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Development
Implementation of Approval
Conditions 2014-2015**

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Muirhead Residential Development

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1 Project background

1.1 Project description

Defence Housing Australia (DHA) (the Proponent) received approval to develop a 1,211 dwelling residential subdivision (the Development) on a 167.6 ha land parcel in the northern suburbs of Darwin, NT (the Project Area).

On 2 July 2010, the Department of Sustainability, Environment, Water, Population and Communities (the Department) (formally Department of the Environment, Water, Heritage and the Arts - DEWHA) advised that it had determined that the Proposed Development is a Controlled Action and the Development was subsequently assessed through Preliminary Documentation.

The Proposed Development was determined to have the potential to have a significant impact on the environment through a Commonwealth action under Section 28 of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) and is therefore defined as a Controlled action. Following assessment of the approval the Development was approved subject to conditions, several of which require some degree of on-going work.

1.1.1 Project Approvals

The approval for the Muirhead Subdivision was issued on 30 March 2011 and included 14 conditions of approval. These conditions range from prohibitions in developing in specific areas, to the management of construction and the provision of specific management plans. The latter are tied to specific stages of the Development. A summary of the conditions of approval is provided at Table 1 below:

Table 1: Summary of approval conditions

Summary of Approval conditions		
Approval condition	Description	Status
1	Buffalo Creek Water Quality Improvement Plan	Complete. Final Buffalo Creek Water Quality Improvement Plan was accepted and approved by the Department on 19 March 2013

Summary of Approval conditions

Approval condition	Description	Status
2	<p>Nutrient Fate Modelling Study</p> <p>The intent of this condition is to provide a more detailed picture of water quality in Buffalo Creek through the development of a model of nutrient cycling and breakdown.</p> <p>Completion of this report requires the convening of an expert workshop to set the model parameters.</p> <p>A detailed conceptual model of nutrient flows will then be developed that identifies the major sources of nutrients, and how these move through the creek system. This has the potential to become a powerful tool when planning water quality improvement works.</p>	<p>Complete</p> <p>Draft report prepared and submitted to the Department on 27 March 2012. Following review and revisions in response to comments the final plan was accepted.</p> <p>Nutrient Fate Model approved by the Department on 10 September 2012, and provided to interested stakeholders and NT Government.</p>
3	<p>Stormwater Management Plan</p> <p>A comprehensive stormwater management plan must be developed and accepted by the Minister for the Environment prior to Stage 2 works commencing.</p>	<p>Complete.</p> <p>Submitted to the Department 21 February 2012.</p> <p>Approved 18 April 2012.</p>
4	<p>Biting Insect Management Plan</p> <p>A plan to manage potential impacts on human health from biting insects must be developed. This must consider both the direct impacts on human health as well as the environmental impact of any proposed control measures.</p> <p>In particular, the habitat for biting insects near to the development site must be assessed and any high risk sites managed to minimise impacts on human health.</p> <p>This must be completed prior to the commencement of Stage 2 works.</p>	<p>Complete.</p> <p>A detailed survey of potential habitat was carried out in 2010/2011, and this was used to develop a specific management plan for this issue.</p> <p>Submitted to the Department 21 February 2012.</p> <p>Approved 18 April 2012.</p>
5	<p>Sewage Plant Buffer Zone</p> <p>Development must take into account the buffer zone from the Leanyer Sanderson Wastewater Stabilisation Ponds.</p>	<p>Complete.</p> <p>Incorporated into layout designs.</p>
6	<p>Management of any discovery of heritage items during construction works</p> <p>Should any heritage items be discovered during construction works must cease while an assessment is undertaken.</p>	<p>Ongoing.</p> <p>To date no heritage items have been identified within construction areas.</p> <p>Included in Construction Environmental Management Plans</p>
7	<p>Habitat Assessment Study for the Water Mouse (<i>Xeromys myoides</i>)</p> <p>A detailed habitat utilisation study was required to provide further assurance that the species was not present on or near the site.</p> <p>While fauna surveys were undertaken as part of the environmental assessment, the Water Mouse is a cryptic species and is known to be difficult to detect.</p>	<p>Complete</p> <p>Submitted to the Department 21 February 2012. No Water Mouse were detected, despite extensive investigations</p> <p>Report accepted and approved 11 April 2012.</p>

Summary of Approval conditions

Approval condition	Description	Status
8	Notification of commencement of action	DHA must notify the Department in writing as to when the action has commenced within ten (10) business days.
		Action commenced April 2011 Construction start date noted in correspondence to Department immediately before construction commenced, but not specifically notified afterwards. This was immediately rectified when noticed. Specific notification of Stage 2 commencement sent to SEWPAC in April 2012. Notification of construction commencement for Stage 3 provided to SEWPAC on 22 March 2013
9	Annual reporting of compliance against approval conditions	The annual reporting of compliance at regular intervals is required. The annual report is to be published by 31 March each year
		Complete. Report submitted late due to the focus on completing other priority items to enable Stage 2 to commence on schedule.
10	Requirement to seek prior approval for changes to management plans.	This condition specifically refers to any proposed changes to the management plans or strategies. This specifically refers to the requirements to develop and implement:
		- Buffalo Creek Water Quality Improvement Plan (Condition 1) - Stormwater Management Plan (Condition 3) - Biting Insect Management Plan (Condition 4)
		Ongoing. No changes to either the form or implementation of current plans is expected or likely.
11	Minister for the Environment may request revision of plans prepared under these approval conditions.	This condition is designed to facilitate changes to management plans should new information come to light during the project. This specifically refers to the requirements to develop and implement:
		- Buffalo Creek Water Quality Improvement Plan (Condition 1) - Stormwater Management Plan (Condition 3) - Biting Insect Management Plan (Condition 4)
		Ongoing. No changes to either the form or implementation of current plans is expected or likely.
12	If the action has not substantially commenced after five years, the proponent must seek written approval from the Minister before commencing.	This provision is only used if there is a substantial delay between the granting of the approval and the commencement of works.
		Complete. No longer applicable as construction has now commenced.
13	The person taking the action must maintain accurate records of all activities relating to the implementation of approval conditions. These must be made	The person undertaking the action must maintain records of activities relevant to environmental protection. This will normally include:
		- Copies of reports - Environmental Management Plans
		Ongoing. Construction Environmental Management Plans are now in place, with reporting mechanisms developed to control environmental impacts.



Summary of Approval conditions

Approval condition		Description	Status
	available to the Department upon request.	- Email correspondence	
14	All management plans and other correspondence must be published on the proponent's website within one month of being finalised.	<p>There must be disclosure of all plans reports prepared under these approval conditions.</p> <p>Reports that have been finalised to date include:</p> <ul style="list-style-type: none">- Water Mouse Habitat Utilisation Study- Biting Insect Management Plan- Biting Insect Habitat Report- Stormwater Management Plan	Complete. Plans are now being published on the project website.



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