

**EPBC SA024 WEST BELCONNEN
STRATEGIC ASSESSMENT
COMPLIANCE AUDIT**

Riverview Projects (ACT) Pty Ltd

FINAL

August 2022

EPBC SA024 WEST BELCONNEN STRATEGIC ASSESSMENT COMPLIANCE AUDIT

Riverview Projects (ACT) Pty Ltd

FINAL

Prepared by

Umwelt (Australia) Pty Limited

on behalf of

Ginninderry Conservation Trust

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Project Manager: Zoe Jarvis
Lead Auditor: Daniel Sullivan
Report No. 22334/R01
Date: August 2022



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Document Status

| Rev No. | Reviewer | | Approved for Issue | |
|---------|-------------------|-----------|--------------------|-----------|
| | Name | Date | Name | Date |
| 1 | Dan Sullivan | 1/7/2022 | Karina Carwardine | 1/7/2022 |
| 2 | Karina Carwardine | 11/7/2022 | Dan Sullivan | 11/7/2022 |
| 3 | Karina Carwardine | 29/8/2022 | Karina Carwardine | 29/8/2022 |

Executive Summary

The West Belconnen Strategic Assessment was granted approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) in September 2017 (EPBC SA024). Riverview Projects (ACT) Pty Ltd (Riverview Projects) is the Development Manager for the Ginninderry Project. The West Belconnen Joint Venture is a partnership between the ACT Government, represented by the Suburban Land Agency, and Riverview Developments as the private developer. As required by Condition 18 of EPBC SA024 Riverview Projects was directed by the Department of Agriculture, Water and the Environment (DAWE) to undertake an independent audit of compliance on the approval for the West Belconnen Strategic Assessment. Umwelt Australia Pty Ltd (Umwelt) was engaged to conduct this independent audit. This is the first independent audit to be conducted on the strategic assessment approval.

In order to verify the outcomes being reported in the Annual Reports the audit included a compliance assessment of all 20 approval conditions, as well as the 29 conservation outcomes and actions from the endorsed Urban Development at West Belconnen – Program Report (A T Adams Consulting 2017). The audit has been undertaken generally in accordance with the *Independent Audit and Audit Report Guidelines* (DoEE, 2019). Initial document review was performed prior to undertaking interviews with Ginninderry project staff and Ginninderry Conservation Trust staff. No site inspection was undertaken as part of the independent audit, however a site inspection was offered to the Umwelt team by Ginninderry and the Conservation Trust staff.

The audit has found that Riverview Projects are compliant with the majority of compliance requirements under EPBC SA024. However, non-compliances have been identified with the requirements of four of their EPBC approval conditions and four of the conservation outcomes. Two of the four non-compliances were of an administrative nature (e.g. timing component not complied with) and therefore there are no recommendations for these. Recommendations have been made to address the other non-compliances and some additional recommendations have also been identified as an opportunity for improvement in future annual reporting to clearly demonstrate compliance with all requirements.

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1.0 Introduction

The West Belconnen Strategic Assessment was granted approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) in September 2017 (EPBC SA024). Riverview Projects (ACT) Pty Ltd (Riverview Projects) is the Development Manager for the Ginninderry Project. The West Belconnen Joint Venture is a partnership between the ACT Government, represented by the Suburban Land Agency, and Riverview Developments as the private developer. The Ginninderry Project Area stretches from the north-western suburbs of Canberra (Holt and Macgregor) across the ACT/NSW border into the Yass Valley. It is bounded on two sides by the Murrumbidgee River and Ginninderra Creek. To date, the Ginninderry Project has delivered the estate works for the suburb of Strathnairn, with Macnamara estate works due to commence in July 2022.

The Ginninderry Conservation Trust (GCT) (previously referred to as the Environmental Management Trust) commissioned Umwelt (Australia) Pty Ltd (Umwelt) to conduct an Independent Environmental Audit (IEA) of the West Belconnen Strategic Assessment to satisfy the requirements of Condition 18 of the approval as follows:

Every five years or upon direction of the Minister, the approval holder must ensure that an independent audit is conducted to verify the outcomes being reported in the Annual Report and the Program Review Report. The independent auditor must be appointed by the Environmental Management Trust in consultation with the ACT Conservator of Flora and Fauna and NSW Office of Environment and Heritage. The independent audit must be completed within a timeframe that enables the results to inform the Program Review Report. The audit report must be submitted to the Department and made available to the public.

On 2 March 2022, the Assistant Director of the ACT Assessment Section of the Department of Agriculture, Water and the Environment (DAWE), wrote to Riverview Projects directing that the Independent Audit of the project was due for completion by 18 July 2022. As noted in the correspondence, the first Audit would assess only the completed Annual Reports for years 1 and 2 of Program implementation, as it precedes the first Program Review Report scheduled to be completed in January 2023.

On 29 April 2022, DAWE confirmed that the Audit was not required to be undertaken in accordance with the *Independent Audit and Audit Report Guidelines* (DoEE 2019), therefore the independent auditor, audit criteria and methodology were not required to be approved by DAWE prior to commencing the audit. This audit has still been undertaken generally in accordance with the template provided in the *Independent Audit and Audit Report Guidelines* (DoEE 2019).

As required by Condition 18, Riverview Projects consulted with the ACT Conservator of Flora and Fauna and the NSW Office of Environment and Heritage prior to GCT's appointment of Umwelt as the independent auditor. Neither party had any objections to appointing Umwelt.

The correspondence from DAWE to Riverview Projects on 2 March 2022, noted that there is ambiguity in the timeframe requirements defined in the EPBC approval conditions. A summary of the reporting requirements was provided by DAWE after a review of the Program Report and the approval conditions. These reporting requirement timeframes are provided below and have been used within this audit to evaluate compliance with the conditions.

| Report | Timing |
|--------------------------------|------------------------------------|
| Program Report | Date of Endorsement – 17 July 2017 |
| Program Review Report | Due 18 January 2023 |
| Independent Audit | Due 18 July 2022 |
| Annual Report | Next due 31 August 2022 |
| Reserve Management Plan Review | Due 3 January 2024 |

The approved audit team comprised Daniel Sullivan, Principal Environmental Consultant (Lead Auditor), Karina Carwardine, Manager Canberra Principal Environmental Consultant (Project Director) and Zoe Jarvis, Environmental Consultant (Project Manager).

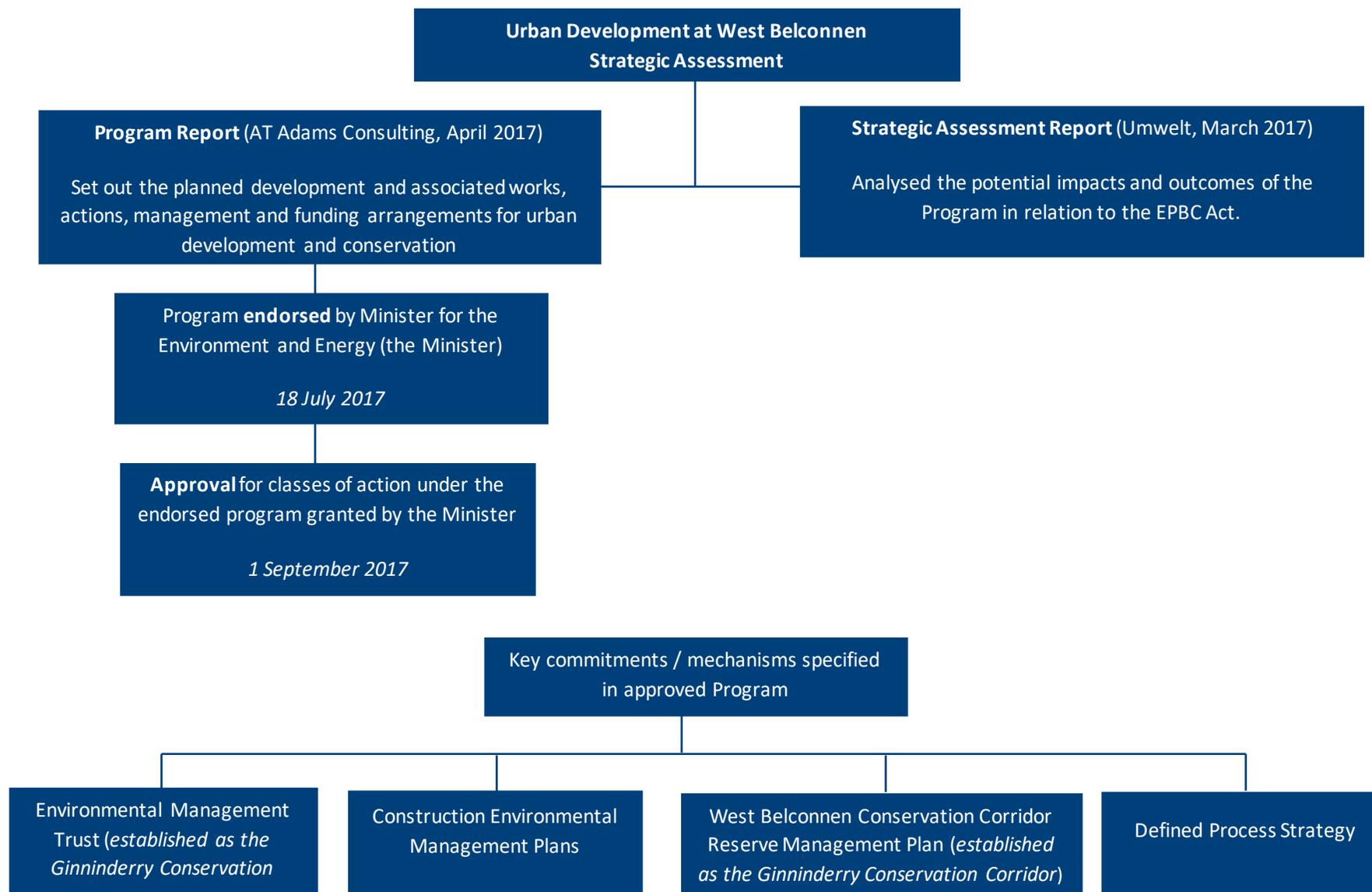
The IEA consisted of a detailed desktop review of the compliance status of the Ginninderry project against the conditions of the Strategic Assessment. This report provides an outline of the audit methodology and detailed findings. Where required, the report provides recommended actions for achieving compliance in the future with the EPBC Approval conditions. A detailed assessment of compliance with each condition of the EPBC Approval is contained in **Appendix A** and is reported against the audit criteria and methodology. A full list of the documentation that has been reviewed is provided in **Appendix B**.

As the Annual Reports primarily report on compliance with the conditions of EPBC SA024 the scope of this audit has focused on completing an independent compliance assessment against each of the approval conditions in order to verify the outcomes being reported in the Annual Reports.

Please note that, since the project approval was granted, there have been two official names applicable to the federal government agency responsible for this approval, being Department of the Environment and Energy (DoEE), and Department of Agriculture, Water and the Environment (DAWE). To assist with the reading of this document, these agencies are collectively referred to as DAWE.

It must also be noted that the EPBC approval conditions referred to the former descriptors as given in the Program Report i.e. West Belconnen Conservation Corridor and the Environmental Management Trust. Since the approval, these names have been updated to the Ginninderry Conservation Corridor (GCC) and the Ginninderry Conservation Trust (GCT), respectively. This audit report refers to the updated names in its assessment.

To aid in the interpretation of Program commitments and audit findings, the following summary of key processes and outputs of the Strategic Assessment has been provided.



2.0 Audit Methodology

2.1 Audit Plan

A detailed audit plan, outlining the audit objectives, audit scope and audit criteria, including documentation required to be reviewed and personnel to be involved during the site inspections (if undertaken) and interviews, was provided on commissioning of the project. On 29 April 2022, DAWE confirmed that the audit was not required to adhere to the 2019 *Independent Audit and Audit Report Guidelines* (Audit Guidelines) (DoEE 2019). Audit criteria and methodology was still developed to guide the audit process in line with the Audit Guidelines.

2.2 Preliminary Document Review

Available documentation such as Annuals Reports, management plans, the endorsed program and any other relevant documents were reviewed prior to undertaking the audit interviews.

2.3 Opening Meeting

The opening meeting was held 6 May 2022. The list of participants is provided in **Table 2.1**.

Table 2.1 Opening Meeting Attendees

| Name | Organisation | Title |
|---------------------|---|--|
| Imogen Featherstone | Riverview Projects (Ginninderry Project Team) | Development Manager (Planning) |
| Matthew Frawley | Riverview Projects (Ginninderry Project Team) | Urban Design & Landscape Manager |
| Jason Cummings | Ginninderry Conservation Trust | Chief Executive Officer |
| Ange Calliess | Ginninderry Conservation Trust | Program Director – Conservation Corridor |
| Daniel Sullivan | Umwelt | Lead Auditor |
| Karina Carwardine | Umwelt | Project Director |
| Zoe Jarvis | Umwelt | Project Manager |

The audit team was introduced, and the scope of their responsibilities conveyed to the Ginninderry project staff and members of the GCT. The purpose, depth and scope of the compliance audit were outlined. The methods to be used by the team to conduct the compliance audit were explained, including the use of the DAWE guidelines template for the audit despite DAWE not requiring the audit to be undertaken in accordance with the guidelines.

2.4 Data Collection and Verification

A large number of documents were provided to the audit team prior to the audit interviews. During the interview several more documents were identified and provided to the audit team.

All information obtained during the audit process was sought to be verified by the members of the audit team. For example, statements made by interviewees were verified through viewing documentation.

2.5 Audit Interviews and Closing Meeting

The audit interviews and closing meeting took place on 24 June 2022 and were undertaken at the Ginninderry project office. The list of participants is provided in **Table 2.2**. Following the interviews and closing meeting it was determined that no site visit was required as all conditions could be assessed through documentation provided. It is noted, the Ginninderry team and the GCT team offered a site visit at the inception meeting and the closing meeting, during the time of the audit process.

Table 2.2 Interview and Closing Meeting Attendees

| Name | Organisation | Title |
|---------------------|---|--|
| Imogen Featherstone | Riverview Projects (Ginninderry Project Team) | Development Manager (Planning) |
| Ange Calliess | Ginninderry Conservation Trust | Program Director – Conservation Corridor |
| Zoe Jarvis | Umwelt | Project Manager |

The objectives of the closing meeting were to discuss any outstanding matters, present preliminary findings and outline the process for finalising the audit report.

2.6 Evaluation of Audit Findings

The audit findings have been evaluated against the audit criteria and methodology (refer to **Appendix B**).

2.7 Reporting

The audit report comprises this covering report, **Appendix A**: detailed audit criteria and methodology for the EPBC Approval, and **Appendix B**: documents sighted for this audit.

A ranking of compliance was made for each of the approval conditions in the EPBC Approval, based on the following definitions as provided in the Audit Guidelines:

- Compliance – A rating of ‘compliance’ is given when the auditee has complied with a condition or element of a condition.
- Non-Compliance – A rating of ‘non-compliance’ is given when the auditee has not met a condition or an element of a condition.
- Not Applicable – A rating of ‘not applicable’ at the time of the audit is given when the condition or element of a condition falls outside the scope of the audit e.g. if an activity has not yet commenced or a requirement has not been triggered.
- Observation – An ‘observation’ may be made about issues relevant to the protection of a matter of national environmental significance when the issue is not strictly related to compliance or non-compliance with a condition or element of a condition. Note: The above ratings are to be used by the approved independent auditor. They are also to be used when measuring compliance for management plans, reports, or programs etc (however described) required by conditions.

A summary is contained in **Section 3.0** of this report of any observations, non-compliance or areas of concern, including associated recommendations with the full detailed findings against the audit criteria and methodology provided in **Appendix A**.

3.0 Audit Findings

A detailed assessment of compliance with each condition of the EPBC Approval of the Strategic Assessment is contained in **Appendix A** and is reported against the audit criteria and methodology. This section of the audit report presents a summary of the identified non-compliances from the detailed audit findings in **Appendix A**.

The findings are based on interviews with site personnel and review and interpretation of the documentation provided. Opinions presented herein apply to the site as it existed at the time of the audit and from information provided. Any changes to this information of which Umwelt is not aware and has not had the opportunity to evaluate cannot therefore be considered in this report.

3.1 EPBC Approval SA024 Compliance

A detailed assessment of compliance has been completed against the requirements of the EPBC Approval SA024 and is included in **Appendix A**. The detailed assessment of compliance identifies the evidence sighted to assess compliance and provides comments regarding compliance status.

This audit has verified that the majority of outcomes reported in the Annual Reports completed during the audit period are appropriate and a true reflection of what has been undertaken / achieved with the exception of the matters described in this section that have been identified from the independent compliance assessment undertaken as part of the audit. Areas of non-compliance and observations are described in this section by condition.

Recommendations have been made where appropriate to assist Riverview Projects in addressing these conditions/requirements and achieve full compliance. The recommendations are provided in **Section 4.0**.

Condition 3 – Not Compliant

The approval holder must ensure that the conservation outcomes specified in Section 5 of the Program are achieved.

Riverview Projects is not compliant with Condition 3 as not all of the conservation outcomes have been achieved or were not achieved in the specified timeframes outlined in the outcome (refer Table 2 in **Appendix B** for assessment against conservation outcomes).

Conservation outcome 4 requires Riverview Projects to apply a conservation covenant requiring the long-term protection and enhancement of the golden sun moth (GSM) habitat on Lot 2 Wallaroo Road. This has not yet been achieved. The timing for this conservation outcome was to be implemented concurrently with the amendment to the Yass Valley Local Environment Plan (LEP) which had already occurred. Discussions during the audit interview confirmed that no offset requirements for GSM have been triggered yet as these are related to the extension of Ginninderra Drive which was not yet commenced.

Three of the conservation outcomes (outcome 1, 6 and 21) were achieved however they were not achieved within the specified timeframe. Surveys for pink-tailed worm-lizard (PTWL) and natural temperate grassland (NTG) in the Ginninderry Conservation Corridor were undertaken in accordance with conservation outcome 1, however these surveys occurred more than 12 months after Ministerial endorsement of the Program. The date of endorsement of the Program is 18 July 2017 and the surveys were undertaken in 2018/2019 for PTWL and 2020 for NTG. As the conservation outcome timing specified the surveys must be undertaken within 12 months of Ministerial endorsement, Riverview Projects are non-compliant.

Similarly, the establishment of the Ginninderry Conservation Trust (outcomes 6 and 21) was achieved but not within 2 years of Ministerial endorsement of the Program. The Trust was established on 22 July 2019 (2 years and 4 days after endorsement).

Condition 5 – Not Compliant

Within six months prior to the commencement of construction in the ACT portion of the site, the land within the ACT portion of the West Belconnen Conservation Corridor boundary is to be either rezoned as outlined in Section 3.6 of the Program or must be secured for conservation in perpetuity through a legally binding mechanism approved by the Department. For the NSW portion of the West Belconnen Conservation Corridor the approval holder must secure the land for conservation in perpetuity through a legally binding mechanism approved by the Department within two years of endorsement of the Program. The West Belconnen Conservation Corridor Reserve Management Plan of condition 8 will not be endorsed and approved until the land has been rezoned or secured.

Riverview Projects is not compliant with Condition 5 in relation to the NSW portion of the Conservation Corridor. A legally binding mechanism to secure the land for conservation in perpetuity has not yet been approved by the Department or secured over the land. This was required to be secured within two years of endorsement of the Program i.e. by 18 July 2019.

The NSW portion has been rezoned under the Yass Valley Local Environment Plan (Parkwood) 2020 as E2 – Environmental Conservation Zoning, however this mechanism is not considered adequate to secure the site in perpetuity as required by Condition 5, as an LEP can be rezoned through local council. The Plan also came into effect more than two years after endorsement of the Program.

The Ginninderry Project provided correspondence with the Commonwealth regarding Condition 5 that all parties are working through. The Ginninderry Project has been actively working with the Commonwealth in finding a practicable solution in addressing Condition 5.

Condition 6 – Not Compliant

The approval holder must ensure the Environment Management Trust is established through a trust deed in accordance with the endorsed Program within two years from the date of endorsement of the Program and prior to commencement of construction (in all areas other than the area marked as stage 1 in Figure 4 of the Program Report).

Riverview Projects is not compliant with Condition 6. The Ginninderry Conservation Trust was established under a Trust Deed on 22 July 2019 in accordance with the Program. The Trust was established prior to commencement of construction on 22 August 2019. However, it was established 2 years and 4 days after

the date of endorsement of the Program on 18 July 2017 (i.e. greater than 2 years), resulting in a technical non-compliance with this condition.

Condition 20 – Not Compliant

Unless otherwise agreed to in writing by the Minister, the approval holder must publish all -management plans and reports referred to in these conditions of approval on their website. Each management plan and report must be published on the website within 1 month of being endorsed and approved.

Riverview Projects is not compliant with Condition 20. While all management plans and reports required by the conditions of approval are able to be accessed on the Ginninderry website, it was identified that the majority of them were published more than 1 month after being endorsed and approved.

The Ginninderry project website was refreshed on 1 September 2021. All management plans and reports are now published and available on the new website. The plans and reports were published between 19 September 2017 to the most recent upload of 20 January 2022.

Observation – Condition 8 and 9

In addition, while Riverview Projects was found compliant with both Conditions 8 and 9 in relation to the implementation of the Ginninderry Conservation Corridor 2018-2023 Interim Management Plan and the Offset Management Plan, the audit has noted that the Annual Reports prepared during the audit period do not contain any information on the implementation of the plans. It is noted as an observation that the inclusion of a summary of the relevant management actions from the Ginninderry Conservation Corridor 2018-2023 Interim Management Plan (Condition 8) and Offset Management Plan (Condition 9) that are undertaken each year in the Annual Report would assist to clearly demonstrate that implementation is occurring.

4.0 Recommendations

This section of the audit report presents recommendations for each of the identified non-compliances and observations from the detailed audit findings in **Appendix A**.

Condition 3

- It is recommended that Riverview Projects continue to engage with Yass Valley Council to implement the statutory covenant for Lot 2 Wallaroo Road.
- There are no recommendations for the conservation outcomes that were achieved outside of the specified timeframes as they were administrative non-compliances.

Condition 5

- It is recommended that Riverview Projects continue to engage with the Department and seek agreement on the appropriate legally binding mechanism to secure the land in perpetuity.

Condition 6

- There are no recommendations for this condition as it is an administrative non-compliance.

Condition 20

- It is recommended that Riverview Projects ensure that all future management plans and reports are published on the new website within 1 month of being endorsed and approved.

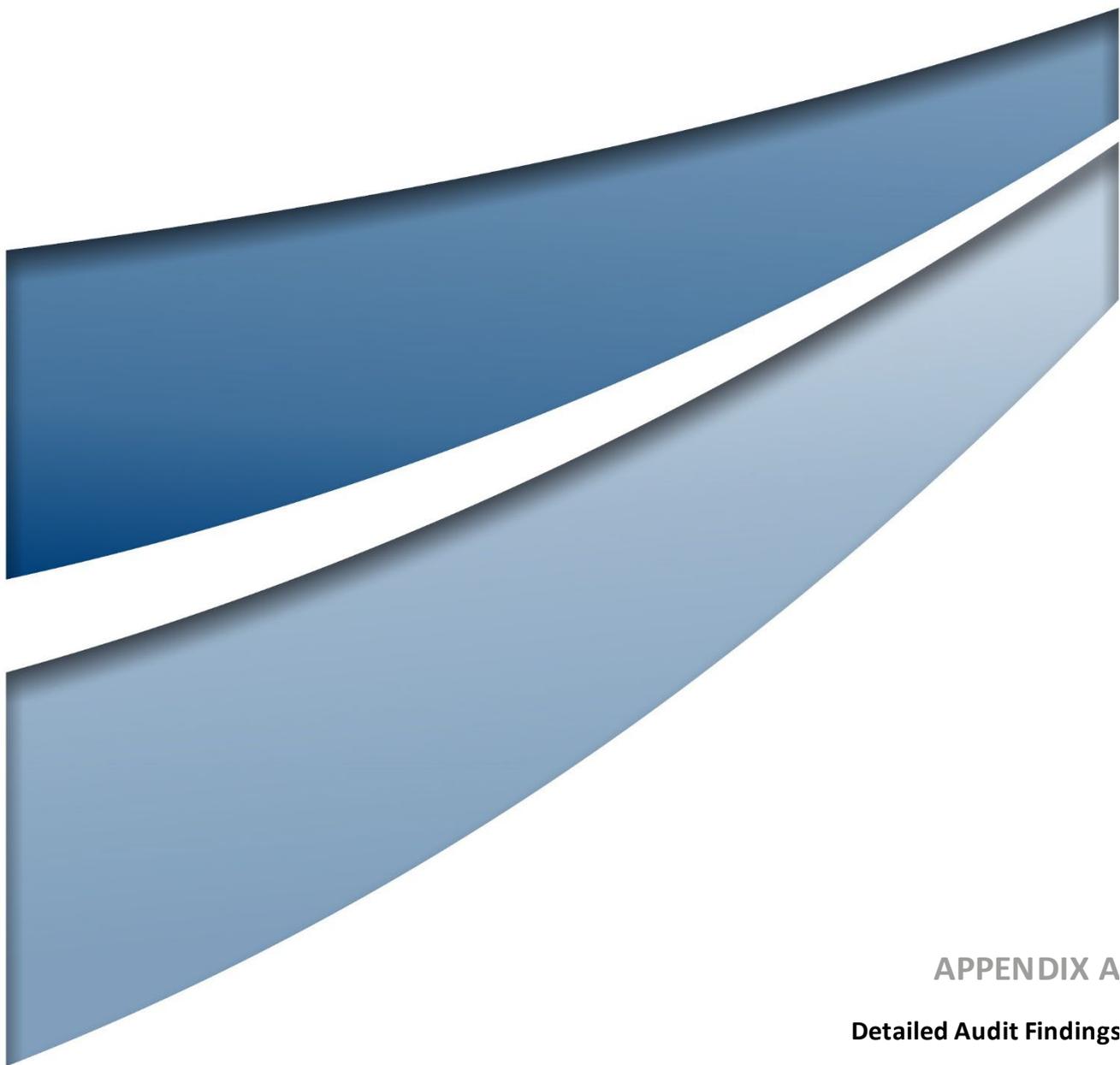
Condition 8 and 9

- It is recommended that a summary of the relevant management actions from the Ginninderry Conservation Corridor 2018-2023 Interim Management Plan (Condition 8) and Offset Management Plan (Condition 9) that are undertaken each year is included in the Annual Report to clearly demonstrate that implementation is occurring in accordance with Condition 8 and 9 respectively. This could be in the form of a separate table or within the existing Table 1 of the Annual Reports. Alternatively, a link to the Ginninderry Conservation Trust Annual Reports where implementation of management plans is described could be included in the Annual Report. This will assist with future audits to ensure information is readily available.
- Relevant to the above recommendation it was noted during the audit interview that the Department previously asked Riverview Projects to remove a table in their first Annual Report that described the implementation of plans. It is recommended to discuss the proposed method for reporting on implementation of the plans in future Annual Reports with the Department and gain agreement on an approach. If the Department do not want the Annual Reports to include a summary of how the relevant management actions required under Condition 8 and 9 are being implemented then the above recommendation might be deemed not relevant.

5.0 Conclusion

This audit has found that Riverview Projects are compliant with the majority of compliance requirements under EPBC SA024. However, non-compliances have been identified with the requirements of four of their EPBC approval conditions. Two of the four non-compliances are administrative in nature and relate to not meeting specified timeframes in the conditions. For these non-compliances there are no recommendations.

Recommendations have been made in this report to address the other non-compliances and some additional recommendations have also been identified as an opportunity for improvement in future annual reporting to clearly demonstrate compliance with all requirements.



APPENDIX A

Detailed Audit Findings

Detailed Audit Findings

EPBC SA024 (West Belconnen Strategic Assessment)

Approval Holder: Riverview Projects (ACT) Pty Ltd

Date of report: 29 August 2022

Umwelt Audit Team:

- **Daniel Sullivan** – Lead Auditor (Principal Environmental Consultant).
- **Karina Carwardine** – Project Director (Manager Canberra, Principal Environmental Consultant).
- **Zoe Jarvis** – Project Manager (Environmental Consultant).

Scope:

The EPBC Conditions of Approval for the West Belconnen Strategic Assessment (EPBC SA024), outline the requirement for reporting and auditing. In this regard, Condition 18 of the approval states that:

“Every five years or upon direction of the Minister, the approval holder must ensure that an independent audit is conducted to verify the outcomes being reported in the Annual Report and the Program Review Report. The independent auditor must be appointed by the Environmental Management Trust in consultation with the ACT Conservator of Flora and Fauna and NSW Office of Environment and Heritage. The independent audit must be completed within a timeframe that enables the results to inform the Program Review Report. The audit report must be submitted to the Department and made available to the public.”

On 2 March 2022, the Assistant Director of the ACT Assessment Section at the Department of Agriculture, Water and the Environment (DAWE), wrote to the Ginninderry project team on behalf of Riverview Projects (ACT) directing that the Independent Audit of the project is due for completion by 18 July 2022. As noted in the correspondence, the first Audit will only assess the completed Annual Reports for years 1 and 2, as it will precede the first Program Review Report scheduled to be completed in January 2023.

On 29 April 2022, DAWE confirmed that the Audit is not required to be undertaken in accordance with the Independent Audit and Audit Report Guidelines (DoEE 2019), therefore the independent auditor and audit criteria and methodology were not required to be approved by DAWE prior to commencing the audit. This audit has still been undertaken generally in accordance with the template provided in the Independent Audit and Audit Report Guidelines (DoEE 2019).

The correspondence from DAWE to the Ginninderry project team on 2 March 2022, also noted that there is ambiguity in the timeframe requirements defined in the EPBC approval conditions. A summary of the reporting requirements was provided by DAWE after a review of the Program Report and the approval conditions. These reporting requirement timeframes are provided below and have been used within this audit to evaluate compliance with the conditions.

| Report | Timing |
|--------------------------------|------------------------------------|
| Program Report | Date of Endorsement – 17 July 2017 |
| Program Review Report | Due 18 January 2023 |
| Independent Audit | Due 18 July 2022 |
| Annual Report | Next due 31 August 2022 |
| Reserve Management Plan Review | Due 3 January 2024 |

The Umwelt audit team has completed a comprehensive compliance assessment against audit criteria and methodology with the detailed audit findings of this assessment presented in **Table 1**. An assessment of the achievement of conservation outcomes and actions for MNES detailed in the endorsed Program (A T Adams 2017) is presented in **Table 2**.

Please note that, since approval of the Program was granted, there have been two official names applicable to the federal government agency responsible for this approval, being Department of the Environment and Energy (DoEE), and Department of Agriculture, Water and the Environment (DAWE). To assist with the reading of this document, these agencies are collectively referred to as DAWE.

It must also be noted that the EPBC approval conditions referred to the former descriptors as given in the Program Report i.e. West Belconnen Conservation Corridor and the Environmental Management Trust. Since the approval, these names have been updated to the Ginninderry Conservation Corridor (GCC) and the Ginninderry Conservation Trust (GCT), respectively. This audit report uses the updated names in its assessment.

Table 1 Detailed Audit Findings – Compliance Assessment Against Audit Criteria and Methodology

| CONDITIONS OF EPBC ACT APPROVAL | | | | | | |
|----------------------------------|---|---|---|--|---|--------------------|
| EPBC Approval Condition 1 | | The approval holder must ensure development actions at the West Belconnen site are undertaken in accordance with the endorsed Program – <i>Urban Development at West Belconnen</i> (AT Adams Consulting, April 2017). | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 1.1 | <p>CRITERION</p> <p>The approval holder must ensure development actions at the West Belconnen site are undertaken in accordance with the endorsed Program – <i>Urban Development at West Belconnen</i> (A T Adams Consulting, April 2017).</p> | Review Annual Report, monitoring results, to confirm development actions are being undertaken in accordance with the endorsed Program – <i>Urban Development at West Belconnen</i> . | <p>The development is being undertaken in line with the general actions described in Section 3.1 of the Program including:</p> <ul style="list-style-type: none"> - construction and operation of a residential, commercial, community, light industrial and open land spaces are underway evidenced through site inspection and aerial photographs - variation to the Territory Plan and amendment of the National Capital Plan to reflect changes in land use completed in October 2015 and May 2016, respectively - rezoning land in NSW via an amendment to the Yass Local Environment Plan completed in 2020 - a biodiversity offsets package for GSM placing an additional 86.8 ha site (Lot 2 Wallaroo Road) supporting threatened species into protected areas. The site includes 11.9 ha of land currently occupied by GSM and 19.4 ha suitable for GSM, currently unoccupied. - creation of a conservation corridor along the Murrumbidgee River and Ginninderra Creek totaling 549.9 ha encompassing PTWL habitat and box gum woodland. <p>Construction of Ginninderra Drive extension has not yet commenced and is not expected to commence for another 10–15 years.</p> <p>Conservation outcomes and actions for MNES are also being achieved as discussed in Table 2.</p> | <ul style="list-style-type: none"> - Urban Development at West Belconnen – Program Report (A T Adams Consulting 2017) - Territory Plan Variation 351 (October 2015) - Yass Valley Local Environment Plan (Parkwood) 2020 - Amendment 86 to the National Capital Plan (May 2016) - Gooromon Grasslands Offset Management Plan 2018-23 (ACT Government, 2019) - Ginninderry Conservation Corridor 2018-2023 Interim Management Plan (Ginninderry, 2018). | The development actions at the Ginninderry site are being undertaken in accordance with the endorsed Program where currently applicable. As the development progresses, so will the action and response to conservation matters. | Compliant |
| EPBC Approval Condition 2 | | If the approval holder authorises, permits or requests another person to undertake any part of the action the approval holder must take all reasonable steps to ensure that the other person: <ul style="list-style-type: none"> a. is informed of any condition attached to the approval that restricts or regulates the way in which that part of the action may be taken; and b. complies with any such condition. | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 2.1 | <p>CRITERION</p> <p>If the approval holder authorises, permits or requests another person to undertake any part of the action the approval holder must take all reasonable steps to ensure that the other person:</p> <ul style="list-style-type: none"> a. is informed of any condition attached to the approval that restricts or | Review relevant documentation e.g site specific management plans etc, informing another person undertaking part of the action of the condition of approval and necessary restrictions. | The Construction Environmental Management Plan (CEMP) Framework was prepared to assist contractors in developing site-specific CEMPs for each stage of development. Each civil contractor must prepare a CEMP that complies with the CEMP Framework. The CEMP Framework includes measures outlined in the Program and approval conditions that must be included and adhered to in site-specific CEMPs. | - Ginninderry Development Construction Environmental Management Plan (CEMP) Framework (SMEC 2018). | The CEMP Framework provides guidance to all contractors of all conditions of approval that restrict or regulate the way in which their work may be undertaken. It is a requirement that all contractors must prepare a site-specific CEMP in accordance with the CEMP Framework. | Compliant |

CONDITIONS OF EPBC ACT APPROVAL

| | | | | | | |
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| | regulates the way in which that part of the action may be taken; and | | | | | |
| 2.2 | <p>CRITERION</p> <p>If the approval holder authorises, permits or requests another person to undertake any part of the action the approval holder must take all reasonable steps to ensure that the other person:</p> <p>b. complies with any such condition.</p> | Review relevant documentation confirming parts of the action undertaken by other persons have not resulted in non-compliances with the conditions. | The Superintendent oversees the approvals and management plans including sign off on each contractor CEMP. The CEMP Framework includes requirements for auditing and reporting that must be adhered to by contractors to report any non-compliances with the site-specific CEMPs. Reviewed email correspondence showing endorsement of contractor CEMPs. | <ul style="list-style-type: none"> - Ginninderry Development Construction Environmental Management Plan (CEMP) Framework (SMEC 2018) - Email correspondence between contractors and EPD Impact team (September 2019). | Riverview takes all reasonable steps to ensure that contractors comply with approval conditions as specified in the CEMP Framework through the approval and management of contractor CEMPs by the Superintendent. | Compliant |
| EPBC Approval Condition 3 | | The approval holder must ensure that the conservation outcomes specified in Section 5 of the Program are achieved. | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 3.1 | <p>CRITERION</p> <p>The approval holder must ensure that the conservation outcomes specified in Section 5 of the Program are achieved.</p> | Assess achievement of each conservation outcome specified in Section 5 of the Program in Table 2. | <p>Conservation outcomes 1, 6 and 21 have been achieved however these were not achieved within the specified timeframes. These outcomes refer to undertaking surveys for threatened flora and fauna (outcome 1) and establishment of the Ginninderry Conservation Trust (outcomes 6 and 21).</p> <p>Conservation outcome 4 has also not yet been achieved. This is in relation to a conservation covenant over Lot 2 Wallaroo Road not being in place. The timing for this outcome is to be implemented concurrently with the amendment to the Yass Valley LEP, which has already occurred. However, discussion during interviews confirmed that the action is linked to the extension of Ginninderra Drive which has not yet commenced.</p> <p>Evidence is outlined in Table 2.</p> | <ul style="list-style-type: none"> - Capital Ecology Report 2018/2019/2020 - Territory Plan Variation 351 (October 2015) - Yass Valley Local Environment Plan (Parkwood) 2020 - Amendment 86 to the National Capital Plan (May 2016) - Gooromon Grasslands Offset Management Plan 2018-23 (ACT Government, 2019) - Email correspondence with Ginninderry project staff (27 June 2022). | <p>As shown in Table 2, not all the conservation outcomes have been achieved, or were not achieved in the specified timeframe, therefore this audit has found that Riverview are not compliant with this condition.</p> <p>There are no recommendations for the conservation outcomes that were not achieved in the specified timeframes as it is an administrative non-compliance.</p> <p>It is recommended that Riverview continue to engage with Yass Valley Council to implement the statutory covenant for Lot 2 Wallaroo Road.</p> | Not Compliant |
| EPBC Approval Condition 4 | | The approval holder must ensure that the West Belconnen Conservation Corridor is established and encompasses a minimum of 549.9 hectares as shown in Figure 2 in the Program and including the habitat of listed threatened species and ecological communities identified in the Program as occurring within the West Belconnen Conservation Corridor. | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 4.1 | <p>CRITERION</p> <p>The approval holder must ensure that the West Belconnen Conservation Corridor is established and encompasses a minimum of 549.9 hectares as shown in Figure 2 in the Program and including the habitat of listed threatened species and ecological communities identified in the Program as occurring within the West Belconnen Conservation Corridor.</p> | Review variation to Territory Plan and Yass Valley Local Environment Plan (Parkwood) 2020 as evidence of establishment of the West Belconnen Conservation Corridor. | <p>Territory Plan Variation 351 (October 2015) established the approximately 360 ha of the ACT portion of the Conservation Corridor as public nature reserve. The Yass Valley Local Environment (Parkwood) Plan 2020 came into effect in July 2021 rezoning the NSW portion (approximately 220 ha) as E2 – Environmental Conservation zoning.</p> <p>The threatened species habitat protected in the Conservation Corridor includes areas in excess of those outlined in the Program.</p> <p>In relation to the ACT portion, DAWE have provided a letter (13/9/2018) stating that Ginninderry has achieved the requirements of conditions 4 and 5 of the approval.</p> <p>Reviewed letter, Territory Plan Variation 351, Yass Valley Local Environment Plan (Parkwood) 2020 and Amendment 86 to the National Capital Plan.</p> | <ul style="list-style-type: none"> - Letter to DAWE (26 July 2018) outlining River Corridor Legal Establishment - Letter from DAWE (13 September 2018) stating compliance with Condition 4 & 5 for ACT portion in accordance with staged approach in Program Report - Urban Development at West Belconnen – Program Report (A T Adams Consulting 2017) - Territory Plan Variation 351 (October 2015) | <p>The Ginninderry Conservation Corridor has been established and encompasses more than the required 549.9 ha. The Corridor includes the habitat of listed threatened species and ecological communities identified in the Program as occurring there.</p> <p>As stated in the DAWE letter (13/9/2018) regarding the ACT portion ‘...the conservation outcome of establishing the conservation corridor encompassing a minimum of 549.9 ha has been achieved....’.</p> <p>The Program provides for the staged implementation of the Conservation Corridor, with relevant stages of the corridor being secured prior to the commencement</p> | Compliant |

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| | | | | - Yass Valley Local Environment Plan (Parkwood) 2020 - Amendment 86 to the National Capital Plan (May 2016). | of construction in adjoining development stages. | |
| EPBC Approval Condition 5 | | Within six months prior to the commencement of construction in the ACT portion of the site, the land within the ACT portion of the West Belconnen Conservation Corridor boundary is to be either rezoned as outlined in Section 3.6 of the Program or must be secured for conservation in perpetuity through a legally binding mechanism approved by the Department. For the NSW portion of the West Belconnen Conservation Corridor the approval holder must secure the land for conservation in perpetuity through a legally binding mechanism approved by the Department within two years of endorsement of the Program. The West Belconnen Conservation Corridor Reserve Management Plan of condition 8 will not be endorsed and approved until the land has been rezoned or secured. | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 5.1 | CRITERION Within six months prior to the commencement of construction in the ACT portion of the site, the land within the ACT portion of the West Belconnen Conservation Corridor boundary is to be either rezoned as outlined in Section 3.6 of the Program or must be secured for conservation in perpetuity through a legally binding mechanism approved by the Department. | Review Territory Plan Variation rezoning the boundary in accordance with the endorsed Program – <i>Urban Development at West Belconnen</i> or evidence of legally binding mechanism securing for conservation in perpetuity. Confirm timing of mechanism approval. | The land within the ACT portion of the Ginninderry Conservation Corridor was rezoned as outlined in the endorsed Program through Territory Plan Variation 351. Territory Plan Variation 351 came into effect on 23 October 2015. Construction commenced on 22 August 2019. In relation to the ACT portion DAWE have provided a letter stating that Ginninderry has achieved the requirements of conditions 4 and 5 of the approval. Reviewed letter and Territory Plan Variation 351. | - Letter from DAWE (13 September 2018) stating compliance with Condition 4 & 5 for ACT portion in accordance with staged approach in Program Report - Urban Development at West Belconnen – Program Report (A T Adams Consulting 2017) - Territory Plan Variation 351 (October 2015) - Email correspondence with the Department advising commencement of construction (21 August 2019). | Land within the ACT portion of the site was rezoned more than six months prior to commencement of construction and is rezoned as outlined in Section 3.6 of the Program, resulting in compliance with this condition. | Compliant |
| 5.2 | CRITERION For the NSW portion of the West Belconnen Conservation Corridor the approval holder must secure the land for conservation in perpetuity through a legally binding mechanism approved by the Department within two years of endorsement of the Program. The West Belconnen Conservation Corridor Reserve Management Plan of condition 8 will not be endorsed and approved until the land has been rezoned or secured. | Review evidence of legally binding mechanism for conservation in perpetuity and timing of approval from Department. | Reviewed Yass Valley Local Environment Plan (Parkwood) 2020 and associated figures. This Plan came into effect on 17 July 2020. The Plan outlines the rezoning of NSW portion to E2 – Environmental Conservation Zoning. Riverview explained during the audit that it was envisaged that the Conservation Corridor land would initially be dedicated to Yass Valley Council upon the registration of the first plan of residential subdivision. That would be achieved pursuant to planning agreements between the landowners and Council to be entered into under the <i>Environmental Planning and Assessment Act 1979</i> (NSW). All but one of the private owners have agreed to dedicate their land to Yass Valley Council. The owners who have agreed to dedicate their land have entered into a heads of agreement or memoranda of understanding requiring them to dedicate the portions of the Conservation Corridor in their ownership to Yass Valley Council at some point in the future. There is currently no agreement with the owner of Lot 61 in DP801234 (Lot 61) to dedicate the part of the Conservation Corridor on Lot 61 to Yass Valley Council for the purposes of the Conservation Corridor. A legally binding mechanism for securing the conservation of the NSW Conservation Corridor land has not yet been | - Urban Development at West Belconnen – Program Report (A T Adams Consulting 2017) - Yass Valley Local Environment Plan (Parkwood) 2020 - Legal advice – Parkwood Project – Variation of Condition 5 of EPBC Approval (21 April 2022). | A legally binding mechanism for securing the conservation of the NSW Conservation Corridor land has not yet been approved by the Department or secured over the land. The NSW portion has been rezoned under the Yass Valley Local Environment Plan (Parkwood) 2020 as E2 – Environmental Conservation Zoning and E3 Environmental Management, however this mechanism is not considered adequate to secure the site in perpetuity as required by Condition 5, as an LEP can be rezoned through local council. The Plan also came into effect more than two years after endorsement of the Program. Therefore, Riverview is not compliant with this condition. It is recommended that Riverview continue to engage with the Department and seek agreement on the appropriate legally binding mechanism to secure the land in perpetuity. | Not Compliant |

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| | | | approved. Riverview received legal advice on this condition on 21 April 2022 which was reviewed. The date of endorsement of the Program is 18 July 2017. | | | |
| EPBC Approval Condition 6 | | The approval holder must ensure the Environment Management Trust is established through a trust deed in accordance with the endorsed Program within two years from the date of endorsement of the Program and prior to commencement of construction (in all areas other than the area marked as stage 1 in Figure 4 of the Program Report). | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 6.1 | CRITERION The approval holder must ensure the Environment Management Trust is established through a trust deed in accordance with the endorsed Program within two years from the date of endorsement of the Program and prior to commencement of construction (in all areas other than the area marked as stage 1 in Figure 4 of the Program Report). | Review trust deed and the endorsed Program – <i>Urban Development at West Belconnen</i> to confirm establishment of the EMT. Confirm timing of establishment of EMT and commencement of construction. | The Ginninderry Conservation Trust (GCT) was established under a Trust Deed on 22 July 2019. The date of endorsement of the Program was 18 July 2017. Construction commenced on 22 August 2019. | - Trust Deed for Ginninderry Conservation Trust (22 July 2019) - Urban Development at West Belconnen - Program Report (A T Adams Consulting 2017) - Email correspondence with the Department advising commencement of construction (21 August 2019). | The GCT was established under a Trust Deed in accordance with the Program. While the trust was established prior to the commencement of construction, it was established 2 years and 4 days after the date of endorsement of the Program (i.e. greater than 2 years) making Riverview technically not compliant with this condition. There are no recommendations for this condition as it is an administrative non-compliance. | Not Compliant |
| EPBC Approval Condition 7 | | Prior to the commencement of construction of the Ginninderra Drive extension, the approval holder must ensure that Golden Sun Moth Conservation Reserves are established for Jaramlee (52 ha) and West Macgregor (37 ha) and Lot 2 Wallaroo Road (86.8 ha) to offset impacts to Golden Sun Moth (GSM). | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 7.1 | CRITERION Prior to the commencement of construction of the Ginninderra Drive extension, the approval holder must ensure that Golden Sun Moth Conservation Reserves are established for Jaramlee (52 ha) and West Macgregor (37 ha) and Lot 2 Wallaroo Road (86.8 ha) to offset impacts to Golden Sun Moth (GSM). | Review evidence of commencement of construction of Ginninderra Drive extension. Review Gooromon Grasslands Offset Management Plan. | Discussion with the Ginninderry project team confirmed that construction of the Ginninderra Drive extension has not commenced. A review of aerial imagery from 2022 (www.ACTMApi.act.gov.au) confirmed that construction has not commenced on the extension. However, the Territory Plan has been varied to establish conservation reserves at the Jaramlee and West Macgregor offset areas, now considered within the Gooromon Grasslands Offset Management Plan, which includes Lot 2 Wallaroo Road. The ACT Government purchased Lot 2 Wallaroo Road to support the 33.1 ha of GSM offset required for the future Ginninderra Drive extension. The Gooromon Grasslands Offset Management Plan has also been prepared which provides an over-arching management plan for the three Golden Sun Moth offset reserves. The Plan has been endorsed and approved by the ACT Government. | - Territory Plan Variation 351 - Gooromon Grasslands Offset Management Plan 2018-23 (ACT Government, 2019) - ACT Conservator endorsement (Ian Walker, 2018) - ACT Government Approval (Mick Gentleman, 2019). | The Golden Sun Moth offset reserves at Jaramlee and West Macgregor have been established under the Territory Plan. Lot 2 Wallaroo Road has not yet been rezoned in the Yass Valley Local Environmental Plan. The Gooromon Grasslands Offset Management Plan covers management at these three sites and has been established prior to the commencement of construction of the Ginninderra Drive extension. As construction of the Ginninderry Drive extension has not yet commenced, Riverview is compliant with this condition. | Compliant |

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| EPBC Approval Condition 8 | | The approval holder must prepare the West Belconnen Conservation Corridor Reserve Management Plan to achieve at a minimum, the conservation outcomes as outlined in Section 5 of the Program. The plan must be prepared in consultation with the Department (regarding Protected Matters), NSW Office of Environment and Heritage (NSW portion of the site), endorsed by the ACT Conservator (for both the ACT and NSW portion of the site) and approved by the ACT Minister for the Environment (ACT portion). Endorsement and approval of the plan must be obtained within two years from the date of endorsement of the Program. The endorsed and approved plan must provide for an approved Offset Management Plan required under condition 9 to be appended. Construction (for all areas other than the area marked as stage 1 in the Program, Figure 4) cannot commence before the plan is endorsed and approved. The endorsed and approved plan or a later endorsed and approved plan must be implemented and made available to the public for the life of the Program. | | | | |
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| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 8.1 | CRITERION The approval holder must prepare the West Belconnen Conservation Corridor Reserve Management Plan to achieve at a minimum, the conservation outcomes as outlined in Section 5 of the Program. | Review West Belconnen Conservation Corridor Reserve Management Plan against the requirements outlined in Section 5 of the endorsed Program – <i>Urban Development at West Belconnen</i> . | Reviewed the Ginninderry Conservation Corridor 2018-2023 Interim Management Plan which was prepared in 2018 and approved by the ACT Minister for the Environment in January 2019. The Plan includes actions to achieve the conservation outcomes outlined in Section 5 of the Program as shown in Table 2 below. | - Ginninderry Conservation Corridor 2018-2023 Interim Management Plan (Ginninderry, 2018). | The Ginninderry Conservation Corridor 2018-2023 Interim Management Plan has been prepared to achieve the conservation outcomes outlined in Section 5 of the Program making Riverview compliant with this condition. | Compliant |
| 8.2 | CRITERION The plan must be prepared in consultation with the Department (regarding Protected Matters), NSW Office of Environment and Heritage (NSW portion of the site), endorsed by the ACT Conservator (for both the ACT and NSW portion of the site) and approved by the ACT Minister for the Environment (ACT portion). Endorsement and approval of the plan must be obtained within two years from the date of endorsement of the Program. | Review communication with Department and NSW OEH regarding preparation of the plan. Confirm date of endorsement and approval. | Comments from NSW OEH on the draft Corridor Management Plan were provided on 16 May 2018. Meeting notes between Riverview Projects/Ginninderry project team and the Department showed that feedback had been received from the Department on the draft plan. The date of endorsement of the Program is 18 July 2017. The plan was endorsed by the ACT Conservator on 19 November 2018 and approved by the ACT Minister for the Environment on 3 January 2019. | - NSW OEH response to draft plans (15 May 2018) - Meeting notes between Riverview/Ginninderry and the Department (September 2018 and December 2018) - ACT Conservator endorsement (Ian Walker, 19 November 2018) - ACT Government Approval (Mick Gentleman, 3 January 2019). | Riverview Group consulted with NSW OEH and the Department during the preparation of the Reserve Management Plan. Endorsement and approval of the plan occurred within two years from the date of endorsement of the Program. | Compliant |
| 8.3 | CRITERION The endorsed and approved plan must provide for an approved Offset Management Plan required under condition 9 to be appended. Construction (for all areas other than the area marked as stage 1 in the Program, Figure 4) cannot commence before the plan is endorsed and approved. | Confirm that the approved Offset Management Plan is appended to the West Belconnen Conservation Corridor Reserve Management Plan. Review evidence of commencement of construction and timing of endorsement and approval of Offset Management Plan. | The approved Ginninderry Development – Offset Management Plan is Appendix D to the Reserve Management Plan. The Reserve Management Plan was endorsed by the ACT Conservator on 19 November 2018 and approved by the ACT Minister for the Environment on 3 January 2019. Construction commenced on 22 August 2019. | - Ginninderry Conservation Corridor 2018-2023 Interim Management Plan (Ginninderry, 2018) - ACT Conservator endorsement (Ian Walker, 19 November 2018) - ACT Government Approval (Mick Gentleman, 3 January 2019). | The endorsed and approved plan contains an approved Offset Management Plan as an appendix. Construction did not commence prior to the plan being endorsed and approved. | Compliant |
| 8.4 | CRITERION The endorsed and approved plan or a later endorsed and approved plan must be implemented and made available to the public for the life of the Program. | Review Annual reports to confirm obligations under the Offset Management Plan are being implemented. Review Ginninderry website to confirm plan is public. | The Annual Reports do not contain any information confirming that the plan is being implemented. Interviews with Ginninderry Conservation Trust staff confirmed that many of the management actions identified in the plan are being implemented. Email correspondence following interviews outlined how each action was being/will be implemented. The Ginninderry Conservation Trust Annual Reports also describe how elements of the plan are being implemented. The Ginninderry Conservation Corridor 2018-2023 Interim Management Plan and Offset Management Plan are available on the Ginninderry website. | - Annual Report 2019-2020 Ginninderry Project (Ginninderry 2020) - Annual Report 2020-2021 Ginninderry Project (Ginninderry 2021) - Ginninderry Conservation Trust Annual Report FY19/20 (Ginninderry Conservation Trust 2020) | The endorsed and approved plans are available on the Ginninderry website. The audit has noted that the Annual Reports prepared during the audit period do not contain any information on the implementation of the plan. It is considered that it would be beneficial to include a summary of the key management actions that have been implemented under the plan in future Annual Reports. It is recommended to include a summary of the relevant management actions from the | Compliant |

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| | | | | <ul style="list-style-type: none"> - Ginninderry Conservation Trust Annual Report FY20/21 (Ginninderry Conservation Trust 2021) - Email correspondence with Ginninderry Conservation Trust (27 June 2022). | <p>Ginninderry Conservation Corridor 2018-2023 Interim Management Plan that are undertaken each year in the Annual Report to demonstrate that it is being implemented. This could be in the form of a separate table or within the existing Table 1 of the Annual Reports. Alternatively, a link to the Ginninderry Conservation Trust Annual Reports where implementation of management plans is described could be included in the Annual Report.</p> | |
| EPBC Approval Condition 9 | | <p>The approval holder must prepare the Offset Management Plan to address the preservation and enhancement of offset areas, including the Golden Sun Moth Conservation Reserves required under condition 7, and to achieve at a minimum the conservation outcomes as outlined in Section 5 of the Program. The plan must be prepared in consultation with the Department (regarding Protected Matters), NSW Office of Environment and Heritage (regarding NSW portion of the site), endorsed by the ACT Conservator (for both the ACT and NSW portion of the site) and approved by the ACT Minister for the Environment (ACT portion). Endorsement and approval of the plan must be obtained within two years from the date of endorsement of the Program. Construction cannot commence before the plan is endorsed and approved (for all areas other than the area marked as stage 1 in the Program, Figure 4). The approved Offset Management Plan must be appended to the West Belconnen Conservation Corridor Reserve Management Plan required under Condition 8. The endorsed and approved plan or a later endorsed and approved plan must be implemented and made available to the public for the life of the Program.</p> | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 9.1 | <p>CRITERION</p> <p>The approval holder must prepare the Offset Management Plan to address the preservation and enhancement of offset areas, including the Golden Sun Moth Conservation Reserves required under condition 7, and to achieve at a minimum the conservation outcomes as outlined in Section 5 of the Program.</p> | Review Offset Management Plan to confirm it addresses these requirements | Reviewed Gooromon Grasslands Offset Management Plan (for Golden Sun Moth) and Ginninderry Development Offset Management Plan. | <ul style="list-style-type: none"> - Gooromon Grasslands Offset Management Plan 2018-23 (ACT Government, 2019) - Ginninderry Development Offset Management Plan (SMEC 2018). | Two Offset Management Plans have been prepared to protect the offset areas. Both offset management plans include management actions to achieve the conservation outcomes outlined in Section 5 of the Program. | Compliant |
| 9.2 | <p>CRITERION</p> <p>The plan must be prepared in consultation with the Department (regarding Protected Matters), NSW Office of Environment and Heritage (regarding NSW portion of the site), endorsed by the ACT Conservator (for both the ACT and NSW portion of the site) and approved by the ACT Minister for the Environment (ACT portion). Endorsement and approval of the plan must be obtained within two years from the date of endorsement of the Program.</p> | Review communication with Department and NSW OEH regarding preparation of the plan. Confirm date of endorsement and approval. | <p>Comments from NSW OEH on the Offset Management Plan were provided on 16 May 2018. Meeting notes between Riverview Projects /Ginninderry project team and the Department showed that feedback had been received from the Department on the draft plan.</p> <p>The date of endorsement of the Program is 18 July 2017. The plan was endorsed by the ACT Conservator on 19 November 2018 and approved by the ACT Minister for the Environment on 3 January 2019.</p> | <ul style="list-style-type: none"> - NSW OEH response to draft plans (2018) - Meeting notes between Riverview/Ginninderry and the Department (September 2018 and December 2018) - ACT Conservator endorsement (Ian Walker, 19 November 2018) - ACT Government Approval (Mick Gentleman, 3 January 2019). | <p>Riverview Group consulted with NSW OEH and the Department during the preparation of the Reserve Management Plan.</p> <p>Endorsement and approval of the plan occurred within two years from the date of endorsement of the Program.</p> | Compliant |
| 9.3 | <p>CRITERION</p> <p>Construction cannot commence before the plan is endorsed and approved (for all areas other than the area marked as stage 1 in the Program, Figure 4).</p> | Review evidence of commencement of construction and timing of endorsement and approval of Offset Management Plan. | <p>The plan was endorsed by the ACT Conservator on 19 November 2018 and approved by the ACT Minister for the Environment on 3 January 2019.</p> <p>Construction commenced on 22 August 2019.</p> | <ul style="list-style-type: none"> - ACT Conservator endorsement (Ian Walker, 19 November 2018) - ACT Government Approval (Mick Gentleman, 3 January 2019). | The plan was endorsed and approved prior to construction commencing. | Compliant |

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| 9.4 | <p>CRITERION The approved Offset Management Plan must be appended to the West Belconnen Conservation Corridor Reserve Management Plan required under Condition 8. The endorsed and approved plan or a later endorsed and approved plan must be implemented and made available to the public for the life of the Program.</p> | <p>Review West Belconnen Conservation Corridor Reserve Management Plan. Review Annual reports to confirm obligations under the Offset Management Plan are being implemented. Review Ginninderry website.</p> | <p>The approved Ginninderry Development – Offset Management Plan is Appendix D to the Belconnen Conservation Corridor Reserve Management Plan. The Annual reports do not contain any information on the implementation of the plan. Interviews with Ginninderry Conservation Trust staff confirmed that many of the management actions identified in the plan are being implemented. Email correspondence following interviews outlined how each action was being/will be implemented. The Ginninderry Conservation Trust Annual Reports describe how the plan is being implemented. The plan is available on the Ginninderry website.</p> | <ul style="list-style-type: none"> - Annual Report 2019-2020 Ginninderry Project (Ginninderry 2020) - Annual Report 2020-2021 Ginninderry Project (Ginninderry 2021) - Ginninderry Conservation Trust Annual Report FY19/20 (Ginninderry Conservation Trust 2020) - Ginninderry Conservation Trust Annual Report FY20/21 (Ginninderry Conservation Trust 2021) - Email correspondence with Ginninderry Conservation Trust (27 June 2022). | <p>The endorsed and approved plan is available on the Ginninderry website. The audit has noted that the Annual Reports prepared during the audit period do not contain any information on the implementation of the plan. It is considered that it would be beneficial to include a summary of the key management actions that have been implemented under the plan in future Annual Reports. It is recommended to include a summary of the relevant management actions from the Offset Management Plan that are undertaken each year in the Annual Report to demonstrate that it is being implemented. This could be in the form of a separate table or within the existing Table 1 of the Annual Reports. Alternatively, a link to the Ginninderry Conservation Trust Annual Reports where implementation of management plans is described could be included in the Annual Report.</p> | Compliant |
| <p>EPBC Approval Condition 10</p> | | <p>Prior to the commencement of construction (in all areas other than the area marked as stage 1 in the Program, Figure 4), the approval holder must prepare a Construction Environmental Management Plan (CEMP) to mitigate impacts that may occur throughout the construction phase of the Program. The CEMP must include measures outlined in the Program. The plan must be prepared in consultation with the Department (regarding Protected Matters), NSW Office of Environment and Heritage (regarding NSW portion of the site), endorsed by the ACT Conservator (for both the ACT and NSW portion of the site) and approved by the ACT Minister for the Environment (ACT portion). The endorsed and approved plan or a later endorsed and approved plan must be implemented and made available to the public for the life of the Program.</p> | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 10.1 | <p>CRITERION Prior to the commencement of construction (in all areas other than the area marked as stage 1 in the Program, Figure 4), the approval holder must prepare a Construction Environmental Management Plan (CEMP) to mitigate impacts that may occur throughout the construction phase of the Program. The CEMP must include measures outlined in the Program.</p> | <p>Review CEMP Framework and endorsed Program – <i>Urban Development at West Belconnen</i>. Confirm CEMP was prepared prior to the commencement of construction.</p> | <p>Construction commenced on 22 August 2019. The CEMP Framework was finalised on 12 October 2018. The CEMP Framework was prepared to assist contractors in developing site-specific CEMPs for each stage of development. Each civil contractor must prepare a CEMP that complies with the CEMP Framework. The CEMP Framework includes measures outlined in the Program that must be included in site-specific CEMPs. The Superintendent oversees the approvals and management plans including sign off on each contractor CEMP.</p> | <ul style="list-style-type: none"> - Urban Development at West Belconnen – Program Report (A T Adams Consulting 2017) - Ginninderry Development Construction Environmental Management Plan (CEMP) Framework (SMEC 2018). | <p>The CEMP Framework was prepared prior to construction commencing and includes the relevant management measures outlined in the Program.</p> | Compliant |
| 10.2 | <p>CRITERION The plan must be prepared in consultation with the Department (regarding Protected Matters), NSW Office of Environment and Heritage (regarding NSW portion of the site), endorsed by the ACT Conservator (for both the ACT and NSW portion of the site) and approved by the</p> | <p>Review communication with Department and NSW OEH regarding preparation of the plan. Review ACT Conservator endorsement and ACT Minister for the Environment approval.</p> | <p>Comments from NSW OEH on the Construction Environmental Management Plan (CEMP) Framework were provided on 16 May 2018. Meeting notes between Riverview Projects/Ginninderry project team and the Department showed that feedback had been received from the Department on the draft plan. The date of endorsement of the Program is 18 July 2017. The plan was endorsed by the ACT Conservator on 19</p> | <ul style="list-style-type: none"> - NSW OEH response to draft plans (2018) - Meeting notes between Riverview/Ginninderry and the Department (September 2018 and December 2018) - ACT Conservator endorsement (Ian Walker, 19 November 2018) | <p>Riverview Projects consulted with NSW OEH and the Department during the preparation of the CEMP Framework. The plan was endorsed by the ACT Conservator and approved by the ACT Minister for the Environment.</p> | Compliant |

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| | ACT Minister for the Environment (ACT portion). | | November 2018 and approved by the ACT Minister for the Environment on 3 January 2019. | - ACT Government Approval (Mick Gentleman, 3 January 2019). | | |
| 10.3 | CRITERION The endorsed and approved plan or a later endorsed and approved plan must be implemented and made available to the public for the life of the Program. | Review Annual reports to confirm obligations under the CEMP Framework are being implemented. Review Ginninderry project website. | The Annual reports do not contain any information on the implementation of the plan. The Superintendent oversees the approval and management of plans including sign off on each contractor CEMP. The CEMP Framework includes requirements for auditing and reporting that must be adhered to by contractors to report any non-compliances with the site-specific CEMPs. Reviewed email correspondence showing endorsement of contractor CEMPs. The endorsed and approved CEMP Framework is available on the Ginninderry project website. | - Annual Report 2019-2020 Ginninderry Project (Ginninderry 2020) - Annual Report 2020-2021 Ginninderry Project (Ginninderry 2021) - Email correspondence between contractors and EPD Impact team (September 2019). | The endorsed and approved CEMP Framework is being implemented through the approval and overview of contractor site-specific CEMPs. The CEMP Framework is available on the Ginninderry project website. | Compliant |
| EPBC Approval Condition 11 | | Prior to the commencement of construction (in all areas other than the area marked as stage 1 in the Program Figure 4) and within 12 months before or within 12 months after endorsement of the Program by the Department, the approval holder must engage a suitably qualified expert to survey the West Belconnen site for Pink-tailed Worm Lizard and Natural Temperate Grassland of the South Eastern Highlands in accordance with the survey guidelines. The results of surveys must be submitted to the Department for acceptance within 6 months of the completion of the survey. The accepted report must be made available to the public prior to the commencement of construction. | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 11.1 | CRITERION Prior to the commencement of construction (in all areas other than the area marked as stage 1 in the Program Figure 4) and within 12 months before or within 12 months after endorsement of the Program by the Department, the approval holder must engage a suitably qualified expert to survey the West Belconnen site for Pink-tailed Worm Lizard and Natural Temperate Grassland of the South Eastern Highlands in accordance with the survey guidelines. | Review evidence that suitably qualified expert has been engaged. Review survey reports to confirm survey completed at the right stages and that they were in accordance with the survey guidelines. | Construction commenced on 22 August 2019. The date of endorsement of the Program is 18 July 2017. During spring 2017, Riverview Projects commissioned two separate technical studies to survey for Pink-tailed Worm Lizard and Natural Temperate Grassland. The surveys were undertaken between 19 October 2018 and 22 March 2019. Additional surveys were undertaken in 2018, 2019 and 2020 for PTWL and NTG. Capital Ecology provided a Statement of Compliance against condition 11 in 2019. | - EPBC Act Strategic Assessment No. 024 – Urban Development at West Belconnen (Ginninderry), Review and Statement of Compliance with Approval Condition 11 letter (Capital Ecology 2019) - Assessment of mapped pink-tailed worm lizard habitat within Ginninderry for potential to meet criteria for classification as natural temperate grassland (SMEC 2017) - West Belconnen Vegetation Survey Summary (Robert Jessop Pty Ltd in association with SMEC 2017) - Ginninderry – Pink-tailed Worm Lizard survey and habitat mapping – portions of ACT project area (Capital Ecology 2018) - Ginninderry – Pink-tailed Worm-lizard survey and habitat mapping of NSW land (Capital Ecology 2018) - The Extent and Condition of Natural Temperate Grassland of the South Eastern Highlands in | Initial surveys were undertaken prior to construction and within 12 months after endorsement of the Program by a suitably qualified expert and in accordance with the survey guidelines. | Compliant |

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| | | | | the Ginninderry Project Area (Capital Ecology 2020). | | |
| 11.2 | CRITERION The results of surveys must be submitted to the Department for acceptance within 6 months of the completion of the survey. The accepted report must be made available to the public prior to the commencement of construction. | Review correspondence with Department to confirm results were submitted within 6 months of surveys. Review Ginninderry website and confirm timing of when report was made available to the public. | The surveys were completed between 19 October 2018 and 22 March 2019. Surveys results were submitted to the Department on 3 April 2019. The Department provided comment on 15 June 2018, providing clarification around the purpose of the condition which required additional surveys be undertaken. Survey results were uploaded to the website on 24 June 2019. Construction commenced on 22 August 2019. | - EPBC Act Strategic Assessment No. 024 – Urban Development at West Belconnen (Ginninderry), Review and Statement of Compliance with Approval Condition 11 letter (Capital Ecology 2019) - Email correspondence with Department (3 April 2019) | Results of the surveys were submitted to the Department within 6 months of the completion of the surveys. Survey results were accepted and made available on the website prior to commencement of construction. | Compliant |
| EPBC Approval Condition 12 | | The approval holder must consult the Department prior to taking an action when the Defined Process Strategy is triggered. The approval holder must provide the Department with any information requested on the action or proposed conservation outcomes and must implement any modification to the way the action is undertaken as requested by the Department to achieve the conservation outcomes specified in Section 5 of the Program. | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 12.1 | CRITERION The approval holder must consult the Department prior to taking an action when the Defined Process Strategy is triggered. | Review consultation with the Department advising that an action is going to be undertaken that will result in the Defined Process Strategy being triggered. | The first track or Strathnairn Residents track has triggered the Defined Process Strategy (DPS) for both pink-tailed worm-lizard and natural temperate grassland. The DPS is triggered when physical works have commenced. Physical works for the track commenced on 26 July 2021. Prior to receiving ACT Planning development approval within the Conservation Corridor for the works, DAWE was consulted on the proposed works including the ecological strategy proposed. | - Email correspondence with the Department (4 November 2020). | The Department was consulted prior to commencing construction on the first track which resulted in the Defined Process Strategy being triggered. | Compliant |
| 12.2 | CRITERION The approval holder must provide the Department with any information requested on the action or proposed conservation outcomes and must implement any modification to the way the action is undertaken as requested by the Department to achieve the conservation outcomes specified in Section 5 of the Program. | Review any additional information / evidence provided. | The Department requested details on the proposed offset including the timing and location prior to commencing the track and a copy of the approved CEMP by the ACT Conservator of Flora and Fauna. This information was provided to the Department via a series of emails. | - Email correspondence with the Department (19 August 2021, 2 September 2021, 9 September 2021) - Email correspondence with ACT Conservator Liaison (20 September 2021). | Riverview Projects provided the Department with additional information on the action as requested. | Compliant |
| EPBC Approval Condition 13 | | The approval holder must ensure that a cat containment policy (enduring in perpetuity), is established, implemented, monitored and maintained across the West Belconnen site. Results of monitoring must be reported in the Annual Report and reviewed as part of the five yearly Program Review Report to ensure ongoing protection of listed threatened species and ecological communities from domestic predators. | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 13.1 | CRITERION The approval holder must ensure that a cat containment policy (enduring in perpetuity), is established, implemented, monitored and maintained across the West Belconnen site. | Review cat containment policy and evidence of its establishment, implementation and maintenance, including inspection of measures that have been installed/are being implemented. | Cat containment has been declared by the ACT Government for the suburbs of Strathnairn and Macnamara. As the development progresses, cat containment will be declared in the next stages. | - Domestic Animals (Cat Containment) Declaration 2018 (No 1) (ACT Minister for Transport and City Service 2018) | A cat containment policy is in place (in perpetuity) for the two existing suburbs. As development progresses, cat containment will be declared for the next stages across the site. | Compliant |

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| | | Review Annual Reports for confirmation that the cat containment policy is being implemented, monitored and maintained. | The Annual Reports confirm that cat containment is being implemented, monitored and maintained across the site by GCT staff. | - Annual Report 2019-2020 Ginninderry Project (Ginninderry 2020) - Annual Report 2020-2021 Ginninderry Project (Ginninderry 2021). | Cat containment is being implemented, monitored and maintained across the existing suburbs. | |
| 13.2 | Results of monitoring must be reported in the Annual Report and reviewed as part of the five yearly Program Review Report to ensure ongoing protection of listed threatened species and ecological communities from domestic predators. | Review monitoring results in Annual Report. | According to the Annual Reports, monitoring of cats is being undertaken by GCT staff. Results of monitoring have identified that the cat containment is being adhered to in the suburbs. Monitoring cameras have been deployed in the Conservation Corridor and captured two cats on camera. The cats were not caught however the Annual Reports conclude that cat numbers recorded do not pose a significant risk to the Conservation Corridor. The Program Review Report is not due until 18 January 2023. | - Annual Report 2019-2020 Ginninderry Project (Ginninderry 2020) - Annual Report 2020-2021 Ginninderry Project (Ginninderry 2021). | Results of monitoring have been reported in the Annual Reports. The requirement of reviewing the results as part of the five yearly Program Review Report has not been triggered yet. | Compliant |
| EPBC Approval Condition 14 | | Within ten days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement. | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 14.1 | CRITERION Within ten days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement. | Review communication to Department confirming commencement date | The Department was notified on 21 August 2019 that construction on Stage 2 (the action) would commence on 22 August 2019. It was confirmed during interviews with the Ginninderry project team during the audit that construction did commence on 22 August 2019. | - Email correspondence with the Department advising commencement of construction (21 August 2019). | While the Department was notified the day prior to construction commencing rather than after, the intention of the condition has still been met with the Department being notified of the action commencing. | Compliant |
| EPBC Approval Condition 15 | | The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans required by 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. | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 15.1 | CRITERION The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans required by 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. | Verification will occur as per the methods proposed for each of the conditions/criteria above. Review any additional evidence. | Activities/requirements associated with the conditions of approval sufficient records were found to be kept and evidence was able to be provided as documented in this audit report. | As per other conditions referenced throughout these compliance tables. | Activities/requirements associated with the conditions of approval sufficient records were found to be kept and evidence was able to be provided as documented in this audit report. | Compliant |

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| EPBC Approval Condition 16 | | Within two months of the end of each financial year after the commencement of the action, the approval holder must submit an Annual Report to the Department addressing compliance with the conditions of this approval over the previous 12 months, including implementation of any management plans as specified in the conditions. The Annual Report must contain at a minimum the requirements outlined in Section 7.1.1 of the Program. Non-compliance with any of the conditions of this approval must be reported to the Department as soon as the approval holder is aware of the breach and the non-compliance must be reported in the Annual Report. The report must be made available to the public. | | | | |
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| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 16.1 | <p>CRITERION</p> <p>Within two months of the end of each financial year after the commencement of the action, the approval holder must submit an Annual Report to the Department addressing compliance with the conditions of this approval over the previous 12 months, including implementation of any management plans as specified in the conditions.</p> | Review Annual Reports and submission details | <p>The action commenced on 22 August 2019, therefore relevant to the audit period, only two annual reports are required to comply with this condition.</p> <p>The 2019-2020 Annual Report was finalised on 28 August 2020. The 2020-2021 Annual Report was finalised on 30 August 2021. The Annual Reports both addressed compliance with the condition of the EPBC approval, including implementation of management plans.</p> <p>Submitted to the Department on 28 August 2020 and 31 August 2021, respectively.</p> | <ul style="list-style-type: none"> - Annual Report 2019-2020 Ginninderry Project (Ginninderry 2020) - Annual Report 2020-2021 Ginninderry Project (Ginninderry 2021) - Email correspondence with the Department advising commencement of construction (21 August 2019) - Email correspondence with the Department for submission of the Annual Reports (28 August 2020 and 31 August). | The Ginninderry project team, on behalf of Riverview Projects, has prepared and submitted two Annual Reports to the Department since the action commenced in 2019. The Annual Reports include the required information and were submitted within two months of the end of each financial year after commencement of the action. | Compliant |
| 16.2 | The Annual Report must contain at a minimum the requirements outlined in Section 7.1.1 of the Program. | Review Annual Reports to confirm they contain the requirements outlined in Section 7.1.1 of the Program. | Reviewed the Annual Reports and confirmed that they contain the requirements outlined in Section 7.1.1 of the Program. | <ul style="list-style-type: none"> - Annual Report 2019-2020 Ginninderry Project (Ginninderry 2020) - Annual Report 2020-2021 Ginninderry Project (Ginninderry 2021) | The Annual Reports contain the required information. | Compliant |
| 16.3 | Non-compliance with any of the conditions of this approval must be reported to the Department as soon as the approval holder is aware of the breach and the non-compliance must be reported in the Annual Report. The report must be made available to the public. | <p>Review Annual reports.</p> <p>View evidence that the Department is notified of any non-compliances that are identified in the Annual Reports.</p> <p>Review Ginninderry website to confirm Annual Reports are published</p> | <p>The Annual Reports note that no non-compliances of the conditions have occurred.</p> <p>Annuals Reports are published on the Ginninderry website.</p> | <ul style="list-style-type: none"> - Annual Report 2019-2020 Ginninderry Project (Ginninderry 2020) - Annual Report 2020-2021 Ginninderry Project (Ginninderry 2021). | <p>As documented in this table the audit has identified a number of non-compliances with the conditions of this approval with a number of these being due to requirements not being addressed within the required timeframe.</p> <p>It appears from review of the Annual Reports that Riverview Projects were not aware of the compliance issues identified as to date there have been no instances of any non-compliances reported in the Annual Reports.</p> <p>In this regard it is considered that Riverview Projects are compliant with this condition but now that the non-compliances with other conditions have been identified by this audit they will need to report them to the Department and report on them in the next Annual Report.</p> <p>Annual Reports are made available to the public on the Ginninderry website.</p> | Compliant |

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| | | | | | It is recommended that Riverview Projects officially report the non-compliances identified by this audit to the Department and include them in the next Annual Report. | |
| EPBC Approval Condition 17 | | Every five years and within six months from the date of endorsement of the Program, the approval holder must prepare a Program Review Report. The Program Review Report will summarise progress over the preceding five years in achieving the conservation gains as defined by the Program, referenced against the conservation outcomes in Section 5 of the Program. The preparation of the Program Review Report will follow the preparation and submission of the Annual Report for that year to allow incorporation of its findings. The Program Review Report will be submitted to the NSW Office of Environment and Heritage for review prior to being submitted to the ACT Conservator of Flora and Fauna for endorsement. The finalised report will be submitted to the Department and made available to the public. | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 17.1 | CRITERION Every five years and within six months from the date of endorsement of the Program, the approval holder must prepare a Program Review Report. The Program Review Report will summarise progress over the preceding five years in achieving the conservation gains as defined by the Program, referenced against the conservation outcomes in Section 5 of the Program. The preparation of the Program Review Report will follow the preparation and submission of the Annual Report for that year to allow incorporation of its findings. | Review Program Review Report, endorsed Program – <i>Urban Development at West Belconnen</i> and Annual Reports and submission details | The timing for this criterion has not yet been triggered. | N/A | Determination of not applicable was decided as the Program Review Report does not need to be prepared until 18 January 2023. | Not applicable |
| 17.2 | The Program Review Report will be submitted to the NSW Office of Environment and Heritage for review prior to being submitted to the ACT Conservator of Flora and Fauna for endorsement. The finalised report will be submitted to the Department and made available to the public. | Review Program Review Report and submission details. | The timing for this criterion has not yet been triggered. | N/A | Determination of not applicable was decided as the Program Review Report does not need to be prepared until 18 January 2023. | Not applicable |
| EPBC Approval Condition 18 | | Every five years or upon direction of the Minister, the approval holder must ensure that an independent audit is conducted to verify the outcomes being reported in the Annual Report and the Program Review Report. The independent auditor must be appointed by the Environmental Management Trust in consultation with the ACT Conservator of Flora and Fauna and NSW Office of Environment and Heritage. The independent audit must be completed within a timeframe that enables the results to inform the Program Review Report. The audit report must be submitted to the Department and made available to the public. | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 18.1 | CRITERION Every five years or upon direction of the Minister, the approval holder must ensure that an independent audit is conducted to verify the outcomes being reported in the Annual Report and the Program Review Report. The independent auditor must be appointed by the Environmental Management Trust in consultation with the ACT Conservator of Flora and Fauna and NSW Office of Environment and Heritage. The independent audit must be | Review past independent audits including directions from the minister requesting they be completed. | This independent audit is the first EPBC audit. Independent auditor (Umwelt) was appointed by the Ginninderry Conservation Trust (GCT). Consultation was undertaken with the ACT Conservator of Flora and Fauna and NSW OEH. The Program Review Report is not due until 18 January 2023. | - Email correspondence with NSW OEH and ACT (10 May 2022 and 16 March 2022) - Email correspondence with the Department (2 March 2022). | The audit was undertaken in accordance with the requirements of the condition. The audit results will inform the Program Review Report. In accordance with the requirements of this condition it is recommended that Riverview Projects submit the audit report to the Department and make the report available to the public. | Compliant |

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| | completed within a timeframe that enables the results to inform the Program Review Report. The audit report must be submitted to the Department and made available to the public. | | | | | |
| EPBC Approval Condition 19 | | If, at any time after five 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. | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 19 | CRITERION If, at any time after five 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. | Review evidence for development commencement date. | The date of the approval is 1 September 2017. The action commenced on 22 August 2019 which is within the five-year time period. | - Email correspondence with the Department advising commencement of construction (21 August 2019). | Not applicable | Not applicable |
| EPBC Approval Condition 20 | | Unless otherwise agreed to in writing by the Minister, the approval holder must publish all -management plans and reports referred to in these conditions of approval on their website. Each management plan and report must be published on the website within 1 month of being endorsed and approved. | | | | |
| | | Verification Method | Evidence | Documents Sighted | Determination | Compliance Finding |
| 20.1 | CRITERION Unless otherwise agreed to in writing by the Minister, the approval holder must publish all management plans and reports referred to in these conditions of approval on their website. | Review Ginninderry website to confirm management plans are published. | All management plans and reports referred to in the conditions are published on the Ginninderry website in the 'Reports Library'. | <ul style="list-style-type: none"> - Urban Development at West Belconnen – Program Report (A T Adams Consulting 2017) - Ginninderry Conservation Corridor 2018 - 2023 Management Plan (Ginninderry 2018) - Ginninderry Development Offset Management Plan (SMEC 2018) - Gooromon Grasslands Offset Management Plan 2018-23 (ACT Government 2018) - Ginninderry Development Construction Environmental Management Plan (CEMP) Framework (SMEC 2018) - The Extent and Condition of Natural Temperate Grassland of the South Eastern Highlands in the Ginninderry Project Area (Capital Ecology 2020) - Ginninderry – Pink-tailed Worm-lizard survey and habitat mapping (Capital Ecology 2018) - Ginninderry – Pink-tailed Worm-lizard survey and habitat mapping of NSW land (Capital Ecology 2019) | All management plans and reports are able to be accessed on the Ginninderry website. | Compliant |

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| | | | | <ul style="list-style-type: none"> - Assessment of mapped pink-tailed worm lizard habitat within Ginninderry for potential to meet criteria for classification as natural temperate grassland (SMEC 2017) - Annual Report 2019-2020 Ginninderry Project (Ginninderry 2020) - Annual Report 2020-2021 Ginninderry Project (Ginninderry 2021). | | |
| 20.2 | Each management plan and report must be published on the website within 1 month of being endorsed and approved. | View evidence of each management plan referred to under these conditions being published within one month of approval. | <p>Majority of the management plans and reports required by the approval conditions were published more than 1 month after being endorsed and approved.</p> <p>Riverview Projects launched the Ginninderry website on 1 September 2021. All management plans and reports are published on the new website. The plans and reports were all published after September 2021.</p> | - Email correspondence from Ginninderry outlining the dates all reports/plans were published (29 June 2022). | <p>As majority of the management plans and reports were published more than 1 month after being endorsed and approved, Riverview Projects is not compliant with this condition. Given Riverview Projects launched a new website on 1 September 2021, all reports/plans have now been re-published on the new website.</p> <p>It is recommended that Riverview Projects ensure that all future management plans and reports are published on the new website within 1 month of being endorsed and approved.</p> | Not Compliant |

Table 2 Compliance Table for Conservation outcomes and actions for MNES described in Program Report (A T Adams Consulting 2017)

| Conservation outcome | Action | Responsibility | Timing | Comment (2022 Audit) | Finding (2022 Audit) | |
|--|--------|--|---|--|---|--|
| Previously unidentified MNES | | | | | | |
| Protection of Matters of National Environmental Significance that are identified in pre-construction surveys for permitted construction work in the WBCC | 1 | Prior to development of WBCC infrastructure, site surveys of threatened flora and fauna species will be conducted and populations of threatened flora and fauna species will be avoided or impacts managed in accord with the RMP and EPBC Act. | Riverview Group Environmental Management Trust | Ongoing The survey of PTWL and NTG will occur within 12 months of Ministerial endorsement of the Program, and will be made public. | Capital Ecology undertook surveys for Pink-tailed Worm Lizard in 2018/19 and for Natural Temperate Grassland TEC in 2020. The survey results are all available on the Ginninderry website. These surveys occurred more than 12 months after Ministerial endorsement of the Program. | Achieved, however not within the timeframe specified. |
| Golden Sun Moth | | | | | | |
| Protection and enhancement of habitat whilst allowing for the intrusion of the Ginninderra drive alignment (refer to (ACT Government, 2013) (David Hogg Pty Ltd, 2011) | 2 | Vary the Territory Plan to establish conservation reserves at the Jarramlee and West Macgregor offset areas, with provision for Ginninderra Drive | Riverview Group | Prior to commencement of construction of Ginninderra Drive extension. | The process of applying a <i>Pc: Nature Reserve</i> overlay for Jarramlee and West Macgregor offsets sites via a variation to the Territory Plan was completed on 23 October 2015. Extension to Ginninderra Drive has not yet commenced and is not expected to commence for another 15-20 years. | Achieved. |
| Mitigation of the impact of Ginninderra Drive extension on GSM habitat in Jarramlee and West Macgregor offset areas | 3 | ACT Government to Purchase Lot 2 Wallaroo Road (86.8 Ha) from the Commonwealth catering for the following components: - 1.8 Ha as replacement of impacted areas of occupied GSM habitat, - 11.9 Ha of occupied GSM habitat, - 19.4 Ha of unoccupied GSM habitat, and, - Implementation of GSM habitat restoration as a connectivity measure between Jarramlee and Dunlop Grasslands Reserve. | Economic Development Directorate | Land purchase prior to commencement of construction of infrastructure to service the residential estate, habitat restoration prior to commencement of construction of Ginninderra Drive extension. | The Suburban Land Agency (SLA) purchased Lot 2 Wallaroo Road in 2015, to facilitate the Ginninderry Joint Venture GSM offset requirements. Extension to Ginninderra Drive has not yet commenced and is not expected to commence for another 15-20 years. | Achieved. |
| | 4 | Apply a conservation covenant requiring the long term protection and enhancement of GSM habitat on lot 2 Wallaroo Road Whilst the covenant will provide long term protection for the Wallaroo Rd offset area, further investigations should occur for the potential to rezone the land to E3 Environmental Management. | Riverview Group to request Yass Valley Council to implement the statutory covenant. | To be implemented concurrently with the amendment to the Yass Valley LEP. | A conservation covenant requiring the long-term protection and enhancement of GSM habitat on Lot 2 Wallaroo Road has not yet been implemented. It is recommended that Riverview Projects engage with Yass Valley Council to implement the statutory covenant. | Not achieved |

| Conservation outcome | Action | Responsibility | Timing | Comment (2022 Audit) | Finding (2022 Audit) | |
|---|--|--|--|--|--|--|
| | <p>5</p> <p>Prepare a combined offset management plan (OMP) addressing the preservation and enhancement of GSM habitat in Jarramlee and West Macgregor offset areas and Lot 2.</p> <p>Actions in the OMP to include research and trials for golden sun moth larvae translocation.</p> <p>Incorporate the management plan into the WBCC RMP.</p> <p>Lot 2 GSM habitat area to be increased from current 11.9 Ha to 33.1 Ha.</p> | <p>Riverview Group to prepare first draft.</p> <p>Environmental Management Trust to seek approval and implement the plan.</p> <p>Plan to be endorsed by the ACT Conservator and approved by the Minister for the Environment (ACT component) and endorsed by the ACT Conservator of Flora and Fauna (NSW component) in consultation with the NSW Office of Environment and Heritage</p> | <p>Plan to be finalised within 2 years of Ministerial endorsement of the Program, reviewed at intervals of no more than five years thereafter.</p> <p>GSM habitat area increase to be achieved prior to construction of Ginninderra Drive extension.</p> | <p>The Gooromon Grasslands Offset Management Plan which provides an over-arching management plan for the three offset reserves. The Plan was endorsed and approved by the ACT Government.</p> <p>The OMP includes actions for research and trials for golden sun moth larvae translocation, however planning for the research and trials has been paused until further works for the extension of Ginninderra Drive have been confirmed.</p> | Achieved. | |
| Establishment of a governance regime for reserve land (Macgregor, Jarramlee and Lot 2). | 6 | Establish a West Belconnen Environmental Management Trust (EMT). | Riverview Group | Within 2 years of Ministerial endorsement of the Program and prior to construction of Ginninderra Drive extension. | The Ginninderry Conservation Trust (GCT) was established under a Trust Deed on 22 July 2019. While the trust was established prior to the commencement of construction of Ginninderra Drive, it was established more than two years after the date of endorsement of the Program (18 July 2017). | Achieved, however not within the timeframe specified. |
| Implementation of program for research and trials for the translocation of golden sun moth larvae | 7 | Research and trials to be undertaken to assist habitat restoration and golden sun moth larvae translocation | Environmental Management Trust | Research programs and trials to begin with the commencement of the OMP plus 5 years. | The ANU have been engaged in early 2022 for planning the research of GSM larvae translocation. Research and trials will commence in spring/summer 2022. <p>The OMP commenced on 1 October 2018 and is effective for a five-year period to 30 June 2023.</p> | Achieved. |
| Restoration of GSM habitat | 8 | <p>Restore habitat area into which golden sun moth larvae will be translocated, subject to concurrence by the EMT that sufficient evidence exists to ensure a successful outcome.</p> <p>May include further translocation trials of golden sun moth subject to consultation with the Conservator of Flora and Fauna and approval by the Department of the Environment.</p> <p>Restoration may also include stream bank restoration from the Murrumbidgee River along Ginninderra Creek and along Gooromon Ponds Creek up to Wallaroo Road to improve linkages along the riparian areas.</p> | <p>Environmental Management Trust</p> <p>Restoration area should be a site of importance to landscape connectivity determined in conjunction with the ACT Environment and Planning Directorate.</p> | Completion of restoration and then monitored for 15 years. | This has not commenced yet. | Not applicable. |
| Translocation of GSM larvae from sites that will be impacted by construction of the Ginninderra Drive extension | 9 | Translocate GSM larvae from sites that will be impacted by construction of the Ginninderra Drive extension to suitable habitat restoration sites at lot 2 Wallaroo Road using method as refined through the program of research and trials. | <p>Environmental Management Trust</p> <p>Translocation research should build on existing knowledge and trials, undertaken elsewhere in the ACT</p> | Approval of the OMP plus 20 years, and prior to the construction of Ginninderra Drive extension. | <p>Translocation has not commenced yet.</p> <p>The OMP commenced on 1 October 2018.</p> <p>Extension to Ginninderra Drive has not yet commenced and is not expected to commence for another 15–20 years.</p> | Not applicable. |

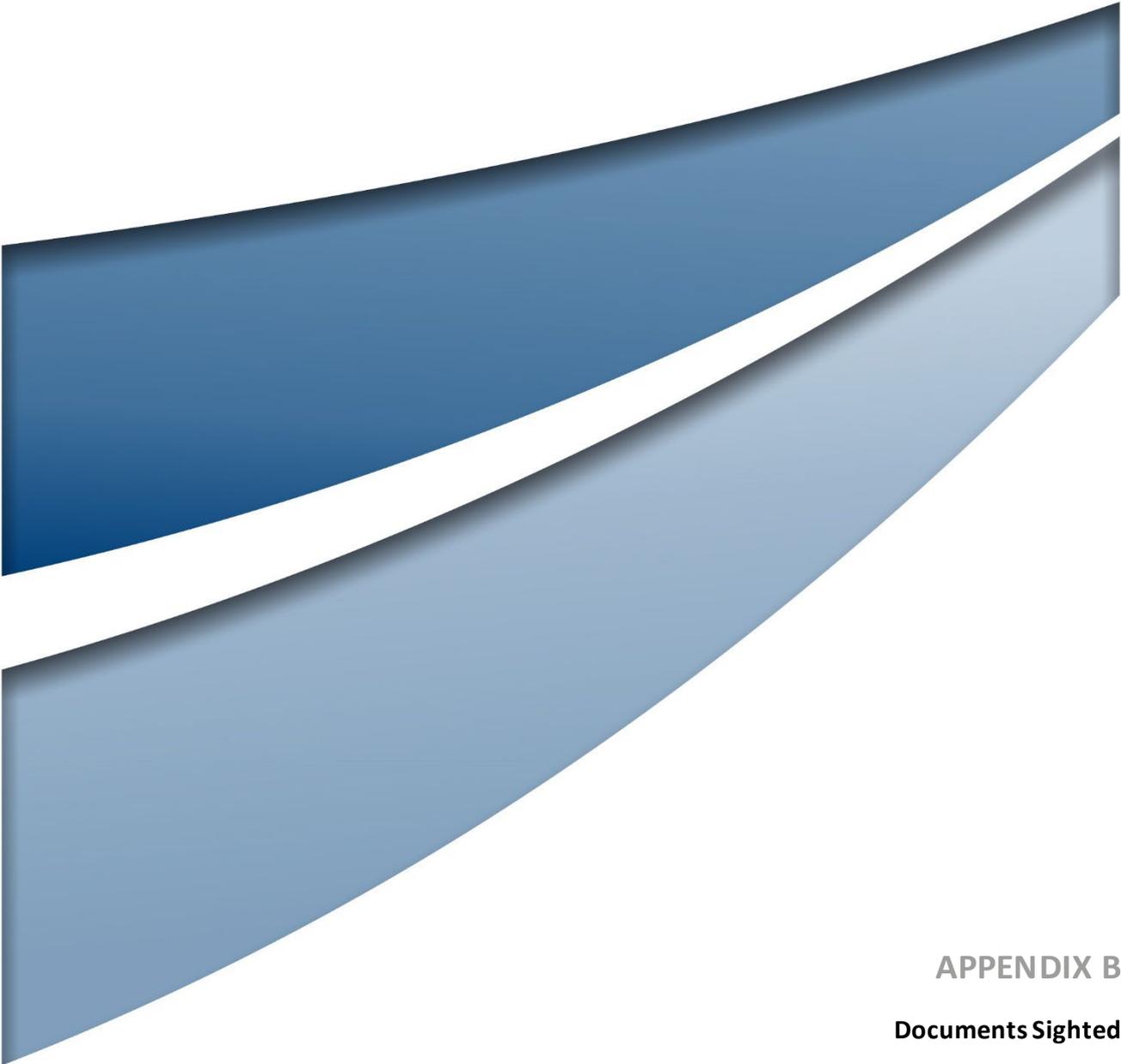
| Conservation outcome | Action | Responsibility | Timing | Comment (2022 Audit) | Finding (2022 Audit) |
|--|---|---|---|--|--|
| Ongoing monitoring of impacts on habitat | 10 Adopt field data recorded by Rowell (Rowell A., 2015) as baseline data and ensure that monitoring methods are consistent with those used to measure GSM population and habitat quality and extent across the ACT. | Environmental Management Trust Monitoring to be timed so that it is consistent with GSM monitoring across the ACT. | Every two years from date of endorsement. Monitoring period to be reviewed if impacts have stabilised. | Field data recorded by Rowell (2015) has been adopted as the baseline data. Monitoring methods are consistent with those used to measure GSM population and habitat quality across the ACT. | Achieved. |
| Establishment of a process of independent third party review of RMP | 11 Prepare an annual report addressing MNES outcomes achieved in the previous year; lessons learned; include a financial audit; report to be made publicly available. Report to be submitted to the ACT Conservator of Flora and Fauna. | Environmental Management Trust. | Within 2 months of the end of each financial year. | An Annual Report has been prepared for the 2019/20 and 2020/21 financial years. The Annual Reports address the MNES outcomes achieved in the previous financial year and lessons learned. The reports are available on the Ginninderry website. | Achieved. |
| Box Gum Woodland | | | | | |
| A conservation area that includes 100% of identified box gum woodland (68.2 Ha) in conservation area. | 12 Vary the Territory Plan, amend the National Capital Plan for all proposed land use changes | Riverview Group to obtain relevant rezoning and related approvals | Zoning to be in place prior to commencement of construction in ACT. | The Territory Plan was varied on 23 October 2015 and includes 100% of the identified box gum woodland in the conservation area. This occurred prior to commencement of construction in the ACT. The Commonwealth Government concurrently amended the National Capital Plan to reflect the creation of a conservation corridor. | Achieved. |
| Preservation and enhancement of woodland habitats. Actual hectares will be used in area measurements. | 13 Manage activities in the WBCC in accordance with a Reserve Management Plan. A Reserve Management Plan is a statutory document under the provisions of the Nature Conservation Act. It will need to be determined whether to do a RMP over that area of land not already covered by the Murrumbidgee River Corridor Plan of Management, or whether one plan will be produced for the entire corridor. | Riverview Group to prepare first draft RMP. Environmental Management Trust to seek approval and implement the plan. Plan to be approved by the ACT Conservator and Minister for the Environment (ACT component) and endorsed by the ACT Conservator (NSW component) in consultation with the NSW Office of Environment and Heritage | Plan to be finalised within 2 years of Ministerial endorsement of MNES plan, reviewed at intervals of no more than five years thereafter. | The Ginninderry Conservation Corridor Reserve Interim Management Plan was endorsed by the ACT Conservator on 19 November 2018 and approved by the ACT Minister for the Environment on 3 January 2019. Activities are being managed in accordance with this plan. It is the intent that this interim plan will be incorporated into the statutory review of the broader Murrumbidgee River Corridor Plan of Management (ACT Government). When the Murrumbidgee River Corridor Plan of Management is updated, the approved Ginninderry Conservation Corridor Management Plan will be recognised and upgraded to a statutory plan consistent with the rest of the Murrumbidgee River Corridor Plan. This is a government process therefore out of the control of Riverview. Given activities are being managed in line with the interim plan, it is considered that Riverview has achieved this outcome. | Achieved. |
| Establishment of a land management governance regime. | 14 Establish a West Belconnen Environmental Management Trust (EMT) | Riverview Group | Within 2 years of Ministerial endorsement of the MNES plan and prior to commencement of construction. | The Ginninderry Conservation Trust (GCT) was established under a Trust Deed on 22 July 2019. The date of endorsement of the Program is 18 July 2017. Construction commenced on 22 August 2019. | Achieved, however not in the timeframe specified. |

| Conservation outcome | Action | Responsibility | Timing | Comment (2022 Audit) | Finding (2022 Audit) |
|---|---|---|---|--|----------------------|
| Maintenance and enhancement of connectivity between box gum woodland habitat areas. No appreciable long term net reduction in total box gum woodland habitat areas. | 15 All works that may affect box gum woodland to be informed by relevant scientific expert advice and:- Roads and tracks to follow existing alignments where feasible and incorporate appropriate design techniques such as raised grating Vehicle tracks max 6m wide other tracks/trails max 2.5m wide Unused existing tracks to be rehabilitated Picnic and other facilities involving buildings and car parking to avoid known high value habitat areas | Environmental Management Trust | Ongoing | All works that impact Box Gum Woodland are informed by relevant expert advice including the Ginninderry Development Offset Plan and Management Plan. During audit interviews it was confirmed that works are being undertaken in line with the action descriptions. Under the track masterplan (subject to ACT Planning approval), the maximum width allowable for tracks is 2.5m. It is noted that the maximum ground disturbance for the first track delivered in the Conservation Corridor was 2.2m with a maximum track width of 1.2m. Riverside Park has not been built yet therefore facilities and roads in that areas have not been built. The Conservation Corridor has one track that is open and the existing maintenance tracks are in use. | Achieved. |
| Protect habitat from domestic predators | 16 Impose a cat containment policy for the entire West Belconnen development area and prohibit off-leash dogs in the Conservation corridor | Transport Canberra City Services (TCCS), formally known as TAMS Environmental Management Trust | Cat Containment mandated by changes to the relevant instrument under the provisions of the Domestic Animals Act prior to commencement of any works in the ACT. Cat containment in NSW to be implemented if suitable legislation comes in to force. In the absence of specific legislation, environmental planning laws such as planning agreements and/or conditions attached to development consents will be used to impose the controls. Dog control regime to be established by the EMT. | Cat containment has been declared by the ACT Government for the suburbs of Strathnairn and Macnamara. As the development progresses, cat containment will be declared in the next stages, including in NSW as applicable. Dogs are prohibited from entering the Conservation Corridor with signage put up around the Corridor. Information has been provided to residents and published on the Ginninderry website. GCT staff patrol regularly and enforce the dog ban. | Achieved. |
| Monitoring of impacts on habitat is ongoing Monitoring will be consistent with box gum woodland monitoring across the ACT. | 17 Adopt field data recorded by Nash & Hogg 2013 as baseline data. Periodic field research will be conducted to assess change in the extent and quality of BGW habitat. | Environmental Management Trust | Every two years from date of endorsement. Monitoring period to be reviewed if impacts have stabilised. | Field data from Nash and Hogg (2013) has been adopted as the baseline data. The Ginninderry Conservation Corridor Ecological Monitoring Framework draft has been completed. BGW monitoring was conducted in 2021 by Capital Ecology. | Achieved. |
| Establishment of a process of independent third party review of RMP | 18 Prepare an annual report addressing MNES outcomes achieved in the previous year; lessons learned; include a financial audit; report to be made publicly available Report to be submitted to the ACT Conservator of Flora and Fauna | Environmental Management Trust | Within 2 months of the end of each financial year. | An Annual Report has been prepared for the 2019/20 and 2020/21 financial years. The Annual Reports address the MNES outcomes achieved in the previous financial year and lessons learned. The reports are available on the Ginninderry website. | Achieved |

| Conservation outcome | Action | Responsibility | Timing | Comment (2022 Audit) | Finding (2022 Audit) | |
|--|--------|---|---|---|---|--|
| Pink Tailed Worm Lizard | | | | | | |
| A conservation area that includes 90% of identified PTWL habitat (146.4 Ha). | 19 | Variation to the Territory Plan, amendment to the National Capital Plan and amendment to the Yass Valley Shire local Environment Plan for all proposed land use changes | Riverview Group to obtain relevant rezoning and related approvals | ACT zoning to be in place prior to commencement of construction in ACT. NSW zoning to be in place prior to commencement of construction in NSW. | The Territory Plan was varied on 23 October 2015 and includes 89% of the identified PTWL habitat in the conservation area. This occurred prior to commencement of construction in the ACT. The Commonwealth Government concurrently amended the National Capital Plan to reflect the creation of a conservation corridor. The remaining PTWL habitat has been secured through the rezoning of NSW land under the Yass Valley Local Environment Plan (Parkwood) 2020 and associated figures. This Plan came into effect on 17 July 2020. The Plan outlines the rezoning of NSW portion to E2 – Environmental Conservation Zoning and E3 – Environmental Management. | Achieved. |
| Preservation and enhancement of PTWL habitats. Actual hectares will be used in area measurements. | 20 | Manage activities in the WBCC in accordance with a Reserve Management Plan. | Riverview Group to prepare first draft. Environmental Management Trust to review the draft and adopt and implement the plan when approved by the Conservator. Plan to be approved by the ACT Conservator and Minister for the Environment (ACT component) and endorsed by the ACT Conservator (NSW component) in consultation with the NSW Office of Environment and Heritage | Plan to be finalised within 2 years of Ministerial endorsement of the Program, reviewed at intervals of no more than five years thereafter. | The Ginninderry Conservation Corridor Reserve Interim Management Plan was endorsed by the ACT Conservator on 19 November 2018 and approved by the ACT Minister for the Environment on 3 January 2019. Activities are being managed in accordance with this plan. It is the intent that this interim plan will be incorporated into the statutory review of the broader Murrumbidgee River Corridor Plan of Management (ACT Government). When the Murrumbidgee River Corridor Plan of Management is updated, the approved Ginninderry Conservation Corridor Management Plan will be recognised and upgraded to a statutory plan consistent with the rest of the Murrumbidgee River Corridor Plan. This is a government process therefore out of the control of Riverview. Given activities are being managed in line with the approved interim plan, it is considered that Riverview has achieved this outcome. | Achieved. |
| Establishment of a land management governance regime | 21 | Establish a West Belconnen Environmental Management Trust. | Riverview Group | Within 2 years of Ministerial endorsement of the Program and prior to commencement of construction. | The Ginninderry Conservation Trust (GCT) was established under a Trust Deed on 22 July 2019. The date of endorsement of the Program is 18 July 2017. Construction commenced on 22 August 2019. | Achieved, but not within the specified timeframe. |

| Conservation outcome | Action | Responsibility | Timing | Comment (2022 Audit) | Finding (2022 Audit) |
|--|---|--|---|--|----------------------|
| Maintenance and enhancement of connectivity between PTWL habitat areas. No appreciable long term net reduction in total PTWL habitat areas. | 22 All works that may affect PTWL habitat to be informed by relevant scientific expert advice and:- Roads and tracks to follow existing alignments where feasible and incorporate appropriate design techniques such as raised grating Vehicle tracks max 6m wide other tracks/trails max 2.5m wide Unused existing tracks to be rehabilitated Picnic and other facilities involving buildings and car parking to avoid known high value habitat areas Active habitat restoration works will be undertaken. | Environmental Management Trust | Ongoing | All works that impact Box Gum Woodland are informed by relevant expert advice including the Ginninderry Development Offset Plan and Management Plan. During audit interviews it was confirmed that works are being undertaken in line with the action descriptions. Under the track masterplan (subject to ACT Planning approval), the maximum width allowable for tracks is 2.5m. It is noted that the maximum ground disturbance for the first track delivered in the Conservation Corridor was 2.2m with a maximum track width of 1.2m. Riverside Park has not been built yet therefore facilities and roads in that areas have not been built. The Conservation Corridor has one track that is open and the existing maintenance tracks are in use. | Achieved. |
| Pink tailed worm lizard protected from domestic predators | 23 Impose a cat containment policy in the for the entire West Belconnen development area. Prohibit off-leash dogs in the Conservation corridor | Transport Canberra City Services (TCCS), formally known as TAMS Yass valley Shire Council Environmental Management Trust | Cat Containment in the ACT to be mandated by changes to the relevant instrument under the provisions of the Domestic Animals Act prior to commencement of any works. Cat containment in NSW to be implemented if suitable legislation comes in to force. In the absence of specific legislation, environmental planning laws such as planning agreements and/or conditions attached to development consents will be used to impose the controls. Dog control regime to be established by the EMT. | Cat containment has been declared by the ACT Government for the suburbs of Strathnairn and Macnamara. As the development progresses, cat containment will be declared in the next stages, including in NSW as applicable. Dogs are prohibited from entering the Conservation Corridor with signage put up around the Corridor. Information has been provided to residents and published on the Ginninderry website. GCT staff patrol regularly and enforce the dog ban. | Achieved. |
| Ongoing monitoring of impact on habitat. Monitoring will be consistent with PTWL monitoring across the ACT. | 24 Adopt field data recorded by Osborne & Wong 2013 as baseline data. Conduct periodic field research to assess change in the extent and quality of PTWL habitat. | Environmental Management Trust | Within 2 months of the end of each financial year. | Field data by Osborne and Wong (2013) has been adopted as the baseline data. Field research will be conducted bi-annually in accordance with the Ginninderry Conservation Corridor Ecological Monitoring Framework (Umwelt 2021). | Achieved. |
| Establishment of a process of independent third party review of RMP | 25 Prepare an annual report addressing MNES outcomes achieved in the previous year; lessons learned; include a financial audit; report to be made publicly available Report to be submitted to the ACT Conservator of Flora and Fauna | Environmental Management Trust | Ongoing | An Annual Report has been prepared for the 2019/20 and 2020/21 financial years. The Annual Reports address the MNES outcomes achieved in the previous financial year and lessons learned. The reports are available on the Ginninderry website. | Achieved. |

| Conservation outcome | Action | Responsibility | Timing | Comment (2022 Audit) | Finding (2022 Audit) | |
|--|--------|---|---|----------------------|---|-----------|
| Natural Temperate Grassland | | | | | | |
| Management Actions as prescribed in the most recent approved version of the Jarramlee Offset Management Plan (ACT Government, 2013) | 26 | Manage Jarramlee Offset site in accord with the Jarramlee Offset Management Plan | Environmental Management Trust | Ongoing | The Jarramlee Offset Management Plan has been incorporated into the Gooromon Grasslands Offset Management Plan. | Achieved. |
| Implementation of assessment process for additional unanticipated impacts to any area dominated by native grasses that is part of a larger patch of native grassland which includes high or moderate quality pink-tailed worm lizard habitat as mapped by Osborne and Wong (2013). | 27 | Follow the defined process strategy (see s5.3.4 of this Program Report). When triggered the strategy involves: 1. Assess the impact using data collected from site-based field verified surveys as per EPBC guidelines 2. Implement avoidance & mitigation measures where practicable 3. Determine offset requirements for any residual impacts 4. Identify an appropriate offset and establish Prepare & implement an offset management plan to incorporate in the WBCC management plan or a standalone plan | Riverview Group Environmental Management Trust | Ongoing | The DPS was triggered for Macnamara, however the quality of NTG habitat meant that no additional offsets were required. | Achieved. |
| Major changes to infrastructure location (e.g. sewer alignment) | | | | | | |
| Implementation of assessment process for additional unanticipated impacts to MNES within the Project Area due to major changes to infrastructure location (e.g. sewer alignment). | 28 | Follow the defined process strategy (see s5.3.4 of this Program Report). When triggered the strategy involves: 1. Assess the impact using data collected from site-based field verified surveys as per EPBC guidelines 2. Implement avoidance & mitigation measures where practicable 3. Determine offset requirements for any residual impacts 4. Identify an appropriate offset and 5. establish Prepare & implement an offset management plan to incorporate in the WBCC management plan or a standalone plan | Riverview Group Environmental Management Trust | Ongoing | The DPS is being adopted. During the 20-21 year, the proposed track for the Corridor was assessed using the DPS. | Achieved. |
| Threatened bird species | | | | | | |
| Mitigate indirect impacts from urban development on threatened bird species | 29 | Implementation of CEMP's, WSUD principles, and the WBCC RMP. Replace affected farm dams with the provision of constructed wetlands where possible. | Riverview Group Environmental Management Trust | Ongoing | A Ginninderry Development Construction Environment Management Plan (CEMP) Framework report has been endorsed by the Commonwealth. The CEMP Framework is required to be addressed in all civil contractor CEMPs for urban development at Ginninderry. All CEMP, civil contracts are signed off by the ACT Planning Authority. WSUD principles have been implemented including the establishment of a wetland pond at Paddy's Park and re-establishment of the dam adjacent to the Link Building. | Achieved. |



APPENDIX B
Documents Sighted

Appendix B – Documents Sighted

- Endorsed Program – Urban Development at West Belconnen (A T Adams Consulting 2017)
- Annual Report 2019-2020 Ginninderry Project (Ginninderry 2020)
- Annual Report 2020-2021 Ginninderry Project (Ginninderry 2021)
- Ginninderry Conservation Trust Annual Report FY19/20 (Ginninderry Conservation Trust 2020)
- Ginninderry Conservation Trust Annual Report FY20/21 (Ginninderry Conservation Trust 2021)
- Territory Plan Variation 351 (October 2015)
- Yass Valley Local Environment Plan (Parkwood) 2020
- Amendment 86 to the National Capital Plan (May 2016)
- Gooromon Grasslands Offset Management Plan 2018-23 (ACT Government, 2019)
- Ginninderry Development Offset Management Plan (SMEC 2018)
- Ginninderry Conservation Corridor 2018-2023 Interim Management Plan (Ginninderry, 2018)
- Ginninderry Development Construction Environmental Management Plan (CEMP) Framework (SMEC 2018)
- Letter to DAWE (26 July 2018) outlining River Corridor Legal Establishment
- Letter from DAWE (13 September 2018) stating compliance with Condition 4 & 5 for ACT portion in accordance with staged approach in Program Report
- Legal advice – Parkwood Project – Variation of Condition 5 of EPBC Approval (21 April 2022)
- Trust Deed for Ginninderry Conservation Trust (22 July 2019)
- ACT Conservator endorsement (Ian Walker, 2018)
- ACT Government Approval (Mick Gentleman, 2019)
- NSW OEH response to draft plans (15 May 2018)
- Meeting notes between Riverview/Ginninderry and the Department (September 2018 and December 2018)
- EPBC Act Strategic Assessment No. 024 – Urban Development at West Belconnen (Ginninderry), Review and Statement of Compliance with Approval Condition 11 letter (Capital Ecology 2019)
- Assessment of mapped pink-tailed worm lizard habitat within Ginninderry for potential to meet criteria for classification as natural temperate grassland (SMEC 2017)
- West Belconnen Vegetation Survey Summary (Robert Jessop Pty Ltd in association with SMEC 2017)

- Ginninderry – Pink-tailed Worm Lizard survey and habitat mapping – portions of ACT project area (Capital Ecology 2018)
- Ginninderry – Pink-tailed Worm-lizard survey and habitat mapping of NSW land (Capital Ecology 2018)
- The Extent and Condition of Natural Temperate Grassland of the South Eastern Highlands in the Ginninderry Project Area (Capital Ecology 2020)
- Domestic Animals (Cat Containment) Declaration 2018 (No 1) (ACT Minister for Transport and City Service 2018)
- Email correspondence with the Department advising commencement of construction (21 August 2019)
- Email correspondence between contractors and EPD Impact team (September 2019)
- Email correspondence with Ginninderry project staff (27 June 2022)
- Email correspondence with Department (3 April 2019)
- Email correspondence with the Department (4 November 2020)
- Email correspondence with the Department (19 August 2021, 2 September 2021, 9 September 2021)
- Email correspondence with ACT Conservator Liaison (20 September 2021)
- Email correspondence with the Department for submission of the Annual Reports (28 August 2020 and 31 August)
- Email correspondence from Ginninderry outlining the dates all reports/plans were published (29 June 2022)
- Email correspondence with Ginninderry Conservation Trust (27 June 2022).

