



Australian Government
Department of the Environment

Approval

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

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

Proposed action

person to whom the approval is granted ACT Health Directorate

proponent's ABN 82 049 056 234

proposed action To construct a new, sub-acute hospital on the grounds of the University of Canberra, on the corner of Ginninderra Drive and Aikman Drive, Bruce [See EPBC Act referral 2013/6987].

Approval

Controlling Provision	Decision
Listed threatened species and communities (sections 18 & 18A)	Approved

conditions of approval

This approval is subject to the conditions specified below.

expiry date of approval

This approval has effect until 30 September 2030.

Decision-maker

name and position Mahani Taylor
A/g Assistant Secretary
South Eastern Australia Environment Assessment Branch

signature

date of decision 17 October 2014

Conditions

Avoidance and mitigation of impacts

1. The **approval holder** must not clear more than 7.6 hectares (ha) of **box gum woodland**.
2. The **approval holder** must undertake all measures to avoid and minimise indirect impacts to **box gum woodland** on land adjoining the **project area**, that may result from the action during and after construction. Measures must address:
 - a) soil erosion and sedimentation
 - b) site water run-off
 - c) incidental trampling by workforce personnel, equipment, vehicles, machinery and stock piling of materials
 - d) weed control (specifically, measures to ensure adjoining **box gum woodland** areas do not degrade beyond their current quality).

Offsetting of residual impacts

3. To compensate for residual impacts to **box gum woodland**, the **approval holder** must formally incorporate the **offset site** into the Pinnacle Nature Reserve for conservation purposes (as further described at condition four (4)). Evidence of the formal transition must be provided to **the Department** within two (2) years of the date of this approval.
4. For the enduring conservation, management and monitoring of the **offset site**, the **approval holder** must engage a **suitably qualified person** to develop an Offset Management Plan (OMP). The OMP must be submitted to **the Minister** for approval within twelve (12) months of the date of this approval. The OMP must include details on:
 - a) location of the **offset site** including clear maps and accompanying **shapefiles**
 - b) baseline surveys to confirm the extent and **quality of box gum woodland** onsite
 - c) management of:
 - i. soil erosion
 - ii. pests, feral animals and grazing stock
 - iii. weeds and pathogens (in particular, measures to avoid the seed setting and dispersal of **key weed species**)
 - iv. fire (to maintain the ecological integrity of ecosystems)
 - v. unwanted access (including the use of fencing and signage)
 - vi. assisted regeneration and revegetation

This must include details on timing and duration. Priority areas for **rehabilitation** (both **short** and **long term**) must also be clearly illustrated using maps

- d) objectives and performance indicators associated with all items listed at (c) making reference to ***claimed offset scores*** and corresponding contingency or remedial measures. These must be framed in the context of restoring structure and ecological function to ***box gum woodland*** consistent with ***Departmental policy statements***.
- e) monitoring and reporting measures associated with all items listed at (c). Monitoring must be able to quantify a change in the quality of ***box gum woodland*** onsite, in response to management actions
- f) scheduling and costing estimates associated with all management actions
- g) provisions for the transition of the ***offset site*** to the Pinnacle Nature Reserve, including a statement of commitment by the relevant government agency to ongoing maintenance, ***enduring management***, and associated annual resourcing

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

Standard conditions of approval

5. Within 30 days after the ***commencement of the action***, the ***approval holder*** must advise ***the Department*** in writing of the actual date of commencement.
6. The ***approval holder*** must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the OMP required by this approval, and make them available upon request to ***the Department***. Such records may be subject to audit by ***the Department*** or an independent auditor in accordance with section 458 of the ***EPBC Act***, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on ***the Department's*** website. The results of audits may also be publicised through the general media.
7. Within three months of every 12 month anniversary of the ***commencement of the action***, the ***approval holder*** must publish a report on their website addressing compliance with each of the conditions of this approval, including details on the implementation of required management actions, and the implementation of the OMP as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to ***the Department*** at the same time as the compliance report is published.
8. Upon the direction of ***the Minister***, the ***approval holder*** must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to ***the Minister***. The independent auditor must be approved by ***the Minister*** prior to the commencement of the audit. Audit criteria must be agreed to by ***the Minister*** and the audit report must address the criteria to the satisfaction of ***the Minister***.
9. If the ***approval holder*** wishes to carry out any activity otherwise than in accordance with OMP as specified in the condition four (4), the ***approval holder*** must submit to ***the Department*** for ***the Minister's*** written approval a revised version of that strategy. The varied activity shall not commence until ***the Minister*** has approved the varied OMP in writing. ***The Minister*** will not approve a varied OMP unless the revised OMP would result in an equivalent or improved environmental outcome over time. If ***the Minister*** approves the revised OMP, that OMP must be implemented in place of the OMP, originally approved

10. If **the Minister** believes that it is necessary or convenient for the better protection of **listed threatened species and communities** to do so, **the Minister** may request that the **approval holder** make specified revisions to OMP specified in the condition four (4) and submit the revised OMP for **the Minister's** written approval. The **approval holder** must comply with any such request. The revised approved OMP must be implemented. Unless **the Minister** has approved the revised OMP, then the **approval holder** must continue to implement the OMP originally approved, as specified in the condition four (4).
11. If, at any time after five (5) years from the date of this approval, the **approval holder** has not **substantially commenced the action**, then the **approval holder** must not **substantially commence the action** without the written agreement of **the Minister**.
12. Unless otherwise agreed to in writing by **the Minister**, the **approval holder** must publish the **interim offset management plan** and the OMP referred to in these conditions of approval on their website. The **interim offset management plan** must be published on the website within one (1) month of the date of this approval. The OMP must be published on the website within one (1) month of being approved.

Definitions

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

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

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

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

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

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

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

EPBC Act - the *Environment Protection and Biodiversity Conservation Act 1999*.

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

Key weed species – St John's wort, horehound, saffron thistle, Paterson's curse, spear thistle, Verbascum sp., briar rose, African lovegrass, and any wood weed species.

Listed threatened species and communities – any species or ecological community that is listed as threatened under the **EPBC Act**.

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

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

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

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

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

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

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

Short term – 12 months.

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

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

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

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

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