



Annual Compliance Report

10 June 2020 to 9 June 2021 EPBC 2014/7206
Flagstone West Urban Development Project,
Flagstone, Queensland
Peet Flagstone City Pty Ltd
09 September 2021

Job No: 6779 E

PEET

Document control

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ABN 24 144 972 949

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1. Introduction

The Environmental Management Division of Saunders Havill Group was engaged by Peet Flagstone City Pty Ltd (Peet) to prepare this Annual Compliance Report for the Flagstone West Urban Development Project at Flagstone, Queensland. This report provides an assessment of the project’s compliance with the approval granted under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) (ref EPBC 2014/7206), and is specifically required by condition 8 of the approval granted on 30 October 2014. The approval was granted by the Australian Government Department of the Environment and is currently administered by the Australian Government Department of Agriculture, Water and the Environment (the Department).

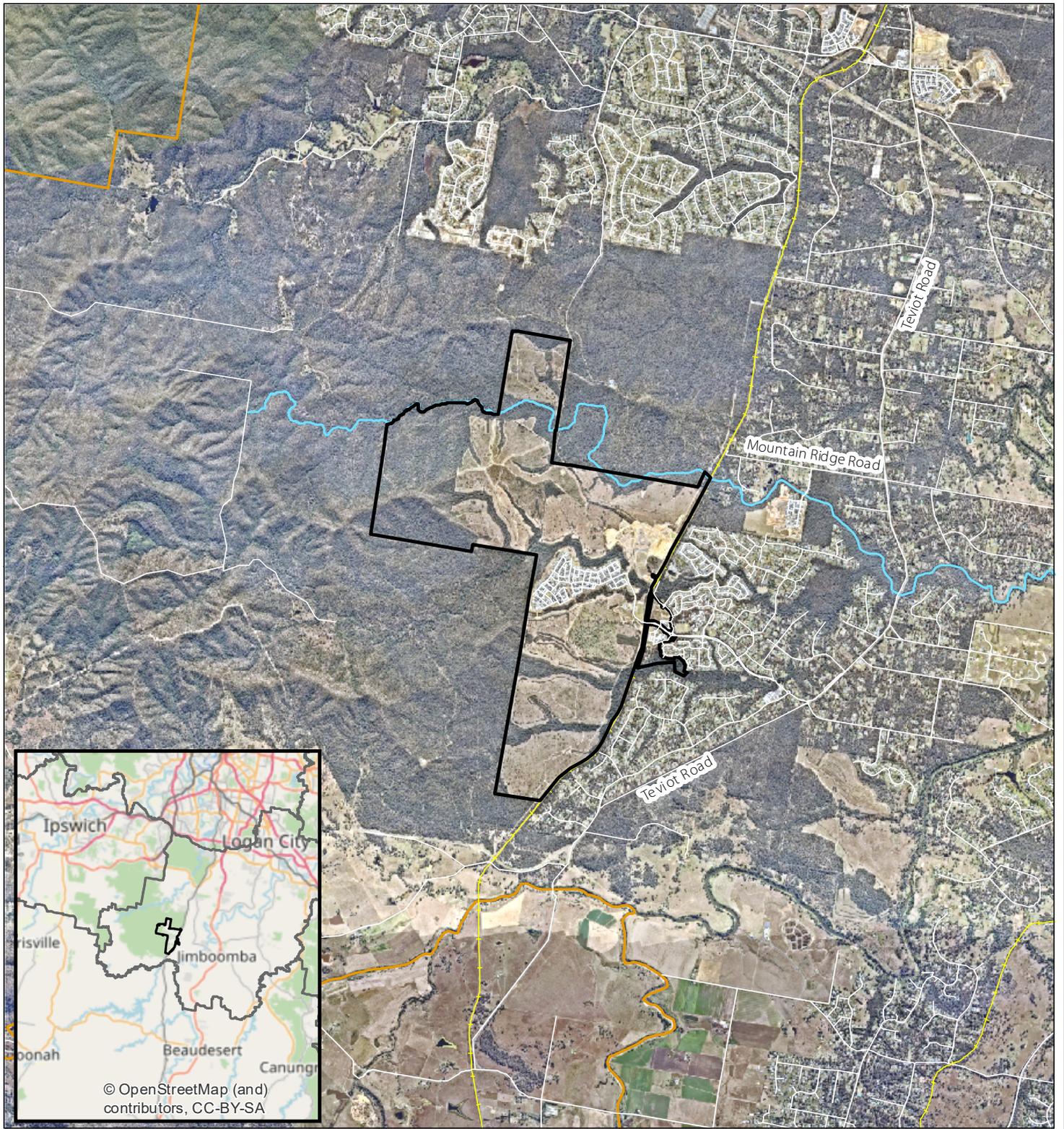
The project area is located approximately 18 kilometres (km) by road from Logan City (refer to project area locality map at **Figure 1**) and is within the Logan City local government area.

Since the approval was granted, the real property description of the project area has been modified as a consequence of updates to the cadastral database (i.e. property boundaries) administered by the Queensland Government Department of Natural Resources, Mines and Energy (now the Department of Resources – DoR). These updates effect several parcel boundaries and the Flagstone Creek alignment in the northern portion of the project, however they are considered minor overall and likely reflect ground-truthing work in the area. The area that pertains to the approval now totals approximately 1,258 hectares (ha), which is an increase of 13 ha. Many koala habitat areas for retention abut property and creek boundaries and consequent to the DoR updates to the cadastral database, there has been a net increase to the critical koala habitat area for retention of 1.9 ha. The area of clearing approved under condition 5 is 148 ha and there are nil changes proposed as a consequence of the updates to the cadastral database.

1.1. Approval summary

Department reference	EPBC 2014/7206
Approval holder	Peet Flagstone City Pty Ltd
ACN	151 187 594
Approval date	30 October 2014
Expiry date of approval	31 December 2035
Approved action	To construct a mixed use development (including residential, commercial and community developments and associated infrastructure) on a 1,245.26 ha* site at Flagstone, Queensland
Controlling provision	Approved - listed threatened species and communities (sections 18 & 18A)
Reporting period	10 June 2020 to 9 June 2021
Address	Homestead Drive, Flagstone (and Jimboomba), Queensland 4280
Local government area	Logan City

* The project area is now approximately 1,258 ha as a result of updates to the digital cadastral database administered by DNRME. These updates affected the alignment of property boundaries and Flagstone Creek.



Legend

-  Project boundary
-  Logan City boundary
-  Flagstone Creek
-  Rail network
-  Road network

Figure 1
Project Area Locality

File ref. 6779 E ACR21 Figure 1 Site Context A
Date 31/08/2021
Project Flagstone West - EPBC 2014/7206 (ACR 2021)

0 0.5 1 2 3 km
 Scale (A4): 1:75,000 [GDA 1994 MGA Z56]



Peet Flagstone
City Pty Ltd

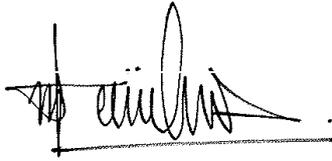


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2. Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the 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

Murray Saunders

Position

Director

Organisation

Saunders Havill Group (ABN 24 144 972 949)

Date

09 September 2021

3. Description of activities

The Flagstone West Urban Development Project is a masterplan community situated in the Greater Flagstone Priority Development Area. It is estimated 30,000 people will reside in the project area by year 2045, and supporting infrastructure within a 10 km radius will include:

- central business district;
- open space amenities;
- primary school;
- medical amenities;
- shopping and general amenities;
- sport amenities;
- community centre; and
- tertiary education services (e.g. TAFE or university).

In addition, the Brisbane-Sydney Railway dissects part of the site and a passenger train station is planned to service the locality.

During the reporting period, the following activities were under construction or established in the project area (refer photos):

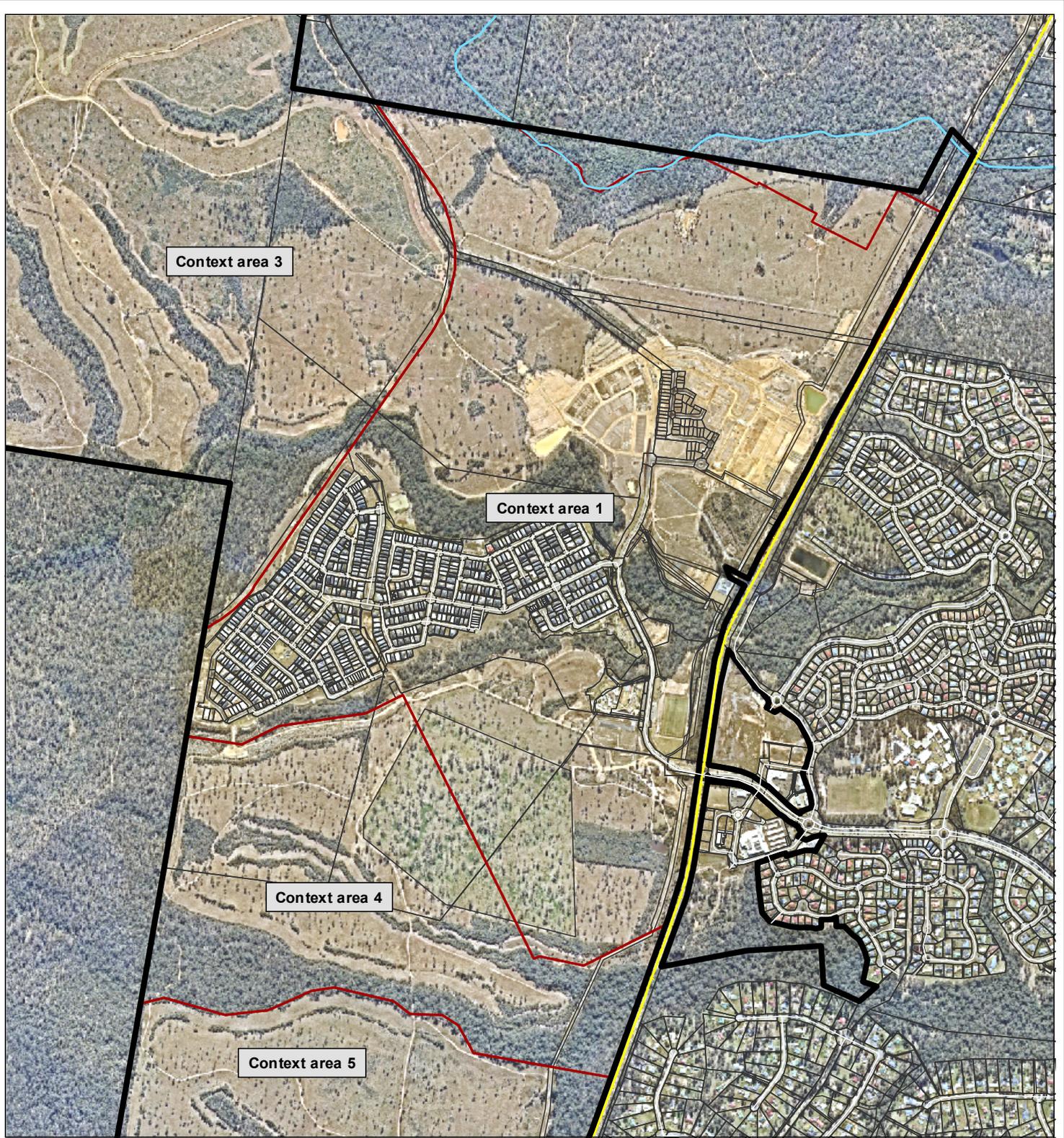
- road infrastructure;
- residential land parcels and housing;
- estate landscaping; and
- open space amenities.

As part of constructing these land uses, earthworks in context area 1 occurred during the reporting period and is ongoing (refer **Figure 2**). These activities were completed with permits from state and local administering authorities in place.

Other notable events and actions during the fifth year of activities include:

- Opening of Flagstone Central Shopping Precinct, including Woolworths and 20 Specialty Stores, in August 2020.
- Opening of temporary sporting precinct in March 2021 to facilitate sports until the district sports centre is built in 5 to 6 years (refer **Photo set 1**).
- Development expanded to the north-east of existing development – including the Aspire land release (refer **Photos 2 to 5**):

- Ongoing creation of residential lots, roads and public facilities.
- Continued earthworks and construction activities within the north-eastern section, partially not accessible to the public at this time.
- Launch of Flagstone Focus, a community newsletter providing updates on the development, community news and events – three issues have occurred.
- Newly formed Flagstone Tigers Rugby League team and Flagstone Netball Club.
- Issuing of community grants by Peet Flagstone. These grants support clubs and volunteer organisations to deliver outcomes that benefit the community, and included the following during the reporting period:
 - FSS Yarning Circle Funding.
 - Flagstone State Community College – Attendance celebration.
 - Ry2Shred Toy Drive sponsorship.
 - Flagstone Community Association – Halloween and Haunted Doors.
 - Flagstone Community Association – Twilight Markets.
 - KK Bodyworx – Mental Health First Aid Course.
 - Green Hero’s Sharing Planet Earth Environment Education Program.
 - Cancer Council – Local Relay for Life.
 - Digni-TEA donation.
 - Jimboomba Gymnastic Club.
 - Flagstone Community Centre Kitchen Project.
 - Flagstone State Community College Y12 Car Wash.
- The following events occurred during the reporting period with support from Peet Flagstone:
 - Flagstone Twilight Markets.
 - Saturdaze at Mondaze – a local car meet attracting cars, bikes and trucks from across Southeast Queensland.
 - Flagstone Neighbours Meet ‘n’ Mingle.
 - Flagstone Easter Eggstravaganza.
 - Krank School Holiday Program.
 - Flagstone Community Centre offering a variety of community group programs and workshops, weekly and monthly – includes playgroups
 - YMCA Playgroup and Activities.
 - Australian Skateboarding hosted regional skateboarding competition in Flagstone.
 - Carols in the Park.



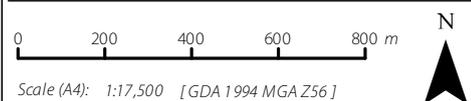
Legend

-  Project boundary
-  Project context area boundaries
-  Flagstone Creek
-  Rail network
-  Road network
-  Qld DCDB

Figure 2

Site Aerial

File ref. 6779 E ACR21 Figure 2 Site Aerial A
Date 31/08/2021
Project Flagstone West - EPBC 2014/7206 (ACR 2021)



Peet Flagstone
City Pty Ltd



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Photo set 1: Temporary sports facility.



Photo 2: Progress of construction in north-east, including road network and landscaping – Aspire release.



Photo 3: Lot establishment in Aspire release during reporting period.



Photo 4: Entry road to Aspire release – looking south.



Photo 5: Ongoing construction to the north of Aspire release.

3.1. Stability works

During November and December 2016, an existing drainage gully in context area 1 required remedial works to address ongoing degradation, stability and integrity issues. The completed remedial works were essential to rectify these issues and undertaken along an approximate 250 metre (m) section of the drainage line inside the impact area approved by the Department.

The stability works included the temporary removal of portions of vegetation to enable the remediation of unstable erosion channels. Within the drainage feature this includes the fixing of dispersive soils, the profiling of undercuts and rilling prior to the complete revegetation of the remediation area with native species. Importantly, the stability works do not result in an increase in development footprint or an alteration of environmental and recreational open spaces.

As part of undertaking these stability works, the approval holder liaised with state and local government stakeholders to ensure the required permits and approvals were in place. A copy of the detailed rehabilitation plan for the stability works was included in the Annual Compliance Report for the reporting period 10 June 2016 to 9 June 2017. Photos outlining the current state of these works are presented within this subsection.

The stability works have been monitored annually since completion to track progression and condition. Any required maintenance measures have been liaised with Peet – including where high velocity flows within the creek have broken through previously laid jute matting and accumulation of sediment depositions, for example. These maintenance measures are considered relatively minor and negligible to this date.

Detention basins previously established along the interface between residential development and the tributary branching from Sandy Creek were inspected. A small amount of sediment deposition was observed within multiple detention basins. The natural regeneration of flora species within the sediment basins has increased from the initial condition when the area received first revegetation efforts. This is specific to multiple detention basins, including those located adjacent to the dog park in the south-east of the current development area and the basin along the interface with Sandy Creek (refer **Photo 6** and **Photo 7**). Newly established larger holding basins were observed in the south-west of the development, where grass is the dominant flora (refer **Photo 8**). Overall, basins appeared to be in good condition, where minimal amounts of sediment deposition were observed.

Natural regenerating wattle regrowth along the northern bank continued to be observed and in good condition. Previously established flora species such as *Lomandra* spp., sedges and grasses were continued to be observed within the waterway channel, providing enhanced stability for surface soils during rainfall events and assisting in slowing water velocity. Increased sediment deposition was observed within the channel, illustrated in **Photo 9**. Some weed removal is required, however, vegetation re-establishment has continued.

Additional stabilisation has been installed within the waterway corridor in the form of rocks (refer **Photo 10**). The placement of rocks has occurred at multiple locations along the southern extent of the waterway channel. The intent is to assist in bank stabilisation through minimising soil erosion and providing additional water filtration. The rock placement provides support to the previously placed log coils that have now started to

disintegrate since placement. Natural regeneration of *Lomandra* spp. and sedges along the embankment is observable and provides natural mechanisms to support bank stability.



Photo 6: Detention basin adjacent to dog park in south-eastern extent – flora within basin has become well-established.



Photo 7: Detention basin along the northern boundary of established estate.



Photo 8: Detention basin in south-west created during reporting period.



Photo 9: Some sediment build up within the tributary, continued presence of *Lomandra* sp. as part of filtration and stability.



Photo 10: Rocks installed to assist in protecting topsoil and reducing erosion from overland flows into tributary.

3.2. Rehabilitation works

An assessment of rehabilitation works was conducted by one Ecologist from Saunders Havill Group. The site visit included assessing maintenance of rehabilitation works and new rehabilitation measures implemented during the reporting period. The following rehabilitation works were observed:

- Revegetation efforts completed within the 2018/2019 reporting period along the banks of the bridge crossing at Flagstonian Drive were observed to be in good condition (refer **Photo 11**). Natural regeneration has occurred in areas. Lomandra species are now well established and stabilisation of the bank and into the gully line was recorded. The western side of the bridge evidently continued to contain some sediment depositions that were covered in grass species. The extent of deposition is not preventing nor noticeably hindering water flow via the bridge underpass.
- Rehabilitation efforts are evident abutting the bridge crossing which connects to the currently under construction Aspire release situated in the northern areas of the development. Rehabilitation consisted of Lomandra spp. and native sedges and was considered to be in good condition.
- It is assumed that fauna usage occurs throughout the Sandy Creek corridor and tributary due to the observed presence of larger mammals during field survey. Several bird species were noted utilising vegetation associated with the creek and detention basins, or heard overhead, including Sulphur Crested Cockatoos, Eastern Whipbird and Australian Magpies.

- Pre-existing fauna management measures were continued to be observed along and abutting the banks of the tributary creek – consisting largely of the placement of logs and small piles of previously felled trees (refer **Photo 12**). Further, evidence of fauna usage was observed along the tributary in the form of small diggings and burrows (refer **Photo set 13**). This area was identified as functioning fauna habitat, where shelter and protection from weather and potential predators was abundant.
- Previously established rehabilitation works were observed along both the southern and northern banks of the tributary during site visit. Rushes and sedges have become well-established throughout the tributary centreline and riparian area, with grasses dominant on the outer edges, away from the channel (refer **Photo 14** and **Photo 15**). Regrowth Acacia species were observed to be regenerating within open grass areas along the tributary. In-stream flora has become reflective of an increasingly natural state. Overall, rehabilitation efforts were mostly observed to be in good condition.



Photo 11: Rehabilitation along the embankments of the entry bridge continued to be observed.



Photo 12: Log piles previously placed for fauna habitat.



Photo set 13: Habitat features within tributary corridor.



Photo 14: Continued regeneration along tributary centreline.



Photo 15: Continued regeneration within tributary – rushes and sedges established within creek corridor, with grasses dominant away from channel and some regrowth *Acacia* sp.

3.3. Koala habitat

The Flagstone City project was deemed a controlled action based on impacts to the vulnerable-listed Koala species. Site surveys completed during the referral process determined that Koalas occur infrequently and at a low density at the project site. This finding is supported by subsequent fauna spotter catcher reports (from 2016 to 2020, inclusive) provided in previous Annual Compliance Reports which showed Koalas were not observed during pre-clearance surveys or during clearing works.

No clearing of vegetation occurred during this reporting period. Consequently, no fauna spotter catcher inspections pre- or post-clearance were undertaken during the reporting period. No reports of Koala within construction areas were made during the reporting period.

4. EPBC approval conditions compliance table

The EPBC approval conditions for the Flagstone West Urban Development Project are replicated in **Table 1** with a designation on compliance or non-compliance if the condition was applicable during the reporting period, and evidence and comments as necessary. A copy of the EPBC approval and conditions is provided in **Appendix A**.

Table 1: EPBC approval conditions compliance table

Condition number / reference	Condition	Is the project compliant with this condition?	Evidence / comments
1	<p>For the purpose of protecting koala habitat the approval holder must provide the minimum offset payment listed in Appendix 1 of these conditions, for each of the Context Plan areas. Payment must be provided to the Queensland State Government for the entire Context Plan offset payment within 12 months of receiving Context Plan area approval or in accordance with the following sunset dates to each Context Plan area (Appendix 1), whichever is sooner:</p> <ul style="list-style-type: none"> Context Plan Area 1 - by 31 October 2015 Context Plan Area 3 - by 31 October 2029 Context Plan Area 4 - by 31 October 2020 Context Plan Area 5 - by 31 October 2024 	Compliant	<p>The minimum offset payment of \$303, 661.70 for context plan area 1 was paid to the Queensland State Government on 14 April 2015. In response, Economic Development Queensland (EDQ) (part of the Queensland Government Department of Infrastructure, Local Government and Planning) issued a letter confirming the payment was received. Information on how the offset payment was invested in koala matters was provided in the Annual Compliance Report dated 8 September 2017.</p> <p>The minimum offset payment of \$139,619.85 for context plan area 4 was paid to the Queensland State Government on 15 October 2020, prior to the sunset date of 31 October 2020. EDQ has issued an email confirming the payment was received. This email correspondence is provided in Appendix B.</p>
2	Notwithstanding the above, within 15 years of the Commonwealth approval of the action all outstanding financial contributions must be paid to the Queensland State Government.	Not applicable	All financial contributions are payable by 29 October 2029.

Condition number / reference	Condition	Is the project compliant with this condition?	Evidence / comments
3	Within 30 days of payment being made, the approval holder must provide written evidence to the Minister that the offset contribution for each Context Plan area has been paid to the Queensland State Government. Actions must not commence within an approved Context Plan area until the offset contribution has been paid.	Non-compliant (administrative)	<p>The approval holder provided written evidence on 3 September 2021 to the Minister that the offset contribution for Context Plan Area 4 was paid to EDQ on 15 October 2020. It is acknowledged that this is a non-compliance as EPBC compliance was not notified within the 30 days of the payment being made. It is considered that this is an administrative non-compliance as actions have not occurred outside of context area 1. No works have commenced within Context Plan Area 4.</p> <p>Refer to Appendix C for correspondence of notification to the Department.</p>
4	Within 6 months of each offset payment made to the Queensland State Government, the approval holder must provide the Department written evidence on the actions that have been taken with the offset payment.	Non-compliant (administrative)	<p>The offset payment for Context Plan Area 4 was made to EDQ on 15 October 2020 to EDQ. Written evidence on the actions that have been taken with the offset payment was not provided to the Department within 6 months of the offset payment. It is acknowledged that this is an administrative non-compliance as 6 months from the offset payment date for Context Plan Area 4 surpassed on 15 April 2021, and written evidence was not provided prior to this date.</p> <p>The following provides the Department formally with written evidence of the actions taken as a requirement of Condition 4. EDQ advised of actions undertaken on 8 September 2021, indicating that the implementation of the offset payment on-ground has not occurred at this time. EDQ is looking into the broader allocation of the Koala funds it has received to ensure direct outcomes and requirements of the Department are met. As part of this, EDQ will engage with colleagues at the Department of the Environment and Science and with Logan City Council (local government authority) to determine where the largest impact from the offset payment can occur. The intent of this approach is to ensure the offset payment will</p>

Condition number / reference	Condition	Is the project compliant with this condition?	Evidence / comments
5	Clearing of up to a maximum of 148 ha must be within the project area shown in Appendix 1.	Compliant	be directed towards an offset action that will provide legitimate and long-term benefit to the Koala. Clearing within the project area has not met nor surpassed the maximum of 148 ha of clearing permitted. Works for the project have occurred within the context area 1 only. This context area is the least vegetated. It is noted that clearing associated with separate actions have occurred within the Flagstone West Urban Development project boundary. The separate actions are not being undertaken by Peet and have been deemed not a controlled action under the EPBC Act (EPBC references 2018/8190 and 2018/8344). Therefore, the clearing is not considered part of this action.
6	Within ten days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.	Compliant	The action commenced on 10 June 2017. A letter stating the action commenced was provided to the Department on 17 June 2016.
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 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.	Compliant	The Saunders Havill Group records and holds all relevant information for this EPBC approval on behalf of the approval holder. Electronic records of all material are held collectively by the Saunders Havill Group and approval holder and will be made available upon request in accordance with section 458 of the EPBC Act, or if required to verify compliance with the conditions of approval.
8	Any potential or suspected non-compliance with these conditions of approval must be reported to the department in writing within 48 hours of the approval holder becoming aware of the potential or	Compliant	The approval holder became aware of suspected non-compliance with Condition 3 and Condition 4 on 3 September 2021. The suspected non-compliances were reported to the Department (EPBC compliance

Condition number / reference	Condition	Is the project compliant with this condition?	Evidence / comments
	<p>suspected non-compliance. 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. 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.</p>		<p>monitoring) on 3 September 2021 via written email correspondence. Notification to the Department was therefore within 48 hours of the approval holder becoming aware of suspected non-compliance, compliant with this condition. Refer to Appendix C for correspondence with EPBC compliance monitoring.</p> <p>The anniversary of the commencement of the action is 10 June. The annual deadline for publishing the report addressing compliance with each of the conditions of the approval (i.e. this Compliance Report) is 9 September. When this deadline is a non-business day in Brisbane, the next business day is taken to be the deadline. Documentary evidence providing proof of the date of publication will be provided to the Department when the report is published.</p> <p>The Annual Compliance Report for the 12 month period ending 9 June 2020 was published on the Peet website on 9 September 2020. The Department was notified of the report publication and provided with evidence on 9 September 2020.</p>
9	<p>Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.</p>	Not applicable	<p>The Minister has not provided a direction to complete an independent audit of compliance.</p>
10	<p>If the approval holder wishes to carry out any activity otherwise than in accordance with a plan as specified in the conditions, the approval holder must submit to the Department for the Minister's</p>	Not applicable	<p>The approval holder has not sought to carry out any activity that is not in accordance with a plan as specified in the conditions.</p>

Condition number / reference	Condition	Is the project compliant with this condition?	Evidence / comments
	written approval a revised version of that plan. The varied activity shall not commence until the Minister has approved the revised plan, that plan must be implemented in place of the plan originally approved.		
11	If the Minister believes that it is necessary or convenient for the better protection of Koala to do so, the Minister may request that the approval holder make specified revisions to a plan specified in the conditions and submit the revised plan for the Minister's written approval. The approval holder must comply with any such request. The revised approved plan must be implemented. Unless the Minister has approved the revised plan, then the approval holder must continue to implement the plan originally approved, as specified in the conditions.	Not applicable	The approval holder has not received a request from the Minister to revise a plan specified in the conditions.
12	If, at any time after five years from the date of this approval, the approval holder has not commenced the action, then the approval holder must not commence the action without written agreement of the Minister.	Not applicable	The action commenced on 10 June 2016.

5. Non-compliance summary

As detailed within **Table 1**, the approval holder, Peet, became aware of the non-compliance related to Condition 3 and Condition 4 of the Flagstone West Urban Development Project on 3 September 2021. The Department were notified on 3 September 2021 of the suspected non-compliance in accordance with Condition 8 of the approval (refer **Appendix C**).

Condition 3 requires the approval holder to provide evidence to the Minister of offset payments for each context plan area within 30 days of the payment being made. The offset payment for Context Plan Area 4 was paid on 15 October 2020, prior to the sunset date, 31 October 2020, listed in Condition 1 of the approval. Formal notification of this offset payment was provided to the Department on 3 September 2021 (refer **Appendix B**). It is noted that actions related to this project have not commenced within Context Plan Area 4, and therefore, this non-compliance is considered a minor administrative error that will have no lasting effect on the project or environmental outcomes.

Condition 4 requires the provision of written evidence on the actions that have been taken with the offset payment to the Department within 6 months of each offset payment made to the Queensland Government. As this detail was not provided to the Department within 6 months of the Context Plan Area 4 offset payment to EDQ (refer **Table 1**), this non-compliance is considered a minor administrative error that will have no lasting effect on the project or environmental outcomes.

The following provides the Department formally with written evidence of the actions taken as a requirement of Condition 4. EDQ advised of actions undertaken on 8 September 2021, indicating that the implementation of the offset payment on-ground has not occurred at this time. EDQ is looking into the broader allocation of the Koala funds it has received to ensure direct outcomes and requirements of the Department are met through the utilisation of the offset payment for Context Plan Area 4. As part of this, EDQ will engage with colleagues at the Department of the Environment and Science and with Logan City Council (local government authority) to determine where the largest impact from the offset payment can occur. The intent of this approach is to ensure the offset payment will be directed towards an offset action that will provide legitimate and long-term benefit to the Koala.

6. Appendices

Appendix A

EPBC approval and conditions granted 30 October 2014

Appendix B

Correspondence with Economic Development Queensland

Appendix C

Notification correspondence to the Department

Appendix A

EPBC approval and conditions granted
30 October 2014



Approval

Flagstone West Urban Development Project, QLD (EPBC 2014/7206)

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 Peet Flagstone City Pty Ltd

proponent's ACN ACN: 151187594

proposed action To construct a mixed use development (including residential, commercial and community developments and associated infrastructure) on a 1,245.26 ha site at Flagstone, Queensland [See EPBC Act referral 2014/7206]

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 31 December 2035

Decision-maker

name and position Deb Callister
Queensland and Sea Dumping Assessment Branch

signature

date of decision 30 October 2014

Conditions attached to the approval

Conditions
Offsets <ol style="list-style-type: none">1. For the purpose of protecting koala habitat the approval holder must provide the minimum offset payment listed in Appendix 1 of these conditions, for each of the Context Plan areas. Payment must be provided to the Queensland State Government for the entire Context Plan offset payment within 12 months of receiving Context Plan area approval or in accordance with the following sunset dates to each Context Plan area (Appendix 1), whichever is sooner:<ul style="list-style-type: none">• Context Plan Area 1 – by 31 October 2015• Context Plan Area 3 – by 31 October 2029• Context Plan Area 4 – by 31 October 2020• Context Plan Area 5 – by 31 October 20242. Notwithstanding the above, within 15 years of the Commonwealth approval of the action all outstanding financial contributions must be paid to the Queensland State Government.3. Within 30 days of payment being made, the approval holder must provide written evidence to the Minister that the offset contribution for each Context Plan area has been paid to the Queensland State Government. Actions must not commence within an approved Context Plan area until the offset contribution has been paid.4. Within 6 months of each offset payment made to the Queensland State Government, the approval holder must provide the Department written evidence on the actions that have been taken with the offset payment.
Clearing <ol style="list-style-type: none">5. Clearing of up to a maximum of 148 ha must be within the project area shown in Appendix 1.
Standard Conditions <ol style="list-style-type: none">6. Within ten days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.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. Any potential or suspected non-compliance with these conditions of approval must be reported to the Department in writing within 48 hours of the approval holder becoming aware of the potential or suspected non-compliance. 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. 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 compliance report must remain on the website for the life of the approval.9. 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

<p>the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.</p>
<p>10. If the approval holder wishes to carry out any activity otherwise than in accordance with a plan, the approval holder must submit to the Department for the Minister's written approval a revised version of that plan. The varied activity shall not commence until the Minister has approved the varied plan in writing. If the Minister approves the revised plan, that plan must be implemented in place of the plan originally approved.</p>
<p>11. If the Minister believes that it is necessary or convenient for the better protection of the listed koala to do so, the Minister may request that the approval holder make specified revisions and submit the revised plan for the Minister's written approval. The approval holder must comply with any such request. The revised approved plan must be implemented. Unless the Minister has approved the revised plan, then the approval holder must continue to implement the plan originally approved, as specified in the conditions.</p>
<p>12. 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.</p>

Definitions

Approval holder: means the person to whom the approval is granted.

Clearing: means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of native vegetation.

Commencement 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.

Context Plan area: means the area defined by the proponent for development (refer to Appendix 1 for map)

Department: the Australian Government Department responsible for the *Environment Protection and Biodiversity Conservation Act 1999*.

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

EPBC Act Offsets Policy: means the *Environment Protection and Biodiversity Conservation Act 1999 environmental offsets policy* (October 2012) or any subsequent revisions.

Koala food trees: means species of tree whose leaves are consumed by koalas. See lists of known koala food trees prepared by state and local government and non-government organisations. Note that food trees may vary spatially and temporally and information specific to the local area is likely to be most accurate.

Koala habitat: means areas of vegetation containing **Koala food trees**.

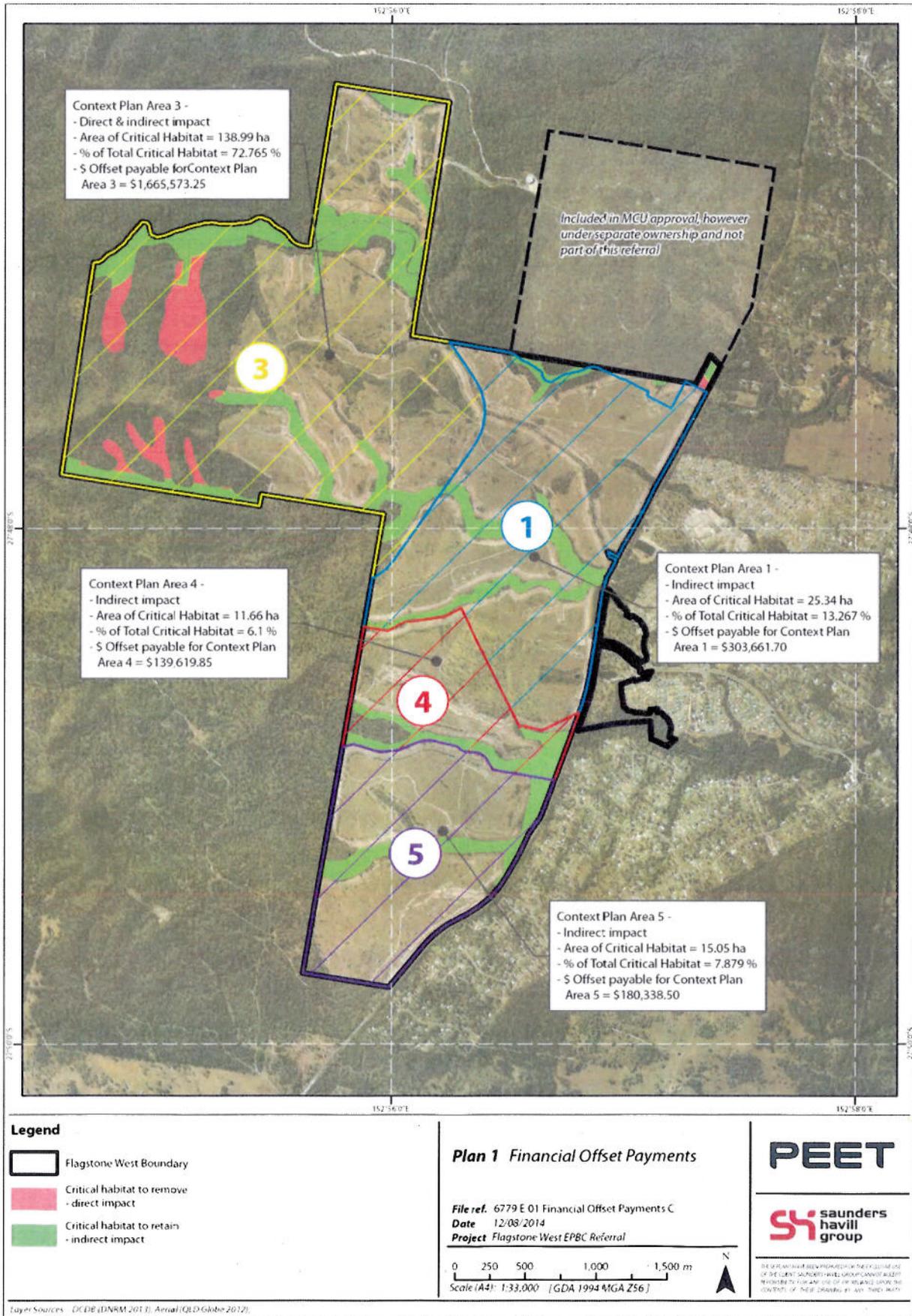
Listed Koala: Koala (*Phascolarctos cinereus* - combined populations of Queensland, New South Wales and the Australian Capital Territory) listed as vulnerable under the **EPBC Act**.

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

Project area: area defined as Flagstone West Boundary on map at Appendix 1.

Queensland State Government: means the relevant Queensland State Government Department responsible for administering the offset.

Appendix 1 Map of Context Plan areas 1, 3, 4 & 5 and related offset payments



Appendix B

Correspondence with Economic Development Queensland

EDQ confirming payment for Context Area Plan 4 was received

Hannah Silcox

From: Brandon Bouda <Brandon.Bouda@dasilgp.qld.gov.au>
Sent: Monday, 23 August 2021 5:03 PM
To: Brad Gates
Subject: RE: Flagstone - EPBC - 2020 compliance

Hi Brad

I can confirm that on 15 October 2020 EDQ received \$139,619.85 for this EPBC payment.

Regards



**Queensland
Government**

Brandon Bouda

Manager

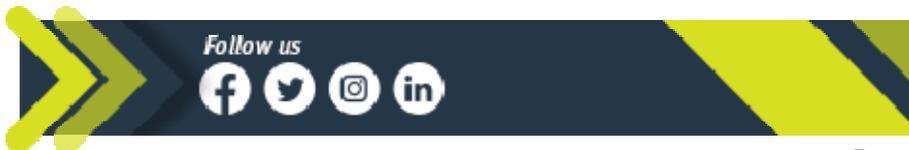
Economic Development Queensland

Department of State Development, Infrastructure,
Local Government and Planning

P 07 3452 7422

Level 14, 1 William Street, Brisbane QLD 4115
GPO Box 2202, Brisbane QLD 4000

statedevelopment.qld.gov.au



*I acknowledge the traditional custodians of the lands and waters of Queensland.
I offer my respect to elders past, present and emerging as we work towards a just,
equitable and reconciled Australia.*



From: Brad Gates <Brad.Gates@peet.com.au>
Sent: Monday, 23 August 2021 4:06 PM
To: Brandon Bouda <Brandon.Bouda@dasilgp.qld.gov.au>
Subject: Flagstone - EPBC - 2020 compliance

Hi Brandon,

Hope you had a good weekend.

Can you please send this enquiry to the appropriate person within EDQ / EPBC. We are looking for confirmation of payment of the 2020 annual compliance amount of \$139,619.85 under Flagstone's EPBC approval 2014/7206.

The amount was paid to EDQ in early October, 2020 (see below).

Could EDQ / EPBC please confirm receipt of this payment.

Thank you

<input type="radio"/>	Purchase order	Date	↓ Tax Invoice	Voucher	Curr
		3/08/2021	DEV2012/403/10	570-110010...	AU
		1/08/2021	INV000664	570-110010...	AU
		7/05/2021	DEV2012/209/14Flags	570-110009...	AU
		22/04/2021	INV000643	570-110009...	AU
		22/04/2021	INV000644	570-110009...	AU
		18/03/2021	DEV2012/209/14	570-110009...	AU
		1/01/2021	1800004519	570-110009...	AU
		1/01/2021	1800004517	570-110009...	AU
		10/11/2020	Stg 5i-K,2G,1P	570-110009...	AU
		1/11/2020	DEV2012/402-Stage 1P	570-110009...	AU
<input checked="" type="radio"/>		1/10/2020	1800004455	570-110008...	AU

Regards,

Brad Gates

Development Manager - Residential

Peet Limited
 Level 3, 167 Eagle Street Brisbane QLD 4000
 Mobile 0432 238 949 | Facsimile (07) 3137 2045
www.peet.com.au



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Peet Flagstone City Pty Ltd

Telephone

Fax

Giro

ABN

17 151 187 594

Level 7, 200 St Georges Terrace

Perth WA 6000

AUS

Payment advice

Page

1 of 1

Date

23/08/2021

Payment reference

ECONOMIC DEVELOPMENT QUEENSLAND

PO Box 2202

BRISBANE QLD 4001

AUS

<u>Invoice</u>	<u>Invoice date</u>	<u>Invoice amount</u>	<u>Tax invoice currency</u>	<u>Payment date</u>	<u>Settlement discount</u>	<u>Payment amount</u>	<u>Payment currency</u>
1800004455	16/09/2020	139,619.85	AUD	15/10/2020	0.00	139,619.85	AUD
Total						<u>139,619.85</u>	

Appendix C

Notification correspondence to the Department

Notification of Context Plan Area 4 offset payment

Notification of non-compliance with Conditions 3 and 4, as a requirement of
Condition 8 of the Approval

Hannah Silcox

From: EPBC Monitoring <EPBCMonitoring@awe.gov.au>
Sent: Monday, 6 September 2021 8:51 AM
To: Hannah Silcox; EPBCMonitoring@awe.gov.au
Cc: Brad Gates; Troy Thompson; Andrew Davies
Subject: RE: EPBC 2014/7206 - Notification of payment of Context Area Plan 4 [SEC=OFFICIAL]

Categories: Archived

Good morning Hannah,

Thank you for providing the evidence of the payment made to EDQ as specified by Conditions 1 and 3 of approval EPBC 2014/7206.

This documentation has been added to our records.

The Department also notes your notification of non-compliance made on 3 September 2021, and this will be reviewed accordingly. An officer may contact you in the coming weeks if additional information is required.

If you have any questions or concerns, please do not hesitate to contact me at the EPBC Monitoring Inbox.

Kind regards,

Michaela Ballard

Compliance Monitoring Team

Environment Compliance Branch
Compliance & Enforcement Division
Department of Agriculture, Water and the Environment
GPO Box 858, CANBERRA ACT 2601

From: Hannah Silcox <hannahsilcox@saundershavill.com>
Sent: Friday, 3 September 2021 4:14 PM
To: EPBCMonitoring@awe.gov.au
Cc: Brad Gates <Brad.Gates@peet.com.au>; Troy Thompson <Troy.Thompson@peet.com.au>; Andrew Davies <andrewdavies@saundershavill.com>
Subject: EPBC 2014/7206 - Notification of payment of Context Area Plan 4

Hi EPBC Monitoring,

On behalf of the approval holder, Peet Flagstone City Pty Ltd (EPBC 2014/7206) and in accordance with Condition 3 of the approval, please receive this email as formal notification for the payment of Context Plan Area 4 of \$139,619.85. The payment was made to Economic Development Queensland (EDQ) on 15 October 2020, prior to the sunset date, 31 October 2020, listed in Condition 1 of the approval. Please see attached evidence of the payment to EDQ.

If you have any queries relating to this notification, please contact me on the details below.

Kind Regards,

Hannah Silcox Environmental Scientist **Saunders Havill Group**

direct line (07) 3251 9462 mobile 0447 337 870 email hannahsilcox@saundershavill.com

phone 1300 123 SHG web www.saundershavill.com head office 9 Thompson St Bowen Hills Q 4006

Surveying / Town Planning / Urban Design / Mapping / Environmental Management / Landscape Architecture

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Hannah Silcox

From: Hannah Silcox
Sent: Friday, 3 September 2021 4:15 PM
To: EPBCMonitoring@awe.gov.au
Cc: Brad Gates; Troy Thompson; Andrew Davies
Subject: EPBC 2014/7206 - Non-compliance notification

Categories: Archived

Hi EPBC Monitoring,

On behalf of the approval holder, Peet Flagstone City Pty Ltd (EPBC 2014/7206) and in accordance with Condition 8 of the approval, please receive this email as notification of the approval holder becoming aware of non-compliance related to the Flagstone West Urban Development Project's Condition 3 and Condition 4.

The approval holder became aware of the non-compliances on 3 September 2021. As such, this notification has been prepared in response to becoming aware.

Condition 3 requires the approval holder to provide evidence to the Minister of offset payments for each context plan area within 30 days of the payment being made. The offset payment for Context Plan Area 4 was paid on 15 October 2020, prior to the sunset date, 31 October 2020, listed in Condition 1 of the approval. Formal notification of this offset payment was provided to the Department on 3 September 2021. It is noted that actions have not commenced within Context Plan Area 4, and therefore, this non-compliance is considered a minor administrative error that will have no lasting effect on the project or environmental outcomes.

Condition 4 requires the provision of written evidence on the actions that have been taken with the offset payment to the Department within 6 months of each offset payment made to the Queensland Government. This information is in the process of being received from EDQ and the local government authority, Logan City Council. It is noted this is a non-compliance. Further information will be provided and addressed in full within the Annual Compliance Report, due 9th September 2021.

If you have any queries relating to this notification, please contact me on the details below.

Hannah Silcox Environmental Scientist **Saunders Havill Group**
direct line (07) 3251 9462 mobile 0447 337 870 email hannahsilcox@saundershavill.com
phone 1300 123 SHG web www.saundershavill.com head office 9 Thompson St Bowen Hills Q 4006

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