



**Total  
Environment  
Centre**  
for the future

P.O. Box K61, Haymarket NSW 1240  
Ph 02 9211 5022 Fx 02 9211 5033  
www.tec.org.au  
ABN 54 152 721 302

26<sup>th</sup> September 2018

The Hon Melissa Price MP  
Minister for the Environment Department of the Environment  
GPO Box 787  
Canberra ACT 2601  
26 September 2018

cc. James Barker, Assistant Secretary, Assessments and Governance Branch  
Jamie Machin, Assistant Director (ag), Southern NSW and ACT Assessments

Dear Minister,

**RE: EPBC 2015/7599 - Macarthur Advertiser notification of Display of Final Preliminary Documentation for Mt. Gilead Residential Development from the 5th of September to the 19th of September.**

The total environment centre has some major concerns with this proposal on top of the ones we raised with the original notification (see TEC's 16th of January 2018, Submission to Mt Gilead Biocertification Application). These concerns relate to what was not in the original draft documentation, specifically the Noorumba and Fernhill Biobanking proposal.

***No opportunity to submit on Noorumba - Fernhill Biobank proposal.***

In the ***January 2108 EPBC 2015/7599 draft preliminary documentation*** there was no public notification that Noorumba reserve or Fernhill were to be used to retire outstanding Koala credits, it was only in the ***September 2018 EPBC 2015/7599 final preliminary documentation***, that this was declared. We find this concerning as the community were not given an opportunity to comment on such an important fact that would undermine the purpose of the state's Biodiversity Conservation Act and could if approved the federal government's EPBC offset tool. This is a substantial and significant oversight.

***Noorumba Reserve and Fernhill to be used as a Biobank.***

Even in the ***September 2018 EPBC 2015/7599 final preliminary documentation*** identifying that the existing Noorumba reserve is to be used as Koala credits was not immediately obvious as similar names are used for different onsite offsets, however, Lendlease's supporting documents state.

BCAM created 284 Koala Credits

*The Biodiversity Certification Assessment has found that ...284 'species credits' are required for impacts to Koala. ...133 Koala species credits will be generated*

by the two already submitted Biobank sites, Noorumba-Mt Gilead and Macarthur-Onslow Mt Gilead Biobank Sites, within the BCAA (onsite). Some of these credits will be retired ... as **151 Koala credits purchased from the Noorumba Biobank site** (offsite).

( Eco Logical 2018 p.xii) (Mt Gilead – Biodiversity Certification Assessment & Biocertification Strategy, 2 July 2018 ECO LOGICAL AUSTRALIA PTY LTD (See-Appendix-B\_Final-Application-20180702.) )

Off-site Offsets - 34 credits for Fernhill and 151 Koala Credits for Noorumba Reserve Biobank.

*Off-site Offset site: Impacts on MNES that are unable to be accounted for from within the site (some SSTF offsets) will be offset by retiring **34 credits (equivalent to 4 ha) purchased from the Fernhill Central West Biobank site** and will be managed and funded in perpetuity by its existing Biobank Agreement. **151 Koala credits purchased from the Noorumba Reserve Biobank site (equivalent to 21.27 ha of Koala habitat will also be retired in accordance with the biocertification requirements.***

(Mt Gilead Residential Development. EPBC Preliminary Documentation Assessment Report (EPBC 2015/7599) Final Proposed Action. Prepared for: Lendlease Communities (Mt Gilead) Pty Ltd. 27 August 2018 p.12 ). Emboldens the authors.

Campbelltown Council Noorumba created Biobank.

*'...the protection of a further 21.27 ha of Koala habitat by the retirement of 151 Koala credits purchased from the **Campbelltown Council Noorumba Biobank site.** (Mt Gilead – EPBC Assessment Report - Eco Logical Australia p.165 ). The purple area below is the Noorumba Reserve now being used as a Biobank. As this has yet to be publicly registered this should be rejected.*

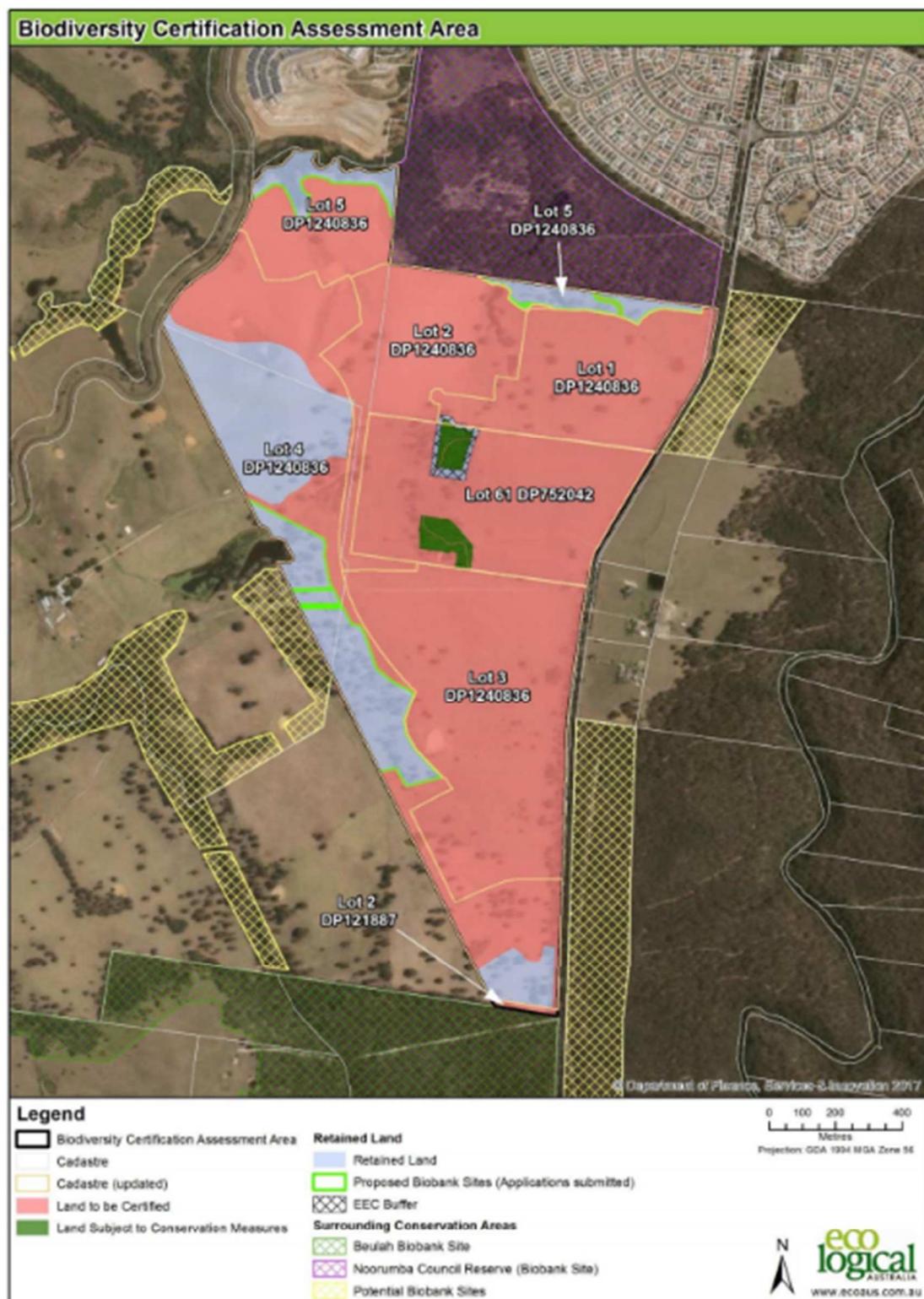


Figure 3: Mt Gilead Biodiversity Certification Assessment Area and location of existing conservation areas (two proposed Biobank sites within the BCAA), and potential Biobank sites outside the BCAA

Note previous lot was Lot 3 DP 121887

### ***Noorumba already a protected nature reserve***

Noorumba Reserve is currently being managed as a public nature reserve. It is **public land** owned by Campbelltown City Council an area of approximately 60 hectares, **community classified** and categorized as **natural area** and **natural area bushland** and **watercourses** under the 2004 Plan of Management. It was purchased by Campbelltown Council in 1980. In 2000 the National Heritage Trust funding was used to fence and bush regenerate the area. In 2004 a Plan of Management was created to oversee its management.

The **Noorumba reserve 2004 Plan of Management** states its “.. **purpose is to provide a management framework to ensure the ongoing viability of the natural environment within the Reserve**, whilst providing minimum impact passive recreation and community education facilities.’ The Implementation Action Plan that sits within the PoM supports the natural environmental focus of the Plan of Management, this was not contingent on external funds. (see attachment A - PoM)

An existing volunteer **Noorumba Reserve bushcare group** (one of the goals of the PoM) meets fortnightly to care for the reserve. (see attachment B - Bushcare screenshot). This Reserve is currently well managed for the ongoing viability of the natural environment within Noorumba reserve.

### ***Noorumba already Koala habitat.***

The PoM recognized the importance of this reserve for Koala habitat early. As it stated ‘**Previous fauna surveys have identified one species listed as Endangered on the Threatened Species Conservation Act (1995) and two species of regional significance.**’

In **2006** when Campbelltown Council applied for a section 91 license under the Threatened Species Conservation Act 1996, they made direct references to **Koalas being with the Noorumba reserve** and in the surrounding areas. (see attachment C - s91 application ) . Current Bionet sightings support this as existing Koala habitat.

### ***Consequences of Noorumba Reserve and Fernhill being used as a Biobank.***

The Council owned Noorumba Nature Reserve adjacent to Lendlease’s Gilead is being used as the main offset to clearing Koala habitat on Gilead (Fernhill 40kms away is the other !). As Noorumba reserve is existing Koala habitat, this is not an offset, but a retirement of developer obligation.

Gilead is of significance because of the nationally important Two Rivers Koala Corridor connecting the Georges and the Nepean Rivers (natural riparian corridors themselves) Gilead provides the shortest, most northerly, most direct and undisturbed connection for the Campbelltown/Holsworthy Koala Colony and Blue Mountains/Hawkesbury Koala Colonies, to move through - essential for their long term survival.

Using Koala offset credits generated from Lendlease’s Gilead proposal on an existing protected bushland (Noorumba) or an external-distant site (Fernhill) is to lose precisely what the Koala credits should allow - a strengthening of this corridor, to compensate for the weakening this connection that will follow Lendlease’s development.

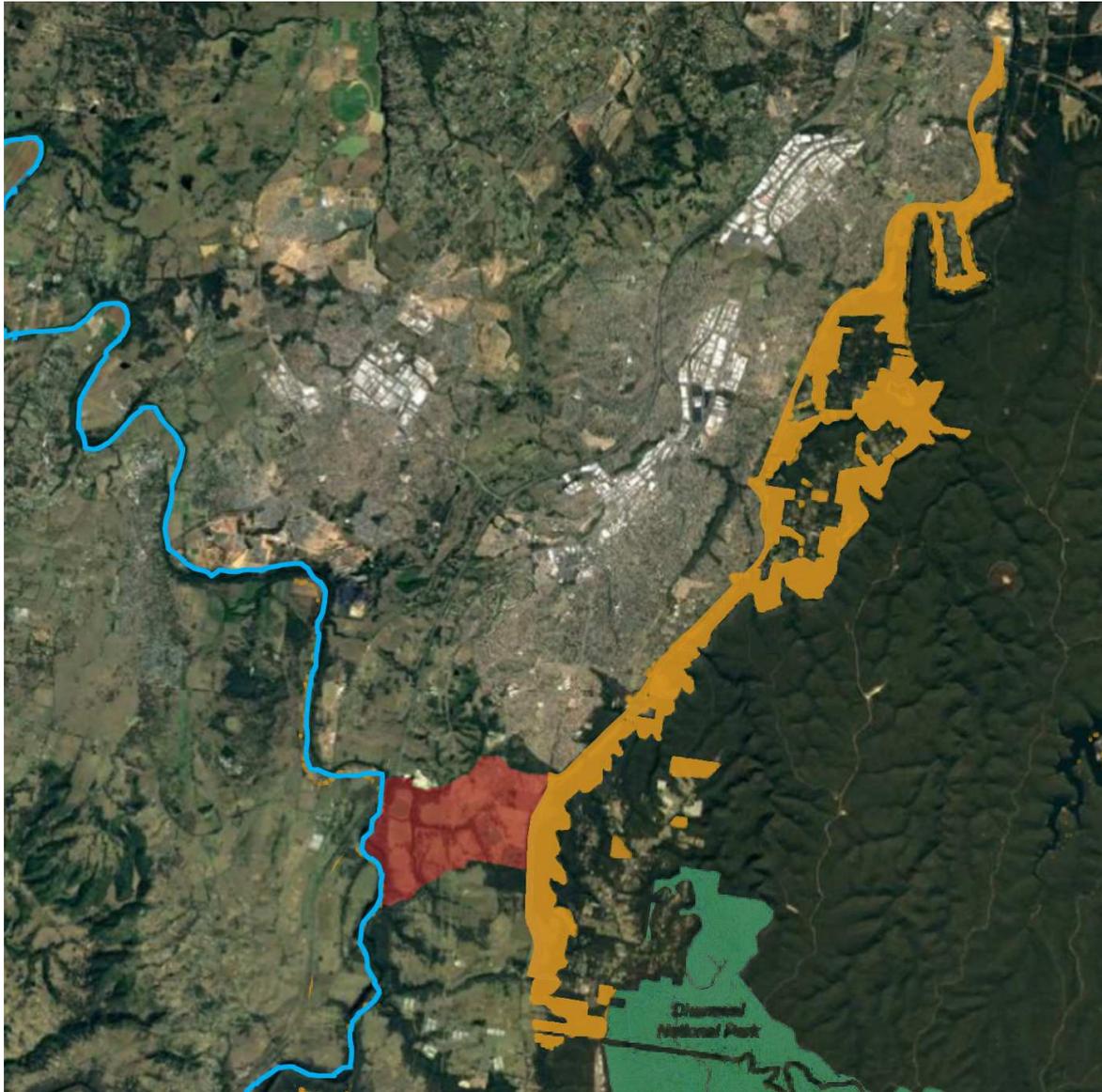


Image above, The proposed Georges River National Koala Park in orange follows the Georges River, the Blue line is the Nepean River. The Red area is Lendlease's Gilead. The shortest, most northern connection between the two rivers.

### ***Consequences of using existing protected bushland as 'offsets'.***

The EPBC Act environmental offsets policy requires real additionality in offsets and does not permit the use of an existing, well managed and fully funded public reserves to avoid a developer's obligation. The use of this Noorumba reserve to 'offset' clearing of habitat is a gross breach of the EPBC guidelines. While unfortunately at state level, reserves with community land classification, council tenure and active Bushcare engagement have already been successfully biobanked. Such as Sophia Doyle & William Joyce Reserves, Baulkham Hills (See: <https://www.thehills.nsw.gov.au/Council/Council-Initiatives/Biodiversity-Credits>. )

At the moment the significant detrimental effects are only starting to be felt at the state level such as: undermining 'additionality' and thus the 'offset' systems

credibility, undermining private landholder participation, and weakening community engagement.

1. Credibility. The second is that if existing protected bushland land is allowed to be used as an offset. The concept of 'additionality' within the EPBC dies and with it 'offsettings' conceptual credibility.
2. Offset market destruction. Public reserve offsetting will undercut the participation of private landowners who want to biobank their farms because the credit price will plummet as offsets on public reserves - as public authorities see it as bonus funding for what they already do (see Attachment D Campbelltown Councillor Mead's 2SER interview below ).
3. Community engagement. Bushcare groups will disengage as they are simply saving Council from using their funded obligations.

However, if the federal government does not reject the NSW route these deterring effects noted above will spread nationally. Noorumba is the precedent in that it needs Federal approval. We strongly recommend that ***the Federal Government defend the integrity of their offset system and reject the Biobanking options of Noorumba and Fernhill put forward by Lendlease.***

Saul Deane



Urban Sustainability Campaigners