

COMMONWEALTH OF AUSTRALIA

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

DECISION TO APPROVE THE TAKING OF AN ACTION

Pursuant to section 133 of the *Environment Protection and Biodiversity Conservation Act 1999*, I, GERARD PATRICK EARLY, First Assistant Secretary, Approvals and Wildlife Division, Department of the Environment and Heritage, a delegate of the Minister for the purposes of that section, approve the taking of the following action:

To develop the Defence Headquarters Joint Operations 11 kilometres southwest of Bungendore including the construction of an office building to accommodate over 1000 personnel and associated infrastructure (EPBC: 2002/599).

by the Department of Defence subject to the conditions set out in ANNEXURE 1.

This approval has effect for:


Sections 18 and 18A (Listed threatened species and communities) of the *Environment Protection and Conservation Biodiversity Act 1999*

Sections 20 and 20A (Listed migratory species) of the *Environment Protection and Conservation Biodiversity Act 1999*

Sections 28 (Protection of the environment from Commonwealth actions) of the *Environment Protection and Conservation Biodiversity Act 1999*

This approval has effect until 30 August 2055.

Dated this 8th day of August 2005


GERARD PATRICK EARLY
FIRST ASSISTANT SECRETARY
APPROVALS AND WILDLIFE DIVISION

ANNEXURE 1

1. The person taking the action must submit to the Minister for approval, at least two months prior to construction, a Construction Environmental Management Plan (CEMP), to manage the impacts of the action on the environment. The CEMP must address the following matters:
 - a) measures to minimise impacts on native flora and fauna (including listed threatened and migratory species) during excavation and clearing activities, including the following:
 - o maps of the construction zone designed to limit the construction footprint;
 - o temporary fencing to protect native vegetation from construction activities;
 - o measures to minimise the spread of invasive plants and animals;
 - o landscaping using endemic species; and
 - o procedures for the felling of remnant trees.
 - b) measures to manage the impacts of the action on the cultural heritage of the site including the following:
 - o consultation with relevant aboriginal community and the local aboriginal land council;
 - o design of buildings and access roads to avoid disturbance of cultural heritage sites;
 - o collection of artefacts if disturbance is unavoidable; and
 - o protection of sites.
 - c) erosion and sediment control measures to minimise the impacts on adjacent waterways;
 - d) measures to minimise the impacts of noise and dust;
 - e) traffic management measures;
 - f) landscaping to minimise visual impacts;
 - g) waste management and recycling;
 - h) monitoring and reporting arrangements;
 - i) radio frequency interference;
 - j) complaint procedures;
 - k) emergency response measures; and
 - l) induction training program for construction staff.

Construction must not commence before the CEMP is approved. The approved CEMP must be implemented.

2. The person taking the action must submit to the Minister for approval, four months prior to the commencement of operations, an Operational Environmental Management Plan (OEMP), to manage the impacts of the action on the environment. The OEMP must address the following matters:
 - a) vegetation and habitat management;
 - b) sewage treatment and disposal;
 - c) measures to protect adjacent waterways;

- d) a groundwater monitoring, analysis and reporting program including baseline aquifer water levels and water quality information;
- e) groundwater and surface water quality management and conservation;
- f) waste management and recycling;
- g) energy use efficiency measures;
- h) measures to minimise social impacts;
- i) noise pollution;
- j) traffic management;
- k) emergency response measures;
- l) hazardous materials controls;
- m) radio frequency interference; and
- n) induction training for site management staff.

Operations must not commence before the OEMP is approved. The approved OEMP must be implemented.

3. If, as a result of extraction of groundwater for the Defence Headquarters, the groundwater monitoring program referred to in paragraph 2(d) reveals an adverse impact on the aquifer levels, as determined by a qualified hydrogeologist, or if the extraction of groundwater exceeds the sustainable groundwater yield, the person taking the action must develop a strategy to address those impacts. The strategy must be approved by the Minister and any approved program must be implemented.
4. The person taking the action must, within 12 months of commencement of construction or such longer period as approved by the Minister, prepare and submit to the Minister the strategy agreed to by Government to address the potential impacts of the action on traffic on the Kings Highway. The strategy should include:
 - a) options to address the potential impacts;
 - b) roles and responsibilities of parties involved in implementing the agreed strategy; and
 - c) timeframe for implementation of the agreed strategy.
5. If the person taking the action wishes to carry out any activity otherwise than in accordance with a plan or strategy referred to in paragraphs 1, 2, 3 and 4 the person taking the action may submit for the Minister's approval a revised version of any such plan or strategy. If the Minister approves a revised plan or strategy so submitted, the Person taking the action must implement that plan or strategy instead of the plan or strategy as originally approved.

6. If the Minister believes that it is necessary or desirable for the better protection of the environment to do so, the Minister may request the person taking the action to make specific revisions to a plan or strategy approved pursuant to paragraphs 1, 2, 3 and 4 to submit the revised plan or strategy for the Minister's approval. The person taking the action must comply with any such request. If the Minister approves a revised plan or strategy pursuant to this condition, the person taking the action must implement that plan or strategy instead of the plan or strategy as originally approved.
7. On 1 July each year after the commencement of construction and up to the commencement of operations, the person taking the action must provide a certificate stating that the person taking the action has complied with the conditions of approval. On 1 July of the third year of operations the person taking the action must provide a certificate stating that the person taking the action has complied with the conditions of approval.
8. If, at any time after five years from the date of this approval, the Minister notifies the person taking the action in writing that the Minister is not satisfied that there has been substantial commencement of construction of the facility, construction must not thereafter commence.