

DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT

To: Kim Farrant, Acting Assistant Secretary, Environment Assessments Queensland and Sea Dumping Branch (for decision)

Approval Decision Brief (recommendation report) – Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539)

Timing: 16 November 2020 - Statutory timeframe.

Recommendation/s:

1. Consider information in this brief, the proposed approval briefing package, including the recommendation report, the final Preliminary Documentation and attachments, at Attachment A.

Considered / please discuss

2. Consider the responses to the invitation for comment on the proposed decision at Attachment B.

Considered / please discuss

3. Approve, for each controlling provision, the action as summarised in the table below.

Approved / Not approved

4. Agree to attach the conditions of approval as set out in Attachment C.

Agreed / Not agreed

5. Sign the notice of your decision at Attachment C.

Signed / Not signed

6. If you agree to 3 and 4, accept the reasoning in the Departmental briefing package as the reasons for your decision.

Accepted / Please discuss

7. Sign the letters at Attachment D advising the person proposing to take the action, and other relevant parties, of your decision.

Signed / Not signed

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)	Approve	
<p>Kim Farrant Date: Acting Assistant Secretary Environment Assessments Queensland and Sea Dumping Branch</p> <p>Comments:</p>		

Key Points:

1. HB Doncaster Pty Ltd (the proponent) proposes to construct a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland.
2. If approved, the proposed action will result in the loss of 56.2 ha of habitat critical to the survival of the listed vulnerable Koala (*Phascolarctos cinereus – combined populations of Qld, NSW and the ACT*) and the listed vulnerable Grey-headed Flying-fox (*Pteropus poliocephalus*).

Background

3. On 8 October 2020, as recommended in the proposed approval decision brief (Attachment A), a delegate of the Minister proposed to approve the proposed action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
4. Under section 130 and 133 of the EPBC Act, you are now required to decide whether to approve the proposed action, and if you decide to approve it, what conditions you will attach to the approval under section 134 of the EPBC Act.
5. Unless otherwise stated in this brief, the matters for consideration and factors to be taken into account for your decision remain as set out in the proposed approval decision brief (Attachment A).

Consultation:

6. On 8 October 2020, as recommended in the proposed approval decision brief (Attachment A), a delegate of the Minister wrote to the following persons seeking comments on the proposed decision:

- s. 47F(1) , Group Director, HB Doncaster Pty Ltd; and
 - Mr Chris Loveday, Director, Impact Assessment and Operational Support, Queensland Department of Environment and Science.
7. Comments were invited from the proponent and the Queensland Department of Environment and Science between 8 October 2020 and 22 October 2020.
 8. The Department's Environmental Audit and Post Approvals sections were also consulted on the proposed conditions.
 9. The outcome of the consultation is as follows and responses to the proposed decision are at Attachment B.

Designated proponent comments

10. On 12 and 19 October 2020, the proponent responded requesting minor changes to Conditions 1, 4, 6, 7 and 12 and associated definitions (Attachment B1 - B2).
The proponent requested that the Department:
 - a. edit Condition 1.a to adjust the allowable area of clearing from 52.88 ha to 56.20 ha to reflect required waterway stabilisation works in the retained open space area;
 - b. edit Condition 4.c and Condition 12 to adjust the timeframe for achieving the management activities at the Cherry Gully East Offset Area from 31 January 2050 to 31 December 2040 based on proposed time until ecological benefit;
 - c. edit Conditions 6 and 7 to remove the requirement for the Cherry Gully East Offset Area Management Plan to be submitted for approval after being revised to include results from baseline surveys. The proponent stated that this was unnecessarily inhibitive, and that Condition 4.a is satisfactory for aligning the commencement of the action with the commencement of management activities at the Cherry Gully East Offset Area; and
 - d. amend the definition of Koala exclusion fencing to refer to the most recent version of the Queensland *Koala Sensitive Design Guideline (2020)*.
11. The Department provided an updated copy of the decision notice on 19 October 2020, containing responses to the changes requested by the proponent.
12. On 29 October 2020, the proponent responded with two more proposed changes to the approval timeframe, and Condition 3.b (Attachment B3).
The proponent requested that the Department:
 - a. edit the approval timeframe from 31 December 2050 to 31 December 2045 to be consistent with the edited timeframes for Condition 4.c and Condition 12; and
 - b. edit Condition 3.b to remove the requirement to enforce a speed limit of 40 km/h. The proponent stated that they are not legally able to enforce speed limits, and would therefore be unable to comply with this condition.
13. A summary of the requested changes and the Department's response is provided at Attachment E1.

14. On 29 October 2020, the Department made the requested changes, and provided the proponent with a revised copy of the decision notice. On the same day, the proponent formally agreed to and accepted all changes.

State and Commonwealth Minister comments

15. On 22 October 2020, the Queensland Department of Environment and Science (DES) responded with comments on the proposed decision notice ([Attachment B4](#)). The comments were prepared by the Koala Assessment and Compliance Team (KACT).

16. s. 47C(1)

17. s. 47C(1)

Internal consultation

18. The Department's Environmental Audit and Post Approvals sections were consulted on the proposed conditions. Due to the minor nature of the proposed changes to conditions, further consultation on the final conditions was not required.
19. The Species Information and Policy section have also been consulted on relevant recovery plans, threat abatement plans, and conservation advices. The advice and reports indicate that there are no changes to listing status or changes to conservation advices, recovery plans or threat abatement plans relevant to this decision ([Attachment G1 – G2](#)).

- s. 47C(1)

Conclusion:

22. The Department recommends that the approval has effect until 31 December 2045 to allow a sufficient period to effectively implement the proposed approval conditions and for the proponent to ensure the required ecological outcomes are achieved.

23. The Department considers that impacts to matters of national environmental significance will not be unacceptable provided the action is undertaken in accordance with the recommended approval conditions at Attachment C.
24. The Department considers the conditions of approval represent a convenient method of achieving strong environmental outcomes and managing key risks, and recommends that you approve the proposed action subject to the conditions at Attachment C.
25. Letters advising the proponent and Queensland Department of Environment and Science are provided at Attachment D for your signature.
26. The final decision will be made publicly available on the Department's website.

s. 22(1)(a)(ii)

Director
Queensland South Assessments Section
Environment Assessments Queensland and Sea
Dumping Branch
Ph: s. 22(1)(a)(ii)
2 November 2020

s. 22(1)(a)(ii)

Queensland South Assessments Section
Ph: s. 22(1)(a)(ii)

ATTACHMENTS

- A: Signed Proposed Approval Decision Package (including recommendation report)
- B: Responses to invitation for comment on proposed decision
 - B1: Proponent comments received 12 October 2020
 - B2: Proponent comments received 19 October 2020
 - B3: Proponent comments received 29 October 2020
 - B4: DES comments received 22 October 2020
- C: Notice of decision – **FOR SIGNATURE**
- D: Letters to relevant parties
 - D1: Letter to proponent – **FOR SIGNATURE**
 - D2: Letter to DES – **FOR SIGNATURE**
- E: Proposed changes to decision notice
 - E1: Summary of changes to the proposed decision notice
 - E2: Decision notice – track-changes version
- F: Approved conservation advice

G: Consultation with Species Listing Information and Policy section

G1: Statutory documents check dated 23 September 2020

G2: EPBC Act Species and Ecological Communities Weekly Report dated 30 October 2020

DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT

To: Richard Miles, Acting Assistant Secretary, Assessments Queensland and Sea Dumping Branch (for decision)

Document 1A

Proposed Approval Decision Brief (recommendation report) – Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539)

Timing: The final decision is due on 26 October 2020.

Recommendations:

1. Consider the recommendation report at Attachment A.

Considered / please discuss

2. Consider the finalised preliminary documentation at Attachment C and other attachments to this brief.

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. Agree, under section 130(1A) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), to extend the timeframe for making a decision on whether or not to approve the proposed action.

Agreed / Not agreed

5. Agree to extend the decision date by 5 business days to 2 November 2020 under section 130(1A) of the EPBC Act.

Agreed / Not agreed

6. Sign the letters at Attachment D to consult the proponent and relevant State Minister on your proposed decision, and, in accordance with s130(4) of the EPBC Act, to inform the proponent of your decision to extend the timeframe.

Signed / Not signed

7. Sign the Notice of extension to timeframe at Attachment H, which will be published.

Signed / Not signed

8. 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)	Approved	
<p>s. 47F(1)</p> <p>Richard Miles Date: 8 October 2020 Acting Assistant Secretary Assessments Queensland and Sea Dumping Branch</p> <p>Comments:</p>		

Key Points:

1. HB Doncaster Pty Ltd (the person proposing taking the action and also the proponent) propose to construct a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland.
2. The proposed site is approximately 56.2 hectares (ha) in size. The land tenure is freehold and is located in the Ripley Valley Priority Development Area within the Ipswich City Council Local Government Area. The proposed site has a 'future urban' land use zoning.
3. The proposed action will consist of:
 - a. a 52.88 ha development footprint which will be cleared and developed for approximately 583 residential dwellings with supporting infrastructure including a neighbourhood centre and community facilities centre, roads and greenspace; and
 - b. an area of approximately 3.312 ha in size being retained and rehabilitated, and to provide open space amenity.
4. If approved, the proposed action will result in the clearance and functional loss of approximately 56.2 ha of habitat critical to the survival of the listed vulnerable Koala (*Phascolarctos cinereus* – combined populations of Qld, NSW and the ACT) and the listed vulnerable Grey-headed Flying-fox (*Pteropus poliocephalus*).
5. The proposed action is likely to have a residual significant impact on the Koala and the Grey-headed Flying-fox. The Department therefore considers it necessary and convenient to implement conditions that will offset these residual significant impacts.

6. The Department considers that the proposed action will not have an unacceptable impact on the Koala and Grey-headed Flying-fox, provided the action is undertaken in accordance with the recommended conditions of approval.

Background:

7. On 24 December 2019, a delegate of the Minister determined the proposed action to be a controlled action due to likely significant impacts on listed threatened species and communities (section 18 & section 18A). On the same day it was determined that the proposed action would be assessed by preliminary documentation.
8. In accordance with section 95A of the *Environmental Protection and Biodiversity Conservation Act 1999 (Cth)* (EPBC Act), the proponent published the draft preliminary documentation for public comment from 12 August 2020 to 24 August 2020 for a period of 10 business days. No public comments were received.
9. The stage 3 and 4 cost recovery payments were received on 12 August 2020.
10. On 28 August 2020, the proponent submitted the final preliminary documentation (Attachment C) to the Department, at which point the 40 business-day timeframe to make an assessment decision commenced. The statutory timeframe to make a final assessment decision expires on 26 October 2020.
11. On 31 August 2020, the proponent published a notice advertising the preliminary documentation for information in accordance with subsection 95B(2) of the EPBC Act, for a period of 10 business days.

Recommended decision

12. The recommendation report (Attachment A) was prepared in accordance with section 95C of the EPBC Act and concludes that likely impacts on the above listed threatened species and communities will not be unacceptable, provided the action is undertaken in accordance with the recommended conditions of approval (Attachment B).
13. The recommendation report further concludes that the proposed action should be approved under section 130 and 133 of the EPBC Act subject to the proposed conditions. This conclusion was reached by having regard to the likely impact of the proposed action for the purpose of the controlling provision and the relevant social and economic considerations under section 136.
14. There is no evidence to suggest the proponent would be unwilling or unable to comply with the proposed conditions of approval.
15. The Department also recommends that you do not publish the proposed decision for comment by the public, as the proponent has adequately addressed the public's concerns with the proposed action through the response to public submissions.

Public submissions on assessment documents

Number For Against Not specified

16. The preliminary documentation was published for a period of 10 business days from 12 August 2020 to 24 August 2020. No public comments were received.

Consultation:

17. Before deciding whether or not to approve the proposed action, you are required under Sections 131 and 131AA of the EPBC Act to consult with the person proposing to take the action and any other minister you, as the delegate of the Minister, believe has administrative responsibilities relating to the action. The Department recommends you consult with:

- s. 47F(1) , Group Director, HB Doncaster Pty Ltd; and
- Mr Chris Loveday, Director, Impact Assessment and Operational Support, Department of Environment and Science.

Letters are at Attachment D for your signature.

18. The Species Information and Policy Section has been consulted on relevant recovery plans, threat abatement plans and conservation advices (Attachment F1). The advice and reports indicate that there are no changes to listing status or changes to conservation advices (Attachment G), recovery plans or threat abatement plans relevant to this decision. In addition, the Environment Reporting Tool (ERT) report of 27 September 2020 (Attachment E), 47C(1)

have been taken into consideration in the drafting of the proposed approval and conditions.

19. The Office of Compliance and Post Approvals Section were also consulted on the proposed conditions of approval and the environmental history of the proponent (Attachment F2). These comments have been considered and included in the proposed conditions of approval.

Extension to timeframe

20. The Department recommends that the relevant period in which the Minister (or delegate) must make a decision about whether or not to approve the proposed action be extended by 5 business days to 2 November 2020 to allow sufficient time to review the extensive final preliminary documentation and to provide an appropriate recommendation to the Minister.

21. Section 130(1A) of the EPBC Act allows the Minister or delegate to specify a longer period for making a decision, in which case the Minister or the Delegate is required under s130(4) to give a copy of the notification to the person proposing to take the action and publish the notice. The Department therefore recommends that the decision period be extended by 5 business days to 2 November 2020.

22. If you agree with the recommendation to extend the decision timeframe under section 130(1A), please sign and date the Notice at Attachment H, which will be published.
s. 47F(1)

s. 22(1)(a)(ii)

Acting Director
Queensland South and Sea Dumping Section
Assessments Queensland and Sea Dumping
Branch
Ph: s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Queensland South and Sea Dumping
Section
Ph: s. 22(1)(a)(ii)

ATTACHMENTS

A: Recommendation report

B: Proposed approval decision

C: Finalised preliminary documentation

D: Letters

D1: Letter to proponent

D2: Letter to Qld Minister

E: Current ERT Report - 27 September 2020

F: Line area advice

F1: Consultation with Species Listing Information and Policy section – 23 September 2020

F2: Consultation with Compliance section – 16 September 2020

G: Conservation advice – Koala

H: Notice of Extension to timeframe

I: Department offset assessment – Koala and Grey-headed Flying-fox

RECOMMENDATION REPORT**Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539)****Recommendation**

That the proposed action, to construct a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland, be approved subject to the conditions specified below.

Part A – Conditions specific to the action

1. To minimise impacts to the **Koala** and **Grey-headed Flying-fox**, the approval holder must:
 - a. not **clear** more than 52.88 ha of **Koala habitat** and **Grey-headed Flying-fox habitat** within the **development area**; and,
 - b. not clear outside the **development area**.
2. To minimise the risk of injury or death to **Koalas** and **Grey-headed Flying-foxes** within the **development area** during **clearing** and **construction**, the approval holder must:
 - a. ensure that a qualified **fauna spotter catcher** is present during all **clearing** and empowered to guide all **clearance** to ensure that **Koalas** and **Grey-headed Flying-foxes** have safely moved out of the **development area** of their own volition before **Koala habitat** and **Grey-headed Flying-fox habitat** is **cleared**; and,
 - b. install temporary **Koala exclusion fencing** around **construction** works. Temporary **Koala exclusion fencing** must be installed immediately after **clearing** and prior to the commencement of **construction**. Temporary **Koala exclusion fencing** must remain in place around any **construction** area until all **construction** activities within that fenced area are completed.
3. For the ongoing protection of the local **Koala** population at the proposed impact site, the approval holder must:
 - a. install and maintain for the duration of the approval **Koala awareness signage** in no less than four locations along the edge of the esplanade road that faces the **on-site open space area** at indicative locations shown by the red dots on Attachment B; and,
 - b. ensure a maximum speed limit of no more than 40 km/h is enforced on the esplanade road that faces the **on-site open space area**, highlighted in green on Attachment B.
4. To compensate for the **clearing** and **functional loss** of 56.20 ha of **Koala habitat** and **Grey-headed Flying-fox habitat**, the approval holder must:
 - a. **Legally secure** at least 66 ha of land at the **Cherry Gully East Offset Area** and commence **management activities** prior to the **commencement of the action**;
 - b. within 20 **business days** of **legally securing** the **Cherry Gully East Offset Area**, provide the **Department** with written evidence demonstrating that the **Cherry Gully East Offset Area** has been **legally secured** (e.g. **legal security documentation**), and **shapefiles** of the **offset attributes**; and,

- c. complete all **management activities** as described in the **Cherry Gully East Offset Area Management Plan** by 31 January 2050.

Note: Uses or activities at the offset site are not permitted if they are not compatible with the primary purpose of conservation.

5. During **Year 1**, the approval holder must complete baseline surveys of the entire **Cherry Gully East Offset Area** to determine the:

- a. **vegetation condition attributes** for each **Regional Ecosystem**;
- b. **extent of weed cover**; and,
- c. seasonal **feral animal** abundance.

The baseline surveys must be undertaken by a **suitably qualified field ecologist** in accordance with a scientifically valid, robust, and repeatable methodology.

6. Within three months of completion of the baseline surveys required under Condition 5, the approval holder must submit for the **Minister's** approval a version of the **Cherry Gully East Offset Area Management Plan** revised in accordance with the advice of a **suitably qualified field ecologist** to:

- a. include the results of the baseline surveys required under Condition 5;
- b. provide details of how the outcomes specified in Conditions 9 – 12 will be achieved; and,
- c. specify a program of monitoring, and reporting progress against, performance and completion criteria in respect of achieving the ecological outcomes specified in Conditions 9 – 12.

7. The approval holder must not **commence the action** until the revised **Cherry Gully East Offset Area Management Plan** has been approved by the **Minister** in writing. The approval holder must implement the revised **Cherry Gully East Offset Area Management Plan** approved by the **Minister** for the remaining duration of the approval. The approval holder must publish the revised **Cherry Gully East Offset Area Management Plan** approved by the **Minister** on the **website** within 10 **business days** of receiving notification of the **Minister's** approval, and keep it published on the **website** for remaining duration of the approval.

8. In accordance with the Offset Area Management Plan, the approval holder must publish each **Cherry Gully East Offset Area Management Plan Annual Report** on the **website** within 40 **business days** following the end of the 12 month reporting period. The approval holder must keep each **Cherry Gully East Offset Area Management Plan Annual Report** published from the date it is first published for the duration of the approval.

Pest and Weed management

9. The approval holder must:

- a. demonstrate, by the end of **Year 5**, that the abundance of **feral animals** at the **Cherry Gully East Offset Area** is reduced by 95% relative to the abundance of **feral animals** determined by the baseline surveys,
- b. for the rest of the period of effect of the approval, ensure that the abundance of **feral animals** is less than 5% of the abundance of **feral animals** determined by the baseline surveys; and,
- c. ensure that zero **Koala** injuries or mortalities occur as a result of the presence of **feral animals**.

10. The approval holder must demonstrate that the **extent of weed cover** at the **Cherry Gully East Offset Area** is:
- by the end of **Year 5**, reduced by 80% relative to the **extent of weed cover** determined by the baseline surveys;
 - by the end of **Year 10**, reduced by 95% relative to the **extent of weed cover** determined by the baseline surveys; and,
 - for the remainder of the approval, no more than 5% of the **extent of weed cover** determined by the baseline surveys.

Stock Exclusion

11. For the protection of **Koala Habitat** and **Grey-headed Flying-fox habitat**, the approval holder must demonstrate by the end of **Year 1** that **fauna friendly stock exclusion fencing** has been installed around the entire perimeter of the **Cherry Gully East Offset Area**. The approval holder must ensure that the **fauna friendly stock exclusion fencing** is maintained and effective for its purpose for the duration of the approval, and ensure that zero stock incursions occur.

Habitat Quality Improvement

12. For the protection of the **Koala** and **Grey-headed Flying-fox** the approval holder must achieve the following outcomes at the **Offset Receiving Site** by 31 January 2050:
- Undertake ecological work to restore **vegetation condition attributes** to the **benchmark** for each **Regional Ecosystem** specified in the Cherry Gully East Offset Area Management Plan; and
 - achieve the **rehabilitation success criteria** by **Year 10** as a result of planting, and maintaining trees of appropriate species, and once the **rehabilitation success criteria** are achieved, maintain for the duration of the approval.

The approval holder is responsible to achieve and maintain the outcomes specified under Condition 12 for the period of effect of the approval.

13. If, at any time during the period of effect of the approval, the **Minister** is not satisfied that any of the requirements or outcomes under Conditions 9 – 12 have been or are likely to be achieved maintained, the **Minister** may request (in writing) further evidence from the approval holder as to how the requirements or outcomes of these Conditions will be achieved or maintained. If requested by the **Minister**, the approval holder must:
- provide a report to the **Department** that documents the cause of the potential or actual non-achievement of required outcomes, the corrective actions to be taken (including timeframes for reporting to the **Department** the success of those actions) and the contingency measures that will be implemented to prevent further occurrences;
 - revise the updated **Cherry Gully East Offset Area Management Plan**, applying the advice of a **suitably qualified field ecologist** and within a timeframe determined by the **Minister**, to include the corrective actions and contingency measures and a program of when and how the relevant contingency measures and corrective actions will be implemented;
 - submit the revised **Cherry Gully East Offset Area Management Plan** to the **Department** for the **Minister's** approval, within a timeframe determined by the **Minister**; and,
 - implement the approved revised **Cherry Gully East Offset Area Management Plan** as required by Condition 13.c.

Part B – Standard administrative conditions

Notification of date of commencement of the action

14. The approval holder must notify the **Department** in writing of the date of **commencement of the action** within ten **business days** after the date of **commencement of the action**.
15. If the **commencement of the action** does not occur within five years from the date of this approval, then the approval holder must not **commence the action** without the prior written agreement of the **Minister**.

Compliance records

16. The approval holder must maintain accurate and complete **compliance records**.
17. If the **Department** makes a request in writing, the approval holder must provide electronic copies of **compliance records** to the **Department** within the timeframe specified in the request.

Note: Compliance records 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 **Department's** website or through the general media.

Annual compliance reporting

18. The approval holder must prepare a **compliance report** for each 12 month period following the date of **commencement of the action**, or otherwise in accordance with an annual date that has been agreed to in writing by the **Minister**. The approval holder 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** and provide the weblink for the **compliance report** within five **business days** of the date of publication;
 - c. keep all **compliance reports** publicly available on the **website** until this approval expires;
 - 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 five **business days** of publication.

Note: Compliance reports may be published on the **Department's** website.

Reporting non-compliance

19. The approval holder must notify the **Department** in writing of any: **incident**; non-compliance with the conditions; or non-compliance with the commitments made in **plans**. The notification must be given as soon as practicable, and no later than two **business days** after becoming aware of the **incident** or non-compliance. The notification must specify:
 - a. any condition which is or may be in breach;
 - b. a short description of the **incident** and/or non-compliance; and,

- c. the location (including co-ordinates), date, and time of the **incident** and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.
20. The approval holder must provide to the **Department** the details of any **incident** or non-compliance with the conditions or commitments made in **plans** as soon as practicable and no later than ten **business days** after becoming aware of the **incident** or non-compliance, specifying:
- any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;
 - the potential impacts of the **incident** or non-compliance; and,
 - the method and timing of any remedial action that will be undertaken by the approval holder.

Independent audit

21. The approval holder must ensure that **independent audits** of compliance with the conditions are conducted as requested in writing by the **Minister**.
22. For each **independent audit**, the approval holder must:
- provide the name and qualifications of the independent auditor and the draft audit criteria to the **Department**;
 - only commence the **independent audit** once the audit criteria have been approved in writing by the **Department**; and,
 - submit an audit report to the **Department** within the timeframe specified in the approved audit criteria.
23. The approval holder must publish the audit report on the **website** within ten **business days** of receiving the **Department's** approval of the audit report and keep the audit report published on the **website** until the end date of this approval.

Completion of the action

24. Within 30 days after the **completion of the action**, the approval holder must notify the **Department** in writing and provide **completion data**.

Part C - Definitions

In these conditions, except where contrary intention is expressed, the following definitions are used:

Benchmark means the quantitative value for the relevant BioCondition attribute specified for each **Regional Ecosystem** by the Queensland Herbarium, as described in *the BioCondition Benchmarks of Southeast Queensland (10/1/2019)* or a subsequent version approved by the Queensland Government).

Business day(s) means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.

Cherry Gully East Offset Area means the area located within the red dotted line on Attachment C. The **Cherry Gully East Offset Area** is located at Lot 1 on CSH1549, on Littles Road, Toogoolawah, Queensland.

Cherry Gully East Offset Area Management Plan means the *Cherry Gully East Offset Area Management Plan 2020*, prepared by One Environment and dated 26 June 2020 or the revised version currently approved by the **Minister**.

Cherry Gully East Offset Area Management Plan Annual Report means each annual report compiled by the Offset provider (to report on all **management activities**, surveys, results and outcomes within the previous 12 month operational period), as required in the **Cherry Gully East Offset Area Management Plan**.

Clear/clearing/clearance/cleared means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation (but not including weeds – see the *Australian weeds strategy 2017 to 2027* for further guidance).

Commencement of the action means the first instance of any specified activity associated with the action including **clearing** and **construction**. **Commencement of the action** does not include minor physical disturbance necessary to:

- a. undertake pre-clearance surveys or monitoring programs;
- b. install signage and /or temporary fencing;
- c. protect environmental and property assets from fire, weeds and pests, including **erection** of temporary fencing, and use of existing surface access tracks; and
- d. install temporary site facilities for persons undertaking pre-commencement activities so long as these are located where they have no impact on the **protected matters**.

Completion data means an environmental report and spatial data clearly detailing how the conditions of this approval have been met. The **Department's** preferred spatial data format is **shapefile**. This includes but is not limited to information detailing:

- a. the date, location and extent of **protected matter** habitat **cleared** within the **development area**;
- b. the location, extent and quality of **protected matter** habitat within the **Cherry Gully Station East Offset Area**;
- c. **weed extent** within the **Cherry Gully Station East Offset area**;
- d. **feral animal** numbers within the **Cherry Gully Station East Offset area**; and,
- e. **Koala density** and **Grey-Headed Flying-fox** presence at the **Cherry Gully Station East Offset area**.

Completion of the action means the time at which all approval conditions (except Condition 24) have been fully met.

Compliance records 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 approval holder's power to obtain lawfully.

Compliance reports means written reports:

- i. providing accurate and complete details of compliance, **incidents**, and non-compliance with the conditions and the **plans**;
- ii. consistent with the **Department's Annual Compliance Report Guidelines (2014)**;
- iii. include a **shapefile** of any **clearance** of any **protected matters**, or their habitat, undertaken within the relevant 12 month period; and,

- iv. annexing a schedule of all **plans** prepared and in existence in relation to the conditions during the relevant 12 month period.

Construction 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; but excluding minor physical disturbance as specified in the definition of **Commencement of the action**.

Department means the Australian Government agency responsible for administering the **EPBC Act**.

Development area means the 56.20 ha area enclosed by the black line designated as 'Referral Area' on Attachment A comprising Lot 2 on RP196154, Lot 1 on RP196152, Lot 1 on RP196150, Lot 342 on S3173 and 357 Ripley Road, Ripley Queensland.

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

Extent of weed cover means the proportion (expressed as a percentage) of the total land area in which any square metre contains a non-native plant species known to restrict the movement of **Koala** and/or degrade the quality of **Koala habitat** and/or habitat for **Grey-headed Flying-fox**, or its ability to regenerate.

Fauna spotter catcher means a person licenced under the Queensland *Nature Conservation Act 1992* to detect, capture, care for, assess, and release wildlife disturbed by vegetation **clearance** activities who has at least three years' experience undertaking this work with **Koala**.

Fauna friendly stock exclusion fencing means fencing designed to prevent access by grazing animals to offset areas while providing for the free movement of **Koalas** and **Grey-headed Flying-foxes**.

Feral animals means non-native feral animals known to predate on the **Koala**.

Functional loss means the isolation of a small area of habitat due to the clearance of surrounding connective vegetation, which results in the loss of ecological function for a protected matter.

Grey-headed Flying-fox(es) means the Grey-Headed Flying-fox (*Pteropus poliocephalus*) listed as a threatened species under the **EPBC Act**.

Grey-Headed Flying-fox habitat means areas of vegetation that contain **Grey-headed Flying-fox** foraging trees, including winter and spring flowering species.

Incident means any event which has the potential to, or does, impact on one or more **protected matter(s)**.

Independent audit means an audit conducted by an independent and **suitably qualified person** as detailed in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines* (2019).

Koala(s) means the Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) *Phascolarctos cinereus* (combined populations of Qld, NSW and the ACT) listed as a threatened species under the **EPBC Act**.

Koala awareness signage means prominent, legible, clearly understood signage for the purposes of alerting drivers that **Koalas** may be in the vicinity.

Koala density means the number and/or utilisation and distribution of **Koalas** per hectare as determined in field surveys over the entire **Cherry Gully East Offset Area** undertaken by a

suitably qualified field ecologist using a scientifically robust and repeatable methodology over a timeframe that serves as a sound basis for comparison.

Koala exclusion fencing means fencing which prevents the movement of **Koalas**. Suitable examples of **Koala exclusion fencing** design are provided in *Koala Sensitive Design Guideline: A guide to koala sensitive designed measures for planning and development activities, November* (Queensland Department of Environment and Heritage Protection, 2012).

Koala food trees means a species of tree of genus *Angophora*, *Corymbia*, *Eucalyptus*, *Lophostemon* or *Melaleuca*, with a height of more than 4 metres or with a trunk circumference more than 31.5 centimetres at 1.3 metres above the ground, the leaves of which are known to be consumed by the **Koala**.

Koala habitat means any forest or woodland containing species that are known **Koala food trees**, or shrubland with emergent food trees (as defined in the **Koala referral guidelines**).

Koala referral guidelines means the **Department's EPBC Act referral guidelines for the vulnerable Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)**, Commonwealth of Australia, 2014.

Legally secure(d/ing) means to provide ongoing conservation protection on the title of the land, under an enduring protection mechanism, such as a voluntary declaration under the *Vegetation Management Act 1999* (Qld) or another enduring protection mechanism agreed to in writing by the **Department**.

Legal security documentation means any documentation associated with **legally securing** offset site(s), including (but not limited to) management plans. **Legal security documentation** must include (at a minimum) the following:

- a) Details of the **management activities** to be undertaken to achieve the outcomes prescribed under conditions 4 – 12;
- b) A commitment that **legal security** of the **Cherry Gully East Offset Area** and **management activities** to achieve and maintain the outcomes prescribed under conditions 4 – 12 will be in place for the duration of the impact.

Management activities means activities to be undertaken at the **Cherry Gully East Offset Area**, including (but not limited to):

- e. detailed baseline surveys to determine **extent of weed cover** and seasonal **feral animal** abundance;
- f. management of weeds and **feral animals**;
- g. installation of **fauna friendly stock exclusion fencing**;
- h. ecological work to restore the **Regional Ecosystems** at the **Cherry Gully East Offset Area**
- i. activities associated with planting new **Koala habitat** and **Grey-headed Flying-fox foraging habitat**; and,
- j. activities associated with seed collection and propagation of planting stock.

Minister means the Australian Government Minister administering the **EPBC Act** including any delegate thereof.

Offset attributes means an '.xls' file capturing relevant attributes of the offset area, including:

- a. EPBC Act reference number;
- k. physical address of the **Cherry Gully East Offset Area**;

- l. coordinates of the boundary points in decimal degrees;
- m. **protected matters** that the offset compensates for;
- n. any additional **EPBC Act** listed threatened species and communities that are benefiting from the offset; and,
- o. size of the **Cherry Gully East Offset Area** in hectares.

On-site open space area means the shaded light-green area located in the south-west corner of the **development area**, north of Montereau Road, as shown on Attachment B.

Plan(s) means any of the documents required to be prepared, approved by the **Minister**, and/or implemented by the approval holder and published on the **website** in accordance with these conditions (includes action management plans and/or strategies).

Protected matter(s) means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

Regional Ecosystem means a vegetation community in a bioregion that is consistently associated with a particular combination of geology, landform and soil as classified by the Queensland Government under the *Vegetation Management Act, 1999*.

Rehabilitation success criteria means to have successfully established a minimum of 150 **Koala food trees** per hectare, including a minimum of 100 **Grey-Headed Flying-fox foraging habitat** trees per hectare.

Sensitive ecological data means data as defined in the Australian Government Department of the Environment (2016) *Sensitive Ecological Data – Access and Management Policy V1.0*.

Shapefile(s) means location and attribute information of the action provided in an Esri shapefile format. **Shapefiles** must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. **Shapefiles** must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

Suitably qualified field ecologist means a person who has professional qualifications and at least three years' work experience designing and implementing flora and fauna surveys and management plans for the **Koala** and/or the **Grey-headed Flying-fox** using relevant protocols, standards, methods and/or literature.

Vegetation condition attributes means attributes that indicate vegetation functions for biodiversity, as defined in the most recent officially released version of *Queensland's BioCondition Assessment Manual*.

Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Year 1 means the period within 12 months from the date of this approval.

Year 2 means the period within two years from the date of this approval.

Year 5 means the period within five years from the date of this approval.

Year 10 means the period within ten years from the date of this approval.

Background

Description of the project and location

1. HB Doncaster Pty Ltd (the proponent and the person taking the action) propose to construct a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland.
2. The proposed site is approximately 56.2 ha in size. The proposed action will consist of:
 - a. a 52.88 ha development footprint which will be cleared and developed for approximately 583 residential dwellings with supporting infrastructure including a neighbourhood centre and community facilities centre, roads and greenspace; and
 - b. an area of approximately 3.312 ha in size being retained and rehabilitated, and to provide open space amenity.
3. The land tenure is freehold and is located within the Ripley Valley Priority Development Area (PDA) within the Ipswich City Council Local Government Area. The proposed site has a 'future urban' land use zoning. Several Local, State and EPBC approvals have been granted to parcels of land surrounding the proposed site. See Figure 2 of the proposed decision brief for a map of all neighbouring approvals.

Description of the environment

4. The proposed site consists of a mix of regrowth, remnant, non-remnant, and native vegetation. The referral states that the proposed site contains approximately 1.9 ha of remnant vegetation and approximately 54.29 ha of regrowth vegetation (see site aerial at [Figure 1](#)). The preliminary documentation states that the proposed site is predominantly dominated by *Corymbia* and *Eucalyptus* species, including Spotted Gum (*Corymbia citriodora*), Northern Grey Ironbark (*E. siderophloia*), Narrow-leaved Ironbark (*E. crebra*) and Forest Red Gum (*E. tereticornis*). Large portions of the site are dominated by Southern Salwood (*Acacia disparrima*).
5. Residential developments exist to the northwest of the proposed site on the other side of Cunningham Highway. To the east runs Ripley Road with some limited residential development and partially cleared bushland beyond it. Montereia Road runs south of the proposed site.

Controlling provisions, assessment approach and public consultation

6. On 1 November 2019, the proposed action was referred and published for public comment until 15 November 2019 under Part 7 of the EPBC Act. One public submission was received.
7. On 24 December 2019, a delegate of the Minister determined the proposed action to be a controlled action due to likely significant impacts on listed threatened species and communities (section 18 & section 18A). On the same day it was determined that the proposed action would be assessed by preliminary documentation.
8. On 13 February 2020, the Department requested the proponent to provide further information for assessment of the relevant impacts on the listed vulnerable Koala (*Phascolarctos cinereus* – combined populations of Qld, NSW and the ACT) and the listed vulnerable Grey-headed Flying-fox (*Pteropus poliocephalus*).

Direction to publish

9. On 24 July 2020, the proponent submitted the draft preliminary documentation (following review and revision of earlier drafts), which the Department considered adequate for the purposes of public comment. The stage 2 cost recovery payment was received on 22 July 2020.
10. On 31 July 2020, a delegate of the Minister directed the proponent to publish the draft preliminary documentation (including the referral information), inviting public comment relating to the proposed action in accordance with section 95A of the EPBC Act.
11. The preliminary documentation was published for a period of 10 business days from 12 August 2020 to 24 August 2020. No public comments were received.
12. The stage 3 and 4 cost recovery payments were received on 12 August 2020.
13. On 28 August 2020, the proponent submitted the final preliminary documentation to the Department, at which point the 40 business-day timeframe to make an assessment decision commenced. The statutory timeframe to make a final assessment decision expires on 26 October 2020.
14. On 31 August 2020, the proponent published a notice advertising the preliminary documentation for information only in accordance with subsection 95B(2) of the EPBC Act, for a period of 10 business days.

State/Territory Assessment and Approval

15. The proposed site is located within the Ripley Valley PDA within the Ipswich City Council Local Government Area. The proposed site has a 'future urban' land use zoning under the *Ripley Valley Urban Development Area Development Scheme (2011)*. Ripley is mapped as a major expansion area under the *Shaping SEQ – South East Queensland Regional Plan 2017*.

Assessment**Mandatory Considerations – section 136(1)(a) Part 3 controlling provisions**

16. The proposal was determined a controlled action under the listed threatened species and ecological communities (sections 18 and 18A) controlling provision of the EPBC Act. This controlling provision is discussed below.

Listed threatened species and ecological communities (sections 18 and 18A)

17. At the time of the controlled action decision, the following listed threatened species were considered likely to incur a significant impact as a result of the proposed action:
 - a. Koala (*Phascolarctos cinereus* – combined populations of Qld, NSW and the ACT)
 - b. Grey-headed Flying-fox (*Pteropus poliocephalus*).

18. Based on a more recent Environment Report Tool (ERT) dated 27 September 2020 (Attachment E¹), the Department identified one new species as potentially occurring within 2 km of the proposed site; Grey Falcon (*Falco hypoleucos*) – Vulnerable.
19. This species was not listed under the EPBC Act at the time of the controlled action decision made under section 75 of the EPBC Act. Therefore, in accordance with section 158A of the EPBC Act, the Grey Falcon is not assessed for this proposal under the EPBC Act.
20. The ERT report identified two additional listed threatened species as potentially occurring within 2 km of the proposed site; Long-nosed Potoroo (SE Mainland) (*Potorous tridactylus tridactylus*) – Vulnerable, and Hairy-joint Grass (*Arthraxon hispidus*) – Vulnerable.
21. Whilst each of these additional species were listed at the time of the controlled action decision, these were not identified to occur within or surrounding the proposed action. The Department thus did not previously ask the proponent to directly address potential impacts to the species. The Department however is satisfied that based on the proponent's assessment these species will not be significantly impacted by the proposed action.
22. The EPBC Species and Ecological Communities Update dated 28 September 2020 has been consulted to check for recent or upcoming decisions relating to listed threatened species and ecological communities approved conservation advices, recovery plans or threat abatement plans that may be of relevance to the proposal.

Summary of survey effort

23. Targeted flora and fauna surveys have been conducted over a period of five days at the proposed site in 2019.
24. The referral documentation states that in May 2019, a ground-truthing field assessment was undertaken across the site to identify any potential listed threatened species or ecological communities and conduct an initial assessment of suitable habitats over the site.
25. The preliminary documentation states that detailed field surveys targeting Koalas were undertaken by the proponent in accordance with the Department's Guidelines, which included scat meanders to inform locations of Spot Assessment Technique (SAT) surveys, passive infra-red cameras, spotlight searches, modified habitat quality assessments and opportunistic searches. Only indirect evidence in the form of scats was observed. Surveys were completed over a four day period in July 2019, which included four SAT surveys and a modified habitat quality assessment over the site.
26. Targeted investigations for Grey-Headed Flying-Fox (GHFF) foraging activity included spotlight transects that traversed the site. GHFF was not recorded foraging or as a fly over species during targeted searches. Site habitat surveys revealed characteristics that were considered to provide critical foraging resources for this species.

Koala (*Phascolarctos cinereus* – combined populations in Queensland, New South Wales and the Australian Capital Territory) - vulnerable

Species description

27. The species' listing advice states that the Koala Coast and Pine Rivers areas in Queensland have experienced a population decline of more than 75% since the 1990s, and that the

¹ Attachments as listed are attachments to the proposed approval decision brief for EPBC 2019/8539.

broader Koala populations in South East Queensland appear to be following a similar downward trend.

28. Known threats to the species include, but are not limited to, habitat loss and fragmentation from peri-urban and urban development, mortality from vehicle strike and dog attack (wild and domestic), disease, and fire.
29. A full description of this species is available at www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=85104.

Proposed action area

30. The preliminary documentation states that the proposed site is predominantly dominated by *Corymbia* and *Eucalyptus* species, including Spotted Gum (*Corymbia citriodora*), Northern Grey Ironbark (*E. siderophloia*), Narrow-leaved Ironbark (*E. crebra*) and Forest Red Gum (*E. tereticornis*). Large portions of the site are dominated by Southern Salwood (*Acacia disparrima*). The proposed site is comprised of remnant Regional Ecosystem² (RE) 12.9-10.2 (~ 1.91 ha) and regrowth RE 12.9-10 (~ 54.29 ha).
31. Targeted surveys were undertaken at the proposed site using the SAT method. Four scat meanders were undertaken at the proposed site to identify focal trees for SAT surveys. These surveys identified evidence of Koala usage in the form of scats, however, Koala usage at the proposed site was determined to be 'low'. Opportunistic searches for Koalas were also undertaken at the proposed site. No koalas were observed at the site.
32. A search of the Atlas of Living Australia database returned 2 records of the Koala within 5 km of the proposed site, with the Wildnet database identifying 50 records of Koala within a 5 km radius of the proposed site.
33. The Koala habitat at the proposed site was assessed in the final preliminary documentation with a habitat quality score of 6 in accordance with the EPBC Koala Referral Guidelines, which indicates that the site contains habitat critical to the survival of the Koala. The justifications for this score are:
- Koala occurrence (+2)** – evidence of Koala occurrence within the last 2 years.
 - Vegetation composition (+2)** – the referral states that the proposed site supports at least 2 species of Koala food trees.
 - Habitat connectivity (+2)** – the proposed site is part of a contiguous landscape of greater than 500 ha to the south.
 - Key existing threats (0)** – the referral reports one Koala death occurred proximal to the proposed site, on Ripley Road within the past year.
 - Recovery value (0)** – the proposed site has poor recovery value as it is compromised by its PDA designation within the local area and existing disturbances from historical land use practises.
34. At the time of the referral decision, the Department agreed with the scores given to Koala Occurrence, Vegetation Composition, and Habitat Connectivity, however considered that a

² A Regional Ecosystem is a vegetation community in a bioregion that is consistently associated with a particular combination of geology, landform and soil as classified by the Queensland Government under the *Vegetation Management Act 1999* (Qld).

score of (+1) for Key Existing Threats and (+1) Recovery Value more appropriate (see Referral Brief for more information), resulting in an overall habitat quality score of 8.

35. Based on the above, the Department considers that 56.2 ha of Koala habitat at the proposed action site constitute habitat critical to the survival of the species.

Potential impacts

36. The proposed action will result in the clearance of 52.88 ha of habitat critical to the survival of the species. The preliminary documentation notes that an additional 3.312 ha of habitat critical to the survival of the species is considered to be functionally lost. Functionally lost areas include smaller retained vegetation which will be fragmented and no longer be functionally connected to larger areas of retained habitat.

37. In addition, the proposed action is likely to have indirect impacts on the Koala or its habitat from:

- a. disturbance, injury or mortality during clearing and construction activities;
- b. vehicle strike; and,
- c. disturbance or fragmentation of Koala habitat in the landscape.

Avoidance and mitigation measures

38. The preliminary documentation notes an area of approximately 3.312 ha in size will be revegetated with Koala food trees to form an open space area. However, due to the clearance of surrounding and adjoining habitat, the Department considers that this vegetation will be functionally lost.

39. The proponent has proposed a number of mitigation measures to minimise impacts to the Koala. A Site Based Management Plan (SBMP) will be prepared to manage and mitigate impacts on the Koala at the proposed site. Key outcomes of the SBMP will include:

- a. maintain the ability for the Koala to move into, within and out of the site;
- b. identify and manage potential risks to the Koala; and,
- c. all persons involved in the construction and operation of the development are aware of potential impacts to the Koala and its habitat, and their responsibilities in regard to procedures and strategies with the SBMP.

40. In addition to the SBMP, each phase of clearing will be guided by an Environmental Pre-Clearance Checklist (the Checklist). The Checklist will ensure that:

- a. all required approvals are in place prior to clearing and all relevant documentation including approvals, approved plans and management documents are compiled and distributed to all relevant personnel;
- b. threatened flora and fauna pre-clearance checks are undertaken within the clearing extent and appropriately documented so that any threatened fauna and/or fauna habitat is identified and appropriately managed; and,
- c. appropriate induction procedures are in place and environmental requirements are understood and complied with by all contractors and sub-contractors.

No clearing can commence for a specific phase of works until the checklist has been completed and signed off by the Environment Coordinator.

41. The proponent also proposes to implement a number of mitigation and management measures during construction and post-construction to minimise the risk of injury or death of Koalas. These measures include:

- engaging a Fauna Spotter Catcher to guide clearing and construction;
- installing temporary koala exclusion fencing around construction work to prevent Koala access;
- limiting speed limits to 40 km/h along the road facing the retained on-site conservation area; and,
- installing koala awareness signage along the road facing the retained on-site conservation area.

Residual significant impacts and offsets

42. The Department considers that the proposed action will result in a residual significant impact on the Koala from the loss of 56.2 ha of habitat critical to the survival of the species. In accordance with the *EPBC Act Environmental Offsets Policy (2012)*, an environmental offset is required to compensate for the proposed action's residual significant impact to the Koala.

43. To compensate for this residual significant impact to the Koala, the proponent has proposed to restore/create, legally secure, and manage a direct environmental offset at the Cherry Gully East Offset Area, Littles Road, Toogoolawah (see [Figure 3](#)).

Cherry Gully East Offset Area

44. The proponent has entered into a legal agreement with One Environment Pty Ltd for the delivery of environmental offsets for impacts on Koala habitat as a result of the proposed action through the creation and improvement of Koala habitat and enhancement of connectivity within a regionally mapped biodiversity conservation corridor. The proposed offset is strategically positioned directly adjacent to the 1131.5 ha Koala and GHFF offset recently approved under EPBC 2015/7530.

45. The Cherry Gully East Offset Area is part of the Avonvale and Cherry Gully stations. The Cherry Gully East Offset Area is located within the *South East Queensland Regional Plan – Regional Biodiversity Corridor* and the *State-wide Regional Terrestrial Corridor*, which maintains connectivity of remnant and fragmented patches of habitat.

46. The Cherry Gully East Offset Area is approximately 80 km north-west of the proposed site. The Cherry Gully East Offset Area is comprised of approximately 66 ha of cleared land with sparse *Eucalypt* species.

47. Existing habitat conditions within the Cherry Gully East Offset Area current consists of Environmental Management Zone - Open Grazing Country (Category X Vegetation) based on the Queensland vegetation classifications (see [Figure 3](#)).

48. The pre-clearance Regional Ecosystem at the Cherry Gully East Offset Area is RE 12.11.14, which is dominated by *Eucalyptus crebra* (narrow-leaved red ironbark), *Eucalyptus tereticornis* (forest red gum), *Corymbia intermedia* (pink bloodwood), *Eucalyptus melanophloia* (silver-leaved ironbark) and *Corymbia clarksoniana* (long-fruited bloodwood).

Improvement and management activities

49. Habitat improvements will be achieved through the following actions across the Cherry Gully East Offset Area:

- a. vertebrate pest management program to reduce presence of feral dogs and other pest species;
- b. weed removal and management to reduce Lantana species (along with other nationally significant weeds) known to inhibit Koala movement and recruitment of Koala habitat trees;
- c. restriction of stock access in the offset area;
- d. wildfire management to minimise the risk of bushfires;
- e. revegetation (habitat creation) to restore the RE 12.11.14 which include replanting of 66 ha of vegetation within cleared areas; and
- f. native seed collection and propagation for use in habitat restoration activities.

50. The ecological work proposed by the proponent to restore and replant RE 12.11.14 across the offset site is considered beneficial to the Koala as this will provide a resilient ecosystem which are dominated by Koala food tree species.

51. The Department notes that the proposed conditions include rehabilitation success criteria requiring the proponent to have successfully established a minimum of 150 Koala food trees per hectare within 10 years of approval.

52. The Department considers that the actions proposed at the offset site over the proposed time to ecological benefit will provide the intended improvements proposed in habitat quality to facilitate improvements in the Koala carrying capacity at the offset site and demonstrate a commensurate increase in Koala habitat and presence. Improvements will be measured and monitored throughout the life of the offset as described in the Cherry Gully East Offset Area Management Plan.

Adequacy of proposed offset

53. The Department has assessed the proposed offset in accordance with *the EPBC Act Environmental Offsets Policy* and the *Offset Assessment Guide*, and considers that the offset proposal adequately compensates for impacts to the Koala (Attachment I), noting:

- the nature of the action will result in the loss of habitat critical to the survival of the Koala. However, the area lost will be offset by securing and restoring a large area of Koala habitat;
- the regional area surrounding the offset site is known to support a sizable and healthy Koala population;
- the offset site is located within a regionally mapped biodiversity conservation corridor, and will promote connectivity across the offset site and with adjacent Koala habitat;
- the Cherry Gully East Offset Area Management Plan includes management actions to improve quality and management of threats, and has assessed and seeks to manage

risks to the offset through monitoring, measuring success, and adaptive management; and,

- the proposed offset area will be legally secured through a voluntary declaration under the *Vegetation Management Act 1999 (Qld)*.

Conservation advices, Recovery and Threat Abatement Plans

54. The *Approved Conservation Advice for Phascolarctos cinereus (combined populations in Queensland, New South Wales and the Australian Capital Territory) (Attachment G)* includes a number of priority actions for the species.

55. Priority actions include developing and implementing a planning protocol to be used in areas of Koala populations to prevent loss of important habitat, Koala populations or connectivity options, identify populations of high conservation priority, develop and implement a management plan to control the adverse impacts of predation on Koalas by dogs in urban and rural environments.

56. The Department has had regard to the approved conservation advice in forming its conclusions and recommendations in respect of the approval of the proposed action and has given consideration to the likely impacts of the proposed action on the Koala. Given the above-mentioned avoidance and mitigation, the Department is of the view that approval of this action would not be inconsistent with the above conservation advice.

57. There are no recovery plans or threat abatement plans relevant to the Koala.

Recommended conditions

58. To avoid or mitigate impacts of the proposed action during clearing and construction on the Koala within the proposed site, the Department has proposed:

- a. Condition 1: limit the extent of vegetation clearing; and,
- b. Condition 2: ensure that a qualified fauna spotter catcher is present during all clearing, and ensure that temporary Koala exclusion fencing is erected around all construction works.

59. To minimise potential impacts of the proposed action from ongoing residential activities on the Koala within the proposed, the Department has proposed:

- a. Condition 3: the installation and maintenance of Koala awareness signage along roads adjacent to the retained on-site conservation area, ensure a maximum speed limit of 40 km/h on roads adjacent to the retained on-site conservation area.

60. To ensure that the proponent compensates for the residual significant impacts from the clearance and functional loss of 56.2 ha of habitat critical to the survival of the Koala, the Department has proposed:

- a. Condition 4: legally secure the Cherry Gully East Offset Area (the offset site) prior to the commencement of the action, commence management activities within prior to the commencement of the action complete all management activities at the offset site by 31 January 2050.

61. To ensure the proponent achieves the expected conservation outcomes for the Koala at the Cherry Gully East Offset Area, the Department has proposed conditions that require the proponent to:

- a. Condition 5: undertake baseline surveys;
- b. Condition 6: update the Cherry Gully East Offset Management Plan (OMP) to include results of baseline surveys, how outcomes of Conditions 9–12 will be achieved, and a program to monitor and report on progress against performance and completion criteria specified in Conditions 9–12;
- c. Condition 7: submit the updated OMP for approval by the Minister, publish the approved OMP on a dedicated website for the duration of the approval, implement the updated and approved OMP for the duration of the approval and not commence the action until the revised OMP has been approved by the Minister;
- d. Condition 8: publish Annual Reports;
- e. Condition 9: demonstrate and maintain a reduction in feral animal abundance relative to the baseline surveys required by Condition 5;
- f. Condition 10: demonstrate and maintain a reduction in the extent of weed cover relative to the baseline surveys required by Condition 5;
- g. Condition 11: install and maintain fauna friendly stock exclusion fencing;
- h. Condition 12: undertake ecological work to restore vegetation condition attributes to the benchmark for each RE specified in the Cherry Gully Offset Area Management Plan; and,
- i. Condition 13: provide reports, revise, submit and implement management plans at the request of the Minister if the Minister is not satisfied that any of the requirements or outcomes of Conditions 9 – 12 are not likely to be achieved.

Acceptability and conclusion

62. The proposed action is likely to have a residual significant impact on the Koala. The Department therefore considers it necessary and convenient to implement conditions that will offset these residual significant impacts.

63. Based on the above, and the proposed avoidance, mitigation and compensation measures, the Department considers that the proposed action will not have an unacceptable impact on the Koala as long as the action is undertaken in accordance with the recommended conditions of approval. In recommending this decision, the Department has had regard to the approved conservation advice for the Koala.

Grey-headed Flying-fox (*Pteropus poliocephalus*) - vulnerable

Species description

64. The Department's Species Profile and Threats Database (SPRAT) states that the GHFF commutes daily to foraging areas, usually within 15 km of the day roost site but is capable of nightly flights of up to 50 km as food resources change, utilising any habitat within this radius.

65. Additionally, SPRAT indicates that spring foraging resources are considered to be critical to the survival of the species, and food bottlenecks have been identified for the species during winter and spring. These species include *Eucalyptus tereticornis*, *Melaleuca quinquenervia*, *Eucalyptus crebra*, *Eucalyptus fibros* and *Eucalyptus siderophloia*.
66. The draft Recovery Plan for the GHFF³ recognises the key threats to this species are loss of foraging habitat, and particularly loss of winter flowering trees that provide winter foraging resources. Those species that flower reliably occur on coastal lowlands in northern New South Wales and south-eastern Queensland.
67. A full description of this species is available at http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=186.

Proposed action area

68. The preliminary documentation states that the proposed site is predominantly dominated by *Corymbia* and *Eucalyptus* species, including Spotted Gum (*Corymbia citriodora*), Northern Grey Ironbark (*E. siderophloia*), Narrow-leaved Ironbark (*E. crebra*) and Forest Red Gum (*E. tereticornis*). Large portions of the site are dominated by Southern Salwood (*Acacia disparrima*). Site habitat surveys revealed characteristics that are considered to provide key winter and spring foraging resources for GHFF.
69. The preliminary documentation states that opportunistic and targeted GHFF surveys did not locate roosting sites within the proposed site, or within the immediate vicinity of the proposed site. The closest known active camp is located approximately 6 km to the north. The preliminary documentation states that no GHFF individuals were recorded during field surveys.
70. A search of the Atlas of Living Australia database returned 15 records for the species using a 5 km search radius, and 73 records for the species using a 10 km search radius of the site. The closest record was located to the east of the proposed site, along Ripley Road. A search of the Wildnet database revealed four records of the species within a 5 km radius of the proposed site.
71. The preliminary documentation states that approximately 56.2 ha of habitat critical to the survival of the GHFF is present at the proposed site. The Department agrees with this assessment.

Potential impacts

72. The proposed action will result in the clearance of 56.2 ha of habitat critical to the survival of the GHFF within the proposed site.
73. The proposed action may also result in the following indirect impacts during the clearing, construction and operational phases of the development:
- a) injury or mortality due to vegetation clearance;
 - b) disturbance due to increased light and noise;
 - c) electrocution from powerlines; and,

³ Draft Recovery Plan for the Grey-Headed Flying –Fox *Pteropus poliocephalus*. Department of the Environment and Energy, 2017.

- d) disturbance in adjoining conservation land.

Avoidance and mitigation measures

74. No specific avoidance measures are proposed for the GHFF in the preliminary documentation. An area of approximately 3.312 ha in size will be revegetated with GHFF foraging species to form an open space area. However, due to the clearance of surrounding and adjoining habitat, the proponent considers that this vegetation will be functionally lost.
75. The proponent has proposed a number of mitigation measures including the SBMP to manage and mitigate impacts to the Koala at the proposed site, the checklist to guide the phased clearing approach and several measures during construction and post-construction to minimise the risk of injury or death of the Koala (discussed in more detail above in paragraphs 39 – 41). The Department considers that these mitigation measures will also mitigate impacts for the GHFF at the impact site.

Residual significant impacts and Offsets

76. The proposed action will result in the clearance of 56.2 ha of habitat critical to the survival of the GHFF within the proposed site. In accordance with the *EPBC Act Environmental Offsets Policy (October 2012)*, an environmental offset is required to compensate for the proposed action's residual significant impact to the GHFF.
77. To compensate for the residual impacts to the GHFF, the proponent has proposed to restore/create, legally secure, and manage 66 ha of land located at the Cherry Gully East Offset Area. The Cherry Gully East Offset Area is the same property which has been proposed to offset for impacts to the Koala (as discussed under paragraphs 45 – 48 above).
78. The Cherry Gully East Offset Area is located within 80 km of the proposed site. The nearest Nationally Important Flying-fox Camp to the offset site is the Esk Flying-fox camp, which is located approximately 25 km south-west of the offset site.
79. The offset proposal discussed at paragraphs 44 – 49 above will create new habitat for the GHFF, as well as the Koala. The ecological work proposed by the proponent to restore and replant RE 12.11.14 across the offset site is considered beneficial to the GHFF as this will provide a resilient ecosystem which is dominated by GHFF foraging species, and includes winter and spring flowering foraging species.
80. Furthermore, the Department notes that the proposed conditions include rehabilitation success criteria which requires the proponent to have successfully established a minimum of 100 GHFF foraging habitat trees (which included winter and spring flowering species) per hectare within ten years of approval.
81. The Department has assessed the proposed offset in accordance with the EPBC Act Environmental Offsets Policy and the Offset Assessment Guide, and considers that the direct offset proposal meets 100.20% of the overall offset requirements for residual significant impacts to the GHFF (Attachment I).

Approved Conservation Advices, Recovery and Threat Abatement Plans

82. There are no approved Conservation Advices, Recovery and Threat Abatement Plans relevant to the GHFF.

Recommended conditions

83. The Department considers that Conditions 1, 2, 4, 5, 6, 7, 8, 10, 12 and 13 (discussed above in paragraphs 58 – 61) will correspondingly provide protection for the GHFF.

Acceptability and conclusion

84. The proposed action is likely to have a residual significant impact on the GHFF. The Department therefore considers it necessary and convenient to implement conditions that will offset these residual significant impacts.

85. Based on the above, and the proposed avoidance and mitigation measures, the Department considers that the proposed action will not have an unacceptable impact on the GHFF as long as the action is undertaken in accordance with the recommended conditions of approval. In recommending this decision, the Department has had regard to the approved conservation advice for the GHFF.

Considerations for Approval and Conditions**Mandatory considerations – section 136(1)(b) Economic and social matters**

86. The Department has considered economic and social matters in recommending the approval of the proposed action.

87. The Ripley Valley Priority Development Area is intended to provide 50 000 dwellings for 120 000 people in one of the fastest growing regions in South East Queensland. The proposed action will provide approximately 583 allotments.

88. The preliminary documentation states that the construction and operation of the project will provide a number of economic benefits to the local and regional community. The construction of the project is expected to take approximately 10 years, which will allow for the engagement of a number of trades and services in the local area for an extended period of time. Additionally, the preliminary documentation states that this will provide an economic boost to local retailers and suppliers who are engaged to supply materials and goods for this project.

89. The proposed development will provide access to parks, sporting grounds, a shopping centre and employment opportunities.

Factors to be taken into account – section 136(2)(a) Principles of ecologically sustainable development

90. In deciding whether or not to approve the taking of an action and the conditions to attach to an approval, section 136(2)(a) of the EPBC Act provides that you are required to take into account the principles of ecologically sustainable development (ESD). The principles of ESD, as defined in Part 1, section 3A of the EPBC Act, are:

- (a) decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations;
- (b) if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;
- (c) the principle of inter-generational equity – that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations;

(d) the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making; and,

(e) improved valuation, pricing and incentive mechanisms should be promoted.

91. In addition, section 391 of the EPBC Act provides that you must take into account the precautionary principle in deciding whether or not to approve the taking of an action. The precautionary principle requires that, if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

92. In formulating this recommendation, the Department has taken into account the principles of ecologically sustainable development. In particular:

- This report and the assessment documentation provided contain information on the long-term and short-term economic, environmental, social and equitable considerations that are relevant to the decision and are presented for your consideration.
- Any lack of certainty related to the potential impacts of the projects is addressed by conditions that restrict environmental impacts, impose strict monitoring and adopt environmental standards which, if not achieved, require the application of response mechanisms in a timely manner to avoid adverse impacts.
- The proposed conditions will ensure protection of EPBC listed species and communities, and the environment of Commonwealth land. Those conditions allow for the project to be delivered and operated in a sustainable way to protect the environment for future generations and preserve EPBC listed species and communities to in perpetuity.
- The Department has considered the importance of conserving biological diversity and ecological integrity in relation to all of the controlling provisions for this project, and the advice provided within this document reflects that consideration.
- The Department's advice includes reference to and consideration of a range of information on the economic costs, benefits and impacts of the project.

Factors to be taken into account – section 136(2)(bc) – preliminary documentation

93. In accordance with section 136(2)(bc)(i), the documents given to the Minister under section 95B(1) are attached to the proposed decision brief.

94. In accordance with section 136(2)(bc)(ii), this document forms the recommendation report relating to the action given to the Minister in accordance with section 95C.

Person's environmental history – section 136(4)

95. The Minister may consider whether the person proposing to take the action is a suitable person to be granted an approval. The Minister can give consideration to a person's history in relation to environmental matters, and if the person is a body corporate, the history of the executive officers, and if relevant, the history of the parent company and its executive officers in relation to environmental matters.

96. The Office of Compliance conducted relevant environmental history checks on the proponent and did not identify any adverse environmental history or contraventions of national environmental law associated with the proponent.

97. The Department therefore has no reason to believe that the proponent would not be a suitable person to be granted an approval.

Considerations in deciding on condition – section 134

98. In accordance with section 134(1), the Minister may attach a condition to the approval of the action if he or she is satisfied that the condition is necessary or convenient for:

- (a) protecting a matter protected by a provision of Part 3 for which the approval has effect (whether or not the protection is protection from the action); or
- (b) repairing or mitigating damage to a matter protected by a provision of Part 3 for which the approval has effect (whether or not the damage has been, will be or is likely to be caused by the action).

99. As detailed in the Assessment section above, all recommended conditions attached to the proposed approval are necessary or convenient to protect, repair and/or mitigate impacts on a matter protected by provision of Part 3 for which this proposed approval has affect.

100. In accordance with section 134(4), in deciding whether to attach a condition to an approval the Minister must consider any relevant conditions that have been imposed, or the Minister considers are likely to be imposed, under a law of a State or self-governing Territory or another law of the Commonwealth on the taking of the action.

101. Under section 134(4), in deciding whether to attach a condition to an approval, the Minister must consider information provided by the person proposing to take the action or by the designated proponent of the action.

102. The information provided by the person proposing to take the action has been considered. Documentation provided by the person taking the action is at Attachment C.

103. In accordance with section 134(4)(b), in deciding whether to attach a condition to an approval, the Minister must consider the desirability of ensuring as far as practicable that the condition is a cost effective means for the Commonwealth and a person taking the action to achieve the object of the condition.

104. The Department considers that the conditions proposed are a cost-effective means of achieving their purpose.

Consideration of Condition-setting Policy

105. The Department has considered the likely scope and severity of the impacts to Matters of National Environmental Significance, and the proposed avoidance and mitigation measures, and determined that it is likely the proposed action will result in a significant residual adverse impact on the Koala and GHFF.

106. Accordingly, the Department considers that it is necessary and convenient to apply approval conditions to this project, as outlined at the beginning of this recommendation report and attached to the proposed approval brief. In applying this analysis, the Department has had regard to the *EPBC Act Condition-setting Policy (2015)*.

Requirements for decisions about listed threatened species and communities – section 139

107. In deciding whether or not to approve for the purposes of a subsection of section 18 or section 18A the taking of an action, and what conditions to attach to such an approval, the Minister must not act inconsistently with:

(a) Australia's obligations under:

- (i) the Biodiversity Convention; or
- (ii) the Apia Convention; or
- (iii) CITES; or

(b) a recovery plan or threat abatement plan.

(2) If:

(a) the Minister is considering whether to approve, for the purposes of a subsection of section 18 or section 18A, the taking of an action; and

(b) the action has or will have, or is likely to have, a significant impact on a particular listed threatened species or a particular listed threatened ecological community;

the Minister must, in deciding whether to so approve the taking of the action, have regard to any approved conservation advice for the species or community.

The Biodiversity Convention

108. The Biodiversity Convention is available at:

<http://www.austlii.edu.au/au/other/dfat/treaties/ATS/1993/32.html>

109. The objectives of the Biodiversity Convention, to be pursued in accordance with its relevant provisions, are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilisation of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding.

Consideration

110. The recommendations are not considered by the Department to be inconsistent with the Biodiversity Convention, which promotes environmental impact assessment (such as this process) to avoid and minimise adverse impacts on biological diversity. The Department has also given particular consideration to an appropriate combination of avoidance and mitigation measures for the management of species potentially impacted by the proposed action.

111. The Biodiversity Convention has been considered in, and is not inconsistent with, the recommended approval which requires avoidance, mitigation and management measures for listed threatened species and communities. The recommended approval requires information related to the proposed action to be publicly available to ensure equitable sharing of information and improved knowledge relating to biodiversity.

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

112. CITES is available at: <http://www.austlii.edu.au/au/other/dfat/treaties/ATS/1976/29.html>

113. CITES is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

Consideration

114. The recommendations are not inconsistent with CITES as the proposed action does not involve international trade.

Convention on the Conservation of Nature in the South Pacific (APIA Convention)

115. The APIA Convention is available at:
<http://www.austlii.edu.au/au/other/dfat/treaties/ATS/1990/41.html>

116. The APIA Convention encourages the creation of protected areas which together with existing protected areas will safeguard representative samples of the natural ecosystems occurring therein (particular attention being given to endangered species), as well as superlative scenery, striking geological formations, and regions and objects of aesthetic interest or historic, cultural or scientific value.

Consideration

117. The APIA Convention was suspended with effect from 13 September 2006. While this Convention has been suspended, Australia's obligations under the Convention have been taken into consideration. The recommendations are not inconsistent with the Convention which has the general aims of conservation of biodiversity.

Recovery Plans and Threat Abatement Plans

118. There are no approved Recovery Plans or Threat Abatement Plans for the Koala or the GHFF.

Conservation Advice

119. The approved conservation advice(s) relevant to this proposed action is:

a. Department of Sustainability, Water, Population and Communities (2012). *Approved Conservation Advice for Phascolarctos cinerus (combined populations in Queensland, New South Wales and the Australian Capital Territory)*. Canberra: Department of Sustainability, Water, Population and Communities. Available from: <http://www.environment.gov.au/biodiversity/threatened/species/pubs/197-conservation-advice.pdf>

b. There is no approved conservation advice for the GHFF.

120. The approved conservation advice is provided at Attachment G.

121. The Department has had regard to the approved conservation advices relevant to the proposed action and has given consideration to the likely impacts of the proposed action on listed threatened species and endangered ecological communities. The Department is of the view that approval of this action would not be inconsistent with these conservation advices.

Bioregional Plans section 176(5)

122. In accordance with section 176(5), the Minister is required to have regard to a bioregional plan in making any decision under the Act to which the plan is relevant.
123. The proposed action is not located within or near an area designated by a bioregional plan. The Department considers that there are no bioregional plans relevant to the proposed action.

Conclusion

124. The proposed action is likely to impact on important habitat for EPBC listed threatened species. The Department considers that the likely impacts of the proposed action on listed threatened species will be acceptable, provided the action is undertaken in accordance with the recommended conditions and consistent with the mitigation and offset measures proposed by the proponent. Having considered all matters required to be considered under the EPBC Act, the Department recommends the proposed action be approved, subject to the recommended conditions.
125. The Department recommends that the approval has effect until 31 December 2050. This timeframe is recommended to allow the proponent sufficient time to complete required management actions and achieve the expected ecological benefits at the offset site and allow additional time for any contingency actions and reporting at completion.

Material used to prepare Recommendation Report

Relevant documents used to prepare this report include:

- Referral documentation and attachments
- Preliminary documentation
- Correspondence and additional information provided from the proponent
- Environment Reporting Tool (ERT) report of 27 September 2020, and EPBC species and Ecological communities update dated 28 September 2020
- Advice received from the Department's Assessments and Post Approval Branch and Office of Compliance in the development of the proposed conditions of approval.

These materials are attached within the [Proposed Approval electronic briefing package](#).

PROPOSED APPROVAL**Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539)**

This decision is made under sections 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*. Note that section 134(1A) of the **EPBC Act** applies to this approval, which provides in general terms that if the approval holder authorises another person to undertake any part of the action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such condition.

Details

Person to whom the approval is granted (approval holder)	HB Doncaster Pty Ltd
ACN or ABN of approval holder	ABN: 15 164 200 533
Action	The development of a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland [See EPBC Act referral 2019/8539]

Proposed Approval decision

My decision on whether or not to approve the taking of the action for the purposes of the controlling provision for the action is as follows.

Controlling Provisions

Listed Threatened Species and Communities	
Section 18	Approve
Section 18A	Approve

Period for which the approval has effect

This approval has effect until 31 December 2050.

Decision-maker

<i>Name and position</i>	Richard Miles Acting Assistant Secretary of Environment Assessments Queensland and Sea Dumping Department of Agriculture, Water and the Environment
<i>Signature</i>	PROPOSED DECISION - DO NOT SIGN
<i>Date of decision</i>	PROPOSED DECISION - DO NOT DATE

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

Part A – Conditions specific to the action

1. To minimise impacts to the **Koala** and **Grey-headed Flying-fox**, the approval holder must:
 - a. not **clear** more than 52.88 ha of **Koala habitat** and **Grey-headed Flying-fox habitat** within the **development area**; and,
 - b. not clear outside the **development area**.
2. To minimise the risk of injury or death to **Koalas** and **Grey-headed Flying-foxes** within the **development area** during **clearing** and **construction**, the approval holder must:
 - a. ensure that a qualified **fauna spotter catcher** is present during all **clearing** and empowered to guide all **clearance** to ensure that **Koalas** and **Grey-headed Flying-foxes** have safely moved out of the **development area** of their own volition before **Koala habitat** and **Grey-headed Flying-fox habitat** is **cleared**; and,
 - b. install temporary **Koala exclusion fencing** around **construction** works. Temporary **Koala exclusion fencing** must be installed immediately after **clearing** and prior to the commencement of **construction**. Temporary **Koala exclusion fencing** must remain in place around any **construction** area until all **construction** activities within that fenced area are completed.
3. For the ongoing protection of the local **Koala** population at the proposed impact site, the approval holder must:
 - a. install and maintain, for the duration of the approval, **Koala awareness signage** in no less than four locations along the edge of the esplanade road that faces the **on-site open space area** at indicative locations shown by the red dots on Attachment B; and,
 - b. ensure a maximum speed limit of no more than 40 km/h is enforced on the esplanade road that faces the **on-site open space area**, highlighted in green on Attachment B.
4. To compensate for the **clearing** and **functional loss** of 56.20 ha of **Koala habitat** and **Grey-headed Flying-fox habitat**, the approval holder must:
 - a. **Legally secure** at least 66 ha of land at the **Cherry Gully East Offset Area** and commence **management activities** prior to the **commencement of the action**;
 - b. within 20 **business days** of **legally securing** the **Cherry Gully East Offset Area**, provide the **Department** with written evidence demonstrating that the **Cherry Gully East Offset Area** has been **legally secured** (e.g. **legal security documentation**), and **shapefiles** of the **offset attributes**; and,
 - c. complete all **management activities** as described in the **Cherry Gully East Offset Area Management Plan** by 31 January 2050.

Note: Uses or activities at the offset site are not permitted if they are not compatible with the primary purpose of conservation.
5. During **Year 1**, the approval holder must complete baseline surveys of the entire **Cherry Gully East Offset Area** to determine the:
 - a. **vegetation condition attributes** for each **Regional Ecosystem**;

- b. **extent of weed cover**; and,
- c. seasonal **feral animal** abundance.

The baseline surveys must be undertaken by a **suitably qualified field ecologist** in accordance with a scientifically valid, robust, and repeatable methodology.

6. Within three months of completion of the baseline surveys required under Condition 5, the approval holder must submit for the **Minister's** approval a version of the **Cherry Gully East Offset Area Management Plan** revised in accordance with the advice of a **suitably qualified field ecologist** to:
 - a. include the results of the baseline surveys required under Condition 5;
 - b. provide details of how the outcomes specified in Conditions 9 – 12 will be achieved; and,
 - c. specify a program of monitoring, and reporting progress against, performance and completion criteria in respect of achieving the ecological outcomes specified in Conditions 9 – 12.
7. The approval holder must not **commence the action** until the revised **Cherry Gully East Offset Area Management Plan** has been approved by the **Minister** in writing. The approval holder must implement the revised **Cherry Gully East Offset Area Management Plan** approved by the **Minister** for the remaining duration of the approval. The approval holder must publish the revised **Cherry Gully East Offset Area Management Plan** approved by the **Minister** on the **website** within **10 business days** of receiving notification of the **Minister's** approval, and keep it published on the **website** for remaining duration of the approval.
8. In accordance with the Offset Area Management Plan, the approval holder must publish each **Cherry Gully East Offset Area Management Plan Annual Report** on the **website** within **40 business days** following the end of the 12 month reporting period. The approval holder must keep each **Cherry Gully East Offset Area Management Plan Annual Report** published from the date it is first published for the duration of the approval.

Pest and Weed management

9. The approval holder must:
 - a. demonstrate, by the end of **Year 5**, that the abundance of **feral animals** at the **Cherry Gully East Offset Area** is reduced by 95% relative to the abundance of **feral animals** determined by the baseline surveys,
 - b. for the rest of the period of effect of the approval, ensure that the abundance of **feral animals** is less than 5% of the abundance of **feral animals** determined by the baseline surveys; and,
 - c. ensure that zero **Koala** injuries or mortalities occur as a result of the presence of **feral animals**.
10. The approval holder must demonstrate that the **extent of weed cover** at the **Cherry Gully East Offset Area** is:
 - a. by the end of **Year 5**, reduced by 80% relative to the **extent of weed cover** determined by the baseline surveys;
 - b. by the end of **Year 10**, reduced by 95% relative to the **extent of weed cover** determined by the baseline surveys; and,
 - c. for the remainder of the approval, no more than 5% of the **extent of weed cover** determined by the baseline surveys.

Stock Exclusion

11. For the protection of **Koala Habitat** and **Grey-headed Flying-fox habitat**, the approval holder must demonstrate by the end of **Year 1** that **fauna friendly stock exclusion fencing** has been installed around the entire perimeter of the **Cherry Gully East Offset Area**. The approval holder must ensure that the **fauna friendly stock exclusion fencing** is maintained and effective for its purpose for the duration of the approval, and ensure that zero stock incursions occur.

Habitat Quality Improvement

12. For the protection of the **Koala** and **Grey-headed Flying-fox** the approval holder must achieve the following outcomes at the **Offset Receiving Site** by 31 January 2050:
- a. Undertake ecological work to restore **vegetation condition attributes** to the **benchmark** for each **Regional Ecosystem** at the **Offset Receiving Site** specified in the **Cherry Gully East Offset Area Management Plan**; and
 - b. Achieve the **rehabilitation success criteria** by **Year 10** as a result of planting, and maintaining trees of appropriate species, and once the **rehabilitation success criteria** are achieved, maintain for the duration of the approval.

The approval holder is responsible to achieve and maintain the outcomes specified under Condition 12 for the period of effect of the approval.

13. If, at any time during the period of effect of the approval, the **Minister** is not satisfied that any of the requirements or outcomes under Conditions 9 – 12 have been or are likely to be achieved maintained, the **Minister** may request (in writing) further evidence from the approval holder as to how the requirements or outcomes of these Conditions will be achieved or maintained. If requested by the **Minister**, the approval holder must:
- a. provide a report to the **Department** that documents the cause of the potential or actual non-achievement of required outcomes, the corrective actions to be taken (including timeframes for reporting to the **Department** the success of those actions) and the contingency measures that will be implemented to prevent further occurrences;
 - b. revise the updated **Cherry Gully East Offset Area Management Plan**, applying the advice of a **suitably qualified field ecologist** and within a timeframe determined by the **Minister**, to include the corrective actions and contingency measures and a program of when and how the relevant contingency measures and corrective actions will be implemented;
 - c. submit the revised **Cherry Gully East Offset Area Management Plan** to the **Department** for the **Minister's** approval, within a timeframe determined by the **Minister**; and,
 - d. implement the approved revised **Cherry Gully East Offset Area Management Plan** as required by Condition 13.c.

Part B – Standard administrative conditions

Notification of date of commencement of the action

14. The approval holder must notify the **Department** in writing of the date of **commencement of the action** within ten **business days** after the date of **commencement of the action**.
15. If the **commencement of the action** does not occur within five years from the date of this approval, then the approval holder must not **commence the action** without the prior written agreement of the **Minister**.

Compliance records

16. The approval holder must maintain accurate and complete **compliance records**.
17. If the **Department** makes a request in writing, the approval holder must provide electronic copies of **compliance records** to the **Department** within the timeframe specified in the request.

Note: **Compliance records** 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 **Department's** website or through the general media.

Annual compliance reporting

18. The approval holder must prepare a **compliance report** for each 12 month period following the date of **commencement of the action**, or otherwise in accordance with an annual date that has been agreed to in writing by the **Minister**. The approval holder 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** and provide the weblink for the **compliance report** within five **business days** of the date of publication;
 - c. keep all **compliance reports** publicly available on the **website** until this approval expires;
 - 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 five **business days** of publication.

Note: **Compliance reports** may be published on the **Department's** website.

Reporting non-compliance

19. The approval holder must notify the **Department** in writing of any: **incident**; non-compliance with the conditions; or non-compliance with the commitments made in **plans**. The notification must be given as soon as practicable, and no later than two **business days** after becoming aware of the **incident** or non-compliance. The notification must specify:
 - a. any condition which is or may be in breach;
 - b. a short description of the **incident** and/or non-compliance; and,
 - c. the location (including co-ordinates), date, and time of the **incident** and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.
20. The approval holder must provide to the **Department** the details of any **incident** or non-compliance with the conditions or commitments made in **plans** as soon as practicable and no later than ten **business days** after becoming aware of the **incident** or non-compliance, specifying:
 - a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;
 - b. the potential impacts of the **incident** or non-compliance; and,
 - c. the method and timing of any remedial action that will be undertaken by the approval holder.

Independent audit

21. The approval holder must ensure that **independent audits** of compliance with the conditions are conducted as requested in writing by the **Minister**.
22. For each **independent audit**, the approval holder must:
 - a. provide the name and qualifications of the independent auditor and the draft audit criteria to the **Department**;
 - b. only commence the **independent audit** once the audit criteria have been approved in writing by the **Department**; and,
 - c. submit an audit report to the **Department** within the timeframe specified in the approved audit criteria.
23. The approval holder must publish the audit report on the **website** within ten **business days** of receiving the **Department's** approval of the audit report and keep the audit report published on the **website** until the end date of this approval.

Completion of the action

24. Within 30 days after the **completion of the action**, the approval holder must notify the **Department** in writing and provide **completion data**.

Part C - Definitions

In these conditions, except where contrary intention is expressed, the following definitions are used:

Benchmark means the quantitative value for the relevant BioCondition attribute specified for each **Regional Ecosystem** by the Queensland Herbarium, as described in *the BioCondition Benchmarks of Southeast Queensland (10/1/2019)* or a subsequent version approved by the Queensland Government).

Business day(s) means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.

Cherry Gully East Offset Area means the area located within the red dotted line on Attachment C. The **Cherry Gully East Offset Area** is located at Lot 1 on CSH1549, on Littles Road, Toogoolawah, Queensland.

Cherry Gully East Offset Area Management Plan means the *Cherry Gully East Offset Area Management Plan 2020*, prepared by One Environment and dated 26 June 2020 or the revised version approved by the **Minister**.

Cherry Gully East Offset Area Management Plan Annual Report means each annual report compiled by the Offset provider (to report on all **management activities**, surveys, results and outcomes within the previous 12-month operational period), as required in the **Cherry Gully East Offset Area Management Plan**.

Clear/clearing/clearance/cleared means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation (but not including weeds – see the *Australian weeds strategy 2017 to 2027* for further guidance).

Commencement of the action means the first instance of any specified activity associated with the action including **clearing** and **construction**. **Commencement of the action** does not include minor physical disturbance necessary to:

- a. undertake pre-clearance surveys or monitoring programs;
- b. install signage and /or temporary fencing;
- c. protect environmental and property assets from fire, weeds and pests, including **erection** of temporary fencing, and use of existing surface access tracks; and
- d. install temporary site facilities for persons undertaking pre-commencement activities so long as these are located where they have no impact on the **protected matters**.

Completion data means an environmental report and spatial data clearly detailing how the conditions of this approval have been met. The **Department's** preferred spatial data format is **shapefile**. This includes but is not limited to information detailing:

- a. the date, location and extent of **protected matter** habitat **cleared** within the **development area**;
- b. the location, extent and quality of **protected matter** habitat within the **Cherry Gully Station East Offset Area**;
- c. **weed extent** within the **Cherry Gully Station East Offset area**;
- d. **feral animal** numbers within the **Cherry Gully Station East Offset area**; and,
- e. **Koala density** and **Grey-Headed Flying-fox** presence at the **Cherry Gully Station East Offset area**.

Completion of the action means the time at which all approval conditions (except Condition 24) have been fully met.

Compliance records 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 approval holder's power to obtain lawfully.

Compliance reports means written reports:

- i. providing accurate and complete details of compliance, **incidents**, and non-compliance with the conditions and the **plans**;
- ii. consistent with the **Department's Annual Compliance Report Guidelines (2014)**;
- iii. include a **shapefile** of any **clearance** of any **protected matters**, or their habitat, undertaken within the relevant 12 month period; and,
- iv. annexing a schedule of all **plans** prepared and in existence in relation to the conditions during the relevant 12 month period.

Construction 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; but excluding minor physical disturbance as specified in the definition of **Commencement of the action**.

Department means the Australian Government agency responsible for administering the **EPBC Act**.

Development area means the 56.20 ha area enclosed by the black line designated as 'Referral Area' on Attachment A comprising Lot 2 on RP196154, Lot 1 on RP196152, Lot 1 on RP196150, Lot 342 on S3173 and 357 Ripley Road, Ripley Queensland.

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

Extent of weed cover means the proportion (expressed as a percentage) of the total land area in which any square metre contains a non-native plant species known to restrict the movement of **Koala** and/or degrade the quality of **Koala habitat** and/or habitat for **Grey-headed Flying-fox**, or its ability to regenerate.

Fauna spotter catcher means a person licenced under the Queensland *Nature Conservation Act 1992* to detect, capture, care for, assess, and release wildlife disturbed by vegetation **clearance** activities who has at least three years' experience undertaking this work with **Koala**.

Fauna friendly stock exclusion fencing means fencing designed to prevent access by grazing animals to offset areas while providing for the free movement of **Koalas** and **Grey-headed Flying-foxes**.

Feral animals means non-native feral animals known to predate on the **Koala**.

Functional loss means the isolation of a small area of habitat due to the clearance of surrounding connective vegetation, which results in the loss of ecological function for a protected matter.

Grey-headed Flying-fox(es) means the Grey-Headed Flying-fox (*Pteropus poliocephalus*) listed as a threatened species under the **EPBC Act**.

Grey-Headed Flying-fox habitat means areas of vegetation that contain **Grey-headed Flying-fox** foraging trees, including winter and spring flowering species.

Incident means any event which has the potential to, or does, impact on one or more **protected matter(s)**.

Independent audit means an audit conducted by an independent and **suitably qualified person** as detailed in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines* (2019).

Koala(s) means the Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) *Phascolarctos cinereus* (combined populations of Qld, NSW and the ACT) listed as a threatened species under the **EPBC Act**.

Koala awareness signage means prominent, legible, clearly understood signage for the purposes of alerting drivers that **Koalas** may be in the vicinity.

Koala density means the number and/or utilisation and distribution of **Koalas** per hectare as determined in field surveys over the entire **Cherry Gully East Offset Area** undertaken by a **suitably qualified field ecologist** using a scientifically robust and repeatable methodology over a timeframe that serves as a sound basis for comparison.

Koala exclusion fencing means fencing which prevents the movement of **Koalas**. Suitable examples of **Koala exclusion fencing** design are provided in *Koala Sensitive Design Guideline: A guide to koala sensitive designed measures for planning and development activities, November* (Queensland Department of Environment and Heritage Protection, 2012).

Koala food trees means a species of tree of genus *Angophora*, *Corymbia*, *Eucalyptus*, *Lophostemon* or *Melaleuca*, with a height of more than 4 metres or with a trunk circumference more than 31.5 centimetres at 1.3 metres above the ground, the leaves of which are known to be consumed by the **Koala**.

Koala habitat means any forest or woodland containing species that are known **Koala food trees**, or shrubland with emergent food trees (as defined in the **Koala referral guidelines**).

Koala referral guidelines means the **Department's EPBC Act referral guidelines for the vulnerable Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)**, Commonwealth of Australia, 2014.

Legally secure(d/ing) means to provide ongoing conservation protection on the title of the land, under an enduring protection mechanism, such as a voluntary declaration under the *Vegetation Management Act 1999* (Qld) or another enduring protection mechanism agreed to in writing by the **Department**.

Legal security documentation means any documentation associated with **legally securing** offset site(s), including (but not limited to) management plans. **Legal security documentation** must include (at a minimum) the following:

- a) Details of the **management activities** to be undertaken to achieve the outcomes prescribed under conditions 4 – 12;
- b) A commitment that **legal security** of the **Cherry Gully East Offset Area** and **management activities** to achieve and maintain the outcomes prescribed under conditions 4 – 12 will be in place for the duration of the impact.

Management activities means activities to be undertaken at the **Cherry Gully East Offset Area**, including (but not limited to):

- a. detailed baseline surveys to determine **extent of weed cover** and seasonal **feral animal** abundance;
- b. management of weeds and **feral animals**;
- c. installation of **fauna friendly stock exclusion fencing**;
- d. ecological work to restore the **Regional Ecosystems** at the **Cherry Gully East Offset Area**
- e. activities associated with planting new **Koala habitat** and **Grey-headed Flying-fox foraging habitat**; and,
- f. activities associated with seed collection and propagation of planting stock.

Minister means the Australian Government Minister administering the **EPBC Act** including any delegate thereof.

Offset attributes means an '.xls' file capturing relevant attributes of the offset area, including:

- a. EPBC Act reference number;
- b. physical address of the **Cherry Gully East Offset Area**;
- c. coordinates of the boundary points in decimal degrees;
- d. **protected matters** that the offset compensates for;
- e. any additional **EPBC Act** listed threatened species and communities that are benefiting from the offset; and,

f. size of the **Cherry Gully East Offset Area** in hectares.

On-site open space area means the shaded light-green area located in the south-west corner of the **development area**, north of Montereia Road, as shown on [Attachment B](#).

Plan(s) means any of the documents required to be prepared, approved by the **Minister**, and/or implemented by the approval holder and published on the **website** in accordance with these conditions (includes action management plans and/or strategies).

Protected matter(s) means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

Regional Ecosystem means a vegetation community in a bioregion that is consistently associated with a particular combination of geology, landform and soil as classified by the Queensland Government under the *Vegetation Management Act, 1999*.

Rehabilitation success criteria means to have successfully established a minimum of 150 **Koala food trees** per hectare, including a minimum of 100 **Grey-Headed Flying-fox foraging habitat** trees per hectare.

Sensitive ecological data means data as defined in the Australian Government Department of the Environment (2016) *Sensitive Ecological Data – Access and Management Policy V1.0*.

Shapefile(s) means location and attribute information of the action provided in an Esri shapefile format. **Shapefiles** must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. **Shapefiles** must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

Suitably qualified field ecologist means a person who has professional qualifications and at least three years' work experience designing and implementing flora and fauna surveys and management plans for the **Koala** and/or the **Grey-headed Flying-fox** using relevant protocols, standards, methods and/or literature.

Vegetation condition attributes means attributes that indicate vegetation functions for biodiversity, as defined in the most recent officially released version of *Queensland's BioCondition Assessment Manual*.

Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Year 1 means the period within 12 months from the date of this approval.

Year 2 means the period within two years from the date of this approval.

Year 5 means the period within five years from the date of this approval.

Year 10 means the period within ten years from the date of this approval.

ATTACHMENTS

Attachment A: Site aerial of **development area**, as delineated by the black line.



Attachment B: Map of development area, with indicative locations of Koala awareness signage.



Attachment C: Map of the Cherry Gully East Offset Area.



CHERRY GULLY STATION (2015) - OFFICE RESPONSE PLAN (ORP)

Scale: 1:27,000

0 100 200 300

0 100 200 300

North arrow

Approved by: E. Mack of Operations, Department of Natural Resources, Parks and Energy, 2017

- Legend**
- Cherry Gully Station
 - Offset site alignments
 - Cherry Gully East offset area
 - Existing Cherry Gully Station offset area proposal for EPBC 2015/7330



EPBC Ref: 2019/8539

s. 47F(1)

Group Director
HB Doncaster Pty Ltd
727 Collins Street
DOCKLANDS VIC 3008

Dear s. 47F(1)

**Invitation to comment on proposed approval decision
Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539)**

I am writing to you in relation to your proposal to develop a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland (Proposed Action). The Proposed Action was referred and assessed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for its impacts on listed threatened species and communities (sections 18 & 18A).

I am proposing to approve the Proposed Action subject to conditions.

My proposed decision of approval is attached. In accordance with the EPBC Act, I invite you to provide comments on my proposed decision of approval, including the conditions which I propose to attach, within 10 business days of the date of this letter.

Furthermore, under section 130(1A) of the EPBC Act, the Minister may specify a longer period for the purposes of making a decision on whether or not to approve a controlled action. As a delegate of the Minister, I am writing to also inform you that the timing for a decision on approval for the above listed action has been extended by 5 business days to 2 November 2020.

Comments on the proposed decision or any questions about the assessment process may be directed to the project manager, s. 22(1)(a)(ii) , by email to s. 22(1)(a)(ii) @environment.gov.au, or telephone s. 22(1)(a)(ii) and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

s. 47F(1)

Richard Miles
Acting Assistant Secretary
Environment Assessments Queensland and Sea Dumping Branch
8 October 2020

EPBC Ref: 2019/8539

Mr Chris Loveday
Director
Impact Assessment and Operational Support
Department of Environment and Science
GPO Box 2454
BRISBANE QLD 4001

Dear Mr Loveday

**Invitation to comment on proposed approval decision
Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539).**

I am writing to you in relation to your proposal to develop a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland (Proposed Action). The Proposed Action was referred and assessed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for its impacts on listed threatened species and communities (sections 18 & 18A).

I am proposing to approve this proposal. My proposed decision is attached.

I understand that you may have administrative responsibilities relating to the action. I invite you to provide comments on my proposed decision within 10 business days of the date of this letter, including on any matters of economic or social concern that should be considered consistent with the principles of ecologically sustainable development.

Comments on the proposed decision or any questions about the assessment process may be directed to the project manager, s. 22(1)(a)(ii) , by email to s. 22(1)(a)(ii) @environment.gov.au, or telephone s. 22(1)(a)(ii) and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

s. 47F(1)

Richard Miles
Acting Assistant Secretary
Assessments Queensland and Sea Dumping Branch
8 October 2020

EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected. Please see the caveat for interpretation of information provided here.

2019/8539 2km buffer

Report created: 27/09/2020 08:48:28

[Summary](#)

[Details](#)

[Matters of NES](#)

[Other Matters Protected by the EPBC Act](#)

[Extra Information](#)

[Caveat](#)

[Acknowledgements](#)



This map may contain data which are ©Commonwealth of Australia (Geoscience Australia), ©PSMA Australia Limited



Summary

Matters of National Environment Significance

World Heritage Properties:	None
National Heritage Places:	None
Ramsar Wetlands:	1
Great Barrier Reef Marine Park:	None
Commonwealth Marine Area:	None
Threatened Ecological Communities:	5
Threatened Species:	31
Migratory Species:	15

Other Matters Protected by the EPBC Act

Commonwealth Lands:	None
Commonwealth Heritage Places:	None
Listed Marine Species:	21
Whales and Other Cetaceans:	None
Critical Habitats:	None
Commonwealth Reserves Terrestrial:	None
Australian Marine Parks:	None

Extra Information

This part of the report provides information that may also be relevant to the area you have

State and Territory Reserves:	None
Regional Forest Agreements:	None
Invasive Species:	31
Nationally Important Wetlands:	None
EPBC Act Referrals:	15
Key Ecological Features (Marine):	None

Details

Matters of National Environmental Significance

Wetlands of International Importance (Ramsar Wetlands)

[\[Resource Information \]](#)

Name	Proximity
Moreton bay	40 - 50km upstream from Ramsar site

Threatened Ecological Communities

[\[Resource Information \]](#)

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Status of Vulnerable, Disallowed and Ineligible are not MNES under the EPBC Act.

Name	Status	Type of Presence
Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland ecological community	Endangered	Community may occur within area
Lowland Rainforest of Subtropical Australia	Critically Endangered	Community may occur within area
Poplar Box Grassy Woodland on Alluvial Plains	Endangered	Community may occur within area
Swamp Tea-tree (Melaleuca irbyana) Forest of South-east Queensland	Critically Endangered	Community likely to occur within area
White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland	Critically Endangered	Community may occur within area

Threatened Species

[\[Resource Information \]](#)

Status of Conservation Dependent and Extinct are not MNES under the EPBC Act.

Number is the current name ID.

Current Scientific Name	Status	Type of Presence
BIRD		
Anthochaera phrygia		
Regent Honeyeater [82338]	Critically Endangered	Foraging, feeding or related behaviour may occur within area

Current Scientific Name	Status	Type of Presence
<small>LEX-23228</small> Botaurus poiciloptilus Australasian Bittern [1001]	Endangered	Species or species habitat likely to occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
Erythrotriorchis radiatus Red Goshawk [942]	Vulnerable	Species or species habitat likely to occur within area
Falco hypoleucos Grey Falcon [929]	Vulnerable	Species or species habitat likely to occur within area
Geophaps scripta scripta Squatter Pigeon (southern) [64440]	Vulnerable	Species or species habitat may occur within area
Grantiella picta Painted Honeyeater [470]	Vulnerable	Species or species habitat may occur within area
Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Rostratula australis Australian Painted Snipe [77037]	Endangered	Species or species habitat known to occur within area
Turnix melanogaster Black-breasted Button-quail [923]	Vulnerable	Species or species habitat likely to occur within area

INSECT

Current Scientific Name	Status	Type of Presence
<small>LEX-23228</small> Argynnis hyperbius inconstans Australian Fritillary [88056]	Critically Endangered	Species or species habitat may occur within area
MAMMAL		
Chalinobus dwyeri Large-eared Pied Bat, Large Pied Bat [183]	Vulnerable	Species or species habitat likely to occur within area
Dasyurus hallucatus Northern Quoll, Digul [Gogo-Yimidir], Wijingadda [Dambimangari], Wiminji [Martu] [331]	Endangered	Species or species habitat may occur within area
Dasyurus maculatus maculatus (SE mainland population) Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population) [75184]	Endangered	Species or species habitat likely to occur within area
Petauroides volans Greater Glider [254]	Vulnerable	Species or species habitat may occur within area
Petrogale penicillata Brush-tailed Rock-wallaby [225]	Vulnerable	Species or species habitat likely to occur within area
Phascolarctos cinereus (combined populations of Qld, NSW and the ACT) Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) [85104]	Vulnerable	Species or species habitat known to occur within area
Potorous tridactylus tridactylus Long-nosed Potoroo (SE Mainland) [66645]	Vulnerable	Species or species habitat may occur within area
Pteropus poliocephalus Grey-headed Flying-fox [186]	Vulnerable	Roosting known to occur within area
PLANT		
Arthraxon hispidus Hairy-joint Grass [9338]	Vulnerable	Species or species habitat may occur within area
Bosistoa transversa Three-leaved Bosistoa, Yellow Satinheart [16091]	Vulnerable	Species or species habitat likely to occur within area

Current Scientific Name	Status	Type of Presence
^{LEX-23228} Dichanthium setosum bluegrass [14159]	Vulnerable	Species or species habitat likely to occur within area
Fontainea venosa [24040]	Vulnerable	Species or species habitat may occur within area
Notelaea ipsviciensis Cooneana Olive [81858]	Critically Endangered	Species or species habitat may occur within area
Notelaea lloydii Lloyd's Olive [15002]	Vulnerable	Species or species habitat likely to occur within area
Samadera bidwillii Quassia [29708]	Vulnerable	Species or species habitat likely to occur within area
Thesium australe Austral Toadflax, Toadflax [15202]	Vulnerable	Species or species habitat may occur within area
REPTILE		
Delma torquata Adorned Delma, Collared Delma [1656]	Vulnerable	Species or species habitat may occur within area
Furina dunmalli Dunmall's Snake [59254]	Vulnerable	Species or species habitat may occur within area
Migratory Species		[Resource Information]
Current Scientific Name	Threatened	Type of Presence
Migratory Marine Birds		
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area
Migratory Terrestrial Species		
Cuculus optatus Oriental Cuckoo, Horsfield's Cuckoo [86651]		Species or species habitat may occur within area

Current Scientific Name	Threatened	Type of Presence
<small>LEX-23228</small> Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
Monarcha melanopsis Black-faced Monarch [609]		Species or species habitat known to occur within area
Motacilla flava Yellow Wagtail [644]		Species or species habitat may occur within area
Myiagra cyanoleuca Satin Flycatcher [612]		Species or species habitat known to occur within area
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat known to occur within area
Symposiachrus trivirgatus as Monarcha trivirgatus Spectacled Monarch [83946]		Species or species habitat may occur within area
Migratory Wetlands Species		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat may occur within area
Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat likely to occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area

Current Scientific Name	Threatened	Type of Presence
^{LEX-23228} Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Tringa nebularia Common Greenshank, Greenshank [832]		Species or species habitat likely to occur within area

Other Matters Protected by the EPBC Act

Listed Marine Species		[<u>Resource Information</u>]
Current Scientific Name	Threatened	Type of Presence
Bird		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat may occur within area
Anseranas semipalmata Magpie Goose [978]		Species or species habitat may occur within area overfly marine area
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area overfly marine area
Ardea ibis Cattle Egret [59542]		Species or species habitat may occur within area overfly marine area
Ardea modesta as Ardea alba Eastern Great Egret [82410]		Species or species habitat likely to occur within area overfly marine area

Current Scientific Name	Threatened	Type of Presence
<small>LEX-23228</small> Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat likely to occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area overfly marine area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area overfly marine area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area overfly marine area
Haliaeetus leucogaster White-bellied Sea-Eagle [943]		Species or species habitat known to occur within area
Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area overfly marine area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area overfly marine area
Merops ornatus Rainbow Bee-eater [670]		Species or species habitat may occur within area overfly marine area
Monarcha melanopsis Black-faced Monarch [609]		Species or species habitat known to occur within area overfly marine area
Motacilla flava Yellow Wagtail [644]		Species or species habitat may occur within area overfly marine area

Current Scientific Name	Threatened	Type of Presence
^{LEX-23228} Myiagra cyanoleuca Satin Flycatcher [612]		Species or species habitat known to occur within area overfly marine area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat known to occur within area overfly marine area
Rostratula australis as Rostratula benghalensis (sensu lato) Australian Painted Snipe [77037]	Endangered	Species or species habitat known to occur within area overfly marine area
Symposiachrus trivirgatus as Monarcha trivirgatus Spectacled Monarch [83946]		Species or species habitat may occur within area overfly marine area
Tringa nebularia Common Greenshank, Greenshank [832]		Species or species habitat likely to occur within area overfly marine area

Extra Information

Invasive Species

[[Resource Information](#)]

Weeds reported here are the 20 species of national significance (WoNS), along with other introduced plants that are considered by the States and Territories to pose a particularly significant threat to biodiversity. The following feral animals are reported: Goat, Red Fox, Cat, Rabbit, Pig, Water Buffalo and Cane Toad. Maps from Landscape Health Project, National Land and Water Resources Audit,

Name	Status	Type of Presence
Bird		
Acridotheres tristis Common Myna, Indian Myna [387]	Feral	Species or species habitat likely to occur within area

Name	Status	Type of Presence
<small>LEX-23228</small> Anas platyrhynchos		63
Mallard [974]	Feral	Species or species habitat likely to occur within area
Carduelis carduelis		
European Goldfinch [403]	Feral	Species or species habitat likely to occur within area
Columba livia		
Rock Pigeon, Rock Dove, Domestic Pigeon [803]	Feral	Species or species habitat likely to occur within area
Lonchura punctulata		
Nutmeg Mannikin [399]	Feral	Species or species habitat likely to occur within area
Passer domesticus		
House Sparrow [405]	Feral	Species or species habitat likely to occur within area
Streptopelia chinensis		
Spotted Turtle-Dove [780]	Feral	Species or species habitat likely to occur within area
Sturnus vulgaris		
Common Starling [389]	Feral	Species or species habitat likely to occur within area
Frog		
Rhinella marina		
Cane Toad [83218]	Feral	Species or species habitat known to occur within area
Mammal		
Bos taurus		
Domestic Cattle [16]	Feral	Species or species habitat likely to occur within area
Canis familiaris listed as Canis lupus familiaris		
Domestic Dog, Dingo [17]	Feral	Species or species habitat likely to occur within area
Felis catus		
Cat, House Cat, Domestic Cat [19]	Feral	Species or species habitat likely to occur within area

Name	Status	Type of Presence
LEX-23228 Lepus capensis Brown Hare [127]	Feral	Species or species habitat likely to occur within area
Mus musculus House Mouse [120]	Feral	Species or species habitat likely to occur within area
Oryctolagus cuniculus Rabbit, European Rabbit [128]	Feral	Species or species habitat likely to occur within area
Rattus norvegicus Brown Rat, Norway Rat [83]	Feral	Species or species habitat likely to occur within area
Rattus rattus Black Rat, Ship Rat [84]	Feral	Species or species habitat likely to occur within area
Sus scrofa Pig [6]	Feral	Species or species habitat likely to occur within area
Vulpes vulpes Red Fox, Fox [18]	Feral	Species or species habitat likely to occur within area
Plant		
Cabomba caroliniana Cabomba, Fanwort, Carolina Watershield, Fish Grass, Washington Grass, Watershield, Carolina Fanwort, Common Cabomba [5171]	WoNS	Species or species habitat likely to occur within area
Chrysanthemoides monilifera Bitou Bush, Boneseed [18983]	WoNS	Species or species habitat may occur within area
Eichhornia crassipes Water Hyacinth, Water Orchid, Nile Lily [13466]	WoNS	Species or species habitat likely to occur within area
Lantana camara Lantana, Common Lantana, Kamara Lantana, Large-leaf Lantana, Pink Flowered Lantana, Red Flowered Lantana, Red-Flowered Sage, White Sage, Wild Sage [10892]	WoNS	Species or species habitat likely to occur within area

Name	Status	Type of Presence
Opuntia spp. Prickly Pears [82753]	WoNS	Species or species habitat likely to occur within area
Parkinsonia aculeata Parkinsonia, Jerusalem Thorn, Jelly Bean Tree, Horse Bean [12301]	WoNS	Species or species habitat likely to occur within area
Parthenium hysterophorus Parthenium Weed, Bitter Weed, Carrot Grass, False Ragweed [19566]	WoNS	Species or species habitat likely to occur within area
Salix spp. except S.babylonica, S.x calodendron & S.x reichardtii Willows except Weeping Willow, Pussy Willow and Sterile Pussy Willow [68497]	WoNS	Species or species habitat likely to occur within area
Salvinia molesta Salvinia, Giant Salvinia, Aquarium Watermoss, Kariba Weed [13665]	WoNS	Species or species habitat likely to occur within area
Senecio madagascariensis Fireweed, Madagascar Ragwort, Madagascar Groundsel [2624]	WoNS	Species or species habitat likely to occur within area

Reptile

Hemidactylus frenatus Asian House Gecko [1708]	Feral	Species or species habitat likely to occur within area
Indotyphlops braminus listed as Ramphotyphlops braminus Flowerpot Blind Snake [88345]	Feral	Species or species habitat may occur within area

EPBC Act Referrals

[\[Resource Information \]](#)

Further details about the referral is available in the Environmental Impact Assessment System (EIAS); click on the title to access.

Referral

Title	Reference	Referral Outcome	Assessment Status
168 Lot Residential and Commercial Development at Deebing Heights	2009/4818	Not Controlled Action (Particular Manner)	Post-Approval
Casino Ipswich Pipeline	2007/3877	Controlled Action	Completed

Title	Reference	Referral Outcome	Assessment Status
Construction & Operation 275/330kV Transmission Line	2006/2820	Not Controlled Action (Particular Manner)	Post-Approval
Daleys Road Residential Development	2010/5638	Not Controlled Action	Completed
ECCO Ripley Residential Development, Ipswich, QLD	2015/7513	Controlled Action	Post-Approval
Grampian Drive residential development, Deebing Heights, Qld	2016/7634	Not Controlled Action	Completed
Improving rabbit biocontrol: releasing another strain of RHDV, sthrn two thirds of Australia	2015/7522	Not Controlled Action	Completed
Removal of Grey-headed Flying-fox Habitat	2005/2137	Not Controlled Action	Completed
Residential development, Rawlings Road, Ripley Valley	2016/7723	Controlled Action	Post-Approval
Residential Subdivision on Montereia Road, Ripley	2012/6644	Not Controlled Action	Completed
Residential/Commercial development Binnies Road, Ripley, Qld	2016/7669	Not Controlled Action	Completed
Ripley Road residential development, Ripley Valley, Qld	2017/8095	Controlled Action	Post-Approval
Ripley Town Centre, Ipswich, QLD	2015/7471	Not Controlled Action	Completed
Ripley View Residential Subdivision	2020/8615	Controlled Action	Further Information Request
South West Transport Corridor	2006/2547	Not Controlled Action	Completed

Caveat

The information presented in this report has been provided by a range of data sources as acknowledged at the end of the report.

This report is designed to assist in identifying the locations of places which may be relevant in determining obligations under the Environment Protection and Biodiversity Conservation Act 1999. It holds mapped locations of World and National Heritage properties, Wetlands of International and National Importance, Commonwealth and State/Territory reserves, listed threatened, migratory and marine species and listed threatened ecological communities. Mapping of Commonwealth land is not complete at this stage. Maps have been collated from a range of sources at various resolutions.

Not all species listed under the EPBC Act have been mapped (see below) and therefore a report is a general guide only. Where available data supports mapping, the type of presence that can be determined from the data is indicated in general terms. People using this information in making a referral may need to consider the qualifications below and may need to seek and consider other information sources.

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

For species where the distributions are well known, maps are digitised from sources such as recovery plans and detailed habitat studies. Where appropriate, core breeding, foraging and roosting areas are indicated under 'type of presence'. For species whose distributions are less well known, point locations are collated from government wildlife authorities, museums, and non-government organisations; bioclimatic distribution models are generated and these validated by experts. In some cases, the distribution maps are based solely on expert knowledge.

Threatened, migratory and marine species distributions have been derived through a variety of methods. Where distributions are well known and if time permits, maps are derived using either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc) together with point locations and described habitat; or environmental modelling (MAXENT or BIOCLIM habitat modelling) using point locations and environmental data layers.

Where very little information is available for species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc). In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More reliable distribution mapping methods are used to update these distributions as time permits.

Only selected species covered by the following provisions of the EPBC Act have been mapped:

- migratory and
- marine

The following species and ecological communities have not been mapped and do not appear in reports produced from this database:

- threatened species listed as extinct or considered as vagrants
- some species and ecological communities that have only recently been listed
- some terrestrial species that overfly the Commonwealth marine area
- migratory species that are very widespread, vagrant, or only occur in small numbers

The following groups have been mapped, but may not cover the complete distribution of the species:

- non-threatened seabirds which have only been mapped for recorded breeding sites
- seals which have only been mapped for breeding sites near the Australian continent

Such breeding sites may be important for the protection of the Commonwealth Marine environment.

Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

- [-Office of Environment, Energy and Science, New South Wales](#)
- [-Department of Environment, Land, Water and Planning, Victoria](#)
- [-Department of Primary Industries, Parks, Water and Environment, Tasmania](#)
- [-Government of South Australia, Department for Environment and Water, South Australia](#)
- [-Department of Environment and Natural Resources, Northern Territory](#)
- [-Department of Environment and Science, Queensland](#)
- [-Department of Biodiversity, Conservation and Attractions, Western Australia](#)
- [-Environment, Planning and Sustainable Development Directorate, ACT](#)
- [-Birdlife Australia](#)
- [-Department of Environment and Energy, Australian Bird and Bat Banding Scheme](#)
- [-CSIRO, Australian National Wildlife Collection](#)
- Natural history museums of Australia
- [-Australian Museum](#)
- [-Museums Victoria](#)
- [-South Australian Museum](#)
- [-Queensland Museum](#)
- [-Online Zoological Collections of Australian Museums](#)
- [-Queensland Herbarium](#)
- [-National Herbarium of NSW](#)
- [-National Herbarium of Victoria](#)
- [-Tasmanian Herbarium](#)
- [-State Herbarium of South Australia](#)
- [-Northern Territory Herbarium](#)
- [-Western Australian Herbarium](#)
- [-Australian National Herbarium, Canberra](#)
- [-University of New England](#)
- [-Ocean Biogeographic Information System](#)
- [-Australian Government, Department of Defence](#)
- [-Forestry Corporation of NSW](#)
- [-Geoscience Australia](#)
- [-CSIRO](#)
- [-Australian Tropical Herbarium, Cairns](#)
- [-eBird Australia](#)
- [-Australian Government – Australian Antarctic Data Centre](#)
- [-Museum and Art Gallery of the Northern Territory](#)
- [-Australian Government National Environmental Science Program](#)
- [-Australian Institute of Marine Science](#)
- [-Reef Life Survey Australia](#)
- [-American Museum of Natural History](#)
- [-Queen Victoria Museum and Art Gallery, Inveresk, Tasmania](#)
- [-Tasmanian Museum and Art Gallery, Hobart, Tasmania](#)
- Other groups and individuals

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

s. 22(1)(a)(ii)

Document 1A(6)

From: Species Policy
Sent: Wednesday, 23 September 2020 4:04 PM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii) ; s. 22(1)(a)(ii); Species Policy; Environment Protection
Subject: Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539) Request for stat doc check [SEC=OFFICIAL]

Hi ^{s. 22(1)(a)(ii)}

On behalf of the Protected Species and Communities Branch, I confirm that we are not anticipating any changes to the documents relating to the threatened species and ecological communities identified by EAD in the email below in the coming six weeks.

Please note that PSCB has not re-checked whether the correct documents are present or that the citation information is correct.

Regards, ^{s. 22(1)(a)(ii)}

s. 22(1)(a)(ii)

Assistant Director | Species Information and Policy Section | s. 22(1)(a)(ii)
Department of Agriculture, Water and the Environment | s. 47F(1)
PO Box 858 | CANBERRA ACT 2601
s. 22(1)(a)(ii)@awe.gov.au | awe.gov.au

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@environment.gov.au>
Sent: Wednesday, 23 September 2020 10:03 AM
To: Species Policy <SpeciesPolicy@environment.gov.au>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) @environment.gov.au>; s. 22(1)(a)(ii) s. 22(1)(a)(ii) @environment.gov.au>
Subject: RE: Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539) Request for advice on new listings, advices and plans [SEC=OFFICIAL]

Hi Species Information and Policy Section,

The proposed decision for Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539) is likely to be signed by the delegate soon.

I would be grateful if you could please advise on whether or not there are any new, revised or imminent conservation advices, recovery plans or threat abatement plans that may be relevant to this project.

I have reviewed the statutory documents report below, and can confirm the relevant statutory documents have been correctly identified for the listed threatened species and ecological communities.

The last check of SPRAT for new or revised conservation advices, recovery plans or threat abatement plans was done 23 September 2020.

Thanks

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) @environment.gov.au>
Sent: Tuesday, 22 September 2020 4:02 PM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@environment.gov.au>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) @environment.gov.au>
Subject: Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539) Request for advice on new listings, advices and plans [SEC=OFFICIAL]

Hi s. 22(1)(a)(ii),

The proposed decision for Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539) is likely to be signed by the delegate soon.

The project is located at Ripley, Queensland. Could you please provide advice as to whether or not there are any new, revised or imminent conservation advices, recovery plans or threat abatement plans that may be relevant to this project?

I've included below a list of the species and ecological communities which are likely to be significantly impacted by the project and the CAs, RPs and TAPs that have been considered in the decision.

The last check of SPRAT for new or revised conservation advices, recovery plans or threat abatement plans was done today (22 September 2020).

Let me know if you need anything else and if possible can you please let me know by the end of the week (25 September 2020)? I apologise for the short notice.

Thanks,

s. 22(1)(a)

Listed threatened species and communities (s18 & s18A)

The Department considers that the action will have, or is likely to have, a significant impact on the following listed threatened species and endangered communities:

- Koala (Combined populations of Queensland, New South Wales and the Australian Capital Territory) (*Phascolarctos cinereus*) (combined populations of Qld, NSW and the ACT) – vulnerable
- Grey-headed Flying-fox (*Pteropus poliocephalus*) – vulnerable

Recovery Plans

There are no recovery plans identified as relevant to this action.

Threat Abatement Plans

There are no threat abatement plans identified as relevant to this action.

Conservation Advices

The approved conservation advices identified as relevant to this action are:

- Department of Sustainability, Water, Population and Communities (2012). *Approved Conservation Advice for Phascolarctos cinereus (combined populations in Queensland, New South Wales and the Australian Capital Territory)*. Canberra: Department of Sustainability, Water, Population and Communities. Available from: <http://www.environment.gov.au/biodiversity/threatened/species/pubs/197-conservation-advice.pdf>

s. 22(1)(a)(ii)

Environment Assessment Officer

Queensland South and Sea Dumping | Assessments Queensland and Sea Dumping Branch

Department of Agriculture, Water and the Environment

T: **s. 22(1)(a)(ii)** | + GPO Box 787, Canberra ACT 2601

E: **s. 22(1)(a)(ii)**[@awe.gov.au](mailto:s.22(1)(a)(ii)@awe.gov.au)

Please consider the Environment before printing this email

s. 22(1)(a)(ii)

From: Director Compliance
Sent: Wednesday, 16 September 2020 11:02 AM
To: s. 22(1)(a)(ii)
Subject: FW: Environmental History Check Request - 2019/8539 [SEC=OFFICIAL]
Attachments: 2019-8539 Assessment-Environmental History Check Form.docx

Hi ^{s. 22(1)(a)(ii)}

Based solely on the information available, the Compliance Section has conducted a history check for HB Doncaster Pty Ltd and no adverse history has been identified.

There are no compliance incidents relating to this entity recorded in CEMS, J:Drive or SPIRE that relate to contraventions of national law.

Cheers

s. 22(1)(a)(ii)
Assistant Director
Compliance
Environment Compliance Branch
Compliance Division
Department of Agriculture, Water and the Environment
GPO Box 787 CANBERRA, ACT 2601
P: s. 22(1)(a)(ii)
s. 22(1)(a)(ii)@awe.gov.au

From: Compliance <Compliance@environment.gov.au>
Sent: Tuesday, 1 September 2020 8:57 AM
To: Director Compliance <director.compliance@environment.gov.au>
Cc: Compliance <Compliance@environment.gov.au>
Subject: FW: Environmental History Check Request - 2019/8539 [SEC=OFFICIAL]

Hi

Please see below and attached, an environmental history check request.

Triage and Wildlife
Environment Compliance Branch
CITES Enforcement Authority of Australia
Compliance Division
Department of the Agriculture, Water and the Environment
Email: compliance@environment.gov.au
Phone: (02) 6274 1372 or free call 1800 110 395
GPO Box 858
Canberra ACT 2601

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@environment.gov.au>
Sent: Monday, 31 August 2020 5:05 PM

To: Compliance <Compliance@environment.gov.au>
Cc: s. 22(1)(a)(ii) <[s. 22\(1\)\(a\)\(ii\)@environment.gov.au](mailto:s.22(1)(a)(ii)@environment.gov.au)>
Subject: Environmental History Check Request - 2019/8539 [SEC=OFFICIAL]

Good afternoon,

Please find attached environmental history check form for Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539).

It would be appreciated if you could provide a response by 15 September 2020, if possible.

Thank you,

s. 22(1)(a)

s. 22(1)(a)(ii)
Environment Assessment Officer
Queensland South and Sea Dumping | Assessments and Governance
Department of Agriculture, Water and the Environment

T: s. 22(1)(a)(ii) | + GPO Box 787, Canberra ACT 2601
E: [s. 22\(1\)\(a\)\(ii\)@awe.gov.au](mailto:s.22(1)(a)(ii)@awe.gov.au)

Please consider the Environment before printing this email

Notification of

EXTENSION TO TIME IN WHICH TO MAKE A DECISION WHETHER TO APPROVE A CONTROLLED ACTION

Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539)

This specification is made under section 130(1A) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Proposed action

proposed action	The development of a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland [See EPBC Act referral 2019/8539]
------------------------	---

designated person who proposes to take the action	HB Doncaster Pty Ltd ABN 15 164 200 533
--	--

Specified longer period

specified longer period	The relevant period in which the Minister must make a decision on whether or not to approve the controlled action is extended by a period of 5 business days from 26 October 2020 to 2 November 2020.
--------------------------------	--

This specification is provided for the purposes of sections 130(1A), 130(1B) and 130(4) of the Environment Protection and Biodiversity Conservation Act 1999.

Person authorised to make decision

Name and position	Richard Miles Acting Assistant Secretary Environment Assessments Queensland and Sea Dumping Branch
--------------------------	--

signature

date of decision

s. 22(1)(a)(ii)

From: ROWLAND Philip <s. 47F(1) @des.qld.gov.au>
Sent: Thursday, 22 October 2020 6:43 PM
To: s. 22(1)(a)(ii)
Cc: s. 47F(1)
Subject: EPBC Ref:2019/8539 Residential Development, 357 Ripley Road, Ripley QLD
Attachments: KACT Comments.pdf; DES Response 8539.pdf

s. 22(1)(a)(ii)

Please find attached a covering letter and comments on the proposed decision for the referral action.

Regards



Philip Rowland
Manager
Environmental Impact Assessment | Operational Support
Environmental Services and Regulation
Department of Environment and Science

s. 47F(1)
s. 47F(1)
400 George St Brisbane 4001
GPO Box 2454 Brisbane, Queensland Australia

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Department of
Environment and Science

Ref 101/0003868

22 October 2020

s. 22(1)(a)(ii)

Project Manager
Environment Assessments Queensland and Sea Dumping Branch
Department of Agriculture, Water and the Environment
GPO Box 858
CANBERRA ACT 2601

Dear s. 22(1)(a)(ii)

**Invitation to comment on proposed approval decision – Residential Development,
357 Ripley Road, Ripley, Qld (EPBC 2019/8539)**

Thank you for your department's letter dated 8 October 2020, advising the Department of Environment and Science (DES) on the above proposed approval decision under the *Environment Protection and Biodiversity Conservation Act 1999*.

Please find attached detailed comments from the DES Koala Assessment & Compliance Team on the proposed decision.

Should you have any further enquiries, please contact me on telephone s. 47F(1)

Yours sincerely

s. 47F(1)

Philip Rowland
Manager, Environmental Impact Assessment

Level 9
400 George Street Brisbane
GPO Box 2454 Brisbane
Queensland 4001 Australia
Telephone s. 47F(1)
Facsimile + 61 7 3330 5875
Website www.des.qld.gov.au
ABN 46 640 294 485

Spatial modelling in South East Queensland

Interfering with koala habitat means:

- (a) *Removing, cutting down, ringbarking, pushing over, poisoning or destroying in anyway, including by burning, flooding or draining native vegetation in a koala habitat area; but*
- (b) *Does not include destroying standing vegetation by stock or lopping a tree.*

https://environment.des.qld.gov.au/_data/assets/pdf_file/0020/102836/koala-state-development-assessment-provisions-sdap-guideline.pdf

47B(a)

APPROVAL

Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539)

This decision is made under sections 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*. Note that section 134(1A) of the **EPBC Act** applies to this approval, which provides in general terms that if the approval holder authorises another person to undertake any part of the action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such condition.

Details

Person to whom the approval is granted (approval holder)	HB Doncaster Pty Ltd
ACN or ABN of approval holder	ABN: 15 164 200 533
Action	The development of a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland [See EPBC Act referral 2019/8539]

Proposed Approval decision

My decision on whether or not to approve the taking of the action for the purposes of the controlling provision for the action is as follows.

Controlling Provisions

Listed Threatened Species and Communities	
Section 18	Approve
Section 18A	Approve

Period for which the approval has effect

This approval has effect until 31 December 2045.

Decision-maker

<i>Name and position</i>	Kim Farrant Assistant Secretary of Environment Assessments Queensland and Sea Dumping Branch Department of Agriculture, Water and the Environment
---------------------------------	---

Signature

Date of decision

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

Part A – Conditions specific to the action

1. To minimise impacts to the **Koala** and **Grey-headed Flying-fox**, the approval holder must:
 - a. not **clear** more than 56.20 ha of **Koala habitat** and **Grey-headed Flying-fox habitat** within the **development area**; and,
 - b. not clear outside the **development area**.
2. To minimise the risk of injury or death to **Koalas** and **Grey-headed Flying-foxes** within the **development area** during **clearing** and **construction**, the approval holder must:
 - a. ensure that a qualified **fauna spotter catcher** is present during all **clearing** and empowered to guide all **clearance** to ensure that **Koalas** and **Grey-headed Flying-foxes** have safely moved out of the **development area** of their own volition before **Koala habitat** and **Grey-headed Flying-fox habitat** is **cleared**; and,
 - b. install temporary **Koala exclusion fencing** around **construction** works. Temporary **Koala exclusion fencing** must be installed immediately after **clearing** and prior to the commencement of **construction**. Temporary **Koala exclusion fencing** must remain in place around any **construction** area until all **construction** activities within that fenced area are completed.
3. For the ongoing protection of the local **Koala** population at the proposed impact site, the approval holder must:
 - a. install and maintain, for the duration of the approval, **Koala awareness signage** in no less than four locations along the edge of the esplanade road that faces the **on-site open space area** at indicative locations shown by the red dots on Attachment B; and,
 - b. install traffic calming measures and install prominent signage to limit vehicle speeds to minimise the risk of injury or deaths of **Koalas** occurring on residential roads in the **development area**.
4. To compensate for the **clearing** and **functional loss** of 56.20 ha of **Koala habitat** and **Grey-headed Flying-fox habitat**, the approval holder must:
 - a. **Legally secure** at least 66 ha of land at the **Cherry Gully East Offset Area** and commence **management activities** prior to the **commencement of the action**;
 - b. within 20 **business days** of **legally securing** the **Cherry Gully East Offset Area**, provide the **Department** with written evidence demonstrating that the **Cherry Gully East Offset Area** has been **legally secured** (e.g. **legal security documentation**), and **shapefiles** of the **offset attributes**; and,
 - c. complete all **management activities** as described in the **Cherry Gully East Offset Area Management Plan** by 31 January 2045.

Note: Uses or activities at the offset site are not permitted if they are not compatible with the primary purpose of conservation.

5. During **Year 1**, the approval holder must complete baseline surveys of the entire **Cherry Gully East Offset Area** to determine the:
 - a. **vegetation condition attributes** for each **Regional Ecosystem**;
 - b. **extent of weed cover**; and,
 - c. seasonal **feral animal** abundance.

The baseline surveys must be undertaken by a **suitably qualified field ecologist** in accordance with a scientifically valid, robust, and repeatable methodology.

6. Within three months of completion of the baseline surveys required under Condition 5, the approval holder must engage a **suitably qualified field ecologist** to update the **Cherry Gully East Offset Area Management Plan** to include the following:
 - a. include the results of the baseline surveys required under Condition 5;
 - b. provide details of how the outcomes specified in Conditions 9 – 12 will be achieved; and,
 - c. specify a program of monitoring, and reporting progress against, performance and completion criteria in respect of achieving the ecological outcomes specified in Conditions 9 – 12.
7. The updated **Cherry Gully East Offset Area Management Plan** referred to in Condition 6 must be published on the **website** and remain published for the duration of the approval. The approval holder must implement the published updated **Cherry Gully East Offset Area Management Plan** for the duration of the approval, and must achieve the outcomes required under Conditions 9 – 12.
8. In accordance with the Offset Area Management Plan, the approval holder must publish each **Cherry Gully East Offset Area Management Plan Annual Report** on the **website** within **40 business days** following the end of the 12 month reporting period. The approval holder must keep each **Cherry Gully East Offset Area Management Plan Annual Report** published from the date it is first published for the duration of the approval.

Pest and Weed management

9. The approval holder must:
 - a. demonstrate, by the end of **Year 5**, that the abundance of **feral animals** at the **Cherry Gully East Offset Area** is reduced by 95% relative to the abundance of **feral animals** determined by the baseline surveys,
 - b. for the rest of the period of effect of the approval, ensure that the abundance of **feral animals** is less than 5% of the abundance of **feral animals** determined by the baseline surveys; and,
 - c. ensure that zero **Koala** injuries or mortalities occur as a result of the presence of **feral animals**.
10. The approval holder must demonstrate that the **extent of weed cover** at the **Cherry Gully East Offset Area** is:
 - a. by the end of **Year 5**, reduced by 80% relative to the **extent of weed cover** determined by the baseline surveys;
 - b. by the end of **Year 10**, reduced by 95% relative to the **extent of weed cover** determined by the baseline surveys; and,
 - c. for the remainder of the approval, no more than 5% of the **extent of weed cover** determined by the baseline surveys.

Stock Exclusion

11. For the protection of **Koala Habitat** and **Grey-headed Flying-fox habitat**, the approval holder must demonstrate by the end of **Year 1** that **fauna friendly stock exclusion fencing** has been installed around the entire perimeter of the **Cherry Gully East Offset Area**. The approval holder must ensure that the **fauna friendly stock exclusion fencing** is maintained and effective for its purpose for the duration of the approval, and ensure that zero stock incursions occur.

Habitat Quality Improvement

12. For the protection of the **Koala** and **Grey-headed Flying-fox** the approval holder must achieve the following outcomes at the **Cherry Gully East Offset Area** by 31 January 2045:
- a. Undertake ecological work to restore **vegetation condition attributes** to the **benchmark** for each **Regional Ecosystem** at the **Cherry Gully East Offset Area** specified in the **Cherry Gully East Offset Area Management Plan**; and,
 - b. Achieve the **rehabilitation success criteria** by **Year 10** as a result of planting, and maintaining trees of appropriate species, and once the **rehabilitation success criteria** are achieved, maintain for the duration of the approval.

The approval holder is responsible to achieve and maintain the outcomes specified under Condition 12 for the period of effect of the approval.

13. If, at any time during the period of effect of the approval, the **Minister** is not satisfied that any of the requirements or outcomes under Conditions 9 – 12 have been or are likely to be achieved or maintained, the **Minister** may request (in writing) further evidence from the approval holder as to how the requirements or outcomes of these Conditions will be achieved or maintained. If requested by the **Minister**, the approval holder must:
- a. provide a report to the **Department** that documents the cause of the potential or actual non-achievement of required outcomes, the corrective actions to be taken (including timeframes for reporting to the **Department** the success of those actions) and the contingency measures that will be implemented to prevent further occurrences;
 - b. revise the updated **Cherry Gully East Offset Area Management Plan**, applying the advice of a **suitably qualified field ecologist** and within a timeframe determined by the **Minister**, to include the corrective actions and contingency measures and a program of when and how the relevant contingency measures and corrective actions will be implemented;
 - c. submit the revised **Cherry Gully East Offset Area Management Plan** to the **Department** for the **Minister's** approval, within a timeframe determined by the **Minister**; and,
 - d. implement the approved revised **Cherry Gully East Offset Area Management Plan** as required by Condition 13.c.

Part B – Standard administrative conditions

Notification of date of commencement of the action

14. The approval holder must notify the **Department** in writing of the date of **commencement of the action** within ten **business days** after the date of **commencement of the action**.
15. If the **commencement of the action** does not occur within five years from the date of this approval, then the approval holder must not **commence the action** without the prior written agreement of the **Minister**.

Compliance records

16. The approval holder must maintain accurate and complete **compliance records**.
17. If the **Department** makes a request in writing, the approval holder must provide electronic copies of **compliance records** to the **Department** within the timeframe specified in the request.

Note: **Compliance records** 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 **Department's** website or through the general media.

Annual compliance reporting

18. The approval holder must prepare a **compliance report** for each 12 month period following the date of **commencement of the action**, or otherwise in accordance with an annual date that has been agreed to in writing by the **Minister**. The approval holder 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** and provide the weblink for the **compliance report** within five **business days** of the date of publication;
 - c. keep all **compliance reports** publicly available on the **website** until this approval expires;
 - 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 five **business days** of publication.

Note: **Compliance reports** may be published on the **Department's** website.

Reporting non-compliance

19. The approval holder must notify the **Department** in writing of any: **incident**; non-compliance with the conditions; or non-compliance with the commitments made in **plans**. The notification must be given as soon as practicable, and no later than two **business days** after becoming aware of the **incident** or non-compliance. The notification must specify:
 - a. any condition which is or may be in breach;
 - b. a short description of the **incident** and/or non-compliance; and,
 - c. the location (including co-ordinates), date, and time of the **incident** and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.
20. The approval holder must provide to the **Department** the details of any **incident** or non-compliance with the conditions or commitments made in **plans** as soon as practicable and no later than ten **business days** after becoming aware of the **incident** or non-compliance, specifying:
 - a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;
 - b. the potential impacts of the **incident** or non-compliance; and,
 - c. the method and timing of any remedial action that will be undertaken by the approval holder.

Independent audit

21. The approval holder must ensure that **independent audits** of compliance with the conditions are conducted as requested in writing by the **Minister**.
22. For each **independent audit**, the approval holder must:
 - a. provide the name and qualifications of the independent auditor and the draft audit criteria to the **Department**;
 - b. only commence the **independent audit** once the audit criteria have been approved in writing by the **Department**; and,
 - c. submit an audit report to the **Department** within the timeframe specified in the approved audit criteria.
23. The approval holder must publish the audit report on the **website** within ten **business days** of receiving the **Department's** approval of the audit report and keep the audit report published on the **website** until the end date of this approval.

Completion of the action

24. Within 30 days after the **completion of the action**, the approval holder must notify the **Department** in writing and provide **completion data**.

Part C - Definitions

In these conditions, except where contrary intention is expressed, the following definitions are used:

Benchmark means the quantitative value for the relevant BioCondition attribute specified for each **Regional Ecosystem** by the Queensland Herbarium, as described in *the BioCondition Benchmarks of Southeast Queensland (10/1/2019)* or a subsequent version approved by the Queensland Government.

Business day(s) means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.

Cherry Gully East Offset Area means the area located within the red dotted line on Attachment C. The **Cherry Gully East Offset Area** is located at Lot 1 on CSH1549, on Littles Road, Toogoolawah, Queensland.

Cherry Gully East Offset Area Management Plan means the *Cherry Gully East Offset Area Management Plan 2020*, prepared by One Environment and dated 26 June 2020 or the revised version approved by the **Minister**.

Cherry Gully East Offset Area Management Plan Annual Report means each annual report compiled by the Offset provider (to report on all **management activities**, surveys, results and outcomes within the previous 12-month operational period), as required in the **Cherry Gully East Offset Area Management Plan**.

Clear/clearing/clearance/cleared means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation (but not including weeds – see the *Australian weeds strategy 2017 to 2027* for further guidance).

Commencement of the action means the first instance of any specified activity associated with the action including **clearing** and **construction**. **Commencement of the action** does not include minor physical disturbance necessary to:

- a. undertake pre-clearance surveys or monitoring programs;
- b. install signage and /or temporary fencing;
- c. protect environmental and property assets from fire, weeds and pests, including erection of temporary fencing, and use of existing surface access tracks; and
- d. install temporary site facilities for persons undertaking pre-commencement activities so long as these are located where they have no impact on the **protected matters**.

Completion data means an environmental report and spatial data clearly detailing how the conditions of this approval have been met. The **Department's** preferred spatial data format is **shapefile**. This includes but is not limited to information detailing:

- a. the date, location and extent of **protected matter** habitat **cleared** within the **development area**;
- b. the location, extent and quality of **protected matter** habitat within the **Cherry Gully Station East Offset Area**;
- c. **weed extent** within the **Cherry Gully Station East Offset area**;
- d. **feral animal** numbers within the **Cherry Gully Station East Offset area**; and,
- e. **Koala density** and **Grey-Headed Flying-fox** presence at the **Cherry Gully Station East Offset area**.

Completion of the action means the time at which all approval conditions (except Condition 24) have been fully met.

Compliance records 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 approval holder's power to obtain lawfully.

Compliance reports means written reports:

- i. providing accurate and complete details of compliance, **incidents**, and non-compliance with the conditions and the **plans**;
- ii. consistent with the **Department's Annual Compliance Report Guidelines (2014)**;
- iii. include a **shapefile** of any **clearance** of any **protected matters**, or their habitat, undertaken within the relevant 12 month period; and,
- iv. annexing a schedule of all **plans** prepared and in existence in relation to the conditions during the relevant 12 month period.

Construction 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; but excluding minor physical disturbance as specified in the definition of **Commencement of the action**.

Department means the Australian Government agency responsible for administering the **EPBC Act**.

Development area means the 56.20 ha area enclosed by the black line designated as 'Referral Area' on Attachment A comprising Lot 2 on RP196154, Lot 1 on RP196152, Lot 1 on RP196150, Lot 342 on S3173 at 357 Ripley Road, Ripley Queensland.

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

Extent of weed cover means the proportion (expressed as a percentage) of the total land area in which any square metre contains a non-native plant species known to restrict the movement of **Koala** and/or degrade the quality of **Koala habitat** and/or habitat for **Grey-headed Flying-fox**, or its ability to regenerate.

Fauna spotter catcher means a person licenced under the Queensland *Nature Conservation Act 1992* to detect, capture, care for, assess, and release wildlife disturbed by vegetation **clearance** activities who has at least three years' experience undertaking this work with **Koala**.

Fauna friendly stock exclusion fencing means fencing designed to prevent access by grazing animals to offset areas while providing for the free movement of **Koalas** and **Grey-headed Flying-foxes**.

Feral animals means non-native feral animals known to predate on the **Koala**.

Functional loss means the isolation of a small area of habitat due to the clearance of surrounding connective vegetation, which results in the loss of ecological function for a protected matter.

Grey-headed Flying-fox(es) means the Grey-Headed Flying-fox (*Pteropus poliocephalus*) listed as a threatened species under the **EPBC Act**.

Grey-Headed Flying-fox habitat means areas of vegetation that contain **Grey-headed Flying-fox** foraging trees, including winter and spring flowering species.

Incident means any event which has the potential to, or does, impact on one or more **protected matter(s)**.

Independent audit means an audit conducted by an independent and **suitably qualified person** as detailed in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines* (2019).

Koala(s) means the Koala (*Phascolarctos cinereus*) (combined populations of Qld, NSW and the ACT) listed as a threatened species under the **EPBC Act**.

Koala awareness signage means prominent, legible, clearly understood signage for the purposes of alerting drivers that **Koalas** may be in the vicinity.

Koala density means the number and/or utilisation and distribution of **Koalas** per hectare as determined in field surveys over the entire **Cherry Gully East Offset Area** undertaken by a **suitably qualified field ecologist** using a scientifically robust and repeatable methodology over a timeframe that serves as a sound basis for comparison.

Koala exclusion fencing means fencing which prevents the movement of **Koalas**. Suitable examples of **Koala exclusion fencing** design are provided in *Koala Sensitive Design Guideline: A guide to koala sensitive designed measures for planning and development activities, version 2.0* (Queensland Department of Environment and Science, 2020).

Koala food trees means a species of tree of genus *Angophora*, *Corymbia*, *Eucalyptus*, *Lophostemon* or *Melaleuca*, with a height of more than 4 metres or with a trunk circumference more than

31.5 centimetres at 1.3 metres above the ground, the leaves of which are known to be consumed by the **Koala**.

Koala habitat means any forest or woodland containing species that are known **Koala food trees**, or shrubland with emergent food trees (as defined in the **Koala referral guidelines**).

Koala referral guidelines means the **Department's EPBC Act referral guidelines for the vulnerable Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)**, Commonwealth of Australia, 2014.

Legally secure(d/ing) means to provide ongoing conservation protection on the title of the land, under an enduring protection mechanism, such as a voluntary declaration under the *Vegetation Management Act 1999* (Qld) or another enduring protection mechanism agreed to in writing by the **Department**.

Legal security documentation means any documentation associated with **legally securing** offset site(s), including (but not limited to) management plans. **Legal security documentation** must include (at a minimum) the following:

- a) Details of the **management activities** to be undertaken to achieve the outcomes prescribed under conditions 4 – 12; and,
- b) A commitment that **legal security** of the **Cherry Gully East Offset Area** and **management activities** to achieve and maintain the outcomes prescribed under conditions 4 – 12 will be in place for the duration of the impact.

Management activities means activities to be undertaken at the **Cherry Gully East Offset Area**, including (but not limited to):

- a. detailed baseline surveys to determine **extent of weed cover** and seasonal **feral animal** abundance;
- b. management of weeds and **feral animals**;
- c. installation of **fauna friendly stock exclusion fencing**;
- d. ecological work to restore the **Regional Ecosystems** at the **Cherry Gully East Offset Area**
- e. activities associated with planting new **Koala habitat** and **Grey-headed Flying-fox foraging habitat**; and,
- f. activities associated with seed collection and propagation of planting stock.

Minister means the Australian Government Minister administering the **EPBC Act** including any delegate thereof.

Offset attributes means an '.xls' file capturing relevant attributes of the offset area, including:

- a. **EPBC Act** reference number;
- b. physical address of the **Cherry Gully East Offset Area**;
- c. coordinates of the boundary points in decimal degrees;
- d. **protected matters** that the offset compensates for;
- e. any additional **EPBC Act** listed threatened species and communities that are benefiting from the offset; and,
- f. size of the **Cherry Gully East Offset Area** in hectares.

On-site open space area means the shaded light-green area located in the south-west corner of the **development area**, north of Montereia Road, as shown on Attachment B.

Plan(s) means any of the documents required to be prepared, approved by the **Minister**, and/or implemented by the approval holder and published on the **website** in accordance with these conditions (includes action management plans and/or strategies).

Protected matter(s) means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

Regional Ecosystem means a vegetation community in a bioregion that is consistently associated with a particular combination of geology, landform and soil as classified by the Queensland Government under the *Vegetation Management Act, 1999*.

Rehabilitation success criteria means to have successfully established a minimum of 150 **Koala food trees** per hectare, including a minimum of 100 **Grey-Headed Flying-fox foraging habitat** trees per hectare.

Sensitive ecological data means data as defined in the Australian Government Department of the Environment (2016) *Sensitive Ecological Data – Access and Management Policy V1.0*.

Shapefile(s) means location and attribute information of the action provided in an Esri shapefile format. **Shapefiles** must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. **Shapefiles** must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

Suitably qualified field ecologist means a person who has professional qualifications and at least three years' work experience designing and implementing flora and fauna surveys and management plans for the **Koala** and/or the **Grey-headed Flying-fox** using relevant protocols, standards, methods and/or literature.

Vegetation condition attributes means attributes that indicate vegetation functions for biodiversity, as defined in the most recent officially released version of *Queensland's BioCondition Assessment Manual*.

Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Year 1 means the period within 12 months from the date of this approval.

Year 2 means the period within two years from the date of this approval.

Year 5 means the period within five years from the date of this approval.

Year 10 means the period within ten years from the date of this approval.

ATTACHMENTS

Attachment A: Site aerial of **development area**, as delineated by the black line.



Attachment B: Map of development area, with indicative locations of Koala awareness signage.



EPBC Ref: 2019/8539

s. 47F(1)

Group Director
HB Doncaster Pty Ltd
727 Collins Street
DOCKLANDS VIC 3008

Dear s. 47F(1)

Decision on approval
Residential Development, 357 Ripley Road, Ripley, Queensland

I am writing to you in relation to your proposal to develop a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland.

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 HB Doncaster 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.

Please note, any plans required as conditions of approval will be regarded as public documents unless you provide sufficient justification to warrant commercial-in-confidence status.

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.

I have also written to the following parties to advise them of this decision:

State authority

Queensland Department of Environment and
Science

If you have any questions about this decision, please contact the project manager, s. 22(1)(a)(ii) s. 22(1)(a)(ii) by email to s. 22(1)(a)(ii) @awe.gov.au, or telephone (s. 22(1)(a)(ii) and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Kim Farrant
Assistant Secretary
Environment Assessments Queensland and Sea Dumping Branch
Department of Agriculture, Water and the Environment
November 2020

Mr Chris Loveday
Director
Impact Assessments and Operational Support
Department of Environment and Science
GPO Box 2454
Brisbane QLD 4001

Dear Mr Loveday

**Decision on approval
Residential Development, 357 Ripley Road, Ripley, Queensland**

I am writing to you in relation to the proposal by HB Doncaster Pty Ltd to develop a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland.

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 HB Doncaster Pty Ltd. A notice of my decision is attached for your information.

If you have any questions about this decision, please contact the project manager, [s. 22\(1\)\(a\)\(ii\)](#) [s. 22\(1\)\(a\)\(ii\)](#), by email to [s. 22\(1\)\(a\)\(ii\) @awe.gov.au](mailto:s.22(1)(a)(ii)@awe.gov.au), or telephone [s. 22\(1\)\(a\)\(ii\)](#) and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Kim Farrant
Assistant Secretary
Environment Assessments Queensland and Sea Dumping Branch
Department of Agriculture, Water and the Environment
November 2020

s. 22(1)(a)(ii)

From: Species Policy
Sent: Wednesday, 23 September 2020 4:04 PM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii) ; s. 22(1)(a)(ii); Species Policy; Environment Protection
Subject: Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539) Request for stat doc check [SEC=OFFICIAL]

Hi ^{s. 22(1)(a)(ii)}

On behalf of the Protected Species and Communities Branch, I confirm that we are not anticipating any changes to the documents relating to the threatened species and ecological communities identified by EAD in the email below in the coming six weeks.

Please note that PSCB has not re-checked whether the correct documents are present or that the citation information is correct.

Regards, ^{s. 22(1)(a)(ii)}

s. 22(1)(a)(ii)

Assistant Director | Species Information and Policy Section | s. 22(1)(a)(ii)
Department of Agriculture, Water and the Environment | s. 47F(1)
PO Box 858 | CANBERRA ACT 2601
s. 22(1)(a)(ii)@awe.gov.au | awe.gov.au

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@environment.gov.au>
Sent: Wednesday, 23 September 2020 10:03 AM
To: Species Policy <SpeciesPolicy@environment.gov.au>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) @environment.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) @environment.gov.au>
Subject: RE: Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539) Request for advice on new listings, advices and plans [SEC=OFFICIAL]

Hi Species Information and Policy Section,

The proposed decision for Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539) is likely to be signed by the delegate soon.

I would be grateful if you could please advise on whether or not there are any new, revised or imminent conservation advices, recovery plans or threat abatement plans that may be relevant to this project.

I have reviewed the statutory documents report below, and can confirm the relevant statutory documents have been correctly identified for the listed threatened species and ecological communities.

The last check of SPRAT for new or revised conservation advices, recovery plans or threat abatement plans was done 23 September 2020.

Thanks

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) @environment.gov.au>
Sent: Tuesday, 22 September 2020 4:02 PM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@environment.gov.au>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) @environment.gov.au>
Subject: Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539) Request for advice on new listings, advices and plans [SEC=OFFICIAL]

Hi ^{s. 22(1)(a)(ii)},

The proposed decision for Residential Development, 357 Ripley Road, Ripley, Qld (EPBC 2019/8539) is likely to be signed by the delegate soon.

The project is located at Ripley, Queensland. Could you please provide advice as to whether or not there are any new, revised or imminent conservation advices, recovery plans or threat abatement plans that may be relevant to this project?

I've included below a list of the species and ecological communities which are likely to be significantly impacted by the project and the CAs, RPs and TAPs that have been considered in the decision.

The last check of SPRAT for new or revised conservation advices, recovery plans or threat abatement plans was done today (22 September 2020).

Let me know if you need anything else and if possible can you please let me know by the end of the week (25 September 2020)? I apologise for the short notice.

Thanks,
^{s. 22(1)(a)}

Listed threatened species and communities (s18 & s18A)

The Department considers that the action will have, or is likely to have, a significant impact on the following listed threatened species and endangered communities:

- Koala (Combined populations of Queensland, New South Wales and the Australian Capital Territory) (*Phascolarctos cinereus*) (combined populations of Qld, NSW and the ACT) – vulnerable
- Grey-headed Flying-fox (*Pteropus poliocephalus*) – vulnerable

Recovery Plans

There are no recovery plans identified as relevant to this action.

Threat Abatement Plans

There are no threat abatement plans identified as relevant to this action.

Conservation Advices

The approved conservation advices identified as relevant to this action are:

- Department of Sustainability, Water, Population and Communities (2012). *Approved Conservation Advice for Phascolarctos cinereus (combined populations in Queensland, New South Wales and the Australian Capital Territory)*. Canberra: Department of Sustainability, Water, Population and Communities. Available from:
<http://www.environment.gov.au/biodiversity/threatened/species/pubs/197-conservation-advice.pdf>

s. 22(1)(a)(ii)

Environment Assessment Officer

Queensland South and Sea Dumping | Assessments Queensland and Sea Dumping Branch

Department of Agriculture, Water and the Environment

T: s. 22(1)(a)(ii) | + GPO Box 787, Canberra ACT 2601

E: s. 22(1)(a)(ii)[@awe.gov.au](mailto:s.22(1)(a)(ii)@awe.gov.au)

Please consider the Environment before printing this email

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@environment.gov.au>**Sent:** Monday, 16 November 2020 5:03 PM**To:** EPBC Monitoring <EPBCMonitoring@environment.gov.au>; Post Approval <PostApproval@environment.gov.au>**Cc:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@environment.gov.au>**Subject:** PROJECT HANDOVER - Approved with conditions - [insert EPBC number and title] [SEC=OFFICIAL]

Hello,

I am writing in relation to the transfer of Residential Development, 357 Ripley Road, Ripley, Queensland **approved with conditions** on 9 November 2020.

Details of the project are provided in the completed Project Handover Form (attached)

If you have any questions please refer to the following officers.

Primary Assessment Officer:

Name: s. 22(1)(a)(ii) Email: s. 22(1)(a)(ii)@awe.gov.au

Secondary Contact Officer:

Name: s. 22(1)(a)(ii) Email: s. 22(1)(a)(ii)@awe.gov.au

Relevant Director:

Name: s. 22(1)(a)(ii) Email: s. 22(1)(a)(ii)@awe.gov.au

Kind Regards,

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Environment Assessment Officer

Queensland South Assessments | Assessments Queensland and Sea Dumping Branch

Department of Agriculture, Water and the Environment

T: s. 22(1)(a)(ii) | + GPO Box 787, Canberra ACT 2601

E: s. 22(1)(a)(ii)@awe.gov.au

Please consider the Environment before printing this email

Project Title: Residential Development, 357 Ripley Road, Ripley, Qld

Project No: EPBC 2019/8539

Action: The development of a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland [See EPBC Act referral 2019/8539]

Region and Jurisdiction Ripley, Qld

Approval Holder, Address, Contact Details **s. 47F(1)**
Group Director
HB Doncaster Pty Ltd
727 Collins Street
DOCKLANDS VIC 3008
s. 47F(1)@hobee.com'

Consultant/s Contact Details **s. 47F(1)** , Saunders Havill Group, **s. 47F(1)** @saundershavill.com

Approval Date: 9/11/2020

Approval Expiry Date: 31/12/2045

Scale and Nature of Impact: Clearing of approximately 56 ha of Koala and Grey-headed Flying-fox habitat

Controlling Provisions:

<input type="checkbox"/> - 12 and 15 A (World Heritage) <input type="checkbox"/> - 15B and 15C (National Heritage values of a National heritage place) <input type="checkbox"/> - 16 and 17B (Wetlands of international importance) <input checked="" type="checkbox"/> - 18 and 18A (Listed threatened species and ecological communities) <input type="checkbox"/> - 20 and 20A (Listed Migratory Species) <input type="checkbox"/> - 21 and 22A (Nuclear Actions)	<input type="checkbox"/> - 23 and 24A (Commonwealth marine areas) <input type="checkbox"/> - 24B and 24C (Great Barrier Reef Marine Park) <input type="checkbox"/> - 24D and 24E (A water resource impacted by CSG or large coal mining dev.) <input type="checkbox"/> - 26 and 27A (Commonwealth Land) <input type="checkbox"/> - 27B and 27C (Commonwealth heritage places overseas) <input type="checkbox"/> - 28 (Commonwealth actions)
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SPIRE Links: Approval Brief: [2019-8539 Approval-Decision-Brief](#)

Approval Notice: [2019-8539 Approval-Decision Notice-Att C](#)

Recommendation Report/Legal Considerations: [2019-8539 Proposed Approval-Recommendation Report-Att A](#)

Offset Calculator (if applicable):

Offset Justifications Table (if applicable): [2019-8539 - Proposed approval - Department offset assessment - Koala and GHFF-Att I](#)

CONDITIONS OF APPROVAL

Protected Matter conditions relate to: *Koala, Grey-headed Flying-fox – both vulnerable*

Are there any condition outcomes that have a low degree of scientific certainty and evidence that they will be achieved: NO

If yes, please specify protected matters

Are Protected Matters known to occur within the impact area?	YES (If yes, please specify the protected matters)	Koala	156
Do the conditions include avoidance and mitigation commitments?	YES (If yes, please specify the protected matters they relate to)	Koala	
Are management plans required for submission to post approvals?	NO	If yes, please provide detail	
Choose Plan Type	Expected submission timeframe: Select timeframe	Comments: Insert comments (if any)	Relevant Condition: Insert Condition No.
Choose Plan Type	Expected submission timeframe: Select timeframe	Comments: Insert comments (if any)	Relevant Condition: Insert Condition No.
Choose Plan Type	Expected submission timeframe: Select timeframe	Comments: Insert comments (if any)	Relevant Condition: Insert Condition No.
Choose Plan Type	Expected submission timeframe: Select timeframe	Comments: Insert comments (if any)	Relevant Condition: Insert Condition No.
Choose Plan Type	Expected submission timeframe: Select timeframe	Comments: Insert comments (if any)	Relevant Condition: Insert Condition No.
Choose Plan Type	Expected submission timeframe: Select timeframe	Comments: Insert comments (if any)	Relevant Condition: Insert Condition No.
Have any management plans already been approved for this project?	NO	If yes, insert SPIRE links and relevant Condition No.	
Have any management plans already been submitted for this project, but have not yet been approved?	NO	If yes, insert SPIRE links and relevant Condition No.	

LEVEL OF POLITICAL OR PUBLIC INTEREST

Public comments received at referral or assessment:	NO	If yes, please specify how many, submitter and issues raised (if known)
Media concern:	NO	If yes, please specify the agency and issues raised
Ministerial correspondence, briefs or talking points:	NO	If yes, please specify PDMS No., submitter and issues raised (if known)
FOI or Statement of Reasons request:	NO	If yes, please specify request type, date of request and requester
Do you anticipate a FOI, Statement of Reasons or ministerial correspondence?	NO	If yes, please specify potential request and reason why?
Do you anticipate a variation to conditions of approval?	NO	If yes, please specify potential request and reason why?

APPROVAL HOLDER COMPLIANCE HISTORY

Approval holder has previously referred under the EPBC Act:	NO
--	----

Current approvals:	NO	If yes, specify EPBC No.	157
History of non-compliance:	NO	If yes, insert SPIRE link to intelligence report	

COST RECOVERY

Does cost recovery apply?	YES
Has the person proposing to take the action elected under s132B of the EPBC Act to provide an action management plan for approval?	NO

OTHER CONSIDERATIONS

Please include any other relevant information here:

ASSESSMENT SECTION DETAILS

Assessment Officer, Section, Branch: s. 22(1)(a)(ii) Queensland South Assessments, Assessments Queensland and Sea Dumping
Date of Transfer: 16/11/2020

EMAIL TRANSFER FORM: If project is a **Controlled Action (CA)** please complete and email this form to: post.approvals@environment.gov.au and epbcmonitoring@environment.gov.au, and save a copy in the SPIRE project document set.

Note: The Post Approvals Section or relevant section of OoC will notify the assessment officer if a transfer meeting is required.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

From: s. 47F(1) <s. 47F(1)@saundershavill.com>
Sent: Monday, 9 November 2020 5:41 PM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@awe.gov.au>
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@environment.gov.au>
Subject: RE: 357 Ripley Road, Ripley, Qld (EPBC 2019/8539) final decision [SEC=OFFICIAL]

Hi ^{s. 22(1)(a)(ii)} / ^{s. 22(1)(a)(ii)},

I just wanted to send a quick email to thank you for your cooperation and ongoing prioritisation of this project for the proponent. They are very happy with receiving approval for this project.

This approval and project timeline is a perfect example of consistent reporting, good offset outcomes and open communication from DAWE and SHG through 100% of the referral/PD/Decision period.

Until next time – thanks

s. 47F(1)

s. 22(1)(a)(ii) Senior Environmental Scientist **Saunders Havill Group**
direct line s. 22(1)(a)(ii) mobile s. 22(1)(a)(ii) email s. 22(1)(a)(ii)@saundershavill.com
phone 1300 123 SHG web www.saundershavill.com head office 9 Thompson St Bowen Hills Q 4006

Surveying / Town Planning / Urban Design / Mapping / Environmental Management / Landscape Architecture

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From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@awe.gov.au>
Sent: Monday, 9 November 2020 4:05 PM
To: ^{s. 22(1)(a)(ii)} @hobee.com
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@saundershavill.com>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@environment.gov.au>
Subject: 357 Ripley Road, Ripley, Qld (EPBC 2019/8539) final decision [SEC=OFFICIAL]

Dear s. 47F(1),

I am writing to you in relation to your proposal for the Residential Development at 357 Ripley Road, Ripley, Qld (EPBC 2019/8539).

Please find attached letter and decision notice recording the proposed decision made by the delegate on 9 November 2020.

Please contact me on the details below if you have any questions.

Kind regards,

s. 22(1)(a)

s. 22(1)(a)(ii)

Environment Assessment Officer

Queensland South Assessments | Assessments Queensland and Sea Dumping Branch

Department of Agriculture, Water and the Environment

T: s. 22(1)(a)(ii) | + GPO Box 787, Canberra ACT 2601

E: s. 22(1)(a)(ii)@[awe.gov.au](mailto:s.22(1)(a)(ii)@awe.gov.au)

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47G(1)(b);47F(1); s22(1)(a)(ii)

47G(1)(b); 47F(1); s22(1)(a)(ii)



EPBC Ref: 2019/8539

s. 47F(1)

Group Director
HB Doncaster Pty Ltd
727 Collins Street
DOCKLANDS VIC 3008

Dear **s. 47F(1)**

Decision on approval

Residential Development, 357 Ripley Road, Ripley, Queensland

I am writing to you in relation to your proposal to develop a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland.

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 HB Doncaster 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.

Please note, any plans required as conditions of approval will be regarded as public documents unless you provide sufficient justification to warrant commercial-in-confidence status.

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.

I have also written to the following parties to advise them of this decision:

State authority

Queensland Department of Environment and
Science

If you have any questions about this decision, please contact the project manager, ^{s. 22(1)(a)(ii)} by email to **s. 22(1)(a)(ii)**@awe.gov.au, or telephone **s. 22(1)(a)(ii)** and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely 
^{s. 47F(1)}

Kim Farrant
Assistant Secretary
Environment Assessments Queensland and Sea Dumping Branch
Department of Agriculture, Water and the Environment

9 November 2020



s. 47F(1)

Group Director
HB Doncaster Pty Ltd
727 Collins Street
DOCKLANDS VIC 3008

Dear **s. 47F(1)**

Decision on approval

Residential Development, 357 Ripley Road, Ripley, Queensland

I am writing to you in relation to your proposal to develop a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland.

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 HB Doncaster Pty Ltd. The details of my decision are attached. The proposal must be undertaken in accordance with the conditions specified in the approval.

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Queensland Department of Environment and
Science

If you have any questions about this decision, please contact the project manager, ^{s. 22(1)(a)(ii)} by email to **s. 22(1)(a)(ii)**@awe.gov.au, or telephone **s. 22(1)(a)(ii)** and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely 
^{s. 47F(1)}

Kim Farrant
Assistant Secretary
Environment Assessments Queensland and Sea Dumping Branch
Department of Agriculture, Water and the Environment

9 November 2020

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@environment.gov.au>
Sent: Monday, 9 November 2020 5:05 PM
To: s. 47F(1)@hobee.com
Cc: s. 47F(1) <s. 47F(1)@saundershavill.com>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@environment.gov.au>
Subject: 357 Ripley Road, Ripley, Qld (EPBC 2019/8539) final decision [SEC=OFFICIAL]

Dear s. 47F(1),

I am writing to you in relation to your proposal for the Residential Development at 357 Ripley Road, Ripley, Qld (EPBC 2019/8539).

Please find attached letter and decision notice recording the proposed decision made by the delegate on 9 November 2020.

Please contact me on the details below if you have any questions.

Kind regards,

s. 22(1)(a)

s. 22(1)(a)(ii)

Environment Assessment Officer

Queensland South Assessments | Assessments Queensland and Sea Dumping Branch

Department of Agriculture, Water and the Environment

T: s. 22(1)(a)(ii) | + GPO Box 787, Canberra ACT 2601

E: s. 22(1)(a)(ii)@awe.gov.au

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s. 22(1)(a)(ii)

Document 7

s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@environment.gov.au>
Sent: Monday, 9 November 2020 5:06 PM
To: Chris.Loveday@des.qld.gov.au
Cc: s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@environment.gov.au>
Subject: 357 Ripley Road, Ripley, Qld (EPBC 2019/8539) final decision [SEC=OFFICIAL]

Dear Mr Loveday,

I am writing to you in relation to the proposal for the Residential Development at 357 Ripley Road, Ripley, Qld (EPBC 2019/8539).

Please find attached letter and decision notice recording the proposed decision made by the delegate on 9 November 2020.

Please contact me on the details below if you have any questions.

Kind regards,

s. 22(1)(a)

s. 22(1)(a)(ii)

Environment Assessment Officer
Queensland South Assessments | Assessments Queensland and Sea Dumping Branch
Department of Agriculture, Water and the Environment

T: s. 22(1)(a)(ii) | + GPO Box 787, Canberra ACT 2601

E: s. 22(1)(a)(ii)[@awe.gov.au](mailto:s.22(1)(a)(ii)@awe.gov.au)

Please consider the Environment before printing this email



EPBC Ref: 2019/8539

Mr Chris Loveday
Director
Impact Assessments and Operational Support
Department of Environment and Science
GPO Box 2454
BRISBANE QLD 4001

Dear Mr Loveday

**Decision on approval
Residential Development, 357 Ripley Road, Ripley, Queensland**

I am writing to you in relation to the proposal by HB Doncaster Pty Ltd to develop a residential subdivision and associated infrastructure at 357 Ripley Road, Ripley, Queensland.

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 HB Doncaster Pty Ltd. A notice of my decision is attached for your information.

If you have any questions about this decision, please contact the project manager, ^{s. 22(1)(a)(ii)} by email to [s. 22\(1\)\(a\)\(ii\)@awe.gov.au](mailto:s.22(1)(a)(ii)@awe.gov.au), or telephone **s. 22(1)(a)(ii)** and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

s. 47F(1)

Kim Farrant
Assistant Secretary
Environment Assessments Queensland and Sea Dumping Branch
Department of Agriculture, Water and the Environment

9 November 2020

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

s. 47C(1) & s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

s. 47C(1) & s. 22(1)(a)(ii)

