



**APPROVAL**

**Mirvac Greater Flagstone Project, Greenbank, Queensland (EPBC 2016/7817)**

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**

<b>Person to whom the approval is granted (approval holder)</b>	Mirvac Queensland Pty Limited
<b>ACN of approval holder</b>	060 411 207
<b>Action</b>	Development of a master planned residential community, on Lot 1 on SP297192 (formerly Lot 205 on RP845844, Lot 434 on RP845844 (part) and Lot 9 on S312355), within the Greater Flagstone Priority Development Area, Greenbank, Queensland.

**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 July 2040.

**Decision-maker**

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**Name and position** Nathan Hanna  
Acting Assistant Secretary, Assessments and Governance Branch  
Department of the Environment and Energy

**Signature**

**Date of decision**

11/10/2019

**Conditions of approval**

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



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## ANNEXURE A – CONDITIONS OF APPROVAL

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### Part A – Conditions specific to the action

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1. The approval holder must ensure that no **clearing of Koala or Grey-headed Flying-fox habitat** for **stage 1** occurs outside the **stage 1 site**.
2. The approval holder must ensure that no **clearing of Koala or Grey-headed Flying-fox habitat** for **stage 2** occurs outside the **stage 2 site**.
3. For the protection of the **Koala and Grey-headed Flying-fox habitat**, the approval holder must implement the **Natural Environment Site Strategy** to avoid **degradation** of the **on-site conservation area** as a result of the action, until such time that **Logan City Council** has accepted management of the **on-site conservation area** in writing, and the approval holder has provided evidence of this to the **Department**.
4. Within three (3) months of the **commencement** of **stage 1** of the action, the approval holder must submit, for approval by the **Minister**, an Offset Strategy to compensate for the loss of 230 ha of **Koala and Grey-headed Flying-fox habitat**. The approval holder must not **commence stage 2** of the action until the Offset Strategy has been approved by the **Minister** in writing. The approved Offset Strategy must be implemented. The approved Offset Strategy must:
  - a. be prepared by a **suitably qualified person**
  - b. be prepared in accordance with relevant approved **conservation advices, recovery plans and threat abatement plans**
  - c. demonstrate that the proposed offset area(s) meets the principles of the **EPBC Act Environmental Offsets Policy and Environmental Management Plan Guidelines**
  - d. include timelines and mechanisms for **legally securing** the offset area(s)
  - e. provide a written description and map that clearly defines the location and boundaries of the proposed offset area(s) for **Koala and Grey-headed Flying-fox habitat** (must be accompanied by the **offset attributes and shapefiles**)
  - f. demonstrate that there is a real potential for **Koala and Grey-headed Flying-fox** to utilise the offset area(s), including through (but not limited to):
    - i. **habitat** suitability
    - ii. connectivity with other **habitats** including **biodiversity corridors** that contain **Koala**
    - iii. proximity to known **Grey-headed Flying-fox** camps.
  - g. describe relevant baseline information regarding the offset area(s), based on surveys undertaken (prior to offset management commencing), including (but not limited to) quantification of the existing extent and quality of **habitat** for the **Koala and Grey-headed Flying-fox** present within the offset area(s) (the baseline condition)
  - h. include time bound commitments to ecological outcomes and offset performance and completion criteria (including milestones) for achieving ecological outcomes for the **Koala and Grey-headed Flying-fox**
  - i. detail the management actions and regeneration and revegetation strategies to be undertaken at the offset area(s) to achieve the ecological outcomes and offset performance and completion criteria, including:
    - i. the timing and frequency of these measures, and person(s) responsible
    - ii. a program to monitor and report on the effectiveness of these measures, including monitoring and reporting progress against the ecological outcomes and offset performance and completion criteria at an appropriate time and frequency



- iii. criteria for triggering adaptive management actions, contingency measures and corrective actions if the ecological outcomes and offset performance and completion criteria are not achieved, and the timing and frequency and person(s) responsible
  - iv. details of the potential risks to the successful implementation of the plan and measures that will be implemented to mitigate against these risks, and
  - v. the person(s) responsible for monitoring, reviewing and implementing the Offset Management Plan.
5. For the protection of the **Koala**, the approval holder must ensure that any offset area(s) will provide and/or establish a robust and diverse ecosystem that:
- a. contains **habitat** that provides both shelter and food resources relevant to the **Koala**, and
  - b. has a real potential to promote **Koala** breeding.
6. The approval holder must ensure that the revegetation of **Koala food trees** at the offset area(s) will utilise seeds collected from **Koala food trees** found within the offset area(s), or directly adjacent to the offset area(s), and preferably that also have evidence of **Koala** utilising them for feeding.

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## Part B – Standard administrative conditions

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### Notification of date of commencement of the action

7. The approval holder must notify the **Department** in writing of the date of **commencement of stage 1** and **stage 2** of the action, within **10 business days** after the date of **commencement of stage 1** and **stage 2** of the action.
8. If the **commencement of stage 1** or **stage 2** does not occur within two (2) 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

9. The approval holder must maintain accurate and complete **compliance records**.
10. 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.

### Preparation and publication of plans

11. The approval holder must:
  - a. submit **plans** electronically to the **Department** for approval by the **Minister**;
  - b. publish each **plan** on the **website** within **20 business days** of the date the **plan** is approved by the **Minister** or of the date a revised action management plan is submitted to the **Minister** or the **Department**, unless otherwise agreed to in writing by the **Minister**;
  - c. exclude or redact **sensitive ecological data** from **plans** published on the **website** or provided to a member of the public; and
  - d. keep **plans** published on the **website** until the end date of this approval.
12. The approval holder must ensure that any **monitoring data** (including **sensitive ecological data**), surveys, maps, and other spatial and metadata required under a **plan**, is prepared in accordance with the **Department's Guidelines for biological survey and mapped data (2018)** and submitted electronically to the **Department** in accordance with the requirements of the **plan**.



### Annual compliance reporting

13. 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:
- publish each **compliance report** on the **website** within 60 **business days** following the relevant 12 month period;
  - 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;
  - keep all **compliance reports** publicly available on the **website** until this approval expires;
  - exclude or redact **sensitive ecological data** from **compliance reports** published on the **website**; and
  - where any **sensitive ecological data** has been excluded from the version published, submit the full **compliance report** to the **Department** within 5 **business days** of publication.

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

### Reporting non-compliance

14. 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:
- any condition which is or may be in breach;
  - a short description of the **incident** and/or non-compliance; and
  - 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.
15. 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 10 **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

16. The approval holder must ensure that **independent audits** of compliance with the conditions are conducted every five (5) years following the date of the **commencement of the action**, or as otherwise requested in writing by the **Minister**.
17. 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.



18. The approval holder must publish the audit report on the **website** within 10 **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

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

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### Part C - Definitions

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

**Biodiversity corridor** means areas of vegetation that allow **protected matter(s)** to travel from one area of **habitat** to another.

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

**Clear/Clearing/Clearance** 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/Commence/Commenced** means the first instance of any specified activity associated with **stage 1** of the action, including **clearing** of vegetation and **construction** of any infrastructure. **Commencement/Commence /Commenced** does not include minor physical disturbance necessary to:

- i. undertake pre-clearance surveys or monitoring programs;
- ii. install signage and /or temporary fencing to prevent unapproved use of the project area;
- iii. protect environmental and property assets from fire, weeds and pests; and
- iv. 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, including (but not limited to) information detailing the date, location, approved **impact site** (including **stage 1** and **stage 2**), actual total area of **habitat** (including type and quality) for **Koala** and **Grey-headed Flying-fox** that was **cleared** within the **impact site** (including within both **stage 1** and **stage 2**), and actual total area of **habitat** (including type and quality) for **Koala** and **Grey-headed Flying-fox** within the **offset area(s)**. The **Department's** preferred spatial data format is **shapefile**.

**Completion of the action** means all specified activities associated with the action have permanently ceased.

**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.

**Conservation advices** means a conservation advice approved by the **Minister** under the **EPBC Act**.

**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 the installation of temporary fences and signage.

**Degradation** means any deterioration of the extent or quality of **habitat**, including from (but not limited to): **clearing**, weed introduction or increase, dumping, domestic and feral animals, startling noises, vehicle entry, erosion, pollution and altered water flow.

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

**Environmental Management Plan Guidelines** means the Department's *Environmental Management Plan Guidelines (2014)*.

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

**EPBC Act Environmental Offsets Policy** means the *Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy (October 2012)*.

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

**Habitat** means the natural environment in which the relevant **protected matter(s)** has been identified to occur or is suitable for the **protected matter** to occur in, based upon field surveys and guidance contained in the relevant species or ecological communities' *listing advice, conservation advice, recovery plan* or *SPRAT profile*.

**Impact site** means the area designated as 'Impact Site' bounded by the solid red line on the map at [Appendix A](#).

**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 (2015)*.

**Koala** 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 food tree(s)** 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**.

**Legally securing** means protect for conservation under a voluntary declaration under the *Vegetation Management Act 1999 (Qld)* or as a nature refuge under the *Nature Conservation Act 1992 (Qld)* or another enduring protection mechanism agreed to in writing by the **Department**.

**Logan City Council** means '*Logan City Council*', the local government authority for the city of Logan in Queensland, Australia.

**Monitoring data** means the data required to be recorded under the conditions of this approval.



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

**Natural Environment Site Strategy** means the document with the title *Mirvac Greater Flagstone Project: Natural Environment Site Strategy* (18 April 2017), as approved by Economic Development Queensland on 2 June 2017.

**Offset attributes** means an '.xls' file capturing relevant attributes of the offset site, including the EPBC reference ID number, the physical address of the offset site, coordinates of the boundary points in decimal degrees, the **protected matters** that the offset compensates for, and any additional **protected matters** that are benefiting from the offset, and the size of the offset in hectares.

**On-site conservation area** means the area designated as 'On-site Conservation Area' and shaded dark green within the **referral site** on the map at [Appendix A](#).

**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.

**Recovery plans** means a recovery plan made or adopted by the **Minister** under the **EPBC Act**.

**Referral site** means the area designated as 'Referral Site' and bounded by the solid black line on the map at [Appendix A](#).

**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*.

**Shapefiles** 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.

**Stage 1** means any activity associated with the action that is approved to occur within the **stage 1 site**, specifically **construction** and **clearing** works required for the development of a new State Primary School.

**Stage 1 site** means the area designated as 'Stage 1 Site' within the yellow shading and bounded by the solid yellow line on the map at [Appendix A](#).

**Stage 2** means any activity associated with the action that is approved to occur within the **stage 2 site**, including **construction** and **clearing** works.

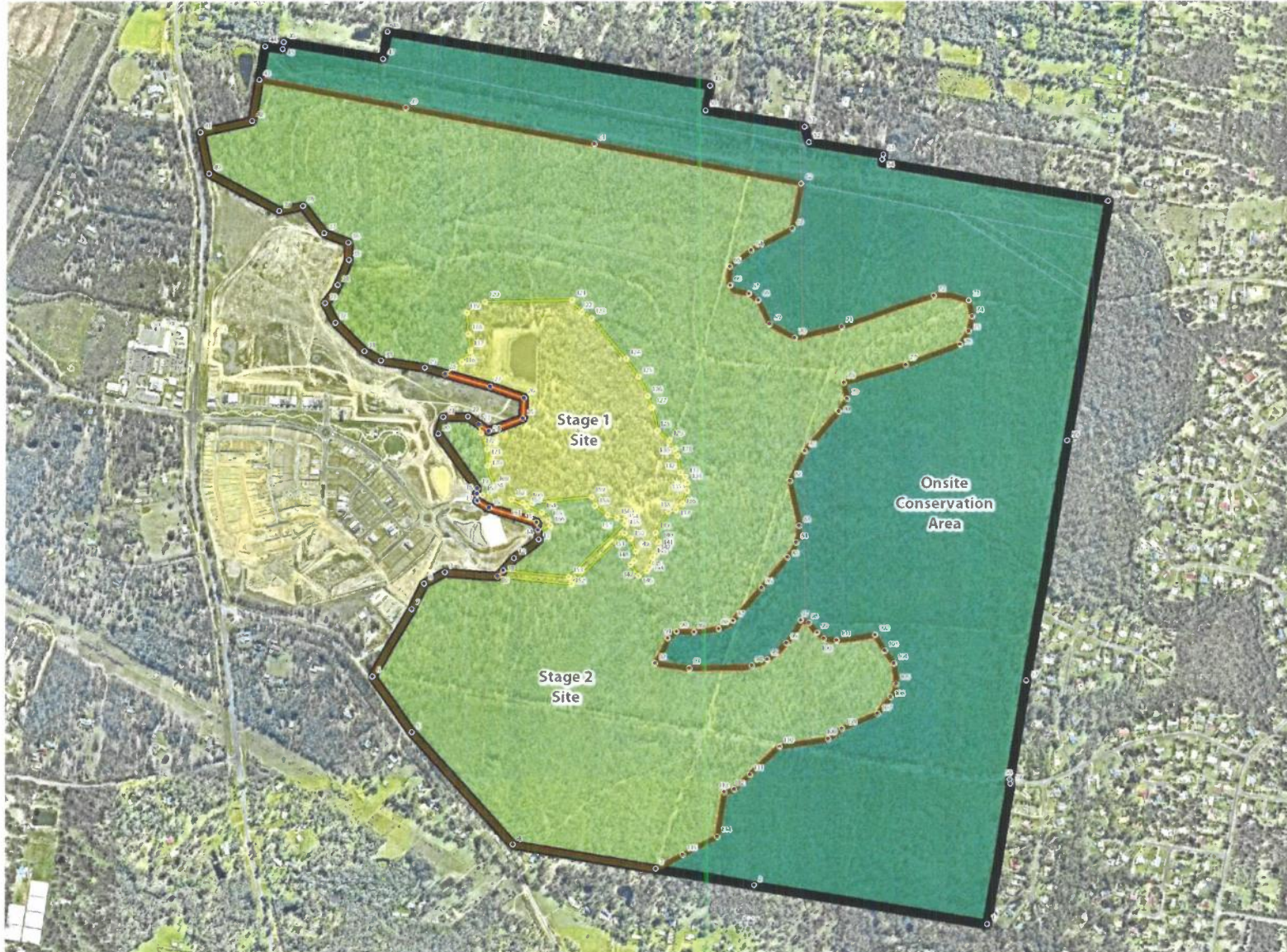
**Stage 2 site** means the area designated as 'Stage 2 Site' within the light green shading and bounded by the solid green line on the map at [Appendix A](#).

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

**Threat abatement plan** means a threat abatement plan made or adopted by the **Minister** under the **EPBC Act**.

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

# APPENDIX A - Map of Impact Area, Stage 1 & Stage 2 of the Action



**NOTES**  
 This plan was prepared as a graphic representation of the information on this plan. It is not to be used for any other purpose. Property dimensions, area, numbers of lots, and other physical features shown have been compiled from existing information and may not have been verified by field survey. Therefore, no warranty is made in the development application, approved and development proceeds, and may change when a full survey is undertaken or in order to comply with development approval conditions. No reliance should be placed on the information on this plan for detailed design or for any physical dealings involving the land. Saunders Havill Group therefore disclaims any liability for any loss or damage which may be incurred arising from any party using or relying upon this plan for any purpose other than as a document prepared for the sole purpose of accompanying a development application and which may be subject to alteration beyond the control of the Saunders Havill Group unless a development approval states otherwise. This is not an approved plan.

**Layer Source:**  
 SA State 2019 and Mapping Data © State of Queensland  
 Department of Natural Resources and Mines 2018, updated 2/20/2019  
 Topographic Information System (Topographic)  
 Aerial Imagery © GeoEye 2018

\*This note is an integral part of this plan and a reproduction of the plan in any part of it without this note being included in full will render the information shown on such reproduction invalid and not suitable for use.

- Legend**
- Referral site
  - Impact area
  - Stage 1 site (29 ha)
  - Stage 2 site (201 ha)
  - Onsite conservation (180 ha)

RSMD	Date	Description	Updated	Checked
D	1/10/2019	updates	RB	AE

0 50 100 200 350 m

1:11,200 @ A3

Transverse Mercator (GDA 1994) Zone 50



**Everleigh**