



APPROVAL

Shoreline urban village development, Redlands Bay, Qld (EPBC 2016/7776)

This decision is made under sections 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*.

Details

Person to whom the approval is granted (approval holder)	Shoreline Redlands Pty Ltd
ACN or ABN of approval holder	ACN 163 078 715
Action	To develop an urban village within a footprint of 279.5 hectares in Redland Bay, Queensland [See EPBC Act referral 2016/7776]

Approval decision

My decision on whether or not to approve the taking of the action for the purposes of each controlling provision for the action are as follows:

Controlling Provisions

Wetlands of international importance	
Section 16	Approve
Section 17B	Approve
Listed Threatened Species and Communities	
Section 18	Approve
Section 18A	Approve
Listed migratory species	
Section 20	Approve
Section 20A	Approve

Period for which the approval has effect

This approval has effect until Wednesday, 31 March 2038

Decision-maker

Name and position	Nathan Hanna Acting Assistant Secretary Assessments and Governance Branch
Signature	
Date of decision	26 April 2018

Conditions of approval

This approval is subject to the conditions under the EPBC Act as set out in ANNEXURE A.



ANNEXURE A – CONDITIONS OF APPROVAL

Project site

1. The **approval holder** must ensure that development associated with the action occurs within the **site** identified in **Attachment A1** as the Application Area.
2. The **approval holder** must ensure that no buildings are constructed within the Foreshore Subprecinct as identified at **Attachment A2** except barbeque shelters, picnic shelters, and toilet amenities.

Shorebird management

3. For the period for which this approval has effect, the **approval holder** must ensure there is no decline in eastern curlew (*Numenius madagascariensis*) density, foraging habitat quality, or foraging habitat extent in the site identified as 'shorebird foraging habitats' at **Attachment A3**, compared to pre-**commencement**, as a result of the approved action.
4. The **approval holder** must prepare and submit an Eastern Curlew Management Plan (ECIMP) to the **Minister** before **commencement**. In addition to the detail provided in *Eastern Curlew Impact Management Plan – Shoreline Redlands – 20 July 2017*, the ECIMP must include:
 - a. a scientifically valid monitoring program, sufficient to:
 - i. determine pre-**commencement** eastern curlew density, foraging habitat quality and foraging habitat extent;
 - ii. detect **impacts** on the matters identified in condition 4(a)(i); and
 - iii. delineate **impacts** due to the action from **impacts** due to natural or other anthropogenic causes;
 - b. contingency measures to be implemented (such as fencing) in the event that monitoring identifies that the outcome described in condition 3 is not met;
 - c. a timeframe for when contingency measures will be implemented;
 - d. details of reporting to be provided to the **Department** in the event that the outcome described in condition 3 is not met; and
 - e. provisions to make monitoring results publicly available on the **approval holder's** website for the life of the project.
5. The ECIMP, including any revised plans, must be peer reviewed by a **suitably qualified person**. The peer review must be submitted to the **Minister** together with the ECIMP and a statement from the **suitably qualified person** stating that they carried out the peer review and evaluated the adequacy of the monitoring, mitigation and management measures proposed. The approved ECIMP must be implemented by the **approval holder**.



6. The **approval holder** must not:
- a. undertake construction within 250m of the Moreton Bay Ramsar wetland between 1 September and 30 March; or
 - b. facilitate public access to the Moreton Bay Ramsar wetland,

until the ECIMP has been approved by the **Minister** in writing and pre-**commencement** eastern curlew density, foraging habitat quality and foraging habitat extent has been determined.

Water quality management

7. The **approval holder** must prepare and submit a Water Quality Management Plan (WQMP) to the **Minister** before **commencement**. In addition to the detail provided in *Shorelines Redland Water Quality Management Plan – June 2017*, the WQMP must accord with **national water quality guidelines** and include:
- a. a monitoring program sufficient to determine pre-**commencement** water quality within all catchments within the **site** and at a reference/control monitoring site;
 - b. a rationale for the sampling effort undertaken to determine pre-**commencement** water quality and justify the selection of the reference/control monitoring site with respect to the potential **impacts** of the action and the objectives of the WQMP;
 - c. details of ongoing monitoring locations and the parameters to be monitored;
 - d. proposed early warning indicators, trigger thresholds and limits for detecting **impacts** on surface water quality;
 - e. contingency measures to be implemented in the event that trigger thresholds are breached; and
 - f. provisions to make monitoring results publicly available on the **approval holder's** website for the life of the project.
8. The WQMP, including any revised plans, must be peer reviewed by a **suitably qualified person**. The peer review must be submitted to the **Minister** together with the WQMP and a statement from the **suitably qualified person** stating that they carried out the peer review and evaluated the adequacy of the monitoring, mitigation and management measures proposed.
9. The **approval holder** must not **commence** until the WQMP has been approved by the **Minister** in writing. The approved WQMP must be implemented by the **approval holder**.

General

10. Within 20 days after the **commencement** of the **action**, the **approval holder** must advise the **Department** in writing of the actual date of **commencement**.



11. 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 required by this approval, 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.
12. Within three months of every 12 month anniversary of the **commencement** of the action, the **approval holder** must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing the date of publication and non-compliance with any of the conditions of this approval must be provided to the **Department** at the same time as the compliance report is published. Reports must remain on the website for the period this approval has effect. The **approval holder** may cease preparing and publishing compliance reports required by this condition with written agreement of the **Minister** to do so.
13. 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 must be approved by the **Minister** prior to the commencement of the audit. Audit criteria must be agreed to by the **Minister** and the audit report must address the criteria to the satisfaction of the **Minister**.
14. The **approval holder** may choose to revise a plan approved by the **Minister** under Conditions 4 or 7 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 they must:
 - i. notify the **Department** in writing that the approved plan has been revised and provide the **Department** with an electronic copy of the revised plan;
 - ii. implement the revised plan from the date that the plan is submitted to the **Department**; and
 - iii. for the life of this approval, maintain a record of the reasons the **approval holder** considers that taking the action in accordance with the revised plan would not be likely to have a new or increased **impact**.
- 14A. The **approval holder** may revoke its choice under Condition 14 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 **approval holder** must implement the version of the plan most recently approved by the **Minister**.
- 14B. Condition 14 does not apply if the revisions to the approved plan include changes to environmental offsets provided under the plan in relation to a matter protected by a controlling provision for the action, unless otherwise agreed in writing by the **Minister**. This does not otherwise limit the circumstances in which the taking of the action in accordance with a revised plan would, or would not, be likely to have new or increased **impacts**.



14C. 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:

- i. Condition 14 does not apply, or ceases to apply, in relation to the revised plan; and
- ii. the **approval holder** must implement the version of the plan most recently approved by the **Minister**.
- iii. to avoid any doubt, this condition does not affect any operation of Conditions 14, 14A and 14B in the period before the day after the notice is given.

At the time of giving a notice under condition 14A, the **Minister** may also notify that for a specified period of time condition 14 does not apply for one or more specified plans required under the approval.

14D. Conditions 14, 14A, 14B and 14C 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.

15. If, at any time after five years from the date of this approval, the **approval holder** has not **commenced** the **action**, then the **approval holder** must not **commence** the action without written agreement from the **Minister**.

16. Unless otherwise agreed to in writing by the **Minister**, the **approval holder** must publish all management plans referred to in these conditions of approval on its website. Each management plan must be published on the website within one month of being approved by the **Minister** or being submitted under conditions 4, 7 or 14.

Definitions

Approval holder: means the person to whom the approval is granted or any person acting on their behalf, or to whom the approval is transferred under section 145B of the **EPBC Act**.

Commence/commencement means the erection of a building or structure that is or is to be fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; preliminary site preparation work which involves breaking of the ground (including pile driving); the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; excluding the installation of fences and signage.

Department means the Australian Government Department administering the *Environment Protection and Biodiversity Conservation Act 1999*.

EPBC/ EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

Impact/s: as defined in section 527E of the EPBC Act.



Minister means the Minister administering the Environment Protection and Biodiversity Conservation Act 1999 and includes a delegate of the Minister.

National water quality guidelines means guidelines under the *National Water Quality Management Strategy* including the *Australian and New Zealand guidelines for fresh and marine water quality – 2000* or future revisions of these guidelines.

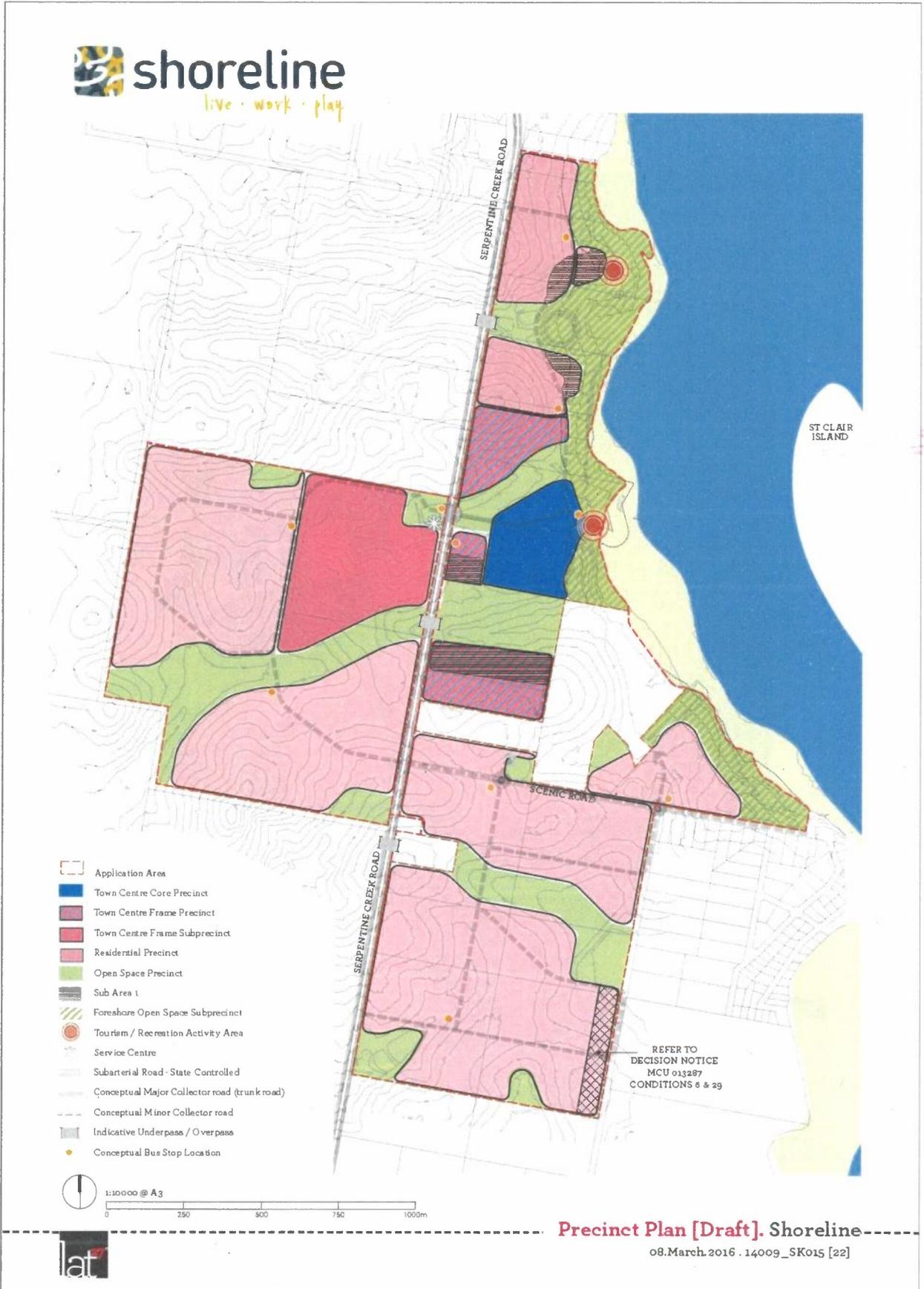
Site means the area shown as the Application Area shown at Attachment A.

Suitably qualified person means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.



ATTACHMENTS

1. Attachment A1:





2. Attachment A2:



Legend

- Foreshore Subprecinct
- Tourists / Recreation Activity Area

Notes

Local Authority: Redland City Council
Contour interval: 1.0m

Design is conceptual only and subject to detailed design and Council approvals for each network stage. Areas and dimensions are approximate only and are subject to final survey.

Information of the nature from DRRB records and is approximate only and subject to detailed site survey.

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Drawing Ref: 105-7516-005.0
Date: 27/11/2017
Scale: 1:12,000 @ A1 - 1:5,000 @ A0
0 100 200 300 400m

Conceptual Masterplan - EPBC
Shoreline - Redland Bay
for Redland Bay Southpark Corporation Pty Ltd & Sulgold Pty Ltd



EPBC Ref: 2016/7776

s47F

CEO
Shoreline Redlands Pty Ltd
PO Box 649
CLEVELAND QLD 4163

Dear s47F

Decision on approval

Shoreline urban village development, Redlands Bay, Qld (EPBC 2016/7776)

I am writing to you in relation to your proposal to develop an urban village within a footprint of 279.5 hectares in Redland Bay, Queensland (Proposed Action).

I have considered the proposal in accordance with Part 9 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and have decided to grant an approval to Shoreline Redlands Pty Ltd. The details of my decision are attached. The proposal must be undertaken in accordance with the conditions specified in the approval.

I would appreciate your assistance by informing me when you start the action and who will be the contact person responsible for the administration of the approval decision.

You should also note that this EPBC Act approval does not affect obligations to comply with any other laws of the Commonwealth, state or territory that are applicable to the action. Neither does this approval confer any right, title or interest that may be required to access land or waters to take the action.

The Department has an active audit program for proposals that have been referred or approved under the EPBC Act. The audit program aims to ensure that proposals are implemented as planned and that there is a high degree of compliance with any associated conditions. Please note 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 compliance monitoring and auditing program is enclosed.

If you have any questions about this decision, please contact the project manager, s22 by email to s22 @environment.gov.au or telephone s22 and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Nathan Hanna
Acting Assistant Secretary
Assessments and Governance Branch

26 April 2018



COMPLIANCE MONITORING AND AUDITING

This fact sheet provides an overview of the compliance monitoring and auditing program in place for projects referred under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and permits granted under the *Environment Protection (Sea Dumping) Act 1981* (the Sea Dumping Act).

What is the EPBC Act?

The EPBC Act is Australia's key national environment law. Under the EPBC Act, proposals which are likely to have a significant impact on matters of national environmental significance must be referred, assessed, and a decision made by the Minister or his delegate on whether to approve the proposal.

What is the Sea Dumping Act?

The Sea Dumping Act regulates the loading and dumping of waste at sea. The Sea Dumping Act fulfils Australia's international obligations under the London Protocol to prevent marine pollution by dumping of wastes and other matter. Permits are required from the Department for all ocean disposal activities.

What is compliance monitoring and auditing for?

The Department has implemented a program to monitor and audit projects that have been referred under the EPBC Act and the Sea Dumping Act to ensure they are complying with their approval/permit conditions or particular manner requirements and the legislation.

Compliance monitoring activities, including inspections and audits, aim to ensure projects with the potential to impact on nationally protected matters are implemented as planned. Monitoring and audits help the Australian Government to understand how well conditions or requirements are being understood and applied, and contribute to improving the effectiveness of the Department's operations.

All compliance monitoring activities, and any subsequent enforcement activities, are conducted in accordance with the Department's Compliance and Enforcement Policy.

What is a monitoring inspection?

Approved projects are subject to monitoring inspections to ensure and verify compliance with the conditions or requirements of the approval or permit. Projects are selected for a monitoring inspection based on a risk-based process informed through a number of factors, including sector, location, compliance history and the potential impact on listed matters (such as threatened species and ecological communities).

What is a compliance audit?

A compliance audit is an objective assessment of a project's compliance against selected criteria. Projects are audited against conditions or requirements. A compliance audit usually takes the form of a desktop document review and may include a site inspection, if necessary. In some cases, the document review provides the Department with enough information to verify that a project is compliant.

Projects can be chosen for audit based on a random selection process or a risk-focused selection process. If your project is selected for an audit, you will be contacted by a Departmental officer who will explain the process. All audit report summaries are posted on the Department's website. The results of audits may also be publicised through the general media.

Further information

For further information on the compliance monitoring and auditing program, please visit the Department's website at www.environment.gov.au or contact:

The Director, Monitoring and Assurance Section
Department of the Environment and Energy
GPO Box 787 CANBERRA ACT 2601
Telephone: (02) 6274 1111
Email: EPBCmonitoring@environment.gov.au



DEPARTMENT OF THE ENVIRONMENT AND ENERGY

To: James Barker, Assistant Secretary, Assessments and Governance Branch (for decision)

Proposed Approval Decision Brief (recommendation report) – Rawlings Road Development, Deebling Heights, Ipswich, Queensland, (EPBC 2016/7723)

Timing: As soon as possible – final decision is due 17 January 2018 (Statutory timeframe).

Recommendation/s:

1. Consider the recommendation report at Attachment A.

Considered / please discuss

2. Consider the finalised preliminary documentation at Attachment C.

Considered / please discuss

3. Agree that the recommended decision on page 1 of the recommendation report (Attachment A), and summarised in the table below, reflects your proposed decision.

Agreed / Not agreed

4. Sign the letter at Attachment E to consult the proponent on your proposed decision.

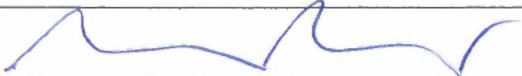
Signed / Not signed

5. Agree to not publish the proposed decision at Attachment B on the internet for public comment.

Agreed / Not agreed

Summary of recommendations on each controlling provision:

Controlling Provisions for the action	Recommendation	
	Approve	Refuse to Approve
Listed threatened species and communities (ss 18, 18A of the EPBC Act)	Approve	
Commonwealth action (s 28 of the EPBC Act)	Approve	


James Barker, Assistant Secretary, Assessments and Governance Branch:

Date: 22/12/17

Comments:

Key Points:

Background:

1. Defence Housing Australia (person proposing to take the action and the proponent) proposes to construct a residential development consisting of 295 new lots with 332 dwellings, within a development footprint of 25.37 ha, in Ripley Valley, Ipswich Queensland (the proposed action).

Issues/ Sensitivities:

2. If approved, the proposed action will result in the loss of 29.7 ha of habitat critical to the survival of the koala; 15 ha through direct clearing and 14.7 ha through indirect edge effect impacts to, and isolation of, koala habitat. Habitat loss is identified as one of the main threats to the koala in the *Approved Conservation Advice for Phascolarctos cinereus (combined populations in Queensland, New South Wales and the Australian Capital Territory)* (approved conservation advice, **Attachment D**).
3. The Department considers that the loss of 29.7 ha of habitat critical to the survival of the koala is not able to be avoided or mitigated, and constitutes a residual significant impact. In accordance with the *Environment Protection and Biodiversity Conservation Act environmental offsets policy* (the offsets policy), an environmental offset is required to compensate for the proposed action's residual significant impact to the koala.
4. In response to the specified information request, the proponent's preliminary documentation did not provide an offset compliant with the offsets policy. Following several months of negotiation with the proponent, the Department provided the direction to publish the preliminary documentation without an adequate offset, on the proviso that it would be required before an approval decision could be made.
5. Following the public notification period, the proponent provided revised and final offsets information on 17 November 2017 (**Attachment C**).
6. The Ipswich City Council has assessed, and in June 2017 approved, a development application for the proposed action. This assessment included consideration of the proposed action's impacts on koalas. The Ipswich City Council's development approval includes conditions to control impacts to the koala (**Attachment C2**).
7. The proponent has proposed a 53.6 ha environmental offset near Peak Crossing, Queensland, approximately 5 km east of Peak Crossing and 20 km south of Ipswich. The proposed offset area is within a larger property owned by a third party—Queensland Trust For Nature (QTFN)—which is an environmental offsets provider. The broader QTFN property contains three environmental offsets already approved under the EPBC Act (EPBC 2013/7074, 2014/7190, and 2015/7513). Koala habitat is contiguous over these offset areas and the koala habitat quality and proposed management actions for all offsets are largely the same.
8. The Department considers that the proposed offset lacks consistency with the offsets policy (**Attachment A**). Notwithstanding, the Department recommends the offset be approved in this instance, in order to maintain consistency in decision making with the previously approved offsets within the broader QTFN property, given the proximity of the sites and similarities in the offset proposals. It is the Department's view that the offset area will deliver a conservation outcome for the koala.

Public consultation

9. The proponent received two public comments on the preliminary documentation, which raised concerns about the single seasonality of the survey effort, retention of critical koala habitat, the loss of essential habitat and incursion of roads (in a general context), the location of the development, and koala refuge on the subject site due to regional clearing (**Attachment C1**). The proponent addressed these comments in the final preliminary documentation.

Recommendations

10. The recommendation report prepared in accordance with section 95C of the EPBC Act (**Attachment A**) concluded, and the Department recommends that you agree, that the proposed action should be approved under sections 130(1) and 133 of the EPBC Act subject to the conditions recommended by the Department (see proposed approval notice at **Attachment B**).
11. The recommendation report reached this conclusion having regard to the likely impact of the proposed action for the purposes of each controlling provision and the relevant social and economic considerations under section 136 of the EPBC Act. You are required to have regard to any approved conservation advices in deciding whether or not to approve the proposed action. The approved conservation advice for the koala is at **Attachment D**.
12. The Department recommends approving the action for 14 years, until 17 January 2031. This timeframe is recommended to accommodate any delay between approval and commencement of the proposed action, allow the proponent sufficient time to complete baseline surveys, and achieve the outcomes required for their offset—increase the density of koalas, ongoing recruitment of koala food trees, and reduce koala predators.
13. Under section 131AA of the EPBC Act, before making an approval decision you must invite comments on the proposed decision from the proponent. If you agree with the Department's recommendation, please sign the letter to the proponent at **Attachment E**, inviting them to provide comments on your proposed decision.
14. Under section 131 of the EPBC Act, before making an approval decision you must invite comments on the proposed decision from other relevant Commonwealth Ministers whom you believe have administrative responsibilities relating to the action.
15. At referral, Mr Lloyd Woodford, delegate for Senator the Hon Marise Payne, Minister for Defence was invited to comment on the proposed action. No response to the invitation to comment on the referral was received from Minister Payne, and the proposed action is over 3.5 km away from the nearest Defence land. As such, the Department considers there are no Commonwealth Ministers with administrative responsibilities relating to the action and no further comment need be sought.
16. Under section 131A of the EPBC Act you may invite public comment on your proposed decision and any conditions that you are proposing to attach to the approval.
17. The Department considers that adequate consultation has occurred for the proposed action, including on the referral and the draft preliminary documentation. Therefore, the Department recommends that you do not publish your proposed decision and proposed conditions of approval for further public comment as this is unlikely to elicit views or information that have not already been considered in relation to the proposed action.

Internal consultation

18. The Department has consulted with Biodiversity Conservation Division.

s22

Queensland South and Sea Dumping Section
Assessments and Governance Branch

T: s22

22 December 2017

s22

Queensland South and Sea Dumping
Section

T: s22

ATTACHMENTS

A: Recommendation report

B: Proposed approval decision notice

C: Finalised preliminary documentation

C1: Public comments on the preliminary documentation

C2: Ipswich City Council development approval conditions.

D: Approved Conservation Advice for the Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) (*Phascolarctos cinereus* – combined populations of Qld, NSW and the ACT)

E: Letter to proponent—FOR SIGNATURE