

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

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

**Details**

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

**Approval decision**

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

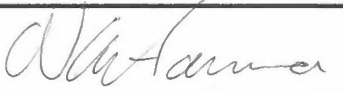
**Controlling Provisions**

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

**Period for which the approval has effect**

This approval has effect until Wednesday, 31 March 2038

**Decision-maker**

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

**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

### Project site

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

### Shorebird management

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



6. The **approval holder** must not:

- a. undertake construction within 250m of the Moreton Bay Ramsar wetland between 1 September and 30 March; or
- b. facilitate public access to the Moreton Bay Ramsar wetland,

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

**Water quality management**

7. The **approval holder** must prepare and submit a Water Quality Management Plan (WQMP) to the **Minister** before **commencement**. In addition to the detail provided in *Shorelines Redland Water Quality Management Plan – June 2017*, the WQMP must accord with **national water quality guidelines** and include:

- a. a monitoring program sufficient to determine pre-commencement water quality within all catchments within the **site** and at a reference/control monitoring site;
- b. a rationale for the sampling effort undertaken to determine pre-commencement water quality and justify the selection of the reference/control monitoring site with respect to the potential **impacts** of the action and the objectives of the WQMP;
- c. details of ongoing monitoring locations and the parameters to be monitored;
- d. proposed early warning indicators, trigger thresholds and limits for detecting **impacts** on surface water quality;
- e. contingency measures to be implemented in the event that trigger thresholds are breached; and
- f. provisions to make monitoring results publicly available on the **approval holder's** website for the life of the project.

8. The WQMP, including any revised plans, must be peer reviewed by a **suitably qualified person**. The peer review must be submitted to the **Minister** together with the WQMP and a statement from the **suitably qualified person** stating that they carried out the peer review and evaluated the adequacy of the monitoring, mitigation and management measures proposed.

9. The **approval holder** must not **commence** until the WQMP has been approved by the **Minister** in writing. The approved WQMP must be implemented by the **approval holder**.

**General**

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



11. The **approval holder** must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans required by this approval, and make them available upon request to the **Department**. Such records may be subject to audit by the **Department** or an independent auditor in accordance with section 458 of the **EPBC Act**, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the **Department's** website. The results of audits may also be publicised through the general media.
12. Within three months of every 12 month anniversary of the **commencement** of the action, the **approval holder** must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing the date of publication and non-compliance with any of the conditions of this approval must be provided to the **Department** at the same time as the compliance report is published. Reports must remain on the website for the period this approval has effect. The **approval holder** may cease preparing and publishing compliance reports required by this condition with written agreement of the **Minister** to do so.
13. Upon the direction of the **Minister**, the **approval holder** must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the **Minister**. The independent auditor must be approved by the **Minister** prior to the commencement of the audit. Audit criteria must be agreed to by the **Minister** and the audit report must address the criteria to the satisfaction of the **Minister**.
14. The **approval holder** may choose to revise a plan approved by the **Minister** under Conditions 4 or 7 without submitting it for approval under section 143A of the **EPBC Act**, if the taking of the action in accordance with the revised plan would not be likely to have a new or increased **impact**. If the **approval holder** makes this choice they must:
  - i. notify the **Department** in writing that the approved plan has been revised and provide the **Department** with an electronic copy of the revised plan;
  - ii. implement the revised plan from the date that the plan is submitted to the **Department**; and
  - iii. for the life of this approval, maintain a record of the reasons the **approval holder** considers that taking the action in accordance with the revised plan would not be likely to have a new or increased **impact**.
- 14A. The **approval holder** may revoke its choice under Condition 14 at any time by notice to the **Department**. If the **approval holder** revokes the choice to implement a revised plan without approval under section 143A of the **EPBC Act**, the **approval holder** must implement the version of the plan most recently approved by the **Minister**.
- 14B. Condition 14 does not apply if the revisions to the approved plan include changes to environmental offsets provided under the plan in relation to a matter protected by a controlling provision for the action, unless otherwise agreed in writing by the **Minister**. This does not otherwise limit the circumstances in which the taking of the action in accordance with a revised plan would, or would not, be likely to have new or increased **impacts**.



14C. If the **Minister** gives a notice to the **approval holder** that the **Minister** is satisfied that the taking of the action in accordance with the revised plan would be likely to have a new or increased **impact**, then:

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

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

14D. Conditions 14, 14A, 14B and 14C are not intended to limit the operation of section 143A of the **EPBC Act** which allows the **approval holder** to submit a revised plan to the **Minister** for approval.

15. If, at any time after five years from the date of this approval, the **approval holder** has not **commenced** the **action**, then the **approval holder** must not **commence** the action without written agreement from the **Minister**.
16. Unless otherwise agreed to in writing by the **Minister**, the **approval holder** must publish all management plans referred to in these conditions of approval on its website. Each management plan must be published on the website within one month of being approved by the **Minister** or being submitted under conditions 4, 7 or 14.

## Definitions

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

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

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

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

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



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

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

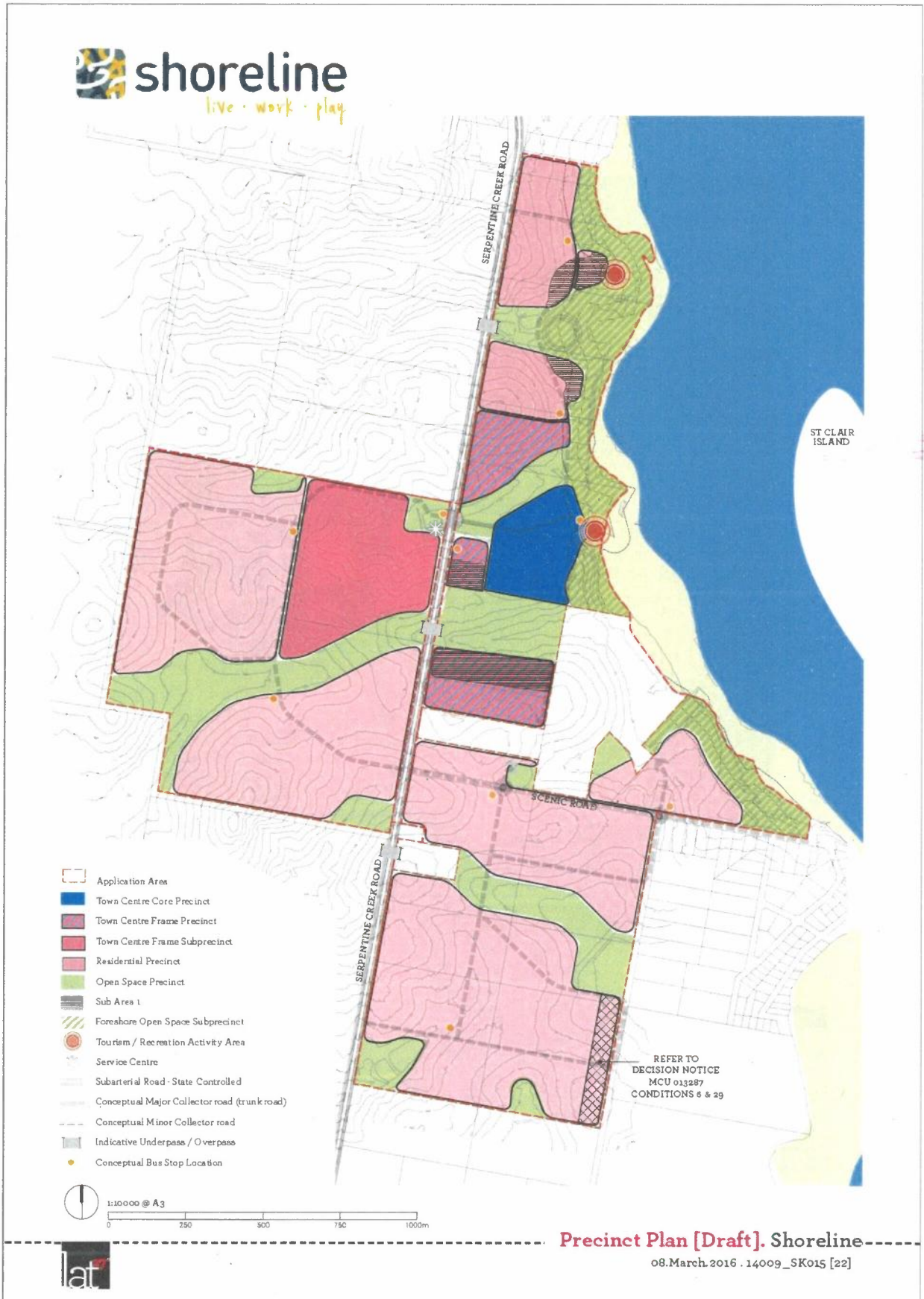
**Site** means the area shown as the Application Area shown at Attachment A.

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



## ATTACHMENTS

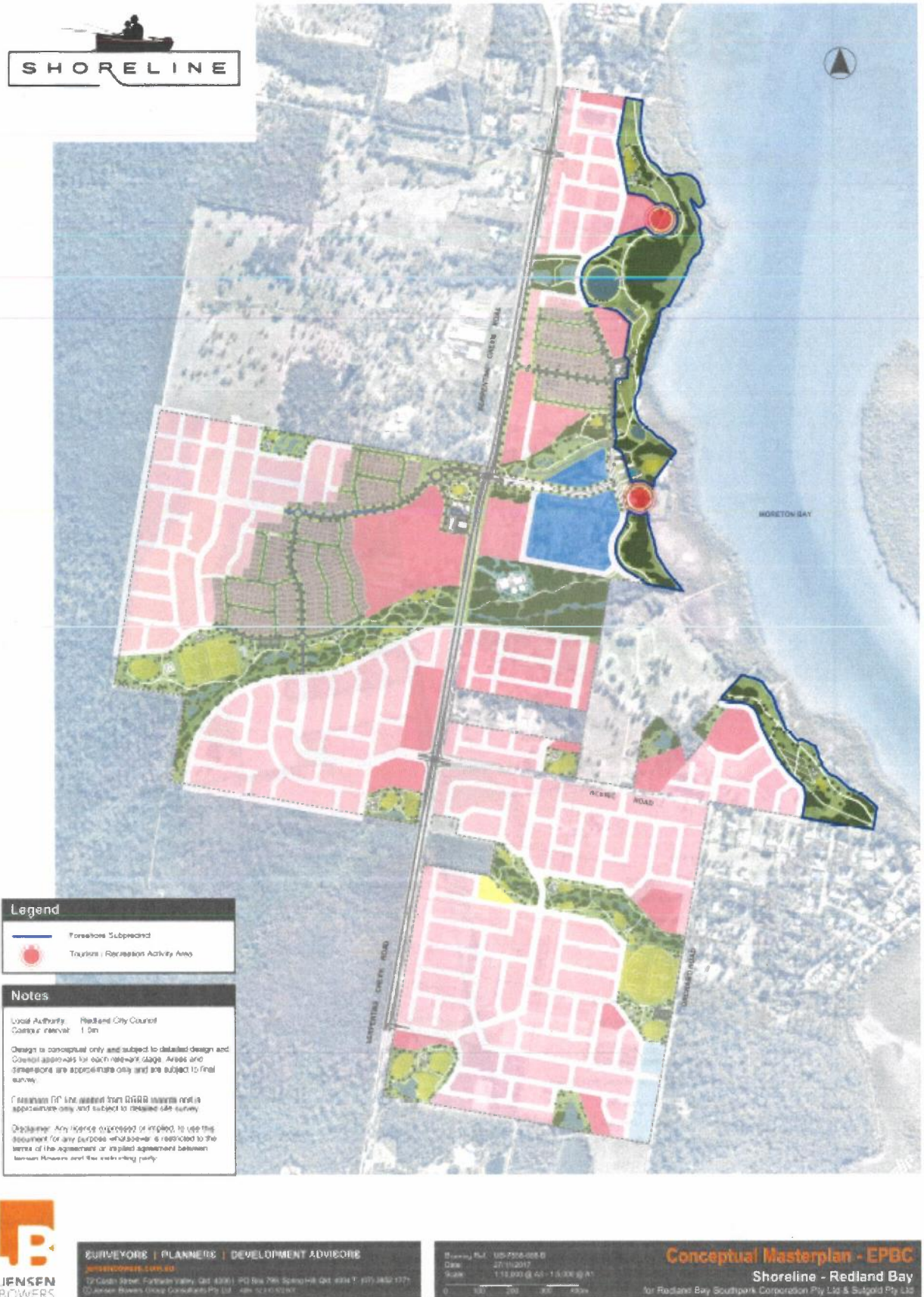
### 1. Attachment A1:







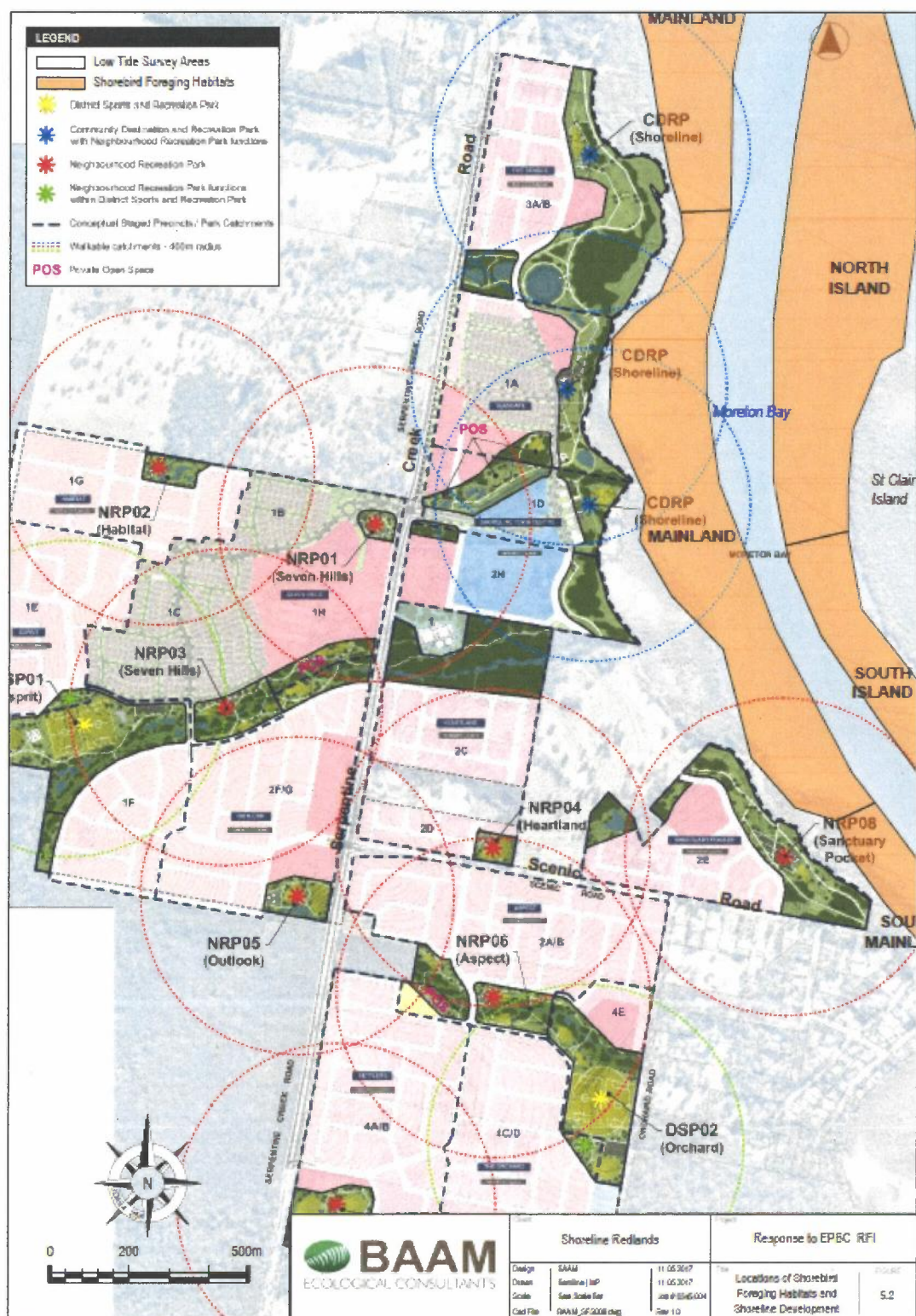
## 2. Attachment A2:







### 3. Attachment A3:



BAAM Ecological Consultants Pty Ltd. While every care is taken to ensure the