



Australian Government
Department of the Environment

Approval

Manzeene Village residential/commercial subdivision and associated infrastructure, Lara, Victoria (EPBC 2013/6771)

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

Proposed action

person to whom the approval is granted DACLAND Capital Limited

proponent's ACN 141 161 533

proposed action To develop a 60 hectare residential and commercial subdivision, including associated roads, sewerage, power, water and drainage infrastructure, located north-west of Lara, 15 kilometres north of Geelong and approximately 56 kilometres south-west of Melbourne, Victoria [See EPBC Act referral 2013/6771].

Approval decision

Controlling Provision	Decision
Listed threatened species and communities (sections 18 & 18A)	Approved

conditions of approval

This approval is subject to the conditions specified below.

expiry date of approval

This approval has effect until 21 July 2040.

Decision-maker

name and position Victoria Press
Acting Assistant Secretary
Assessments (Qld, Vic and Tas) and Policy Implementation Branch

signature

date of decision

25 Sept 2015

Conditions attached to the approval

To minimise impacts of the action on listed threatened species and ecological communities (sections 18 & 18A):

1. The **approval holder** must ensure the action does not occur outside of the **project area** and **drainage outfall (Option 2)** as illustrated at **Annex 1** and **Annex 2**.
2. Prior to **commencement of construction** of a specific **development stage**, the **approval holder** must secure a **Natural Temperate Grassland of the Victorian Volcanic Plain (NTGVVP) Offset** at the **Warrambeen Estate Property** to compensate for the complete loss of **NTGVVP** within that specific **development stage**:
 - a. Prior to the **commencement of construction** of **Stage 1**, at least 4.9 ha of **NTGVVP Offset** must be secured;
 - b. Prior to the **commencement of construction** of **Stage 2**, at least 11.6 ha of **NTGVVP Offset** must be secured; and
 - c. Prior to the **commencement of construction** of **Stage 3**, at least 13.5 ha of **NTGVVP Offset** must be secured.
3. Prior to **commencement of construction** for each **development stage**, the **approval holder** must enter into an **Agreement** under section 173 of the *Planning and Environment Act 1987(Vic)* to secure the corresponding **NTGVVP Offset** for that stage as set out in condition 2 at the **Warrambeen Estate Property**, as identified in **Annex 4**; and
 - a. Within 30 days of all parties signing the Agreement, ensure the **Agreement** is lodged at the Titles Office and registered on the title on which the **NTGVVP Offset** is located; and
 - b. Within 2 weeks of lodgement at the **Titles Office**:
 - i. provide the **Department** with the **offset attributes, shapefile** and map(s) clearly defining the location and boundaries of the **NTGVVP Offset**;
 - ii. Provide the **Department** with a signed copy of the **Agreement** and documentary evidence of lodgement with the **Titles Office**.
4. The **approval holder** must ensure each **NTGVVP Offset** is managed in accordance with the **NTGVVP Offset Management Plan** for a period of at least 10 years from the day the corresponding **Agreement** is entered into. The **NTGVVP Offset Management Plan** must be implemented.

Administrative conditions

5. Within 7 calendar days after the **commencement of the action** or of each **development stage**, the **approval holder** must advise the **Department** in writing of the actual date of **commencement**.
6. The **approval holder** must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement management plans and make them available upon request to the **Department**. Such records may be subject to audit by the **Department** or an independent auditor in accordance with section 458 of the **EPBC Act**, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the **Department's** website. The results of audits may also be publicised through the general media.

7. Within 3 months of every 12 month anniversary of the **commencement of construction**, the **approval holder** must publish an annual report on their website addressing compliance with each of the conditions of this approval over the previous 12 months, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the **Department** at the same time as the annual report of compliance is published. The **approval holder** must continue to publish the annual report until such time as agreed in writing by the **Minister**.
8. Upon the direction of the **Minister**, the **approval holder** must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the **Minister**. The independent auditor must be approved by the **Minister** prior to the commencement of the audit. Audit criteria must be agreed to by the **Minister** and the audit report must address the criteria to the satisfaction of the **Minister**.
9. If the **approval holder** wishes to carry out any activity otherwise than in accordance with management plans as specified in the conditions, the **approval holder** must submit to the **Department** for the **Minister's** written approval a revised version of that management plan. The varied activity shall not commence until the **Minister** has approved the varied management plan in writing. The **Minister** will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the **Minister** approves the revised management plan, that management plan must be implemented in place of the management plan originally approved.
10. If the **Minister** believes it is necessary or convenient for the better protection of listed threatened species and ecological communities, the **Minister** may request that the **approval holder** make specified revisions to the management plans specified in the conditions and submit the revised management plans for the **Minister's** written approval. The **approval holder** must comply with any such request. The revised approved management plans must be implemented. Unless the **Minister** has approved the revised management plans then the **approval holder** must continue to implement the management plans originally approved, as specified in the conditions.
11. Unless otherwise agreed to in writing by the **Minister**, the **approval holder** must publish a copy of each approved management plan referred to in these conditions of approval on their website within 1 month of approval of the management plan by the **Minister**. Each management plan must be accessible to general members of the public on the **approval holder's** website for a period of at least 10 years from the date of approval of the management plan. Any variations to management plans must be published on the website within 1 month of the variation being approved by the **Minister**.
12. If, at any time after 5 years from the date of this approval, the **approval holder** has not **substantially commenced Stage 1**, then the **approval holder** must not **substantially commence Stage 1** without the written agreement of the **Minister**.

Definitions

Agreement - the executed agreement between the **approval holder** and the relevant landowner, to secure the **NTGVVP Offset** in perpetuity.

Approval holder - the person to whom the approval is granted, or to whom the approval is transferred under s145B of the **EPBC Act**.

Commencement of construction - the date that preparatory works are first undertaken, including but not limited to the clearing of vegetation, the erection of any onsite temporary structures and the use of heavy duty equipment for the purpose of breaking the ground for fencing, buildings or infrastructure.

Department - the Australian Government Department administering the **EPBC Act**.

Development stage - as illustrated in **Annex 3**.

Drainage outfall (Option 2) - as illustrated in **Annex 2**.

EPBC Act - the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth).

Minister - the Minister administering the **EPBC Act** and includes a delegate of the Minister.

NTGVVP - the ecological community Natural Temperate Grassland of the Victorian Volcanic Plain protected under the **EPBC Act**.

NTGVVP Offset - an area of land secured in perpetuity to compensate for impacts on **NTGVVP** as a result of the action.

NTGVVP Offset Management Plan - the document entitled *Manzeene Avenue, Lara: Offset Management Plan* (April 2015), which details the long-term management of **NTGVVP** at the **NTGVVP Offset**.

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

Offsets Policy - the document entitled *EPBC Act Environmental Offsets Policy* (2012), which details the suitability of offset proposals considered by the **Department**.

Project area - the footprint area where the proposed action will occur, as illustrated at **Annex 1** and **Annex 2**.

Stage 1 - as illustrated in **Annex 3** and contains NTGVVP patches B, G, E, F and I.

Stage 2 - as illustrated in **Annex 3** and contains NTGVVP patches L, N and O.

Stage 3 - as illustrated in **Annex 3** and contains NTGVVP patches M, X, R, V and Y.

Shapefile - an ESRI Shapefile containing '.shp', '.shx' and '.dbf' files and other files capturing attributes including at least the **EPBC Act** reference ID number and **EPBC Act** protected matters present at the relevant site. Attributes should also be captured in '.xls' format.

Substantially commence(d) – the date that preparatory works are undertaken, including earthworks and/or clearing for the purpose of installing amenities infrastructure (i.e. sewerage, power, water, stormwater) associated with the development.

Titles Office - the relevant authority responsible for registering land title transaction.

Warrambeen Estate Property - the offset site within the property 'Warrambeen Estate', 1372 Rokewood-Shelford Road, Shelford, Victoria, as illustrated at **Annex 4**.

ANNEX 1: Project Location



Legend

- Project Area
- Natural Temperate Grassland of Victorian Volcanic Plain (NTGVVP)

Native Vegetation

- Low-rainfall Plains Grassland (EVC 132_63)
- Minor Treeless Vegetation

0 100 200 400 Metres

Figure 1: Study Area and Native Vegetation

Project: Manzeene Avenue, Lara

Client: CPG Australia Pty Ltd

Project No.: 11212

Date: 17/05/2012

Created By: R. Omodel / M. Ghasemi

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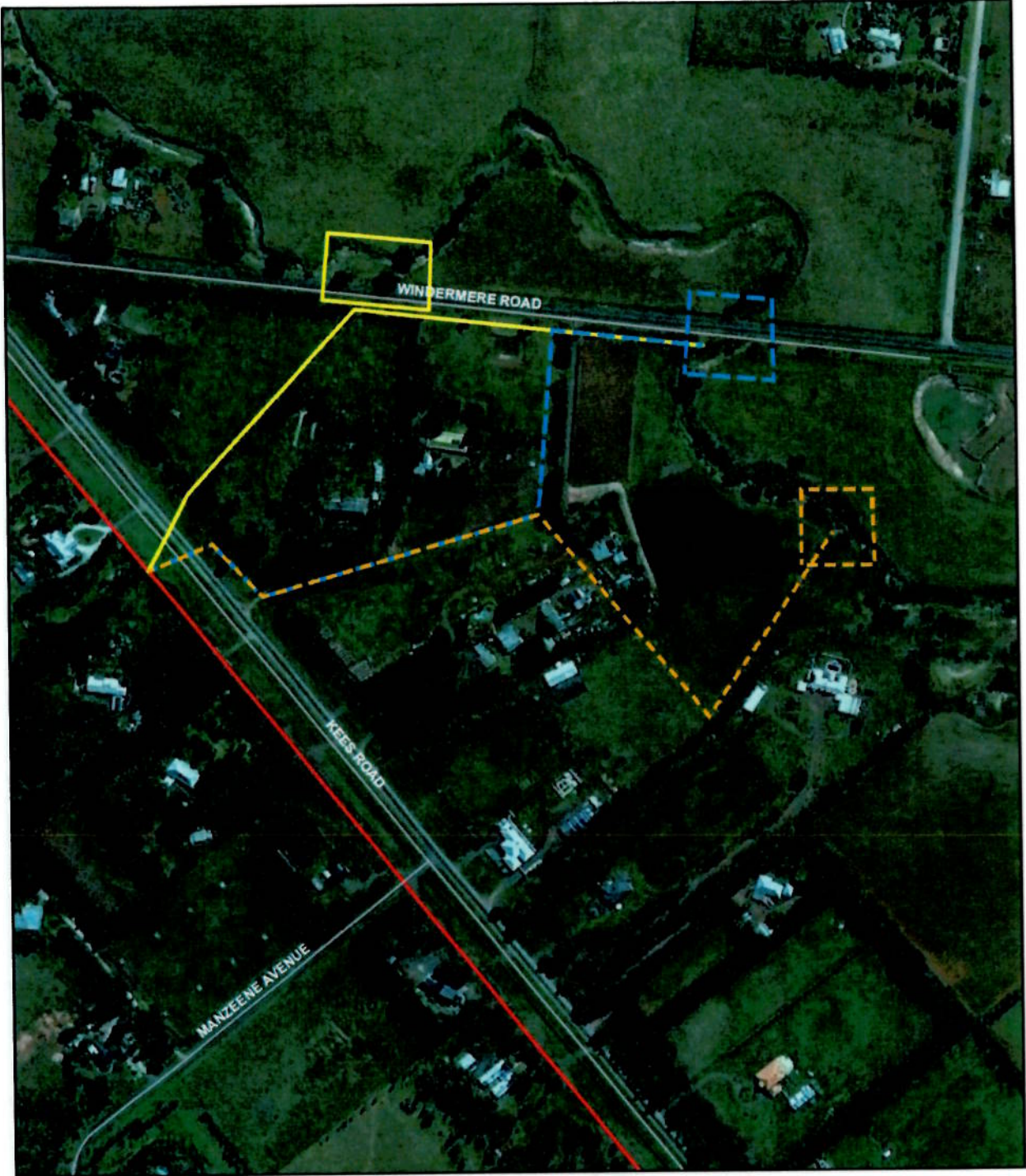
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100+ Years of Quality

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ANNEX 2: Drainage Alignment and Outfall (Option 2)



Legend

 Project area boundary

Drainage alignment and outfall

 Option one

 Option two

 Option three

0 50 100 200 Metres

Figure 1: Locations of drainage alignments and outfalls

Project: Manzeene Avenue, Lara

Client: CPG Australia Pty Ltd

Project No.: 11212

Date: 15/02/2014

Created By: C. Doughty / M. Ghasemi

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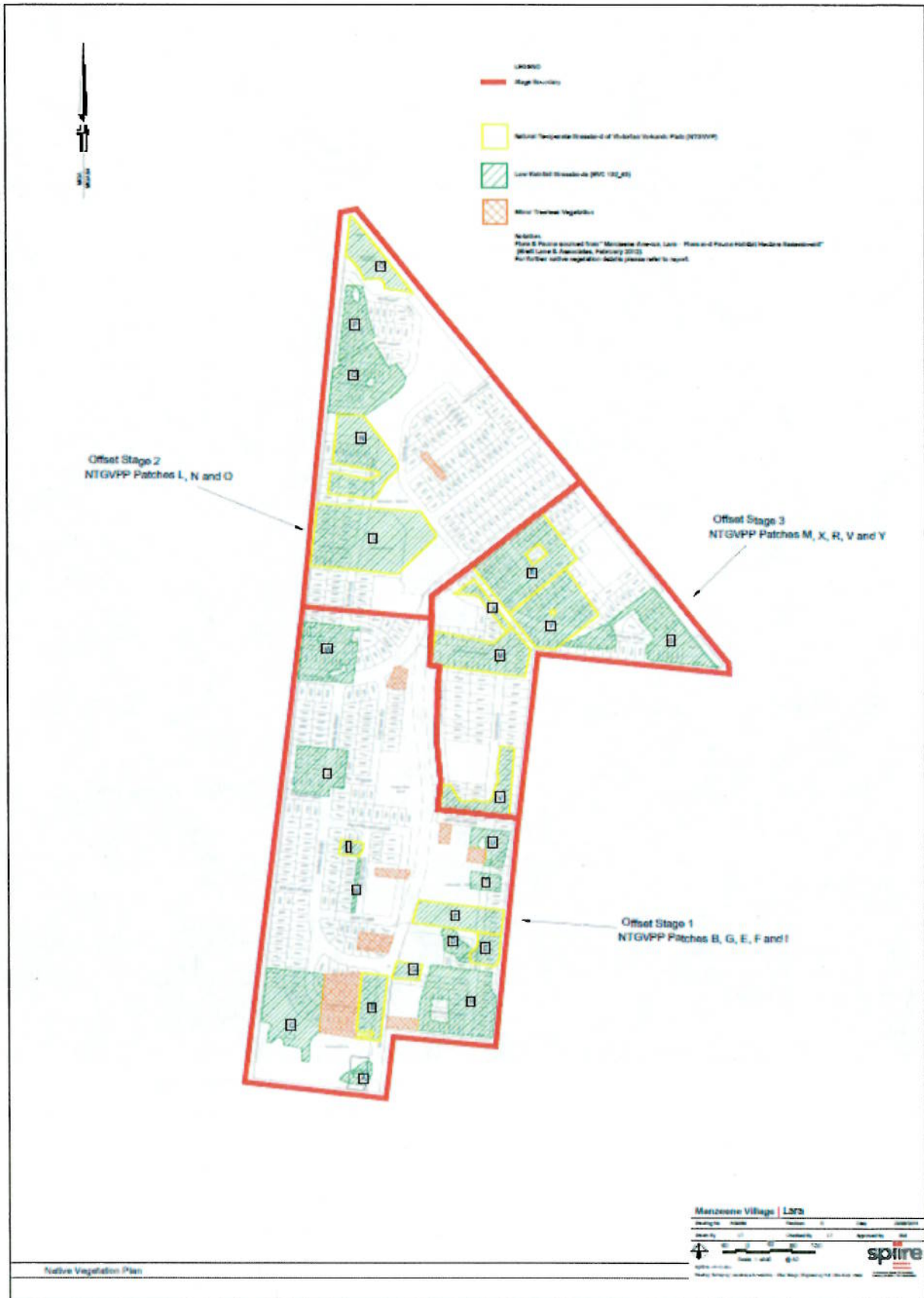
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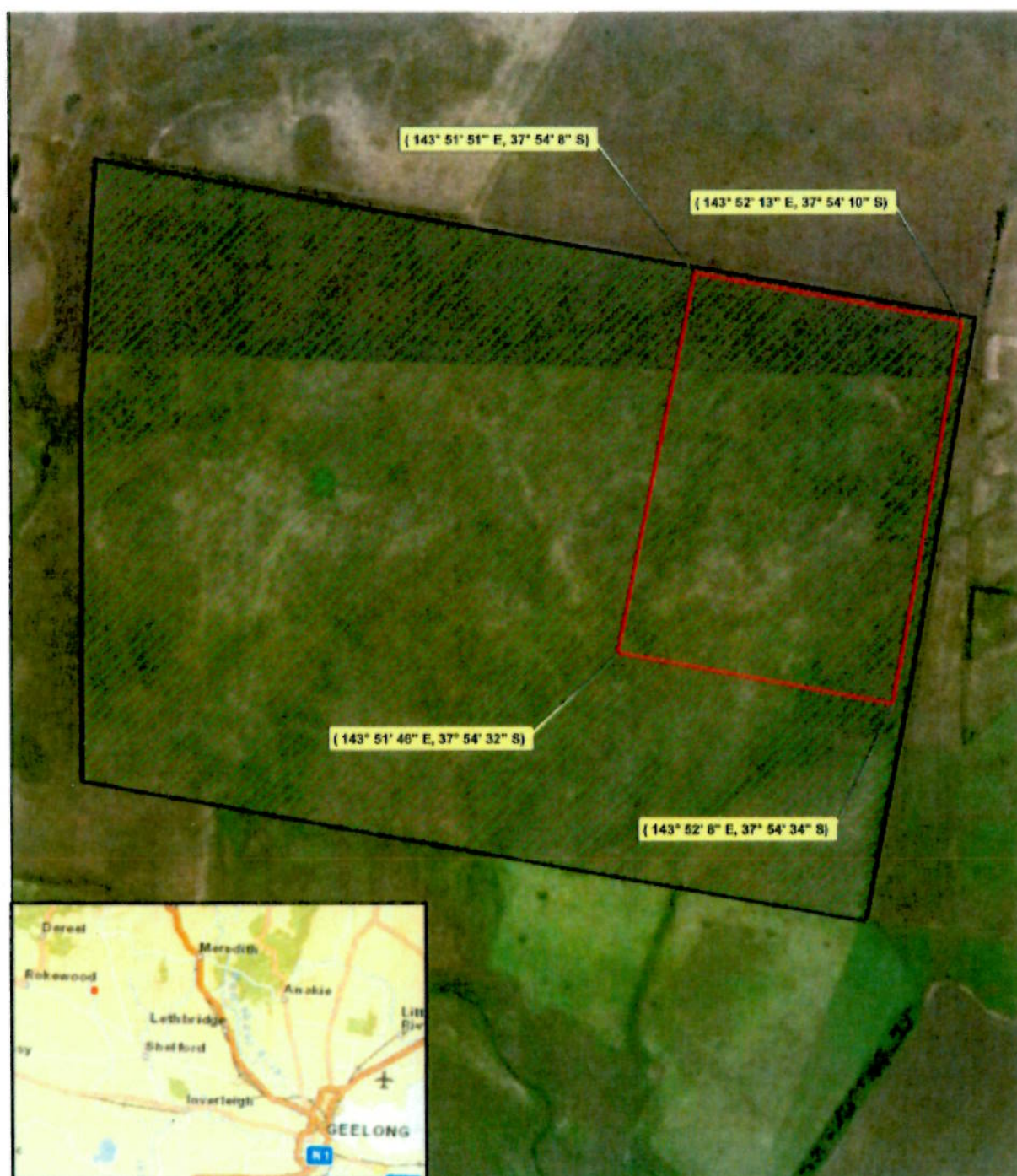
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ANNEX 3: Development Stages



ANNEX 4: Warrambeen Estate Offset Site



Legend

- Offset site
Property boundary
Plains Grassland/ NTGWVP

