

# Cumberland Plain Conservation Plan Guidelines for Infrastructure Development

August 2022



# Acknowledgement of Country

The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Cumberland Plain Conservation Plan Guidelines for Infrastructure Development

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# Introduction

The Cumberland Plain Conservation Plan Guidelines for Infrastructure Development have been prepared to support strategic conservation planning and the implementation of the Cumberland Plain Conservation Plan (the CPCP) outcomes.

The CPCP has been developed to protect western Sydney's biodiversity while supporting the delivery of housing, jobs and infrastructure. It meets requirements for strategic biodiversity certification under the *Biodiversity Conservation Act 2016* (NSW) (BC Act) and strategic assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act).

The guidelines are for proponents and public authorities that deliver infrastructure development. They apply to:

- **infrastructure development or activities that are identified as 'essential infrastructure'** (as defined in Part 2 of the guidelines) **and carried out on 'avoided land'** identified in the Strategic Conservation Planning Chapter of the State Environmental Planning Policy (Biodiversity and Conservation) 2021, which we will refer to as 'Strategic Conservation Planning 2022' from now on
- **Part 5 activities** under the *Environmental Planning and Assessment Act 1979* (EP&A Act) that are **carried out on land identified as 'avoided land', 'strategic conservation area' or 'certified- urban capable land'** by Strategic Conservation Planning 2022.

The guidelines aim to:

- guide infrastructure development and activities by planning proponents, public authorities, consultants, and the community so they are consistent with the CPCP's commitments and actions, and maintain outcomes consistent with Strategic Conservation Planning 2022
- identify when and how essential infrastructure is covered by the CPCP's strategic assessment approval under Part 10 of the EPBC Act
- set out the requirements to avoid, minimise and mitigate impacts on biodiversity from infrastructure.

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## Structure of the guidelines

The guidelines comprise 3 parts:

### **Part 1 – Background**

Gives background information and explains the policy objectives and planning controls. It describes how the CPCP, Strategic Conservation Planning 2022 and the guidelines will work and what they seek to achieve. Part 1 also identifies when the guidelines apply, and notification and reporting requirements.

### **Part 2 – Essential infrastructure on avoided land**

Gives access to the CPCP's strategic assessment approval under Part 10 of the EPBC Act for essential infrastructure on avoided land. Part 2 defines 'essential infrastructure' and sets out the requirements with which essential infrastructure projects must be consistent to access the strategic assessment approval.

### **Part 3 – Assessment process for activities under Part 5 of the EP&A Act**

Establishes the biodiversity objectives and matters determining authorities must address for an activity under Part 5 of the EP&A Act.

# Part 1 – Background

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## 1.1 Purpose of the Cumberland Plain Conservation Plan

The Cumberland Plain Conservation Plan Guidelines for Infrastructure Development support strategic conservation planning and the implementation of the Cumberland Plain Conservation Plan (the CPCP) outcomes.

The CPCP has been developed to protect western Sydney's biodiversity while supporting the delivery of housing, jobs and infrastructure. It meets requirements for strategic biodiversity certification under the *Biodiversity Conservation Act 2016* (NSW) (BC Act) and strategic assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act). We will refer to these from now on as 'the biodiversity approvals'.

Development on land to which the CPCP applies must be consistent with the biodiversity approvals under the CPCP. These guidelines, along with the following documents, form the key planning mechanisms designed to ensure development or an activity in the nominated areas is consistent with the biodiversity approvals under the CPCP:

- Strategic Conservation Planning 2022
- Environmental Planning and Assessment Amendment (Avoided Land) Regulation 2022
- Ministerial Direction for Strategic Conservation Planning
- Mitigation Measures Guidelines for the Cumberland Plain Conservation Plan.

Approvals granted under the CPCP relate only to the EPBC Act and BC Act. Approvals may still be required under other legislation, including the *Environmental Planning and Assessment Act 1979* (EP&A Act), *Fisheries Management Act 1994* and the *Water Management Act 2000*.

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## 1.2 Purpose of Strategic Conservation Planning 2022

Strategic Conservation Planning 2022 is the key statutory mechanism to implement strategic conservation planning. It provides certainty that the CPCP's commitments and actions to protect, enhance, maintain, and restore biodiversity in western Sydney will be met for Part 4 development under the EP&A Act. (Refer to Part 2 of these guidelines for an explanation of 'Part 4 development'.)

Strategic Conservation Planning 2022 objectives are to:

- ensure development in the nominated areas is consistent with the biodiversity certification under Part 8 of the BC Act and strategic assessment under Part 10 of the EPBC Act
- facilitate appropriate development on biodiversity certified areas
- identify and protect areas with high biodiversity value or regionally significant biodiversity that can support ecological function, including threatened ecological communities, species and areas with important connectivity or ecological restoration potential

- avoid or minimise impacts from future development on biodiversity values in areas with high biodiversity value
- support the acquisition of priority areas with high biodiversity value as conservation lands in perpetuity.

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## 1.3 Purpose of the guidelines

The purpose of the guidelines is to:

- provide a pathway for essential infrastructure on avoided land to access the CPCP's strategic assessment approval under Part 10 of the EPBC Act
- ensure that essential infrastructure development and Part 5 activities are consistent with the conservation outcomes of the CPCP and Strategic Conservation Planning 2022
- ensure that Part 5 activities under the EP&A Act on avoided land, in a strategic conservation area, or on certified-urban capable land address impacts to biodiversity before beginning any work.

The intended audience for the guidelines is proponents and public authorities that deliver infrastructure development (including some development under Part 4 of the EP&A Act) or activities under Part 5 of the EP&A Act.

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## 1.4 Objectives of the guidelines

The objectives of the guidelines are to:

- facilitate assessment of essential infrastructure on avoided land against the CPCP's strategic assessment approval under Part 10 of the EPBC Act
- ensure infrastructure developed on avoided land and/or within the strategic conservation area is consistent with the CPCP's biodiversity approvals
- avoid or minimise impacts from infrastructure on biodiversity values in areas with high biodiversity value – that is, avoided land and land in the strategic conservation area
- mitigate impacts of infrastructure on avoided land, the strategic conservation area and certified-urban capable land.

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## 1.5 Land to which the guidelines apply

The guidelines apply to development or activities carried out on land identified in Strategic Conservation Planning 2022 as:

- **avoided land** – land in the nominated areas with high biodiversity value, and which is not suitable for urban development.
- **strategic conservation area** – areas with high biodiversity value that are significant to the Cumberland subregion. These areas include large remnants of native vegetation, areas with important connectivity across the landscape, and some areas with ecological restoration potential. The strategic conservation area has been identified as the area of greatest strategic value to deliver long-term conservation outcomes in the Cumberland subregion and which can offset biodiversity impacts under the CPCP.
- **certified-urban capable land** – land in the nominated areas where future urban development can occur, subject to other development approvals. Certified-urban capable land will be subject to strategic biodiversity certification for development under Part 8 of the BC Act and class of action approval under Part 10 of the EPBC Act. Development and activities in these areas do not require further site-specific biodiversity assessment under the EPBC Act or BC Act, if the development or activity is consistent with the CPCP's biodiversity approvals, which includes application of the CPCP's mitigation measures.

The 'avoided land', 'strategic conservation area' and 'certified-urban capable land' are all mapped by Strategic Conservation Planning 2022.



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## 1.6 Development to which the guidelines apply

The guidelines apply to:

- local development under Part 4 of the EP&A Act that is identified as essential infrastructure (defined in Part 2 of the guidelines)
- activities under Part 5 of the EP&A Act.

The application of the guidelines is illustrated in **Figure 1**.

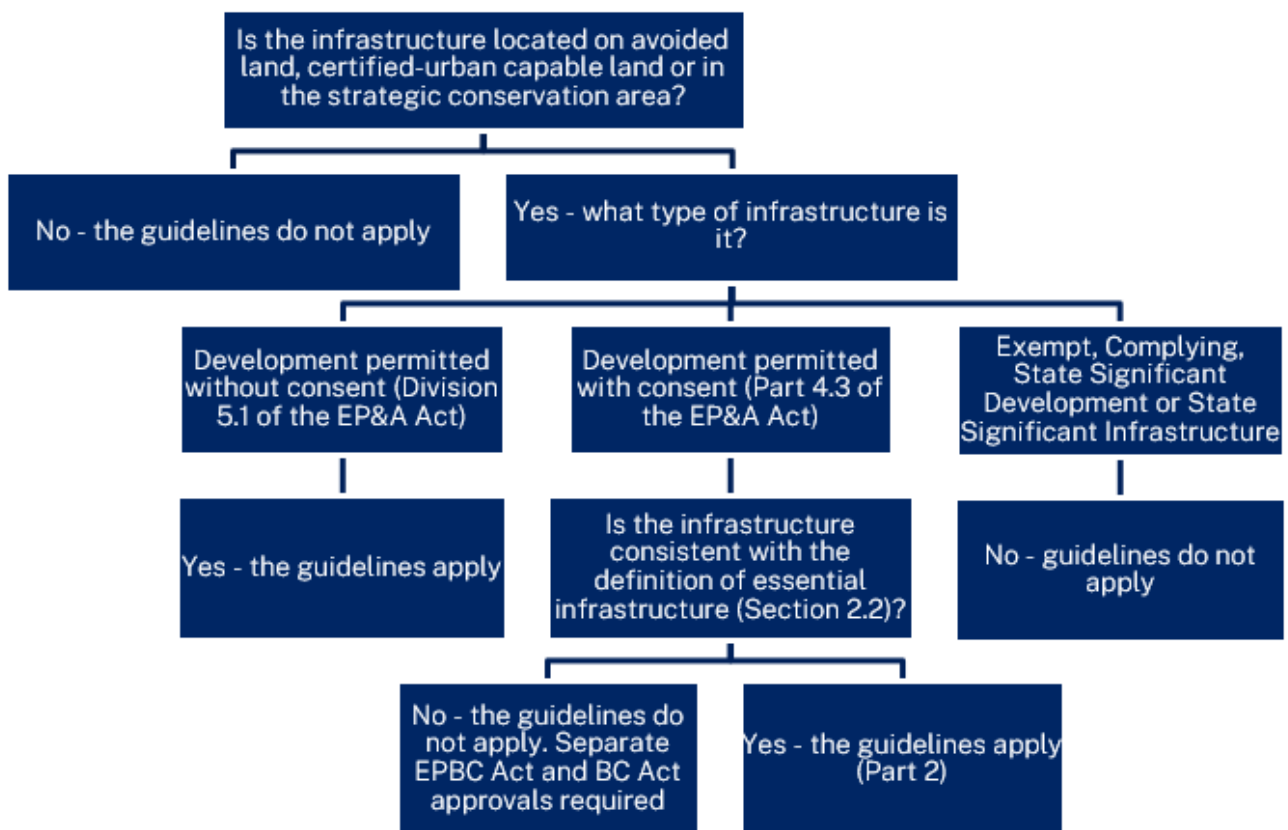


Figure 1. When the guidelines apply

Note: This figure only considers assessment for the CPCP's purposes. Separate approvals may still be required under other legislation, including the *Fisheries Management Act 1994* and the *Water Management Act 2000*.

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## 1.7 Notification requirements

Proponents and public authorities who access the CPCP's strategic assessment approval under Part 10 of the EPBC Act, described in Part 2 of the guidelines, must follow the notification requirements in the Environmental Planning and Assessment Regulation 2021 under the division for special provisions relating to avoided land activities. This division includes:

- a requirement for a development application for development consistent with the definition of essential infrastructure definition, other than State significant development, on avoided land identified by Strategic Conservation Planning 2022, to be accompanied by a statement setting out whether the activity is consistent with Section 2.3 of the infrastructure guidelines,
- a requirement for a determining authority to notify the Planning Secretary of a decision to carry out, or to grant an approval to carry out an activity with the definition of essential infrastructure definition on avoided land consistent, including a statement setting out whether the determining authority considers the activity is consistent with Section 2.3 of the infrastructure guidelines.

A notification must include a copy of the consistency statement published on the [NSW Planning Portal](#).

The Executive Implementation Committee, which includes the NSW Department of Planning and Environment (the department) and the Australian Government Department of Agriculture, Water and Environment, will use this information to monitor and audit impacts on avoided land. This will inform statutory reporting on the CPCP and reviews of the strategic assessment under Part 10 of the EPBC Act over time.

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## 1.8 Monitoring and review

The department will review the guidelines every 2.5 years from publication.

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## 1.9 Definitions

Refer to definitions in the Cumberland Plain Conservation Plan Glossary. Where terms are not included in the glossary, their meaning is the same as those in the BC Act and the EP&A Act.

# Part 2 – Essential infrastructure on avoided land

**Disclaimer:** Part 2 of the *Guidelines for Infrastructure Development* are not currently in effect. Proponents will not be able to access the strategic assessment approval under Part 10 of the EPBC Act for ‘essential infrastructure’ on avoided land until the Commonwealth approval is in place. Proponents may need to seek their own approvals under the EPBC Act.

Part 2 of the guidelines applies to ‘essential infrastructure’ that is proposed on avoided land. Essential infrastructure can include development or activities carried out under Part 4 or Part 5 of the EP&A Act. Part 2 of the guidelines sets out:

- the relationship between essential infrastructure and the CPCP
- what essential infrastructure is
- the requirements that essential infrastructure must meet to access the CPCP’s strategic assessment approval under Part 10 of the EPBC Act.

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## 2.1 Background and application

Planning for infrastructure is in various stages for each of the CPCP’s nominated areas. While the strategic conservation planning process has identified the most suitable areas for development in each nominated area, the department recognises that additional, essential infrastructure development may be needed outside the certified-urban capable land to support growth to 2056 and beyond.

Part 2 provides a process that enables specific types of infrastructure, defined as essential infrastructure, located on avoided land to:

- access the CPCP strategic assessment approval under Part 10 of the EPBC Act
- ensure essential infrastructure avoids, minimises, mitigates and offsets impacts on matters of national environmental significance (MNES), consistent with the strategic assessment approval and the CPCP’s commitments and actions.

While essential infrastructure may access the CPCP’s strategic assessment approval under Part 10 of the EPBC Act, approvals under other legislation, such as the BC Act, may still need to be sought. To access the strategic assessment approval, the essential infrastructure must be consistent with Sections 2.2 and 2.3 of these guidelines.

Proponents must notify the department or determining authority (as required by the Regulations) about how the essential infrastructure is consistent with the strategic assessment approval – this requirement is set out in the Environmental Planning and Assessment Regulation 2021. Use the consistency statement template as a guide to

how the guidelines must be addressed when notifying the department or determining authority. This can be found with the guidelines, published on the NSW Planning Portal.

People intending to carry out essential infrastructure that is not consistent with Section 2.2 and Section 2.3 of the guidelines may need to seek a separate approval under Part 9 of the EPBC Act for impacts on MNES.

**Figure 2** identifies when an infrastructure development or activity can access the strategic assessment approval under Part 10 of the EPBC Act.

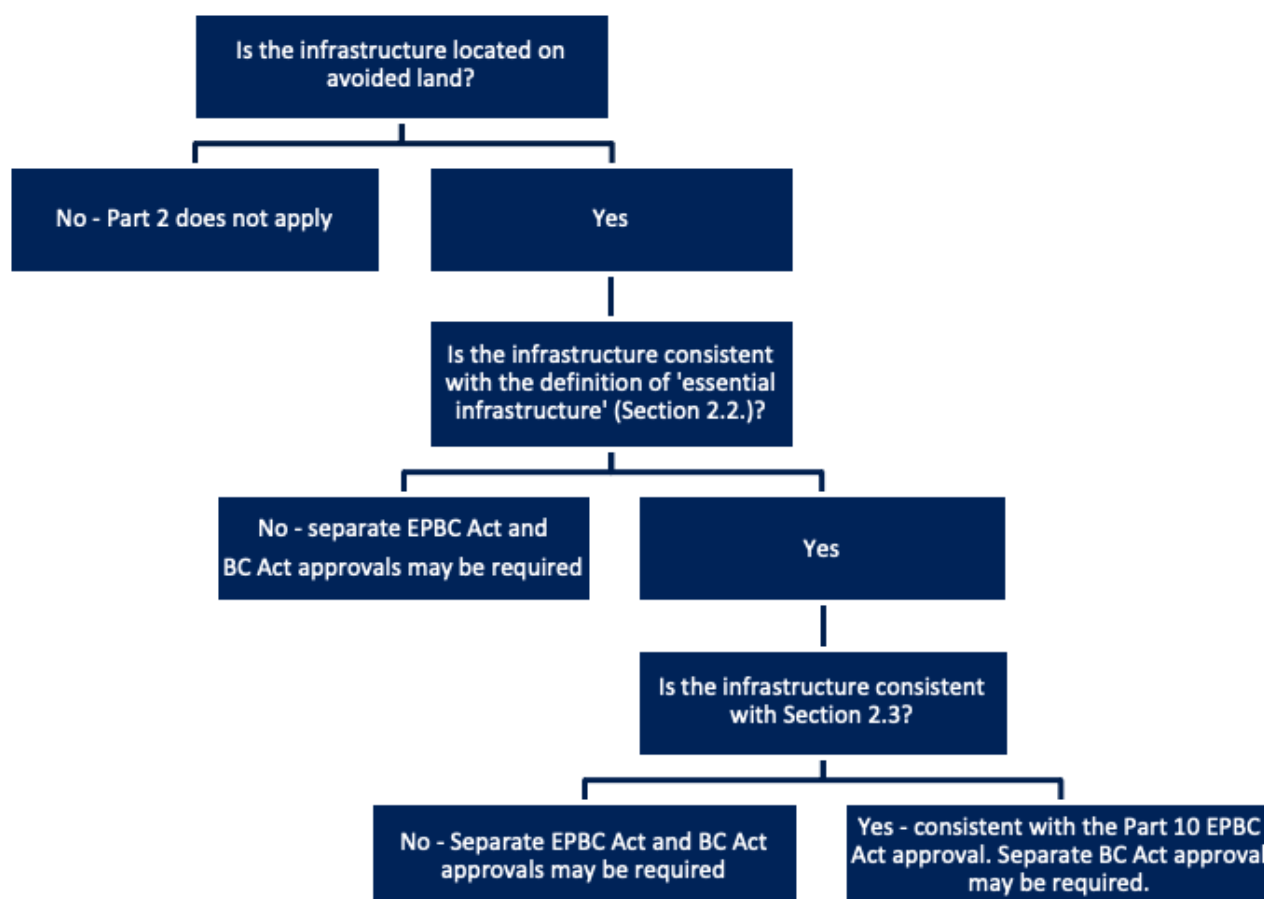


Figure 2. Identifying an infrastructure development or activity's eligibility to access strategic assessment approval

Note: Separate approvals may be required under other legislation, including the BC Act, *Fisheries Management Act 1994* and the *Water Management Act 2000*.

Section 2.2 defines essential infrastructure.

Section 2.3 sets out matters that a development or activity must address to ensure that infrastructure on avoided land avoids, minimises, mitigates or offsets impacts on MNES and other relevant EPBC Act matters, as required, to access the strategic assessment approval under Part 10 of the EPBC Act.

Determining authorities must also consider Part 3 of this guideline for activities under Part 5 of the EP&A Act, whether or not Part 2 is relevant to the activity.

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## 2.2 ‘Essential infrastructure’ definition

These guidelines define essential infrastructure as:

- local development under Division 4.3 of Part 4 of the EP&A Act, or an activity under Division 5.1 of Part 5 of the EP&A Act
- that is for a purpose:
  - identified in any of the following Divisions of the State Environmental Planning Policy (Transport and Infrastructure) 2021, Chapter 2, Part 2.3:
    - Division 4: electricity generating works or solar energy systems
    - Division 5: electricity transmission or distribution
    - Division 12A: pipelines and pipeline corridors
    - Division 17: roads and traffic
    - Division 18: sewerage systems
    - Division 20: stormwater management systems
    - Division 21: telecommunications and other communication facilities
    - Division 23: waste or resource management facilities
    - Division 24: water supply systems
  - or is development for the purposes of a koala fence or development for the purposes of a fauna crossing under Strategic Conservation Planning 2022.
- and is required to service and support development within any of the following nominated areas:
  - Greater Macarthur Growth Area
  - Greater Penrith to Eastern Creek Investigation Area
  - Western Sydney Aerotropolis
  - Wilton Growth Area
- located partly or wholly on avoided land.

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## 2.3 Objectives and biodiversity matters

To be consistent with the CPCP's strategic assessment approval under Part 10 of the EPBC Act, essential infrastructure must be consistent with all the following objectives and biodiversity matters:

### Objectives

1. Locate essential infrastructure in the certified-urban capable land in the nominated areas, where possible.
2. Design and site essential infrastructure to avoid or minimise environmental impacts.
3. Avoid or minimise direct impacts on threatened ecological communities listed in the EPBC Act, known populations of threatened flora species and koala habitat protected under the CPCP.
4. Minimise or mitigate indirect and prescribed impacts on threatened ecological communities, species, and their habitats to best-practice standards.
5. Minimise or mitigate indirect and prescribed impacts on the southern Sydney koala population to best-practice standards.

### Biodiversity matters

1. Design and site essential infrastructure to avoid an adverse impact on biodiversity. Where an adverse impact cannot feasibly or practicably be avoided, minimise impacts by refining design elements.
2. Avoid or minimise impacts on the following threatened ecological communities listed in the EPBC Act:
  - Shale Sandstone Transition Forest
  - Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest
  - River-Flat Eucalypt Forest
  - Coastal Swamp Oak (*Casuarina glauca*) Forest
  - Cooks River Castlereagh Ironbark Forest
3. Avoid or minimise direct impacts to populations of threatened flora species, prioritising avoiding impacts to known populations of:
  - *Grevillea parviflora* subsp. *parviflora* (small-flower Grevillea)
  - *Persoonia bargoensis* (Bargo geebung)
  - *Persoonia nutans* (nodding geebung)
  - *Genoplesium baueri* (yellow gnat-orchid)
  - *Pimelea spicata* (spiked rice-flower)
  - *Pultanea parviflora* (Sydney bush pea)
4. Avoid or minimise direct impacts to koala habitat protected under the CPCP.
5. Design infrastructure within the Wilton and Greater Macarthur nominated areas to avoid impacts on koala habitat protected by the CPCP and maintain the function of koala movement corridors.
6. Implement specific mitigation measures to address indirect and prescribed impacts on the southern Sydney koala population. This includes:
  - (a) installing koala-exclusion fencing during construction

(b) maintaining the integrity of any existing koala-exclusion fencing.

7. Develop and implement mitigation measures to address indirect and prescribed impacts on threatened ecological communities, threatened species and their habitats during the construction and operation of infrastructure. Refer to Appendix E of the CPCP for appropriate mitigation measures.
8. Fulfil biodiversity offset requirements under the BC Act and/or any other relevant legislation.

# Part 3 – Assessment process for activities under Part 5 of the EP&A Act

This part gives objectives and biodiversity matters to be addressed for Part 5 activities that are being carried out on avoided land, in the strategic conservation area or on certified-urban capable land. It is divided into 3 sections:

- Section 3.1 relates to activities on avoided land
- Section 3.2 relates to activities in the strategic conservation area
- Section 3.3 relates to activities on certified-urban capable land.

**Figure 3** identifies which sections of Part 3 the Part 5 activities must address, according to the land category.

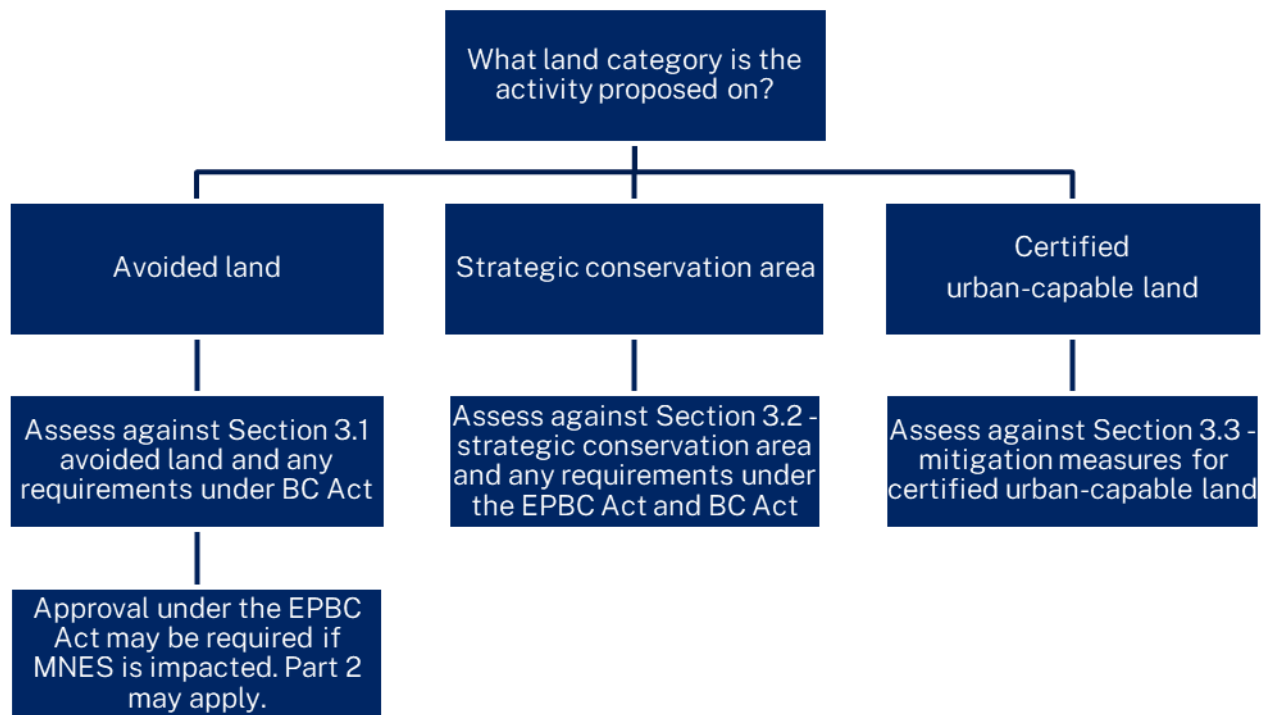


Figure 3. How to apply Part 3 of the guidelines

Note: Separate approvals may be required under other legislation, including the *Fisheries Management Act 1994* and the *Water Management Act 2000*.



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## 3.1 Activities on avoided land

Section 3.1 applies to activities under Part 5 of the EP&A Act that are proposed on avoided land. The objectives and biodiversity matters listed in Section 3.1 must be addressed to be consistent with the CPCP's biodiversity approvals.

Note: Biodiversity approvals under the CPCP do not apply to avoided land (unless it is essential infrastructure). Accordingly, separate biodiversity approvals may also be required by legislation, including the BC Act, the EPBC Act, the *Fisheries Management Act 1994* and the *Water Management Act 2000*.

### 3.1.1 Objectives

1. Protect threatened ecological communities, threatened species and their habitats
2. Protect or enhance koala habitat and corridors
3. Protect MNES
4. Encourage the conservation and recovery of ecological communities and their habitats.

### 3.1.2 Biodiversity matters

For activities that are consistent with Part 2 of these guidelines – Essential infrastructure on avoided land – the activity must:

1. Avoid or minimise any adverse impacts on threatened ecological communities, threatened species and their habitats, both on the site of the activity and on adjoining land that is avoided land
2. Avoid or minimise any adverse impacts on habitat connectivity and fauna movement, including koala and wildlife corridors, both on the site of the activity and on adjoining land that is avoided land
3. Avoid or minimise any adverse impacts on the integrity and resilience of the biophysical, ecological, and hydrological environments, including surface and groundwater, and the quality of the natural flow of water in a riparian corridor
4. Avoid or minimise any adverse impacts on MNES referred to in Chapter 2, Part 3, Division 1 of the EPBC Act (if not already considered under Part 2 of these guidelines)
5. Install temporary koala-exclusion fencing before construction in areas identified as koala habitat protected by the CPCP and maintain the integrity of any existing koala-exclusion fencing
6. Design linear infrastructure to include appropriate access treatments such as gates or koala bridges to ensure the integrity and connectivity of koala corridors and habitat protected under the CPCP is maintained.

For all other activities to which these guidelines apply, the activity must:

1. Avoid an adverse impact on threatened ecological communities, threatened species and their habitats, both on the site of the activity and on adjoining land that is avoided land
2. Avoid an adverse impact on habitat connectivity and fauna movement, including koala and wildlife corridors, both on the site of the activity and on adjoining land that is avoided land
3. Avoid an adverse impact on the integrity and resilience of the biophysical, ecological, and hydrological environments, including surface and groundwater, and the quality of the natural flow of water in a riparian corridor
4. Avoid an adverse impact on MNES referred to in Chapter 2, Part 3, Division 1 of the EPBC Act
5. Install temporary koala-exclusion fencing before construction in areas identified as koala habitat protected by the CPCP and maintain the integrity of any existing koala-exclusion fencing
6. Design linear infrastructure to include appropriate access treatments such as gates or koala bridges to ensure the integrity and connectivity of koala corridors and habitat protected under the CPCP is maintained.

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## 3.2 Activities in the strategic conservation area

Section 3.2 applies to activities carried out under Part 5 of the EP&A Act that are proposed on land in the strategic conservation area. These activities must address the objectives and biodiversity matters listed in Section 3.2 to be consistent with the CPCP's biodiversity approvals.

Where the activity is located on both avoided land and a strategic conservation area, proponents and public authorities must address:

- All objectives and biodiversity matters within Section 3.1
- All objectives in Section 3.2.1
- Matter 6 within Section 3.2.2.

Note: Biodiversity approvals under the CPCP do not apply to the strategic conservation area. Accordingly, separate biodiversity approvals may also be required under legislation, including the BC Act, the EPBC Act, the *Fisheries Management Act 1994* and the *Water Management Act 2000*.

### 3.2.1 Objectives

1. To minimise the impacts of infrastructure activities on areas with regionally significant biodiversity, including threatened ecological communities, threatened species and their habitats.
2. To maintain or enhance ecological function.
3. To protect or enhance koala habitat and corridors.

### 3.2.2 Biodiversity matters

1. Avoid or minimise any adverse impacts on the biodiversity values of the land.
2. Avoid or minimise any adverse impacts on threatened ecological communities, threatened species and their habitats, both on the site of the activity and on adjoining land in a strategic conservation area.
3. Avoid or minimise any adverse impacts on habitat connectivity and fauna movement, including koala and wildlife corridors, and links to ecological restoration areas, both on the site of the activity and on adjoining land in a strategic conservation area.
4. Avoid or minimise any adverse impacts on the integrity and resilience of the biophysical, ecological, and hydrological environments, including surface and groundwater, and the quality of the natural flow of water in a riparian corridor.
5. Avoid or minimise an adverse impact on MNES referred to in Chapter 2, Part 3, Division 1 of the EPBC Act.
6. Consider the cumulative impact of the activity and other approved activities or development in relation to the land on:
  - (a) matters described in 1-5 of Section 3.2.2
  - (b) the potential for the ecological restoration of the land
  - (c) adjoining land identified as a strategic conservation area.

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## 3.3 Activities on certified-urban capable land

This section applies to activities carried out under Part 5 of the EP&A Act, proposed on certified—urban capable land. The objectives and mitigation requirements listed in this section must be addressed to achieve the commitments and actions in the CPCP and the requirements of the biodiversity approvals.

The objectives align with the CPCP’s commitments and actions. The mitigation requirements align with Appendix E, which gives mitigation requirements for the indirect and prescribed impacts of the CPCP.

**Table 1** lists the mitigation requirements.

Table 1. Mitigation requirements

| Category         | Objective  | Mitigation requirements   |
|------------------|--|---|
| Threatened fauna | <p><b>Commitment 5:</b> Mitigate indirect and prescribed impacts from infrastructure on threatened ecological communities, species and their habitat.</p> <p><b>Commitment 7:</b> Mitigate indirect and prescribed impacts from infrastructure on the southern Sydney koala population to best-practice standards and in line with advice from the NSW Chief Scientist and Engineer, and in accordance with Appendix E of the CPCP.</p> <p><b>Commitment 16:</b> Manage priority pest species in strategic locations in the Cumberland subregion to reduce threats to protected land.</p> <p><b>Commitment 18:</b> Support new or existing programs to control key diseases affecting threatened species and ecological communities in the Cumberland subregion.</p> | <p><b>Habitat features and connectivity</b></p> <ol style="list-style-type: none"> <li>1. Retain large trees that are greater than or equal to 50 cm diameter at breast height (including dead trees but excluding noxious weeds) where possible and apply tree-protection measures for all vegetation to be retained. This is to provide ongoing roosting and foraging opportunities for fauna</li> <li>2. Retain areas of high density <i>proteaceae</i> shrubs where possible, particularly along riparian corridors, to retain foraging resources, habitat and movement corridors for the Eastern Pygmy-possum.</li> <li>3. Before any disturbance, all structures potentially providing habitat for microbats (bridges, culverts, mine shafts, storm water tunnels, old or derelict buildings) must be inspected by a qualified ecologist at an appropriate time of year. Where microbats are found, the structure providing habitat must not be affected, or a bat management plan must be prepared by a microbat specialist which allows for: <ul style="list-style-type: none"> <li>- exclusion mechanisms to reduce the risk of direct physical harm to the microbats; and/or</li> <li>- supplementary habitat to compensate for lost habitat: and/or</li> <li>- regular inspections of structures and briefing of relevant construction staff.</li> </ul> </li> </ol> <p><b>Pests</b></p> <ol style="list-style-type: none"> <li>4. Before construction works begin, a pest control strategy must be prepared. This strategy must be implemented during construction and operation of the development. This strategy must include pest control methods that reduce the risk of secondary poisoning (for example, from Pindone or second-generation rodenticides).</li> </ol> <p><b>Human disturbance</b></p> <ol style="list-style-type: none"> <li>5. Before vegetation is removed, a suitably qualified ecologist must assess the site and do pre-clearance surveys for koalas. If koalas are identified, implement a tree-felling protocol and translocation plan, as required.</li> <li>6. For development within koala habitat protected by the CPCP, a management plan must be developed and implemented which includes: <ul style="list-style-type: none"> <li>- before construction, temporary exclusion fencing to prevent koalas entering the site</li> </ul> </li> </ol> |

| Category                                       | Objective   | Mitigation requirements  |
|--|---|--|
|  |   | <ul style="list-style-type: none"> <li>- measures to ensure the safety of koalas during construction and operation of the infrastructure, including traffic calming measures</li> <li>- hygiene procedures to prevent the spread of vegetation pathogens to koala habitat trees.</li> </ul> <ol style="list-style-type: none"> <li>7. Above-ground infrastructure must be set back from grey-headed flying fox camps (minimum 100 m where possible) and raptor – bird of prey – nests (minimum 100 m where possible) at a suitable distance. Operational management measures to minimise disturbance to populations and nests must also be implemented.</li> <li>8. Where existing koala-exclusion fencing is located, works must ensure the integrity of the koala-exclusion fencing is to be maintained.</li> <li>9. Where linear infrastructure crosses identified koala habitat, the infrastructure must be designed to ensure the functionality and connectivity of the corridor.</li> </ol> <p><b>Disease</b></p> <ol style="list-style-type: none"> <li>10. Incorporate best-practice site hygiene protocols to manage the potential spread of pathogens, such as <i>Phytophthora</i> and myrtle rust adjacent to potential habitat for species targeted by the CPCP, including koala use trees from which koalas and the greater glider feed.</li> </ol> |
| <b>Threatened flora</b>                        | <p><b>Commitment 5:</b> Mitigate indirect and prescribed impacts from infrastructure on threatened ecological communities, species and their habitat.</p> <p><b>Commitment 17:</b> Manage fire in strategic locations in the Cumberland subregion to support the maintenance of biodiversity values on conservation land.</p> | <p><b>Weed invasion</b></p> <ol style="list-style-type: none"> <li>1. Implement mitigation measures to manage weeds during construction and operation of the development, taking into account relevant guidance in the CPCP's Weed Control Implementation Strategy.</li> </ol> <p><b>Altered fire regime</b></p> <ol style="list-style-type: none"> <li>2. Fire hazard management within asset protection zones is to be designed to protect existing <i>Pimelea spicata</i> individuals and be sympathetic to the ongoing recruitment of new individuals of this species to ensure its ongoing protection.</li> </ol>   |
| <b>Threatened ecological communities (TEC)</b> | <p><b>Commitment 5:</b> Mitigate indirect and prescribed impacts from infrastructure on threatened ecological communities, species and their habitat.</p> <p><b>Commitment 18:</b> Support new or existing programs to control</p>  | <p><b>Habitat features and connectivity</b></p> <ol style="list-style-type: none"> <li>1. When works are likely to have indirect impacts on Cooks River/Castlereagh Ironbark Forest, undertake mitigation in accordance with best-practice guidelines (for example, Cooks River/Castlereagh Ironbark Forest – NSW DECC, 2008) within and adjacent to the TEC .</li> </ol> <p><b>Disease</b></p>  |

| Category                       | Objective  | Mitigation requirements  |
|--------------------------------|--|--|
|                                | key diseases affecting threatened species and ecological communities in the Cumberland subregion.                    | 2. Incorporate best-practice site hygiene protocols to manage the potential spread of pathogens, such as <i>Phytophthora</i> and myrtle rust adjacent to potential habitat for TECs.   |
| <b>Other protected matters</b> | <b>Commitment 5:</b> Mitigate indirect and prescribed impacts from infrastructure on TEC, species and their habitat. | <b>Habitat features and connectivity</b> <ol style="list-style-type: none"> <li>1. Development adjacent to the southern and western boundaries of Commonwealth land comprising the Orchid Hills Defence Establishment must mitigate impacts on surface water flows and the water quality of Blaxland Creek.</li> </ol> |