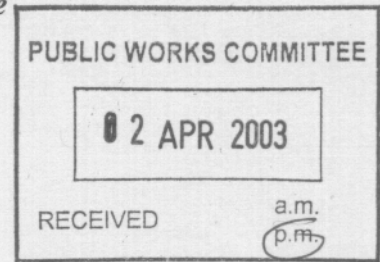




SUBMISSION 15

Department of the Environment and Heritage

Vivienne Courto
Inquiry Secretary
Parliamentary Standing Committee on Public Works
Parliament House
CANBERRA 2600



Dear Ms Courto

Site remediation and construction of infrastructure for the Defence site at Randwick Barracks, Sydney, NSW

I refer to your letter of 5 March 2003 seeking submissions to this Inquiry. Below, for your information, is a brief description of Environment Australia's involvement in environmental assessment of this land.

Demolition and site remediation works were assessed at the level of a Notice of Intention under the former *Environment Protection (Impact of Proposals) Act 1974* in November 2001. The works referred included the whole of the surplus Defence land. The proposal was determined not to require either a public environment report or an environmental impact statement.

The Department of Defence subsequently referred a proposal to Environment Australia under the *Environment Protection and Biodiversity Conservation Act 1999* to subdivide and develop Stage 1A, 1B and a community facility. The delegate of the Minister for the Environment and Heritage decided on 24 December 2002 that this action required approval under the Act. The nominated controlling provisions were sections 18 and 18A (listed threatened species and communities), as well as Section 28 (Commonwealth actions). The Department of Defence then sought a reconsideration of this decision on 8 January 2003. The delegate decided on 10 February 2003 to revoke the original decision and substitute a new decision that the action was not a controlled action provided the action is undertaken in a specified manner. A copy of this decision is at Attachment A.

The Department of Defence also referred the undertaking of fire protection measures on the eastern boundary of the site to Environment Australia on 12 February 2003. The delegate decided on 18 March 2003 that this action will not require approval under the *Environment Protection and Biodiversity Conservation Act 1999*.

If you require any further information, please contact Lachlan Wilkinson in the Government and Infrastructure Section on 6274 2440.

Yours sincerely

Malcolm Forbes
Assistant Secretary
Environment Assessment and Approvals Branch
28 March 2003

COMMONWEALTH OF AUSTRALIA

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

RECONSIDERATION OF DECISION

Pursuant to section 78 of the *Environment Protection and Biodiversity Conservation Act 1999*, I, GERARD PATRICK EARLY, First Assistant Secretary, Approvals and Legislation Division, Environment Australia, revoke my decision of 24 December 2002 that the proposed action, set out in the Schedule, is a controlled action, and substitute the following decision under subsection 75(1) of the EPBC Act.

The proposed action set out in the Schedule is not a controlled action. Provided that the proposed action is taken in the manner described in the Schedule, the provisions of Part 3 of the EPBC Act set out in the Schedule are not controlling provisions.

SCHEDULE

The proposed action by the Department of Defence (Defence) to subdivide and develop approximately 35.44ha of surplus Defence land, located at Bundock Street, Kingsford, NSW, and as described in the referral received under the Act on 5 November 2002 (EPBC 2002/852).

Provisions of Part 3

The relevant provisions of Part 3 are:

- Sections 18 and 18A (Listed threatened species and communities); and
- Section 28 (Protection of the environment from Commonwealth actions).

Manner in which the proposed action is to be taken:

- Areas of the Eastern Suburbs Banksia Scrub (ESBS) ecological community within the Randwick Environmental Park (REP) will be fenced and public access controlled in accordance with the adopted Master Plan for the Randwick Defence Site (November 2001).
- Areas for regeneration of ESBS under the Management Plan for the REP will include those areas shown as B, D, E and I in Annexure H of Kevin Mills' Statement of Evidence in the Land and Environment Court of New South Wales (January 2001).

Dated this 10th day of February 2003

(Signed)
FIRST ASSISTANT SECRETARY
APPROVALS AND LEGISLATION DIVISION
ENVIRONMENT AUSTRALIA