



## CORRECTION NOTIFICATION

### INFRASTRUCTURE UPGRADE AND CONSTRUCTION AT CANBERRA AIRPORT, ACT (EPBC 2008/4170)

#### Correction of the Variation Notice of 3 June 2019

The Variation Notice signed on 3 June 2019 contains formatting errors in condition 11.

The Variation Notice incorrectly states:

11. The person taking the action must prepare a **compliance report** for each 12 month period following the date of **commencement of the action**, or as otherwise agreed to in writing by the **Minister**. The person taking the action must:

- a. publish each **compliance report** on the **website** within 60 **business days** following the relevant 12 month period;
- b. notify the **Department** by email that a **compliance report** has been published on the **website** within five **business days** of the date of publication;
- d. keep all **compliance reports** publicly available on the **website** until this approval expires, unless otherwise agreed to in writing by the **Minister**.
- c. exclude or redact **sensitive ecological data** from **compliance reports** published on the website; and
- d. where any **sensitive ecological data** has been excluded from the version published, submit the full **compliance report** to the **Department** within 5 **business days** of publication.

**Note: Compliance reports** may be published on the **Department's** website. The first **compliance report** may report a period less than 12 months so that it and subsequent compliance reports align with the similar requirement under state approval.

The Variation notice should correctly state:

11. The person taking the action must prepare a **compliance report** for each 12 month period following the date of **commencement of the action**, or as otherwise agreed to in writing by the **Minister**. The person taking the action must:

- a. publish each **compliance report** on the **website** within 60 **business days** following the relevant 12 month period;
- b. notify the **Department** by email that a **compliance report** has been published on the **website** within five **business days** of the date of publication;
- c. keep all **compliance reports** publicly available on the **website** until this approval expires, unless otherwise agreed to in writing by the **Minister**.
- d. exclude or redact **sensitive ecological data** from **compliance reports** published on the website; and
- e. where any **sensitive ecological data** has been excluded from the version published, submit the full **compliance report** to the **Department** within 5 **business days** of publication.

**Note: Compliance reports** may be published on the **Department's** website. The first **compliance report** may report a period less than 12 months so that it and subsequent compliance reports align with the similar requirement under state approval.

For clarity, a full corrected variation notice is attached to this notice.

**Person making correction**

<b>Name and position</b>	John Foster Director Post Approvals Section
<b>date of correction</b>	20 June 2019

## VARIATION OF CONDITIONS ATTACHED TO APPROVAL

### TAXIWAY BRAVO EXTENSION, CANBERRA INTERNATIONAL AIRPORT, ACT (EPBC 2008/4170)

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

<b>Person to whom the approval is granted</b>	Canberra Airport Group Pty Ltd  ABN: 14 080 361 548
<b>Approved action</b>	The proposal includes the construction of the Taxiway Bravo extension with high speed taxiway exit and widening of Turning Node Alpha. Other associated works includes stormwater changes and realigned airside road and fence as described in the referral submitted 10 April 2008. [See EPBC Act referral 2008/4170]

#### Variation

<b>Variation of conditions attached to approval</b>	<p>The variation is:</p> <p>Delete conditions 1, 2 and 5 and replace with new conditions 1, 2 and 5 as shown the attached notice</p> <p>Insert new conditions 2A, 3A, 5A, 5B, 5C, 5D, 5E, 6, 7, 8, 9, 10, 11, 12, 13 and 14 as shown the attached notice</p> <p>Delete the definitions for Department and Minister and insert new definitions as shown the attached notice</p> <p>Insert new definitions for Business day, Commencement of the action, Compliance records, Compliance reports, Incident, Plan(s), Protected Matter, Sensitive ecological data and Website as shown in the attached notice</p> <p>Delete Attachment A and replace with new Attachment A as shown the attached notice</p>
<b>Date of effect</b>	This variation has effect on the date the instrument is signed

#### Person authorised to make decision

<b>Name and position</b>	Greg Manning Assistant Secretary Assessment (WA, SA, NT) and Post Approvals Branch
<b>Signature</b>	Signed
<b>Date of decision</b>	3 June 2019

Date of decision	Conditions attached to approval
As varied on the date this instrument was signed	<p>1. The person taking the action must not clear more than 5.7 ha of <b>Natural Temperate Grassland</b> and may only construct the Taxiway Bravo and associated works consistent with Attachment A.</p> <p>A report verifying compliance with this condition must be submitted to the <b>Department</b> within 3 months of completion of <b>construction</b>.</p>
As varied on the date this instrument was signed	<p>2. The person taking the action must submit a Biodiversity Offset Strategy for the Golden Sun Moth, Grassland Earless Dragon and <b>Natural Temperate Grassland</b> to the <b>Minister</b> for approval. The strategy must include:</p> <ul style="list-style-type: none"> <li>a. A long-term conservation offset for the removal of habitat for the Golden Sun Moth, Grassland Earless Dragon and <b>Natural Temperate Grassland</b> including: <ul style="list-style-type: none"> <li>i. The acquisition of land containing at least 17.1 hectares of <b>Natural Temperate Grassland</b> and Golden Sun Moth habitat to be conserved in perpetuity; or</li> <li>ii. Measures to rehabilitate at least 17.1 hectares of <b>Vegetation quality 4 and 5</b> within the Canberra Airport Lease to meet the definition of <b>Natural Temperate Grassland</b>.</li> </ul> </li> <li>b. Details of the funding, of at least \$141,301, and in kind support valued at least \$33,000 and outcomes of research for the Grassland Earless Dragon over a period of 3 years.</li> <li>c. Timeframes for the completion of all actions outlined in the Strategy, including the acquisition of land or rehabilitation of land to be used as the offset.</li> </ul> <p>The person taking the action must not commence <b>construction</b> unless the <b>Minister</b> has approved the Biodiversity Offset Strategy in writing. The approved Biodiversity Offset Strategy must be implemented.</p> <p>Note: The management of rehabilitation and any offset must be conducted in conjunction with any other approvals affecting <b>Natural Temperate Grassland</b> in the Canberra Airport site.</p>
As varied on the date this instrument was signed	<p>2.A. If the person taking the action commences implementation of option 2.a.ii. above but is not able to achieve the required outcome within 5 years of commencing implementation (or a longer period if the <b>Minister</b> deems the prevailing conditions for rehabilitation to have been unfavourable) then option 2.a.i. must be implemented.</p>
Original dated 10/12/2008	<p>3. The person taking the action must develop and submit a Construction Environment Management Plan (CEMP) to the <b>Minister</b> for approval prior to <b>construction</b>. The plan must include but is not be limited to:</p> <ul style="list-style-type: none"> <li>o measures to reduce indirect <b>construction impacts</b> on <b>Natural Temperate Grassland</b>;</li> <li>o measure to reduce impacts on listed threatened species; and</li> <li>o management of <b>Natural Temperate Grassland</b> adjacent to Taxiway Bravo to improve the quality of the grassland.</li> </ul> <p>The approved plan must be implemented.</p>
As varied on the date this instrument was signed	<p>3A. Within 6 months following completion of <b>construction</b>, the person taking the action must revise the Biodiversity Offsets Strategy to identify the impacted <b>natural temperate grassland</b> area that is available for rehabilitation, and specify a program to rehabilitate the land to <b>natural temperate grassland</b>. The revised Biodiversity Offsets Strategy must be submitted to the <b>Minister</b> for approval. The approved <b>plan</b> must be implemented.</p>
Original dated 10/12/2008	<p>4. If the <b>Minister</b> believes that it is necessary or desirable for the better protection of the environment, the <b>Minister</b> may request that the person taking the action make specified revisions to a <b>plan</b> or measure approved pursuant to paragraphs 2 and 3, and submit the revised <b>plan</b> or measure for the <b>Minister's</b> approval. The person taking the action must comply with any such request. If the <b>Minister</b> approves a revised <b>plan</b> or measure pursuant</p>

Date of decision	Conditions attached to approval
	to this condition, the person taking the action must implement that <b>plan</b> or measure instead of the <b>plan</b> or measure as originally approved.
As varied on the date this instrument was signed	<p><b>Revision of action management plans</b></p> <p>5. The person taking the action may, at any time, apply to the <b>Minister</b> for a variation to an action management <b>plan</b> or measure approved by the <b>Minister</b> under conditions 2 and 3, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the <b>EPBC Act</b>. If the <b>Minister</b> approves a revised action management <b>plan</b> or measure (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan or measure.</p>
As varied on the date this instrument was signed	<p>5A. The person taking the action may choose to revise an action management <b>plan</b> or measure approved by the <b>Minister</b> under condition 3, or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the <b>EPBC Act</b>, if the taking of the action in accordance with the RAMP would not be likely to have a <b>new or increased impact</b>.</p>
As varied on the date this instrument was signed	<p>5B. If the person taking the action makes the choice under condition 5A to revise an action management <b>plan</b> or measure without submitting it for approval, the person taking the action must:</p> <ul style="list-style-type: none"> <li>a. notify the <b>Department</b> in writing that the approved action management <b>plan</b> or measure has been revised and provide the <b>Department</b> with: <ul style="list-style-type: none"> <li>i. an electronic copy of the RAMP;</li> <li>ii. an electronic copy of the RAMP marked up with track changes to show the differences between the approved action management <b>plan</b> or measure and the RAMP;</li> <li>iii. an explanation of the differences between the approved action management <b>plan</b> or measure and the RAMP;</li> <li>iv. the reasons the person taking the action considers that taking the action in accordance with the RAMP would not be likely to have a <b>new or increased impact</b>; and</li> <li>v. written notice of the date on which the person taking the action will implement the RAMP (RAMP implementation date), being at least 20 <b>business days</b> after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the <b>Department</b>.</li> </ul> </li> <li>b. subject to condition 5D, implement the RAMP from the RAMP implementation date.</li> </ul>
As varied on the date this instrument was signed	<p>5C. The person taking the action may revoke the choice to implement a RAMP under condition 5A at any time by giving written notice to the <b>Department</b>. If the person taking the action revokes the choice under condition 5A, the person taking the action must implement the action management <b>plan</b> or measure in effect immediately previous to that being revoked..</p>
As varied on the date this instrument was signed	<p>5D. If the <b>Minister</b> gives a notice to the person taking the action that the <b>Minister</b> is satisfied that the taking of the action in accordance with the RAMP would be likely to have a <b>new or increased impact</b>, then:</p> <ul style="list-style-type: none"> <li>a. condition 5A does not apply, or ceases to apply, in relation to the RAMP; and</li> <li>b. the person taking the action must implement the action management <b>plan</b> or measure specified by the <b>Minister</b> in the notice.</li> </ul>
As varied on the date this instrument was signed	<p>5E. At the time of giving the notice under condition 5D, the <b>Minister</b> may also notify that for a specified period of time, condition 5A does not apply for one or more specified action management <b>plans</b> or measures.</p>

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	<p><b>Note:</b> Conditions 5A, 5B, 5C and 5D are not intended to limit the operation of section 143A of the <b>EPBC Act</b> which allows the person taking the action to submit a revised action management <b>plan</b> or measure, at any time, to the <b>Minister</b> for approval.</p>
As varied on the date this instrument was signed	<p>6. If the <b>commencement of the action</b> does not occur within 15 years from the date of this approval, then the person taking the action must not <b>commence the action</b> without the prior written agreement of the <b>Minister</b>.</p>
As varied on the date this instrument was signed	<p><b>Compliance records</b></p> <p>7. The person taking the action must maintain accurate and complete <b>compliance records</b>.</p>
As varied on the date this instrument was signed	<p>8. If the Department makes a request in writing, the person taking the action must provide electronic copies of <b>compliance records</b> to the Department within the timeframe specified in the request.</p> <p><b>Note:</b> <b>Compliance records</b> may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the <b>Department's</b> website or through the general media.</p>
As varied on the date this instrument was signed	<p><b>Preparation and publication of plans</b></p> <p>9. The person taking the action must:</p> <ul style="list-style-type: none"> <li>a. submit <b>plans</b> electronically to the <b>Department</b> for approval by the <b>Minister</b>;</li> <li>b. publish each <b>plan</b> on the <b>website</b> within 20 <b>business days</b> of the date the <b>plan</b> is approved by the <b>Minister</b> or of the date a revised action management plan is submitted to the <b>Minister</b>, unless otherwise agreed to in writing by the <b>Minister</b>;</li> <li>c. keep <b>plans</b> published on the <b>website</b> until the end date of this approval, unless otherwise agreed to in writing by the <b>Minister</b>.</li> </ul>
As varied on the date this instrument was signed	<p>10. The person taking the action must ensure that any monitoring data (including <b>sensitive ecological data</b>), surveys, maps, and other spatial and metadata required under conditions of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department.</p>
As varied on the date this instrument was signed. Corrected	<p><b>Annual compliance reporting</b></p> <p>11. The person taking the action must prepare a <b>compliance report</b> for each 12 month period following the date of <b>commencement of the action</b>, or as otherwise agreed to in writing by the <b>Minister</b>. The person taking the action must:</p> <ul style="list-style-type: none"> <li>a. publish each <b>compliance report</b> on the <b>website</b> within 60 <b>business days</b> following the relevant 12 month period;</li> <li>b. notify the <b>Department</b> by email that a <b>compliance report</b> has been published on the <b>website</b> within five <b>business days</b> of the date of publication;</li> <li>c. keep all <b>compliance reports</b> publicly available on the <b>website</b> until this approval expires, unless otherwise agreed to in writing by the <b>Minister</b>.</li> <li>d. exclude or redact <b>sensitive ecological data</b> from <b>compliance reports</b> published on the website; and</li> <li>e. where any <b>sensitive ecological data</b> has been excluded from the version published, submit the full <b>compliance report</b> to the <b>Department</b> within 5 <b>business days</b> of publication.</li> </ul> <p><b>Note:</b> <b>Compliance reports</b> may be published on the <b>Department's</b> website. The first <b>compliance report</b> may report a period less than 12 months so that it and subsequent compliance reports align with the similar requirement under state approval.</p>
As varied on the date this instrument was signed	<p><b>Reporting non-compliance</b></p> <p>12. The person taking the action must notify the <b>Department</b> in writing of any: <b>incident</b>; non-compliance with the conditions; or non-compliance with the commitments made in <b>plans</b>. The</p>

Date of decision	Conditions attached to approval
	notification must be given as soon as practicable, and no later than two <b>business days</b> after becoming aware of the <b>incident</b> or non-compliance. The notification must specify: <ul style="list-style-type: none"> <li>a. the condition which is or may be in breach; and</li> <li>b. a short description of the <b>incident</b> and/or non-compliance.</li> </ul>
As varied on the date this instrument was signed	13. The person taking the action must provide to the <b>Department</b> the details of any <b>incident</b> or non-compliance with the conditions or commitments made in <b>plans</b> as soon as practicable and no later than 10 <b>business days</b> , unless otherwise agreed to in writing by the Minister, after becoming aware of the <b>incident</b> or non-compliance, specifying: <ul style="list-style-type: none"> <li>a. any corrective action or investigation which the person taking the action has already taken or intends to take in the immediate future;</li> <li>b. the potential impacts of the <b>incident</b> or non-compliance; and</li> <li>c. the method and timing of any remedial action that will be undertaken by the person taking the action.</li> </ul>
As varied on the date this instrument was signed	<b>Management Plans</b> 14. All management <b>plans</b> required under this approval should be prepared in line with the <b>Department's Environmental Management Plan Guidelines</b> .

Date of decision	Definitions attached to approval
As varied on the date this instrument was signed	<b>Business day</b> means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.
As varied on the date this instrument was signed	<b>Commencement of the action</b> means the first instance of any specified activity associated with the action including clearance of vegetation and <b>construction</b> of any infrastructure. Commencement does not include minor physical disturbance necessary to: <ul style="list-style-type: none"> <li>i. undertake pre-clearance surveys or monitoring programs;</li> <li>ii. install signage and /or temporary fencing to prevent unapproved use of the project area;</li> <li>iii. protect environmental and property assets from fire, weeds and pests, including erection or <b>construction</b> of fencing and signage, and maintenance or use of existing surface access tracks, if agreed in writing by the <b>Department</b>.</li> </ul>
As varied on the date this instrument was signed	<b>Compliance records</b> means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the approval holder's possession or that are within the power of the person taking the action to obtain lawfully.
As varied on the date this instrument was signed	<b>Compliance reports</b> means written reports: <ul style="list-style-type: none"> <li>i. providing accurate and complete details of compliance, <b>incidents</b>, and non-compliance with the conditions and the <b>plans</b>;</li> <li>ii. consistent with the <b>Department's Annual Compliance Report Guidelines</b> (2014);</li> <li>iii. include a shapefile of any clearance of any <b>protected matters</b>, or their habitat, undertaken within the relevant 12 month period; and</li> <li>iv. annexing a schedule of all <b>plans</b> prepared and in existence in relation to the conditions during the relevant 12 month period.</li> </ul>
Original dated 10/12/2008	<b>Construction</b> - all work but does not include survey, acquisitions, fencing, test drilling/test excavations, building/road dilapidation surveys, minor clearing (except where endangered ecological communities or threatened flora or fauna species would be affected), or other

Date of decision	Definitions attached to approval
	activities that will have a minimal environmental impact (e.g. minor access roads, minor adjustments to services/utilities etc).
As varied on the date this instrument was signed	<b>Department</b> - The Australian Government Department currently known as the Department of the Environment or whatever the Department that administers this approval is thereafter called.
As varied on the date this instrument was signed	<b>Incident</b> means any event which has the potential to, or does, impact on <b>protected matter(s)</b> .
As varied on the date this instrument was signed	<b>Minister</b> - The Minister responsible for the administration of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) including any delegate thereof.
Original dated 10/12/2008	<b>Natural Temperate Grassland</b> - The ecological community referred to as: Natural Temperate Grassland of the Southern Tablelands of NSW and the Australian Capital Territory and described in the document titled 'Advice to the Minister for the Environment and Heritage from the Endangered Species Scientific Subcommittee (ESSS) on a proposal to add an ecological community to Schedule 2 of the Endangered Species Protection Act 1992 (ESP Act)'.
As varied on the date this instrument was signed	<b>Plan(s)</b> means any of the documents required to be prepared, approved by the <b>Minister</b> , and/or implemented by the person taking the action and published on the <b>website</b> in accordance with these conditions (includes action management plans and/or strategies);
As varied on the date this instrument was signed	<b>Protected matter</b> means a matter protected under a controlling provision in Part 3 of the <b>EPBC Act</b> for which this approval has effect.
As varied on the date this instrument was signed	<b>Sensitive ecological data</b> means data as defined in the Australian Government Department of the Environment (2016) <i>Sensitive Ecological Data – Access and Management Policy V1.0</i> .
Original dated 10/12/2008	<b>Vegetation quality 4 and 5</b> - The area of vegetation mapped as vegetation 4 and 5 in Figure 4.1 of the Canberra Airport Group's Grassland Management Plan Natural Temperate Grasslands at Canberra International Airport.
As varied on the date this instrument was signed	<b>Website</b> means a set of related web pages located under a single domain name attributed to the person taking the action and available to the public.

Date of decision	Annexures
As varied on the date this instrument was signed	<b>Attachment A</b> - Updated plan showing – taxiway bravo, temporary construction zone, natural temperate grassland



**CANBERRA AIRPORT  
TAXIWAY B PROJECT**  
20<sup>th</sup> May 2019

**NTG CONSTRUCTION  
AFFECTED AREA:**  
3.20 ha



**NTG  
RESTORATION AREA:**  
2.50 ha

**NEW NTG AREA:**  
1.50 ha

**NTG OUTSIDE  
WORK AREA:**  
2.50 ha

