



Correction Notification

Variation Notice; 15 June 2023, Lee Point Master-planned Urban Development, Darwin, Northern Territory [EPBC 2015/7591]

The Variation Notice signed on 15 June 2023 contained the following errors.

The notice incorrectly stated in the definition of **Konfrontasi Cruciform** that its location was marked with a pink cross in **Attachment B**. The correct text should read “**Konfrontasi Cruciform** is the area described in Muirhead North (Lot 9370 Town of Nightcliff) – Archaeological Survey Report (Jung 2015) submitted with the EPBC Act referral 2015/7591. Location labelled as ‘Konfrontasi Cruciform site’ and marked with a pink cross at **Attachment C**.”

The notice incorrectly stated in reference to Attachment D that it contained Overall Concept Plan U. The correct text should read “Attachment D – Overall Concept Plan AD”.

The notice inadvertently did not include Attachments A, B, C, D, E, F and G. The correct notice should include Attachments A, B, C, D, E, F and G.

A corrected version of the notice is at Annexure 1.

Person making the correction

name and position	Rachel Short Branch Head Environment Approvals (Vic/Tas) and Post Approvals
--------------------------	---

signature

date of correction	21 June 2023
---------------------------	--------------



VARIATION OF CONDITIONS ATTACHED TO APPROVAL

**Lee Point Master-planned Urban Development, Darwin, Northern Territory
(EPBC 2015/7591)**

This decision to vary conditions of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action

Person to whom the approval is granted	Defence Housing Australia ABN: 72 968 504 934
Approved action	To construct a master-planned urban residential development on Lot 4873 and Lot 9370 at Lee Point, approximately 14 km northeast of Darwin, Northern Territory [See EPBC Act referral 2015/7591]
Expiry date of approval	31 December 2035

Variation

Variation of conditions attached to approval	<p>The variation is:</p> <p>Delete condition 2, 6, 7, and 8 attached to the approval and replace it with that specified in the table below.</p> <p>Add conditions 2A, 8A, 8B, 8C, 8D, 8E, 10A, 10B and 10C specified in the table below.</p> <p>Delete the definitions for Department, EPBC Act listed species, New or increased impact, Project area and Shapefile(s) attached to the approval and replace them with those specified in the table below.</p> <p>Revoke the definition for Offset Area.</p> <p>Add definitions for Black-footed Tree-rat Offset area, Business day, Compliance report, Detail(s), Environmental Management Plan Guidelines, Fauna Spotter Catcher, Functionally lost / functionally lost, Gouldian Finch, Gouldian Finch breeding habitat, Gouldian Finch foraging habitat, Migratory Shorebirds, Plans, Sandy and Buffalo Creek Roosts, Stage 1, Stage 2, Stage 3, Suitably qualified independent expert(s), Survey Guidelines for Australia's Threatened Birds, and Website as specified in the table below.</p>
---	--

Delete **Attachment D** and replace it with the **Attachment D** as specified in the table below.

Add **Attachments E, F and G** as specified in the table below.

Date of effect This variation has effect on the date the instrument is signed

Person authorised to make decision

Name and position The Hon Tanya Plibersek MP
Minister for the Environment and Water

Signature



Date of decision 15 June 2023

Date of decision	Conditions attached to approval
Original dated 17/03/2019	1. For the protection of EPBC Act listed species and the Environment , the approval holder must not clear more than 110 ha within the project area .
As varied on the date this instrument was signed	2. To mitigate and manage impacts to EPBC Act listed species and the Environment , the approval holder must comply with and implement the Stormwater Management Plan - 2CRU, Stormwater Management Plan - Muirhead North and Water Quality Monitoring Plan .
As varied on the date this instrument was signed	<p>2A. To mitigate and manage impacts to Gouldian Finch in the project area and Migratory Shorebirds at the Sandy and Buffalo Creek roosts, the approval holder must submit to the department, for the Minister's approval, a revised version of the Construction Environmental Management Plan. The revised Construction Environmental Management Plan must include details of:</p> <ul style="list-style-type: none"> a) measures to mitigate the impacts of clearing to Gouldian Finch, including but not limited to: <ul style="list-style-type: none"> i. pre-clearance surveys; ii. tree felling protocols; and iii. the oversight of all clearing by fauna spotter catcher(s). b) additional measures to those in the Construction Environmental Management Plan that avoid, mitigate and manage impacts of the action to Migratory Shorebirds; c) measures to plant native grass species where gamba grass is removed in conservation areas; and d) activities to monitor and ensure the efficacy and integrity of these measures, including trigger values and corrective actions that will be implemented if trigger values are realised. <p>The approval holder must not undertake any clearing in the project area, other than stage 1A, stage 2 and stage 3 and clearing up to 20 meters from the perimeters of these stages (as required to facilitate construction), unless the Minister has approved the revised Construction Environmental Management Plan in writing.</p> <p>The approval holder may undertake clearing where required for the removal of contamination, noxious weeds (including gamba grass), and/or the creation and maintenance of fire breaks.</p> <p>The approval holder must implement the revised Construction Environmental Management Plan approved by the Minister.</p>
Original dated 17/03/2019	3. For the protection of the heritage values of the Environment on the project area the approval holder must:

Date of decision	Conditions attached to approval
	<ul style="list-style-type: none"> a) retain the existing Konfrontasi Cruciform and Lee Point bunkers at their current location b) engage a heritage expert to develop and install signage and interpretation material for the Konfrontasi Cruciform and Lee Point bunkers which must be maintained until at least the expiry date of approval.
Original dated 17/03/2019	<p>4. In the event of a discovery of a heritage place item (including an object) within the project area, the approval holder must:</p> <ul style="list-style-type: none"> a) cease work within 20 meters of the discovery, fence and cover the area from further disturbance b) seek advice from the relevant authority administering the <i>NT Heritage Act</i>; and c) document, salvage and store the discovery consistent with advice received in accordance with condition 4(b), prior to any recommencement of work within 20 meters of the discovery.
Original dated 17/03/2019	<p>5. To minimise light pollution impacts to turtles, the approval holder must restrict artificial lighting on buildings above 15 meters in height, and any other lighting directly visible from the beach, by:</p> <ul style="list-style-type: none"> a) only permitting lights of a long-wavelength (560 nanometers or longer) to which turtle hatchlings are not sensitive b) ensuring lighting is directed in a downwards direction and faced away from the Casuarina Coastal Reserve and c) At least once each year prior to turtle hatching season, conducting an audit of compliance with 5.a) and 5.b) and replace or correct any non-compliant light source.
As varied on the date this instrument was signed	<p>6. For the protection of the environment the approval holder must determine if PFASs are known or likely to be present on the project area using the procedures outlined in the <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i>, which must include a desktop historical review of past fire suppression practices. If PFASs are known to be or likely to be present, prior to commencement of clearing or other works which have the potential to disturb areas of known or potential PFAS contamination, the approval holder must submit a PFAS Management Plan for the written approval of the Minister. If PFASs are known to be or are likely to be present the approval holder must not commence the action until the PFAS Management Plan is approved by the Minister in writing. The PFAS Management Plan must:</p>

Date of decision	Conditions attached to approval
	<ul style="list-style-type: none"> a) identify the extent and concentrations of possible contamination within the project area b) identify possible exposure pathways and ecological receptors including from stored material c) identify possible risks tailored to the identified concentrations, pathways and receptors d) outline management strategies to be undertaken, as well as any remediation action plans or strategies, to manage any identified or potential risks and provide for ongoing monitoring e) commit to: <ul style="list-style-type: none"> i. any PFAS contaminated material (including but not limited to excavated soil or sediment, leachate from soil or sediment, water arising from de-watering of soil or sediment, concrete, tarmac, appliances, pumps, pipes, hoses, fittings) will be handled in accordance with current best practice and disposed of in an approved receiving facility such that the PFAS content is unlikely to enter/spread into the environment ii. any PFAS contaminated material with a PFOS, PFHxS or PFOA content above 50 milligrams per kilogram or litre (mg/kg or L) will be stored or disposed of in an approved receiving facility such that there will be no release of its PFAS content into the environment.
As varied on the date this instrument was signed	<p>7. To offset the loss of Black-footed Tree-rat habitat from 2CRU, the approval holder must provide the following to the Department:</p> <ul style="list-style-type: none"> a) a title search demonstrating that the title for the Black-footed Tree Rat offset area has been transferred by the approval holder to the Northern Territory Government. The Black-footed Tree Rat offset area must contain at least 21.5 ha of Black-footed Tree-rat habitat; b) documentation demonstrating that the Northern Territory Government is satisfied with the management funding provided by the approval holder for the management and monitoring required by Northern Territory Government of the Black-footed Tree Rat offset area; c) the offset attributes and shapefile for the Black-footed Tree Rat offset area required by condition 7(a). <p>Unless otherwise agreed to in writing by the Minister, the approval holder must not continue the action at 2CRU for more than 36 months from the date of</p>

Date of decision	Conditions attached to approval
	<p>commencement of the action unless the approval holder has provided the requirements of condition 7(a-c) to the department.</p>
<p>As varied on the date this instrument was signed</p>	<p>8. To offset the loss of 10 ha of Black-footed Tree-rat habitat from Muirhead North, within 12 months of commencement of the action at Muirhead North the approval holder must submit a Black-footed Tree Rat Offset Plan to the department for the Minister’s approval. The approval holder must not undertake the action at Muirhead North for more than 24 months from the date of commencement of the action unless the Minister has approved the Black-footed Tree Rat Offset Plan in writing, and the provisions of condition 2A and 8B have been met.</p> <p>a) The Black-footed Tree Rat Offset Plan must provide a framework for how the clearance of Black-footed Tree-rat habitat will be offset, and must:</p> <ul style="list-style-type: none"> i. Include a review of relevant approved conservation advices, recovery plans and threat abatement plans; ii. identify threats to Black-footed Tree-rat, and potential recovery actions and research opportunities; and iii. specify a process for developing Black-footed Tree Rat Offset Projects, and a staged process for submitting proposed Black-footed Tree Rat Offset Projects and milestones for completion of Black-footed Tree Rat Offset Projects to the Department for approval by the Minister. <p>b) Offset Projects submitted to the Department for approval in accordance with Condition 8.a)iii. must:</p> <ul style="list-style-type: none"> i. specify the location and nature of Offset Project activities; ii. include project goal/s, budget and a detailed Black-footed Tree Rat Offset Project description, including timeframes for the elements of the Black-footed Tree Rat Offset Project, and reporting and publishing of the Black-footed Tree Rat Offset Project results; iii. demonstrate how the Black-footed Tree Rat Offset Project is consistent with the Black-footed Tree Rat Offset Plan; iv. describe advice obtained to develop the Black-footed Tree Rat Offset Project; v. explain how the Black-footed Tree Rat Offset Project complies with the principles of the EPBC Act Environmental Offsets Policy and, if relevant, provide details of how the Black-footed Tree Rat Offset Project meets the criteria for research and educational programs identified in Appendix A of the EPBC Act Environmental Offsets Policy; and vi. identify and manage risks associated with implementing the Black-footed Tree Rat Offsets Project.

Date of decision	Conditions attached to approval
	<p>The approval holder must not implement any Black-footed Tree Rat Offset Project until it has been approved in writing by the Minister. Each approved Black-footed Tree Rat Offset Project must be implemented. The approval holder must expend an amount equivalent to at least \$78,750 (excluding GST) on implementation of the Black-footed Tree Rat Offset Projects approved in accordance with Condition 8(a) and 7(b).</p>
<p>As varied on the date this instrument was signed</p>	<p>8A. The approval holder must not clear more than 94.64 ha of Gouldian Finch breeding habitat and 62.05 ha of Gouldian Finch foraging habitat within the project area. All clearing of Gouldian Finch breeding habitat and Gouldian Finch foraging habitat within the project area must be offset in accordance with the requirements of conditions 8B and 8C.</p>
<p>As varied on the date this instrument was signed</p>	<p>8B. To compensate for the loss of Gouldian Finch breeding habitat and Gouldian Finch foraging habitat within the project area, the approval holder must submit to the department a Gouldian Finch Strategy and Offset Plan (GFSOP) for the Minister's approval. The approval holder must implement the GFSOP approved by the Minister.</p> <p>The approval holder must not undertake any clearing in the project area, other than stage 1A, stage 2 and stage 3, and clearing extending no more than 20 meters from the perimeters of these stages (as required to facilitate construction), unless the Minister has approved the GFSOP.</p> <p>The approval holder may undertake minor clearing where required for the removal of contamination, noxious weeds (including gamba grass), and/or the creation or maintenance of fire breaks</p>
<p>As varied on the date this instrument was signed</p>	<p>8C. The GFSOP must be prepared by a suitably qualified independent expert, and must:</p> <ol style="list-style-type: none"> a. be consistent with the department's published Environmental Management Plan Guidelines; b. include an ecological survey of Gouldian Finch breeding habitat and Gouldian Finch foraging habitat within the project area, conducted by a suitably qualified independent expert; c. specify the actual area of Gouldian Finch breeding habitat and Gouldian Finch foraging habitat that will be cleared; d. for any areas of Gouldian Finch breeding habitat and / or Gouldian Finch foraging habitat to be retained within the project area: <ol style="list-style-type: none"> i. identify and assess the likelihood and consequence of potential project-related impacts that may lead to the functional loss of retained areas of Gouldian Finch breeding habitat and Gouldian Finch foraging habitat;

Date of decision	Conditions attached to approval
	<ul style="list-style-type: none"> ii. include details of measures that will be implemented to avoid, mitigate, monitor and manage risks for the period of effect of approval to prevent the functional loss of retained areas of Gouldian Finch breeding habitat and Gouldian Finch foraging habitat. Where applicable, activities must be consistent with the Survey Guidelines for Australia’s Threatened Birds; and iii. include details of contingency responses, including triggers, corrective actions and reporting requirements that will be implemented in the event retained areas of Gouldian Finch breeding habitat and / or Gouldian Finch foraging habitat are functionally lost; e. identify suitable environmental offsets to provide compensation for the actual area of Gouldian Finch breeding habitat and Gouldian Finch foraging habitat that has been or will be cleared, that are consistent with the EPBC Act Offsets Policy; f. specify outcomes for Gouldian Finch habitat quality that will be attained for each offset; g. specify timebound and measurable completion criteria that will be achieved and maintained and demonstrate the attainment of outcomes; h. specify timebound and measurable performance targets that will be achieved and maintained and demonstrate the likely achievement of completion criteria; i. include details of measures that will be implemented to achieve and maintain performance targets and completion criteria; j. include details of activities to monitor the achievement and maintenance of performance targets and completion criteria, and the attainment of outcomes; k. specify timebound actions that will be implemented in the event performance targets and/or completion criteria are not achieved or maintained, with the capacity to correct this failure; and l. include details of reporting requirements, including triggers for different reporting types.

Date of decision	Conditions attached to approval
As varied on the date this instrument was signed	8D. The approval holder must legally secure the environmental offset(s) for Gouldian Finch identified in the GFSOP approved by the Minister , within 48 months of the Minister approving the GFSOP.
As varied on the date this instrument was signed	8E. The approval holder must not transfer the ownership or long-term management responsibility of the area marked as conservation area in Muirhead North as shown in Attachment D to another entity unless the proposed transfer has been approved by the Minister in writing. Note: The proposed arrangement must serve to protect that part of the project area in perpetuity from any impact on EPBC Act listed species or the Environment .
Original dated 17/03/2019	9. Within 30 days of commencement of the action, the approval holder must advise the Department of the actual date of commencement .
Original dated 17/03/2019	10. The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans, and make them available upon request to the Department . Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act , or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.
As varied on the date this instrument was signed	10A. The approval holder must prepare a compliance report for each 12-month period following the date of commencement . Each compliance report must include: a. accurate and complete details of compliance and any non-compliance with the conditions and the plans , and any incidents ; b. one or more shapefile showing all clearing of any protected matters , and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared; and c. a schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.
As varied on the date this instrument was signed	10B. Each compliance report must be consistent with the department's <i>Annual Compliance Report Guidelines (2014)</i> , or any subsequent official version, and include: a. accurate and complete details of compliance and any non-compliance with the conditions and the plans , and any incidents ; b. one or more shapefile showing all clearing of any protected matters , and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared; and

Date of decision	Conditions attached to approval
	<p>c. a schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.</p>
<p>As varied on the date this instrument was signed</p>	<p>10C. The approval holder must:</p> <ul style="list-style-type: none"> a. publish each compliance report on the website within 60 business days following the end of the 12-month period for which that compliance report is required; b. notify the department electronically, within 5 business days of the date of publication that a compliance report has been published on the website; c. provide the weblink for the compliance report in the notification to the department; d. keep all published compliance reports required by these conditions on the website until the expiry date of this approval; e. exclude or redact sensitive ecological data from compliance reports published on the website or otherwise provided to a member of the public; and f. if sensitive ecological data is excluded or redacted from the published version, submit the full compliance report to the department within 5 business days of its publication on the website and notify the department in writing of what exclusions and redactions have been made in the version published on the website. <p>Note: Compliance reports may be published on the department's website.</p>
<p>Original dated 17/03/2019</p>	<p>11. Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor and audit criteria must be approved by the Minister prior to the commencement of the audit. The audit report must address the criteria to the satisfaction of the Minister.</p>
<p>Original dated 17/03/2019</p>	<p>12. The approval holder may choose to revise a management plan specified in condition 2 without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the revised plan would not be likely to have a new or increased impact. If the approval holder makes this choice it must notify the Department in writing that the management plan has been revised and provide the Department, at least four weeks before implementing the revised plan, with:</p> <ul style="list-style-type: none"> i. an electronic copy of the revised plan; ii. an explanation of the differences between the revised plan and the management plan; and iii. the reasons the approval holder considers that the taking of the action in accordance with the revised plan would not be likely to have a new or increased impact.

Date of decision	Conditions attached to approval
Original dated 17/03/2019	12A. The approval holder may revoke its choice under condition 12 at any time by notice to the Department . If the approval holder revokes the choice to implement a revised plan, without approval under section 143A of the EPBC Act , the plan approved by the Minister must be implemented.
Original dated 17/03/2019	<p>12B. If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the revised plan would be likely to have a new or increased impact, then:</p> <ul style="list-style-type: none"> i. Condition 12 does not apply, or ceases to apply, in relation to the revised plan; and ii. The approval holder must implement the plan approved by the Minister. <p>To avoid any doubt, this condition does not affect any operation of conditions 12 and 12A in the period before the day the notice is given.</p> <p>At the time of giving the notice the Minister may also notify that for a specified period of time, that condition 11 does not apply for one or more specified plans required under the approval.</p>
Original dated 17/03/2019	12C. Conditions 12, 12A and 12B are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised plan to the Minister for approval.
Original dated 17/03/2019	13. Unless otherwise agreed to in writing by the Minister , the approval holder must publish all management plans referred to in these conditions of approval on their website. Each management plan must be published on the website within one (1) month of being approved by the Minister or being submitted under condition 12 and must remain published for the life of the approval.
Original dated 17/03/2019	14. If, at any time after five (5) years from the date of this approval, the approval holder has not substantially commenced the action, then the approval holder must not substantially commence the action without the written agreement of the Minister .

Date of decision	Definitions attached to approval
Original dated 17/03/2019	2CRU is the area shown in Attachment A , where it is depicted as ‘2CRU Development Site’, and marked with a red dashed perimeter line.
Original dated 17/03/2019	Approved conservation advices, recovery plans and threat abatement plans is a threat abatement plan/s, conservation advice/s and/or recovery plan/s made or adopted by the Minister under the EPBC Act.
Original dated 17/03/2019	Black-footed Tree-rat is the EPBC Act listed Black-footed Tree-rat (Kimberley and mainland Northern Territory) (<i>Mesembriomys gouldii gouldii</i>)
As varied on the date this instrument was signed	Black-footed Tree-rat Offset area means the area represented in Attachment B , as ‘Portion of Lot 4873 to be added to Casuarina Coastal Reserve’, and marked with a light blue perimeter line with a solid green fill titled in the legend as ‘CN – Conservation’.
As varied on the date this instrument was signed	Business day means a day that is not a Saturday, a Sunday or a public holiday in the Northern Territory.
Original dated 17/03/2019	Casuarina Coastal Reserve is the area shown in Attachment B , where it is depicted as ‘Casuarina Coastal Reserve’, and marked with a solid green fill titled in the legend as ‘CN – Conservation’.
Original dated 17/03/2019	Clearing/clear/cleared means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of native vegetation.
Original dated 17/03/2019	Commencement/commence/commenced means the clearing of any vegetation or construction of any infrastructure, excluding fences and signage, associated with the proposed action.
As varied on the date this instrument was signed	Compliance report means a written report of compliance with, and fulfilment of, the conditions attached to the approval.
Original dated 17/03/2019	Construction Environmental Management Plan is the document entitled ‘Construction Environmental Management Plan (CEMP): Lee Point Master-planned Urban Development’, dated July 2018, authored by Ecology and Heritage Partners Pty Ltd, which was provided to the Department with the final assessment documentation; or as revised under these conditions or under section 143A of the EPBC Act .
As varied on the date this instrument was signed	Department means the Australian Government agency administering the EPBC Act .
As varied on the date this instrument was signed	Detail(s) means specific information that clearly identifies, as relevant to each activity or measure: <ul style="list-style-type: none"> i. its purpose; ii. where it will be implemented; iii. the duration, frequency and timing, calendar year and/or season, of implementation; iv. the personnel responsible for implementation; and

Date of decision	Definitions attached to approval
	v. the method of implementation.
As varied on the date this instrument was signed	Environmental Management Plan Guidelines means the <i>Environmental Management Plan Guidelines, Commonwealth of Australia 2014</i> .
Original dated 17/03/2019	EPBC Act is the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).
Original dated 17/03/2019	EPBC Act Environmental Offsets Policy is the <i>Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy</i> (October, 2012), or subsequent revision, including the Offsets Assessment Guide. Available at: http://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy .
As varied on the date this instrument was signed	EPBC Act listed species means the Black-footed Tree-rat, Gouldian Finch, Dwarf Sawfish (<i>Pristis clavata</i>), Green Sawfish (<i>Pristis zijsron</i>), Largetooth Sawfish (<i>Pristis pristis</i>), Eastern Curlew (<i>Numenius madagascariensis</i>), Gouldian Finch (<i>Erythrura gouldiae</i>) and Turtles.
As varied on the date this instrument was signed	Fauna spotter catcher(s) means a person who has demonstrable identification and handling skills, and behaviour knowledge (including nesting requirements) for EPBC Act listed species that have the potential to occur, are likely to occur, or are known to occur, in the area being impacted by the relevant clearing .
As varied on the date this instrument was signed	Functional loss / functionally lost means, as relevant to Gouldian Finch breeding habitat , habitat that is no longer utilised by Gouldian Finch for breeding, as evidenced by: <ul style="list-style-type: none"> i. 3 consecutive years without an observation of Gouldian Finch, and ii. The absence of obvious factors other than the action that can be attributed for the lack of observation.
As varied on the date this instrument was signed	Gouldian Finch means the EPBC Act listed Gouldian Finch (<i>Erythrura gouldiae</i>)
As varied on the date this instrument was signed	Gouldian Finch breeding habitat means all land comprising the following vegetation types as shown at Attachment E : <ul style="list-style-type: none"> iii. B. <i>Eucalyptus tetradonta</i> Woodland, in the dark-yellow shaded polygon; iv. C. Low <i>Eucalyptus tetradonta</i> Woodland with Monsoon Vine Thicket elements, in the light-yellow shaded polygon; v. D. Disturbed <i>Eucalyptus tetradonta</i> Woodland with <i>Calytrix exstipulata</i> shrubland, in the brown shaded polygon; vi. 2. Darwin Stringybark (<i>Eucalyptus tetradonta</i>) and Woollybutt (<i>E.miniata</i>) Open Forest over <i>Sarga intrans</i> Grassland, in the pinkish-orange shaded polygon; vii. 3. Darwin Stringybark (<i>Eucalyptus tetradonta</i>) Open Woodland over <i>Sarga intrans</i> grassland understorey, in the light-green shaded polygon;

Date of decision	Definitions attached to approval
	<ul style="list-style-type: none"> viii. 4. Eucalyptus and Corymbia Open Woodland (mixed species) over introduced grasses, in the light-blue shaded polygon; and ix. 6. <i>Lophostemon lactifluus</i> and <i>Pandanus spiralis</i> open woodland to low open woodland, in the lavender shaded polygon.
As varied on the date this instrument was signed	<p>Gouldian Finch foraging habitat means all land identified at Attachment F as:</p> <ul style="list-style-type: none"> i. Very High, in polygons with a dark-green hash; ii. High, in polygons with a dark-blue hash; iii. Medium, in polygons with an orange hash; and iv. Low, in polygons with a light yellow hash.
Original dated 17/03/2019	<p>Heritage expert is a heritage expert with relevant qualifications and expertise appointed and funded by the approval holder.</p>
Original dated 17/03/2019	<p>Konfrontasi Cruciform is the area described in <i>Muirhead North (Lot 9370 Town of Nightcliff) – Archaeological Survey Report</i> (Jung 2015) submitted with the EPBC Act referral 2015/7591. Location labelled as ‘Konfrontasi Cruciform site’ and marked with a pink cross at Attachment C.</p>
Original dated 17/03/2019	<p>Lee Point bunkers is the area described in <i>Heritage and Archaeological Investigations over block 4873 Lee Point Road, Darwin Final Report</i> (Crassweller, 2010) submitted with the EPBC Act referral 2015/7591. Location labelled as ‘Concrete Bunker’ and marked with a yellow box in Attachment C.</p>
Original dated 17/03/2019	<p>Management funding is a monetary contribution made by the approval holder for the implementation of management measures on the offset area.</p>
As varied on the date this instrument was signed	<p>Migratory Shorebirds means species of EPBC Act listed migratory shorebirds found at Lee Point.</p>
Original dated 17/03/2019	<p>Minister means the Minister administering the EPBC Act and includes a delegate of the Minister.</p>
Original dated 17/03/2019	<p>Muirhead North is the area shown in Attachment A, where it is depicted as ‘Muirhead North Development Site’, and marked with a red dashed perimeter line.</p>
As varied on the date this instrument was signed	<p>New or increased impact means any direct or indirect increase in the impacts of an action, an increase to the likelihood of an impact occurring, a reduction to the monitoring or mitigation measures for a protected matter, and/or a change to the nature or management of an environmental offset as outlined in the <i>Guidance on ‘new or increased impact’ relating to changes to approved management plans under EPBC Act environmental approvals</i> (2017).</p>
Original dated 17/03/2019	<p>Northern Territory Government means Northern Territory body responsible for the administration of the <i>Parks and Wildlife Commission Act 2013</i> (NT) or the <i>Territory Parks and Wildlife Conservation Act 2014</i> (NT).</p>

Date of decision	Definitions attached to approval
Original dated 17/03/2019	Offset attributes means electronic files including '.xls' files and ESRI shapefiles containing '.shp', '.shx' and '.dbf' files capturing the relevant attributes of the offset area , including the EPBC Act reference number, the physical address of the offset area , coordinates of the boundary points in decimal degrees, the EPBC Act protected matters that the offset area compensates for, any additional EPBC Act protected matters benefiting from the offset and the size of the offset area (in hectares).
Original dated 17/03/2019	PFAS/PFASs means a per-and poly-fluoroalkyl substance or per-and poly-fluoroalkyl substances. PFAS substances include PFOS, PFOA, PFHxS , and their precursors. Where the identity of PFOS, PFOA , and PFHxS precursors are unknown, the suite of analytes in Eurofins (method LTM-ORG-2100) or other equivalent laboratory techniques is appropriate for the measurement of PFAS substances and may be reported as 'Sum of PFASs (n=28)'.
Original dated 17/03/2019	PFOS means perfluorooctane sulfonate.
Original dated 17/03/2019	PFOA means perfluorooctanoic acid.
Original dated 17/03/2019	PFHxS means perfluorohexane sulfonate.
As varied on the date this instrument was signed	Plan(s) means any action management plan or strategy that the approval holder is required by these conditions to implement.
As varied on the date this instrument was signed	Project Area means the area represented in Attachment D by all zones enclosed by a solid blue perimeter line.
As varied on the date this instrument was signed	Sandy and Buffalo Creek roosts means the areas shown at Attachment G , within the pink polygons identified as roosting location.
As varied on the date this instrument was signed	Shapefile(s) means location and attribute information about the Action provided in an Esri shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.
As varied on the date this instrument was signed	Stage 1A means undertaking the Action within the area represented at Attachment D by the zone labelled '1A' and enclosed by a solid blue line.
As varied on the date this instrument was signed	Stage 2 means undertaking the Action within the area represented at Attachment D by the zone labelled '2' and enclosed by a solid blue line.
As varied on the date this instrument was signed	Stage 3 means undertaking the action within the area represented at Attachment D by the zone labelled '3' and enclosed by a solid blue line.

Date of decision	Definitions attached to approval
Original dated 17/03/2019	Stormwater Management Plan – 2CRU is the document entitled ‘2CRU - Lee Point Road, Lee Point - Stormwater Management Plan - DC1603/R1/V3’, dated 11 October 2017, authored by Cardno (Qld) Pty Ltd, which was provided to the Department with the final assessment documentation; or as revised under these conditions or under section 143A of the EPBC Act .
Original dated 17/03/2019	Stormwater Management Plan – Muirhead North is the document entitled ‘Muirhead North - Lee Point Road, Lee Point - Stormwater Management Plan - DC1603/R1/V2’, dated 11 October 2017, authored by Cardno (Qld) Pty Ltd, which was provided to the Department with the final assessment documentation; or as revised under these conditions or under section 143A of the EPBC Act .
As varied on the date this instrument was signed	<p>Suitably qualified independent expert(s)* means a person(s) or firm that:</p> <ul style="list-style-type: none"> i does not have any individual, financial**, employment** or family affiliation or any conflicting interests with the project, the approval holder or the approval holder’s staff, representatives, or associated persons; and ii has relevant professional qualifications and at least 3 years of work experience designing and implementing surveys for threatened birds and can give an authoritative assessment and advice on the presence of Gouldian Finch and their habitat using relevant protocols, standards, methods and/or literature. <p>*the approval holder may use the services of a team to fully meet the requirements.</p> <p>**other than for the purpose of undertaking the role for which an independent person is required</p>
As varied on the date this instrument was signed	Survey Guidelines for Australia’s Threatened Birds means the <i>Survey guidelines for Australia’s threatened birds; Guidelines for detecting birds listed as threatened under the Environment Protection and Biodiversity Conservation Act 1999, 2010</i> , or a published successor document.
Original dated 17/03/2019	The Environment means the <i>environment</i> as defined under section 528 of the EPBC Act .
Original dated 17/03/2019	Turtles are the EPBC Act listed Flatback Turtle (<i>Natator depressus</i>), Olive Ridley Turtle (<i>Lepidochelys olivacea</i>) and Green Turtle (<i>Chelodina mydas</i>).
Original dated 17/03/2019	Water Quality Monitoring Plan is the document entitled ‘Lee Point Master-planned Urban Development – Water Quality Monitoring Plan’, dated October 2017, authored by Ecology and Heritage Partners Pty Ltd, which was provided to the Department with the final assessment documentation; or as revised under these conditions or under section 143A of the EPBC Act .
As varied on the date this instrument was signed	Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Date of decision	Attachments
Original dated 17/03/2019	Attachment A – Lee Point and Surrounds Area Plan
Original dated 17/03/2019	Attachment B – Lee Point Urban Development and Casuarina Coastal Reserve
Original dated 17/03/2019	Attachment C – Historical Sites
As varied on the date this instrument was signed	Attachment D – Overall Concept Plan AD
As varied on the date this instrument was signed	Attachment E – Vegetation Types (strata) sampled
As varied on the date this instrument was signed	Attachment F – Understorey mapping
As varied on the date this instrument was signed	Attachment G – Lee Point showing migratory shorebird habitat



CLOUSTON ASSOCIATES

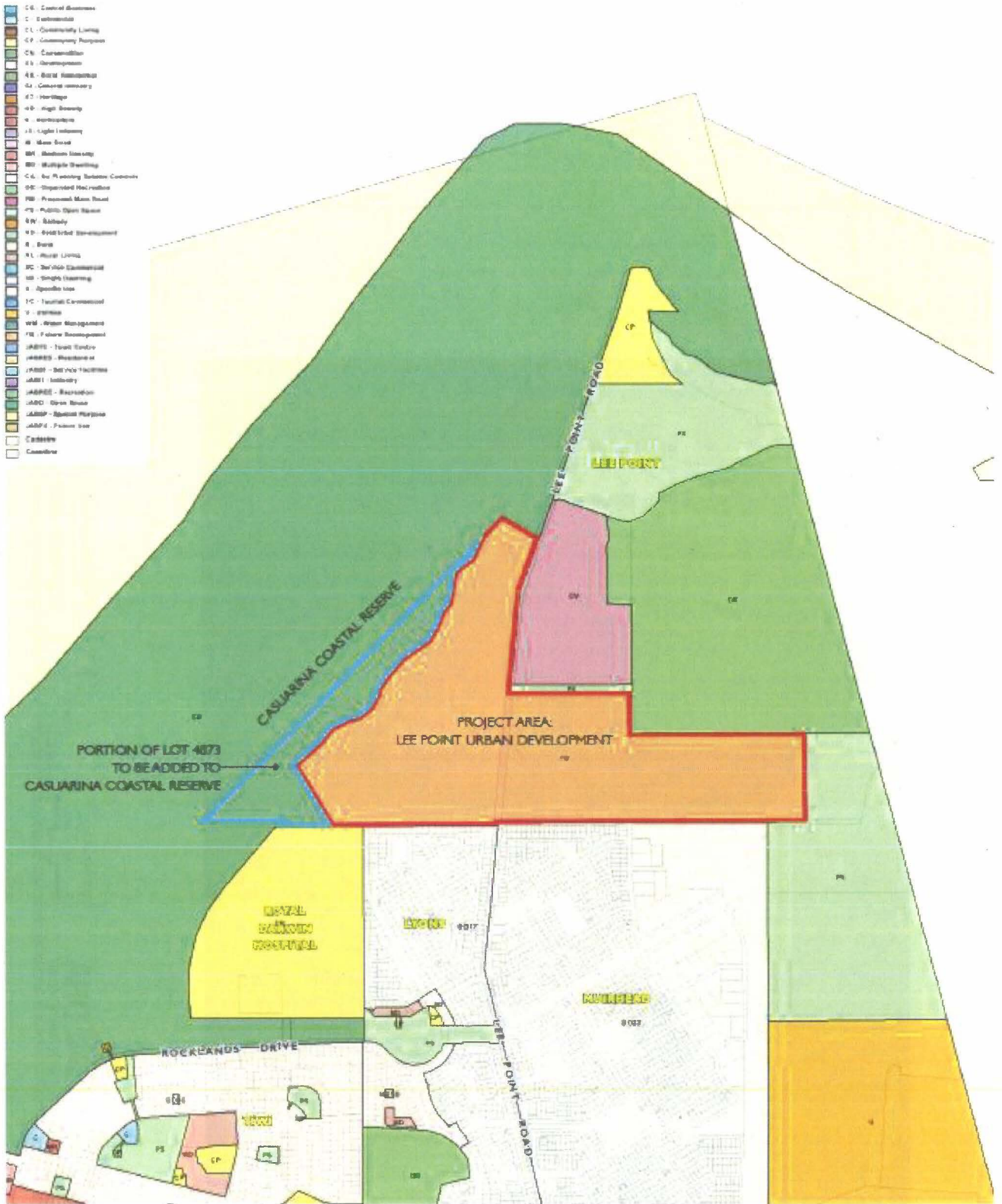
DHA
Defence Housing Australia

1:20,000 @ A3
0 200 400 600 1000m

2CRU Development • Darwin NT
LEE POINT AND SURROUNDS AREA PLAN

D17-0020
29/08/2018 Issue A

© 2018 CLouston Associates. All rights reserved. This document is the property of Clouston Associates and is not to be distributed, copied, or reproduced in any form without the written permission of Clouston Associates.



Northern Planning Consultants
 Darwin Corporate Park, Unit 6, T212
 631 Stuart Highway
 BERRIMAH
 Mobile: 0427 796 140
 Email: brad.cunnington@northernplanning.net
www.facebook.com/northernplanning

Context Plans
 LEE POINT URBAN DEVELOPMENT &
 CASUARINA COASTAL RESERVE
 -LAND ADDED TO RESERVE - TOWN PLANNING ZONES-

Lee Point Road
 LEE POINT

(Created 30 August 2018)

 NORTHERN PLANNING CONSULTANTS

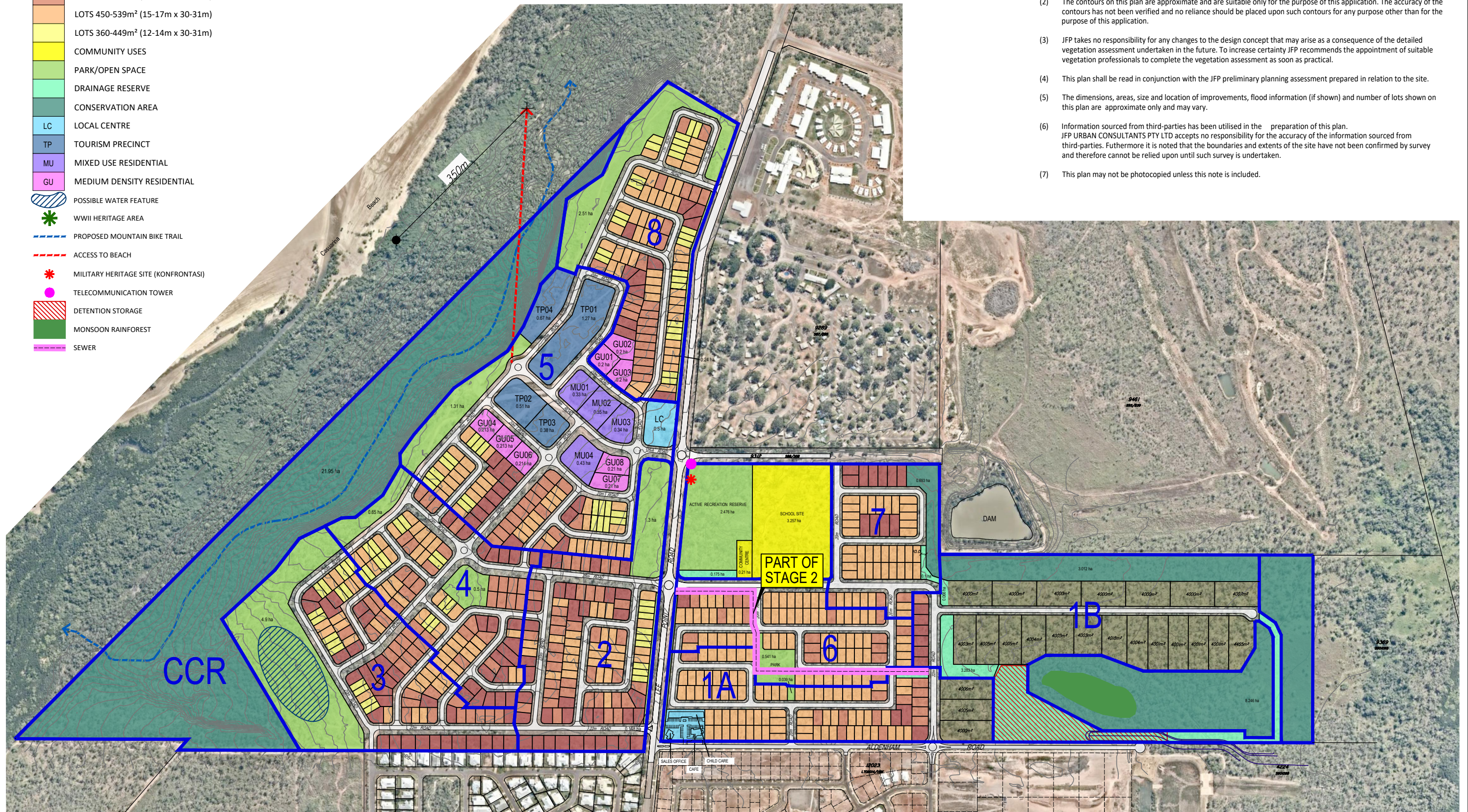


LEGEND	
	STAGING
	LOTS 4000m ² & larger (40m frontage min.)
	LOTS 600-750m ² (20m x 30-31m)
	LOTS 540-599m ² (18-19m x 30-31m)
	LOTS 450-539m ² (15-17m x 30-31m)
	LOTS 360-449m ² (12-14m x 30-31m)
	COMMUNITY USES
	PARK/OPEN SPACE
	DRAINAGE RESERVE
	CONSERVATION AREA
	LC LOCAL CENTRE
	TP TOURISM PRECINCT
	MU MIXED USE RESIDENTIAL
	GU MEDIUM DENSITY RESIDENTIAL
	POSSIBLE WATER FEATURE
	WWII HERITAGE AREA
	PROPOSED MOUNTAIN BIKE TRAIL
	ACCESS TO BEACH
	MILITARY HERITAGE SITE (KONFRONTASI)
	TELECOMMUNICATION TOWER
	DETENTION STORAGE
	MONSOON RAINFOREST
	SEWER

PROPERTY DESCRIPTION
 LOT 4873 ON S78/107 &
 LOT 9370 ON S901068
 TOTAL AREA 132.5 ha

NOTES

- (1) This plan was prepared for the purpose and exclusive use of DEFENCE HOUSING AUSTRALIA as an Investigation into the Development Potential of the land described in the plan and is not to be used for any other purpose or by any other person or corporation. JFP URBAN CONSULTANTS PTY LTD accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this plan in contravention of the terms of this clause or clauses 2, 3, 4, 5, 6 or 7 hereof.
- (2) The contours on this plan are approximate and are suitable only for the purpose of this application. The accuracy of the contours has not been verified and no reliance should be placed upon such contours for any purpose other than for the purpose of this application.
- (3) JFP takes no responsibility for any changes to the design concept that may arise as a consequence of the detailed vegetation assessment undertaken in the future. To increase certainty JFP recommends the appointment of suitable vegetation professionals to complete the vegetation assessment as soon as practical.
- (4) This plan shall be read in conjunction with the JFP preliminary planning assessment prepared in relation to the site.
- (5) The dimensions, areas, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.
- (6) Information sourced from third-parties has been utilised in the preparation of this plan. JFP URBAN CONSULTANTS PTY LTD accepts no responsibility for the accuracy of the information sourced from third-parties. Furthermore it is noted that the boundaries and extents of the site have not been confirmed by survey and therefore cannot be relied upon until such survey is undertaken.
- (7) This plan may not be photocopied unless this note is included.



JFOP
 URBAN CONSULTANTS

PLANNERS
 URBAN DESIGNERS
 SURVEYORS
 ENGINEERS
 LANDSCAPE ARCHITECTS

OVERALL CONCEPT PLAN AD
 LEE POINT ROAD, LEE POINT, DARWIN
 DEFENCE HOUSING AUSTRALIA

JOB NUMBER: M2737P_Overall Concept AD
 ISSUE: NORTH
 SCALE: 1:7000 @ A3
 DATE: 25th May 2023

Figure 15: Vegetation types (strata) sampled


Project: Defence Housing Lee Point Development
Client: Defence Housing Australia
Date: 14/10/2022

- Development area
- Muirhead North Vegetation**
- 1, Mixed species monsoon rainforest
- 2, Darwin Stringybark (*Eucalyptus tetradonta*) and Woollybutt (*E. miniata*) Open Forest over *Sarga intrans* Grassland
- 3, Darwin Stringybark (*Eucalyptus tetradonta*) Open Woodland with *Sarga intrans* grassland understorey
- 4, *Eucalyptus* and *Corymbia* Open Woodland (mixed species) over introduced grasses
- 5, *Melaleuca viridiflora* low woodland over introduced grasses
- 6, *Lophostemon lactifluus* and *Pandanus spiralis* open woodland to low open woodland
- 7, *Acacia* shrubland with scattered Stringybark (*Eucalyptus tetradonta*) over introduced grasses.
- 8, Grassland of Gamba Grass (*Andropogon gayanus*) and Mission Grass (*Pennisetum polystachion*). Introduced species
- Lee Point Rd Vegetation**
- A, Monsoon Vine Forest
- B, *Eucalyptus tetradonta* Woodland
- C, Low *Eucalyptus tetradonta* Woodland with Monsoon Vine Thicket elements
- D, Disturbed *Eucalyptus tetradonta* Woodland with *Calytrix exstipulata* shrubland
- E, Disturbed *Acacia auriculiformis* Woodland with dense introduced Grassland
- F, Disturbed area



N

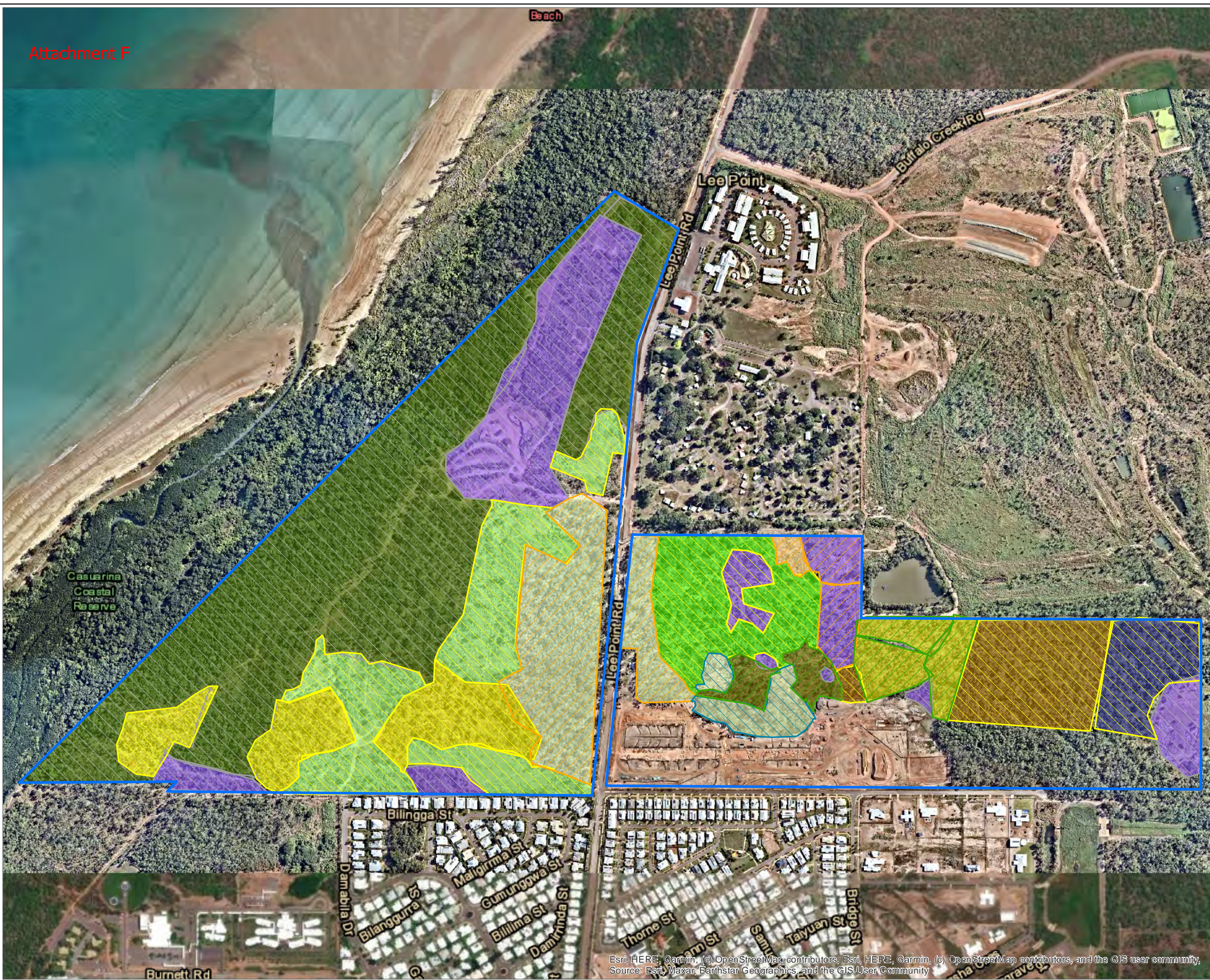
Metres
0 130



Nature Advisory
 PO Box 337, Camberwell, VIC 3124, Australia
 www.natureadvisory.com.au
 03 9815 2111 - info@natureadvisory.com.au

Figure 10: Understorey mapping

Project: Defence Housing Lee Point Development
 Client: Peter Briggs (Partner)
 Date: 18/08/2022



Study area

- Study area
- Calytrix shrubland
- Closed woodland with Gamba/Sarga understorey
- Dense forest thicket (dry/wet)
- Eucalyptus open forest over Sarga grassland
- Eucalyptus woodland with shrubby understorey
- Eucalyptus/Melaleuca over low density Gamba grassland
- Eucalyptus open woodland over diverse native grassland
- Lophostemon/Eucalyptus woodland
- Low density Gamba grassland
- Melaleuca woodland with Gamba understorey
- Disturbed - high weed cover

GF Habitat Suitability

- Very High
- High
- Medium
- Low
- Unsuitable

N

Metres
0 125

Nature Advisory
 PO Box 337, Camberwell, VIC 3124, Australia
 www.natureadvisory.com.au
 03 9815 2111 - info@natureadvisory.com.au

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Attachment G



Shorebirds

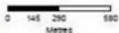
 Feeding location

 Roosting location

Project data

 Proposed development boundary

The remainder of Lee Point is considered suitable for occasional roosting and feeding



Projection: GDA 1994 MGA Zone 52
Date Saved: 23/06/2016
Client: Defence Housing Australia
Author: K. Munson (reviewed Kylie Week)
DATA SOURCE
Shorebirds: EcOz Boundary DPA
Imagery: Google Earth Pro
EarthSat, ESRI Imagery

EcOz makes every effort to ensure this map is free of errors but does not warrant the map or its features are either spatially or temporally accurate or fit for a particular use. EcOz provides this map without any warranty of any kind whatsoever, either express or implied.