



## FINAL APPROVAL DECISION

Caloundra South Master Planned Community  
EPBC Ref (2011/5987)

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

### Proposed action

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**person to whom the approval is granted** Stockland Development Pty Ltd

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**proponent's ACN (if applicable)** (ACN 000 064 835)

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**proposed action** To construct a master planned community on 2,400 ha on Lot 505 RP884348, Lot 3 RP910849 and part of Lot 22 SP190373 located 2 km south-west of Caloundra, Queensland [See EPBC Act referral 2011/5987].

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### Final Approval decision

Controlling Provision	Decision
Wetlands of international importance (sections 16 & 17B)	Approved
Listed threatened species and communities (sections 18 & 18A)	Approved
Listed migratory species (sections 20 & 20A)	Approved

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### conditions of approval

This approval is subject to the conditions specified below.

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### expiry date of approval

This approval has effect until 30 June 2048

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**Decision-maker**

**name and position** Deb Callister, Assistant Secretary, Queensland and South Australia Assessment Branch

**signature**



**date of decision**

6/6/13

**Conditions attached to the approval**

- 1) Prior to the **commencement of the action**, the person undertaking the action must submit to the **Minister** for approval a detailed Environmental Management Plan for the proposed action. The Environmental Management Plan must be submitted to **Minister** at least three (3) months prior to the **commencement** of the action. The Environmental Management Plan must be a standalone document that incorporates specific management actions required to protect **matters of national environmental significance**. The Environmental Management Plan must include:
  - a) potential impacts to **matters of national environmental significance**;
  - b) management and mitigation measures to manage:
    - i) acid sulphate soils;
    - ii) sediment and erosion controls; and
    - iii) pests and weeds;
  - c) detail of the objectives, methods, parameters and monitoring strategies to be used;
  - d) performance criteria for each set of parameters at which point **corrective actions** are required to be implemented;
  - e) **corrective actions**, and/or mechanisms for developing **corrective actions**, and the parties responsible for implementing **corrective actions**;
  - f) a vegetation management and rehabilitation plan/strategy;
  - g) an environmental engagement strategy/plan identifying communication and engagement mechanism for ensuring community engagement with management practices required to protect **matters of national environmental significance**;

The **commencement of the action** must not occur until the Environmental Management Plan has been approved by the **Minister**. The approved Environmental Management Plan must be reviewed by the person undertaking the action within six (6) months of an audit undertaken in accordance with Condition 13. If the Environmental Management Plan is amended following the review, the amended plan must be submitted to the **Minister** for approval. The approved Environmental Management Plan must be implemented.



- 2) Within six (6) months of the commencement of the action, the person undertaking the action must submit to the **Minister** for approval a detailed Environmental Protection Plan which outlines the actions that will be taken to implement legally binding mechanisms to ensure the protection of the **Environmental Protection Zone** and **Buffer Zones**
- 3) Prior to the commencement of the **action** within each **precinct**, the person undertaking the action must submit to the **Minister** for approval a detailed **precinct-specific** Construction Environmental Management Plan. Each **precinct** Construction Environmental Management Plan must be submitted to **Minister** at least three (3) months prior to the commencement of the **action** within each **precinct**. Each **precinct** Construction Environmental Management Plan must be a standalone document that incorporates specific management actions required for each **precinct**. Each **precinct** Construction Environmental Management Plan must include:
- a) details on the timing of construction works including (consistent with the requirements under Condition 7) any compensatory habitat works;
  - b) current and detailed maps of the locations of:
    - i) **Environmental Protection Zones**, no-go areas/protected areas where only habitat creation, weed management or rehabilitation will occur;
    - ii) sediment and erosion treatment and prevention devices;
    - iii) prescribed **Buffer Zones**;
    - iv) development and construction zones;
    - v) essential services and easements;
    - vi) roads; and
    - vii) fauna protection devices and road crossings/underpasses.
  - c) potential impacts to **matters of national environmental significance**;
  - d) management and mitigation actions required for acid sulphate soils, surface and ground water quality, sediment and erosion controls, vegetation management, and pest and weed management to protect **matters of national environmental significance**;
  - e) the objectives, methods, parameters and monitoring strategies to be used;
  - f) performance criteria for each set of parameters at which point **corrective actions** are required to be implemented;
  - g) **corrective actions**, and/or mechanisms for developing **corrective actions**, and the parties responsible for implementing **corrective actions**.

The commencement of the **precincts** must not occur until the Construction Environmental Management Plan for each **precinct** has been approved by the **Minister**. The approved Construction Environmental Management Plan for each **precinct** must be implemented.

Note: For clarification **Preliminary Works** may occur prior to approval of each Construction Environmental Management Plan.



- 4) Prior to the **commencement of the action**, the person undertaking the action must submit to the **Minister** for approval a Water Quality Management Plan. The Water Quality Management Plan must address the management and monitoring of both groundwater and surface water and must:
- a) outline the baseline water quality data;
  - b) set out water quality performance objectives and parameters;
  - c) set monitoring and reporting periods;
  - d) set out scientifically robust methods for sampling and data collection;
  - e) include a risk assessment of any modelling, assumptions and predictions used;
  - f) identify readily measurable performance indicators and goals and identify performance indicators at which point **corrective actions** will be taken;
  - g) **corrective actions**, and/or mechanisms for developing **corrective actions**, and the parties responsible for implementing **corrective actions**;
  - h) include a scientifically robust method for detecting a 10% change in water quality parameters in Bell's Creek and 5% change in water quality in Pumicestone Passage unless an alternate is approved by the **Minister**; and
  - i) demonstrate adaptive management mechanisms reflecting contemporary industry best practice are being implemented throughout the period of this approval.

The action must not **commence** until the Water Quality Management Plan is approved by the **Minister**. The approved Water Quality Management Plan must be reviewed by the person undertaking the action within six months of an audit undertaken in accordance with Condition 13. If the Water Quality Management Plan is amended following the review, the amended plan must be submitted to the **Minister** for approval.

The person undertaking the action must demonstrate that the water quality performance objectives of the Water Quality Management Plan would result in an equivalent or improved environmental outcome over the life of this approval. The approved Water Quality Management Plan must be implemented.

Note: For clarification **Preliminary Works** may occur prior to approval of the Water Quality Management Plan.

- 5) Prior to commencement of the action, the person undertaking the action must provide a detailed map to the Department that identifies the areas of Wallum Sedge Frog (*Litoria olongburensis*) habitat that will be destroyed or removed on the **subject site**.
- 6) The person undertaking the action must not destroy or remove more than 152 ha of Wallum Sedge Frog (*Litoria olongburensis*) habitat on the **subject site** as set out in the map to be provided in accordance with Condition 5 of this approval.
- 7) To minimise and compensate for the loss of a maximum 152 ha Wallum Sedge Frog (*Litoria olongburensis*) habitat at the subject site, the person undertaking the action must establish **created compensatory habitat** for Wallum Sedge Frog within the **subject site** in accordance with the Wallum Sedge Frog Management Plan. The **created compensatory habitat** must be established in stages, commensurate with the area of habitat destroyed or removed though the construction of the **precincts** and must reach a minimum of 152 ha, prior to the completion of construction of the **Development**.



- 8) Prior to the **commencement of the action** the person undertaking the action must develop and submit to the **Minister** for approval a Wallum Sedge Frog Management Plan to monitor and manage the Wallum Sedge Frog (*Litoria longburensis*) population at the **subject site** including its use of the **created compensatory habitat** within the **subject site**. The Wallum Sedge Frog Management Plan must be developed by an **appropriately qualified ecologist**. The Wallum Sedge Frog Management Plan must include:
- a) a review of the existing baseline *L. longburensis* population and distribution within the **subject site**;
  - b) a scientifically robust methodology for monitoring *L. longburensis* population and **created compensatory habitat** success within the **subject site**;
  - c) commitment to commencement of the construction of habitat ponds for the *L. longburensis* concurrent with the commencement of works within each precinct;
  - d) a *L. longburensis* population and **created compensatory habitat** monitoring program with readily measurable objectives, performance indicators and scientifically robust **success criteria**;
  - e) timeframes for reporting and implementation;
  - f) **corrective actions**, and/or mechanisms for developing **corrective actions**, and the parties responsible for implementing **corrective actions**.
  - g) a requirement for pre-construction surveying on the **subject site** by an **appropriately qualified ecologist** immediately prior to the removal of any identified area/s of *L. longburensis* habitat to record the size of the area to be destroyed/removed by the proposed action. This information must be included as a reporting requirement of the Wallum Sedge Frog Plan;
  - h) an outline of the measures that will be undertaken to ensure that the **created compensatory habitat** will be protected in perpetuity;
  - i) funding of at least \$0.5 million (2013 dollars, indexed to the Consumer Price Index and excluding GST) over 10 years from the **commencement of the action**, for priority actions identified in the Wallum Sedge Frog Plan.

The action must not **commence** until the Wallum Sedge Frog Management Plan is approved by the **Minister**. The approved Wallum Sedge Frog Management Plan must be reviewed by the person undertaking the action within six (6) months of an audit undertaken in accordance with Condition 13. If the Wallum Sedge Frog Management Plan is amended following the review, the amended plan must be submitted to the **Minister** for approval. The approved Wallum Sedge Frog Management Plan must be implemented.

Note: For clarification **Preliminary Works** may occur prior to approval of the Wallum Sedge Frog Management Plan.

- 9) Within one (1) year of the **commencement of the action**, the person undertaking the action must prepare and submit a detailed *L. longburensis* Contingency and Offset Strategy (including offsets in accordance with the department's **Environmental Offset Policy**) that will be implemented if the **created compensatory habitat** does not meet the defined **success criteria**.



10) The person undertaking the action must implement the following **buffer zones** at the **subject site**:

- a) the **Riparian Corridor**;
- b) the **Frog Zone**;
- c) the **Frog Buffer**; and
- d) the **Lifestyle Buffer**.

11) The person undertaking the action must not provide **creek access** within the **Riparian Corridor**.

12) If the person undertaking the action wishes to carry out any activity otherwise than in accordance with approved management plans, reports, strategies and methods as specified in the conditions, the person undertaking the action must submit to the **Department** for the **Minister's** written approval a revised version of that management plan, report, strategy and method. The varied activity shall not commence until the **Minister** has approved the varied management plan, report, strategy and method in writing. The **Minister** will not approve a varied management plan, report, strategy and method unless the revised management plan, report, strategy, or method would result in an equivalent or improved environmental outcome over time. If the **Minister** approves the revised management plan, report, strategy, and method, that management plan, report, strategy, or method must be implemented in place of the management plan, report, strategy and methods originally approved.

13) Unless otherwise agreed to in writing by the **Minister**, within three (3) months of every three (3) year anniversary of the **commencement of the action**, for the first nine (9) years from **commencement of the action** and then within three (3) months of every five (5) year anniversary thereafter until the **cessation of the action**, the person undertaking the action must ensure that an independent audit of compliance with the conditions of approval and all management plans, reports, strategies and methods is conducted. For each independent audit, the independent auditor must be approved by the **Minister** and the audit criteria must be agreed to by the **Minister** prior to the commencement of the audit. The person undertaking the action must submit an audit report to the **Minister** for approval within three (3) months of the date of completion of the audit, identifying any remedial actions that have been taken in response to recommendations identified by the independent auditor, with any proposed changes to any management plan, report, strategy or method to be included.

14) Within three (3) months of every twelve (12) month anniversary of **commencement of the action** (and until 12 months after the **cessation of the action**), the person undertaking the action must **publish** a report on their website, for the duration of the project, addressing compliance with the conditions of this approval over the previous twelve (12) months, including implementation of any management plans, reports, strategies and methods as specified in the conditions. Within five (5) days after publication, the person undertaking the action must provide the **Minister** with a copy of the report. Non-compliance with any of the conditions of this approval must be reported to the **Minister** within two (2) business days of becoming aware of the non-compliance.



15) If, at any time after five (5) years from the date of this approval, the person undertaking the action has not <b>commenced the action</b> , then the person undertaking the action must not <b>commence</b> the action without the written agreement of the <b>Minister</b> .
16) Within ten (10) days of the <b>commencement of the action</b> , the person undertaking the action must advise the <b>Department</b> in writing of the actual date of <b>commencement</b> .
17) Unless otherwise agreed to in writing by the <b>Minister</b> , the person undertaking the action must publish all management plans, reports, strategies and methods referred to in these conditions of approval on their website. Each management plan, report, strategy and method must be published on the website within one (1) month of being approved.
18) The person undertaking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans, reports, and strategy required by this approval, and make them available upon request to the <b>Department</b> . Such records may be subject to audit by the <b>Department</b> 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 <b>Department's</b> website. The results of audits may also be publicised through the general media.
19) If the <b>Minister</b> believes that it is necessary or convenient for the better protection of wetlands of international importance, threatened species and communities and migratory species to do so, the <b>Minister</b> may request that the person undertaking the action make revisions to the management plans, reports, strategies and methods specified in the conditions and submit the revised management plans, reports, strategies and methods for the <b>Minister's</b> written approval. The person undertaking the action must comply with any such request. The revised approved management plans, reports, strategies and methods must be implemented. Unless the <b>Minister</b> has approved the revised management plans, reports, strategies and methods then the person undertaking the action must continue to implement the management plans, reports, strategies and methods originally approved, as specified in the conditions.

#### Definitions:

- 1) **Action** – the construction of a master planned community on Lot 505 RP 884348, Lot 3 RP 910849 and part of Lot 22 SP 190373 being the **Development** of Caloundra South.
- 2) **Appropriately qualified ecologist** – an ecologist with formal qualifications in ecology and with more than 5 years experience in carrying out assessment and monitoring of threatened frogs.
- 3) **Buffer zones** – buffer areas from the **Development** that consist of the **Riparian Corridor**, **Frog Zone**, **Frog Buffer** and **Lifestyle Buffer**.
- 4) **Cessation of the action** – 2 years following the completion of construction of the **Development** for all precincts.



- 5) **Commence/d/ment of the action** – the clearing of vegetation, excavation, earth works, provision of drainage or stormwater controls or devices, provisions of access or construction of any building or infrastructure. It does not include **Preliminary Works** or **Interim Uses**.
- 6) **Corrective actions** – actions taken in response to performance criteria/objectives falling outside of set objectives.
- 7) **Created Compensatory Habitat** – habitat created, constructed and developed that is intended to be utilised by the Wallum Sedge Frog (*Litoria olongburensis*).
- 8) **Creek Access** – access to Lamerough Creek, Bells Creek North or Bells Creek South within the **subject site**, being the formal provision of boat ramps, access ramps, trails and causeways, but excluding pedestrian bridge crossings of waterways, roads, essential infrastructure and paths required to facilitate access for maintenance and monitoring of the creek and/ or riparian corridor.
- 9) **Department** – the Australian Government department administering the *Environment Protection and Biodiversity Conservation Act*.
- 10) **Development** – the development of Caloundra South in stages, being the construction activities for the subdivision of a stage including vegetation clearing, site establishment, bulk earthworks, civil works, drainage, stormwater controls and devices, services, roads and other infrastructure, rehabilitation and landscape construction works. **Development** does not include the subsequent construction of structures or buildings, including housing or commercial or industrial buildings and associated infrastructure and hardstand.
- 11) **Environmental Offset Policy** – the **Department's** *Environment Protection and Biodiversity Conservation Act 1999* Environmental Offset Policy
- 12) **Environmental Protection Zone** – marked as 'Environmental Protection' in Annexure A.
- 13) **Frog Buffer** – a minimum of 50m from the boundary of each **Frog Zone**, to provide protection from activities beyond the buffer. No filling or intrusive earthworks to occur within this area, unless associated with the creation of habitat or essential Water Sensitive Urban Design (WSUD). Any WSUD infrastructure within this buffer must be separate to any frog breeding ponds, and at least 30m away from created or retained frog breeding ponds
- 14) **Frog Zone** – a minimum of 50m from the boundary of each **Riparian Corridor**, encompassing known and potentially suitable Wallum Sedge Frog habitat and also created frog habitat. No WSUD detention basins or ponds are to be located in this zone.
- 15) **Interim Uses** – include existing rural uses, including grazing and property management associated with existing rural uses.
- 16) **Lifestyle Buffer** – a minimum of 30m from the boundary of each **Frog Buffer**. This buffer provides for separation between development areas and residential areas. Road reserves, recreational paths and parks, and Water Sensitive Urban Design are permitted within this buffer.
- 17) **Matters of National Environmental Significance** – the following controlling provisions for the action:
  - a) **wetlands of international importance** - Moreton Bay Ramsar Wetland which was listed under the Ramsar Convention on Wetlands in 1993. The Moreton Bay Ramsar site;



b) **threatened species and communities** - (Wallum Sedge Frog (*Litoria longiburensis*), Water Mouse (*Xeromys myoides*), Attenuate Wattle (*Acacia attenuata*), Swamp Stringybark (*Eucalyptus conglomerata*), Lesser Swamp Orchid (*Phaius Australis*), Wallum Leek (*Prasophyllum wallum*), Emu Mountain Sheoak (*Allocasuarina emuina*), Hairy-joint Grass (*Arthraxon hispidus*) and Three-leaved Bosistoa (*Bosistoa transversa*); and

c) **migratory species** – *Actitis hypoleucos*, *Arenaria interpres*, *Calidris acuminata*, *Calidris alba*, *Calidris canutus*, *Calidris ferruginea*, *Calidris melanotos*, *Calidris ruficollis*, *Calidris tenuirostris*, *Gallinago hardwickii*, *Heteroscelus brevipes*, *Heteroscelus incanus*, *Limicola falcinellus*, *Limnodromus semipalmatus*, *Limosa lapponica*, *Limosa limosa*, *Numenius madagascariensis*, *Numenius minutus*, *Numenius phaeopus*, *Tringa glareola*, *Tringa nebularia*, *Tringa stagnatilis*, *Xenus cinereus*, *Calidris subminuta*, *Phalaropus lobatus*, *Philomachus pugnax*, *Charadrius bicinctus*, *Charadrius leschenaultia*, *Charadrius mongolus*, *Charadrius veredus*, *Pluvialis fulva*, *Pluvialis squatarola*, *Glareola maldivarum*, *Sterna albifrons*, *Sterna caspia*, *Ardea modesta*, *Ardea ibis*, *Merops ornatus* and *Rhipidura rufifrons*.

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

19) **Precinct/s** – precincts 1 to 19 as defined by the Caloundra South Urban Development Area Master Plan within Annexure A or as amended and approved by the Minister.

20) **Preliminary Works** – include:

- a) minor physical disturbance necessary to undertake pre-clearance surveys, to establish monitoring programs, for geotechnical investigations or associated with mobilization of plant, equipment, materials, machinery or personell;
- b) surveying or the construction of boreholes;
- c) works necessary for rehabilitation, including construction of frog ponds, installation of monitoring devices and necessary access tracks;
- d) other activities that are necessary for commencement that are associated with mobilization of plant and equipment, materials, machinery, and personell prior to start of **Development** only if such activities will have no adverse impact on **Matters of National Environmental Significance** and only if the person undertaking the action has notified the **Department** in writing before an activity is undertaken.

21) **Publish/ed** – documentation available on the person undertaking the action's website for the life of the approval.

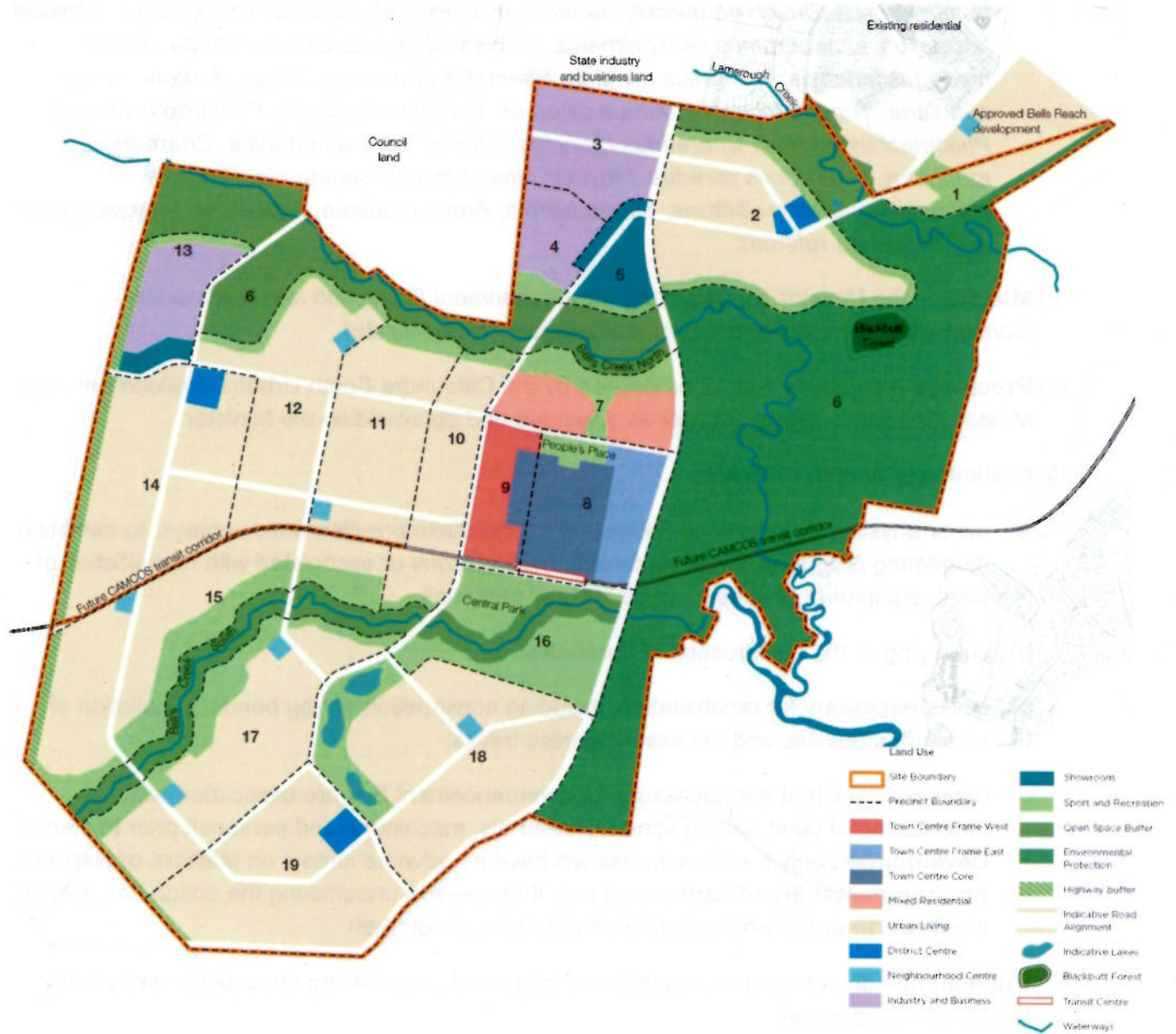
22) **Riparian Corridor** – minimum 25m wide corridor either side of any creek (from high bank), for retention and rehabilitation of riparian vegetation, providing bank stabilisation and protecting remnant vegetation along creeks.

23) **Subject Site** – Lot 505 RP 884348, Lot 3 RP 910849 and part of Lot 22 SP 190373 located 2 km south-west of Caloundra City on Queensland's Sunshine Coast within Annexure B.

24) **Success Criteria** – a scientifically robust methodology that is able to determining the success or failure of the created habitat in support of a viable population of Wallum Sedge Frog (*Litoria longiburensis*) at the **subject site**, as defined in the Wallum Sedge Frog Management Plan.



## ANNEXURE A:





**ANNEXURE B:**

