

## Gungahlin Strategic Assessment – Corrective Action 11a

### Background

The independent audit for the Gungahlin Strategic Assessment (audit report) was finalised in November 2017, consistent with commitment 19 of the Gungahlin Strategic Assessment Biodiversity Plan.

The audit report noted that the Taylor Stage 1 Construction Environmental Management Plan (CEMP) had a number of deficiencies in relation to consideration of items identified in the Gungahlin Strategic Assessment Biodiversity Plan (the Plan), and did not acknowledge any Matter of National Environmental Significance (MNES) issues, the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) or the Plan.

The audit report identified the following corrective action for commitment 11a:

***The Plan Implementation Team (PIT) will review the Taylor Stage 1 CEMP, and work undertaken in relation to this CEMP, to identify whether any breaches in relation to MNES have occurred and develop an appropriate plan of action to address this if necessary.***

The PIT reviewed the Taylor Stage 1 CEMP and agreed that there was no breach in relation to MNES, therefore, a plan of action was not considered necessary.

In response to the corrective action the audit team stated that the intent of the corrective action was to ensure that the risk of what was identified as a non-compliance does not occur in the future. In response, [Attachment A](#) sets out a procedure for reviewing and endorsing CEMPs for greenfield developments within the Gungahlin Strategic Assessment area.

Please note, a process for early notification of the requirement for a CEMP in the Gungahlin Strategic Assessment area has also been implemented. This is undertaken at the pre-application meeting stage and on submission of the development application (completeness check) to ensure the proponent is aware of their obligations.

## Attachment A

### Construction and Environmental Management Procedure.

#### General Instructions:

An approved Construction and Environmental Management Plan (CEMP) is required for all greenfield developments within the Gungahlin Strategic Assessment area (**Figure 1**) prior to the commencement of construction. Please note the requirement for a CEMP is additional to the existing requirement of the Environment Protection Authority.

The *Framework for Construction Environment Management Plans for Areas of Gungahlin Subject to the Gungahlin Strategic Assessment 2013* (Framework) outlines the requirements for CEMPs. The CEMP procedure below sets out the steps to ensure that once a CEMP is submitted, it is referred to the relevant agencies and approved in accordance with the Framework.

A CEMP can be submitted when the development application (DA) is lodged or can be required as a condition of approval.

Where a CEMP has been submitted as part of the formal lodgement of the DA please refer to **Table 1**.

If a CEMP has not been submitted as part of the DA, refer to **Table 2**, where a condition of approval is required to ensure a CEMP is submitted and approved prior to commencement of construction.

**Table 1:** The following procedure is applicable if a CEMP has been submitted when the DA is formally lodged

No.	Stage	Action	Responsibility
1	Receipt of draft CEMP as part of application documents for lodgement	DA Gateway officer notes that the development is within a strategic assessment area, requiring a draft CEMP. The Strategic Assessment Coordinator* (Impact Assessment team- <a href="mailto:EDPImpact@act.gov.au">EDPImpact@act.gov.au</a> ) should be selected as a referral once the DA is lodged.	DA Gateway Assessment officer
2	Application referred to Strategic Assessment Coordinator during referral to agencies	The application is referred to the Strategic Assessment Coordinator and they are given a timeframe to provide comments to the Assessment Officer (usually 15 days).  The Strategic Assessment Coordinator should check that the CEMP has been referred to the relevant agencies, which may include but is not limited to: ACT Heritage, Water Policy, the Environment Protection Authority (EPA) and the Conservator of Flora and Fauna for comment. [ <b>Note:</b> A referral must be made to the Conservator of Flora and Fauna for any proposed development adjacent to reserves or environmental offsets.]  If not, the Strategic Assessment Coordinator should alert the Assessment Officer.	Strategic Assessment Coordinator
3	Referral to PIT	For all works/development in a <b>conservation area</b> (see <b>Figure 2</b> and <b>3</b> ) the CEMP must be referred to the Plan Implementation Team (PIT) for review and approval.	Strategic Assessment Coordinator

<b>4</b>	PIT review	PIT to review CEMP and provide comments/endorsement to the Strategic Assessment Coordinator within <b><u>10 business days.</u></b>	Strategic Assessment Coordinator
<b>5</b>	Receipt of PIT/ agencies comments	Strategic Assessment Coordinator will collate all comments and email to Assessment Officer if any changes/conditions are required for the CEMP before it is accepted for approval. The Assessment Officer will liaise with the applicant to lodge additional/further information if required.	Strategic Assessment Coordinator / Assessment Officer
<b>6</b>	CEMP accepted	If the CEMP submitted with the application is approved and no conditions are included in the NOD relating to the CEMP, the Assessment Officer will provide the approved CEMP to the Strategic Assessment Coordinator for filing.	Strategic Assessment Coordinator

**\*Contact details:**

<b>Role</b>	<b>Contact area</b>	<b>Contact Officer</b>
<b>Strategic Assessment Coordinator / PIT Secretariat</b>	Impact Assessment Team	<a href="mailto:EPDimpact@act.gov.au">EPDimpact@act.gov.au</a>

**Table 2:** The following procedure is applicable if a CEMP has not been submitted when the DA is formally lodged and referred to entities.

No.	Stage	Action	Responsibility
1	Referral to Strategic Assessment Coordinator	Determine if the proposed development is a greenfield development within the Gungahlin Strategic Assessment area. All greenfield development applications within the Gungahlin Strategic Assessment area must be referred to the Strategic Assessment Coordinator* (Impact Assessment team- <a href="mailto:EDPImpact@act.gov.au">EDPImpact@act.gov.au</a> ).	DA Gateway Officer/ Assessment Officer
2	CEMP Condition	The Strategic Assessment Coordinator will liaise with the Assessment officer to prepare a condition for the Notice of Decision, requiring a CEMP to be submitted and approved prior to the commencement of construction.	Strategic Assessment Coordinator / Assessment Officer
<b>Post approval</b>			
3	Receipt of draft CEMP	On receipt of the draft CEMP, notify the Strategic Assessment Coordinator (Impact Assessment team- <a href="mailto:EDPImpact@act.gov.au">EDPImpact@act.gov.au</a> )	Assessment Officer
4	Record keeping	Create a CEMP folder in the Objective file for the DA and save alias to – Gungahlin Strategic Assessment /Commitment 11a/ CEMPs <u>All emails, correspondence and file notes must be saved in the Objective folder.</u>	Strategic Assessment Coordinator
5	Referral to agencies	<u>All CEMPs</u> must be referred to relevant agencies. Agencies may include but are not limited to: ACT Heritage, Water Policy, EPA and the Conservator of Flora and Fauna for comment. <b>[Note:</b> A referral must be made to the Conservator of Flora and Fauna for any proposed development adjacent to reserves or environmental offsets.]	Strategic Assessment Coordinator
6	Referral to PIT	For all works/development in a <b>conservation area</b> (see <b>Figure 2</b> and <b>3</b> ) the CEMP must be referred to the Plan Implementation Team (PIT) for review and approval.	Strategic Assessment Coordinator
7	PIT review	PIT to review CEMP and provide comments/endorsement to the Strategic Assessment Coordinator within <b>10 business days</b> .	PIT
8	Agency review	Relevant agencies will have <b>10 business days</b> to review the CEMP and provide comments to the Strategic Assessment Coordinator.	Relevant agencies
9	Receipt of PIT/ agency comments	Strategic Assessment Coordinator will collate all comments and liaise with the applicant to lodge additional information if required.	Strategic Assessment Coordinator
10	Revised CEMP	Strategic Assessment Coordinator will provide a copy of the revised CEMP to the PIT and /or agencies who provided comment on the draft CEMP for review as required.	Strategic Assessment Coordinator

<b>11</b>	CEMP Accepted	Once the CEMP meets the conditions for approval, the Strategic Assessment Coordinator will send out formal notification to the applicant, and advise the Assessment officer that the condition has been met.	Strategic Assessment Coordinator
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**\*Contact details:**

Role	Contact area	Contact Officer
Strategic Assessment Coordinator / PIT Secretariat	Impact Assessment Team	<a href="mailto:EPDimpact@act.gov.au">EPDimpact@act.gov.au</a>

Figure 1: Overview of the Gungahlin Strategic Assessment Area.

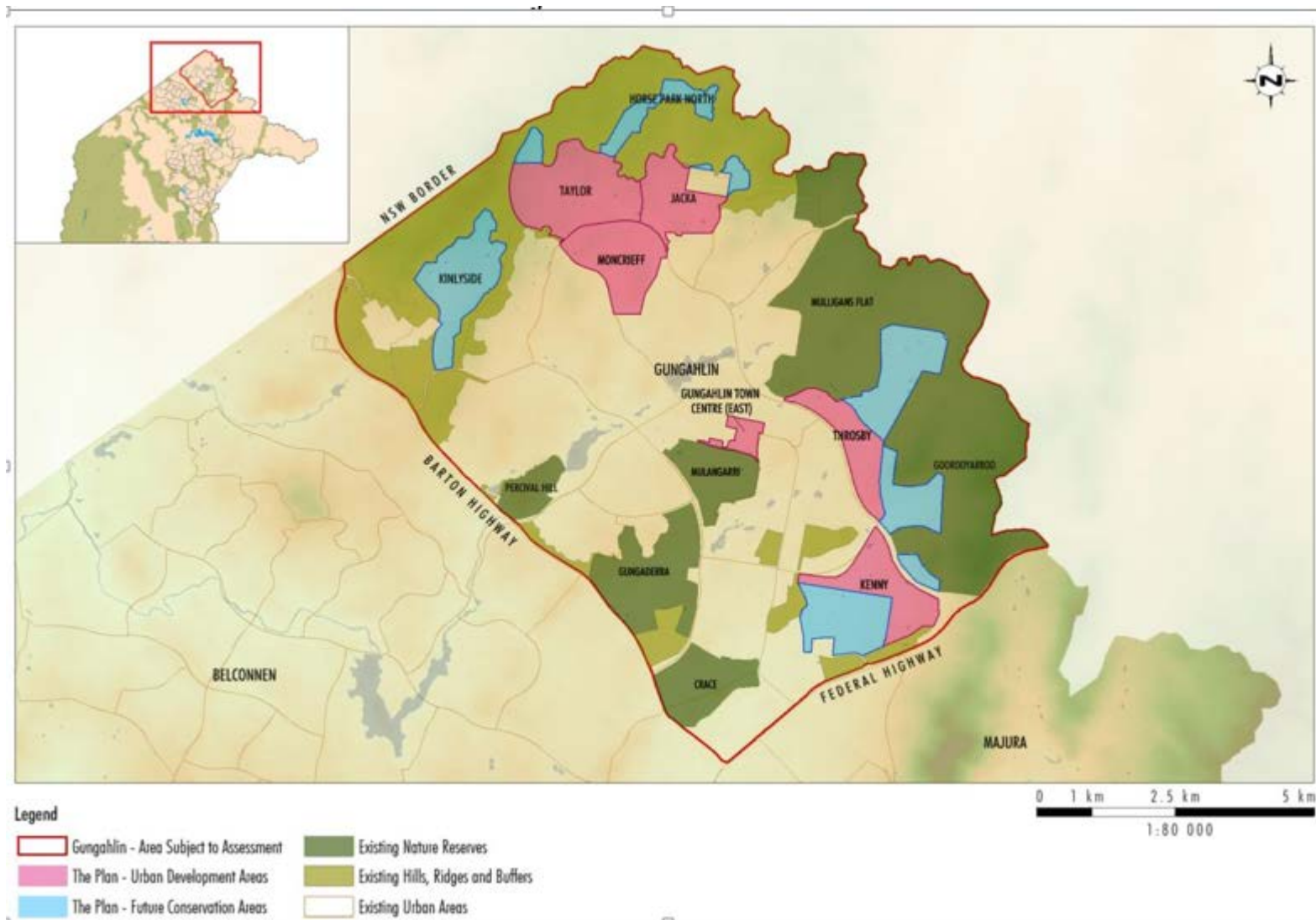


Figure 2: Goorooyarroo and Mulligans Flat reserve areas that require CEMP approval

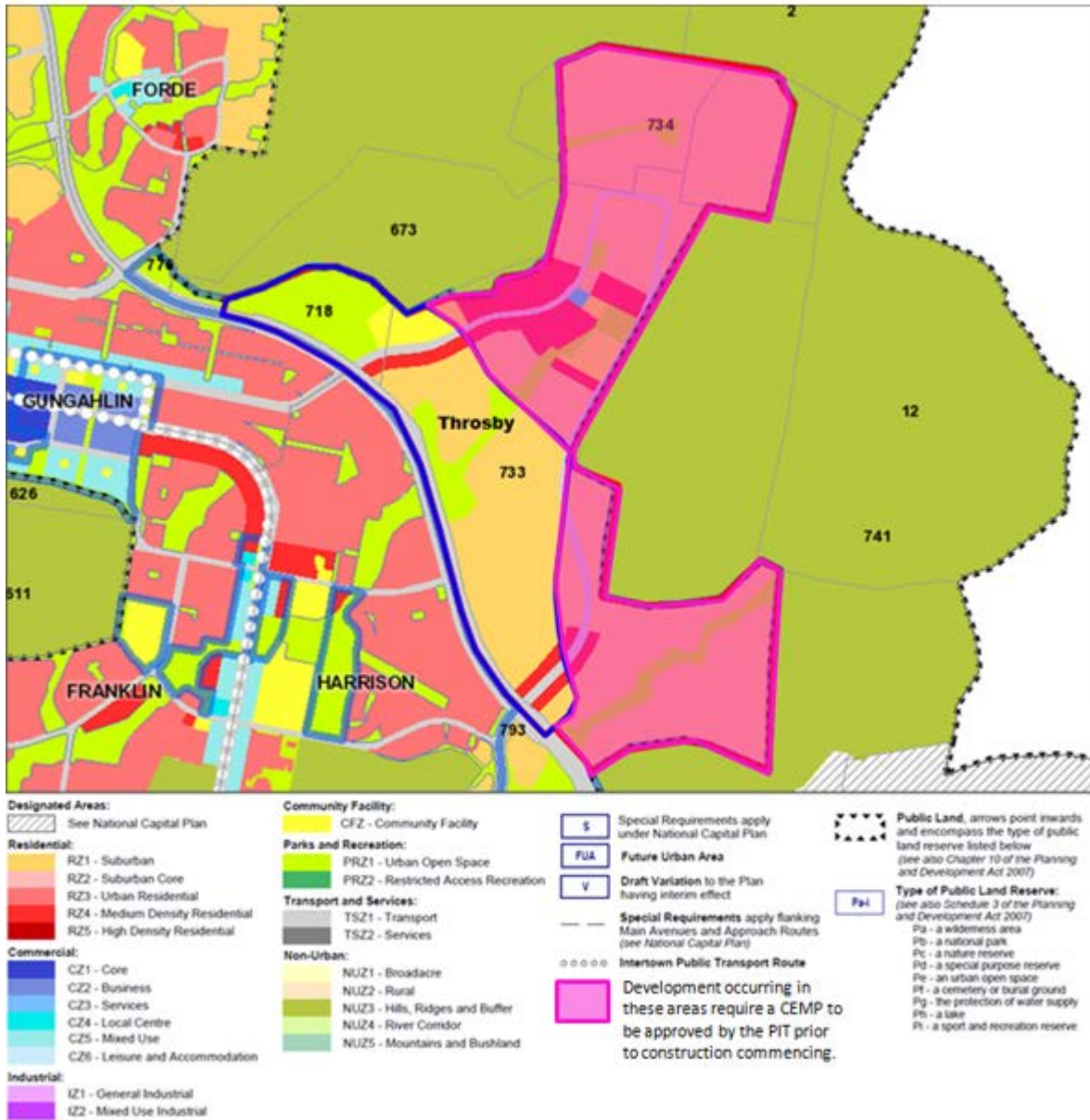


Figure 3: Kenny and Goorooyaroo Reserve areas that require CEMP approval

