



Mr Tom Grosskopf
Director Metropolitan
Regional Operations
Office of Environment & Heritage
NSW Department of Premier and Cabinet
PO Box A290
SYDNEY SOUTH NSW 1232

Dear Mr Grosskopf

Variation of Edmondson Park Precinct Conservation Agreement (August 2009) made under the *Environment Protection and Biodiversity Conservation Act 1999*

I refer to your letter dated 29 August 2013 (your reference 13/44257) seeking a variation to the Conservation Agreement in relation to the development of the Edmondson Park Precinct (the Conservation Agreement). The Conservation Agreement was entered into in August 2009 pursuant to the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) by the Commonwealth Government and Government of New South Wales.

Pursuant to section 308 of the EPBC Act and clause 7 of the Conservation Agreement, the Conservation Agreement can be varied by written agreement of the Parties. I note that NSW has agreed in writing to the variation that is the subject of this letter (your letter referenced above). I am a delegate of the Minister for the Environment, the Hon Greg Hunt MP, authorised to make decisions under the EPBC Act.

I advise that this letter will operate as a variation agreement for the purposes of the EPBC Act and will vary the terms of the Conservation Agreement as agreed between the Parties. Any terms not defined herein will have the meaning given to them in the Conservation Agreement or the EPBC Act, as appropriate.

The variation that is the subject of this letter is for an extension in time for commitments in the Conservation Agreement in regard to the transfer of land for the proposed Regional Park to the NSW Office of Environment and Heritage (OEH). A previous variation on 17 August 2012 extended the date for the transfer of the proposed Regional Park areas to OEH from 31 August 2012 to 31 August 2013. This current variation extends the date for transfer of the proposed Regional Park areas to OEH from 31 August 2013 to 31 December 2015. The Conservation Agreement will be amended to extend the timing for Action 3, Table 1 of Schedule 4 to 31 December 2015.

This extension is required to enable sufficient time to resolve infrastructure issues and finalise remediation works by the current owners, UrbanGrowth NSW, on the land identified in the Conservation Agreement for inclusion in the proposed Regional Park. This includes delays in the required remediation works that must be completed prior to transfer of the land. The delay is due to factors beyond the control of the Parties, including unavoidable circumstances such as weather, technical complexities and other unexpected events.

The extension in time does not affect the intent of the Conservation Agreement, including establishment of the required Regional Park and protection of Cumberland Plain Woodland

and other native vegetation of significance. The NSW government will provide updates as part of its annual reporting requirements under clause 8 of the Conservation Agreement on the work undertaken by UrbanGrowth NSW to progress the transfer of land for inclusion in the Regional Park by 31 December 2015.

I confirm, as delegate for the Minister, that I am satisfied that this written agreement to amend the Conservation Agreement satisfies the requirements of sections 305, 306 and 308 of the EPBC Act as relevant.

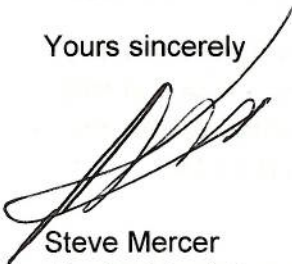
I confirm that the Parties have agreed to the following change to the Conservation Agreement:

1. The timing for Item 3 of Table 1 at Schedule 4 (Transfer of proposed Regional Park areas to DECC [Office of the Environment and Heritage]) is now 31 December 2015.

The terms of the Conservation Agreement continue in full force and effect, except to the extent they are varied by the terms of this letter agreement. The variations have effect from the date of signature of this letter.

Please do not hesitate to contact the undersigned on (02) 6274 1861 if you require further information.

Yours sincerely



Steve Mercer
A/g Assistant Secretary
Strategic Approaches Branch

17 November 2013