



**Paradise Waters Residential Development,
Deebing Heights, QLD
Annual Compliance Report
EPBC Act No. 2013/6864**

January 2024

Project No. 2023-098

Project Paradise Waters Residential Development

Document Compliance Reporting October 2022 - October 2023

Client Stockland Development Pty Ltd

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 28 South Environmental Pty Ltd

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Approval for Issue

Name	Position	Date
Mark Barnett	Technical Director	22 nd January 2024

Table of Contents

1	Introduction	5
1.1	Description of activities.....	5
1.2	Description of approval.....	8
1.3	Scope of Assessment.....	8
2	Approval Conditions	9
3	Conditions Specific to the Action.....	14
3.1	Condition 1 - Koala Habitat.....	14
3.2	Condition 2 - Koala Habitat.....	16
3.3	Condition 3 - Koala Habitat and Offset Areas	16
3.4	Condition 4 - Offset Management Plan.....	18
3.5	Condition 5 – Public Access to Plans	22
3.6	Condition 6 – Commencement of Action	22
3.7	Condition 7 – Maintaining Accurate Records	22
3.8	Condition 8 – Notification of contraventions of conditions of approval.....	23
3.9	Condition 9 – Publishing report.....	23
3.10	Condition 10 – Independent Audit	24
3.11	Condition 11 – Revision of plans or strategies.....	24
3.12	Condition 12 – Minister requested changes to a management plan or strategy	24
3.13	Condition 13 – Non commencement of action	25
3.14	Condition 14 – Publishing of plans and strategies	25
4	Requirements of the Offset Management Plans.....	26
4.1	Internal Offset Management Plan	26
4.2	External Offset Management Plan.....	26
5	Summary and Conclusion.....	33

Tables

Table 1	Summary of Action details	7
Table 2	EPBC 2013/6864 approval conditions compliance table.....	10
Table 3	Compliance of the Internal and External Offset Management Plans against Condition 4 items.....	19
Table 4.	Weed management Performance Outcomes and monitoring activities from the External OMP.....	27
Table 5.	Fire management Performance Outcomes and monitoring activities from the External OMP.....	28

Table 6. Stock exclusion and control Performance Outcomes and monitoring activities from the External OMP	29
Table 7. Feral animal and wild dog control Performance Outcomes and monitoring activities from the External OMP	31
Table 8. Unauthorised access or use Performance Outcomes and monitoring activities from the External OMP	32

Appendices

Appendix A – EPBC Approval

Appendix B – EPBC Variation Approval

Appendix C – OMP Approval, June 2018

Appendix D – Variation Approval OMP, July 2019

Declaration of Accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents.

The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed



Full name

Mark Barnett

Position

Technical Director

Organisation (please print including ABN/ACN if applicable)

28 South Environmental Pty Ltd (15 020 379 896)

Date

22 January 2024

1 Introduction

On 18th December 2014 Stockland obtained approval, with conditions, under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**EPBC Act**) to develop the 'Paradise Waters' residential estate at Grampian Drive, Deebing Heights near Ipswich, Queensland (EPBC Number 2013/6864)

This Compliance Report has been prepared on behalf of Stockland Development Pty Ltd (**Stockland**) as per approval decision notice EPBC 2013/6864 (**Appendix A**), approved by the Department of Climate Change, Energy, the Environment and Water (**DCCEEW**).

A variation decision to this approval was issued on 1st March 2019 (**Appendix B**) made under sections 130(1) and 133(1) of the EPBC Act.

1.1 Description of activities

EPBC approval 2013/6864 is for the construction of a residential development and associated infrastructure on Lot 207 on CH31135, Lot 3 on RP179314, Lot 4 on RP179314 and Lot 210 on CH31207 (herein referred to as the **Site**) in Deebing Heights, approximately 8 kilometres south of Ipswich, Queensland (the **Action**). The total development area for the Action is approximately 339 hectares (**ha**).

The Action is located within the Ipswich City Council (**ICC**) Local Government Area (**LGA**). The sub-regional context, locality and Site of the Action are shown in **Figures 1** and **2** respectively.

The relevant controlling provisions identified in the decision were based upon the determination of potential impacts to listed threatened species and communities (sections 18 & 18A) protected under Part 3 of the *EPBC Act*, specifically *Phascolarctos cinereus* (Koala), listed as Vulnerable¹.

This Compliance Report has been prepared as per approval condition nine (9) for decision notice EPBC 2013/6864 and is in relation to the reporting period of October 2022 to October 2023. This is the first Compliance Report prepared for the Action.

The Action temporarily commenced on 26th October 2022, involving preliminary clearing activities and then stopped within 36 hours due to protester activities. Currently there are no activities occurring on the Site with Stockland continuing to undertake extensive engagement with the support of the registered cultural heritage group (the Yuggera Ugarapul People). Stockland is planning to re-commence construction activities at an appropriate time, yet to be determined.

¹ This species has been uplisted to Endangered since the issue of approval.

Stockland is currently in discussions with DCCEEW to vary the timeframes bound to the conditions of approval for the development Site, and this dialogue has been taken into account with the preparation of this first Compliance Report for the Action.

A summary of Action details is provided in Table 1, in accordance with Section 3.4 of the Annual Compliance Report Guidelines (DCCEEW, 2023).

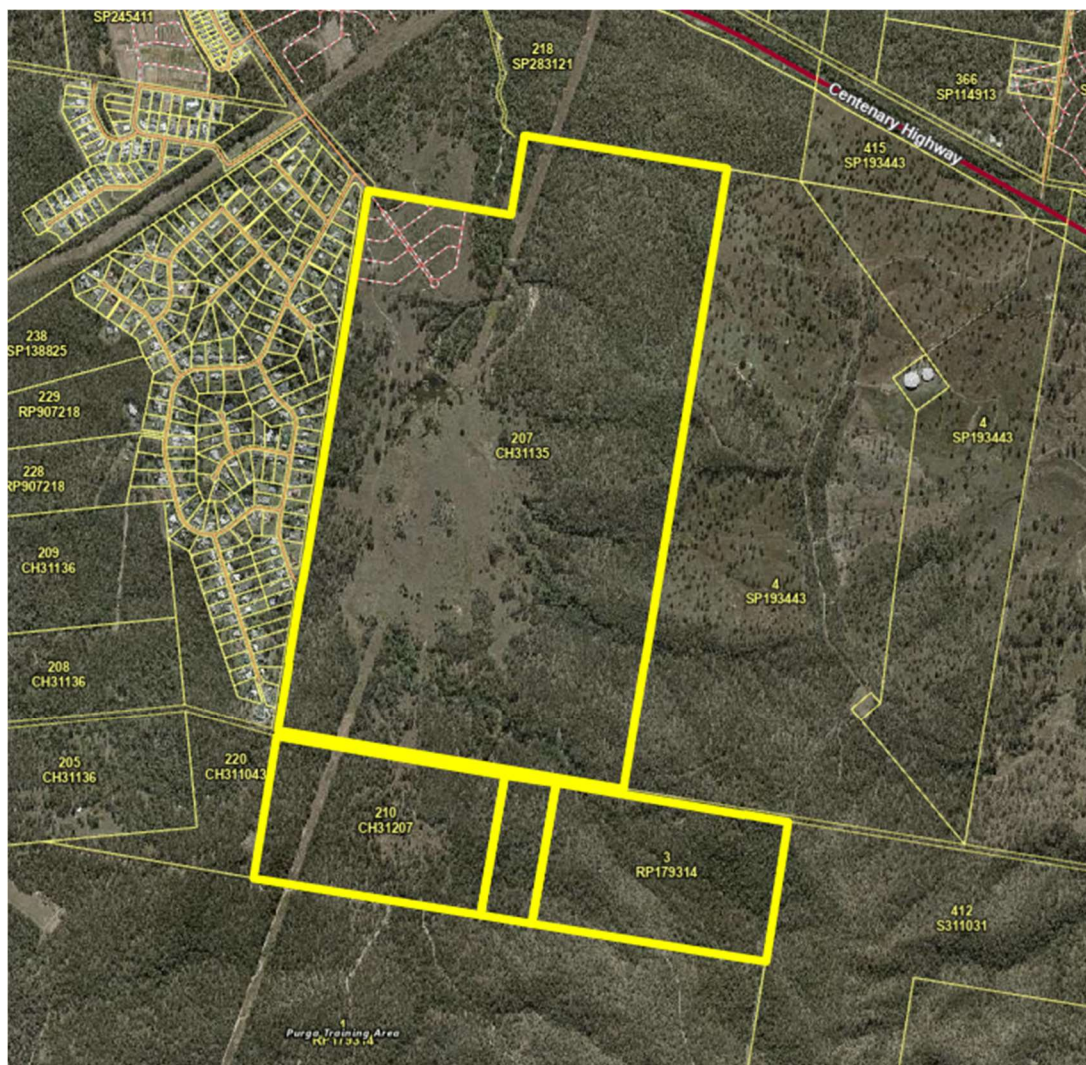


Figure 1: Site locality, Image source: Queensland Globe

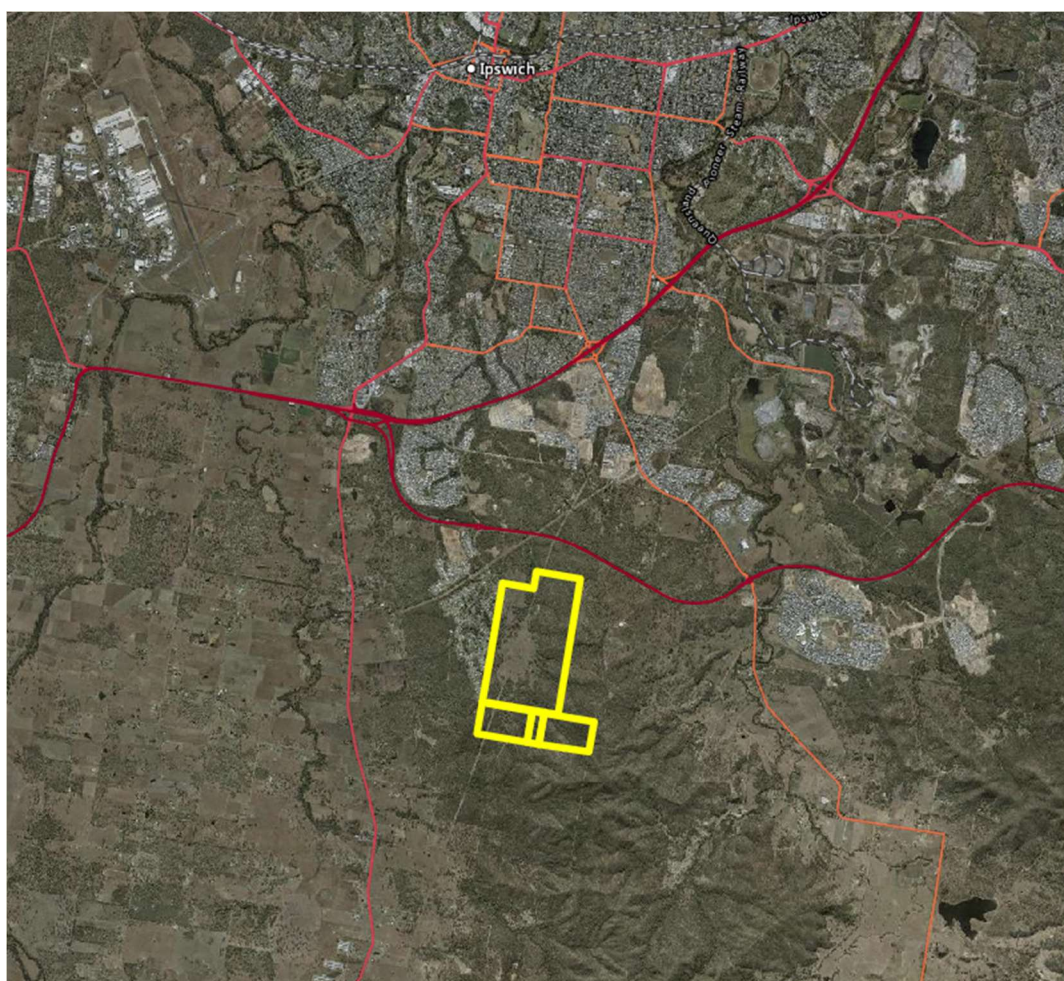


Figure 2: Site context, Image source: Queensland Globe

Table 1. Summary of Action details

Activity	Details
EPBC Number	EPBC 2013/6864
Project Name	Paradise Waters Residential Estate on Grampian Drive, Deebing Heights, Queensland.
Approval holder and ACN or ABN	000 064 835
The Approved Action	To construct a residential development and associated infrastructure across 339 ha in Deebing Heights, Queensland, approximately 7 km south of Ipswich City centre.
Location of the project	207 on CH31135, Lot 3 on RP179314, Lot 4 on RP179314 and Lot 210 on CH31207
Person accepting responsibility for the report – (signed declaration)	Mark Barnett
Dates for the reporting period of the report	26 th October 2022 - 26 th October 2023
Date of preparation of the report	November 2023 – January 2024

1.2 Description of approval

Conditions attached to the approval of the Action, as varied 1st March 2019, are presented in **Table 2**, with the approval documentation provided in full as **Appendix B**.

Condition 3 of the EPBC Approval requires Stockland to compensate for the loss of 92 ha of koala habitat. This offset liability has been approved to be achieved through provision of the following:

- 113.2 ha of koala habitat consisting of an internal offset across two areas, as follows:
 - Conservation Area North: 26.90 ha
 - Part of Lot 207 on CH31113 (conservation area to be assigned identifier of Lot 2000 on CH31135 in future)
 - Conservation Area South: 85.46 ha
 - Lot 3 on RP179314
 - Lot 4 on RP179314
 - Lot 210 on CH31207
- 88 ha of koala habitat that is mapped as a Category X area within an external property (“Cannon Creek”, Beaudesert), located at Lot 1 RP12394.

1.3 Scope of Assessment

Condition 9 of the EPBC Approval requires that within three months of every 12-month anniversary of the commencement of the action, the approval holder (Stockland) must publish a report (an ‘**Annual Compliance Report**’) on their website addressing compliance with each of the conditions of approval, including implementation of any plans as specified in the conditions.

The first anniversary of commencement of the action is 26th October 2023, and Stockland have commissioned 28 South Environmental to prepare this Annual Compliance Report (**ACR**) which assesses compliance of the Action against:

- Variation of conditions attached to approval (Department of the Environment and Energy, 1st March 2019)
- Offset Management Plan – Conservation Area North and Conservation Area South (Green Tape Solutions, 27th May 2019)
- External Offset Management Plan: Paradise Waters Residential Estate (Green Tape Solutions, 25th May 2018).

2 Approval Conditions

The conditions of approval EPBC 2013/6864 are presented in **Table 2**. Also provided is a summary of the current state of compliance of the Action against each condition of approval, with evidence and/or direction to further discussion in this report.

Table 2. EPBC 2013/6864 approval conditions compliance table

Condition Ref.	Condition	Is the project compliant with this condition?	Evidence/ Comments
1	The approval holder must not remove more than 92 hectares of Koala habitat from within the 'Site boundary' shown in Annexure 1.	Complies with Condition 1. Minimal clearing activities have occurred to the development Site with only approximately 12 ha cleared to-date.	See Section 3.1 of this report.
2	The approval holder must not remove Koala habitat within the areas referred to as "Conservation area - north", "Conservation area - south" and "Vegetation Retained" and must install one-way koala fencing (depicted as "Northern Conservation Area Fencing") as shown in Annexure 1.	Complies with Condition 2. No koala habitat has been removed within the areas referred to as "Conservation area - north", "Conservation area - south" and "Vegetation Retained". One-way koala fencing has not been installed along the northern boundary of the "Conservation area – north", as the Development Footprint in the immediate adjoining area is yet to be cleared. Installation of koala fencing prior to clearing of the impact site would impose safety and access constraints on the clearing, when conducted. Additionally, early installation of fencing would inhibit pre-clearance movement of koala and other fauna.	See Section 3.2 of this report.
3	To compensate for the loss of 92 ha of Koala habitat, the approval holder must secure and manage as Koala habitat, the following offset areas: i. a minimum of 113.2 hectares of Koala habitat referred to as "Conservation area - north" and "Conservation area - south" in Annexure 1; and ii. a minimum of 88 ha of Koala habitat that is mapped as a category X area within the area described in RPS Report Number PR123497-1 provided to the Department via correspondence dated 18 August 2014 or an alternative offset site approved by the Minister in writing. The offset described in condition 3(ii) must be legally secured in accordance with Queensland legislation, within 2 years of commencement of the action.	Complies with Condition 3. This compliance reporting period from October 2022 to October 2023, 1 year from commencement date. The Koala habitat on the development Site referred to as "Conservation area – north" and Conservation area – south" in Annexure 1, is retained and protected, with future inclusion as Conservation Zone. The offset described in 3(ii) has been legally secured through classification as Category A Regulated Vegetation, ahead of the conditioned timeframe within two years of commencement of the Action.	See Section 3.3 of this report.
4	At least three months prior to commencement of the action, the approval holder must submit an Offset Management Plan (OMP) which has been reviewed by a suitably qualified person to the Minister for approval. The approval holder must not commence the action unless the Minister has approved the OMP in writing. The approved OMP must be implemented. The OMP must include, but not be limited to: a. a detailed description of the offset areas required by Condition 3, consistent with the EPBC Act Environmental Offsets Policy; b. measures to protect, manage and rehabilitate Koala habitat in the offset areas, including, but not limited to: i. a map/maps showing areas to be managed; ii. timing of management activity for each area; iii. performance criteria for each area;	Complies with Condition 4. OMPs for both the development Site offset area, and the external offset area were approved by the Department in June 2018 and July of 2019 (Appendix C and D). The requirements under Condition 4 for the approved OMP 4a), b), c), d), and e) are addressed within each relevant OMP. Both OMPs have been adopted by Stockland's Offset Service Provider for implementation.	See Section 3.4 of this report. Approval communication from DCCEEW for each of the OMP approvals can be seen in Appendix C and D . The approved OMPs for the internal impact site and the external offset site can be viewed on the project website - https://www.stockland.com.au/places/botanica .

Condition Ref.	Condition	Is the project compliant with this condition?	Evidence/ Comments
	<ul style="list-style-type: none"> iv. a monitoring plan to assess the success of the management activities measured against the baseline condition. This must include, but not be limited to, control sites and periodic ecological surveys to be undertaken by a suitably qualified person; v. a risk assessment and a description of the measures that would be implemented to mitigate the identified risks; vi. the use of local provenance plants for rehabilitation, where planting is undertaken; vii. installing and maintaining fencing as necessary to prevent domestic livestock from entering offset areas while allowing koala movement; viii. excluding grazing from offset areas, except where necessary for bushfire prevention and control, for example by using crash grazing; ix. vegetation management including increasing abundance of Koala food trees and controlling weeds, including as shown in Annexure 2; and x. undertaking regular koala predator control. <p>c. details of the offset attributes (including maps in electronic Geographic Information System (GIS) format with accompanying shapefiles), site descriptions, environmental values, connectivity with other Koala habitat and biodiversity corridors;</p> <p>d. detailed surveys and descriptions of the offset areas to clearly identify baseline conditions and establish performance indicators. This must include:</p> <ul style="list-style-type: none"> i. a baseline description (prior to any management activities) of the current condition of the extant vegetation of each offset area, including the location of survey points (GPS reference); ii. the quantity of Koala habitat provided by the offset area; iii. the quality of Koala habitat found within the offset area (prior to any management activities); iv. vegetation condition mapping; and v. photo reference points. <p>e. details of the parties responsible for managing, monitoring and implementing the OMP for the duration of this approval, including the minimum relevant experience and qualifications required for the relevant responsibilities.</p>		
General			
5	The most recent approved versions of the plans described in these conditions must remain accessible to the public on the website of the approval holder for the duration of the Approval.	<p>Complies with Condition 5.</p> <p>The most recent approved versions of the plans are available on the project website - https://www.stockland.com.au/places/botanica and are publicly available, and will remain accessible to the public for the duration of the Approval.</p>	<p>See Section 3.5 of this report.</p> <p>See weblink - https://www.stockland.com.au/places/botanica</p>
6	Within 10 business days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement of the action.	<p>Non-compliance – While it is understood that discussions occurred between Green Tape Environmental, past employees of Stockland and</p>	<p>See Section 3.6 of this report.</p>

Condition Ref.	Condition	Is the project compliant with this condition?	Evidence/ Comments
		<p>DCCEEW, there is no record of written notification to the Department of planned commencement of the Action.</p> <p>Following an internal audit, the approval holder advised the Department in writing of potential non-compliance against this condition and is committed to achieving compliance to conditions within future reporting periods.</p>	<p>Notification of Non-compliance (email dated 11 September 2023 from Stockland to DCCEEW) has been sighted.</p>
7	<p>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 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.</p>	<p>Complies with Condition 7.</p> <p>Records have been sighted that substantiate all activities that have occurred under the approval. Records of communication to the Department have been sighted where activities did not occur in projected timeframes, or are yet to occur.</p> <p>No Departmental audits of the Action have been conducted to-date.</p>	<p>See Section 3.7 of this report and all appendices.</p>
8	<p>The approval holder must notify the Department in writing of any contravention of any condition of this approval as soon as practical and within no more than two (2) business days of becoming aware of the contravention. The notification provided to the Department under this condition must specify:</p> <ul style="list-style-type: none"> a) the condition which the approval holder has contravened; b) the nature of the contravention; c) when and how the approval holder became aware of the contravention; d) how the contravention will affect the anticipated impacts of the approved action, in particular how the contravention will affect the impacts on MNES; e) the measures the approval holder will take to address the impacts of the contravention on MNES and rectify the contravention; and f) the time by when the approval holder will rectify the contravention. 	<p>Complies with Condition 8.</p> <p>To-date, the Department has been provided notice of all non-compliance in accordance with Condition 8.</p> <p>Stockland is currently in discussions with DCCEEW to vary the timeframes bound to the conditions of approval for the development Site, to reflect the hold-up in progress of development. The outcome of these ongoing discussions will have consequence for the assessment of compliance in future ACRs for timeframe-based conditions of approval.</p>	<p>See Section 3.8 of this report.</p> <p>Notification of Non-compliance (email dated 11 September 2023 from Stockland to DCCEEW) has been sighted.</p>
9	<p>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 plans as specified in the conditions. The compliance reports must remain on the website for 12 months from the date of publishing. Documentary evidence providing proof of the date of publication must be provided to the Department at the same time as the compliance report is published. The approval holder may cease preparing and publishing the annual compliance reports required by this condition if they have written agreement from the Minister to do so.</p>	<p>Complies with Condition 9.</p> <p>This compliance reporting is for compliance period October 2022-2023 the first year from commencement of action, and the report will be published on the Stockland website for the Action.</p>	<p>See Section 3.9 of this report.</p>
10	<p>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 audit must not commence unless and until the Minister has approved the independent auditor and audit criteria. The audit report must address the criteria to the satisfaction of the Minister.</p>	<p>Complies with Condition 10.</p> <p>No request for independent audit of compliance has been ordered by the Minister.</p>	<p>See Section 3.10 of this report.</p>

Condition Ref.	Condition	Is the project compliant with this condition?	Evidence/ Comments
11	If the approval holder wishes to carry out any activity otherwise than in accordance with a plan or strategy as specified in the conditions, the approval holder must submit to the Department for the Minister's written approval a revised version of that plan or strategy. The varied activity must not commence until the Minister has approved the varied plan or strategy in writing. The Minister will not approve a varied plan or strategy unless the revised plan or strategy would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised plan or strategy that plan or strategy must be implemented in place of the plan or strategy originally approved.	Complies with Condition 11. All activities that have been carried out have been in accordance with the conditions of approval.	See Section 3.11 of this report.
12	If the Minister believes that it is necessary or convenient for the better protection of EPBC Act listed species or communities to do so, the Minister may request that the approval holder make specified revisions to a management plan or strategy required by the conditions and submit the revised plan or strategy for the Minister's written approval. The approval holder must comply with any such request. The approved plan or strategy must be implemented. Until the Minister has approved a revised plan or strategy, the approval holder must continue to implement the previously approved plan or strategy, as specified in the conditions.	Complies with Condition 12. No request for specific revisions to the management plan or strategy has been requested by the Minister. The approval holder is committed to compliance with Condition 12.	See Section 3.12 of this report.
13	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 the written agreement of the Minister.	Complies with Condition 13. The approval of action commenced within 5 years from the date of variation request.	See Section 3.13 of this report.
14	Unless otherwise agreed to in writing by the Minister, the approval holder must publish all plans and strategies referred to in these conditions of approval on its website. Each plan or strategy must be published on the website within 1 month of being approved (unless otherwise specified in these conditions) and remain on the website for the duration of project approval.	Complies with Condition 14. The approval holder has all approved plans and strategies publicly available on website - https://www.stockland.com.au/places/botanica	See Section 3.14 of this report.

3 Conditions Specific to the Action

3.1 Condition 1 - Koala Habitat

Compliance Determination	Compliant
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The EPBC approval requires the approval holder to minimise impacts to the Koala and their habitat. Condition 1 requires the approval holder to not remove more than 92 hectares of Koala habitat from within the ‘Site boundary’ shown in Annexure 1 of variation approval dated 1st March 2019. The approved koala habitat impact is shown in **Figure 3**.

To date, clearing has only occurred to a small area of the Site in the northwest of the ‘Development Footprint’. Recent aerial photography (**Figure 4** and **Figure 5**) shows the extent of clearing that has occurred, which equates to approximately 12.16 ha within land identified for development footprint as per Annexure 1 of EPBC approval.

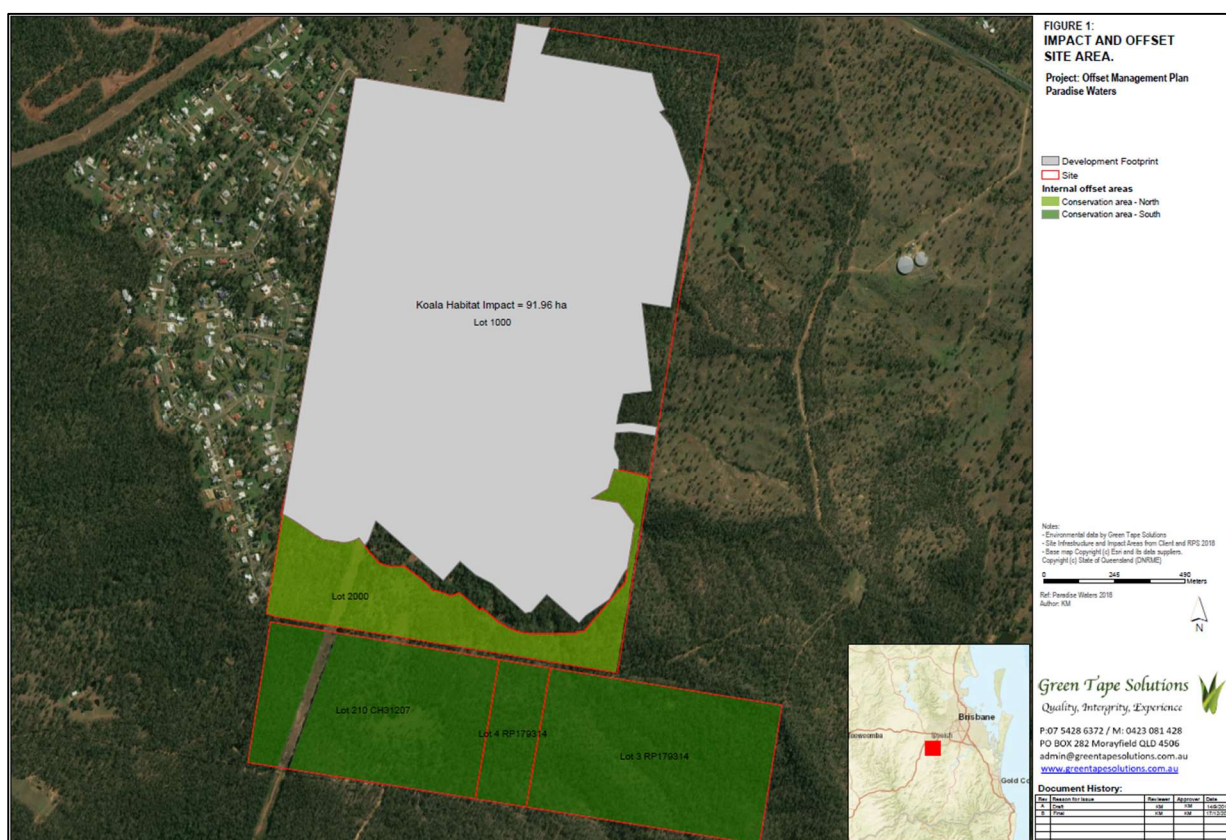


Figure 3 – Approved koala habitat impact

Source: Figure 1 – Offset Management Plan – Conservation Area North and Conservation Area South

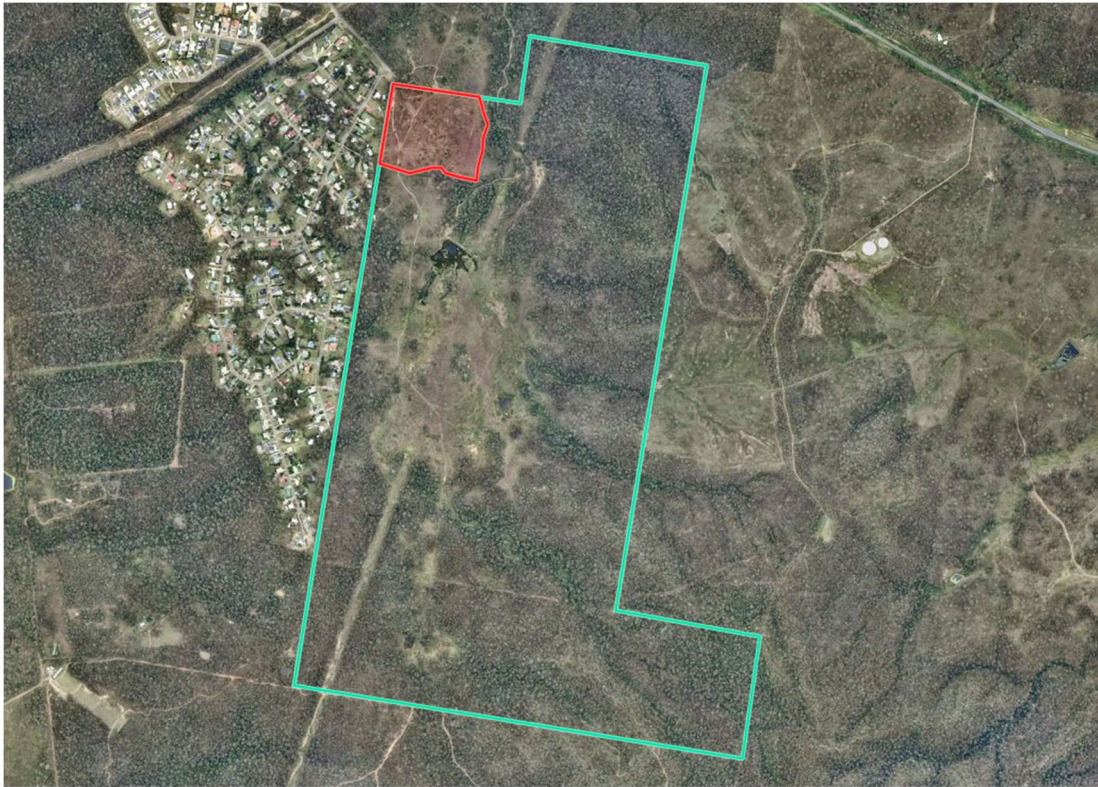


Figure 4 – Aerial photography (April 2023) showing location of site clearing.

Image source: Nearmaps, accessed 2nd November 2023



Figure 5 – Aerial photography (April 2023) showing location of site clearing.

Image source: Nearmaps, accessed 2nd November 2023

3.2 Condition 2 - Koala Habitat

Compliance Determination

Compliant

The EPBC approval requires the approval holder to minimise impacts to koala as per Commonwealth approval EPBC 2013/6864. **Condition 2** requires the approval holder to not remove Koala habitat within areas referred to as “Conservation area – south” and “Vegetation retained” and must install one-way koala fencing (depicted as “Northern Conservation Area Fencing”) as shown in Annexure 1.

To date, clearing has only occurred to a small area of the Site in the northwest locality of the ‘Development Footprint’. **Figure 4** and **5** show the extent of clearing which equates to approximately 12.16 ha within land identified as ‘Development Footprint’ in accordance with Annexure 1 of EPBC approval.

One-way koala fencing has not been installed along the northern boundary of the “Conservation area – north”, as the Development Footprint in the immediate adjoining area is yet to be cleared. Installation of one-way koala fencing as per “Northern Conservation Area Fencing” will occur once clearing of the full extent of the approved development footprint has been completed. The timing of fencing to occur post-clearing is intended to enable safe and efficient clearing, whilst avoiding compromise to the structural integrity of fencing.

3.3 Condition 3 - Koala Habitat and Offset Areas

Compliance Determination

Compliant

The Condition 3 requires the approval holder to secure offset areas to compensate for approved impacts to Koala habitat. Specifically, Condition 3 requires the approval holder to secure the following offset areas:

- i. *a minimum of 113.2 hectares of Koala habitat referred to as “Conservation area – north” and “Conservation area – south” in Annexure 1; and*
- ii. *a minimum of 88 ha of Koala habitat that is mapped as a category X area within the area described in RPS Report Number PR123497-1 provided to the Department via correspondence dated 18th August 2014 or an alternatively offset site approved by the Minister in writing.*

The offset described in condition 3(ii) must be **legally secured** in accordance with Queensland legislation, within 2 years of commencement of the action.

Condition 3 (i)

“Conservation Area – north” and “Conservation Area – south” are yet to be legally secured. However, a date by which these areas must be secured is not specified by Condition 3.

All internal conservation areas of the Site will be handed over to Council to be their maintenance and management responsibility when off maintenance is achieved.

Condition 3 (ii)

The external offset site is located on Lot 1 on RP12394, within Scenic Rim Regional Council’s LGA. Stockland has complied with Condition 3(ii) and has legally secured 108.4 ha of land on Lot 1 on RP12394. This area was previously mapped as Category X, but is now mapped as Category A, Regulated Vegetation (**Figure 6**).

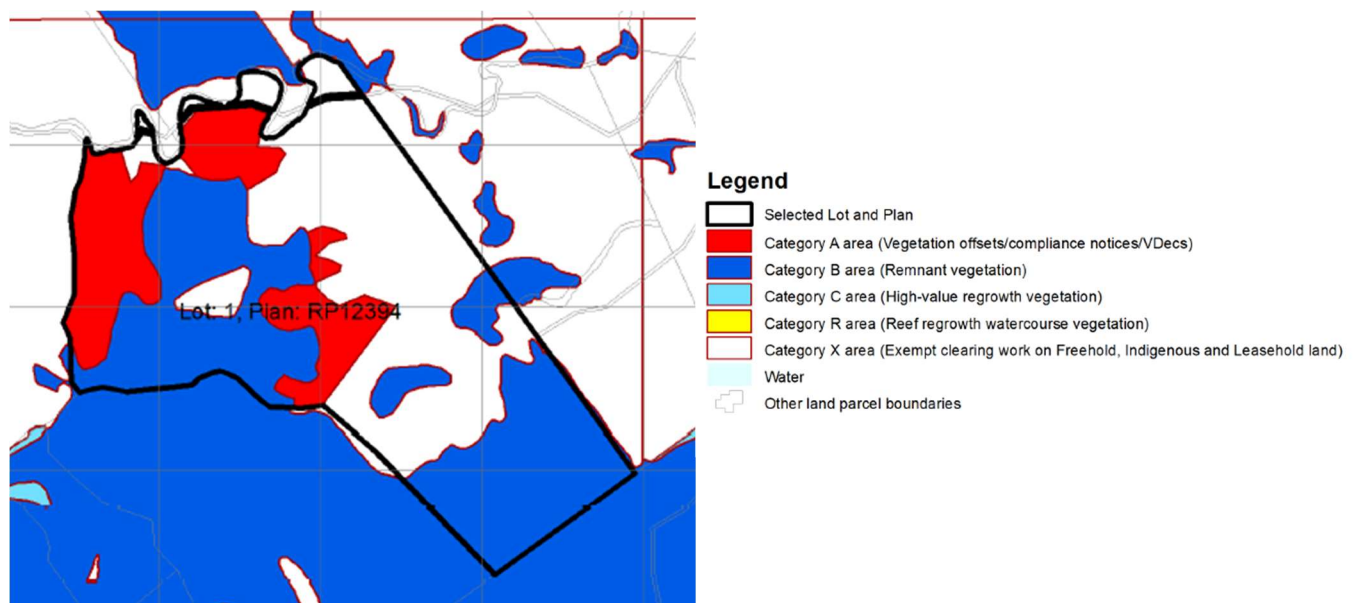


Figure 6 – Regulated Vegetation mapping for the offset Site showing Category A (red).

Source: Vegetation Management Report, Queensland Government, November 2023.

3.4 Condition 4 - Offset Management Plan

Compliance Determination

Compliant

Condition 4 requires the approval holder to at least three months prior to commencement of the action, submit an OMP which has been reviewed by a suitably qualified person to the Minister for approval. The approval holder must not commence the action unless the Minister has approved the OMP in writing. Evidence of notification and approval by the Minister is provided in **Appendix C** and **D**.

Both the internal and external OMP were prepared by Green Tape Solutions and consist of:

- Offset Management Plan - Conservation Area North and Conservation Area South, Paradise Waters Residential Estate, Version D, dated 19 November 2017; and
- External Offset Management Plan, Paradise Waters Residential Estate, Version E, dated 25 May 2018.

Both OMPs were approved by the Department on 6th June 2018 (**Appendix C**).

A variation to the OMP for Conservation Area North and Conservation Area South was approved by the Department on 24th July 2019 (**Appendix D**). The current, most recently approved versions of the OMPs are available on the project website².

Both OMPs have been adopted by Stockland's Offset Service Provider for implementation.

Compliance of each OMP against Conditions 4a) to e) is provided in Table 3.

Assessment against the requirements of the approved OMPs is presented in Section 4.

² <https://www.stockland.com.au/places/botanica>

Table 3. Compliance of the Internal and External Offset Management Plans against Condition 4 items

Condition 4 items	Offset Management Plan - Conservation Area North and Conservation Area South	External Offset Management Plan
a) <i>a detailed description of the offset areas is required by Condition 3, consistent with the EPBC Act Environmental Offsets Policy.</i>	Addressed in Section 2.0 and Table 1 and 2 of the OMP.	Addressed in Section 2.0, pages 7-11 of the OMP.
b) <i>measures to protect, manage and rehabilitate Koala habitat in the offset areas, including, but not limited to:</i>	-	-
i. <i>a map/maps showing areas to be managed.</i>	Addressed by Figures 1-5 of the OMP.	Addressed by Figures 1-3 of the OMP.
ii. <i>timing of management activity for each area</i>	Addressed by Section 4.5, Table 10, page 28-30 of the OMP.	Addressed by Section 5.3, Table 8 of the OMP.
iii. <i>performance criteria for each area</i>	Addressed by Section 4, Table 10, page 20-30 of the OMP.	Addressed by Section 5.3, Table 8 of the OMP.
iv. <i>a monitoring plan to assess the success of the management activities measured against the baseline condition. This must include, but not be limited to, control sites and periodic ecological surveys to be undertaken by a suitably qualified person.</i>	Details of proposed management actions and requirements are provided in Section 4.5, Table 10, page 28-30 of the OMP.	Addressed in Table 8, page 28, and Table 11, page 38 of the OMP.
v. <i>a risk assessment and a description of the measures that would be implemented to mitigate the identified risks;</i>	Risks are identified and mitigated through the monitoring schedule as per Section 6.6, Table 12, pages 36-37 of the OMP. Further risk assessment to offset management objectives, contingency response and corrective	Addressed in Section 8.1, Table 13, pages 44-49 and Section 8.2, Table 14, pages 50-51 of the OMP.

Condition 4 items	Offset Management Plan - Conservation Area North and Conservation Area South	External Offset Management Plan
	action is presented in Section 7, pages 42-46 of the OMP.	
vi. <i>the use of local provenance plants for rehabilitation, where planting is undertaken;</i>	The OMP for the impact Site outlines the use of local provenance plants for rehabilitation. Species to be used for infill planting are outlined within Section 4.3.2, Table 8 and 9, pages 24-25 of the OMP and consist of a mix of native canopy and sub-canopy/understorey species that are represented within mature vegetation communities present on site.	Not applicable - No revegetation was included for the OMP for the external offset site, rather natural regeneration, weed management, fire management, stock exclusion and control to help improve the koala habitat condition and assessment.
vii. <i>installing and maintaining fencing as necessary to prevent domestic livestock from entering offset areas while allowing koala movement;</i>	Addressed in Section 4.1 of the OMP.	Addressed by Section 5.1.3, page 24 of the OMP.
viii. <i>excluding grazing from offset areas, except where necessary for bushfire prevention and control, for example by using crash grazing;</i>	Addressed in Section 4.1 of the OMP.	Addressed by Section 5.1.3, page 24 of the OMP.
ix. <i>vegetation management including increasing abundance of Koala food trees and controlling weeds, including as shown in Annexure 2;</i>	Addressed in Section 4.3 of the OMP.	Addressed by Section 5, pages 22-27 of the OMP.
x. <i>undertaking regular koala predator control.</i>	Addressed in Section 4.2 of the OMP.	Addressed by Section 5.1.4, page 25 of the OMP.
c) <i>details of the offset attributes (including maps in electronic Geographic Information System (GIS) format with accompanying shapefiles), site descriptions, environmental values, connectivity with other Koala habitat and biodiversity corridors;</i>	Addressed in Section 2.0 of the OMP.	Addressed by Section 2, page 7-11 and Section 3, page 12-15 of the OMP.

Condition 4 items	Offset Management Plan - Conservation Area North and Conservation Area South	External Offset Management Plan
d) <i>detailed surveys and descriptions of the offset areas to clearly identify baseline conditions and establish performance indicators. This must include:</i>	-	-
i. <i>a baseline description (prior to any management activities) of the current condition of the extant vegetation of each offset area, including the location of survey points (GPS reference);</i>	Addressed in Section 3, pages 11-15 of the OMP.	Addressed by Section 3, page 12-15 of the OMP.
ii. <i>the quantity of Koala habitat provided by the offset area;</i>	Addressed in Section 3.1, Table 4, page 12 of the OMP.	Addressed by Table 5, page 13 of the OMP.
iii. <i>the quality of Koala habitat found within the offset area (prior to any management activities);</i>	Addressed in Section 3.1, Table 4, page 12 of the OMP.	Addressed by Table 5, page 13 of the OMP.
iv. <i>vegetation condition mapping;</i>	Addressed in Section 3.3, Table 5, pages 14-15 of the OMP.	Addressed by Table 7, page 17, and Figure 2 of the OMP.
v. <i>photo reference points.</i>	Addressed in Section 6.2, page 33 of the OMP.	Addressed by Section 7.2 of the OMP.
e) <i>details of the parties responsible for managing, monitoring and implementing the OMP for the duration of this approval, including the minimum relevant experience and qualifications required for the relevant responsibilities.</i>	Addressed in Section 5, pages 31-32, and Section 6.6, Table 12, page 36-37 of the OMP.	Addressed by Section 6, Table 9, pages 31-33 of the OMP.

3.5 Condition 5 – Public Access to Plans

Compliance Determination	Compliant
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Condition 5 requires the approval holder to make the most recent versions of the plans publicly available on the website of the approval holder for the duration of the approval.

Stockland has made the most recent approved versions of the plans publicly available on the website - <https://www.stockland.com.au/places/botanica>, and will remain accessible to the public for the duration of the Approval.

3.6 Condition 6 – Commencement of Action

Compliance Determination	Non-Compliant
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Condition 6 requires the approval holder to within 10 business days after the commencement of the action, notify the Department in writing of the actual date of commencement of the action.

While it is understood discussions occurred between Green Tape Environmental, past employees of Stockland and DCCEEW, there is no record of written notification to the Department of planned commencement of the Action.

Following an internal audit, the approval holder advised the Department in writing of potential non-compliance against this condition and is committed to achieving compliance to conditions within future reporting periods. Evidence of notification of Non-compliance (email dated 11 September 2023 from Stockland to DCCEEW) has been sighted

Stockland is committed to notifying the Department in writing prior to the re-commencement of the Action.

3.7 Condition 7 – Maintaining Accurate Records

Compliance Determination	Compliant
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Condition 7 requires the approval holder to maintain accurate records substantiating all activities associated with or relevant to the conditions of approval.

Documentation is being retained by Stockland. Records have been sighted that substantiate all activities that have occurred under the approval. Records of communication to the Department have been sighted where activities did not occur in projected timeframes, or are yet to occur.

No Departmental audits of the Action have been conducted to-date.

3.8 Condition 8 – Notification of contraventions of conditions of approval

Compliance Determination

Compliant

Condition 8 requires the approval holder to notify the Department in writing of any contravention of any condition of this approval as soon as practical and within no more than two (2) business days of becoming aware of the contravention as per Condition 8 of Commonwealth approval EPBC 2013/6864.

In instances where non-compliances have arisen, notification of the Department has occurred in accordance with Condition 8. Such notifications have been sighted.

Stockland is currently in discussions with DCCEEW to vary the timeframes bound to the conditions of approval for the development Site, to reflect the hold-up in progress of development. The outcome of these ongoing discussions will have consequence for the assessment of compliance in future ACRs for timeframe-based conditions of approval.

3.9 Condition 9 – Publishing report

Compliance Determination

Compliant

Condition 9 requires the approval holder to publish a report on their website addressing compliance with each of the conditions of approval within three months of every 12 month anniversary of the commencement of the action.

This is the first ACR for the Action and will be published on the approval holder's website and publicly available alongside the approved plans and documents for the development at <https://www.stockland.com.au/places/botanica>.

3.10 Condition 10 – Independent Audit

Compliance Determination

Compliant

Condition 10 requires the approval holder, upon the direction of the Minister, to conduct an independent audit of compliance with the conditions of approval. No independent audit has been requested by the Minister. Stockland is committed to compliance with the approval conditions and will comply with this condition should an independent audit be requested by the Minister.

3.11 Condition 11 – Revision of plans or strategies

Compliance Determination

Compliant

Condition 11 requires that if the approval holder wishes to carry out any activity otherwise than in accordance with a dated plan or strategy as specified in the conditions, the approval holder must submit to the Department for the Minister's written approval a revised version of that plan or strategy. The varied activity must not commence until the Minister has approved the varied plan or strategy in writing. The Minister will not approve a varied plan or strategy unless the revised plan or strategy would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised plan or strategy that plan or strategy must be implemented in place of the plan or strategy originally approved.

Variations to the original OMPs have been sought from the Department, in writing, as the need has arisen. One such request for variation is currently being reviewed and assessed by DCCEEW. A response from DCCEEW is expected shortly, however has not been provided at the time of reporting.

3.12 Condition 12 – Minister requested changes to a management plan or strategy

Compliance Determination

Compliant

Condition 12 states that if the Minister believes that it is necessary or convenient for the better protection of EPBC Act dated listed species or communities to do so, the Minister may request that the approval holder make specified revisions to a management plan or

strategy required by the conditions and submit the revised plan or strategy for the Minister's written approval.

At the time of compliance reporting, no request for changes to the management plan or strategy has been made by the Minister.

3.13 Condition 13 – Non commencement of action

<i>Compliance Determination</i>	Compliant
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The EPBC approval conditions that 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 the written agreement of the Minister.

The variation of conditions attached to approval EPBC2013/6865 (**Appendix B**) was approved in March 2019. Commencement of action occurred October 2022, and is within five years from the date of variation approval.

3.14 Condition 14 – Publishing of plans and strategies

<i>Compliance Determination</i>	Compliant
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The EPBC approval conditions that unless otherwise agreed to in writing by the Minister, the approval holder must publish all dated plans and strategies referred to in these conditions of approval on its website. Each plan or strategy must be published on the website within 1 month of being approved (unless otherwise specified in these conditions) and remain on the website for the duration of project approval.

The approval holder has a dedicated page on its website for the approval documents for EPBC approval EPBC2013/6865. And can be viewed at the following weblink - <https://www.stockland.com.au/places/botanica>

4 Requirements of the Offset Management Plans

4.1 Internal Offset Management Plan

Compliance Determination

Non-Compliant

The disruption of development in October 2022, and the subsequent halt on further work across the site, has affected Stockland's ability to commence activities under the approved Internal OMP (Offset Management Plan - Conservation Area North and Conservation Area South, Paradise Waters Residential Estate). As no offset management activities have commenced, the Action is Non-Compliant against the timing of management actions committed to in the OMP.

It is noted that Stockland has applied to the Department to have the timing of management actions committed to in the OMP tied to the re-commencement date of the Action, which is anticipated to occur in 2024. A response from DCCEEW is expected shortly, however has not be provided at the time of reporting.

4.2 External Offset Management Plan

Compliance Determination

Compliant

Management actions on the external offset site commenced in December 2018, pre-dating commencement of the Action by almost four years. This Compliance Report assesses compliance up to October 2023, prior to issue of the 2023 BioCondition Offset Evaluation Report. Therefore, only the first four years of offset management are considered in this Compliance Report.

A compliance assessment against Performance Criteria (PC) and monitoring activities in the approved External OMP (External Offset Management Plan, Paradise Waters Residential Estate) is presented in **Table 4** to **Table 8**. This assessment demonstrates that Stockland is achieving overall compliance against commitments made in the External OMP.

Table 4. Weed management Performance Outcomes and monitoring activities from the External OMP

Management Actions		Weed Management
Performance Criteria		
PC1	To implement weed control activities throughout the offset area, during the period of project approval (i.e. to 2045)	Weed control activities have been undertaken twice-yearly since commencement of offset management, where climatic conditions have permitted. The success of weed management has been assessed in each annual BioCondition assessment.
PC2	To reduce the extent of all weed infestations by 75% within the first 3 years of management	BioCondition assessment at the end of 2021 determined weed cover to be less than 5% across the assessment locations. This was consistent with the baseline BioCondition assessment conducted in 2015. Accurate percent cover determinations are challenging at such low percentage weed occurrence, as such reporting is in increments of 5%. BioCondition assessment (inclusive of weed cover) determined improvement in condition of all assessment sites by 2-18% when compared to 2015.
PC3	To reduce the extent of all weed infestations including <i>Lantana sp.</i> by 90%, and maintain this weed infestation target during the period of project approval (i.e. to 2045)	Weed control activities continue to be undertaken twice-yearly, as permitted by climatic conditions. The success of weed management has been assessed in each annual BioCondition assessment.
Monitoring Activities		
Assessment of the presence and spread of weeds to be undertaken through BioCondition assessment and visual observations. BioCondition assessment to be undertaken every November for the first 5 years and then every November in years 2027, 2032, 2037 and 2044.	<p>BioCondition assessment reporting has been prepared for the years 2019, 2020, 2021, 2022 and 2023. Each year around November, five (5) BioCondition surveys are completed to ascertain if management actions are improving the condition of the external offset area, or, if intervention and adaptive management is required.</p> <p>The initial baseline BioCondition survey to determine the Regional Ecosystem condition, utilised for the approved OMP was undertaken in November 2015. However, as the approval of the OMP did not occur until 2018/2019, the first year of BioCondition assessment was not completed till October 2019.</p> <p>Additionally weed management audits have been undertaken in between BioCondition assessment to review weed control on the offset site. The audits were undertaken for years 2019, 2020, 2021, 2023. Due to excessive rain in 2022, and most of the offset areas being inaccessible, a weed management audit was not possible.</p> <p>The approval holder has been in recent communications with DCCEEW regarding the extreme weather conditions of 2023, and the need to hold off the latest round of weed management until early 2024 when ideal conditions are present on site to ensure the best application of chemicals and also access to the Site.</p>	

Table 5. Fire management Performance Outcomes and monitoring activities from the External OMP

Management Actions		Fire Management
Performance Criteria		
PC4	Maintenance of fire breaks is achieved for the duration of the project's approval	Fire breaks and access tracks are inspected and maintained annually.
PC5	Increase regeneration of shrub layer by 50% and increase of native perennial and tussock grasses by 30% to meet the remnant status within the first 5 years	N/A - only the first four years of offset management are considered in this Compliance Report
PC6	Reduce intensity and frequency of fire to improve remnant status of the vegetation for the duration of the approval	Fire management actions have been implemented annually since commencement of offset management. The suitability of hazard controls and the fire hazard of the site has been assessed and audited annually.
Monitoring Activities		
Check firebreak and fuel load during BioCondition assessment and opportunistically at other times.	<p>BioCondition assessment reporting included review of fire risk, fuel load and condition of fire breaks for the years up to November in 2019, 2020, 2021 and 2022. This compliance reporting is for October 2022-October 2023 and therefore BioCondition assessment reporting for November 2023 is not yet included.</p> <p>Additional audits and reviews for fire management were also undertaken in between BioCondition assessment and include:</p> <ul style="list-style-type: none"> • Fire break and track audits, • Fire break effectiveness audit, and • Fuel load review. <p>During the April 2023 fuel load review, it was identified that following 2-3 years of good rainfall, fuel loads were classified as 'very high' for most locations onsite. Implementing a cool burn was determined to be too high in 2022/2023 due to threats to Koala, therefore the decision was made to reduce aerated fuel by hard short-term grazing, rotated within areas of the site. This crash grazing has been effective and proven to be a good management strategy, as reported in the 2023 audit reporting.</p> <p>The most recent fire break and fire management audits (October 2023) concluded that the short-term introduction of stock has - in majority of locations - helped to reduce fuel loads without the need for soil disturbance by machinery. Only occasional areas have needed mechanical intervention to create effective fire breaks.</p>	

Table 6. Stock exclusion and control Performance Outcomes and monitoring activities from the External OMP

Management Actions		Stock Exclusion and Control
Performance Criteria		
PC7	Stock are excluded from the offset site, except where authorised by an ecologist and/or discussed with the landowner for fuel/fire hazard management	Stock have been intermittently used, at low numbers, as a means of controlling fire risk. Stock were introduced to site for six months in 2019. Stock were then re-introduced to the offset site in September 2021 to reduce fuel and decrease fuel aeration to reduce the fire risk. Stock were removed in 2023 as fuel load reduction has been achieved. Stock introduction/removal has occurred with agreement of the offset ecologist and the landowner.
PC8	Boundary fencing is established and maintained to exclude/manage stock	Fences were established in 2018, at the commencement of the management period. Fences and firebreaks are subject to annual inspection, with maintenance conducted as required.
PC9	Maintain good condition of the fence. Damaged boundary fencing is repaired as soon as practicable following detection of unauthorised stock access and/or damaged fencing	Fences are subject to annual inspection, with maintenance conducted as required.
PC10	A fauna friendly fence is to surround the offset site	A wildlife friendly stock proof fence (2 barb in the middle and plain wire top and bottom) was installed in 2018 to define the offset boundary and manage / exclude stock.
PC11	To ensure groundcover remains greater than 70% on average across the offset area, tussock grass height remains above 750 mm, natural regeneration is occurring and the shrub layer averages 10% foliage projection cover for the duration of the approval	Native perennial grass cover has increased, on average, from an average cover of 33% in 2015 across the five monitoring sites to an average grass cover of 46% in 2022. BioCondition scores have increased across the offset site, from an average condition of 78% in 2015, to an average condition of 85% in 2022.
Monitoring Activities		
Fence condition is monitored on a quarterly basis (this can include opportunistic fence inspections by contractors, landowner and staff accessing the site throughout the year) during phase 1 offset area management.	6 km of fencing was installed around the offset areas in 2019, encompassing approximately 113 ha, to exclude and manage stock, except where authorised by an ecologist or where required for fuel/fire hazard management. The installed fence consists of 4 wire (2 barb and 2 plain), posts at 7 m spacings and access gates. Top and bottom wire is plain with 2 middle wires barb. Bottom wire is set 500 mm or greater from the ground level to facilitate wildlife movement. The audit confirmed the fence is well-constructed, strained and deemed to be a fence with approximately 50 years + lifespan. Additionally, the fence line is sufficiently cleared to assist in prevention of trees falling over the fence and help reducing ongoing maintenance tasks.	
Presence of stock to be monitored regularly.	An initial fence audit was undertaken in January 2019 by Crossroads Consultancy.	

	<p>The landowner has undertaken frequent fence monitoring since its installation and, due to operations for grazing onsite, fence management is an essential primary production management practice and undertaken on a more frequent basis than conditioned by the OMP approval.</p>
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Table 7. Feral animal and wild dog control Performance Outcomes and monitoring activities from the External OMP

Management Actions		Feral Animal and Wild Dog Control
Performance Criteria		
PC12	Reduction in Koala predation as a result of reduced dog numbers. When dog trapping and shooting are conducted for a number of weeks, dogs will move out of an area they perceive as unsafe and may not return for a number of months. The measurable result will be a significant reduction in dog and/or pig numbers observed or captured on camera.	The has been no evidence to date of Koala predation on the offset site by wild dogs.
Monitoring Activities		
Ongoing as general property management with dedicated monitoring and control to occur annually during the first 5 years and on an as required basis until 2045.	<p>An initial wild dog survey was undertaken in 2019 to:</p> <ol style="list-style-type: none"> 1. Determine if wild dogs were in the offset area and if so, in what numbers; and, 2. If wild dogs were present, establish if there was an impact on Koala populations. <p>Steve Cupitt from Crossroads Consultancy has been engaged by Stockland to undertake management of the external offset site and was also involved in discussions with DCCEEW in 2018 regarding the implementation of the OMP. It is understood that verbal agreement was reached as an outcome of these discussions to reduce pest management effort. This agreement was based on baseline survey works determining feral animals to being absent from the offset property.</p> <p>No written evidence of these discussions or subsequent agreement to modify management has been sighted as part of this compliance assessment.</p> <p>Contrary to the above, fauna surveys (baited cameras, sand track ID, acoustic analysis) has established that an old male Dingo resides onsite.</p> <p>Koala Spot Assessment Technique (SAT) was undertaken in years 2021, 2022 and 2023, with an informal opportunistic Koala survey undertaken in 2019 alongside the wild dog survey. The ecologist undertaking the BioCondition and fauna surveys reported no formal Koala survey was undertaken in 2019 due to the severe drought. During the opportunistic koala/wild dog survey in 2019, the ecologist theorised that wild dogs may have been attracted to the property due to the availability of water in creek, however no signs of wild dogs were evident within the wild dog survey of 2019. Additionally, the three Koala surveys suggest that the Koala population on site is increasing, which is an indication that wild dog predation is not a material threat to the species.</p>	

Table 8. Unauthorised access or use Performance Outcomes and monitoring activities from the External OMP

Management Actions		Unauthorised Access or Use
Performance Criteria		
PC13	Offset site access by persons other than the landowner is only for the purpose of implementing this plan	Access to the offset site is restricted to the landowner and service providers tasked with implementing parts of the OMP.
PC14	Fence condition is monitored on a quarterly basis. Any damage is reported to the project manager with repair taking place when reasonably possible, whilst preventing stock access	Fences are subject to audit once per year, with opportunistic fence monitoring undertaken throughout the year as other offset management activities are conducted.
Monitoring Activities		
Fence condition is initially monitored on a quarterly basis and monitored as part of general maintenance and operations after year 5.	Fence condition has been monitored by contractors, landowner and staff accessing the site throughout the year) during phase 1 offset area management a minimum of once per quarter. As the Site is used for primary production, fence monitoring is a daily business task. A fence audit was undertaken in 2019 following the installation of 6 km of fencing to the offset areas.	

5 Summary and Conclusion

This ACR has been prepared on behalf of Stockland as per approval decision notice EPBC 2013/6864 (**Appendix A**), Part B – Standard Administrative Conditions – Compliance Records, approved by the DCCEEW. This ACR has been prepared in collaboration with the approval holder, and external environmental consultants, involving review of reporting, audits, meetings and interviews. Reporting and has relied on the reports, audits and communications from experienced and qualified environmental consultants contracted by the approval holder.

The Action temporarily commenced on 26th October 2022, involving preliminary clearing activities and then stopped within 36 hours due to protester activities. Currently there are no activities occurring on the Site. Whilst development of the impact site has paused, Stockland has been proactive in reducing impact to koala through the management of the external offset site generally in accordance with the approved OMP. As such the protection and management of the external offset site is achieving compensation in advance of impacts to koala habitat.

Recognising that the originally anticipated rate of development and implementation of commitments on the impact/development site has not materialised, Stockland has elected to take a precautionary approach and self-notify the Department of known areas of possible non-compliance. This reporting has included the recent communications to the compliance department of DCCEEW as supporting documentation.

This ACR has assessed the actions on the impact/development site, and the external offset site against the conditions of approval (**Appendix A** and **B**) identifying areas on compliance and non-compliance. Where areas of non-compliance are evident, the approval holder has aimed for a proactive precautionary approach. Ongoing discussions are being held with DCCEEW at the time of this ACR to rectify areas of non-compliance with the aim to achieve all future compliance requirements of the conditions of approval.

Appendix A – EPBC Approval



Approval

Paradise Waters Residential Development, Deebing Heights, Qld (EPBC 2013/6864)

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 Stockland Development Pty Ltd

proponent's ACN 000 064 835

proposed action Development of the Paradise Waters Residential Estate on Grampian Drive, Deebing Heights, Queensland
[See EPBC Act referral 2013/6864].

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 5 January 2045

Decision-maker

name and position Deb Callister
Assistant Secretary
Queensland and Sea Dumping Assessment Branch

signature

date of decision

17 December 2014

Conditions attached to the approval

1. The **approval holder** must not remove more than 92 hectares of **Koala habitat** from within the 'Site boundary' shown in Annexure 1.
2. The approval holder must not remove **Koala habitat** within the areas referred to as "Conservation area – north", "Conservation area – south" and "Vegetation Retained", and must install **one-way koala fencing** (depicted as "Northern Conservation Area Fencing") as shown in Annexure 1.
3. To compensate for the loss of 92 ha of **Koala habitat**, the **approval holder** must secure and manage as **Koala habitat**, the following offset areas:
 - i. a minimum of 113.2 hectares of **Koala habitat** referred to as "Conservation area – north" and "Conservation area – south" in Annexure 1; and
 - ii. a minimum of 88 ha of **Koala habitat** that is mapped as a **category X area** within the area described in RPS Report Number PR123497-1 provided to the Department via correspondence dated 18 August 2014 or an alternative offset site approved by the **Minister** in writing.

The offset described in condition 3(ii) must be **legally secured** in accordance with Queensland legislation, within 2 years of **commencement of the action**.

4. At least three months prior to **commencement of the action**, the **approval holder** must submit an *Offset Management Plan* (OMP) which has been reviewed by a **suitably qualified person** to the **Minister** for approval. The **approval holder** must not **commence the action** unless the **Minister** has approved the OMP in writing. The approved OMP must be implemented. The OMP must include, but not be limited to:
 - a. a detailed description of the offset areas required by Condition 3, consistent with the **EPBC Act Environmental Offsets Policy**;
 - b. measures to protect, manage and rehabilitate **Koala habitat** in the offset areas, including, but not limited to:
 - i. a map/maps showing areas to be managed;
 - ii. timing of management activity for each area;
 - iii. performance criteria for each area;
 - iv. a monitoring plan to assess the success of the management activities measured against the baseline condition. This must include, but not be limited to, control sites and periodic ecological surveys to be undertaken by a suitably qualified person;
 - v. a risk assessment and a description of the measures that would be implemented to mitigate the identified risks;
 - vi. the use of local provenance plants for rehabilitation, where planting is undertaken;
 - vii. installing and maintaining fencing as necessary to prevent domestic livestock from entering offset areas while allowing koala movement;
 - viii. excluding grazing from offset areas, except where necessary for bushfire prevention and control, for example by using **crash grazing**;
 - ix. vegetation management including increasing abundance of **Koala food trees** and controlling weeds, including as shown in Annexure 2; and
 - x. undertaking regular koala predator control.

- c. details of the **offset attributes** (including maps in electronic Geographic Information System (GIS) format with accompanying **shapefiles**), site descriptions, environmental values, connectivity with other **Koala habitat** and biodiversity corridors;
- d. detailed surveys and descriptions of the offset areas to clearly identify baseline conditions and establish performance indicators. This must include:
 - i. a baseline description (prior to any management activities) of the current condition of the extant vegetation of each offset area, including the location of survey points (GPS reference);
 - ii. the quantity of **Koala habitat** provided by the offset area;
 - iii. the quality of **Koala habitat** found within the offset area (prior to any management activities);
 - iv. vegetation condition mapping; and
 - v. photo reference points.
- e. details of the parties responsible for managing, monitoring and implementing the OMP for the duration of this approval, including the minimum relevant experience and qualifications required for the relevant responsibilities.

General

- 5. The most recent approved versions of the plans described in these conditions must remain accessible to the public on the website of the **approval holder** for the duration of the Approval.
- 6. Within 10 business days after the **commencement of the action**, the **approval holder** must advise the **Department** in writing of the actual date of **commencement of the action**.
- 7. 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 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.
- 8. The **approval holder** must notify the **Department** in writing of any contravention of any condition of this approval as soon as practical and within no more than two (2) business days of becoming aware of the contravention. The notification provided to the **Department** under this condition must specify:
 - a) the condition which the **approval holder** has contravened;
 - b) the nature of the contravention;
 - c) when and how the **approval holder** became aware of the contravention;
 - d) how the contravention will affect the anticipated **impacts** of the approved **action**, in particular how the contravention will affect the **impacts** on **MNES**;
 - e) the measures the **approval holder** will take to address the **impacts** of the contravention on **MNES** and rectify the contravention; and
 - f) the time by when the **approval holder** will rectify the contravention.
- 9. 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 plans as specified in the conditions. The compliance reports must remain on the website for 12 months from the date of publishing. Documentary evidence providing proof of the date of publication must be provided to the

Department at the same time as the compliance report is published. The **approval holder** may cease preparing and publishing the annual compliance reports required by this condition if they have written agreement from the **Minister** to do so.

10. 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 audit must not commence unless and until the **Minister** has approved the independent auditor and audit criteria. The audit report must address the criteria to the satisfaction of the **Minister**.
11. If the **approval holder** wishes to carry out any activity otherwise than in accordance with a plan or strategy as specified in the conditions, the **approval holder** must submit to the **Department** for the **Minister's** written approval a revised version of that plan or strategy. The varied activity must not commence until the **Minister** has approved the varied plan or strategy in writing. The **Minister** will not approve a varied plan or strategy unless the revised plan or strategy would result in an equivalent or improved environmental outcome over time. If the **Minister** approves the revised plan or strategy that plan or strategy must be implemented in place of the plan or strategy originally approved.
12. If the **Minister** believes that it is necessary or convenient for the better protection of **EPBC Act** listed species or communities to do so, the **Minister** may request that the approval holder make specified revisions to a management plan or strategy required by the conditions and submit the revised plan or strategy for the **Minister's** written approval. The approval holder must comply with any such request. The approved plan or strategy must be implemented. Until the **Minister** has approved a revised plan or strategy, the approval holder must continue to implement the previously approved plan or strategy, as specified in the conditions.
13. 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 the written agreement of the **Minister**.
14. Unless otherwise agreed to in writing by the **Minister**, the **approval holder** must publish all plans and strategies referred to in these conditions of approval on its website. Each plan or strategy must be published on the website within 1 month of being approved (unless otherwise specified in these conditions) and remain on the website for the duration of project approval.

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 Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

Category X area has the meaning in Section 20AO of the *Vegetation Management Act 1999* (Qld).

Commencement/Commence/d of the action means any works involved in the construction phase of the project, including clearing vegetation, the erection of any onsite temporary structures and the use of heavy duty equipment for the purpose of breaking the ground for buildings or infrastructure. This excludes:

- the erection of signage, fences, barriers or bunting for the purposes of excluding areas containing listed threatened species.
- any land management procedures, such as fire or weed management, to protect listed threatened species and ecological communities listed under sections 18 and 18A of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*; or
- minor physical disturbance necessary to undertake pre-clearance surveys or establish monitoring programs.

Crash grazing means high intensity grazing for short periods as a management measure to rapidly reduce ground level biomass.

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

EPBC Act means the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

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

Koala habitat means areas of vegetation which contain **koala food trees**.

Koala food trees means trees of any of the following genera– (a) *Angophora*; (b) *Corymbia*; (c) *Eucalyptus*; (d) *Lophostemon*; (e) *Melaleuca* that are known to be consumed by koalas.

Impacts has the definition assigned to it in section 527E of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

Legally secured means to secure, in accordance with Qld legislation, a covenant or similar legal agreement or arrangement in relation to a site, to provide enduring protection for the site against developments incompatible with conservation.

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

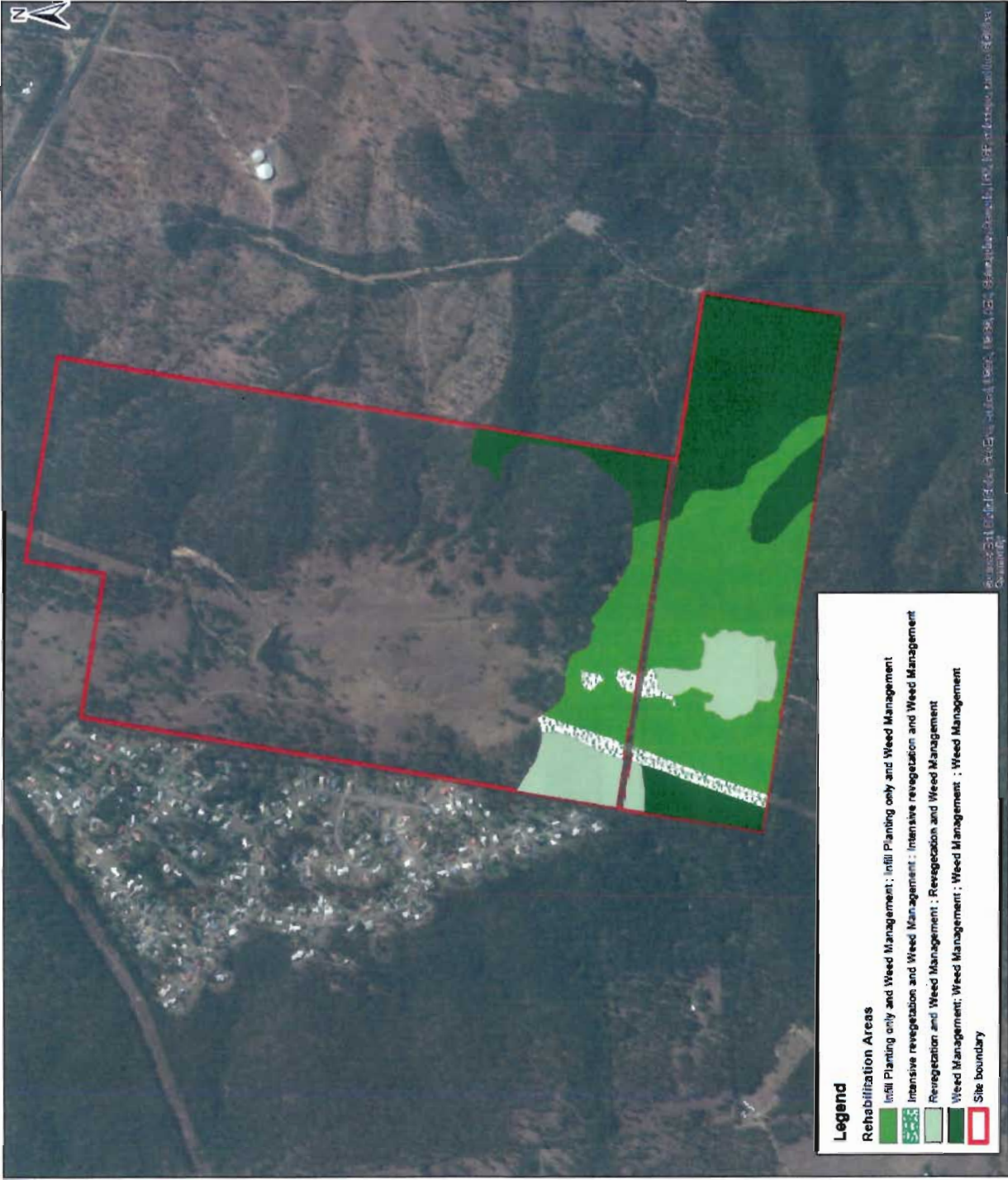
Offset areas means the areas identified in or in accordance with condition 3.

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

One-way koala fencing means fencing that allows koalas to travel from residential areas to conservation areas, but not from conservation areas to residential areas.

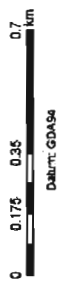
Shapefile means an ESRI Shapefile containing '.shp', '.shx' and '.dbf' files and other files capturing attributes of the Offset Area, including the shape, EPBC reference ID number and EPBC protected matters present at the relevant site. Attributes should also be captured in '.xls' format.

Suitably Qualified person means a real person with relevant tertiary qualifications and/or a minimum of three years demonstrated experience relevant to the task in question.



Rehabilitation Areas	
Figure 7	
Project:	Paradise Waters
Client:	Stocklands
Completed by:	HR
Date:	08/08/2014
Approved by:	LW
Date:	14/08/2014

Digital Cadastral Database Boundary
 National Register: Ecosystem
 Polygon
 Data provided by the
 State of Queensland (Department of Environment
 and Heritage Protection) 2012.



Appendix B – EPBC Variation Approval



VARIATION OF CONDITIONS ATTACHED TO APPROVAL
Paradise Waters Residential Development, Deebing Heights, QLD
(EPBC 2013/6864)

This decision to vary conditions of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action

Person to whom the approval is granted Stockland Development Pty Ltd
ACN: 000 064 835

Approved action Development of the Paradise Waters Residential Estate on Grampian Drive, Deebing Heights, Queensland [See EPBC Act referral 2013/6864]

Variation

Variation of conditions attached to approval The variation is:
Delete Annexure 1 attached to the approval and substitute with the Annexure 1 specified in table below

Date of effect This variation has effect on the date the instrument is signed

Person authorised to make decision

Name and position Declan O'Connor-Cox
A/g Assistant Secretary
Assessment (WA, SA & NT) & Post Approvals

Signature

Date of decision 1 March 2019

Date of decision	Conditions attached to approval
Original dated 17/12/2014	1. The approval holder must not remove more than 92 hectares of Koala habitat from within the 'Site boundary' shown in Annexure 1.
Original dated 17/12/2014	2. The approval holder must not remove Koala habitat within the areas referred to as "Conservation area - north", "Conservation area - south" and "Vegetation retained", and must install one-way koala fencing (depicted as "Northern Conservation Area Fencing") as shown in Annexure 1.
Original dated 17/12/2014	<p>3. To compensate for the loss of 92 ha of Koala habitat, the approval holder must secure and manage as Koala habitat, the following offset areas:</p> <p>a) a minimum of 113.2 hectares of Koala habitat referred to as "Conservation area – north" and "Conservation area – south" in Annexure 1; and</p> <p>b) a minimum of 88 ha of Koala habitat that is mapped as a category X area within the area described in RPS Report Number PR123497-1 provided to the Department via correspondence dated 18 August 2014 or an alternative offset site approved by the Minister in writing.</p> <p>The offset described in condition 3(ii) must be legally secured in accordance with Queensland legislation, within 2 years of commencement of the action.</p>
Original dated 17/12/2014	<p>4. At least three months prior to commencement of the action, the approval holder must submit an Offset Management Plan (OMP) which has been reviewed by a suitably qualified person to the Minister for approval. The approval holder must not commence the action unless the Minister has approved the OMP in writing. The approved OMP must be implemented. The OMP must include, but not be limited to:</p> <p>a. a detailed description of the offset areas required by Condition 3, consistent with the EPBC Act Environmental Offsets Policy;</p> <p>b. measures to protect, manage and rehabilitate Koala habitat in the offset areas, including but not limited to:</p> <ul style="list-style-type: none"> i. a map/maps showing areas to be managed; ii. timing of management activity for each area; iii. performance criteria for each area; iv. a monitoring plan to assess the success of the management activities measured against the baseline condition. This must include, but not be limited to, control sites and periodic ecological surveys to be undertaken by a suitably qualified person; v. a risk assessment and a description of the measures that would be implemented to mitigate the identified risks; vi. the use of local provenance plants for rehabilitation, where planting is undertaken; vii. installing and maintaining fencing as necessary to prevent domestic livestock from entering offset areas while allowing koala movement; viii. excluding grazing from offset areas, except where necessary for bushfire prevention and control, for example by using crash grazing; ix. vegetation management including increasing abundance of Koala food trees and controlling weeds, including as shown in Annexure 2; and

Date of decision	Conditions attached to approval
	<ul style="list-style-type: none"> x. undertaking regular koala predator control. c. details of the offset attributes (including maps in electronic Geographic Information System (GIS) format with accompanying shapefiles), site descriptions, environmental values, connectivity with other Koala habitat and biodiversity corridors; d. detailed surveys and descriptions of the offset areas to clearly identify baseline conditions and establish performance indicators. This must include: <ul style="list-style-type: none"> i. a baseline description (prior to any management activities) of the current condition of the extant vegetation of each offset area, including the location of survey points (GPS reference); ii. the quantity of Koala habitat provided by the offset area; iii. the quality of Koala habitat found within the offset area (prior to any management activities); iv. vegetation condition mapping; and v. photo reference points. e. details of the parties responsible for managing, monitoring and implementing the OMP for the duration of this approval, including the minimum relevant experience and qualifications required for the relevant responsibilities.
Original dated 17/12/2014	5. The most recent approved versions of the plans described in these conditions must remain accessible to the public on the website of the approval holder for the duration of the Approval.
Original dated 17/12/2014	6. Within 10 business days after the commencement of the action , the approval holder must advise the Department in writing of the actual date of commencement of the action .
Original dated 17/12/2014	7. 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 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.
Original dated 17/12/2014	8. The approval holder must notify the Department in writing of any contravention of any condition of this approval as soon as practical and within no more than two (2) business days of becoming aware of the contravention. The notification provided to the Department under this condition must specify: <ul style="list-style-type: none"> a) the condition which the approval holder has contravened; b) the nature of the contravention; c) when and how the approval holder became aware of the contravention; d) how the contravention will affect the anticipated impacts of the approved action, in particular how the contravention will affect the impacts on MNES; e) the measures the approval holder will take to address the impacts of the contravention on MNES and rectify the contravention; and

Date of decision	Conditions attached to approval
	f) the time by when the approval holder will rectify the contravention.
Original dated 17/12/2014	9. 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 plans as specified in the conditions. The compliance reports must remain on the website for 12 months from the date of publishing. Documentary evidence providing proof of the date of publication must be provided to the Department at the same time as the compliance report is published. The approval holder may cease preparing and publishing the annual compliance reports required by this condition if they have written agreement from the Minister to do so.
Original dated 17/12/2014	10. 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 audit must not commence unless and until the Minister has approved the independent auditor and audit criteria. The audit report must address the criteria to the satisfaction of the Minister .
Original dated 17/12/2014	11. If the approval holder wishes to carry out any activity otherwise than in accordance with a plan or strategy as specified in the conditions, the approval holder must submit to the Department for the Minister's written approval a revised version of that plan or strategy. The varied activity must not commence until the Minister has approved the varied plan or strategy in writing. The Minister will not approve a varied plan or strategy unless the revised plan or strategy would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised plan or strategy that plan or strategy must be implemented in place of the plan or strategy originally approved.
Original dated 17/12/2014	12. If the Minister believes that it is necessary or convenient for the better protection of EPBC Act listed species or communities to do so, the Minister may request that the approval holder make specified revisions to a management plan or strategy required by the conditions and submit the revised plan or strategy for the Minister's written approval. The approval holder must comply with any such request. The approved plan or strategy must be implemented. Until the Minister has approved a revised plan or strategy, the approval holder must continue to implement the previously approved plan or strategy, as specified in the conditions.
Original dated 17/12/2014	13. 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 the written agreement of the Minister .
Original dated 17/12/2014	14. Unless otherwise agreed to in writing by the Minister , the approval holder must publish all plans and strategies referred to in these conditions of approval on its website. Each plan or strategy must be published on the website within 1 month of being approved (unless otherwise specified in these conditions) and remain on the website for the duration of project approval.

Date of decision	Definitions attached to approval
Original dated 17/12/2014	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 Commonwealth Environment Protection and Biodiversity Conservation Act 1999.
Original dated 17/12/2014	Category X area has the meaning in Section 20AO of the Vegetation Management Act 1999 (Qld).
Original dated 17/12/2014	Commencement/Commence/d of the action means any works involved in the construction phase of the project, including clearing vegetation, the erection of any onsite temporary structures and the use of heavy duty equipment for the purpose of breaking the ground for buildings or infrastructure. This excludes:

Date of decision	Definitions attached to approval
	<ul style="list-style-type: none"> • the erection of signage, fences, barriers or bunting for the purposes of excluding areas containing listed threatened species. • any land management procedures, such as fire or weed management, to protect listed threatened species and ecological communities listed under sections 18 and 18A of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999; or • minor physical disturbance necessary to undertake pre-clearance surveys or establish monitoring programs.
Original dated 17/12/2014	Crash grazing means high intensity grazing for short periods as a management measure to rapidly reduce ground level biomass.
Original dated 17/12/2014	Department means the Australian Government Department administering the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.
Original dated 17/12/2014	EPBC Act means the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.
Original dated 17/12/2014	EPBC Act Environmental Offsets Policy means the Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy (October 2012) or subsequent revisions.
Original dated 17/12/2014	Koala habitat means areas of vegetation which contain Koala food trees .
Original dated 17/12/2014	Koala food trees means trees of any of the following genera– (a) Angophora; (b) Corymbia; (c) Eucalyptus; (d) Lophostemon; (e) Melaleuca that are known to be consumed by koalas.
Original dated 17/12/2014	Impacts has the definition assigned to it in section 527E of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.
Original dated 17/12/2014	Legally secured means to secure, in accordance with Qld legislation, a covenant or similar legal agreement or arrangement in relation to a site, to provide enduring protection for the site against developments incompatible with conservation.
Original dated 17/12/2014	Minister means the Minister administering the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 and includes a delegate of the Minister.
Original dated 17/12/2014	Offset areas means the areas identified in or in accordance with condition 3.
Original dated 17/12/2014	Offset attributes means an '.xls' file capturing relevant attributes of the Offset Area, including the EPBC reference ID number, the physical address of the offset site, coordinates of the boundary points in decimal degrees, the EPBC protected matters that the offset compensates for, any additional EPBC protected matters that are benefiting from the offset, and the size of the offset in hectares.
Original dated 17/12/2014	One-way koala fencing means fencing that allows koalas to travel from residential areas to conservation areas, but not from conservation areas to residential areas.
Original dated 17/12/2014	Shapefile means an ESRI Shapefile containing '.shp', '.shx' and '.dbf' files and other files capturing attributes of the Offset Area, including the shape, EPBC reference ID number and EPBC protected matters present at the relevant site. Attributes should also be captured in '.xls' format.

Date of decision	Definitions attached to approval
Original dated 17/12/2014	Suitably Qualified person means a real person with relevant tertiary qualifications and/or a minimum of three years demonstrated experience relevant to the task in question.

Date of decision

As varied on the date this instrument was signed

Annexure 1

**ANNEX 1:
DEVELOPMENT LAYOUT AND
OFFSET AREA**
Project: EPBC Paradise Waters

-  Development Footprint
-  Site
-  Internal offset areas
-  Conservation area - North
-  Conservation area - South



Notes:
- This map was prepared by Green Tape Solutions
- This map includes and is based on data from Crown and 1973 2018
- All other Copyright (C) Data and/or Maps supplied
- Copyright (C) State of Queensland (QGOVIC)

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Green Tape Solutions
Quality. Integrity. Experience
P 07 5428 6372 / M 0423 081 428
PO BOX 282 HOBART TAS 6906
admin@greentapesolutions.com.au
www.greentapesolutions.com.au

Document History

Rev	Issue No.	Author	Appr	Date
1	1			
2	1			
3	1			
4	1			
5	1			
6	1			
7	1			
8	1			
9	1			
10	1			

Date of decision

Annexure 2

Original dated
17/12/2014

Rehabilitation Areas

Figure 7

Project	Paradise Walkers	
Client	Stocklands	
Completed by	HR	Date 08/09/2014
Approved by	LW	Date 14/08/2014

RPS Ecology Condition Advisory
Information Response Document
Data provided by the Department of Environment
and Heritage, November 2011.



Legend

Rehabilitation Areas	
Light Green	High Funding only and Weed Management
Medium Green	Intensive revegetation and Weed Management
Dark Green	Revegetation and Weed Management
Very Dark Green	Weed Management, Weed Management ; Weed Management
Red outline	Site boundary

Appendix C – OMP Approval, June 2018



Australian Government

Department of the Environment and Energy

Ms Kelly Matthews
Director, Green Tape Solutions
PO Box 282
MORAYFIELD QLD 4506

Dear Ms Matthews

EPBC 2013/6864 – Paradise Waters Residential Development, Deebing Heights, Queensland – Offset Management Plan

Thank you for your emails dated 4 June 2018 seeking, on behalf of Stockland Development Pty Ltd, approval of the Offset Management Plan (OMP) specified in condition 4 of the *Environment Protection & Biodiversity Conservation Act 1999* (EPBC Act) approval for EPBC 2013/6864. I note that the OMP is comprised of two plans, being:

- the *Offset Management Plan – Conservation Area North and Conservation Area South, Paradise Waters Residential Estate, Version D*, dated 19 November 2017; and
- the *External Offset Management Plan, Paradise Waters Residential Estate, Version E*, dated 25 May 2018.

Officers of this Department have reviewed the plans and advised me on the requirements of conditions 3 and 4 of the approval. On this basis, and as a delegate of the Minister for the Environment and Energy, I have decided to approve the *Offset Management Plan – Conservation Area North and Conservation Area South, Paradise Waters Residential Estate, Version D*, dated 19 November 2017 and the *External Offset Management Plan, Paradise Waters Residential Estate, Version E*, dated 25 May 2018 as meeting the requirements of condition 4 of the approval. The plans must now be implemented.

In accordance with condition 11 of the EPBC Act approval for EPBC 2013/6864, if the approval holder wishes to carry out the activity other than in accordance with the approved plans, the approval holder must submit a revised plan for approval. Until the Minister (or delegate) has approved the revised plan, the approved version of the plan must continue to be implemented.

Should you require any further information please contact Vaughn Cox on (02) 6274 2005 or by email: post.approvals@environment.gov.au.

Yours sincerely

Greg Manning
Assistant Secretary
Assessments (WA, SA, NT) and Post Approvals Branch
Environment Standards Division

6 June 2018

Cc: Mr Kell Cronin, Development Manager, Stockland

Appendix D – Variation Approval OMP, July 2019



Ms Kelly Matthews
Director, Green Tape Solutions
PO Box 282
MORAYFIELD QLD 4506

Dear Ms Mathews

EPBC 2013/6864: Paradise Waters Residential Development, Deebing Heights, Queensland – Offset Management Plan

Thank you for your email dated 3 July 2019, to the Department seeking approval of the *Offset Management Plan – Conservation Area North and Conservation Area South Paradise Waters Residential Estate*, Version F, dated 20 June 2019 in accordance with Condition 11 of the approval for the above project under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Officers of the Department have advised me on the revised plan and the conditions of approval for this project. On this basis, and as a delegate of the Minister for the Environment, I have decided to approve the *Offset Management Plan – Conservation Area North and Conservation Area South Paradise Waters Residential Estate*, Version F, dated 20 June 2019. The approved plan must now be implemented.

Should you require any further information please contact Alexandra Cooper on (02) 6275 9940 or email: postapproval@environment.gov.au.

Yours sincerely

Greg Manning, Assistant Secretary
Assessments (WA, SA, NT) & Post Approvals Branch

24 July 2019

Cc: Mr Kell Cronin, Development Manager, Stockland