



Australian Government

Department of the Environment, Water, Heritage and the Arts

Mr Tim Entwisle
Executive Director
Botanic Gardens Trust
Mount Annan Drive,
MOUNT ANNAN NSW 2567

Date: 9 June 2010
EPBC Ref: 2010/5485
EPBC contact: James van Meurs
(02) 6274 1496
James.Vanmeurs@environment.gov.au

Dear Mr Entwisle

Decision on referral Construction of Access Road to Mount Annan Botanic Gardens, NSW.

This proposed action, development of a 520m long access road and an associated intersection upgrade, off Narellan Road, Mount Annan, NSW has now been considered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

I have decided that the proposed action is not a controlled action. This means that the proposed action does not require further assessment and approval under the EPBC Act before it can proceed. A copy of the document recording this decision is enclosed. This document will be notified publicly on the Department's website.

Please note that this decision relates only to the specific matters protected under Chapter 4 of the EPBC Act.

This decision does not affect any requirement for separate state or local government environment assessment and approvals of the proposed action.

The Department has an active audit program for proposals that have been referred under the EPBC Act. The audit program aims to ensure that proposals are implemented as planned. You should be aware that your project may be selected for audit by the Department at any time and all related records and documents may be subject to scrutiny. Information about the Department's audit strategy is enclosed.

If you have any questions about the referral process or this decision, please contact the EPBC project manager and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Michelle Wicks
Acting Assistant Secretary
Environment Assessment Branch