

Sydney Growth Centres Strategic Assessment

Annual Report 2013-2014

1 Introduction

In December 2011, the Commonwealth Government endorsed the Sydney Growth Centres Strategic Assessment Program Report (Program Report). In February 2012, the Commonwealth Government approved the classes of actions in the Growth Centres that, if undertaken in accordance with the approved program, do not require separate approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The Program Report includes a range of commitments for matters of national environmental significance protected under the EPBC Act. The commitments are drawn from the analysis in the Supplementary Assessment Report, Draft Strategic Assessment Report (Part B), and the Addendum to the Strategic Assessment Program, and build upon the relevant biodiversity measures of the Growth Centres Biodiversity Certification.

This Annual Report highlights the outcomes achieved in the 2013-2014 financial year. This includes addressing both the NSW and the Commonwealth Government requirements, particularly the commitments for relevant matters of national environmental significance (listed in Section 4 of the Program Report); the additional commitments and undertakings made in the addendum to the Program Report; and the funding provided and expended for offsets outside of the Growth Centres.

Where relevant, the report makes reference to the *Growth Centres Offset Program Annual Report 2013/14* which outlines the funding and expenditure of the Growth Centres Conservation Fund (**Annexure A**).

2 Definitions

The terms defined below are referred to in the report. Where the terms are also defined in the Growth Centres Biodiversity Certification Order, dated 14 December 2007, the definitions provided are consistent with those in the Order.

- *Addendum* means the Addendum to the Strategic Assessment Program dated January 2012, which includes further commitments and undertakings made by the NSW Government.
- *Biodiversity Certification Maps* means the maps marked “North West Growth Centre – Biodiversity Certification” and “South West Growth Centre – Biodiversity Certification” dated November 2007 and included in Schedule 2 of the Biodiversity Certification Order.
- *Certified Area* means an area marked as a certified area on a biodiversity certification map.
- *Clearing of vegetation* means any one or more of the following:
 - a) cutting down, felling, thinning, logging or removing native vegetation in whole or in part,

- b) killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation in whole or in part.
- *Commitments* means the commitments set out in section 4 of the Sydney Growth Centres Strategic Assessment Program Report.
- *DECCW* means the Department of Environment, Climate Change and Water (which is now the Office of Environment and Heritage (OEH)).
- *ENV* means existing native vegetation. As defined under the Growth Centres Biodiversity Certification “existing native vegetation” means areas of indigenous trees (including any sapling) that:
 - a) had 10% or greater over-storey canopy cover present,
 - b) were equal to or greater than 0.5 ha in area, and
 - c) were identified as “vegetation” on maps 4 and 5 of the draft Growth Centres Conservation Plan at the time the biodiversity certification order took effect, subject to condition 13.
- *EPBC Act* means the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.
- *Protection or Protected* in relation to land means land that is protected by a land use zoning under an environmental planning instrument or public ownership arrangements that provide for the protection of biodiversity values as a priority, or another arrangement that provides in perpetuity security for biodiversity on the subject land.
- *Non-certified area* means an area marked as a non-certified area on the biodiversity certification map.
- *Relevant Biodiversity Measures* means the conditions in Schedule 1 of the Biodiversity Certification Order.
- *SEWPaC* means the Department of Sustainability, Environment, Water, Population and Communities (which is now the Department of the Environment, DoE)
- *TSC Act* means the NSW *Threatened Species Conservation Act 1995*.

3 Summary of conservation outcomes achieved in 2013-2014

3.1 Strategic Assessment

In 2013/2014, two precincts in Sydney's Growth Centres were rezoned, including Catherine Fields (Part) Precinct and Marsden Park Precinct.

Catherine Fields (Part) Precinct

On 20 December 2013, the Catherine Fields (Part) Precinct was rezoned under the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP). The *Draft Growth Centres Strategic Assessment Report* (Strategic Assessment Report), dated 2010, does not identify any EPBC Act listed Cumberland Plain Shale Woodlands and Shale Gravel Transition Forest (CPW) to be retained and protected within the Precinct. Accordingly, there are no areas of CPW to be protected in the Precinct Plan.

Marsden Park Precinct

On 4 October 2013, the Marsden Park Precinct was rezoned under the Growth Centres SEPP. Under the Strategic Assessment Report, the Marsden Park Precinct is required to retain a total of 306 hectares of CPW, to be counted towards the 998 ha target to be retained across the Growth Centres in accordance with commitment 4, as follows:

- 257 hectares in the Environment Conservation (EC) zone,
- 42 hectares in the Public Recreation-Regional (PR-R) zone, and
- 8ha on non-certified land (HNV CPW).

A total of 315.1 hectares of CPW is being protected in the Precinct and counted toward the 998 hectare target. This satisfies the target of 306 hectares of CPW to be protected within the Precinct. This area of protected vegetation includes a total of 263.7 hectares of High Management Viability CPW (HNV CPW) to be counted toward the 363 hectare target to be retained across the Growth Centres.

The CPW will be protected using the Environmental Conservation and Public Recreation Regional zones of the Growth Centres SEPP, as well as the E2 - Environment Conservation, RE1 - Public Recreation, and E3 – Environmental Management zones. Vegetation clearing controls also apply to areas identified as 'existing native vegetation' on the Native Vegetation Protection Map under the Growth Centres SEPP, where vegetation clearing is prohibited.

A summary of CPW protected in rezoned precincts in 2013/2014 is outlined in Table 1.

Table 1 Summary of EPBC listed CPW protected in Growth Centre precincts in 2012/2013

Precinct	CPW precinct target ¹ (ha)	CPW protected (ha)	Protection mechanism
Catherine Fields (Part) Precinct	0	0	N/A
Marsden Park Precinct	306	315.12 (263.7 ha of HNV CPW)	Zoning: Environment Conservation, Public Recreation-Regional, E2, RE1, and E3. Vegetation clearing controls in Growth Centres SEPP
Total CPW protected		315.12	

1. Commitment 4 of the strategic assessment requires the retention and protection of a minimum of 998 ha of CPW within the Growth Centres

3.2 Biodiversity Certification

Existing Native Vegetation protected in rezoned precincts

As outlined above, two precincts were rezoned in the last financial year, including Catherine Fields (Part) and Marsden Park Precincts. In total, these precincts will protect **470.38 ha** of existing native vegetation (ENV) which can be counted towards meeting the 2,000 ha target of ENV as identified by relevant biodiversity measure (RBM) 6 of the Biodiversity Certification. A summary of ENV protected in each precinct is provided in Table 2.

In addition, **82.03 ha** of additional high conservation value vegetation (AHCVV) has been identified during the ground-truthing process. These areas of AHCVV, while meeting two of the criteria for ENV under the Growth Centres Biodiversity Certification, were not mapped as ENV in the draft Growth Centres Conservation Plan. The Department and OEH are in discussions to determine how these areas of AHCVV can be mapped and counted towards the 2000 ha.

Table 2 Summary of existing native vegetation protected in Growth Centre precincts in 2013/2014

Precinct	ENV precinct target	ENV protected	ENV protected above target	AHCVV protected	Protection mechanism
Catherine Fields (Part) Precinct	12.17	14.10	1.93	-	Zoning: E2, RE1, SP2 Vegetation clearing controls in Growth Centres SEPP
Marsden Park Precinct	450	456.28	6.28	82.03	Zoning: Environment Conservation, Public Recreation-Regional, E2, RE1 and E3. Vegetation clearing controls in Growth Centres SEPP
Total ENV and AHCVV protected	462.17	470.38	8.21	82.03	

ENV protected in Growth Centres in non-certified areas

In 2014, 1979.2 hectares of ENV remain protected in non-certified lands under the Biodiversity Certification and through relevant zoning and clearing controls identified under the Growth Centres SEPP.

The shortfall in ENV for the 2000 ha target is being addressed through the protection of additional areas of ENV, currently found in certified lands, as well as other areas of vegetation with high conservation value (AHCVV) identified during Precinct Planning. These areas of AHCVV meet the definition of ENV under the Biodiversity Certification but were not mapped as ENV in the Draft Conservation Plan. OEH and the Department are investigating options for including these areas, where protected, in future calculations of ENV.

These areas of ENV and AHCVV are being protected through a range of zonings such as Environment Conservation, Public Recreation-Regional, E2 Environmental Conservation, RE1 Public Recreation, and SP2 Infrastructure. In addition, clearing controls are also applied, which prohibit clearing.

Acquisition of offset land in Growth Centres

In the 2013/2014 financial year, **22 lots** (1.01ha) zoned Environmental Conservation under Part 3 of the Growth Centres SEPP were acquired by the NSW Government. The acquired parcels are located in Marsden Park North and Riverstone Precincts in the North West Growth Centre.

3.3 Biodiversity Offset Program

The Growth Centres Biodiversity Offset Program Annual Report 2013-14 provides a detailed breakdown of the allocation of conservation funding and the biobanking or acquisition of land containing State and nationally listed endangered species to date. This is provided in Annexure A.

To date, 453 ha of native vegetation have been biobanked or acquired and protected under the Program. Of this, 209 ha of nationally listed ecological communities have been protected under the program, including 129 ha of CPW.

In 2013/2014, the program:

- established a biobank site to protect 38 ha of high conservation bush land, including 13 ha of CPW, 4 ha of Shale Sandstone Transition Forest and 15 ha Sydney Turpentine Iron Bark Forest, as well as potential habitat for 22 threatened animal species, such as the Commonwealth and state listed swift parrot, diamond firetail, powerful owl and grey headed flying fox; and
- purchased 173 biodiversity credits created by the Fernhill East biobank site to protect 16 ha of CPW and known habitat for the vulnerable varied sittella, glossy black cockatoo and the endangered Cumberland Plain land snail.

Since 2011, a total of 92 ha of Commonwealth listed CPW has been protected under the program. Commitment 6 of the Growth Centres Strategic Assessment requires, as a first milestone, 31 ha of CPW to be protected by 2015. This first milestone was achieved in 2013.

4 Status of Program Commitments

The following tables summarise the progress to date for each of the 39 commitments listed in section 4 of the Sydney Growth Centres Program Report for matters of national environmental significance protected under the EPBC Act.

1.1 Funding arrangements for offsets

Commitments	Actions	Timing	Progress to date	Comment
1. Allocation of part of the Growth Centres Conservation Fund for offsetting Matters of National Environmental Significance.	a) Providing \$530 million (2005-06 dollar values) to the Growth Centres Conservation Fund over the life of development of the Growth Centres. Of this amount, \$397.5 million is to be used to acquire lands and/or enter into conservation agreements over lands that are outside of the Growth Centres for the primary purpose of biodiversity conservation. This funding is to be provided and spent in accordance with the relevant biodiversity measures contained within the Growth Centres Biodiversity Certification.	Ongoing	In 2013/2014, an allocation of \$5,719,000 was provided to the Growth Centres Biodiversity Offset Program consistent with the predicted lot production in the Growth Centres, as required by the biodiversity certification. The Environmental Trust also provided an additional \$2,000,000 as an advanced payment to the program to purchase credits from the Fernhill biobank site. This advanced payment will be paid back to the Trust over the next three years. Refer to Growth Centres Biodiversity Offset Program Annual Report 2013/14 (see section 4 of the report).	On Track
	b) Allocating \$278.25 million of the Growth Centres Conservation Fund to be used for the purpose of protecting the MNES listed in Section 4 of the Program Report outside the Growth Centres, to the extent that this purpose is consistent with the measures contained in the Growth Centres Biodiversity Certification.	Ongoing	Refer to Growth Centres Biodiversity Offset Program Annual Report 2013/14 (see section 4 of the report).	On Track

1.2 Joint delivery initiative for CPW

Commitments	Actions	Timing	Progress	Comment
2. The NSW Government (DoP and DECCW) and the Commonwealth Government (SEWPaC) will develop a framework for the identification of government measures to help ensure the retention of HMV CPW within the Priority Conservation Lands. NB: This Program Commitment is a commitment made in good faith for the ongoing protection of CPW in relation to actions that are beyond the scope of the Program but that will work alongside the Program.	a) Develop and document the framework via an exchange of letters, Memorandum of Understanding or another mechanism.	Post EPBC Act endorsement of the Program	Ongoing Not yet commenced.	On Track

1.3 Review of zoning

Commitments	Actions	Timing	Progress	Comment
3. Review the provisions of the Environment Conservation and Public Recreation - Regional zones in the Growth Centres SEPP to confirm they are adequate for conservation purposes.	a) Undertake a review of the zone objectives, permitted land uses and development controls to ensure the conservation values of the land are adequately protected.	Within 12 months of EPBC Act endorsement of the Program	Review complete. Amendments to Growth Centres SEPP provisions were made on 13 September 2013.	Complete

1.4 Threatened ecological communities

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

Commitments	Actions	Timing	Progress	Comment
4. Retention and protection of a minimum of 998 ha of CPW within the Growth Centres, including a minimum of 363 ha of HMV CPW	i) Retention and protection of CPW in the following areas of the Growth Centres:	Ongoing	In 2013/2014, two precincts were rezoned including the Catherine Fields (Part) and Marsden Park Precincts. There was no CPW within Flood Prone Land required to be protected in these precincts.	On Track
	a) 138 ha within Flood Prone Land to be protected through the vegetation clearing controls under the Growth Centres SEPP or through zoning and/or development controls following completion of precinct planning.			
	b) 424 ha within Environment Conservation and Public Recreation – Regional zoning to be protected through: RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW;	Zoning completed in 2006 Management ongoing	Since endorsement of the Biodiversity Certification in 2007, no clearing has occurred in 'red hatched' areas, subject to RBM 12, located within areas zoned Public Recreation – Regional. Ongoing	On Track

Commitments	Actions	Timing	Progress	Comment
	the zoning and vegetation clearing controls under the Growth Centres SEPP; and		Zoning completed in 2006 Management ongoing	Complete
	the Growth Centres Conservation Fund which provides funding to acquire the land.	As land becomes available for purchase	Management and acquisition ongoing	On Track
	c) 280 ha to be protected within existing reserved areas including the Westlink M7 Motorway Offsets area, the Kemps Creek Nature Reserve, and the Western Sydney Parklands.	Ongoing	Zoning completed in 2006 Management ongoing	Complete
	d) 79 ha to be protected within protected zones within Edmondson Park.	Ongoing	The Edmondson Park South Concept Plan and a Stage 1 Project Application were approved on 18 August 2011 for approximately 413 ha of land comprising the southern part of the larger Edmondson Park Precinct in the South West Growth Centre. The Concept Plan zoned an area of approximately 150 ha, identified as a proposed Regional Park under the Edmondson Park Conservation Agreement, as E1 National Parks and Nature Reserves under Schedule 3 of the <i>State Environmental Planning Policy (Major Development) 2005</i>. CPW is also protected under the RE1 Public Recreation Zone, and through the relevant clearing controls. Implementation of Edmondson Park Conservation Agreement is ongoing.	Complete
	e) 77 ha to be retained within non-certified and transitional lands. These areas will be retained subject to the confirmation of the presence of the community through survey at the precinct planning stage.	Ongoing	No precincts with transitional lands were exhibited or gazetted since endorsement of the Program on 20 December 2011. Ongoing	On Track

Commitments	Actions	Timing	Progress	Comment
	ii) If for any reason the above targets cannot be achieved then the NSW Government will ensure that 998 ha of CPW is protected within the Growth Centres through the measures contained in either RBM 8a or 8b.		Ongoing	On Track
5. Assessment of 14 ha HMV CPW within Marsden Park & Marsden Park Industrial Precincts to confirm its presence and if present protect.	a) Assessment of the HMV CPW in accordance with RBM 14 and 15.	Prior to the public exhibition of the draft precinct planning controls for the Marsden Park & Marsden Park Industrial Precincts During the precinct planning process	As reported in the 2011/2012 annual report, Marsden Park Industrial Precinct was rezoned in November 2010.	Complete for Marsden Park Industrial Precinct
	b) Based on the outcomes of the assessment, DECCW will advise the NSW Minister for the Environment whether the area should be protected in accordance with RBM 16.		Two small areas of High Management Viability (HMV) CPW were identified in the Marsden Park Industrial Precinct by the Strategic Assessment Report. These areas have been protected (6 ha in total) through the E2 Environmental Conservation zone and have been identified as ENV on the Native Vegetation Protection (NVP) Map under the Growth Centres SEPP. The clearing controls in the Growth Centres SEPP prohibit the clearing of ENV as identified on the NVP map. The Precinct Planning process for the Marsden Park Precinct was completed in October 2013. The total area of 5.74 ha of validated HMV CPW required to be protected in Marsden Park Precinct has been zoned RE1 and will be acquired by Blacktown City Council for passive recreational uses. This area has also been further protected through identification as ENV on the NVP map.	On track for Marsden Park Precinct
6. Contribution towards the long term sustainability and persistence of CPW and other grassy woodlands. The NSW Government ensure the protection of at least 2,400 ha of either CPW or other "grassy woodland" communities which are similar to CPW in floristic structure outside the Growth Centres within the combined area of the Sydney Basin	a) Implementation of the Growth Centres Conservation Fund and Growth Centres Biodiversity Offset Program to secure suitable areas of CPW. Specific actions to include: Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure at least 2,400 ha of either CPW or other "grassy woodland" communities outside the Growth Centres within the combined area of the Sydney Basin Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area. Preference to be given to CPW	Over the life of the Program	Refer to Growth Centres Offset Program Annual Report 2013/14 (see section 2 and 4 of the report)	On Track

Commitments	Actions	Timing	Progress	Comment
Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area. Preference to be given to CPW followed by <i>White Box, Yellow Box, Blakely's Red Gum Grassy Woodland and Derived Native Grassland</i>.	followed by <i>White Box, Yellow Box, Blakely's Red Gum Grassy Woodland and Derived Native Grassland</i>. ▪ Allocation of the funding in accordance with the preferences indicated in RBM 32. ▪ Targeting of lands for protection to be guided by the criteria identified in RBM 33. ▪ Protection of a minimum of 205 ha of HMV CPW outside of the Growth Centres. If this target cannot be achieved due to unavailability of HMV, other areas of CPW within the priority lands may contribute toward the 205 ha provided it has the capacity to regenerate to benchmark condition with management. An area of CPW is deemed to be capable of regenerating to benchmark condition if 70% of the condition variables for the vegetation, measured using the biobanking methodology, are within 50% of the lower benchmark value for CPW. ▪ As a minimum rate of progress, 15% of the 205 ha target is to be protected within 4 years of the EPBC Act endorsement of the Program, with an additional 15% being protected on every fourth anniversary of the endorsement until the 205 ha target is achieved. These dates may be amended with the approval of SEWPaC.			

Commitments	Actions	Timing	Progress	Comment
7. Review of the Priority Conservation Lands to consider inclusion of all HMV CPW remnants.	a) Review to be undertaken in accordance with a methodology to be agreed with SEWPaC. At a minimum, the following areas of HMV CPW will be reviewed for inclusion in the Priority Conservation Lands: - Areas of HMV CPW greater than 10 ha and that are contiguous with HMV CPW occurring within the Priority Conservation Lands. - Areas of contiguous HMV CPW greater than 20 ha that are outside the Priority Conservation Lands.	By 30 December 2013 Variation to due date agreed by SEWPaC in a letter dated 3 December 2012.	Ongoing Agreement on the methodology for the Priority Conservation Lands review was sought and received from the SEWPaC on 18 July 2013. This agreement was on the provision of a draft of review outcome report to SEWPAC (now Department of the Environment, DoE) for their information prior to its finalisation. OEH submitted its report on the review of the Priority Conservation Lands on 17 April 2014. The review identified three candidate areas within the Beulah and Leppington sectors which meet the criteria for inclusion in the Priority Conservation Lands, including Noorumba Reserve, Leppington and Beulah, near Appin. The report is included at Annexure 2.	Complete

Shale Sandstone Transition Forest (SSTF)

Commitments	Actions	Timing	Progress	Comment
8. Retention and protection of a minimum of 58 ha of SSTF within the Growth Centres	i) Retention and protection of SSTF in the following areas of the North West Growth Centre:		In 2013/2014 two precincts were rezoned including the Catherine Fields (Part) and Marsden Park Precincts. There is no SSTF found within these precincts.	On Track
	a) 5.5 ha within Flood Prone Land to be protected through the vegetation clearing controls under the Growth Centres SEPP.	Ongoing	Ongoing	On Track
	b) 5.5 ha within Public Recreation – Regional zoning to be protected through: RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW;	Ongoing	Since endorsement of the Biodiversity Certification in 2007, no clearing has occurred in 'red hatched' areas, subject to RBM 12, located within areas zoned Public Recreation – Regional. Ongoing	On Track

Commitments	Actions	Timing	Progress	Comment
	the zoning and vegetation clearing controls under the Growth Centres SEPP; and	Zoning completed in 2006 Management ongoing	Zoning completed in 2006 Management Ongoing	Complete
	the Growth Centres Conservation Fund which provides funding to acquire the land.	As land becomes available for purchase	Management and acquisition ongoing	On Track
	c) 0.5 ha within the Westlink M7 Motorway Offsets area to be protected through maintenance of the existing conservation area (purchased by the RTA for transfer to DECCW as part of the Westlink M7 Motorway offsets).	Ongoing	This was completed prior to the endorsement of the Program and the approval of the classes of action.	Complete
	d) 46.5 ha within the E3 Environmental Management zone in North Kellyville to be protected under the existing native vegetation and native vegetation retention controls under the North Kellyville Precinct Plan.	Ongoing		
9. Contribution towards the long term sustainability and persistence of SSTF. The NSW Government will ensure the protection of at least 132 ha of SSTF outside of the Growth Centres within the combined area of the Sydney Basin Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area.	a) Implementation of the Growth Centres Conservation Fund and Growth Centres Offset Program to secure suitable areas of SSTF. Specific actions to include: - Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure suitable areas of SSTF. - Allocation of the funding in accordance with the preferences indicated in RBM 32. - Targeting of lands for protection to be guided by the criteria identified in RBM 33.	Over the life of the Program	Refer to Growth Centres Offset Program Annual Report 2013/14 (see section 2 and 4 of the report)	On Track

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

Commitments	Actions	Timing	Progress	Comment
10. Contribution towards the long term sustainability and persistence of TIF. The NSW Government will ensure the protection of at least 4.4 ha of TIF outside of the Growth Centres within the combined area of the Sydney Basin Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area.	a) Implementation of the Growth Centres Conservation Fund and Growth Centres Biodiversity Offset Program to secure suitable areas of TIF. Specific actions to include: - Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure suitable areas of TIF. - Allocation of the funding in accordance with the preferences indicated in RBM 32. - Targeting of lands for protection to be guided by the criteria identified in RBM 33.	Over the life of the Program	Refer to Growth Centres Offset Program Annual Report 2013/14 (see section 2 and 4 of the report)	On Track

1.5 Threatened flora

Downy Wattle (*Acacia pubescens*)

Commitments	Actions	Timing	Progress	Comment
11. Survey to confirm the presence of <i>Acacia pubescens</i> in the area of the two known records within the Growth Centres in Kemps Creek and Austral.	a) Survey to confirm the presence of the population in the Kemps Creek Precinct in accordance with RBM 17.	Prior to the public exhibition of the draft precinct planning controls for the Kemps Creek Precinct	Not yet commenced This will be completed during the Precinct Planning Process for Kemps Creek Precinct.	On Track
	b) Survey to confirm the presence of the population in the Austral Precinct in accordance with RBM 17.	Prior to the public exhibition of the draft precinct planning controls for the Austral Precinct	Survey completed in September 2010, prior to endorsement of the Program and approval of the classes of action. Survey confirmed presence of <i>Acacia pubescens</i> . The species is not located in the Austral Precinct, but in the adjacent Western Sydney Parklands.	Complete

Commitments	Actions	Timing	Progress	Comment
12. Protect if presence of <i>Acacia pubescens</i> is confirmed within the Growth Centres in Kemps Creek or Austral and the population is identified as significant relative to the adjacent property by DECCW.	a) If required by DECCW, protect an area of suitable habitat for the species in the Kemps Creek Precinct in accordance with RBM 17.	Prior to the rezoning of Kemps Creek Precinct protection mechanisms will be agreed with DECCW	Prior to the rezoning of Kemps Creek Precinct protection mechanisms will be agreed with OEH.	On Track
	b) If required by DECCW, protect an area of suitable habitat for the species in the Austral Precinct in accordance with RBM 17.	Within 3 years of the rezoning of the Austral Precinct protection mechanisms will be agreed with OEH. Variation to due date agreed by SEWPac in a letter dated 3 December 2012.	Within 3 years of the rezoning of the Austral Precinct protection mechanisms will be agreed with OEH (March 2016). The Department is continuing to work with the Western Sydney Parklands Trust and the Sydney Catchment Authority to determine appropriate protection of areas of suitable habitat for the confirmed <i>Acacia pubescens</i> species.	On Track
	c) If protection under the above sub clauses a) or b) is required, this may be achieved through the implementation of various mechanisms such as: - zoning, such as the E2 Environmental Conservation or E3 Environmental Management zones with appropriate objectives and permissible/prohibited land uses; or - additional planning controls, such as the 'Existing Native Vegetation Retention' area overlay which applies to land where the clearing of vegetation is prohibited; or - Environmental Management controls in development control plans establishing management requirements.	If required, prior to the rezoning of the Kemps Creek Precinct and/or the Austral Precinct	The Department is continuing to work with the Western Sydney Parklands Trust and the Sydney Catchment Authority to determine appropriate protection of areas of suitable habitat for the confirmed <i>Acacia pubescens</i> species.	On Track

Commitments	Actions	Timing	Progress	Comment
13. Provision of offsets focussed on protecting potential habitat for <i>Acacia pubescens</i> that occur outside the Growth Centres.	a) Implementation of the Growth Centres Conservation Fund and Growth Centres Biodiversity Offset Program to secure suitable areas of potential habitat for <i>Acacia pubescens</i>. Specific actions to include: - Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure suitable areas of potential habitat for <i>Acacia pubescens</i>. - Allocation of the funding in accordance with the preferences indicated in RBM 32. - Targeting of lands for protection to be guided by the criteria identified in RBM 33.	Over the life of the Program	Refer to Growth Centres Offset Program Annual Report 2013/14 (see section 2 and 4 of the report)	On Track

Darwinia biflora

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

Dillwynia tenuifolia

Commitments	Actions	Timing	Progress	Comment
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Commitments	Actions	Timing	Progress	Comment
15. Retention and protection of habitat supporting the four important populations of <i>Dillwynia tenuifolia</i> known to occur within the Growth Centres through acquisition of land for environmental conservation.	a) Protection of the Marsden Park North population within Environment Conservation zoning through: RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW;	Ongoing	Since endorsement of the Biodiversity Certification in 2007, no clearing has occurred in 'red hatched' areas, subject to RBM 12, located in areas zoned Environment Conservation. Ongoing	On Track
	the zoning and vegetation clearing controls under the Growth Centres SEPP; and	Zoning completed in 2006 Management ongoing	Zoning completed in 2006 Management ongoing	Complete
	the Growth Centres Conservation Fund which provides funding to acquire the land.	As land becomes available for purchase	Management and acquisition ongoing	On Track
	b) Protection of the population within the Air Services Australia site at Shanes Park (noting that at the time of finalising the Program the site is still under care of the Commonwealth) through: RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and	Ongoing	Since endorsement of the Biodiversity Certification in 2007, no clearing has occurred in 'red hatched' areas, subject to RBM 12, located within areas zoned Environment Conservation zone (including the AirServices Australia site). Ongoing	On Track
	the zoning and vegetation clearing controls under the Growth Centres SEPP.	Zoning completed in 2006 Management ongoing	Zoning completed in 2006 Management ongoing	Complete
	c) Protection of the majority of the large population within Kemps Creek through: RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and	Ongoing	Since endorsement of the Biodiversity Certification in 2007, no clearing has occurred in 'red hatched' areas, subject to RBM 12 within Kemps Creek Ongoing	On Track

Commitments	Actions	Timing	Progress	Comment
	the zoning and vegetation clearing controls under the Growth Centres SEPP.	Zoning completed in 2006 Management ongoing	Zoning completed in 2006 Management ongoing	Complete
	d) Protection of the large population that occurs within the Westlink M7 Motorway offset adjacent to the Colebee Precinct through maintenance of the existing conservation area (purchased by the RTA for transfer to DECCW as part of the Westlink M7 Motorway offsets).	Ongoing	Zoning completed in 2006 Management Ongoing	Complete
16. Increase in the number of known sites for the species under conservation and management outside of the Growth Centres.	a) Acquisition of the Cranebrook site which supports a very large and significant population of <i>Dillwynia tenuifolia</i> (estimated that the population consists of 125,000 to 222,000 plants) through a contribution from the Conservation Fund towards the purchase and initial reserve establishment costs.	Completed 2008-09	Completed between 2008-2009, prior to endorsement of the Program and approval of the classes of action. Refer to Growth Centres Offset Program Annual Report 2013/14 (see section 2 of the report)	Complete
	b) Management of the Cranebrook site to preserve its ecological values.	Ongoing	Ongoing	

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

Commitments	Actions	Timing	Progress	Comment
17. Retention and protection of habitat supporting the population known to occur within the Growth Centres through acquisition of land in Kemps Creek.	a) Protection of the majority of the large population within Kemps Creek through: RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and	Ongoing	Since endorsement of the Biodiversity Certification in 2007, no clearing has occurred in 'red hatched' areas, subject to RBM 12, located in Kemps Creek within areas zoned Environment Conservation and Public Recreation – Regional. Ongoing	On Track

Commitments	Actions	Timing	Progress	Comment
	the zoning and vegetation clearing controls under the Growth Centres SEPP.	Zoning completed in 2006 Management ongoing	Zoning completed in 2006 Management Ongoing	Complete
18. Survey to confirm the presence of <i>Grevillea parviflora subsp. parviflora</i> in the Kemps Creek Precinct.	a) Survey to confirm the presence of the population in the Kemps Creek Precinct in accordance with the methodology consistent with RBM 17 as it applies to <i>Acacia pubescens</i> in the Kemps Creek area.	Prior to the public exhibition of the draft precinct planning controls for the Kemps Creek Precinct	Not yet commenced Precinct Planning is yet to be undertaken for the Kemps Creek Precinct.	On Track
19. Protect if presence of <i>Grevillea parviflora subsp. parviflora</i> is confirmed and population is identified as significant relative to the adjacent property by DECCW.	a) If required by DECCW, protect an area of suitable habitat for the species in the Kemps Creek Precinct to the satisfaction of DECCW in accordance with RBM 17 as it applies to <i>Acacia pubescens</i> in the Kemps Creek area.	Prior to the rezoning of Kemps Creek Precinct protection mechanisms will be agreed with DECCW		
	b) If protection under 19a is required, this may be achieved through the implementation of various mechanisms such as: - zoning, such as the E2 Environmental Conservation or E3 Environmental Management zones with appropriate objectives and permissible/prohibited land uses; or - additional planning controls, such as the 'Existing Native Vegetation Retention' area overlay which applies to land where the clearing of vegetation is prohibited.; or - Environmental Management controls in development control plans establishing management requirements.	If required, prior to the rezoning of the Kemps Creek Precinct.	Not applicable at this time	On Track

Micromyrtus minutiflora

Commitments	Actions	Timing	Progress	Comment
20. Retention and protection of habitat supporting the two important populations known to occur within the Growth Centres.	a) Protection of the Marsden Park North population within Environment Conservation zoning through: RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW;	Ongoing	Since endorsement of the Biodiversity Certification in 2007, no clearing has occurred in 'red hatched' areas, subject to RBM 12, located within areas zoned Environment Conservation. Plan of Management to be prepared when Precinct Planning is completed, if there is vegetation proposed to be cleared. Ongoing.	On Track
	the zoning and vegetation clearing controls under the Growth Centres SEPP; and	Zoning completed in 2006 Management ongoing	Zoning completed in 2006 Management ongoing	Complete
	the Growth Centres Conservation Fund which provides funding to acquire the land.	As land becomes available for purchase	Management and acquisition ongoing	On Track
	b) Protection of the population within the Air Services Australia site at Shanes Park (noting that at the time of finalising the Program the site is still under care of the Commonwealth) through: RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and	Ongoing	Since endorsement of the Biodiversity Certification in 2007, no clearing has occurred in 'red hatched' areas, subject to RBM 12, within the Air Services Australia site at Shanes Park. Management and negotiations for transfer of land to State Government is ongoing. Ongoing.	On Track
	the zoning and vegetation clearing controls under the Growth Centres SEPP.	Zoning completed in 2006 Management ongoing	Zoning completed in 2006	Complete

Commitments	Actions	Timing	Progress	Comment
21. Increase in the number of known sites for the species under conservation and management outside of the Growth Centres.	a) Acquisition of the Cranebrook site which supports a very large and significant population of <i>Micromyrtus minutiflora</i> (estimated that the population consists of 366,000 to 522,000 plants) through a contribution from the Conservation Fund towards the purchase and initial reserve establishment costs.	Completed 2008-09	Completed between 2008-2009, prior to endorsement of the Program and approval of the classes of action. Refer to Growth Centres Offset Program Annual Report 2013/14 (see section 2 of the report)	Complete
	b) Management of the Cranebrook site to preserve its ecological values.	Ongoing	Ongoing	

Persoonia hirsuta

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

Persoonia nutans

Commitments	Actions	Timing	Progress	Comment
23. Retention and protection of habitat supporting the important populations of <i>Persoonia nutans</i> known to occur within the Growth Centres.	a) Protection of one of the known populations within Kemps Creek through: RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and	Ongoing	Since endorsement of the Biodiversity Certification in 2007, no clearing has occurred in 'red hatched' areas, subject to RBM 12, located in Kemps Creek within areas zoned Environment Conservation and Public Recreation – Regional. Ongoing	On Track
	the zoning and vegetation clearing controls under the Growth Centres SEPP.	Zoning completed in 2006 Management ongoing	Zoning completed in 2006 Management ongoing	Complete

Commitments	Actions	Timing	Progress	Comment
24. Survey to confirm the presence of <i>Persoonia nutans</i> in the Kemps Creek Precinct.	a) Survey to confirm the presence of the population in the Kemps Creek Precinct in accordance with RBM 17 as it applies to <i>Acacia pubescens</i> in the Kemps Creek area.	Prior to the public exhibition of the draft precinct planning controls for the Kemps Creek Precinct	Precinct Planning for Kemps Creek not yet commenced. Survey will be completed prior to the public exhibition of the draft precinct planning controls for the Kemps Creek Precinct.	On Track
25. Protect if presence of <i>Persoonia nutans</i> is confirmed and population is identified as significant relative to the adjacent property by DECCW.	a) If required, protection of an area of suitable habitat for the species in the Kemps Creek Precinct will be provided to the satisfaction of DECCW in accordance with the methodology consistent with RBM 17 as it applies to <i>Acacia pubescens</i> in the Kemps Creek area.	Prior to the rezoning of Kemps Creek Precinct protection mechanisms will be agreed with DECCW	Prior to the rezoning of Kemps Creek Precinct protection mechanisms will be agreed with OEH.	On Track
	b) If protection under 25a is required, this may be achieved through the implementation of various mechanisms such as: - zoning, such as the E2 Environmental Conservation or E3 Environmental Management zones with appropriate objectives and permissible/prohibited land uses; or - additional planning controls, such as the 'Existing Native Vegetation Retention' area overlay which applies to land where the clearing of vegetation is prohibited.; or - Environmental Management controls in development control plans establishing management requirements.	If required, prior to the rezoning of the Kemps Creek Precinct	Not applicable at this time	On Track

Commitments	Actions	Timing	Progress	Comment
26. Increase in the number of known sites for the species under conservation and management outside of the Growth Centres.	a) Acquisition of the Cranebrook site which supports a population of <i>Persoonia nutans</i> through a contribution from the Conservation Fund towards the purchase and initial reserve establishment costs.	Completed 2008-09	Completed between 2008-2009, prior to endorsement of the Program and approval of the classes of action. Refer to Growth Centres Offset Program Annual Report 2013/14 (see section 2 of the report)	Complete
	b) Management of the Cranebrook site to preserve its ecological values.	Ongoing		

Pimelea spicata

Commitments	Actions	Timing	Progress	Comment
27. Survey to confirm presence of <i>Pimelea spicata</i> at Denham Court Road within the East Leppington Precinct.	a) Survey to confirm the presence of the population in the East Leppington Precinct in accordance with RBM 17.	Prior to the public exhibition of the draft precinct planning controls for the East Leppington Precinct	Survey undertaken prior to the public exhibition of the draft precinct planning controls for the East Leppington Precinct. Species confirmed as being present.	Complete
28. Protect if presence of <i>Pimelea spicata</i> is confirmed and population is identified as	a) If required by DECCW, protect an area of suitable habitat for the species in the East Leppington Precinct in accordance with RBM 17.	Prior to the rezoning of East Leppington Precinct protection mechanisms will be	Precinct Planning has been completed and mechanisms to protect the species have been agreed to between the Department of Planning & Environment and OEH.	Complete

Commitments	Actions	Timing	Progress	Comment
significant relative to the adjacent property by DECCW.	b) If protection under 28a is required, this may be achieved through the implementation of various mechanisms such as: - zoning, such as the E2 Environmental Conservation or E3 Environmental Management zones with appropriate objectives and permissible/prohibited land uses; or - additional planning controls, such as the 'Existing Native Vegetation Retention' area overlay which applies to land where the clearing of vegetation is prohibited.; or - Environmental Management controls in development control plans establishing management requirements.	agreed with DECCW If required, prior to the rezoning of the East Leppington Precinct	The Precinct Plan will protect 1.86 ha of suitable habitat for <i>Pimelea spicata</i>. This area is to be protected using an E2 Environmental Conservation zone and is identified as Existing Native Vegetation on the Native Vegetation Protection map under the Growth Centres SEPP. The clearing controls in the Growth Centres SEPP prohibit the clearing of ENV as identified on the NVP map.	
29. Provision of offsets focussed on protecting habitat for <i>Pimelea spicata</i> that occur outside the Growth Centres.	a) Implementation of the Growth Centres Conservation Fund and Growth Centres Biodiversity Offset Program to secure suitable areas of potential habitat for <i>Pimelea spicata</i>. Specific actions to include: - Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure suitable areas of potential habitat for <i>Pimelea spicata</i>. - Allocation of the funding in accordance with the preferences indicated in RBM 32. - Targeting of lands for protection to be guided by the criteria identified in RBM 33.	Over the life of the Program	Refer to Growth Centres Offset Program Annual Report 2013/14 (see section 2 and 4 of the report)	On Track

Pultenaea parviflora

Commitments	Actions	Timing	Progress	Comment
30. Retention and protection of habitat supporting the four populations of <i>Pultenaea parviflora</i> known to occur within the Growth Centres.	a) Protection of the Marsden Park North population within Environment Conservation zoning through: RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW;	Ongoing	Since endorsement of the Biodiversity Certification in 2007, no clearing has occurred in 'red hatched' areas, subject to RBM 12, located within areas zoned Environment Conservation. Ongoing	On Track
	the zoning and vegetation clearing controls under the Growth Centres SEPP; and	Zoning completed in 2006 Management ongoing	Zoning completed in 2006 Management ongoing	Complete
	the Growth Centres Conservation Fund which provides funding to acquire the land.	As land becomes available for purchase	Management and acquisition ongoing	On Track
	b) Protection of the population within the Air Services Australia site at Shanes Park (noting that at the time of finalising the Program the site is still under care of the Commonwealth) through: RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and	Ongoing	Since endorsement of the Biodiversity Certification in 2007, no clearing has occurred in 'red hatched' areas, subject to RBM 12, located within the Air Services Australia site at Shanes Park. Management and negotiations for transfer of land to State Government is ongoing. Ongoing	On Track
	the zoning and vegetation clearing controls under the Growth Centres SEPP.	Zoning completed in 2006 Management ongoing	Zoning completed in 2006 Management ongoing	Complete

Commitments	Actions	Timing	Progress	Comment
	c) Protection of the majority of the large population within Kemps Creek through: RBM 12 which states that clearing of these areas is not permitted unless it is in accordance with a Plan of Management endorsed by DECCW; and	Ongoing	Since endorsement of the Biodiversity Certification in 2007, no clearing has occurred in 'red hatched' areas, subject to RBM 12, located in Kemps Creek within areas zoned Environment Conservation and Public Recreation – Regional. Ongoing	On Track
	the zoning and vegetation clearing controls under the Growth Centres SEPP.	Zoning completed in 2006 Management ongoing	Zoning completed in 2006 Management ongoing	Complete
	d) Protection of the large population that occurs within the Westlink M7 Motorway offset adjacent to the Colebee Precinct through maintenance of the existing conservation area (purchased by the RTA for transfer to DECCW as part of the Westlink M7 Motorway offsets).	Ongoing	This was completed prior to the endorsement of the Program and the approval of the classes of action.	Complete
31. Increase in the number of known sites for the species under conservation and management outside of the Growth Centres.	a) Acquisition of the Cranebrook site which a very large and significant population of <i>Pultenaea parviflora</i> (estimated that the population consists of 86,000 and 127,000 plants) through a contribution from the Conservation Fund towards the purchase and initial reserve establishment costs.	Purchased in 2008-09	Completed between 2008-2009, prior to endorsement of the Program and approval of the classes of action. Refer to Growth Centres Offset Program Annual Report 2013/14 (see section 2 in the report)	Complete
	b) Management of the Cranebrook site to preserve its ecological values.	Ongoing	Management ongoing	On track

1.6 Threatened fauna

Swift Parrot (*Lathamus discolor*)

Commitments	Actions	Timing	Progress	Comment
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Commitments	Actions	Timing	Progress	Comment
32. Protection of potential habitat for the Swift Parrot within the Growth Centres.	- Protection of 2,000 ha native vegetation within the Growth Centres through: - RBM 6 which requires a minimum of 2,000 ha of existing native vegetation to be retained; and	Ongoing	In 2014, 1979.21 hectares of ENV remain protected in non-certified lands under the Biodiversity Certification and through relevant zoning and clearing controls identified under the Growth Centres SEPP. The shortfall in ENV for the 2000 ha target is being addressed through the protection of additional areas of ENV, currently found in certified lands, as well as other areas of vegetation with high conservation value (AHCVV) identified during Precinct Planning. These areas of AHCVV meet the definition of ENV under the Biodiversity Certification but were not mapped as ENV in the Draft Conservation Plan. OEH and the Department are investigating options for including these areas, where protected, in future calculations of ENV. In 2013-14 financial year, 8.21 ha of additional areas of ENV and around 82.03 ha of AHCVV were protected in in the Catherine Fields (Part) and Marsden Park Precincts, above that required to be protected under the Biodiversity Certification. These areas of ENV and AHCVV are being protected through a range of zonings such as Environment Conservation, Public Recreation-Regional, E2 Environmental Conservation, RE1 Public Recreation, and SP2 Infrastructure. In addition, clearing controls are also applied, which prohibit clearing.	On Track
	the relevant development controls under the Growth Centres SEPP that relate to the retention of native vegetation.			

Commitments	Actions	Timing	Progress	Comment
33. Provision of offsets outside of the Growth Centres which will also contain potential foraging habitat for the Swift Parrot, and which will contribute further towards the conservation of habitat within the combined area of the Sydney Basin Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area.	a) Implementation of the Growth Centres Conservation Fund and Growth Centres Biodiversity Offset Program to secure suitable areas of potential habitat for the Swift Parrot. Specific actions to include: - Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure suitable areas of potential habitat for the Swift Parrot. - Allocation of the funding in accordance with the preferences indicated in RBM 32. - Targeting of lands for protection to be guided by the criteria identified in RBM 33.	Over the life of the Program	Refer to Growth Centres Offset Program Annual Report 2013/14 (see section 2 and 4 of the report)	On Track

Green and Golden Bell Frog (*Litoria aurea*)

Commitments	Actions	Timing	Progress	Comment
34. Protection and enhancement of potential and known habitat for the Riverstone element of the Western Sydney key population of the Green and Golden Bell Frog.	a) Incorporation of habitat protection and enhancement features (as per the agreed concept design) in the Riverstone Precinct Development Control Plan for the trunk drainage land.	Development control plan finalised in May 2010.	Schedule 2 of the Blacktown City Council Development Control Plan – Riverstone Precinct (DCP) was finalised in May 2010. Section 2 of the DCP outlines the habitat protection and enhancement requirements for the Green and Gold Bell Frog habitat.	Complete
	b) Inclusion of provisions in the Riverstone Precinct Plan and Development Control Plan to require the design and assessment of development on subject lands to be consistent with any recovery plan for the species and the Best Practice Guidelines for Green and Golden Bell Frog Habitat (DECC 2008b).	Zoning and development controls finalised in May 2010	Zoning and development controls finalised in May 2010.	Complete

Commitments	Actions	Timing	Progress	Comment
35. Protection of potential habitat for the species throughout the North West Growth Centre.	a) Retention of major drainage lines and associated vegetation throughout the Growth Centres through Growth Centres SEPP development controls for major creeks and flood prone areas.	Ongoing	Precinct Planning for the Growth Centres is continuing.	On Track

Large-eared Pied Bat (*Chalinolobus dwyeri*)

Commitments	Actions	Timing	Progress	Comment
36. Protection of potential habitat for the Large-eared Pied Bat within the Growth Centres.	a) Retention of potential roosting habitat and immediately adjacent potential foraging habitat along Cattai Creek in North Kellyville through development controls associated with the E3 Environmental Management and E4 Environmental Living zones.	Zoning – completed Management - ongoing	Zoning completed in December 2008 Management ongoing	Complete
	b) Protection of 2,000 ha native vegetation within the Growth Centres through: RBM 6 which requires a minimum of 2,000 ha of existing native vegetation to be retained; and	Ongoing	In 2014, 1979.21 hectares of ENV remain protected in non-certified lands under the Biodiversity Certification and through relevant zoning and clearing controls identified under the Growth Centres SEPP. The shortfall in ENV for the 2000 ha target is being addressed through the protection of additional areas of ENV, currently found in certified lands, as well as other areas of vegetation with high conservation value (AHCVV) identified during Precinct Planning. These areas of AHCVV meet the definition of ENV under the Biodiversity Certification but were not mapped as ENV in the Draft Conservation Plan. OEH and the Department are investigating options for including these areas, where protected, in future calculations of ENV. In 2013-14 financial year, 8.21 ha of additional areas of ENV and around 82.03 ha of AHCVV were protected in in the Catherine Fields (Part) and Marsden Park Precincts, above that required to be protected under the Biodiversity Certification. These areas of ENV and AHCVV are being protected through a range of zonings such as Environment Conservation, Public Recreation-Regional, E2 Environmental Conservation, RE1 Public Recreation, and SP2 Infrastructure. In addition, clearing controls are also applied, which prohibit clearing.	On Track
	the relevant development controls under the Growth Centres SEPP that relate to the retention of native vegetation.			

Commitments	Actions	Timing	Progress	Comment
37. Provision of offsets outside of the Growth Centres which will also contain potential roosting or foraging habitat for the Large-eared Pied Bat, and which will contribute further towards the conservation of habitat within the combined area of the Sydney Basin Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area.	a) Implementation of the Growth Centres Conservation Fund and Growth Centres Biodiversity Offset Program to secure suitable areas of potential habitat for the Large-eared Pied Bat. Specific actions to include: ▪ Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure suitable areas of potential habitat for the Large-eared Pied Bat. ▪ Allocation of the funding in accordance with the preferences indicated in RBM 32. ▪ Targeting of lands for protection to be guided by the criteria identified in RBM 33.	Over the life of the Program	Refer to Growth Centres Offset Program Annual Report 2013/14 (see section 2 and 4 of the report)	On Track

Grey-headed Flying Fox (*Pteropus poliocephalus*)

Commitments	Actions	Timing	Progress	Comment
38. Protection of potential habitat for the Grey-headed Flying Fox within the Growth Centres.	a) Protection of 2,000 ha native vegetation within the Growth Centres through: - o RBM 6 which requires a minimum of 2,000 ha of existing native vegetation to be retained; and - o the relevant development controls under the Growth Centres SEPP that relate to the retention of native vegetation.	Ongoing	In 2014, 1979.21 hectares of ENV remain protected in non-certified lands under the Biodiversity Certification and through relevant zoning and clearing controls identified under the Growth Centres SEPP. The shortfall in ENV for the 2000 ha target is being addressed through the protection of additional areas of ENV, currently found in certified lands, as well as other areas of vegetation with high conservation value (AHCVV) identified during Precinct Planning. These areas of AHCVV meet the definition of ENV under the Biodiversity Certification but were not mapped as ENV in the Draft Conservation Plan. OEH and the Department are investigating options for including these areas, where protected, in future calculations of ENV. In 2013-14 financial year, 8.21 ha of additional areas of ENV and around 82.03 ha of AHCVV were protected in the Catherine Fields (Part) and Marsden Park Precincts, above that required to be protected under the Biodiversity Certification. These areas of ENV and AHCVV are being protected through a range of zonings such as Environment Conservation, Public Recreation-Regional, E2 Environmental Conservation, RE1 Public Recreation, and SP2 Infrastructure. In addition, clearing controls are also applied, which prohibit clearing.	On Track

Commitments	Actions	Timing	Progress	Comment
39. Provision of offsets outside of the Growth Centres which will also contain potential roosting and foraging habitat for the Grey-headed Flying Fox, and which will contribute further towards the conservation of habitat within the combined area of the Sydney Basin Bioregion (IBRA v6.1) and the Hawkesbury Nepean Catchment Management Authority area.	a) Implementation of the Growth Centres Conservation Fund and Growth Centres Biodiversity Offset Program to secure suitable areas of potential habitat for the Grey-headed Flying Fox. Specific actions to include: ▪ Allocation of part of the \$278.25 million (in 2005/06 dollars) referred to in Commitment 1 to secure suitable areas of potential habitat for the Grey-headed Flying Fox. ▪ Allocation of the funding in accordance with the preferences indicated in RBM 32. ▪ Targeting of lands for protection to be guided by the criteria identified in RBM 33.	Over the life of the Program	Refer to Growth Centres Offset Program Annual Report 2013/14 (see section 2 and 4 of the report)	On Track

Addendum to the Strategic Assessment Program

In addition to the conditions listed in the table above, the NSW Government made further commitments and undertakings, through an addendum to the Strategic Assessment, dated January 2012. These commitments include:

- The NSW Government is committed to spending the Growth Centres \$530 million Conservation Fund (in 2005/2006 dollar value and subject to indexing) on the Cumberland Plain.
 - A total of 453 hectares of high conservation value bushland has now been permanently protected by the program since its commencement in 2008, either through the establishment of Biobanking agreements or formal reservation under the *National Parks and Wildlife Act 1974*.
 - To date \$16,887,417 has been received (in 2005-06 dollar values) for expenditure of the protection of high conservation bushland in accordance with the biodiversity certification for the Growth Centres.
- There is still allowance for funding off Cumberland Plain, but in exceptional circumstances only e.g. when it is not possible to secure conservation sites on the Cumberland Plain in any particular financial year over the 30 year life of the Program.
 - There have been no properties or sites purchased for conservation that are off the Cumberland Plain to date.
- The rules governing exceptional circumstances will be agreed between the Commonwealth and State by 20 March 2012.
 - On 9 March 2012, the Department of Planning and Environment and the Office of Environment and Heritage wrote to the Minister for Sustainability, Environment, Water, Population and Communities seeking agreement from the Commonwealth for the rules for exceptional circumstances prepared by the State. The Commonwealth agreed to the rules in a letter dated 27 June 2012.
 - This was included in the 2011-2012 Strategic Assessment Annual Report.
- The Commonwealth Government will need to agree to any specific offsets off the Cumberland Plain.
 - There have been no offsets proposed off the Cumberland Plain to date.
- The Growth Centres Biodiversity Offset Program Advisory Group, which makes final funding decisions, will be reconstituted as a Technical Sub-Committee under the NSW Environmental Trust which operates under the NSW *Environmental Trust Act 1998*. This will include new representatives from industry and a peak conservation group.
 - The Technical Sub-Committee, now called the 'Growth Centres Sub-committee' is in operation under the NSW Environmental Trust.
 - The committee includes representatives from, DP&E, the Department of Environment, a peak conservation group, and industry.

ANNEXURE 1

Growth Centres Biodiversity Offset Program Annual Report 2013-2014

ANNEXURE 2

Office of Environment and Heritage Review of the Priority Conservation Lands