



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(1)(a) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action


approval holder	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]
Period for which the approval has effect	This approval has effect until 31 December 2035

Variation

variation of conditions attached to approval	<p>The variation is:</p> <p>Delete conditions 2A, 5, 7, 8, 8B, 8E, 10A, 10B, 12, attached to the approval and substitute with the conditions specified in the table below.</p> <p>Add new condition 2B specified in the table below.</p> <p>Delete definition for 2CRU, Black-footed Tree-rat Offset area, Casuarina Coastal Reserve, EPBC Act listed species, Konfrontasi Cruciform, Lee Point bunkers, Muirhead North, Project Area, Stage 1A, Stage 2 and Stage 3.</p> <p>Add new definitions for 2CRU, Black-footed Tree-rat Offset area, Casuarina Coastal Reserve, Clearing/clear/cleared, EPBC Act listed species, Incident(s), Konfrontasi Cruciform, Lee Point bunkers, Muirhead North, Project Area, Protected Matter(s), Stage 1A, Stage 1, Stage 2 and Stage 4 specified in the table below.</p> <p>Revoke Attachment A, Attachment B and Attachment C.</p> <p>Replace Attachment D with Attachment D1 and Attachment D2 specified in the notice below.</p>
date of effect	This variation has effect on the date this instrument is signed.

OFFICIAL

Person authorised to make decision

name and position	Sam Hush Acting Branch Head Compliance and Enforcement
signature	
date of decision	27 July 2025

Date of decision	Conditions attached to the approval
Original dated 17/3/2019	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 15 June 2023	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 .
Varied on 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 in <u>Attachment D1</u>, Stage 1 and Stage 2 in <u>Attachment D2</u> 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>
Varied on date this instrument was signed	2B) The approval holder may undertake clearing in the area identified in <u>Attachment D2</u> as Casuarina Coastal Reserve and CCR for the purpose of rehabilitating existing erosion gullies and maintenance of existing bike tracks.
Original dated 17/3/2019	3) For the protection of the heritage values of the environment on the project area the approval holder must:

	<ul style="list-style-type: none"> a) retain the existing Konfrontasi Cruciform and Lee Point bunkers at their current location; and 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 17/3/2019	<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 NT Heritage Act; 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.
Varied on date this instrument was signed	<p>5) To minimise light pollution impacts to turtles, the approval holder must restrict artificial lighting on buildings above 15 meters in height in Stage 4, 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 <p>12 months from the commencement of Stage 4, 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.</p>
As varied on 15 June 2023	<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> <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; and

	<p>e) commit to:</p> <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; and 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.
Varied on 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) written agreement between the approval holder and Northern Territory Government committing to transfer of the title for the Black-footed Tree-rat offset area to the Northern Territory Government by the approval holder. 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 agreed to be 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 7a). <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 commencement of the action unless the approval holder has provided the requirements of condition 7(a-c) to the department.</p>
Varied on date this instrument was signed	<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. The cessation of the action does not include the trunk sewer main as defined in <u>Attachment D1</u> or the construction of dwellings on Stage 1A.</p> <ul style="list-style-type: none"> 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: <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

	<p>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> <p>b) Black-footed Tree-rat 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 Black-footed Tree-rat Offset Projects 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. <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 8a) and 8b).</p>
As varied on 15 June 2023	<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>
Varied on date this instrument was signed	<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 in <u>Attachment D1</u>, Stage 1 and Stage 2 in <u>Attachment D2</u>, 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 clearing where required for the removal of contamination, noxious weeds (including gamba grass), and/or the creation or</p>

	maintenance of fire breaks.
As varied on 15 June 2023	<p>8C) The GFSOP must be prepared by a suitably qualified independent expert, and must:</p> <ul 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: <ul 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; 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.

As varied on 15 June 2023	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.
Varied on 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' in Muirhead North as shown in <u>Attachment D1</u> 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.
Varied on 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 EPBC Act listed species , 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.
Varied on date this instrument was signed	10B) Each compliance report must be consistent with the department's Annual Compliance Report Guidelines (2014) , 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 EPBC Act listed species , 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 15 June 2023	<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>
Original dated 17/03/2019	<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>
Varied on date this instrument was signed	<p>12) The approval holder may choose to revise a management plan specified in condition 2, 8, 8B, and/or 8C 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 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"> a) an electronic copy of the revised plan; b) an explanation of the differences between the revised plan and the approved plan; and c) 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.
Original dated 17/03/2019	<p>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.</p>

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> <p>a) Condition 12 does not apply, or ceases to apply, in relation to the revised plan; and</p> <p>b) The approval holder must implement the plan approved by the Minister.</p> <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 plans referred to in these conditions of approval on their website . Each 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 .
Definitions	
Varied on date this instrument was signed	2CRU is the area shown in <u>Attachment D2</u> , where it is marked within the outer blue perimeter line and includes the area marked as CCR.
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>).
Varied on date this instrument was signed	Black-footed Tree-rat Offset area means the area represented in <u>Attachment D2</u> , as Casuarina Coastal Reserve and CCR.
As varied on 15 June 2023	Business day means a day that is not a Saturday, a Sunday or a public holiday in the Northern Territory.
Varied on date this instrument was signed	Casuarina Coastal Reserve is the area shown in <u>Attachment D2</u> , where it is depicted as Casuarina Coastal Reserve, and marked as CCR.
Varied on date this instrument was signed	Clearing/clear/cleared means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of native vegetation. The action excludes clearing that is required for the removal of contamination (including asbestos), noxious weed management and the creation

	and maintenance of fire breaks.
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 15 June 2023	Compliance report means a written report of compliance with, and fulfilment of, the conditions attached to the approval.
Original dated 1/03/13	Construction Environmental Management Plan is the document entitled ' <i>Construction Environmental Management Plan (CEMP): Lee Point Master-planned Urban Development</i> ', 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 date this instrument was signed	Department means the Australian Government agency administering the EPBC Act .
Varied on 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"> a) its purpose; b) where it will be implemented; c) the duration, frequency and timing, calendar year and/or season, of implementation; d) the personnel responsible for implementation; and i) the method of implementation.
Original dated 1/03/13	Environmental Management Plan Guidelines means the <i>Environmental Management Plan Guidelines, Commonwealth of Australia 2014</i> .
Original dated 1/03/13	EPBC Act is the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).
Original dated 1/03/13	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 .
Original dated 1/03/13	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>), and turtles .
As varied on 15 June 2023	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 .
Original dated 1/03/13	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:

	<p>a) 3 consecutive years without an observation of Gouldian Finch, and</p> <p>b) The absence of obvious factors other than the action that can be attributed for the lack of observation.</p>
As varied on 15 June 2023	Gouldian Finch means the EPBC Act listed Gouldian Finch (<i>Erythrura gouldiae</i>).
As varied on 15 June 2023	<p>Gouldian Finch breeding habitat means all land comprising the following vegetation types as shown at <u>Attachment E</u>:</p> <p>a) B. <i>Eucalyptus tetradonta</i> Woodland, in the dark-yellow shaded polygon;</p> <p>b) C. Low <i>Eucalyptus tetradonta</i> Woodland with Monsoon Vine Thicket elements, in the light-yellow shaded polygon;</p> <p>c) D. Disturbed <i>Eucalyptus tetradonta</i> Woodland with <i>Calytrix exstipulata</i> shrubland, in the brown shaded polygon;</p> <p>d) 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;</p> <p>e) 3. Darwin Stringybark (<i>Eucalyptus tetradonta</i>) Open Woodland over <i>Sarga intrans</i> grassland understorey, in the light-green shaded polygon;</p> <p>f) 4. Eucalyptus and Corymbia Open Woodland (mixed species) over introduced grasses, in the light-blue shaded polygon; and</p> <p>g) 6. <i>Lophostemon lactifluus</i> and <i>Pandanus spiralis</i> open woodland to low open woodland, in the lavender shaded polygon.</p>
As varied on 15 June 2023	<p>Gouldian Finch foraging habitat means all land identified at <u>Attachment F</u> as:</p> <p>i. Very High, in polygons with a dark-green hash;</p> <p>ii. High, in polygons with a dark-blue hash;</p> <p>iii. Medium, in polygons with an orange hash; and</p> <p>iv. Low, in polygons with a light yellow hash.</p>
Original dated 1/03/13	Heritage expert is a heritage expert with relevant qualifications and expertise appointed and funded by the approval holder.
As varied on the date this instrument was signed	Incident(s) means any event which has the potential to, or does, impact on one or more protected matter(s), other than as authorised by this approval.
As varied on the date this instrument was signed	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 ‘Military Heritage Site (Konfrontasi)’ and marked with a red asterisk in <u>Attachment D1</u> .
As varied on the date this instrument was signed	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 ‘WWII Heritage Area’ and marked with a brown asterisk in <u>Attachment D2</u> .
Original dated 17/03/2019	Management funding is a monetary contribution made by the approval holder for the implementation of management measures on the offset area .
As varied on the date this instrument was signed	Migratory Shorebirds means species of EPBC Act listed species of migratory shorebirds found at Lee Point.

Original dated 17/03/2019	Minister means the Minister administering the EPBC Act and includes a delegate of the Minister.
As varied on the date this instrument was signed	Muirhead North is the area on the eastern side of Lee Point Road and marked with a blue perimeter line in <u>Attachment D1</u> .
As varied on 15 June 2023	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).
Original dated 17/03/2019	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).
Varied on date this instrument was signed	Offset attributes means electronic files including '.xls' files and ESRI shapefiles containing '.shp', '.shx' and '.dbf' files capturing the relevant attributes of the Black-footed Tree-rat offset area , including the EPBC Act reference number, the physical address of the Black-footed Tree-rat offset area , coordinates of the boundary points in decimal degrees, the EPBC Act protected matters that the Black-footed Tree-rat offset area compensates for, any additional EPBC Act protected matters benefiting from the offset and the size of the Black-footed Tree-rat 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 15 June 2023	Plan(s) means any action management plan or strategy that the approval holder is required by these conditions to implement.
Varied on date this instrument was signed	Project Area means the area represented in <u>Attachment D1 and D2</u> by all zones enclosed by a solid blue perimeter line.
Varied on date this instrument was signed	Protected Matter(s) : means a matter protected under a controlling provision in Part 3 of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> for which this approval has effect.
As varied on 15 June 2023	Sandy and Buffalo Creek roosts means the areas shown at <u>Attachment G</u> , within the pale pink polygons identified as roosting location.

Varied on date this instrument was signed	Sensitive ecological data means data as defined in the Australian Government Department of the Environment (2016) <i>Sensitive Ecological Data – Access and Management Policy V1.0</i> , Commonwealth of Australia, 2016 available from: https://www.awe.gov.au/sites/default/files/documents/sensitive-ecological-data-access-mgt-policy.pdf
As varied on 15 June 2023	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.
Varied on date this instrument was signed	Stage 1A means the area represented at <u>Attachment D1</u> by the zone labelled '1A' and enclosed by a solid blue line.
Varied on date this instrument was signed	Stage 1 means the area represented at <u>Attachment D2</u> by the zone labelled '1A' and '1B' and enclosed by solid blue lines.
Varied on date this instrument was signed	Stage 2 means the area represented at <u>Attachment D2</u> by the zone labelled '2' and enclosed by a solid blue line.
Varied on date this instrument was signed	Stage 4 means the area represented at <u>Attachment D2</u> by the zone labelled '4A' and '4B' and enclosed by a solid blue line.
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 15 June 2023	<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 15 June 2023	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 15 June 2023	Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Attachment A:

Revoked on the date this instrument was signed

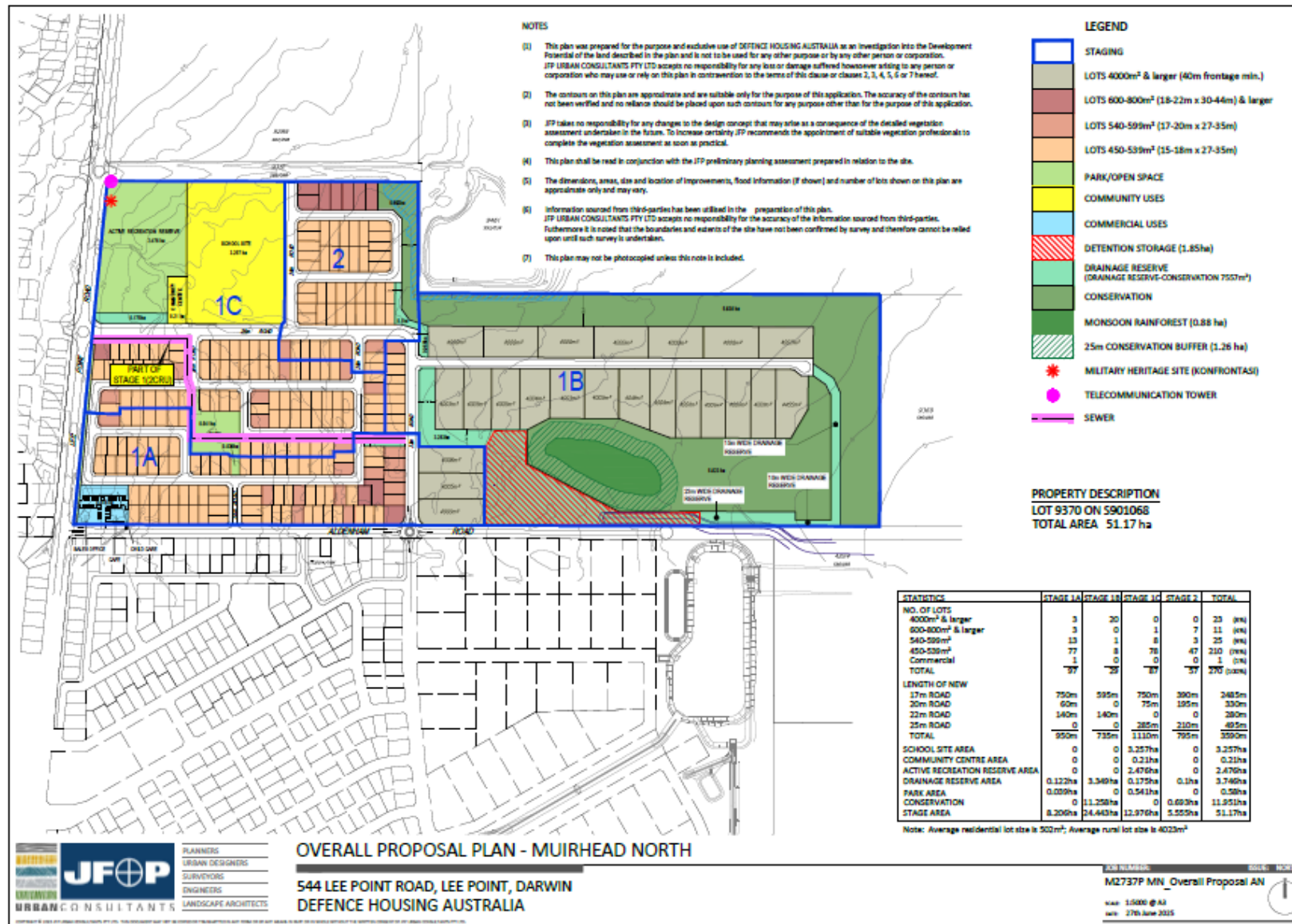
Attachment B

Revoked on the date this instrument was signed

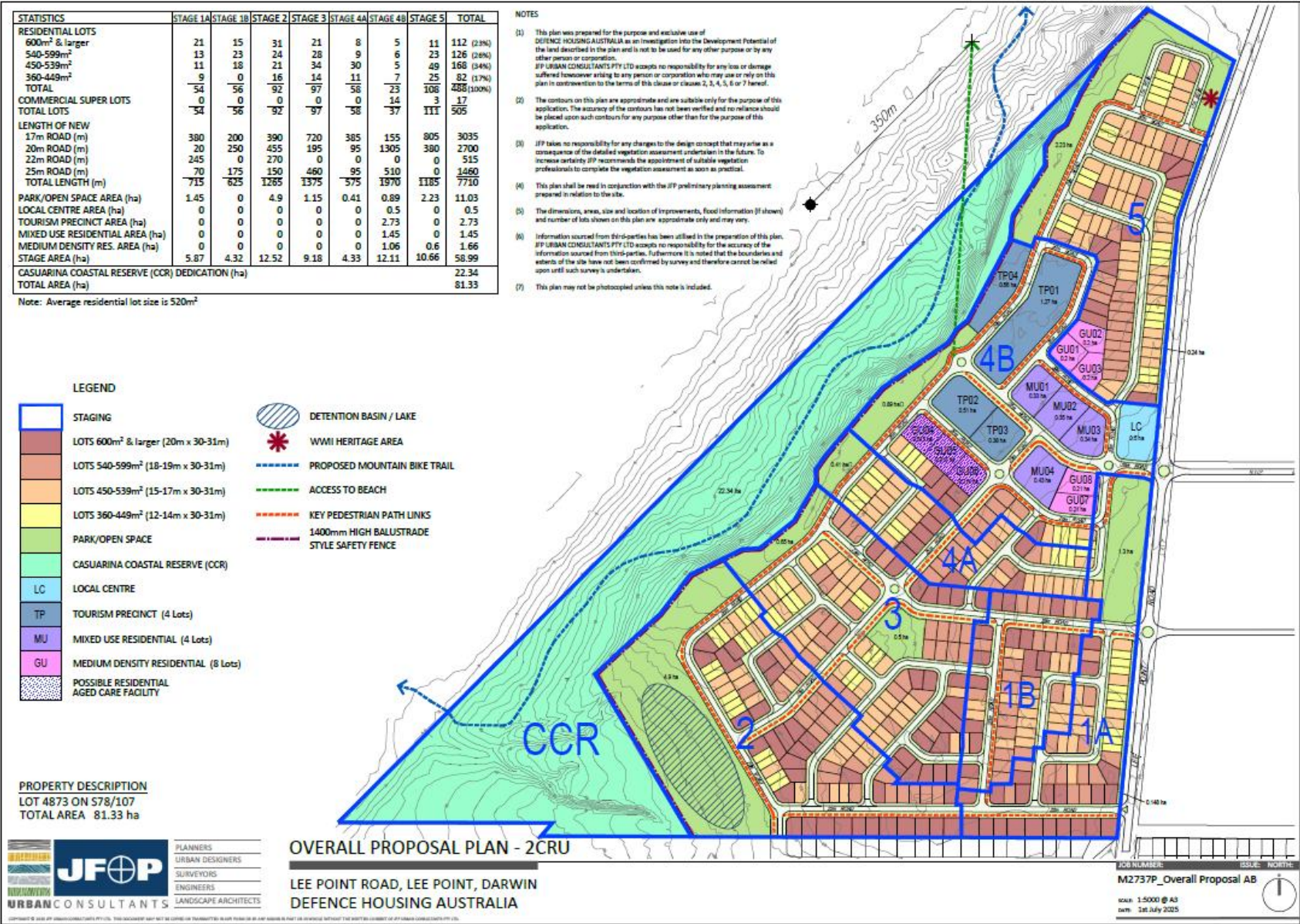
Attachment C

Revoked on the date this instrument was signed

Attachment D1: Overall Concept Plan – Muirhead North (Varied on the date this instrument was signed)



Attachment D2: Overall Concept Plan – 2CRU (Varied on the date this instrument was signed)



Attachment E – Vegetation Types (strata) sampled (As varied on 15 June 2023)



Attachment F – Understorey mapping (As varied on 15 June 2023)



Attachment G – Lee Point showing migratory shorebird habitat (As varied on 15 June 2023)

