to further commitments and undertakings by the NSW Government. It forms part of the Program, and where ever there is conflict between this addendum and the Program, the provisions of this addendum take precedence.

- The NSW Government is committed to spending the Growth Centres \$530 million Conservation Fund (in 2005/06 dollar values and subject to indexing) on the Cumberland Plain.
- There is still allowance for funding off the Cumberland Plain, but in exceptional circumstances only e.g. when it is not possible to secure conservation sites on the Cumberland Plain in any particular financial year over the 30 year life of the Program.
- The rules governing exceptional circumstances will be agreed between the Commonwealth and State by 20 March 2012.
- The Commonwealth Government will need to agree to any specific offsets off the Cumberland Plain.
- The Growth Centres Biodiversity Offset Program Advisory Group, which makes final funding decisions, will be reconstituted as a Technical Sub-Committee under the NSW Environmental Trust which operates under the NSW *Environmental Trust Act 1998*. This will include new representatives from industry and a peak conservation group.

In addition, it is noted that the annual allocations to the Conservation Fund can be, subject to NSW financial management constraints, reprioritised, accumulated or staged across a number of years.

¹ Addendum prepared January 2012

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Abbreviations

ABBREVIATION	DESCRIPTION
COAG	Council of Australian Governments
CPW	EPBC Act listed Cumberland Plain Shale Woodlands and Shale Gravel Transition Forest
DCP	Development Control Plan
DECCW	NSW Department of Environment, Climate Change and Water
DoP	NSW Department of Planning
EPI	Environmental Planning Instrument
EP&A Act	NSW <i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	NSW <i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>
Growth Centres SEPP	<i>State Environmental Planning Policy (Sydney Region Growth Centres) 2006</i>
HMV	High Management Viability
ILP	Indicative Layout Plan
LEP	Local Environmental Plan
NPWS	National Parks and Wildlife Service
NP&W Act	NSW <i>National Parks & Wildlife Act 1974</i>
NSW	New South Wales
RBM	Relevant Biodiversity Measures from Growth Centres Biodiversity Certification under the TSC Act.
RTA	NSW Roads and Traffic Authority
SEPP	State Environmental Planning Policy
SEWPaC	Commonwealth Government Department of Sustainability, Environment, Water, Population and Communities
SIC	Special Infrastructure Contribution
SIMI	Statement of Interim Management Intent
The Certification	Growth Centres Biodiversity Certification
The Program	Sydney Growth Centres Program
TSC Act	NSW <i>Threatened Species Conservation Act 1995</i>

1. Introduction

The *Sydney Growth Centres Program* has been prepared under the strategic assessment provisions of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The strategic assessment of the Growth Centres commenced in November 2009 and was conducted under an agreement between the New South Wales (NSW) and Commonwealth Governments.

The *Sydney Growth Centres Program* (the Program) seeks to provide for residential, employment and conservation areas and related infrastructure within the North West and South West Growth Centres of Sydney (see Figure 1 and Figure 2). It also aims to secure a range of other conservation areas throughout Western Sydney and the broader Sydney region.

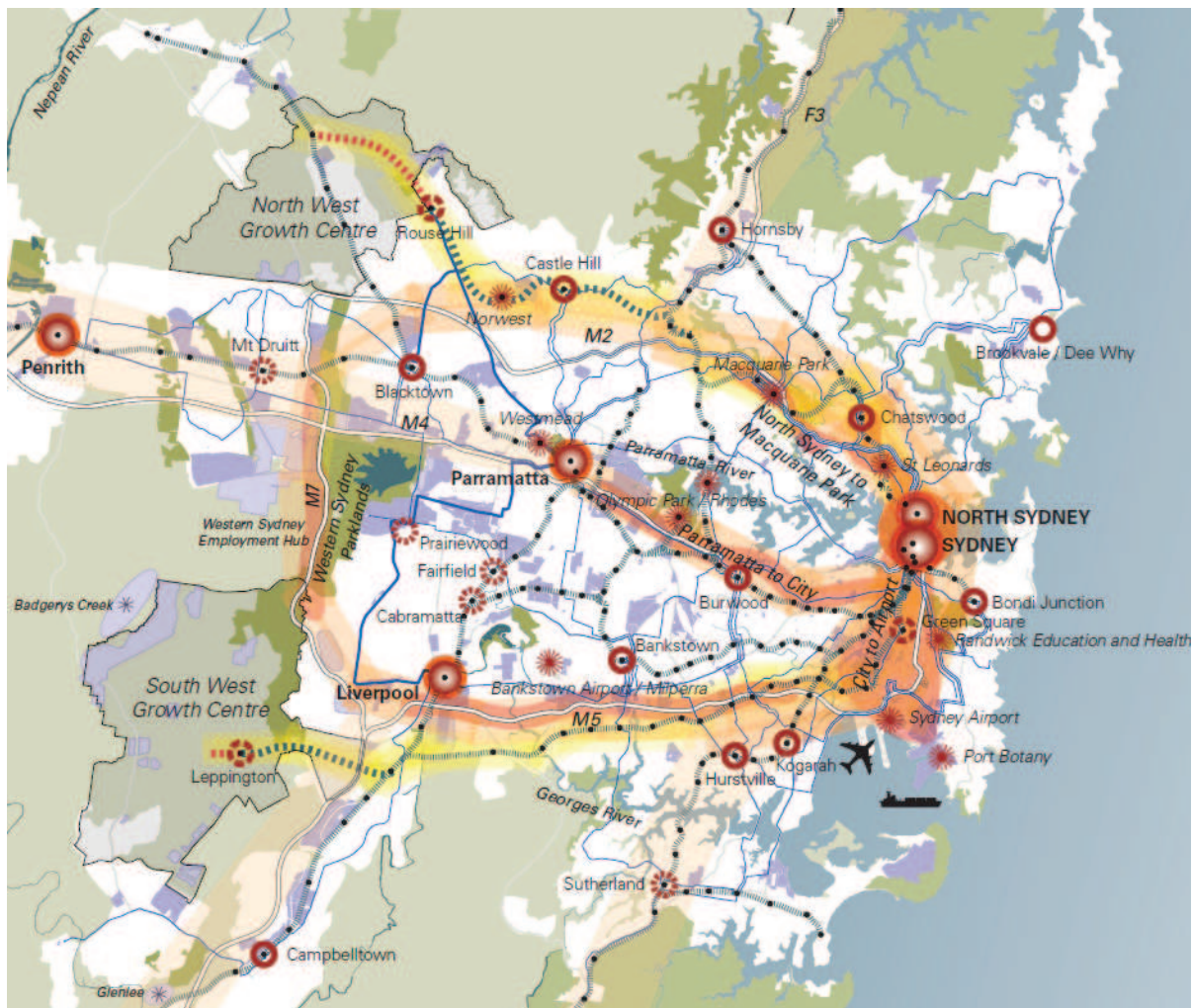


Figure 1: Sydney Metropolitan Strategy Map (2005)



Figure 2: Location of the North West and South West Growth Centres

The key benefits of the strategic assessment approach in relation to the Growth Centres are twofold: superior conservation outcomes and significantly improved certainty for development outcomes compared with site-by-site development assessment. Identifying conservation outcomes for large areas such as the Growth Centres enables a well-designed network of land managed for conservation to be identified and secured. The ad hoc site-by-site approach where small scale impacts are assessed and small scale, on-site offsets secured are unable to deliver such comprehensive outcomes.

The strategic assessment has meant that matters of national environmental significance are considered early in the planning process allowing the delivery of significant and real conservation outcomes. The strategic assessment has built upon the Growth Centres Biodiversity Certification, further streamlined the development assessment process and reduced costs associated with land and housing supply.

This strategic assessment under the EPBC Act comprises three key documents:

- The Program Report (this report) which identifies the elements of the Program and the commitments and undertakings of the NSW Government for the protection and management of matters of national environmental significance protected under the EPBC Act.
- The Supplementary Assessment Report which addresses the issues raised in the public exhibition process and analyses the outcomes of the final Program.
- The Draft Strategic Assessment Report which provides a comprehensive assessment of the impact of the draft Program on matters of national environmental significance.

1.1 GOVERNMENT DIRECTIONS AND POLICY CONTEXT

Based on the NSW Government projections, the population of Sydney is projected to grow by 1.7 million people to nearly 6 million by 2036, presenting significant challenges to governments to provide appropriate and affordable housing, infrastructure and services. Both the NSW and Commonwealth Governments have made public commitments supporting the streamlining of development processes in order to improve land and housing supply and affordability, while ensuring environmental outcomes.

In a move away from an ad hoc approach to greenfield housing development in Western Sydney, in June 2005 the NSW Government exhibited draft plans for *Managing Sydney's Growth Centres*. This exhibition included planning and infrastructure reports outlining the NSW Government's commitment to adopting a new approach to land releases by identifying the North West and South West Growth Centres in Western Sydney, to ensure that Sydney's growth occurs in a sustainable way with new infrastructure planned, funded and linked to the properly sequenced release of land.

In December 2005, the *Metropolitan Strategy: City of Cities* was released. The Metropolitan Strategy includes a range of actions and objectives supporting delivery of urban development within the Growth Centres. In particular, the Metropolitan Strategy identifies the importance of focusing greenfield development in the Growth Centres in order to protect other land of resource/agricultural and environmental significance and to provide for the efficient use of infrastructure including the North West and South West Rail Link, water, wastewater, road, education and health infrastructure. The Metropolitan Strategy aims to address Sydney's growing population by encouraging infill development (to meet 60-70% of the population growth needs) and well-planned greenfields development for the remainder.

Since then the NSW Government has commenced coordinated planning and infrastructure delivery in the Growth Centres, to facilitate the supply of new land to the market as quickly and efficiently as possible with the best use of Government resources. The Growth Centres will provide for 181,000 dwellings, at least 2,500 ha of land for employment and \$7.5 billion (2005-06 dollars) in regional infrastructure to support up to half a million additional residents over the next 30 years.

After several years of environmental studies and planning, public exhibition and the securing of a conservation fund, Biodiversity Certification has been granted over the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP), allowing development in the Growth Centres to proceed without further NSW threatened species assessment on certified areas on the basis that agreed conservation outcomes are delivered. Through levies on development in the Growth Centres, \$530 million (in 2005-06 dollars) will be provided to purchase land for conservation within the Growth Centres and to obtain offsets outside the Growth Centres. The conservation levy applies to all developable land within the Growth Centres (excluding public services and utilities etc) resulting in the costs of conservation outcomes being equitably shared across the Growth Centres.

The Growth Centres Program represents a new approach to greenfield land release that aligns population growth with the development of housing, employment, infrastructure and services and the need for conservation. This approach is considered to derive strong environmental, social and economic outcomes, all of which are considerations in decision making relating to strategic assessments.

The outcomes of the EPBC Act strategic assessment of the Growth Centres are complementary with the Biodiversity Certification of the Growth Centres SEPP. The Program provides the mechanism to

ensure the NSW Government's commitments in relation to the EPBC Act are clear and (as far as possible) consistent with the approach taken under the Biodiversity Certification.

1.2 STRATEGIC ASSESSMENTS UNDER THE EPBC ACT

The EPBC Act is the Commonwealth Government's key piece of environmental legislation. It protects matters of national environmental significance which include:

- World heritage sites.
- National heritage places.
- Wetlands of international importance.
- Nationally threatened species and ecological communities.
- Migratory species.
- Commonwealth marine areas.
- Nuclear actions.
- The Great Barrier Reef Marine Park.

Strategic assessments occur under Part 10 of the EPBC Act. They provide a mechanism to move away from site-by-site impact assessment and examine proposed developments at a landscape scale in relation to the requirements of the EPBC Act.

The Commonwealth Government Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) administers the strategic assessment provisions of the EPBC Act and provides advice to the Commonwealth Minister for Sustainability, Environment, Water, Population and Communities throughout the process.

1.3 SUMMARY OF PROGRAM COMMITMENTS FOR MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE

Under the Program, the NSW Government commits to deliver conservation outcomes for a range of matters of national environmental significance that are relevant to the Growth Centres. In particular, the NSW Government will ensure that:

- A minimum of 998 ha of *Cumberland Plain Shale Woodlands and Shale Gravel Transition Forest* (CPW) will be retained and protected within the Growth Centres, including a minimum of 363 ha of high management viability (HMV) CPW.
- At least 2,400 ha of either CPW or other grassy woodland communities which are similar to CPW in floristic structure will be protected outside of the Growth Centres (preference will be given to CPW followed by *White Box*, *Yellow Box*, *Blakely's Red Gum Grassy Woodland and Derived Native Grassland*). As part of this commitment at least 205 ha of additional HMV CPW will be protected outside of the Growth Centres (refer to section 5.2.1 of the Supplementary Report).
- A minimum of 58 ha of Shale Sandstone Transition Forest will be retained and protected within the Growth Centre, and at least 132 ha will be protected outside of the Growth Centres.
- At least 4.4 ha of Turpentine Ironbark Forest will be protected outside of the Growth Centres.
- Offsets for other matters of national environmental significance will be obtained through the expenditure of the Growth Centres Conservation Fund.

To deliver these commitments, the NSW Government has committed \$530 million (in 2005/06 dollars) to securing land for conservation as part of the urban development of the Growth Centres. 25% will be used to secure land inside the Growth Centres and 75% (\$397.5 million in 2005/06 dollars) will be used to secure nearby land with similar ecological values. Of the \$397.5 million, \$278.25 million will be allocated to secure the conservation outcomes for matters of national environmental significance as outlined above.

The Program commitments for matters of national environmental significance are detailed in full in Section 4 of this report.

1.4 PURPOSE AND STRUCTURE OF THIS DOCUMENT

The NSW Government aims to provide certainty to the Commonwealth Government that the likely impacts of implementing the Program on matters of national environmental significance will be managed through the process of urban and infrastructure development and proposed mitigation measures.

Noting that the Program will be in place for over 30 years, references to legislation in this document are provided generally for background information and contextual purposes. Amendments to this legislation over time will not interfere with the applicability or requirements of the Program where those amendments do not affect the conservation commitments and outcomes outlined in this document.

Similarly, references to the names of Commonwealth and NSW Government Departments and portfolio agencies are correct as at the time of publication. Any change in the names of these entities will not, of itself, interfere with the applicability or requirements of the Program.

The Program Report is structured as follows:

- [Section 2](#) provides a description of the Program.
- [Section 3](#) outlines the implementation of the Program. It includes: an overview of the legislation; a description of the relevant planning tools; and detail about the processes related to implementing the Program.
- [Section 4](#) provides the NSW commitments to conservation outcomes for the relevant matters of national environmental significance.
- [Section 5](#) provides a description of the monitoring, evaluation and reporting elements that will provide information on the progress of the Program.

2. Program description

This section broadly describes the Program including its various elements. Further detail on how the Program is being implemented including the legislative framework, planning tools and funding processes is provided in Section 3.

2.1 DEFINITION OF THE PROGRAM

The Sydney Growth Centres Program will provide for urban development and conservation including:

- residential, employment, open space, conservation and protected areas and related infrastructure within the North West and South West Growth Centres (illustrated in Figure 3 and Figure 6 respectively) over 30+ years; and
- a \$530 million (2005/06 dollars) biodiversity offsets package to protect high conservation value areas both *within and outside* the Growth Centres.

2.2 PROGRAM ELEMENTS WITHIN THE GROWTH CENTRES

Within the Growth Centres, the Program comprises of three broad elements:

- urban development (encompassing both residential and employment areas);
- protected areas; and
- infrastructure.

Urban development

The combined area of the North West and South West Growth Centres will provide residential and employment areas for a population of around 500,000 people. This will include approximately 181,000 dwellings at a range of dwelling densities providing housing choice for the future residents of Western Sydney.

The Program includes plans for “walkable neighbourhoods” to provide unique and favourable access to retail, service and community centres, which will assist the development of strong, cohesive communities in an efficient and timely manner.

The key principles around urban development within the Growth Centres are:

- better public transport with frequent buses that link into the rail system;
- new urban areas connected with Sydney’s rail system via the existing Richmond line, the proposed South West Rail Link and proposed North West Rail Link;
- a range of housing types and densities to suit the needs of all members of the community;
- streets and suburbs planned so that residents can walk to shops for their daily needs;
- easy access to major town centres with a full range of shops, recreational facilities and services along with smaller village centres and neighbourhood shops;
- environmentally friendly homes that conform to BASIX (the NSW Government’s Building Sustainability Index) requirements for water and energy savings;

- jobs available locally and within the region, reducing the demand for transport services into Sydney's CBD and cutting travel times;
- a range of land uses to provide the right mix of houses, jobs, services, open and recreational spaces; and
- protection of natural and cultural heritage values, waterways and conservation of biodiversity.

Protected areas

Both the North West and South West Growth Centres contain areas of important biodiversity value. As many areas within the Growth Centres are degraded and fragmented, the Program provides for the protection of the areas of highest conservation value in the Growth Centres.

In total within the Growth Centres, the Program will retain and protect a minimum of 2,000 ha of existing native vegetation, including vegetation within the 1,000 ha of zoned conservation areas (described in detail in Section 3) to be acquired by the NSW Government.

Section 3 describes the various levels of protection for these areas, and Section 4 outlines the specific outcomes these areas will provide for the protection of matters of national environmental significance.

Infrastructure

Both the North West and South West Growth Centres will require significant investment in the upgrade and construction of infrastructure, including roads, rail, education, health, emergency and justice services. The NSW Government will provide a substantial funding contribution to ensure that infrastructure is provided efficiently and coordinated with urban development.

Key elements of the infrastructure component of the Program are:

- Transport: upgrade and construction of new regional and local roads, rail and bus networks to provide efficient transport links.
- Health: improvements to existing hospitals and the construction of new community and health centres.
- Education: development of primary schools, high schools and TAFE facilities to service the new communities.
- Emergency services: provision of police, ambulance and fire stations as communities grow.
- Water, sewerage, and recycled water: integration of water and sewerage schemes.
- Local facilities: provision of local parks, community centres, libraries and sports fields.

2.2.1 The North West Growth Centre

The North West Growth Centre is approximately 10,000 ha in size and is located within the boundaries of Blacktown, Hawkesbury and Hills Shire local government areas. The Growth Centre is adjacent to Rouse Hill Major Centre and is serviced by the existing Richmond rail line that has three stations within the Growth Centre. The boundaries of the North West Growth Centre are shown in Figure 3.

The North West Growth Centre is made up of 16 precincts and has an estimated dwelling yield of 70,000 dwellings.

The development of these precincts will be generally in accordance with the North West Structure Plan (see Figure 4) which guides the location of town centres, neighbourhood centres, industrial and conservation lands.

The land identified as being capable of urban development excludes those areas identified as having high biodiversity significance or offering an opportunity to protect and maintain existing vegetation. These areas and significant riparian corridors such as South Creek, Eastern Creek and Cattai Creek have been protected through the vegetation clearing development controls under the Growth Centres SEPP.

There will be a string of transit-oriented towns located on either side of the existing Richmond rail line, and Rouse Hill Major centre will provide regional and higher order services for the North West Growth Centre.

The eastern part of the North West Growth Centre includes North Kellyville and Box Hill. The North West Transitway along Windsor Rd will provide the key public transport service connecting the Growth Centre with Parramatta and Blacktown. The North West Rail Link will connect Rouse Hill to Epping and the Sydney CBD. It will serve the future development within the North West Growth Centre and will include stabling facilities to the west of Rouse Hill within the North West Growth Centre.

The central part of the Growth Centre is focused on the Richmond rail line. Opportunities for new development have been identified in Vineyard, Riverstone, and Schofields to the south. These centres and urban areas will take advantage of the existing transport links and its central location in the Growth Centre.

The western part of Marsden Park provides for a town centre near Richmond Road and an employment and industrial area.

The Growth Centre has been divided into local areas which are large enough to accommodate a critical mass of population and development, and which will facilitate the provision of public transport.

A town centre providing a mix of services and facilities is identified for each of the local areas. The size of each centre will depend on the size of its local area, being its primary retail catchment.

There are also several areas of employment-related or industrial land identified for larger-scale enterprises. These areas are distributed to ensure that each part of the Growth Centre has a local service industry area. They also have good access to major roads, and are generally able to be separated from other activities. This is essential to ensure a range of employment opportunities are provided for the future population.

Urban development and protected areas

The indicative layout for the North West Growth Centre showing development and protected lands is shown in Figure 5. These boundaries are indicative as boundary changes may occur during the more detailed planning processes (see Section 3).

Note: Reference should be made to the NSW Legislation website at www.legislation.nsw.gov.au for the most current zoning and development control maps. The development control plans (DCPs) can be accessed from the Department of Planning Growth Centres website at www.growthcentres.nsw.gov.au.

The development areas provide for residential and employment lands and related infrastructure, but will also include areas of open space.

The protected areas under the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) comprise:

- Flood prone lands - Vegetation on these lands is protected through the vegetation clearing development controls in the Growth Centres SEPP. Limited development may occur in these areas, however any loss of vegetation is required to be offset, in accordance with the Growth Centres Biodiversity Certification.
- Conservation areas that have been rezoned through the SEPP. These areas will be brought into public ownership overtime and be managed for conservation or recreation. Development in these areas is restricted and native vegetation on these lands is to be retained and protected. The areas include:
 - Environmental conservation areas which have the main objective of protecting and restoring areas with ecological, scientific or aesthetic value.
 - Public recreation - regional areas which have the joint objectives of protecting natural and heritage values of the land, as well as allowing sympathetic recreational uses.

There are also a range of existing protected areas within the North West Growth Centre that provide for the protection of native vegetation. These are shown on Figure 5.

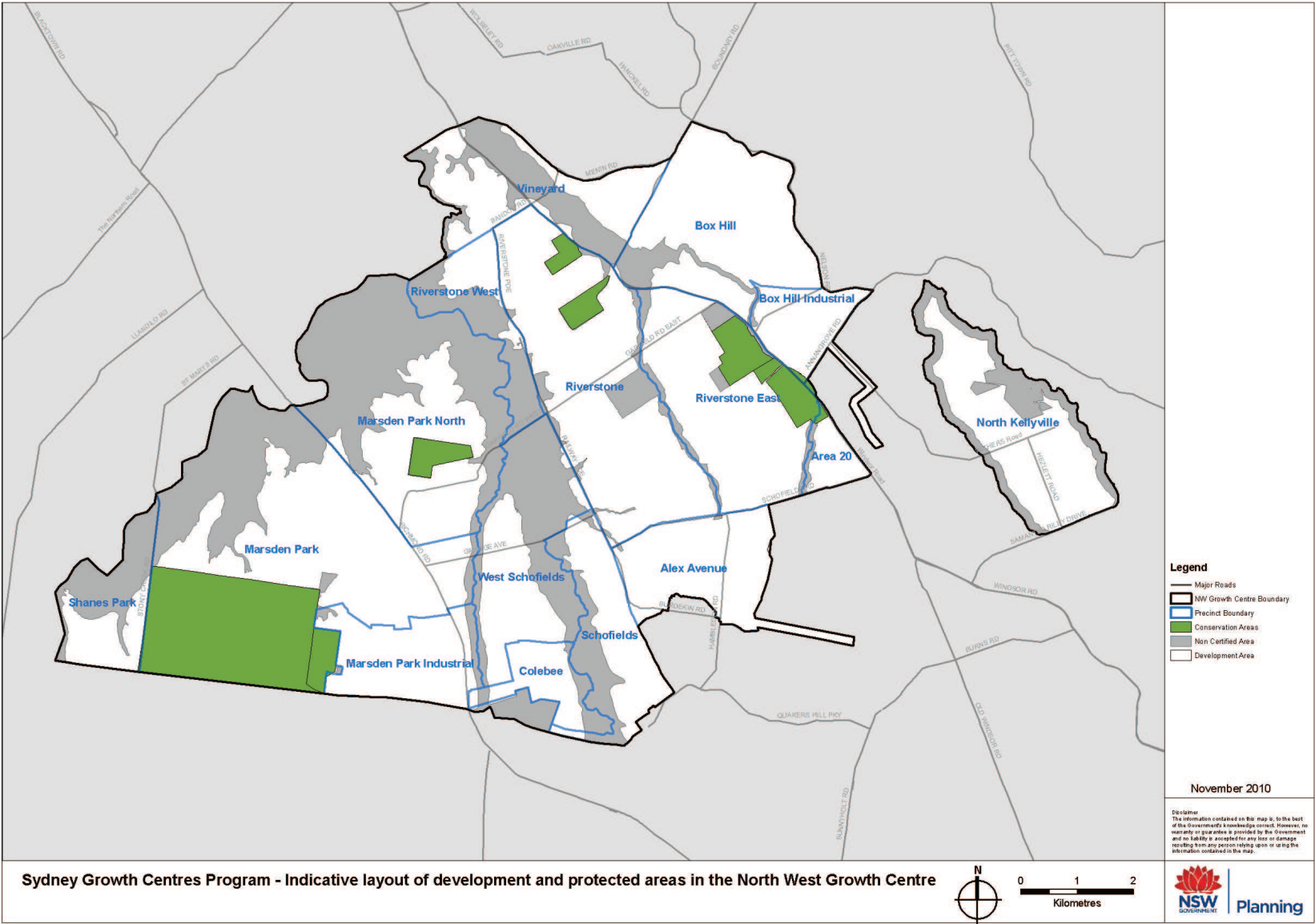


Figure 5: Indicative layout of development and protected areas within the North West Growth Centre

2.2.2 The South West Growth Centre

The South West Growth Centre is within the boundaries of Camden, Campbelltown and Liverpool local government areas. It is approximately 17,000 ha in size, will focus on the Major Centre of Leppington, and the South West Rail Link will provide key public transport service connecting the Growth Centre and Sydney. The boundaries of the South West Growth Centre are shown in Figure 6.

The South West Growth Centre is made up of 18 precincts and has an estimated dwelling capacity of 110,000 dwellings.

The development of these precincts will be generally in accordance with the South West Structure Plan (see Figure 7) which guides the location of town centres, neighbourhood centres, industrial and conservation lands.

The land identified as being capable of urban development excludes those areas identified as having high biodiversity significance or offering an opportunity to strengthen existing vegetation. These areas and significant riparian corridors such as South Creek and Kemps Creek have been protected through the vegetation clearing development controls under the Growth Centres SEPP.

The proposed major centre of Leppington will be located within the Leppington North Precinct and will be serviced by the South West Rail Link with new railway stations to be constructed at Leppington and Edmondson Park. Ultimately, Leppington will provide for more than 8,000 new jobs and land for higher order retail, civic and commercial uses which will support the population of the South West Growth Centre.

The Growth Centre has been divided into local areas which are large enough to accommodate a critical mass of population and development, and which will be structured to facilitate the provision of public transport.

A town centre providing a mix of services and facilities is identified for each of the local areas. The size of each centre will depend on the size of its local area, which is its primary retail catchment.

There are also several areas of employment and industrial land identified for larger-scale enterprises and those with heavy truck use. These areas are distributed to ensure that each part of the Growth Centre has a local service industry area. They also have good access to major roads, and are generally able to be separated from other activities.

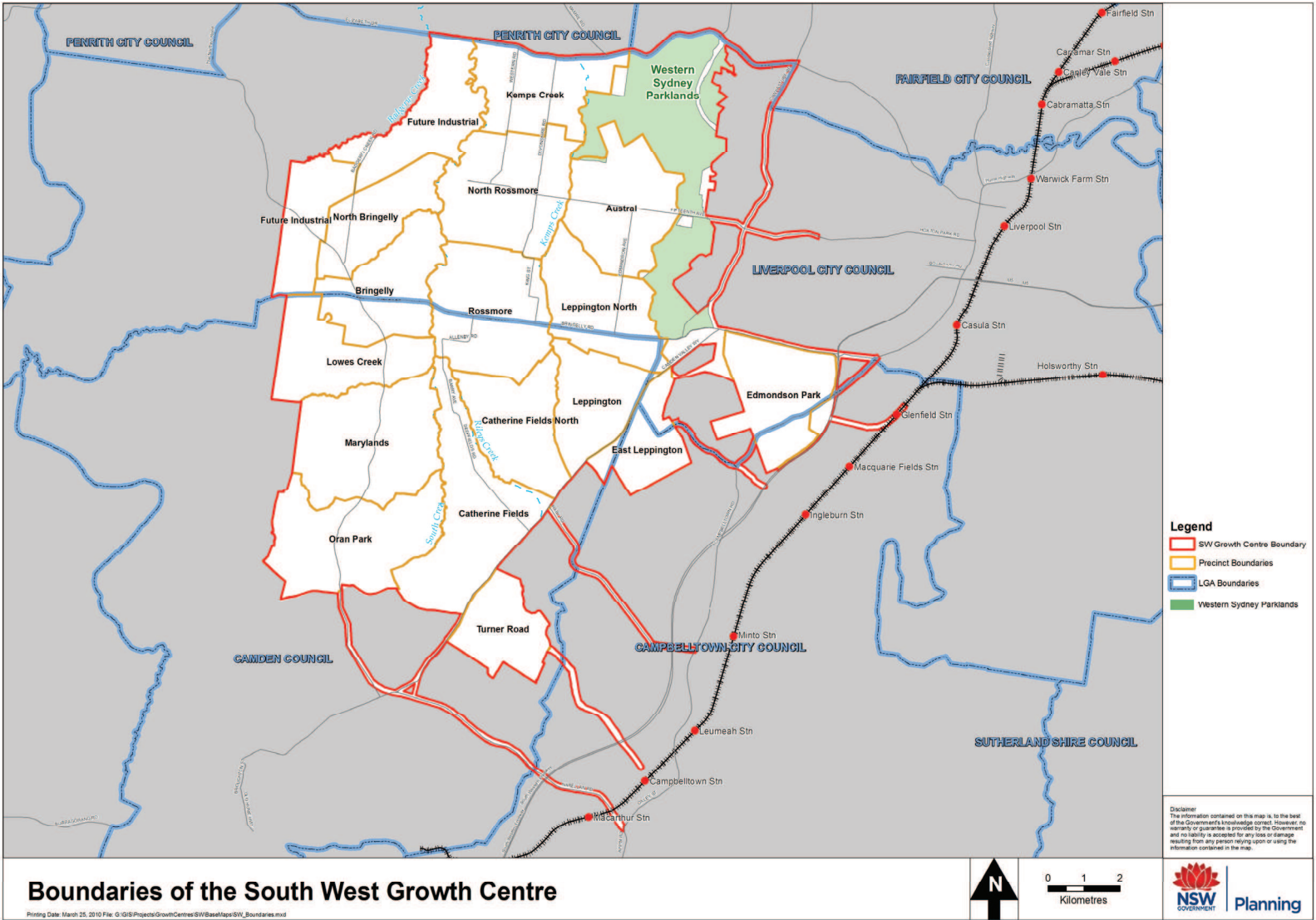


Figure 6: Boundaries of the South West Growth Centre

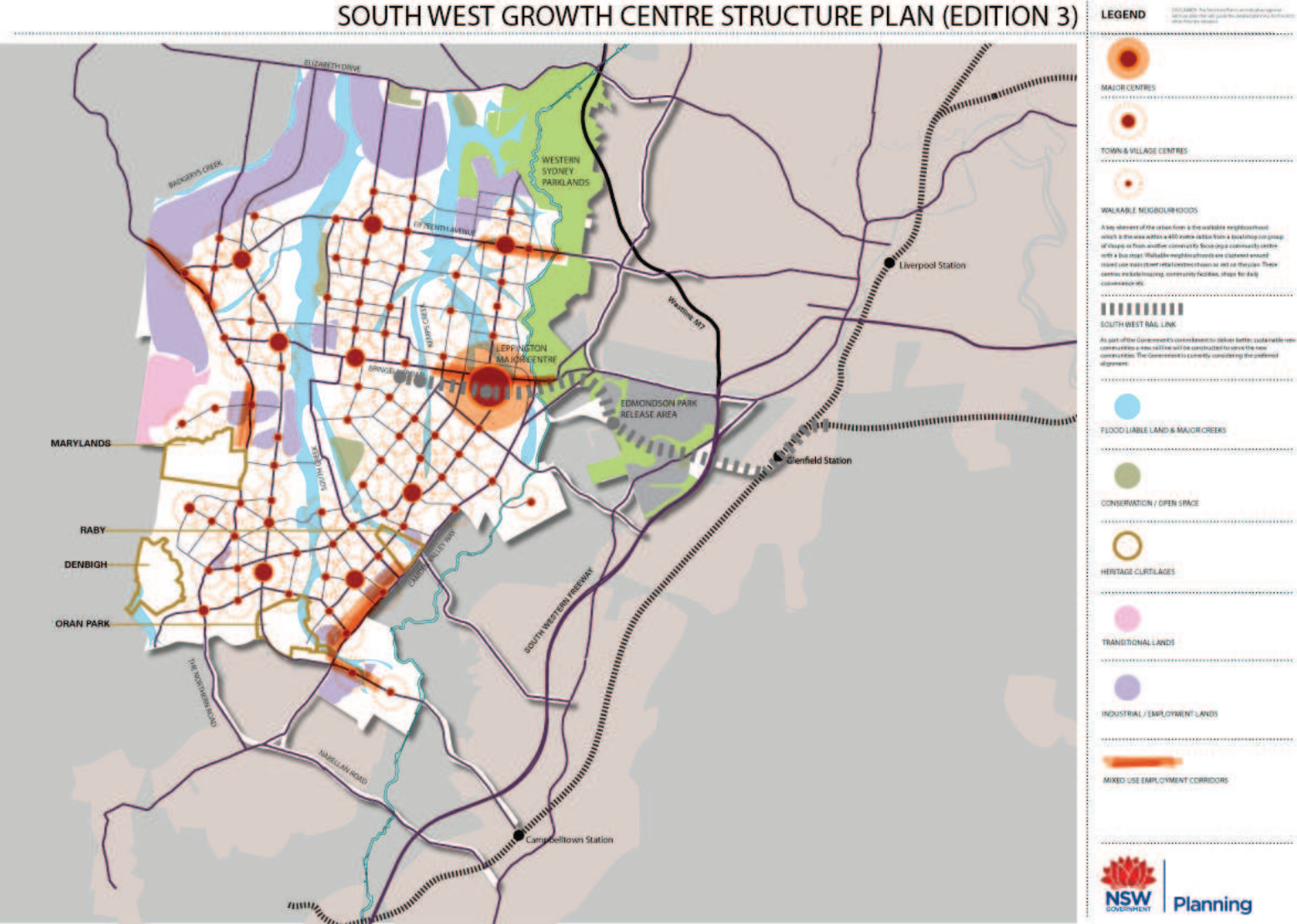


Figure 7: South West Growth Centre Structure Plan

Urban development and protected areas

The indicative layout for the South West Growth Centre showing development and protected lands is shown in Figure 8. Details of each of these protected areas are included in Section 3. These boundaries are indicative as boundary changes may occur following detailed planning processes (see Section 3). This has already occurred as part of the detailed planning for the Edmondson Park, Oran Park and Turner Road Precincts.

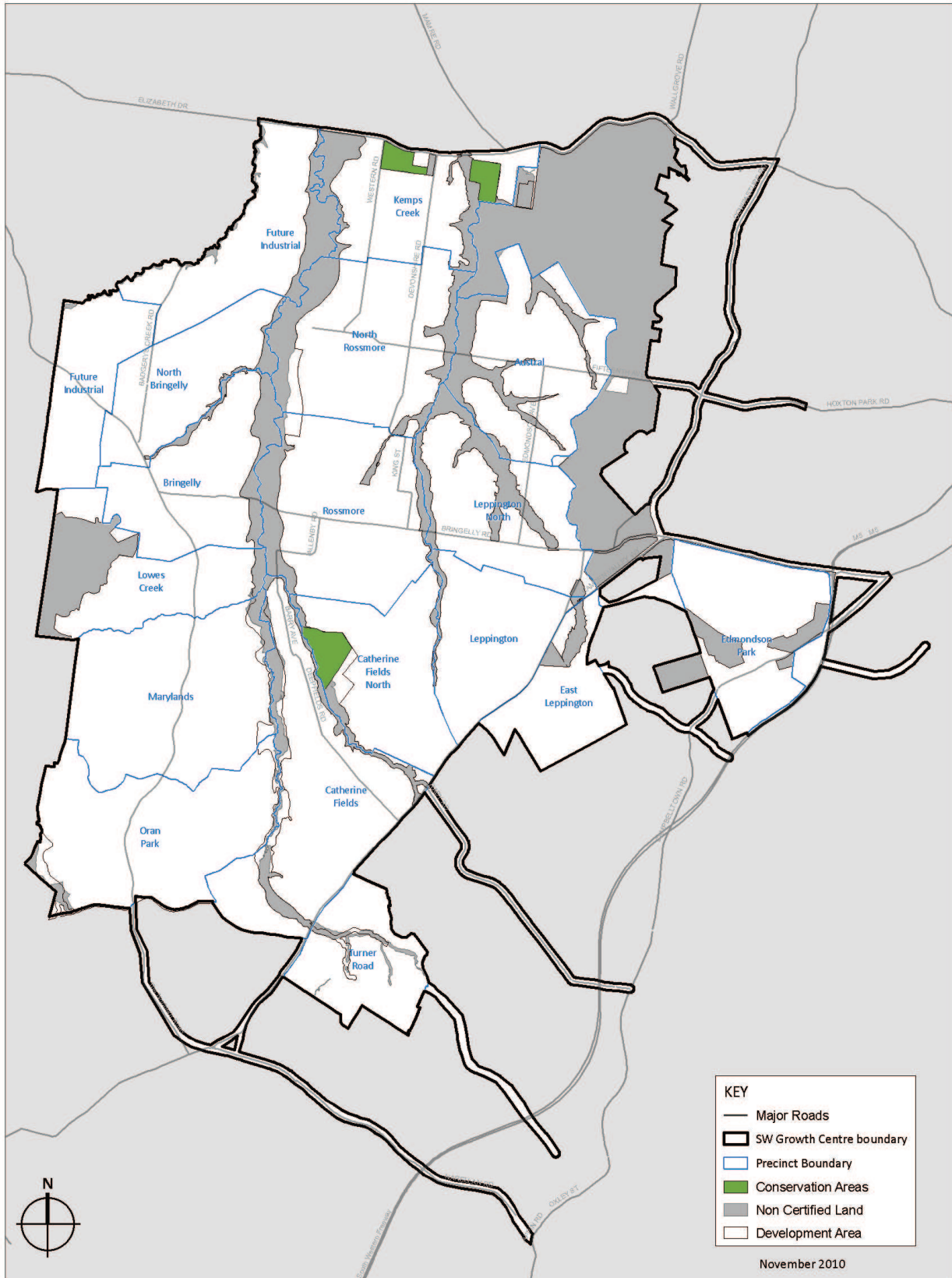
Note: Reference should be made to the NSW Legislation website at www.legislation.nsw.gov.au for the most current zoning and development control maps. The development control plans (DCPs) can be accessed from the Department of Planning Growth Centres website at www.growthcentres.nsw.gov.au.

The development areas provide for residential and employment lands and related infrastructure, but will also include areas of open space.

The protected areas under the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) comprise:

- Flood prone lands. Vegetation on these lands is protected through the vegetation clearing development controls in the Growth Centres SEPP. Limited development may occur in these areas, however any loss of vegetation is required to be offset, in accordance with the Growth Centres Biodiversity Certification.
- Conservation areas zoned Public recreation – regional. This applies to three areas within the South West. These areas will be brought into public ownership overtime and be managed for conservation and recreation purposes. They have the joint objectives of protecting natural and heritage values of the land, as well as allowing sympathetic recreational uses. Development in these areas is limited and native vegetation on these lands is to be retained and protected.

There are also a range of existing protected areas within the South West Growth Centre that provide for the protection of native vegetation. These are shown on Figure 8.



Sydney Growth Centres Program - Indicative layout of development and protected areas in the South West Growth Centre

Disclaimer
The information contained on this map is, to the best of the Government's knowledge correct. However, no warranty or guarantee is provided by the Government and no liability is accepted for any loss or damage resulting from any person relying upon or using the information contained in this map.

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Figure 8: Indicative layout of development and protected areas within the South West Growth Centre

2.3 BIODIVERSITY OFFSET PROGRAM

The Program provides for a \$530 million biodiversity offsets package to protect high conservation value areas both *within and outside* the Growth Centres. 25% of this money will be used to secure conservation areas within the Growth Centres and 75% will be used to secure high quality vegetation remnants with similar ecological values outside the Growth Centres.

In addition to the \$530 million, some of the conservation areas within the North West Growth Centre are being purchased using other NSW Government revenue and by the local council.

2.3.1 Conservation areas within the Growth Centres

The conservation areas to be purchased within the Growth Centres are shown in Figure 5 and Figure 8. These areas cover a minimum of 1,000 ha and represent the highest quality vegetation within the Growth Centres.

There are a range of processes to acquire the land (detailed in Section 3) and all areas are protected from vegetation clearing through development controls and will be managed in the long term for conservation.

In addition to these areas there are lands within the Growth Centres that are currently in public ownership or have been identified for acquisition. These areas include areas such as Rossmore Grange, Kemps Creek Nature Reserve, and the Western Sydney Parklands. These areas are in public ownership and are managed by NSW Government or local councils to meet conservation and recreation objectives.

2.3.2 Conservation areas outside of the Growth Centres

The Program provides for the establishment of additional conservation areas throughout the Cumberland Plain, the Hawkesbury Nepean Catchment and the Sydney Basin Bioregion (see Figure 9). The Program will provide 75% of the overall Conservation Fund (\$397.5 million in 2005/06 dollars) over 30+ years for the securing of offset lands of high conservation and similar ecological values within these areas. This will be delivered through the Growth Centres Offset Program.

As a first preference, the funds will be invested within the priority areas on the Cumberland Plain identified in the *Hawkesbury Nepean Catchment Action Plan 2007-2016* (2008). The priority areas within the Cumberland Plain were identified by DECCW as lands that could most effectively be managed for threatened biodiversity. They represent the best remaining opportunities in the region to maximise long term biodiversity benefits for the lowest possible cost, including the least likelihood of restricting land supply. DECCW considers the remnant vegetation within these lands to be the highest priority for future recovery efforts for the threatened biodiversity of the Cumberland Plain.

Criteria for guiding the spending of annual funding within this area include a consideration of reserve design principles, conservation values and cost effectiveness. Preference will be given to protecting the largest remnants of intact vegetation with the greatest potential for long-term retention of biodiversity values.

If no suitable, cost effective lands are available in the areas of first preference, then priority areas within the broader Hawkesbury Nepean catchment will be considered as a second preference. These areas were identified as part of the development of the Hawkesbury Nepean Catchment Action Plan and comprise a network of regional corridors and priority fauna habitats in the catchment.

Finally, as third and fourth preferences, funding can be spent to conserve grassy woodlands within the Hawkesbury Nepean Catchment and then the Sydney Basin respectively. Grassy woodlands are a broad group of vegetation types, including Cumberland Plain Shale Woodlands and Shale Gravel Transition Forest, that are under-represented in the State's reserve system.

In summary, funding will be allocated within a cascading series of preferential areas as follows:

- priority areas within the Cumberland Plain, as identified in the Hawkesbury Nepean Catchment Action Plan; then
- priority areas within the Hawkesbury Nepean catchment, as identified in the Hawkesbury Nepean Catchment Action Plan; then
- grassy woodlands within the Hawkesbury Nepean catchment; and then
- grassy woodlands within the Sydney Basin.

In relation to offsets for matters of national environmental significance outside the Growth Centres, the Program will allocate \$278.25 million (as part of the \$397.5 million) towards securing conservation outcomes for matters protected under the EPBC Act. It should be noted that this commitment is complementary with the objectives to provide offsets for the broader biodiversity values that are protected under NSW legislation.

Offsets for matters of national environmental significance as part of the overall biodiversity offsets package will include:

- The protection of at least 2,400 ha of either CPW or other grassy woodland communities which are similar to CPW in floristic structure outside of the Growth Centres (preference will be given to CPW followed by *White Box*, *Yellow Box*, *Blakely's Red Gum Grassy Woodland and Derived Native Grassland*). As part of this commitment at least 205 ha of additional high management viability CPW will be protected outside of the Growth Centres (refer to section 5.2.1 of the Supplementary Report).
- The protection of at least 132 ha of Shale Sandstone Transition Forest.
- The protection of at least 4.4 ha of Turpentine Ironbark Forest.
- The acquisition of offsets for other matters of national environmental significance through the expenditure of the Growth Centres Conservation Fund.



Figure 9: Schematic of the offset focus areas

3. Program implementation

The Growth Centres Program will be implemented via a statutory planning and infrastructure contribution framework. This section describes:

- the legislative framework that provides the legal basis for implementation;
- the planning tools and processes for achieving the desired outcomes;
- the biodiversity offset program; and
- the management and mitigation measures to be employed within the Growth Centres

3.1 LEGISLATIVE FRAMEWORK

Environmental Planning and Assessment Act 1979 (EP&A Act) and the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)

The *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) guide planning and development in NSW.

The EP&A Act regulates the implementation and enforcement of planning powers. It establishes provisions for the making of Environmental Planning Instruments (EPIs) such as State Environmental Planning Policies (SEPP) and Local Environmental Plans (LEP), including the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP). EPIs are legal documents that regulate land use and development. The EP&A Act includes the requirements for development assessment by local government and the NSW Government and also establishes the mechanisms for the collection of development contributions at a local and state level to fund infrastructure.

The EP&A Regulation establish additional provisions that provide further guidance on the requirements of the EP&A Act. Of particular significance to planning for Sydney's Growth Centres are the clauses which establish provisions with respect to the release of precincts for urban development and which requires an assessment of the consistency of certain proposed development with the relevant Growth Centre Structure Plan if a precinct is released (refer to Figure 4 and Figure 7). The EP&A Regulations also require the Minister to arrange for the preparation of a Development Code for the purpose of providing guidelines to assist environmental planning in released precincts.

Threatened Species Conservation Act 1995

The NSW *Threatened Species Conservation Act 1995* (TSC Act) controls the conservation of biodiversity in NSW. The NSW TSC Act contains processes to provide for detailed consideration of the impacts of development on threatened species and their habitat and contains provisions to protect endangered populations and threatened ecological communities.

The NSW TSC Act establishes a threatened species assessment process which requires development proposals to consider the effect on critical habitat, threatened species, populations and ecological communities. It is under the NSW TSC Act which Biodiversity Certification is enabled. Biodiversity Certification switches off the need for a threatened species assessment, streamlining development whilst achieving an overall improvement or maintenance in biodiversity values. Biodiversity Certification applies to the Growth Centres SEPP.

3.2 PLANNING TOOLS

The Growth Centres have a planning framework that is unique in NSW. Central to the framework is the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (the Growth Centres SEPP). The planning framework is illustrated in Figure 10 and discussed in detail throughout this section.

There are also a number of other key policies, strategies, plans and legislation that will inform the detailed planning process and guide decision making at both the strategic planning and development assessment stages. The detailed planning process is called “precinct planning” as it is undertaken systematically for areas within the Growth Centres called precincts.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

The Growth Centres SEPP is an environmental planning instrument prepared under the plan making provisions in the EP&A Act. The SEPP will ultimately establish the land use zoning and development controls for all the land within the Growth Centres. Consent authorities, such as local councils, must apply the provisions and consider the objectives of the Growth Centres SEPP when they make planning decisions about land within the Growth Centres. A copy is available on the NSW Legislation website at <http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+418+2006+cd+0+N>.

The SEPP as first made in 2006, zoned land for conservation and public recreation, and introduced vegetation clearing controls. As detailed precinct planning is undertaken across the Growth Centres, further areas are expected to be identified for conservation and additional controls introduced to secure conservation outcomes.

The SEPP initially zoned a number of areas as Environmental Conservation and Public Recreation (see Figure 5 and Figure 8). The SEPP identifies the NSW government and one local Council as acquisition authorities for this land in order to ensure its long-term protection.

Where a precinct has not yet been released for urban development and zoned under the Growth Centres SEPP the local planning controls contained within the relevant Council local environmental plan (LEP) apply. In addition the controls in the Growth Centres SEPP such as the vegetation clearing controls, apply to lands identified as flood prone and major creeks land and transitional land where the LEP zoning continues to apply. The Growth Centres SEPP also requires consent authorities to consider the intended future use of land as described by the Structure Plans and Explanatory Notes when assessing certain development applications within the Growth Centres to ensure development proposed to proceed in advance of precinct planning does not affect the future delivery of the Growth Centres.

Over time, as precincts are released and precinct planning is completed, land within the Growth Centres will be rezoned by making amendments to the SEPP. This will occur after the preparation of a Precinct Plan that is guided by the Growth Centres Structure Plans and the Development Code. It is expected that additional areas for conservation and recreation will be protected through the precinct planning and Growth Centres SEPP amendment process. This will be in addition to lands currently zoned for environmental conservation. For example, since the Growth Centres SEPP was gazetted in 2006, additional land in the North West Growth Centres has been zoned Public Recreation – Regional. This land will form stage two of Rouse Hill Regional Park.

The Growth Centres SEPP has also introduced development controls for flood prone land and vegetation clearing which apply to large areas of the Growth Centres. These controls apply before precinct planning is completed and will continue to apply following the amendment of the SEPP to include the precinct plan.

As outlined in Section 2 of this report, a minimum of 2,000 ha of existing native vegetation is to be retained and protected within the Growth Centres.

Flood prone and major creeks land

The Growth Centres SEPP identifies the flood prone and major creeks land within the Growth Centres (see Figure 5 and Figure 8). This land is located along important creek and riparian corridors and is within the 1 in 100 year flood level and for these reasons has limited development potential. These areas have been identified at a regional scale and undergo further detailed analysis during precinct planning. The Growth Centres SEPP introduces development controls to retain and protect existing native vegetation within these areas. Until precinct planning is completed, the underlying LEP zone, which is usually rural, continues to apply alongside the additional vegetation clearing controls.

The SEPP requires consent to be granted for the removal of any native vegetation from properties within the flood prone lands. Before the consent authority can approve development in these areas it must be satisfied that the proposed impact on native vegetation is minimised and any loss is compensated to avoid any net loss, as well as whether the development will adversely impact the floodplain environment and flood behaviour.

In addition, further protection and enhancement of native vegetation within these areas will be addressed during the precinct planning. These are discussed in Section 3.4.

Transitional Lands

The Growth Centres SEPP also identifies “transitional lands”. These areas are considered to be constrained by environmental factors including topography and significant vegetation and therefore are not considered suitable for extensive urban development. The SEPP introduces development controls to retain and protect existing native vegetation within these areas.

The SEPP requires consent to be granted for the removal of any native vegetation from properties within the transitional lands. Before the consent authority can approve development in these areas it must be satisfied that the proposed impact on native vegetation is minimised and any loss is compensated to avoid any net loss.

In addition, further protection and enhancement of native vegetation within these areas and other creeks and riparian corridors will be addressed during the precinct planning process. This process will involve ground truthing to confirm location and value of vegetation in these lands.

Environment Conservation and Public Recreation Zones

The Growth Centres SEPP has rezoned land environment conservation or public recreation.

The objectives for the “environment conservation” areas relate to the protection and restoration of areas of special ecological, scientific or aesthetic values and to conserve biological diversity, native vegetation corridors, aboriginal heritage, cultural values and scenic qualities. Any development within this zone is restricted and native vegetation is to be retained and protected.

The objectives of the “Public Recreation zone” are to enhance, restore and protecting the natural and cultural heritage values and to enable the land to be used for open space and recreational purposes that are consistent with the protection of natural and cultural values. These lands will be acquired by the NSW Government or relevant local council. The key difference between the two zones is the responsible acquisition authority.

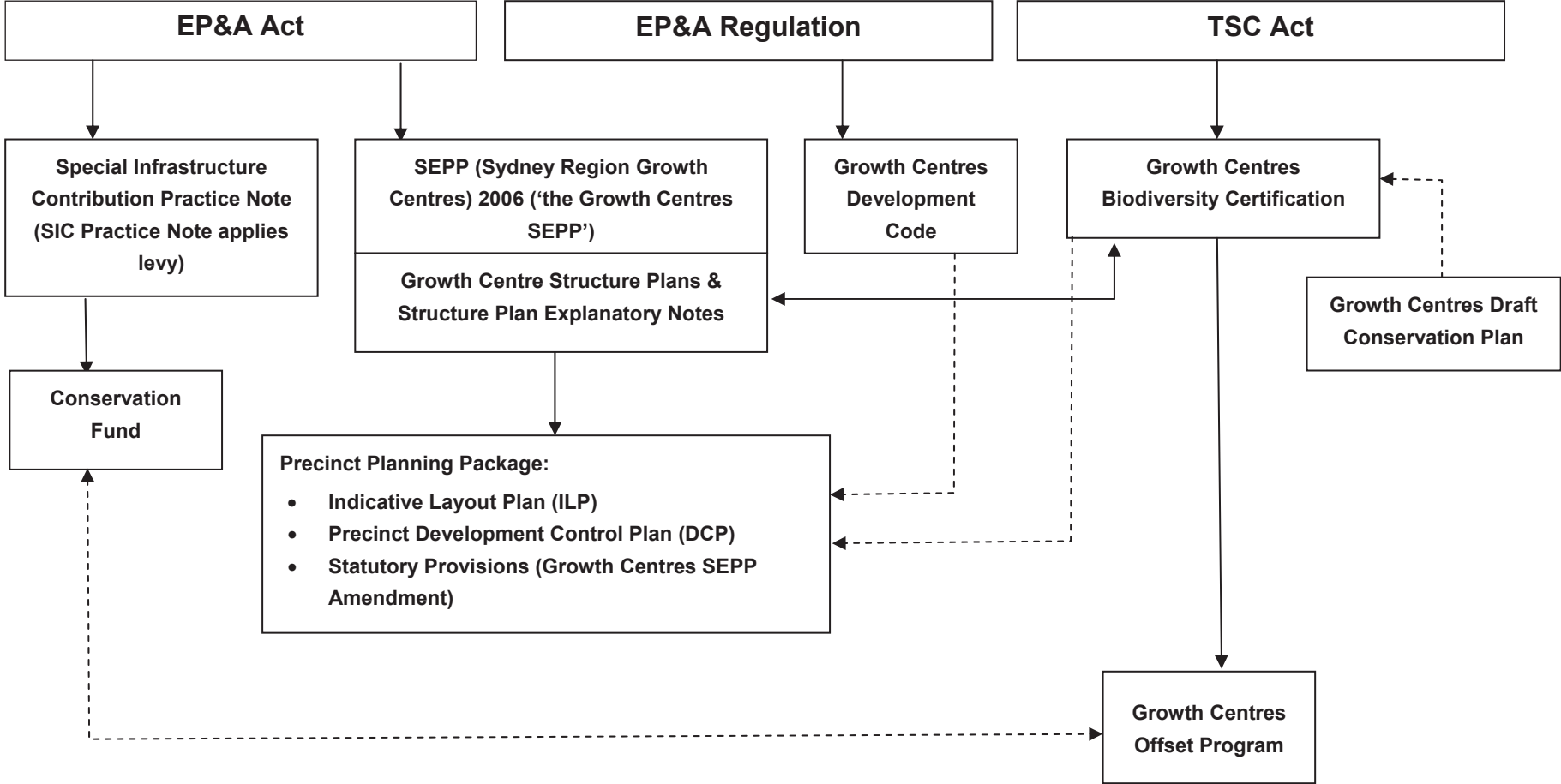


Figure 10: Planning Framework for the Growth Centres

As with the flood prone and major creeks land and transitional lands, the Growth Centres SEPP requires consent to be granted for the removal of any native vegetation from properties within the environmental conservation and public recreation zones. Before the consent authority can approve development in this area, it must be satisfied that the proposed impact on native vegetation is minimised and any loss is compensated to avoid any net loss.

Ultimately it is intended to transfer the precinct plans from the Growth Centres SEPP to the relevant local environmental plan. Any proposed changes to a precinct plan will require approval of the NSW Minister for Planning whether or not the precinct plan is in the Growth Centres SEPP or an LEP.

Certification of the Growth Centres SEPP

Biodiversity Certification was conferred on the Growth Centres SEPP on 14 December 2007, under the NSW TSC Act. An amendment to the NSW TSC Act was made in July 2008 to directly confer biodiversity certification on the Growth Centres SEPP under Schedule 7, Part 7 of the NSW TSC Act. The NSW Minister for the Environment may grant biodiversity certification of an environmental planning instrument if he or she is satisfied there will be an overall improvement or maintenance of biodiversity values. The Certification enables the NSW Government to be more strategic in meeting its goals for biodiversity conservation. It is a move away from site by site decisions which are made in isolation and late in the development process.

Certification removes the need to undertake threatened species assessments or prepare species impacts statements at the development application stage. Development in accordance with a certified planning instrument is taken to be development that is not likely to significantly affect any threatened species, population or ecological community, or its habitat. This upfront assessment of threatened species ensures the conservation outcomes are identified early in the planning process and streamlines the approval process for individual developments.

The Certification was informed by the Draft Growth Centres Conservation Plan (2007). The Conservation Plan identified the existing biodiversity values within the Growth Centres and proposed a suite of mechanisms to achieve positive conservation outcomes. It describes the extent and condition of native vegetation, the amount and type of vegetation being protected within the Growth Centres, the amount of vegetation loss and mechanisms to achieve an offset for this loss. The key elements of the Conservation Plan have been included in the Certification.

The Growth Centres Biodiversity Certification Order includes 41 Relevant Biodiversity Measures (RBMs) that need to be complied with in order to maintain certification. A copy is available on the Department of Environment, Climate Change and Water website at <http://www.environment.nsw.gov.au/resources/nature/biocertordwsgcentres.pdf>.

The RBMs cover a range of matters including: requirements for the retention of native vegetation; additional conservation actions which must be addressed during precinct planning; the conservation fund (timing, use, location of expenditure and delivery of funding); reporting requirements; and review (Refer to Appendix B). Key Relevant Biodiversity Measures include:

- retention and protection of 2,000 ha of high quality native vegetation within the Growth Centres; and
- establishment of a \$530 million Conservation Fund (in 2005/06 dollar values and subject to indexing) over a 30+ year period.

See Figure 11 and Figure 12 which illustrate the certified and non-certified lands.

As part of the preparation of the precinct plans the NSW Department of Planning must prepare and publicly exhibit an assessment of the consistency of the proposed precinct plan with the Certification. If precinct planning is inconsistent with the Certification, full justification for the inconsistency and alternative measures to ensure compliance must be provided as part of the ecological assessment for the precinct.

The Certification identifies “certified” (20,430 ha) and “non-certified” (7,329 ha) land. The non-certified areas include the flood plains of major creeks, transitional lands, the Western Sydney Parklands, land zoned public recreation (regional) and environmental conservation and areas where further investigation is required as part of the precinct planning process. The NSW TSC Act continues to apply to land within the non-certified areas and threatened species assessments are required to be undertaken in these areas where a significant impact on threatened species is likely.

Structure Plans

Structure Plans have been prepared for both the North West and South West Growth Centres which form part of the Growth Centres SEPP (see Figure 4 and Figure 7). The Growth Centres Structure Plans are indicative regional land use plans that will guide the detailed planning for precincts when they are released. They also establish the general pattern of development within the Growth Centres over the next 30+ years. Each Structure Plan is supplemented by explanatory notes which provide further detail on the urban outcomes expected from each precinct. The Structure Plans and the explanatory notes are the basis for the precinct planning.

Prior to the completion of precinct planning, certain development applications (those that meet one of the following criteria: capital investment of more than \$500,000, or on land with an area of more than 2 ha or for subdivision of 2 or more lots) must be accompanied by an assessment of the consistency of the proposed development with the relevant Growth Centre Structure Plan. This is a requirement of the EP&A Regulation.

Growth Centres Development Code

The Growth Centres Development Code is prepared in accordance with the EP&A Regulation. It outlines the precinct planning process and the requirements for preparing an Indicative Layout Plan (ILP) and Development Control Plan (DCP) for a precinct.

The Development Code informs and establishes environmental and urban form requirements to determine the future urban footprint of each precinct during precinct planning. The Development Code establishes policies at the regional and neighbourhood levels to promote best practice urban design by increasing housing choices, providing for employment, facilities and services at a local level and improving public transport access, maintaining the natural environment and providing, protecting and maintaining a range of open space opportunities throughout a precinct.

The primary purpose of the Development Code is to provide a guide for NSW Government, local councils, planners, architects, developers and other practitioners involved in developing the precinct planning package.

Precinct Planning

Precinct planning is the detailed process that analyses the urban potential and environmental outcomes of each precinct and delivers a planning outcome through a comprehensive package of planning controls. This approach facilitates the efficient and streamlined delivery of land for urban development and provides for better outcomes through a strategic and coordinated approach to issues. It involves the coordination of essential infrastructure planning and delivery to provide infrastructure and services when and where they are required. Coordination of land use and

infrastructure planning also provides greater certainty to landowners, developers, service providers and agencies. Precinct planning is the key to getting land to the market as quickly and sustainably as possible, with the best use of Government resources. Figure 13 provides a flow diagram of the precinct planning process.

Precinct Planning Package

The outcome of the precinct planning process is the precinct planning package which includes the following products:

Indicative Layout Plan (ILP)

The ILP provides the broad level design outcomes that test the feasibility of the development parameters and apply the findings of the environmental and urban form analysis undertaken as part of precinct planning. The ILP will inform the development of the statutory provisions, DCP and local infrastructure contributions plan (prepared by the relevant local council). The ILP ultimately forms part of the DCP and development within a precinct is required to comply with the ILP unless valid justification is given.

Precinct Development Control Plan (DCP)

The DCP provides detailed controls for the precinct and includes a written document with supporting maps and diagrams. Controls provided within the DCP correlate with the Precinct ILP, establishing development standards which proposed developments must address. Urban design requirements that are expected to be addressed, as well as other key issues that should be considered in the preparation of a DCP are established in the Growth Centres Development Code.

Statutory Provisions (“Precinct Plan”)

The statutory provisions are known as a “precinct plan” are included as an appendix to the Growth Centres SEPP. It should be noted that ultimately the precinct plan may be transferred from the Growth Centres SEPP to the relevant Council local environmental plan. This would be an administrative change only and must be approved by the NSW Minister for Planning.

Through developing the ILP, draft land use zones will begin to emerge. Statutory provisions are drafted by the NSW Government in consultation with the relevant Council. Statutory provisions include: maps (land zoning, height of buildings, lot size), land use tables, provisions relating to subdivision of land and other provisions including development standards and heritage provisions. Once finalised, these statutory provisions (precinct plans) are included in the Growth Centres SEPP and become the relevant development controls applying to all land within the precinct.

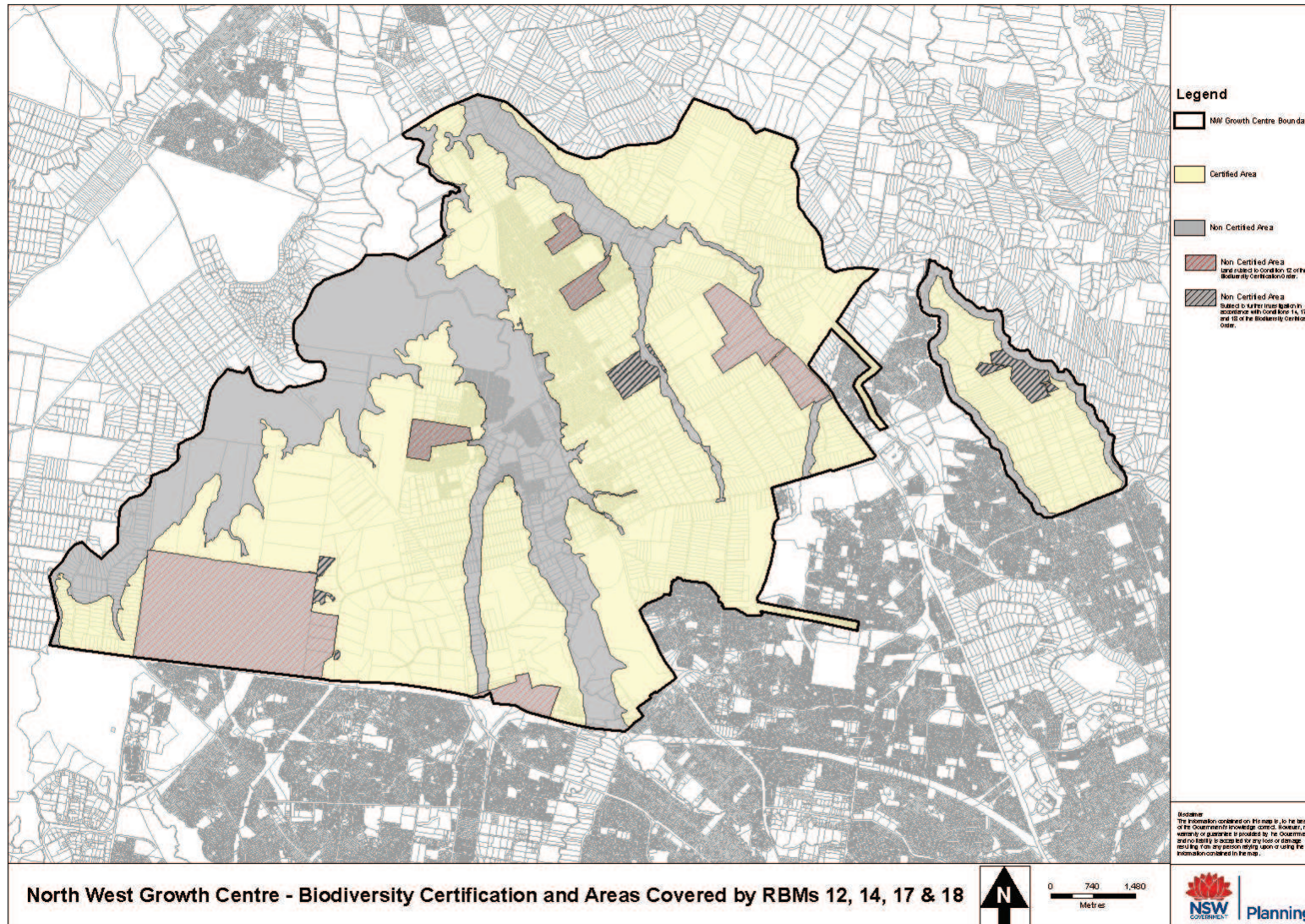


Figure 11: Biodiversity Certification and areas covered by RBMs 12, 14, 17 & 18

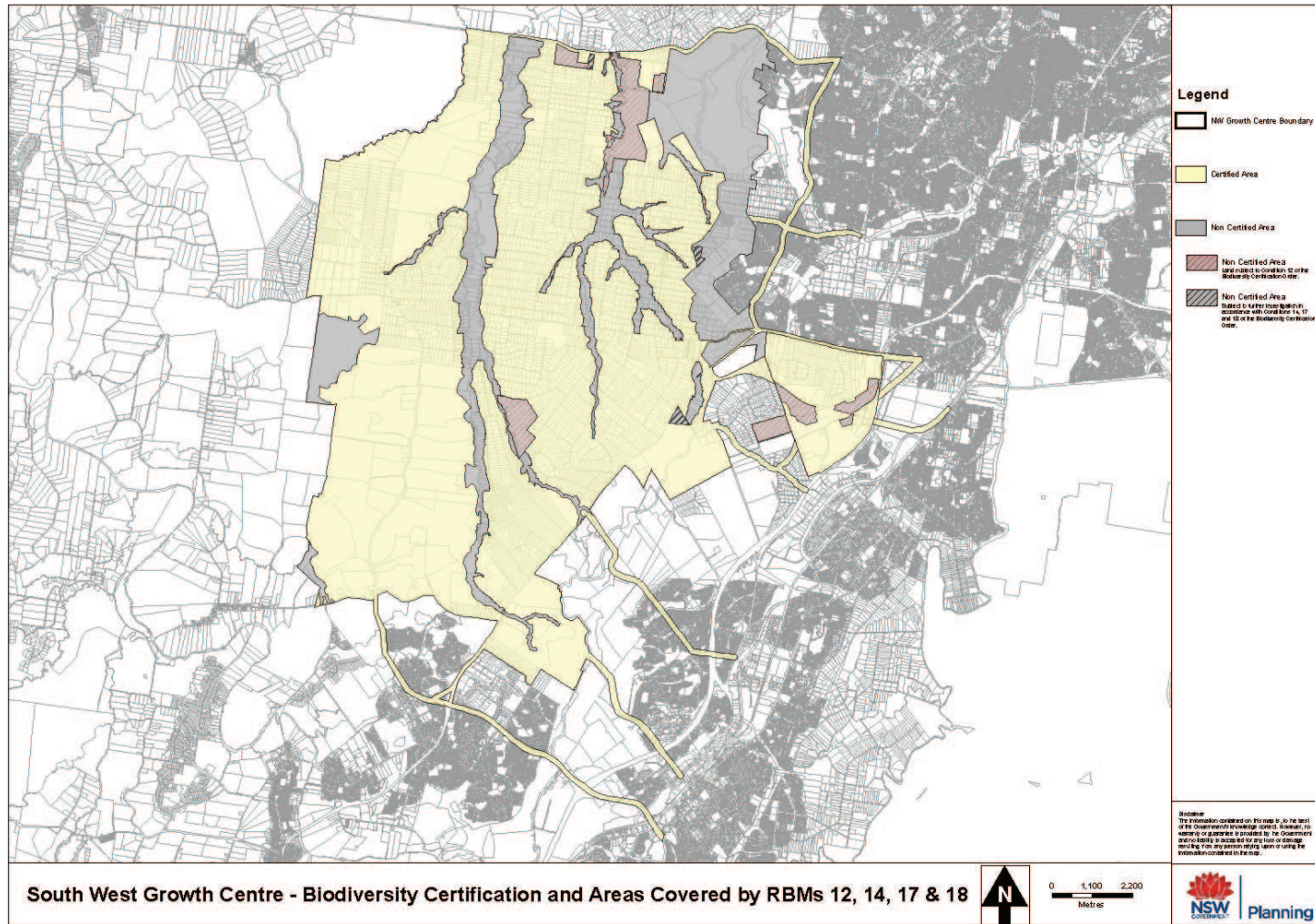


Figure 12: Biodiversity Certification and areas covered by RBMs 12, 14, 17 & 18

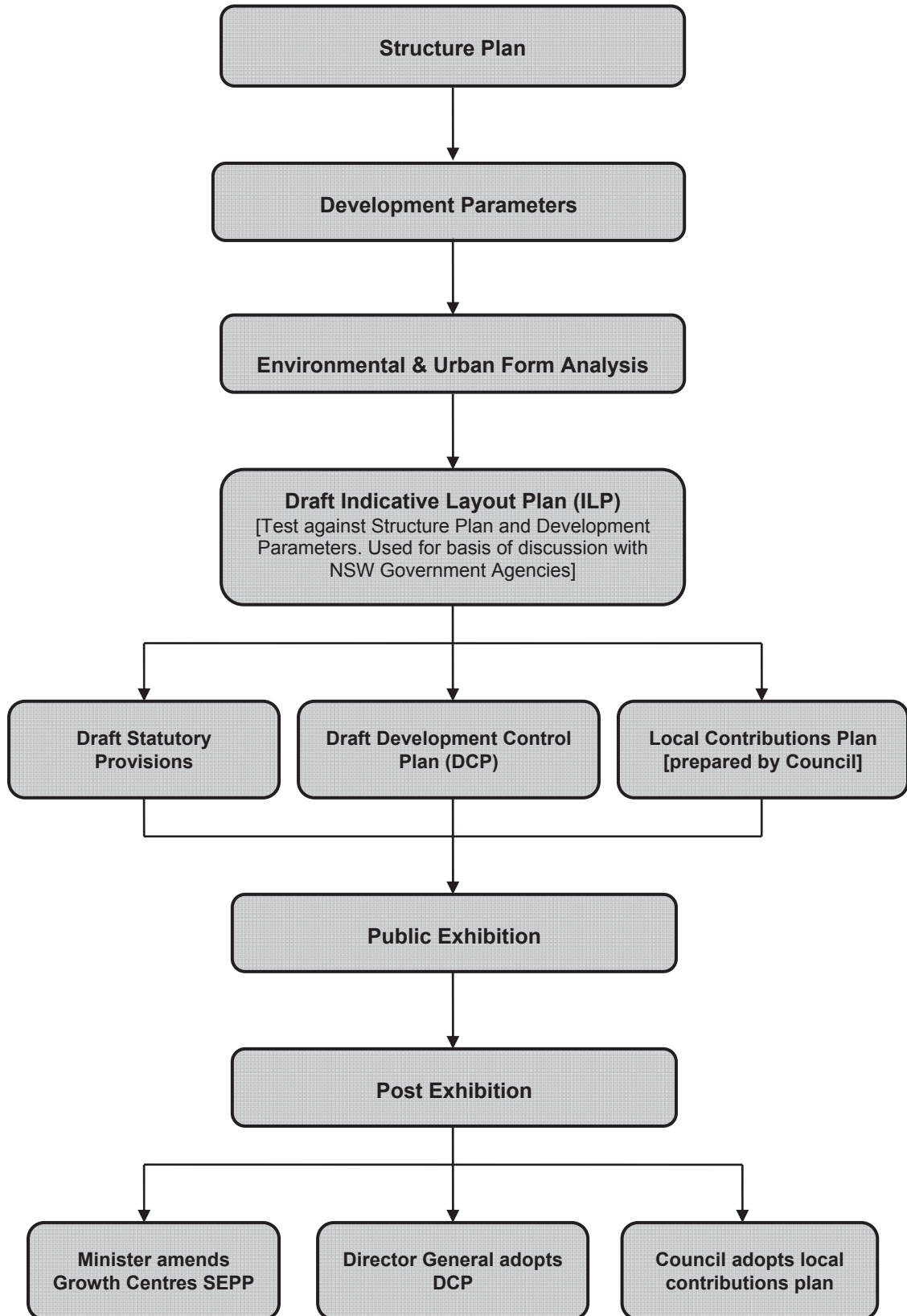


Figure 13: Flow diagram of Precinct Planning

Special Infrastructure Contribution (SIC)

A Special Infrastructure Contribution (SIC) applies to development within the North West and South West Growth Centres to contribute to the funding of infrastructure in the Growth Centres.

Sections 94ED to 94EM of the EP&A Act enable the collection of a SIC as a contribution towards the funding of regional infrastructure. The NSW Minister for Planning has declared that a SIC will apply to development within the Growth Centres.

The contribution is calculated and collected in accordance with the Special Infrastructure Contribution Practice Note. A copy is available on the Sydney Growth Centres website at <http://www.growthcentres.nsw.gov.au/sic-69.html>. It is based on the anticipated need for and cost of infrastructure. The types of infrastructure include: education; roads; emergency services and justice; health services; and conservation lands. The contribution applies to developable lands within the Growth Centres resulting in the costs of regional infrastructure, including conservation, being equitably shared across the Growth Centres.

Other policies applying to the Growth Centres

In addition to the planning framework described above, a number of other statutory and non-statutory policies apply to the Growth Centres. These policies apply at different stages in the development process, including strategic planning, development assessment and construction phases.

3.3 BIODIVERSITY OFFSET PROGRAM

The Growth Centres Biodiversity Offset Program (Offset Program) was established as part of a package of conservation measures, delivered by the NSW Government, to offset the impacts on biodiversity that will occur as the Growth Centres are developed.

The primary goals of the Offset Program are to:

- purchase land for new reserves; and
- establish biobanking agreements over lands outside the Growth Centres for the primary purpose of biodiversity conservation.

The implementation of the Offset Program will help to ensure that the development of the Growth Centres achieves an overall improvement or maintenance of biodiversity values. This will enable the certification of the Growth Centres SEPP to continue operation, thus providing certainty for both future development and conservation outcomes.

The Growth Centres Biodiversity Certification established the Conservation Fund through the Special Infrastructure Contribution applying to development within the Growth Centres. Of the \$530 million in conservation funding:

- \$132.5 million (25%, in 2005/06 dollars) will be spent within the Growth Centres to purchase areas of land identified in the Growth Centres SEPP.
- \$397.5 million (75%, in 2005/06 dollars) of the funding will be spent outside the Growth Centres, targeting the largest and best vegetation remnants with similar ecological values for reservation or conservation agreements

The Growth Centres Offset Program is implemented through the Conservation Fund.

Governance Arrangements

The Biodiversity Certification requires this funding to be allocated annually at the same rate at which development is expected to occur within the Growth Centres. Funding for the Program is allocated to the NSW Environmental Trust, which then provides an annual grant to the DECCW. A review of the Program in 2011 will consider the ongoing suitability of these financial arrangements and the Program's progress in delivering the planned biodiversity offsets.

The governance of the Offset Program is shown in Figure 14. The Conservation Fund is administered by NSW Treasury. Each year the NSW Treasury allocates a portion of the Conservation Fund, based on lot projections, to the NSW Environmental Trust.

The NSW Environmental Trust is an independent statutory body established by the NSW Government. It is empowered under the *Environmental Trust Act 1998* to administer funding arrangements for environmental restoration, rehabilitation, research and education.

The Trust has five members: the NSW Minister for Climate Change and the Environment (Chair); the Secretary of the Treasury; the Director General of DECCW; a nominee of the NSW Nature Conservation Council; and a nominee of the Local Government and Shires Associations.

Funding for the Offset Program is allocated each year by the Environmental Trust to the DECCW in accordance with an approved business plan. The available funding is spent by DECCW on an annual basis for the purposes specified in the Certification. In summary, these purposes are to:

- acquire land for addition to the public reserve system (RBM 23),
- establish conservation agreements on private land (RBM 23),
- provide for the initial management costs of purchased land (RBM 24), and
- provide for the administration costs for purchasing land and/or entering into conservation agreements (RBM 24).

DECCW also has reporting responsibilities in accordance with requirements of the certification and the Environmental Trust.

An Advisory Group has also been established to guide the implementation of the Offset Program. The representatives on this group include DECCW, DoP, NSW Treasury, Hawkesbury Nepean Catchment Management Authority, SEWPaC and the Environmental Trust. The role of the advisory group is to:

- provide over-arching guidance for the implementation of the Offset Program
- provide advice on the evaluation and prioritisation of lands nominated for acquisition or biobanking agreements.
- advise on matters requiring referral to the Environmental Trust for endorsement; and
- provide advice on the actions required to achieve the Offset Program's outcomes.

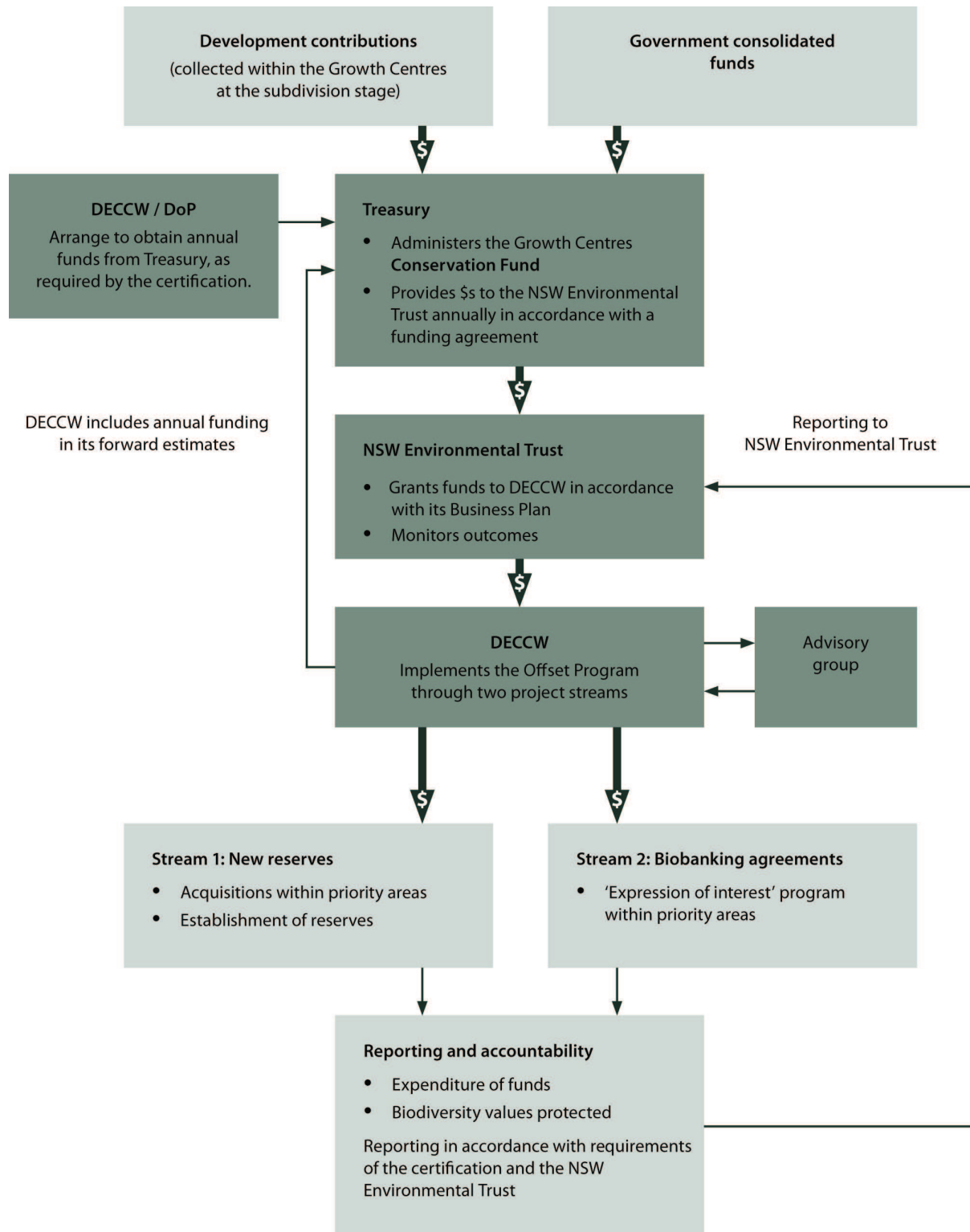


Figure 14: Administration of offset funds and program structure

Application of the Offset Program and method for identifying offset areas

The focus areas for the Offset Program are specified in the Biodiversity Certification. These areas are shown in Figure 9. In summary, funding will be allocated within a cascading series of preferential areas as follows:

- priority areas within the Cumberland Plain, as identified in the Hawkesbury Nepean Catchment Action Plan; then
- priority areas within the Hawkesbury Nepean catchment, as identified in the Hawkesbury Nepean Catchment Action Plan; then
- grassy woodlands within the Hawkesbury Nepean catchment; and then
- grassy woodlands within the Sydney Basin.

Two of the key criteria for consideration of expending the money are the availability of land and cost effectiveness. Cost effectiveness is defined in the RBMs as, *“a consideration of the conservation objectives that would be achieved by purchasing or entering into a conservation agreement for a parcel of land and the cost of the purchase and/or conservation agreement, relative to the cost of achieving the same or similar conservation objectives on other parcels of land within the Sydney Basin.”*

The RBMs also outline the criteria for the land to be purchased within these preferential areas which are:

- *“large remnants of intact native vegetation with the greatest potential for retaining biodiversity values over time;*
- *vegetation communities that are under-represented in the protected area network;*
- *areas of equivalent or better conservation value to that which are to be cleared within the Growth Centres;*
- *areas that contain habitat for threatened species, including but not limited to species to be affected by development of the Growth Centres;*
- *areas that have the highest cost effectiveness;*
- *conservation reserve design principles, such as size, boundary configuration and landscape context;*
- *previous land uses;*
- *likely threats (such as existing or future adjoining land uses); and*
- *availability (including the willingness of landowners to either sell land or place it under a conservation agreement). For the purpose of clarification, no land is intended to be compulsory acquired in order to meet any of the conditions of biodiversity certification.”*

Priority lands

As discussed previously, the priority lands within the Cumberland Plain were identified by DECCW as lands that could most effectively be managed for threatened biodiversity. They represent the best remaining opportunities in the region to maximise long term biodiversity benefits for the lowest possible cost, including the least likelihood of restricting land supply. DECCW considers these lands, which cover approximately 26,000 ha, to be the highest priority for future recovery efforts for the threatened biodiversity of the Cumberland Plain. See Figure 15 for a map of the priority lands.

To identify the priority lands, DECCW undertook an assessment to identify the lands on the Cumberland Plain that could most effectively be managed for threatened biodiversity. These “priority conservation lands represent the best remaining opportunities to secure long-term biodiversity benefits in the region at the lowest possible cost, including the least likelihood of restricting land supply” (DECC 2008).

The priority conservation lands as identified in the *Draft Cumberland Plain Recovery Plan (2009)* are an updated version of the Western Sydney Priority Areas identified in the *Hawkesbury Nepean Catchment Action Plan 2007-2016 (2008)*. They differ slightly in that additional areas were included in the priority conservation lands to meet threatened flora targets for the Draft Cumberland Plain Recovery Plan. Modifications were also made to: ensure consistency with land-use planning decisions by removing areas identified for development, and exclude areas where recent remote imagery indicated that conservation values had been significantly diminished through disturbance.

The identified priority conservation lands comprise 25,566 ha and are located in seven broad “candidate areas” i.e. Castlereagh, Wilberforce, Mulgoa, Hoxton, Holsworthy, Razorback and Nepean.

Implementation Mechanisms

The Offset Program’s funding is proposed to be spent using the following implementation mechanisms. The Advisory Group provides over-arching guidance for the implementation of the Offset Program.

Reserve acquisition

Reserve acquisition is the highest priority for the Program in instances where a property has suitable conservation values and is of sufficient size or adjoins an existing reserve. It is anticipated that most of the new reserves will be nature reserves or national parks. If a suitable property is available for purchase, DECCW will assess the priority of the purchase and, if warranted, will proceed with the acquisition in accordance with its Reserve Establishment Guidelines (DECC 2007).

Reserve establishment

The Biodiversity Certification enables funds to be used for the initial management costs of purchased land. Funding will be provided over the first five years following the acquisition of new reserves in order to manage threats to biodiversity values. Funding over a longer period may be warranted if establishment actions are not completed in the first five years. Ongoing reserve management funding after the initial establishment period will be the responsibility of DECCW. Costs may include preparing and implementing an interim management plan for the acquired land, fencing, managing weeds, removing rubbish and formalising access. The proportion of the Conservation Fund that can be used for Reserve establishment is limited by RBM 24 of the Certification.

Conservation agreements with existing landowners

Conservation agreements are a priority for properties that have suitable conservation values but are too small to be managed as a public reserve or for properties where the landowner is not interested in selling. The preferred conservation agreement for use in the Program is a biobanking agreement established under Part 7A of the NSW TSC Act. Biobanking agreements are in perpetuity and provide a relatively high level of statutory security and also provide funding for ongoing management and monitoring of the site. Other types of conservation agreements could also be used by the Program.

Outcomes for matters of national environmental significance

As outlined in Section 2, the Program will allocate \$278.25 million (as part of the \$397.5 million) towards securing conservation outcomes for matters of national environmental significance outside

the Growth Centres. It should be noted that this commitment is complementary with the objectives to provide offsets for the broader biodiversity values that are protected under NSW legislation.

Offsets for matters of national environmental significance as part of the overall biodiversity offsets package will include:

- The protection of at least 2,400 ha of either CPW or other grassy woodland communities which are similar to CPW in floristic structure outside of the Growth Centres (preference will be given to CPW followed by *White Box*, *Yellow Box*, *Blakely's Red Gum Grassy Woodland* and *Derived Native Grassland*). As part of this commitment at least 205 ha of additional high management viability CPW will be protected outside of the Growth Centres (refer to section 5.2.1 in the Supplementary Report).
- The protection of at least 132 ha of Shale Sandstone Transition Forest.
- The protection of at least 4.4 ha of Turpentine Ironbark Forest.
- The acquisition of offsets for other matters of national environmental significance through the expenditure of the Growth Centres Conservation Fund.

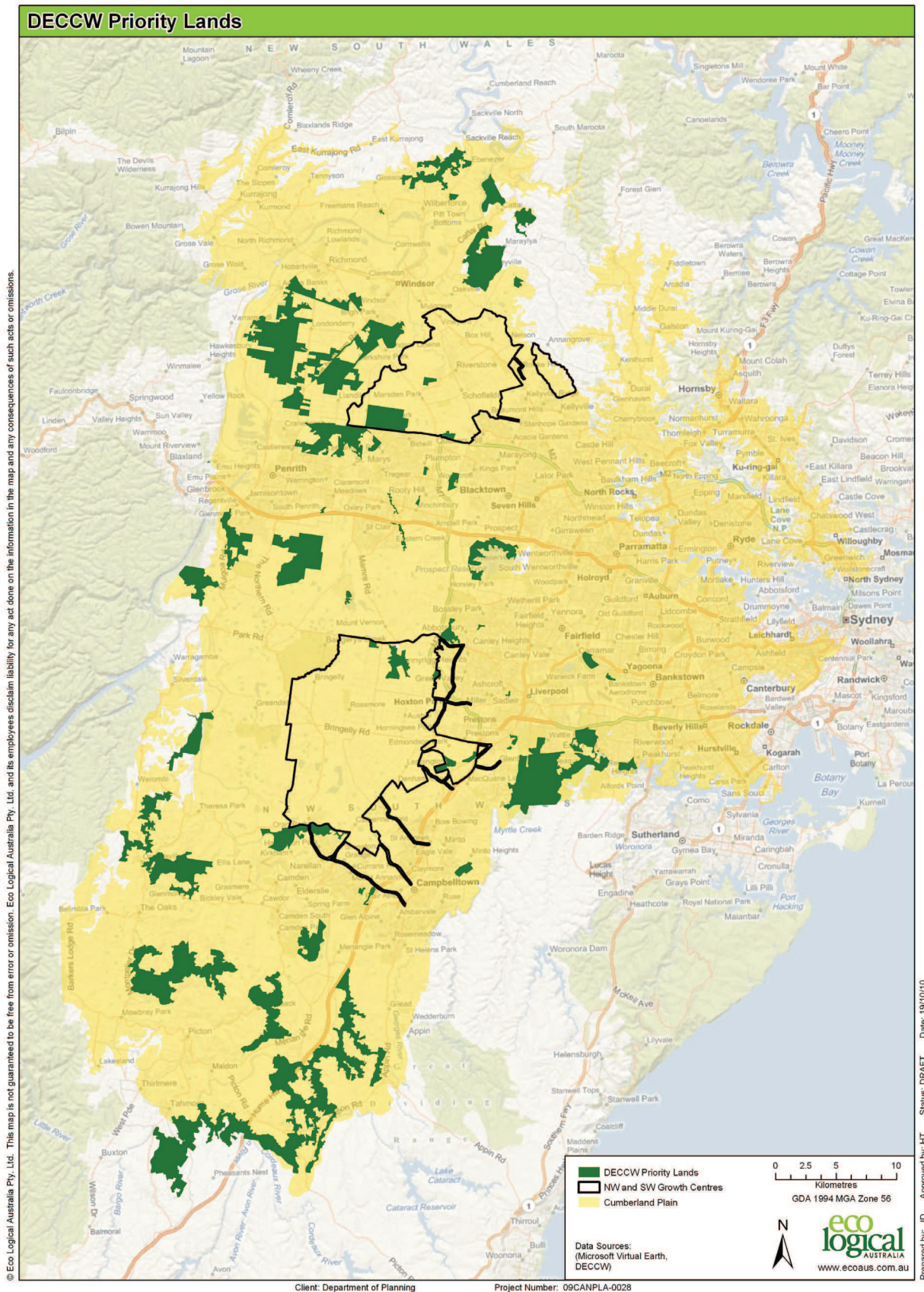


Figure 15: DECCW priority lands for conservation

3.4 MITIGATION AND MANAGEMENT MEASURES WITHIN THE GROWTH CENTRES

There are a range of mitigation and management measures that will be employed in the implementation of the Program. These are focused on providing long term conservation outcomes within the Growth Centres and are discussed under three categories,

- management of conservation areas;
- protection and management of vegetation within other protected areas; and
- management of activities within the development areas to avoid impacts on the protected areas.

Management of conservation areas

The areas zoned under the Growth Centre SEPP that will be managed specifically for conservation across the two Growth Centres total approximately 1,000 ha in size.

The NSW Government has committed to funding the acquisition of these areas and will progressively acquire these areas (see Figure 5 and Figure 8). The Shanes Park Air Services Australia site, is currently owned by the Commonwealth Government and discussions about the possible transfer of this land to the NSW Government are being held. While another area will be purchased by the relevant local Council. These lands are protected for biodiversity conservation through zoning and development controls. The objectives of these areas are established through the Growth Centres SEPP and include:

- *to protect and restore areas of special ecological, scientific or aesthetic values; and*
- *to conserve biological diversity, native vegetation corridors, aboriginal heritage or cultural values of the land, and its scenic qualities.*

Relevant Biodiversity Measure 12 requires that in these areas existing native vegetation must not be cleared unless it is in accordance with a plan of management.

Final responsibility for the ongoing management of these areas has not yet been determined. Until a final decision is made responsibility will remain with the NSW Government or local council.

The long term conservation outcome for these areas is expected to be strong. This is because:

- The objectives of these areas are to protect the environment.
- It is expected that the areas will be managed under Plans of Management. For example, it is likely that Shanes Park will be managed under the NSW *National Parks and Wildlife Act 1974* which has clear requirements around the management of protected areas.
- The area to be acquired by the local council, is expected to be managed under a plan of management under the *Local Government Act 1993* which has clear requirements around the management of protected areas.
- Both the Growth Centres SEPP and the Relevant Biodiversity Measures provide strong protection for the vegetation within these areas. For example, clearing is not permitted unless it is in accordance with a plan of management that is endorsed by DECCW.

Protection and management of vegetation within other protected areas

In addition to the conservation areas identified in the Growth Centres SEPP, there are a range of other areas where vegetation will be protected.

Flood prone and major creeks land

As outlined previously, the Growth Centres SEPP identifies the flood prone and major creeks land within the Growth Centres. The SEPP introduces development controls to retain and protect existing native vegetation within these areas along important creek and riparian corridors.

The SEPP requires consent to be granted for the removal of any native vegetation from properties within the flood prone lands. Before the consent authority can approve development in these areas it must be satisfied that the proposed impact on native vegetation is minimised and any loss is compensated to avoid any net loss, as well as whether the development will adversely impact the floodplain environment and flood behaviour.

The Growth Centres SEPP also requires that the consent authority to be satisfied that:

- there is no reasonable alternative available to the disturbance of the bushland;
- as little as possible is disturbed;
- the disturbance will not increase salinity; and
- disturbed bushland will be reinstated where possible on completion of development.

In addition, further protection and enhancement of native vegetation within these areas and other creeks and riparian corridors, including determining future land uses, will be addressed during the precinct planning process. Depending on the future land use zoning (i.e. open space or drainage) these lands may need to be acquired by the relevant local Council.

Regional Park - Edmondson Park Precinct

A Regional Park will also be established within the Edmondson Park Precinct. This area is being established to protect an area of important vegetation and will be managed by DECCW under the NSW *National Parks and Wildlife Act 1974*.

The EPBC Act conservation agreement for Edmondson Park requires that the area be managed under a plan of management which will be informed by *Recovering Bushland on the Cumberland Plan – Best Practice Guidelines for the Management and Restoration of Bushland* (DECC 2005) and the Statement of Interim Management Intent (SIMI). The SIMI establishes a basis to guide the long term management of the Regional Park by DECCW to enhance biodiversity values. It incorporates the following key management principles: enhance connections with the landscape; enhance existing key habitat values including the Cumberland Plain Shale Woodlands and Shale Gravel Transition Forest values; provide interpretation of the significant components of the site and manage the natural/urban interface.

It is expected that the long term conservation outcome for this area will be strong because it is being established and managed for the purposes of conservation under the NSW *National Parks and Wildlife Act 1974*.

Public Open Space – Edmondson Park Precinct

In addition to the Regional Park, land is also zoned for public open space within the Edmondson Park Precinct. These areas are located with both in the Campbelltown and Liverpool local government areas. The care, control and management rests with the relevant local council and under the *Local Government Act 1993* a plan of management must be prepared to guide the management of these

areas. The EPBC Act conservation agreement for Edmondson Park requires that the plans of management incorporate measures to retain CPW values through the retention of trees; maintenance of the existing native understory and locating passive and active facilities cognisant of existing CPW values. This provides strong protection for the vegetation in these areas.

E3 Environmental Management Zone - North Kellyville Precinct

Land within this zone will generally remain in private ownership. Any development will need to be consistent with the following objectives:

- *to protect, manage and restore areas with special, ecological, scientific, cultural or aesthetic values; and*
- *to provide for a limited range of development that does not have an adverse effect on those values.* (North Kellyville Precinct Plan).

Under the North Kellyville Precinct Plan, development within this zone must not result in the clearing of any native vegetation and must be consistent with the North Kellyville Environmental Management Plan. This provides strong protection for the vegetation in these areas.

E2 Environmental Conservation Zone - Riverstone West Precinct

Land within this zone will generally remain in private ownership. Any development will need to be consistent with the following objectives:

- *to protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values; and*
- *to prevent development that could destroy, damage or otherwise have an adverse effect on those values.* (Riverstone West Precinct Plan).

The Growth Centres SEPP requires the preparation of a vegetation management plan for the land within the E2 zone prior to development occurring. The vegetation management plan must address environmental values, methods for revegetation and rehabilitation, weed control, monitoring and ongoing management of the land. In addition, the vegetation management plan must include measures to control threats to remnant riparian vegetation, to increase species diversification and riparian vegetation cover and to improve resistance to future weed colonisation. This provides strong protection for the vegetation in these areas.

Alex Avenue, North Kellyville, Riverstone & Riverstone West Precincts - Existing Native Vegetation Areas

Land within these areas will generally remain in private ownership. These areas include the existing native vegetation identified under the Growth Centres Biodiversity Certification. The objective for these areas is to manage existing native vegetation in accordance with the Relevant Biodiversity Measures. The controls require that the consent authority must be satisfied that any development within these areas will not result in the clearing of any native vegetation. This provides strong protection for the vegetation in these areas. These areas are generally within either the E3 or E2 zones described previously.

As more precincts are rezoned it is expected that additional existing native vegetation areas will be identified and these controls applied to protect the vegetation.

Alex Avenue, North Kellyville, Riverstone & Riverstone West Precincts - Native Vegetation Retention Areas

Land within these areas will generally remain in private ownership. These areas include remnant native vegetation that is considered to be of conservation value, but are not identified under the Growth Centres Biodiversity Certification. The objective for these areas is to prevent the clearing of native vegetation. Prior to granting consent, the consent authority must be satisfied that the proposed impact on native vegetation is minimised and any loss is compensated to avoid any net loss. This provides strong protection for the vegetation in these areas.

As more precincts are rezoned it is expected that additional existing native vegetation areas will be identified and these controls applied to protect the vegetation.

Western Sydney Parklands

The Western Sydney Parklands have been identified and acquired overtime by the NSW Government to form a major regional park facility for Western Sydney. They are partially located within the South West Growth Centre. The Parklands will provide significant recreation opportunities, while also protecting significant conservation and cultural values. The Parklands extend from Blacktown to Liverpool and connect the North West and South West Growth Centre and include around 5,500 ha of land.

Kemps Creek Nature Reserve

This reserve is located adjacent to the Western Sydney Parklands. It was established in 2003 and covers more than 120 ha. It is managed by DECCW in accordance with the *National Parks and Wildlife Act 1974*.

The NSW TSC Act continues to apply to the Kemps Creek Nature Reserve and threatened species assessments are required to be undertaken where development is likely to have a significant effect on threatened species. The long term conservation outcome for this area is expected to be strong. This is because:

- the land will be managed by the NSW Government for environmental conservation purposes;
- it is expected that the areas will be managed under Plans of Management under relevant legislation – e.g. under the NSW *National Parks and Wildlife Act 1974* which has clear requirements around the management of protected areas; and
- both the Growth Centres SEPP and the Relevant Biodiversity Measures provide strong protection for the vegetation within these areas. For example, under RBM 12, clearing is not permitted unless it is in accordance with a plan of management that is endorsed by DECCW.

Rossmore Grange – Rossmore & North Rossmore Precincts, South West Growth Centre

The Rossmore Grange covers 80 ha and is zoned RE1 Public Recreation under the *Liverpool Local Environmental Plan 2008*. The area contains high quality existing native vegetation, provides an important area for passive recreation and is recognised as a place of Aboriginal significance. This area is owned and managed by Liverpool City Council. The objectives for the area are:

- *to enable land to be used for public open space or recreational purposes;*
- *to provide a range of recreational settings and activities and compatible land uses;*
- *to protect and enhance the natural environment for recreational purposes;*
- *to provide sufficient and equitable distribution of public open space to meet the needs of residents; and*

- to ensure the suitable preservation and maintenance of environmentally significant or environmentally sensitive land. (Liverpool LEP 2008)

The area is non-certified, therefore the NSW TSC Act continues to apply to the area and threatened species assessments are required to be undertaken where development is likely to have a significant effect on threatened species.

The long term conservation outcome for this area is expected to be strong. This is because:

- one of the key objectives is to preserve and maintain areas of environmentally significant or environmentally sensitive land; and
- the area will be managed under a plan of management under the *Local Government Act 1993*, which has clear requirements around the management of community land.

Westlink M7 Offsets

These lands have been acquired by the NSW Roads and Traffic Authority (RTA) to offset impacts related to the construction of the Westlink M7 Motorway (formerly known as the Western Sydney Orbital). There are three areas: one within the Public Recreation – Regional zone within the Area 20 Precinct, to the south of the Colebee Precinct and to the west of the Western Sydney Parklands within Kemps Creek Precinct (see Figure 5 and Figure 8). These lands will ultimately be transferred from the RTA to DECCW who will be responsible for the ongoing management of these lands under the NSW *National Parks and Wildlife Act 1974* (NP&W Act).

The NSW TSC Act continues to apply to these lands and threatened species assessments are required to be undertaken where development is likely to have a significant effect on threatened species. The long term conservation outcome for this area is expected to be strong. This is because:

- the land will be managed by the NSW Government for environmental conservation purposes;
- it is expected that the areas will be managed under Plans of Management under relevant legislation – e.g. under the NP&W Act which has clear requirements around the management of protected areas; and
- both the Growth Centres SEPP and the Relevant Biodiversity Measures provide strong protection for the vegetation within these areas. For example, under RBM 12, clearing is not permitted unless it is in accordance with a plan of management that is endorsed by DECCW.

Management of activities within the development areas

Appropriate mitigation and management measures within the development areas within the Growth Centres are also in place to avoid impacts on the conservation areas. Again, these measures will further ensure that long term conservation outcomes are delivered successfully.

The Relevant Biodiversity Measures require a minimum of 2,000 ha of existing native vegetation to be retained and protected within the Growth Centres (RBM 6). As part of the precinct planning, consideration is given to the amount of existing native vegetation, as identified in the Conservation Plan, to be retained or otherwise offset consistent with the broader 2,000 ha requirement.

The Growth Centres SEPP and the Growth Centres Development Code include objectives and provisions that support the retention of native vegetation through incorporating existing vegetation into parks, centres, schools and other community facilities. Some existing areas may also be successfully incorporated into subdivision patterns and road design. These objectives will avoid widespread clearing prior to construction and enable the creation of attractive and liveable neighbourhoods.

The Development Code guides the preparation of Precinct Development Control Plans (DCPs), which establish the detailed development controls and standards for particular types of development. As each of the precincts will vary in terms of the natural and built environment, the Development Code does not provide an exhaustive list of issues to be covered in a DCP, but rather the key issues that provide the starting point for the preparation of the DCP.

The management of development and activities within the development areas in the Growth Centres will be addressed in detailed controls in DCPs. It is considered that development in accordance with these provisions will avoid impacts on adjoining protected areas.

Precinct DCPs will establish environmental building and site controls including: privacy, energy conservation, waste management, salinity and soil management, cut and fill, contamination, bush fire, crime prevention, stormwater and biodiversity. Urban form controls relating to residential development, street networks, neighbourhood structure, density and centres are also addressed in DCPs.

In accordance with RBM 19 of the Biodiversity Certification, provisions must be included that require, where practicable, the appropriate use of native plants (including but not limited to seed collection) and the relocation of native animals from development sites prior to development commencing and the appropriate use of top soil from development sites that contain known or potential native seed bank. Appropriate uses may include, but are not limited to, revegetation or restoration works and landscaping in the Growth Centres.

Precinct planning addresses the following elements of sustainable greenfield land release planning, which will also minimise impacts on the protected areas. They include: open space planning – the location and design of parks to enable retention of existing vegetation to protect biodiversity; water sensitive urban design – integration of exhibition vegetation and natural drainage lines within the subdivision and road layouts and designs; and retention of existing vegetation in lower density areas and within recreation areas.

Many areas in the Growth Centres are currently degraded due to clearing and farming. To achieve leading practice urban outcomes, through detailed precinct planning additional areas will be zoned for open space, while land along riparian corridors is likely to be rehabilitated and revegetated as development occurs. This will further contribute to the amenity, sustainability and biodiversity value of the future towns and neighbourhoods of the Growth Centres. For example in Oran Park Precinct more than 148 ha is identified for open space and in Riverstone West Precinct more than 70 ha of land along the Eastern Creek corridor has been zoned for environmental conservation. Additional areas are expected to be protected as the detailed precinct planning for more precincts is completed.

4. Commitments for matters of national environmental significance

The Program includes a range of commitments for matters of national environmental significance protected under the EPBC Act. This section describes those commitments and the activities to achieve them for each of the key matters.

The commitments are drawn from the analysis in the Supplementary Assessment Report and Draft Strategic Assessment Report (Part B), and build upon the Relevant Biodiversity Measures for the Growth Centres Biodiversity Certification. Reference should be made in particular to the Draft Strategic Assessment Report for detail about each matter, which includes:

- the values of the matter in relation to the Growth Centres (e.g. distribution, presence, important areas etc);
- potential impacts to the matter;
- proposed measures to mitigate and manage potential impacts;
- proposed offset measures; and
- the conservation outcome for the matter.

The matters of national environmental significance discussed below are focused on those matters for which conservation activities are considered necessary and/or for which the Program will provide a benefit. These are:

- Threatened ecological communities: Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest, Shale Sandstone Transition Forest, and Turpentine-Ironbark Forest in the Sydney Basin Bioregion.
- Threatened flora: Downy Wattle (*Acacia pubescens*), *Darwinia biflora*, *Dillwynia tenuifolia*, Small-flowered Grevillea (*Grevillea parviflora* subsp. *parviflora*), *Micromyrtus minutiflora*, *Persoonia hirsuta*, *Persoonia nutans*, *Pimelea spicata*, and *Pultenaea parviflora*.
- Threatened fauna: Swift Parrot (*Lathamus discolor*), Green and Golden Bell Frog (*Litoria aurea*), Large-eared Pied bat (*Chalinolobus dwyeri*), and Grey-headed Flying Fox (*Pteropus poliocephalus*).

4.1 FUNDING ARRANGEMENTS FOR OFFSETS

Commitments	Actions	Responsibility	Timing
1. Allocation of part of the Growth Centres Conservation Fund for offsetting Matters of National Environmental Significance.	<p>a) Providing \$530 million (2005-06 dollar values) to the Growth Centres Conservation Fund over the life of development of the Growth Centres. Of this amount, \$397.5 million is to be used to acquire lands and/or enter into conservation agreements over lands that are outside of the Growth Centres for the primary purpose of biodiversity conservation. This funding is to be provided and spent in accordance with the relevant biodiversity measures contained within the Growth Centres Biodiversity Certification.</p>	NSW Government	Ongoing
	<p>b) Allocating \$278.25 million of the Growth Centres Conservation Fund to be used for the purpose of protecting outside of the Growth Centres the MNES listed below, to the extent that this purpose is consistent with the measures contained in the Growth Centres Biodiversity Certification.</p> <p>The relevant MNES are:</p> <ul style="list-style-type: none"> • <u>Threatened ecological communities:</u> Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest, Shale Sandstone Transition Forest, and Turpentine-Ironbark Forest in the Sydney Basin Bioregion. <p>Funds may also be used to secure “grassy woodland” communities that are similar to CPW in floristic structure outside the Growth Centres within the combined area of the Sydney Basin Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area. Preference is to be given to CPW followed by <i>White Box</i>, <i>Yellow Box</i>, <i>Blakely’s Red Gum Grassy Woodland</i> and <i>Derived Native Grassland</i>. The term “grassy woodland(s)” is as defined in the Growth Centres Biodiversity Certification.</p> <ul style="list-style-type: none"> • <u>Threatened flora:</u> Downy Wattle (<i>Acacia pubescens</i>), <i>Darwinia biflora</i>, <i>Dillwynia tenuifolia</i>, Small-flowered Grevillea (<i>Grevillea parviflora</i> subsp. <i>parviflora</i>), <i>Micromyrtus minutiflora</i>, <i>Persoonia hirsuta</i>, <i>Persoonia nutans</i>, <i>Pimelea spicata</i>, and <i>Pultenaea parviflora</i>. • <u>Threatened fauna:</u> Swift Parrot (<i>Lathamus discolor</i>), Green and Golden Bell Frog (<i>Litoria aurea</i>), Large-eared Pied bat (<i>Chalinolobus dwyeri</i>), and Grey-headed Flying Fox (<i>Pteropus poliocephalus</i>). 	NSW Government	Ongoing

4.2 JOINT DELIVERY INITIATIVE FOR CPW

Commitments	Actions	Responsibility	Timing
<p>2. The NSW Government (DoP and DECCW) and the Commonwealth Government (SEWPaC) will develop a framework for the identification of government measures to help ensure the retention of HMV CPW within the Priority Conservation Lands.</p> <p><i>NB: This Program Commitment is a commitment made in good faith for the ongoing protection of CPW in relation to actions that are beyond the scope of the Program but that will work alongside the Program.</i></p>	<p>a) Develop and document the framework via an exchange of letters, Memorandum of Understanding or another mechanism.</p>	<p>DoP DECCW SEWPaC</p>	<p>Post EPBC Act endorsement of the Program</p>

4.3 REVIEW OF ZONING

Commitments	Actions	Responsibility	Timing
<p>3. Review the provisions of the Environment Conservation and Public Recreation - Regional zones in the Growth Centres SEPP to confirm they are adequate for conservation purposes.</p>	<p>a) Undertake a review of the zone objectives, permitted land uses and development controls to ensure the conservation values of the land are adequately protected.</p>	<p>DoP</p>	<p>Within 12 months of EPBC Act endorsement of the Program</p>

4.4 THREATENED ECOLOGICAL COMMUNITIES

Cumberland Plain Shale Woodlands and Shale Gravel Transition Forest (CPW)

Commitments	Actions	Responsibility	Timing
4. Retention and protection of a minimum of 998 ha of CPW within the Growth Centres, including a minimum of 363 ha of HMV CPW	i) Retention and protection of CPW in the following areas of the Growth Centres:		
	a) 138 ha within Flood Prone Land to be protected through the vegetation clearing controls under the Growth Centres SEPP or through zoning and/or development controls following completion of precinct planning.	NSW Government Relevant consent authorities	Ongoing
	b) 424 ha within Environment Conservation and Public Recreation – Regional zoning to be protected through: <ul style="list-style-type: none"> ▪ RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; 	DECCW	Ongoing
	<ul style="list-style-type: none"> ▪ the zoning and vegetation clearing controls under the Growth Centres SEPP; and 	DoP Relevant consent authorities	Zoning completed in 2006 Management ongoing
	<ul style="list-style-type: none"> ▪ the Growth Centres Conservation Fund which provides funding to acquire the land. 	DoP	As land becomes available for purchase
	c) 280 ha to be protected within existing reserved areas including the Westlink M7 Motorway Offsets area, the Kemps Creek Nature Reserve, and the Western Sydney Parklands.	DECCW	Ongoing
	d) 79 ha to be protected within protected zones within Edmondson Park.	DECCW Relevant local Council	Ongoing
	e) 77 ha to be retained within non-certified and transitional lands. These areas will be retained subject to the confirmation of the presence of the community through survey at the precinct planning stage.	NSW Government	Ongoing
	ii) If for any reason the above targets cannot be achieved then the NSW Government will ensure that 998 ha of CPW is protected within the Growth Centres through the measures contained in either RBM 8a or 8b.		

Commitments	Actions	Responsibility	Timing
5. Assessment of 14 ha HMV CPW within Marsden Park & Marsden Park Industrial Precincts to confirm its presence and if present protect.	a) Assessment of the HMV CPW in accordance with RBM 14 and 15.	DoP	Prior to the public exhibition of the draft precinct planning controls for the Marsden Park & Marsden Park Industrial Precincts
	b) Based on the outcomes of the assessment, DECCW will advise the NSW Minister for the Environment whether the area should be protected in accordance with RBM 16.	DECCW	During the precinct planning process
6. Contribution towards the long term sustainability and persistence of CPW and other grassy woodlands. The NSW Government ensure the protection of at least 2,400 ha of either CPW or other "grassy woodland" communities which are similar to CPW in floristic structure outside the Growth Centres within the combined area of the Sydney Basin Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area. Preference to be given to CPW followed by <i>White Box</i> , <i>Yellow Box</i> , <i>Blakely's Red Gum Grassy Woodland</i>	a) Implementation of the Growth Centres Conservation Fund and Growth Centres Biodiversity Offset Program to secure suitable areas of CPW. Specific actions to include: <ul style="list-style-type: none"> ▪ Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure at least 2,400 ha of either CPW or other "grassy woodland" communities outside the Growth Centres within the combined area of the Sydney Basin Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area. Preference to be given to CPW followed by <i>White Box</i>, <i>Yellow Box</i>, <i>Blakely's Red Gum Grassy Woodland and Derived Native Grassland</i>. ▪ Allocation of the funding in accordance with the preferences indicated in RBM 32. ▪ Targeting of lands for protection to be guided by the criteria identified in RBM 33. ▪ Protection of a minimum of 205 ha of HMV CPW outside of the Growth Centres. If this target cannot be achieved due to unavailability of HMV, other areas of CPW within the priority lands may contribute toward the 205 ha provided it has the capacity to regenerate to benchmark condition with management. An area of CPW is deemed to be capable of regenerating to benchmark condition if 70% of the condition variables for the vegetation, measured using the biobanking methodology, 	NSW Government with administration of the Offset Program being the responsibility of DECCW (and guided by the Advisory Group) in accordance with the Growth Centres Biodiversity Certification	Over the life of the Program

Commitments	Actions	Responsibility	Timing
<i>and Derived Native Grassland.</i>	<p>are within 50% of the lower benchmark value for CPW.</p> <ul style="list-style-type: none"> ▪ As a minimum rate of progress, 15% of the 205 ha target is to be protected within 4 years of the EPBC Act endorsement of the Program, with an additional 15% being protected on every fourth anniversary of the endorsement until the 205 ha target is achieved. These dates may be amended with the approval of SEWPaC. 		
7. Review of the Priority Conservation Lands to consider inclusion of all HMV CPW remnants.	<p>a) Review to be undertaken in accordance with a methodology to be agreed with SEWPaC. At a minimum, the following areas of HMV CPW will be reviewed for inclusion in the Priority Conservation Lands:</p> <ul style="list-style-type: none"> ▪ Areas of HMV CPW greater than 10 ha and that are contiguous with HMV CPW occurring within the Priority Conservation Lands. ▪ Areas of contiguous HMV CPW greater than 20 ha that are outside the Priority Conservation Lands. 	DECCW	By 30 December 2011

Shale Sandstone Transition Forest (SSTF)

Commitments	Actions	Responsibility	Timing
8. Retention and protection of a minimum of 58 ha of SSTF within the Growth Centres	i) Retention and protection of SSTF in the following areas of the North West Growth Centre:		
	a) 5.5 ha within Flood Prone Land to be protected through the vegetation clearing controls under the Growth Centres SEPP.	NSW Government Relevant consent authorities	Ongoing
	b) 5.5 ha within Public Recreation – Regional zoning to be protected through: <ul style="list-style-type: none"> ▪ RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; 	DECCW	Ongoing

Commitments	Actions	Responsibility	Timing
	<ul style="list-style-type: none"> ▪ the zoning and vegetation clearing controls under the Growth Centres SEPP; and 	DoP Relevant consent authorities	Zoning completed in 2006 Management ongoing
	<ul style="list-style-type: none"> ▪ the Growth Centres Conservation Fund which provides funding to acquire the land. 	DoP	As land becomes available for purchase
	c) 0.5 ha within the Westlink M7 Motorway Offsets area to be protected through maintenance of the existing conservation area (purchased by the RTA for transfer to DECCW as part of the Westlink M7 Motorway offsets).	DECCW	Ongoing
	d) 46.5 ha within the E3 Environmental Management zone in North Kellyville to be protected under the existing native vegetation and native vegetation retention controls under the North Kellyville Precinct Plan.	Relevant consent authorities	Ongoing
9. Contribution towards the long term sustainability and persistence of SSTF. The NSW Government will ensure the protection of at least 132 ha of SSTF outside of the Growth Centres within the combined area of the Sydney Basin Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area.	<p>a) Implementation of the Growth Centres Conservation Fund and Growth Centres Offset Program to secure suitable areas of SSTF. Specific actions to include:</p> <ul style="list-style-type: none"> ▪ Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure suitable areas of SSTF. ▪ Allocation of the funding in accordance with the preferences indicated in RBM 32. ▪ Targeting of lands for protection to be guided by the criteria identified in RBM 33. 	NSW Government with administration of the Offset Program being the responsibility of DECCW (and guided by the Advisory Group) in accordance with the Growth Centres Biodiversity Certification	Over the life of the Program

Turpentine-Ironbark Forest in the Sydney Basin Bioregion (TIF)

Commitments	Actions	Responsibility	Timing
10. Contribution towards the long term sustainability and persistence of TIF. The NSW Government will ensure the protection of at least 4.4 ha of TIF outside of the Growth Centres within the combined area of the Sydney Basin Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area.	<p>a) Implementation of the Growth Centres Conservation Fund and Growth Centres Biodiversity Offset Program to secure suitable areas of TIF. Specific actions to include:</p> <ul style="list-style-type: none"> ▪ Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure suitable areas of TIF. ▪ Allocation of the funding in accordance with the preferences indicated in RBM 32. ▪ Targeting of lands for protection to be guided by the criteria identified in RBM 33. 	NSW Government with administration of the Offset Program being the responsibility of DECCW (and guided by the Advisory Group) in accordance with the Growth Centres Biodiversity Certification	Over the life of the Program

4.5 THREATENED FLORA

Downy Wattle (*Acacia pubescens*)

Commitments	Actions	Responsibility	Timing
11. Survey to confirm the presence of <i>Acacia pubescens</i> in the area of the two known records within the Growth Centres in Kemps Creek and Austral.	a) Survey to confirm the presence of the population in the Kemps Creek Precinct in accordance with RBM 17.	DoP	Prior to the public exhibition of the draft precinct planning controls for the Kemps Creek Precinct
	b) Survey to confirm the presence of the population in the Austral Precinct in accordance with RBM 17.	DoP	Prior to the public exhibition of the draft precinct planning controls for the Austral Precinct

<p>12. Protect if presence of <i>Acacia pubescens</i> is confirmed within the Growth Centres in Kemps Creek or Austral and the population is identified as significant relative to the adjacent property by DECCW.</p>	<p>a) If required by DECCW, protect an area of suitable habitat for the species in the Kemps Creek Precinct in accordance with RBM 17.</p>	<p>DoP DECCW has approval role</p>	<p>Prior to the rezoning of Kemps Creek Precinct protection mechanisms will be agreed with DECCW</p>
	<p>b) If required by DECCW, protect an area of suitable habitat for the species in the Austral Precinct in accordance with RBM 17.</p>	<p>DoP DECCW has approval role</p>	<p>Prior to the rezoning of Austral Precinct protection mechanisms will be agreed with DECCW</p>
	<p>c) If protection under the above sub clauses a) or b) is required, this may be achieved through the implementation of various mechanisms such as:</p> <ul style="list-style-type: none"> ▪ zoning, such as the E2 Environmental Conservation or E3 Environmental Management zones with appropriate objectives and permissible/prohibited land uses; or ▪ additional planning controls, such as the 'Existing Native Vegetation Retention' area overlay which applies to land where the clearing of vegetation is prohibited.; or ▪ Environmental Management controls in development control plans establishing management requirements. 	<p>DoP DECCW has approval role</p>	<p>If required, prior to the rezoning of the Kemps Creek Precinct and/or the Austral Precinct</p>

13. Provision of offsets focussed on protecting potential habitat for <i>Acacia pubescens</i> that occur outside the Growth Centres.	a) Implementation of the Growth Centres Conservation Fund and Growth Centres Biodiversity Offset Program to secure suitable areas of potential habitat for <i>Acacia pubescens</i> . Specific actions to include: <ul style="list-style-type: none"> ▪ Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure suitable areas of potential habitat for <i>Acacia pubescens</i>. ▪ Allocation of the funding in accordance with the preferences indicated in RBM 32. ▪ Targeting of lands for protection to be guided by the criteria identified in RBM 33. 	NSW Government with administration of the Offset Program being the responsibility of DECCW (and guided by the Advisory Group) in accordance with the Growth Centres Biodiversity Certification	Over the life of the Program
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Darwinia biflora

Commitments	Actions	Responsibility	Timing
14. Protection of four known populations of <i>Darwinia biflora</i> within the Growth Centres.	a) Protection and ongoing management of key populations within the North Kellyville Precinct through zoning as E3 Environmental Management and existing native vegetation controls.	Relevant consent authorities	Zoning Completed in December 2008 Management – ongoing

Dillwynia tenuifolia

Commitments	Actions	Responsibility	Timing
15. Retention and protection of habitat supporting the four important populations of <i>Dillwynia tenuifolia</i> known to occur within the Growth Centres through acquisition of land for environmental conservation.	a) Protection of the Marsden Park North population within Environment Conservation zoning through: <ul style="list-style-type: none"> ▪ RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; 	DECCW has approval role	Ongoing
	<ul style="list-style-type: none"> ▪ the zoning and vegetation clearing controls under the Growth Centres SEPP; and 	DoP Relevant consent authorities	Zoning completed in 2006 Management ongoing

Commitments	Actions	Responsibility	Timing
	<ul style="list-style-type: none"> ▪ the Growth Centres Conservation Fund which provides funding to acquire the land. 	DoP	As land becomes available for purchase
	<p>b) Protection of the population within the Air Services Australia site at Shanes Park (noting that at the time of finalising the Program the site is still under care of the Commonwealth) through:</p> <ul style="list-style-type: none"> ▪ RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and 	DECCW	Ongoing
	<ul style="list-style-type: none"> ▪ the zoning and vegetation clearing controls under the Growth Centres SEPP. 	DoP Relevant consent authorities	Zoning completed in 2006 Management ongoing
	<p>c) Protection of the majority of the large population within Kemps Creek through:</p> <ul style="list-style-type: none"> ▪ RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and 	DECCW	Ongoing
	<ul style="list-style-type: none"> ▪ the zoning and vegetation clearing controls under the Growth Centres SEPP. 	DoP Relevant consent authorities	Zoning completed in 2006 Management ongoing
	<p>d) Protection of the large population that occurs within the Westlink M7 Motorway offset adjacent to the Colebee Precinct through maintenance of the existing conservation area (purchased by the RTA for transfer to DECCW as part of the Westlink M7 Motorway offsets).</p>	DECCW	Ongoing

Commitments	Actions	Responsibility	Timing
16. Increase in the number of known sites for the species under conservation and management outside of the Growth Centres.	a) Acquisition of the Cranebrook site which supports a very large and significant population of <i>Dillwynia tenuifolia</i> (estimated that the population consists of 125,000 to 222,000 plants) through a contribution from the Conservation Fund towards the purchase and initial reserve establishment costs.	DECCW	Completed 2008-09
	b) Management of the Cranebrook site to preserve its ecological values.	DECCW	Ongoing

Small-flowered Grevillea (*Grevillea parviflora subsp. parviflora*)

Commitments	Actions	Responsibility	Timing
17. Retention and protection of habitat supporting the population known to occur within the Growth Centres through acquisition of land in Kemps Creek.	a) Protection of the majority of the large population within Kemps Creek through: <ul style="list-style-type: none"> ▪ RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and 	DECCW	Ongoing
	<ul style="list-style-type: none"> ▪ the zoning and vegetation clearing controls under the Growth Centres SEPP. 	DoP	Zoning completed in 2006 Management ongoing
18. Survey to confirm the presence of <i>Grevillea parviflora subsp. parviflora</i> in the Kemps Creek Precinct.	a) Survey to confirm the presence of the population in the Kemps Creek Precinct in accordance with the methodology consistent with RBM 17 as it applies to <i>Acacia pubescens</i> in the Kemps Creek area.	DoP	Prior to the public exhibition of the draft precinct planning controls for the Kemps Creek Precinct
19. Protect if presence of <i>Grevillea parviflora subsp. parviflora</i> is confirmed and population is identified as significant relative to the adjacent property by DECCW.	a) If required by DECCW, protect an area of suitable habitat for the species in the Kemps Creek Precinct to the satisfaction of DECCW in accordance with RBM 17 as it applies to <i>Acacia pubescens</i> in the Kemps Creek area.	DoP DECCW has approval role	Prior to the rezoning of Kemps Creek Precinct protection mechanisms will be agreed with DECCW

Commitments	Actions	Responsibility	Timing
	<p>b) If protection under 19a is required, this may be achieved through the implementation of various mechanisms such as:</p> <ul style="list-style-type: none"> ▪ zoning, such as the E2 Environmental Conservation or E3 Environmental Management zones with appropriate objectives and permissible/prohibited land uses; or ▪ additional planning controls, such as the 'Existing Native Vegetation Retention' area overlay which applies to land where the clearing of vegetation is prohibited.; or ▪ Environmental Management controls in development control plans establishing management requirements. 	<p>DoP DECCW has approval role</p>	<p>If required, prior to the rezoning of the Kemps Creek Precinct.</p>

Micromyrtus minutiflora

Commitments	Actions	Responsibility	Timing
<p>20. Retention and protection of habitat supporting the two important populations known to occur within the Growth Centres.</p>	<p>a) Protection of the Marsden Park North population within Environment Conservation zoning through:</p> <ul style="list-style-type: none"> ▪ RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; 	<p>DECCW</p>	<p>Ongoing</p>
	<ul style="list-style-type: none"> ▪ the zoning and vegetation clearing controls under the Growth Centres SEPP; and 	<p>DoP Relevant consent authorities</p>	<p>Zoning completed in 2006 Management ongoing</p>
	<ul style="list-style-type: none"> ▪ the Growth Centres Conservation Fund which provides funding to acquire the land. 	<p>DoP</p>	<p>As land becomes available for purchase</p>

Commitments	Actions	Responsibility	Timing
	b) Protection of the population within the Air Services Australia site at Shanes Park (noting that at the time of finalising the Program the site is still under care of the Commonwealth) through: <ul style="list-style-type: none"> ▪ RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and 	DECCW	Ongoing
	<ul style="list-style-type: none"> ▪ the zoning and vegetation clearing controls under the Growth Centres SEPP. 	DoP Relevant consent authorities	Zoning completed in 2006 Management ongoing
21. Increase in the number of known sites for the species under conservation and management outside of the Growth Centres.	a) Acquisition of the Cranebrook site which supports a very large and significant population of <i>Micromyrtus minutiflora</i> (estimated that the population consists of 366,000 to 522,000 plants) through a contribution from the Conservation Fund towards the purchase and initial reserve establishment costs.	DECCW	Completed 2008-09
	b) Management of the Cranebrook site to preserve its ecological values.	DECCW	Ongoing

Persoonia hirsuta

Commitments	Actions	Responsibility	Timing
22. Protection of potential habitat for <i>Persoonia hirsuta</i> within North Kellyville.	a) Protection and ongoing management of potential habitat within the North Kellyville Precinct through zoning as E3 Environmental Management and existing native vegetation or native vegetation retention development controls.	Relevant consent authorities	Zoning Completed in December 2008 Management – ongoing

Persoonia nutans

Commitments	Actions	Responsibility	Timing
23. Retention and protection of habitat supporting the important populations of <i>Persoonia nutans</i> known to occur within the Growth Centres.	a) Protection of one of the known populations within Kemps Creek through: <ul style="list-style-type: none"> ▪ RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and 	DECCW	Ongoing
	<ul style="list-style-type: none"> ▪ the zoning and vegetation clearing controls under the Growth Centres SEPP. 	DoP Relevant consent authorities	Zoning completed in 2006 Management ongoing
24. Survey to confirm the presence of <i>Persoonia nutans</i> in the Kemps Creek Precinct.	a) Survey to confirm the presence of the population in the Kemps Creek Precinct in accordance with RBM 17 as it applies to <i>Acacia pubescens</i> in the Kemps Creek area.	DoP	Prior to the public exhibition of the draft precinct planning controls for the Kemps Creek Precinct
25. Protect if presence of <i>Persoonia nutans</i> is confirmed and population is identified as significant relative to the adjacent property by DECCW.	a) If required, protection of an area of suitable habitat for the species in the Kemps Creek Precinct will be provided to the satisfaction of DECCW in accordance with the methodology consistent with RBM 17 as it applies to <i>Acacia pubescens</i> in the Kemps Creek area.	DoP DECCW has approval role	Prior to the rezoning of Kemps Creek Precinct protection mechanisms will be agreed with DECCW

Commitments	Actions	Responsibility	Timing
	<p>b) If protection under 25a is required, this may be achieved through the implementation of various mechanisms such as:</p> <ul style="list-style-type: none"> ▪ zoning, such as the E2 Environmental Conservation or E3 Environmental Management zones with appropriate objectives and permissible/prohibited land uses; or ▪ additional planning controls, such as the 'Existing Native Vegetation Retention' area overlay which applies to land where the clearing of vegetation is prohibited.; or ▪ Environmental Management controls in development control plans establishing management requirements. 	DoP DECCW has approval role	If required, prior to the rezoning of the Kemps Creek Precinct
26. Increase in the number of known sites for the species under conservation and management outside of the Growth Centres.	a) Acquisition of the Cranebrook site which supports a population of <i>Persoonia nutans</i> through a contribution from the Conservation Fund towards the purchase and initial reserve establishment costs.	DECCW	Completed 2008-09
	b) Management of the Cranebrook site to preserve its ecological values.	DECCW	Ongoing

Pimelea spicata

Commitments	Actions	Responsibility	Timing
<p>27. Survey to confirm presence of <i>Pimelea spicata</i> at Denham Court Road within the East Leppington Precinct.</p>	<p>a) Survey to confirm the presence of the population in the East Leppington Precinct in accordance with RBM 17.</p>	<p>DoP</p>	<p>Prior to the public exhibition of the draft precinct planning controls for the East Leppington Precinct</p>
<p>28. Protect if presence of <i>Pimelea spicata</i> is confirmed and population is identified as significant relative to the adjacent property by DECCW.</p>	<p>a) If required by DECCW, protect an area of suitable habitat for the species in the East Leppington Precinct in accordance with RBM 17.</p>	<p>DoP DECCW has approval role</p>	<p>Prior to the rezoning of East Leppington Precinct protection mechanisms will be agreed with DECCW</p>
	<p>b) If protection under 28a is required, this may be achieved through the implementation of various mechanisms such as:</p> <ul style="list-style-type: none"> ▪ zoning, such as the E2 Environmental Conservation or E3 Environmental Management zones with appropriate objectives and permissible/prohibited land uses; or ▪ additional planning controls, such as the 'Existing Native Vegetation Retention' area overlay which applies to land where the clearing of vegetation is prohibited.; or ▪ Environmental Management controls in development control plans establishing management requirements. 	<p>DoP DECCW has approval role</p>	<p>If required, prior to the rezoning of the East Leppington Precinct</p>

Commitments	Actions	Responsibility	Timing
29. Provision of offsets focussed on protecting habitat for <i>Pimelea spicata</i> that occur outside the Growth Centres.	<p>a) Implementation of the Growth Centres Conservation Fund and Growth Centres Biodiversity Offset Program to secure suitable areas of potential habitat for <i>Pimelea spicata</i>. Specific actions to include:</p> <ul style="list-style-type: none"> ▪ Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure suitable areas of potential habitat for <i>Pimelea spicata</i>. ▪ Allocation of the funding in accordance with the preferences indicated in RBM 32. ▪ Targeting of lands for protection to be guided by the criteria identified in RBM 33. 	NSW Government with administration of the Offset Program being the responsibility of DECCW (and guided by the Advisory Group) in accordance with the Growth Centres Biodiversity Certification	Over the life of the Program

Pultenaea parviflora

Commitments	Actions	Responsibility	Timing
30. Retention and protection of habitat supporting the four populations of <i>Pultenaea parviflora</i> known to occur within the Growth Centres.	<p>a) Protection of the Marsden Park North population within Environment Conservation zoning through:</p> <ul style="list-style-type: none"> ▪ RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; 	DECCW	Ongoing
	<ul style="list-style-type: none"> ▪ the zoning and vegetation clearing controls under the Growth Centres SEPP; and 	DoP Relevant consent authorities	Zoning completed in 2006 Management ongoing
	<ul style="list-style-type: none"> ▪ the Growth Centres Conservation Fund which provides funding to acquire the land. 	DoP	As land becomes available for purchase

Commitments	Actions	Responsibility	Timing
	b) Protection of the population within the Air Services Australia site at Shanes Park (noting that at the time of finalising the Program the site is still under care of the Commonwealth) through: <ul style="list-style-type: none"> ▪ RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and 	DECCW	Ongoing
	<ul style="list-style-type: none"> ▪ the zoning and vegetation clearing controls under the Growth Centres SEPP. 	DoP Relevant consent authorities	Zoning completed in 2006 Management ongoing
	c) Protection of the majority of the large population within Kemps Creek through: <ul style="list-style-type: none"> ▪ RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and 	DECCW	Ongoing
	<ul style="list-style-type: none"> ▪ the zoning and vegetation clearing controls under the Growth Centres SEPP. 	DoP Relevant consent authorities	Zoning completed in 2006 Management ongoing
	d) Protection of the large population that occurs within the Westlink M7 Motorway offset adjacent to the Colebee Precinct through maintenance of the existing conservation area (purchased by the RTA for transfer to DECCW as part of the Westlink M7 Motorway offsets).	DECCW	Ongoing

Commitments	Actions	Responsibility	Timing
31. Increase in the number of known sites for the species under conservation and management outside of the Growth Centres.	a) Acquisition of the Cranebrook site which a very large and significant population of <i>Pultenaea parviflora</i> (estimated that the population consists of 86,000 and 127,000 plants) through a contribution from the Conservation Fund towards the purchase and initial reserve establishment costs.	DECCW	Purchased in 2008-09
	b) Management of the Cranebrook site to preserve its ecological values.	DECCW	Ongoing

4.6 THREATENED FAUNA

Swift Parrot (*Lathamus discolor*)

Commitments	Actions	Responsibility	Timing
32. Protection of potential habitat for the Swift Parrot within the Growth Centres.	<p>a) Protection of 2,000 ha native vegetation within the Growth Centres through:</p> <ul style="list-style-type: none"> ▪ RBM 6 which requires a minimum of 2,000 ha of existing native vegetation to be retained; and ▪ the relevant development controls under the Growth Centres SEPP that relate to the retention of native vegetation. 	<p>DoP, DECCW and relevant consent authorities</p> <p>DoP and relevant consent authorities</p>	<p>Ongoing</p> <p>Ongoing</p>
33. Provision of offsets outside of the Growth Centres which will also contain potential foraging habitat for the Swift Parrot, and which will contribute further towards the conservation of habitat within the combined area of the Sydney Basin Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area.	<p>a) Implementation of the Growth Centres Conservation Fund and Growth Centres Biodiversity Offset Program to secure suitable areas of potential habitat for the Swift Parrot. Specific actions to include:</p> <ul style="list-style-type: none"> ▪ Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure suitable areas of potential habitat for the Swift Parrot. ▪ Allocation of the funding in accordance with the preferences indicated in RBM 32. ▪ Targeting of lands for protection to be guided by the criteria identified in RBM 33. 	<p>NSW Government with administration of the Offset Program being the responsibility of DECCW (and guided by the Advisory Group) in accordance with the Growth Centres Biodiversity Certification</p>	<p>Over the life of the Program</p>

Green and Golden Bell Frog (*Litoria aurea*)

Commitments	Actions	Responsibility	Timing
34. Protection and enhancement of potential and known habitat for the Riverstone element of the Western Sydney key population of the Green and	<p>a) Incorporation of habitat protection and enhancement features (as per the agreed concept design) in the Riverstone Precinct Development Control Plan for the trunk drainage land.</p>	<p>DoP & DECCW</p>	<p>Development control plan finalised in May 2010.</p>

Commitments	Actions	Responsibility	Timing
Golden Bell Frog.	b) Inclusion of provisions in the Riverstone Precinct Plan and Development Control Plan to require the design and assessment of development on subject lands to be consistent with any recovery plan for the species and the Best Practice Guidelines for Green and Golden Bell Frog Habitat (DECC 2008b).	DoP Relevant consent authorities	Zoning and development controls finalised in May 2010
35. Protection of potential habitat for the species throughout the North West Growth Centre.	a) Retention of major drainage lines and associated vegetation throughout the Growth Centres through Growth Centres SEPP development controls for major creeks and flood prone areas.	DoP	Ongoing

Large-eared Pied Bat (*Chalinolobus dwyeri*)

Commitments	Actions	Responsibility	Timing
36. Protection of potential habitat for the Large-eared Pied Bat within the Growth Centres.	a) Retention of potential roosting habitat and immediately adjacent potential foraging habitat along Cattai Creek in North Kellyville through development controls associated with the E3 Environmental Management and E4 Environmental Living zones.	Relevant consent authorities	Zoning – completed Management - ongoing
	b) Protection of 2,000 ha native vegetation within the Growth Centres through: <ul style="list-style-type: none"> ▪ RBM 6 which requires a minimum of 2,000 ha of existing native vegetation to be retained; and ▪ the relevant development controls under the Growth Centres SEPP that relate to the retention of native vegetation. 	DoP, DECCW and relevant consent authorities DoP and relevant consent authorities	Ongoing Ongoing

Commitments	Actions	Responsibility	Timing
37. Provision of offsets outside of the Growth Centres which will also contain potential roosting or foraging habitat for the Large-eared Pied Bat, and which will contribute further towards the conservation of habitat within the combined area of the Sydney Basin Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area.	<p>a) Implementation of the Growth Centres Conservation Fund and Growth Centres Biodiversity Offset Program to secure suitable areas of potential habitat for the Large-eared Pied Bat. Specific actions to include:</p> <ul style="list-style-type: none"> ▪ Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure suitable areas of potential habitat for the Large-eared Pied Bat. ▪ Allocation of the funding in accordance with the preferences indicated in RBM 32. ▪ Targeting of lands for protection to be guided by the criteria identified in RBM 33. 	NSW Government with administration of the Offset Program being the responsibility of DECCW (and guided by the Advisory Group) in accordance with the Growth Centres Biodiversity Certification	Over the life of the Program

Grey-headed Flying Fox (*Pteropus poliocephalus*)

Commitments	Actions	Responsibility	Timing
38. Protection of potential habitat for the Grey-headed Flying Fox within the Growth Centres.	<p>a) Protection of 2,000 ha native vegetation within the Growth Centres through:</p> <ul style="list-style-type: none"> ▪ RBM 6 which requires a minimum of 2,000 ha of existing native vegetation to be retained; and ▪ the relevant development controls under the Growth Centres SEPP that relate to the retention of native vegetation. 	<p>DoP, DECCW and relevant consent authorities</p> <p>DoP and relevant consent authorities</p>	<p>Ongoing</p> <p>Ongoing</p>

Commitments	Actions	Responsibility	Timing
<p>39. Provision of offsets outside of the Growth Centres which will also contain potential roosting and foraging habitat for the Grey-headed Flying Fox, and which will contribute further towards the conservation of habitat within the combined area of the Sydney Basin Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area.</p>	<p>a) Implementation of the Growth Centres Conservation Fund and Growth Centres Biodiversity Offset Program to secure suitable areas of potential habitat for the Grey-headed Flying Fox. Specific actions to include:</p> <ul style="list-style-type: none"> ▪ Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure suitable areas of potential habitat for the Grey-headed Flying Fox. ▪ Allocation of the funding in accordance with the preferences indicated in RBM 32. ▪ Targeting of lands for protection to be guided by the criteria identified in RBM 33. 	<p>NSW Government with administration of the Offset Program being the responsibility of DECCW (and guided by the Advisory Group) in accordance with the Growth Centres Biodiversity Certification</p>	<p>Over the life of the Program</p>

5. Program evaluation, reporting and monitoring

The NSW Government has an established framework for reporting against the requirements of the Relevant Biodiversity Measures under the Growth Centres Biodiversity Certification. This framework will be adapted to include the EPBC Act reporting and evaluation requirements for the Program.

There are three main elements to the reporting framework:

1. A public annual report highlighting the conservation outcomes achieved in the previous year.
2. A public report highlighting the consistency of each Precinct Plan with the requirements of the Program.
3. A review of the Program every four years to assess progress in achieving the objectives of the Program.

5.1 ANNUAL REPORT

An annual report highlighting the conservation outcomes achieved in the previous year will be published by the NSW Government and provided to SEWPaC. This report will be completed within six months of the end of each financial year and will be made publicly available, with the first report due in 2011.

The report will address both NSW and Commonwealth requirements and address (among other things):

- the commitments for the relevant matters of national environmental significance (listed in Section 4 of the Program Report); and
- the funding provided and expended for offsets outside of the Growth Centres.

DoP and DECCW will be jointly responsible for the provision of information for the report. DECCW will be responsible for publication of the report.

5.2 PRECINCT PLAN CONSISTENCY REPORT

Each time a precinct within the Growth Centres is planned, DoP will report publicly on the consistency of the precinct with the requirements of the Relevant Biodiversity Measures and the Program commitments. This report will form part of the package of information exhibited for comment during the public consultation phase of the precinct planning process, and be provided to SEWPaC at the same time.

5.3 PROGRAM REVIEW

The final element in the evaluation framework for the Program will be a concurrent review of both the Growth Centres Biodiversity Certification and the Program every four years. The purpose of the review will be to assess progress in achieving the objectives of both NSW and the Commonwealth. The first review will be provided to SEWPaC within five months of the end of the 2015/16 financial year.

The review will be undertaken by DECCW in consultation with DoP and will include (among other things):

- progress in retaining and protecting the 2,000 ha of native vegetation within the Growth Centres;
- progress in achieving the required offset areas within the Growth Centres;
- progress in securing offsets outside of the Growth Centres;
- progress in meeting the Program commitments; and
- a summary of the outcomes for matters of national environmental significance.

If the review finds that commitments are not being achieved, the NSW Government will consult with the Commonwealth about potential additional measures.

Additionally, the NSW Government will consult with the Commonwealth prior to amending, suspending or revoking the Biodiversity Certification.

If the program is endorsed, SEWPaC will be invited to be represented on the Advisory Group for the Growth Centres Biodiversity Offset Program for the duration of the Program and so will be involved in guiding the investment decisions of the Program.

5.4 VARIATIONS

As outlined in section 5.3, the NSW Government will monitor whether or not the commitments are being achieved. In the event that the commitments are not achieved the NSW Government will work with the Commonwealth to revise the commitments to achieve the original objectives.