

Appendix A: Biodiversity Conservation Order

Gazetted Bio-certification Order - Condition 18

The Minister, under advice from the DECC, has specified within the bio-certification order matters that are required to be satisfied.

The relevant sections of the bio-certification order gazetted 11th December 2007 are provided below.

THREATENED SPECIES CONSERVATION ACT 1995

Order to confer biodiversity certification on the State Environmental Planning Policy (Sydney Region Growth Centres) 2006

I, Verity Firth, Minister Assisting the Minister for Climate Change, Environment and Water (Environment), do by this order confer biodiversity certification on the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the SEPP) for the purposes of the Threatened Species Conservation Act 1995 (the Act).

I am satisfied that the SEPP, and other relevant measures, will lead to the overall improvement or maintenance of biodiversity values.

Pursuant to section 126H of the Act, the biodiversity certification of the SEPP is subject to the conditions listed in Schedules 1, 2, 3 and 4 below. The conditions are necessary to ensure that the SEPP and other relevant measures will lead to the overall improvement or maintenance of biodiversity values, including the limiting of certification to specified lands, procedures for the allocation of conservation funding for offsets, and mechanisms for the on-going review of progress in delivering offsets.

This order is made under section 126G (1) of the Act.

This order is to take effect on and from the date of its publication in the Government Gazette.

Pursuant to section 126J of the Act, biodiversity certification of the SEPP shall remain in force from the date the biodiversity certification order takes effect until 30 June 2025.

VERITY FIRTH, M.P.,

Minister Assisting the Minister for Climate Change, Environment and Water (Environment)

Signed at Sydney, this 11th day of December 2007.

Conditions

Additional conservation actions within the Growth Centres – animals

18. During or before the preparation of the relevant precinct plan(s) under the Growth Centres Development Code relating to the area referred to in the table below, the following actions must be undertaken:

Species Required action - Green and Golden Bell Frog Potential population at Riverstone - as shown in black hatching on the biodiversity certification maps:

Option 1

- *survey to confirm the presence of the species, and*
- *if the species is present, provide protection of the area of suitable habitat for the species to the satisfaction of the DECC.*

Option 2

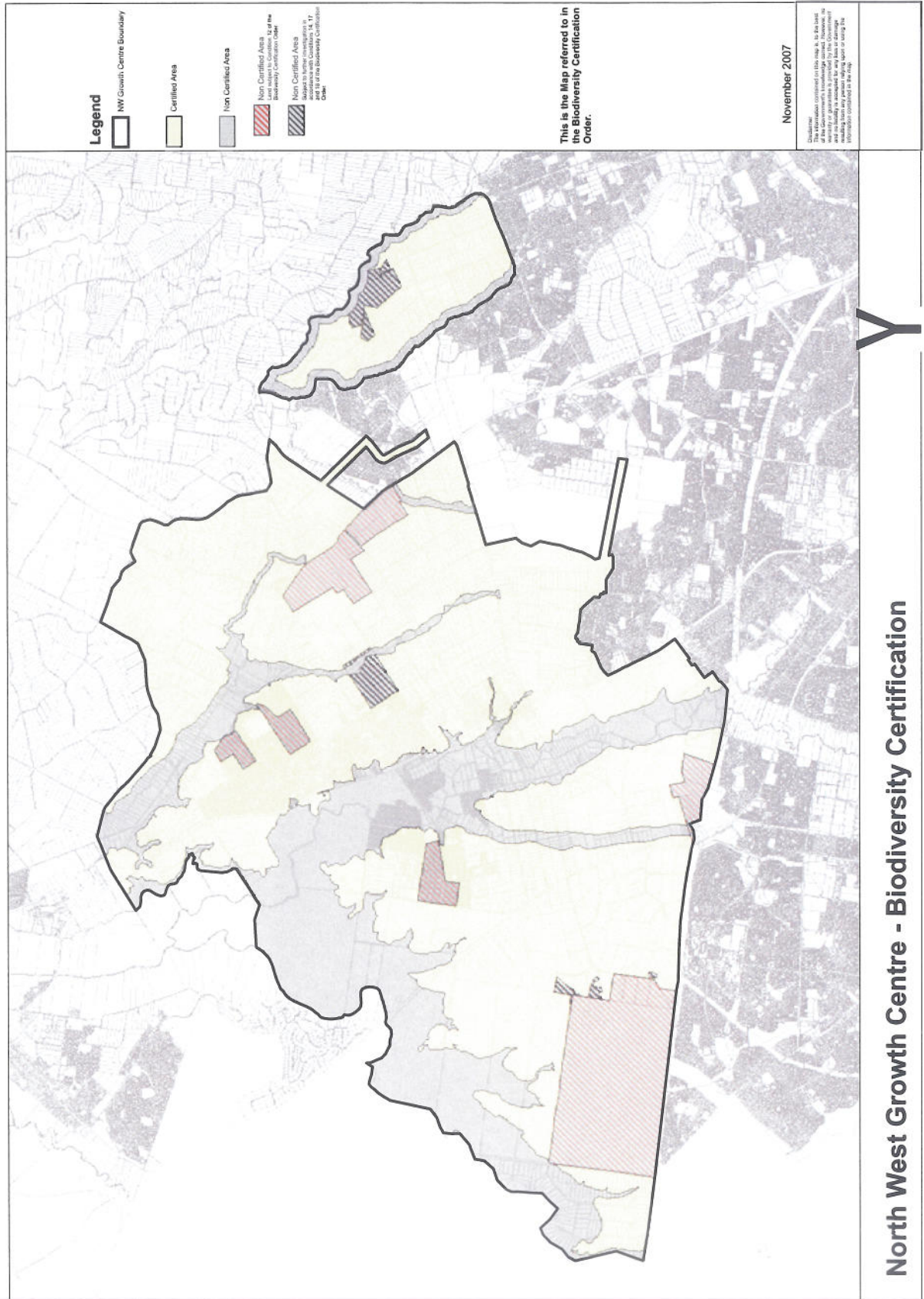
- *if the species is present at Riverstone but cannot be adequately protected to the satisfaction of the DECC, then:*
 - (a) undertake targeted survey to confirm the presence of the species elsewhere in the Growth Centres, and*
 - (b) if the species is present elsewhere in the Growth Centres, provide for the protection of an area(s) of suitable habitat for the species to the satisfaction of the DECC.*

Note: On completion of the above actions the Minister may decide that it is appropriate to amend the boundaries of the area subject to biodiversity certification, in accordance with condition 3.

Conservation Fund

20. For the purposes of the conditions of biodiversity certification, references to dollar values are taken to be 2005/2006 values. All values shall be indexed in accordance with the "land index" to be published by the GCC, as detailed in the Special Infrastructure Contribution Practice Note.

21. Over the life of the development of the Growth Centres funding shall be provided to establish a Conservation Fund of at least \$530 million to be used for biodiversity conservation and regional open space purposes. \$397.5 million of the Conservation Fund is planned 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.





HEAD OFFICE

Suite 4, Level 1
2-4 Merton Street
Sutherland NSW
T 02 8536 8600
F 02 9542 5622

SYDNEY

Suite 604, Level 6
267 Castlereagh Street
Sydney NSW 2000
T 02 9993 0566
F 02 9993 0573

ST GEORGES BASIN

8/128 Island Point Road
St Georges Basin NSW 2540
T 02 4443 5555
F 02 4443 6655

CANBERRA

Level 4
11 London Circuit
Canberra ACT 2601
T 02 6103 0145
F 02 6103 0148

HUNTER

Suite 17, Level 4
19 Bolton Street
Newcastle NSW 2300
T 02 4910 0125
F 02 4910 0126

NAROOMA

5/20 Canty Street
Narooma NSW 2546
T 02 4476 1151
F 02 4476 1161

COFFS HARBOUR

35 Orlando Street
Coffs Harbour Jetty NSW 2450
T 02 6651 5484
F 02 6651 6890

ARMIDALE

92 Taylor Street
Armidale NSW 2350
T 02 8081 2681
F 02 6772 1279

BRISBANE

93 Boundary St
West End QLD 4101
T 0429 494 886

WESTERN AUSTRALIA

108 Stirling Street
Perth WA 6000
T 08 9227 1070
F 08 9227 1078

-
- (3) Subclause (2) does not apply to the subdivision of land that has a frontage directly onto Loftus Street, Bandon Road or Windsor Road.

6.9 Development on certain land identified as Green and Golden Bell Frog habitat

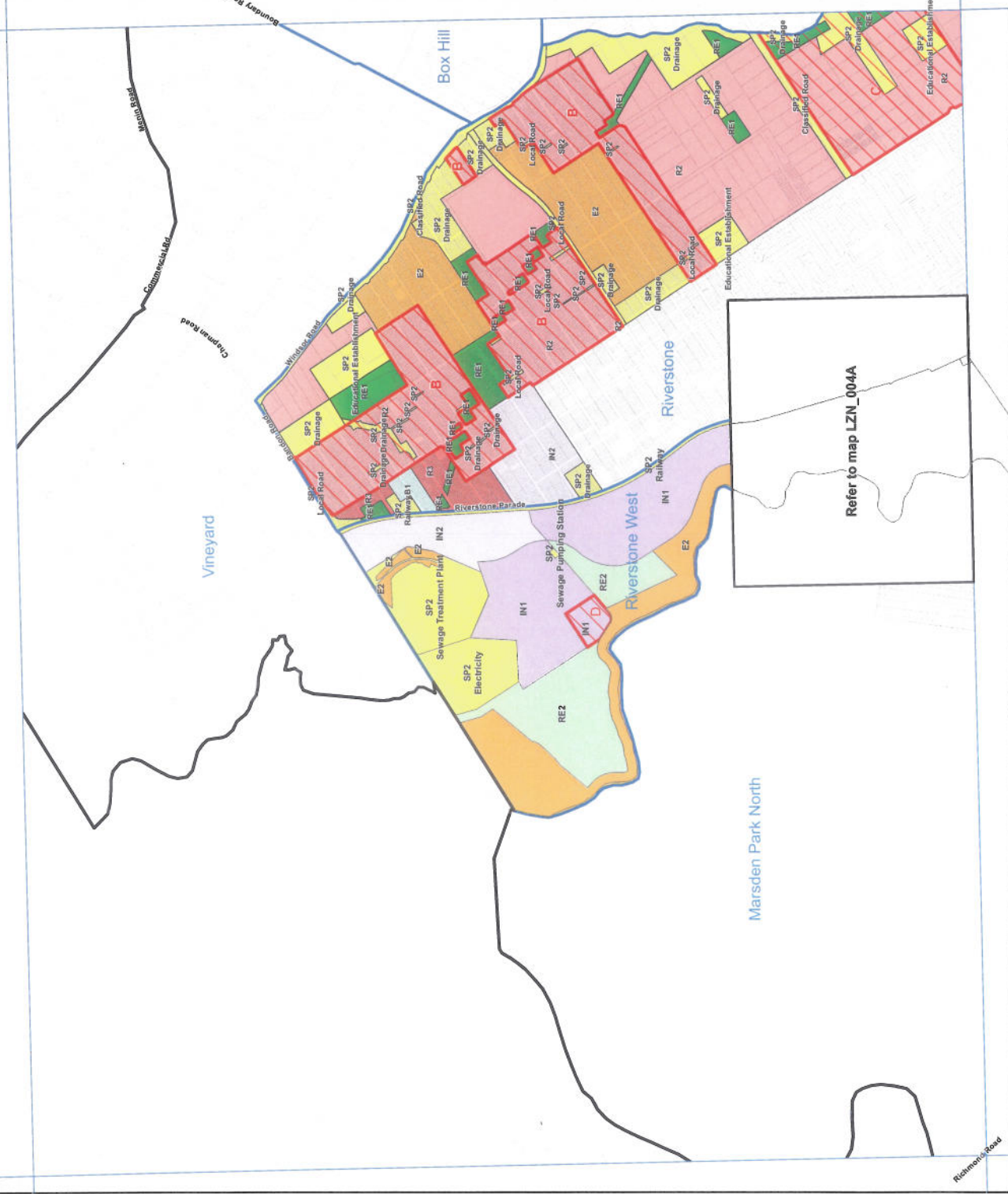
- (1) The clause applies to land within the Riverstone Precinct that is shown as “Green and Golden Bell Frog habitat” on the Land Zoning Map.
- (2) The objectives of this clause are as follows:
- (a) to ensure that suitable habitat for the Green and Golden Bell Frog species is created on certain land to which this clause applies,
 - (b) to ensure that the biodiversity values of that habitat are protected and preserved,
 - (c) to ensure that appropriate measures are in place to minimise or prevent any adverse impacts of development on the species or its habitat by protecting land surrounding that habitat.
- (3) Consent must not be granted for any development on the land to which this clause applies that is within Zone SP2 Infrastructure and marked “Drainage” unless the consent authority is satisfied that the development is consistent with any recovery plan (within the meaning of the *Threatened Species Conservation Act 1995*) for the Green and Golden Bell Frog or, if no such plan has been prepared and approved under that Act, the draft recovery plan for that frog prepared by the Department of Environment and Conservation dated February 2005.
- (4) Consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development will not adversely affect the quality and condition of any habitat of the Green and Golden Bell Frog on the land to which this clause applies that is within Zone SP2 Infrastructure and marked “Drainage”.

Schedule 1 Additional permitted uses

(Clause 2.5)

1 Multi dwelling housing in the Riverstone Precinct

On land shown on the Land Zoning Map as “Low density residential (Multi dwelling housing)”—multi dwelling housing.



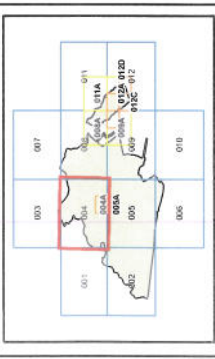
NSW GOVERNMENT | **Planning**
State Environmental Planning Policy (Sydney Region Growth Centres) 2006
North West Growth Centre Land Zoning Map sheet LZN_004

LEGEND

- Zone**
- B1 Neighbourhood Centre
 - B2 Local Centre
 - B4 Mixed Use
 - B7 Business Park
 - E2 Environmental Conservation
 - E3 Environmental Management
 - E4 Environmental Living
 - IN1 General Industrial
 - IN2 Light Industrial
 - R1 General Residential
 - R2 Low Density Residential
 - R3 Medium Density Residential
 - RE2 Public Recreation
 - RE3 Private Recreation
 - SP2 Infrastructure

- Special Provisions**
- Low Density Residential (multi-dwelling housing) - Appendix 4, clause 2.5
 - Reverse Sloped Lands - Appendix 4, clause 6.8
 - Green & Golden Bell Frog Habitat - Appendix 4, clause 6.9
 - Additional Uses - Appendix 3, Clause 6.5
 - Additional permitted uses (Clause 13)

- Original SEPP Zones**
- Environmental Conservation
 - Public Recreation - Regional
- Growth Centres Boundaries**
- North West Growth Centre Boundary
 - North West Growth Centre Precinct Boundary
- Cadastral**
- Cadastre 621298 © Blacktown City Council
 - Cadastre 300310 © Dept of Lands



0 0.1 0.2 0.3 0.4 Kilometres
 Scale: 1:20,000 @ A3
 Projection: GDA 1984
 Zone 56

Map Information: SEPP 2006, LZN_004_009_20060415

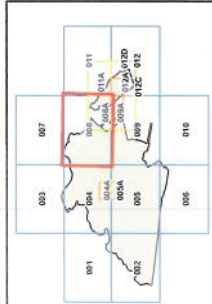
**State Environmental Planning
 Policy (Sydney Region Growth
 Centres) 2006**
 North West Growth Centre
 Land Zoning Map
 sheet LZN_008

LEGEND

Zone	BT Neighbourhood Centre	PRZ Public Recreation
	LCZ Local Centre	PRZ Private Recreation
	BA Mixed Use	SPZ Infrastructure
	BPZ Business Park	
	ECZ Environmental Conservation	
	EMZ Environmental Management	
	ELZ Environmental Living	
	GIZ General Industrial	
	LIZ Light Industrial	
	GRZ General Residential	
	DRZ Low Density Residential	
	MRZ Medium Density Residential	

- Special Provisions**
- Low Density Residential (multi-dwelling housing) - Appendix 4, clause 2.5
 - Riverstone Scheduled Lands - Appendix 4, clause 6.8
 - Green & Golden Bell Frog Habitat - Appendix 4, clause 6.9
 - Additional Uses - Appendix 3, Clause 6.5
 - Additional permitted uses. (Clause 13)

- Original SEPP Zones**
- Environmental Conservation
 - Public Recreation - Regional
- Growth Centres Boundaries**
- North West Growth Centre Boundary
 - North West Growth Centre Precinct Boundary
- Cadastrate**
- Cadastrate parcels (© Dept of Lands)



0 0.1 0.2 0.3 0.4 Kilometres
 Scale: 1:20,000 @ A3

Projection: GDA 1994
 Zone 56

Map identification Number
 SEPP_2006_LZN_LZN_008_008_2006015



Area 20