

Annual Compliance Report

10 June 2023 to 9 June 2024 EPBC 2014/7206 Flagstone West Urban Development Project, Flagstone, Queensland PEET Flagstone City Pty Ltd 9 September 2024



Job No: 6779 E

Document control

Document: Annual Compliance Report 10 June 2023 to 9 June 2024 EPBC 2014/7206, prepared by Saunders Havill Group for PEET Flagstone City Pty Ltd.

Document Issue

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A	09.09.2024	AW	AW

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Acronyms and abbreviations

ACR	Annual Compliance Report
Cth	Commonwealth
DoR	Department of Resources (Qld)
EDQ	Economic Development Queensland
EPBC Act	Environment Protection and Biodiversity Act 1999
ha	hectares
km	kilometres
m	metres
SHG	Saunders Havill Group



1. Introduction

The Environmental Management Division of Saunders Havill Group (SHG) was engaged by PEET Flagstone City Pty Ltd (PEET) to prepare this Annual Compliance Report (ACR) 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, now titled the Department of Climate Change, Energy, the Environment and Water (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.

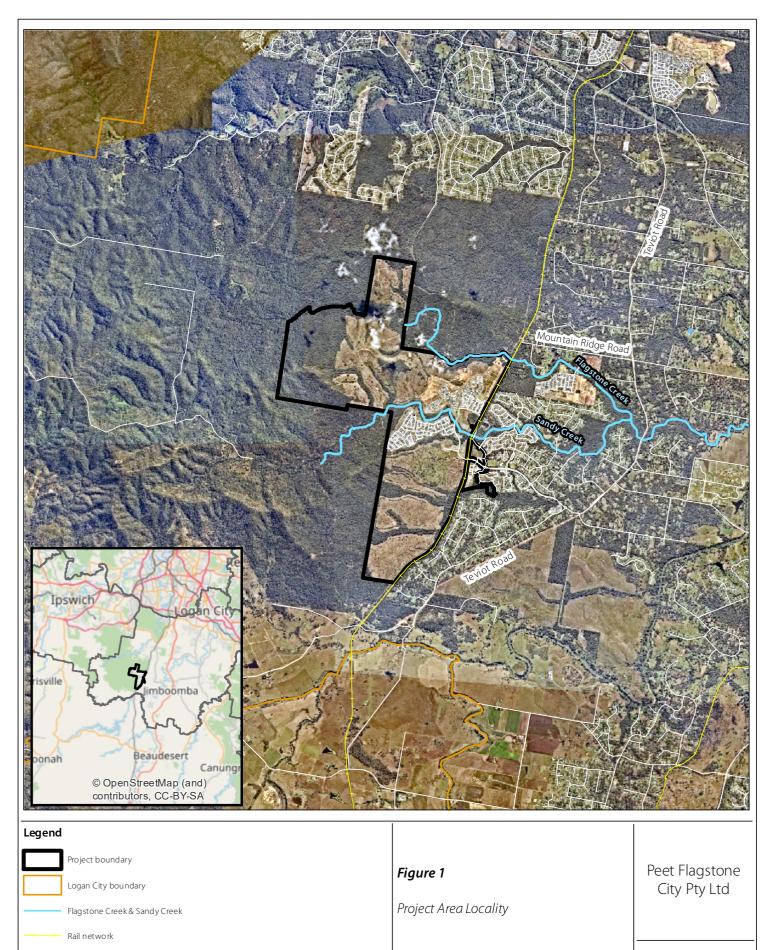
Since the approval was granted, the real property description of the project area has been modified as a consequence of updates to the cadastral database (i.e., property boundaries) administered by the Queensland Government Department of Natural Resources, Mines and Energy (now the Department of Resources – DoR). These updates affect several parcel boundaries and the Flagstone Creek alignment in the northern portion of the project within Context Area 1; 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 1,263 hectares (ha), up from approximately 1,258 ha, representing a further increase of 5.2 ha. The project area boundary is reflected in **Figure 1** and **Figure 2**. Many Koala habitat areas earmarked for retention abut the property and Flagstone Creek. It is noted that the area of clearing approved under condition 5 is 148 ha which will not be changed as a consequence of modifications to the cadastral boundaries.

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 2023 to 9 June 2024
Address	Homestead Drive, Flagstone (and Jimboomba), Queensland 4280
Local government area	Logan City

1.1. Approval summary

* The project area is now approximately 1,263 ha as a result of updates to the digital cadastral database administered by the Queensland Department of Resources. These updates affected the alignment of property boundaries and Flagstone Creek.





Road network

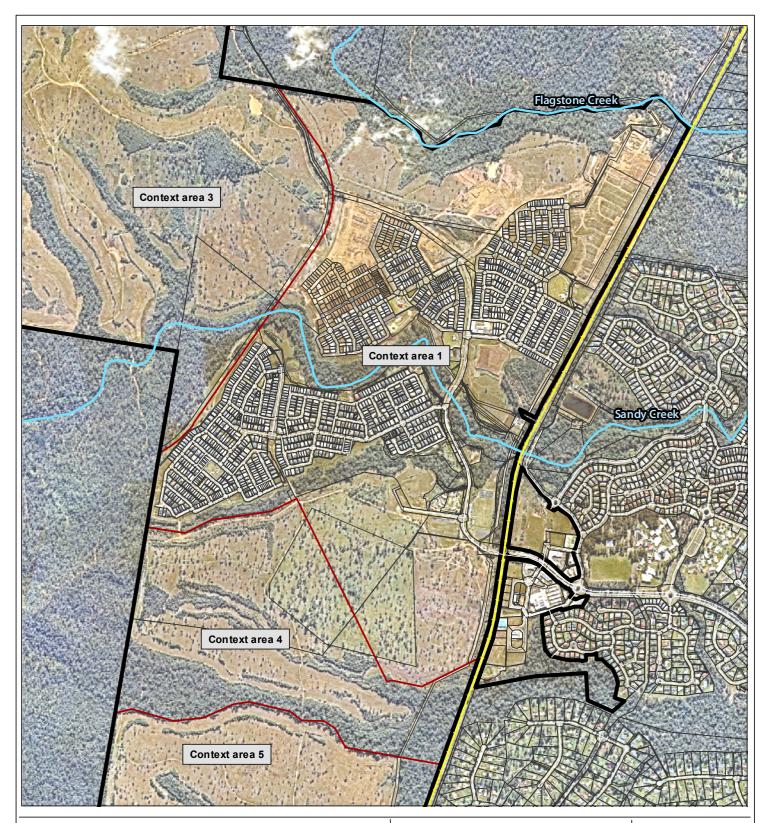
File ref. 6779 E ACR24 Figure 1 Site Context A Date 4/09/2024 Project Flagstone West - EPBC 2014/7206 (ACR 2023)

saunders havill group

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Scale (A4): 1:75,000 [GDA 1994 MGA Z56]



Legend		
	Project boundary	Figure 2 Peet Flagstone
	Project context area boundaries	City Pty Ltd
	Watercourse	Site Aerial
	Rail network	
	Road network	
	Qld DCDB	File ref. 6779 E ACR24 Figure 2 Site Aerial A Date 4/09/2024 Project Flagstone West - EPBC 2014/7206 (ACR 2023)
		0 200 400 600 800 m
		Scale (A4): 1:17,500 [GDA 1994 MGA Z56]

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	the etimetria.
Full name	Murray Saunders
Position	Director
Organisation	Saunders Havill Group (ABN 24 144 972 949)
Date	9 September 2024



3. Description of activities

The Flagstone West Urban Development Project is a master-planned 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 development activities were completed within Context Area 1:

- construction of road infrastructure and services;
- construction of open space amenities including:
 - Stage 5 Park Ninja Park
- construction of residential land parcels and housing;
- progression of earthworks within Context Area 1;
- minor vegetation clearing of non-critical habitat within Context Area 1;
- Replanting works commenced at the Stage 3L bio-basin; and
- Rehabilitation works for Stage 5Pi Creek Corridor completed.

Refer to **Figure 2** for a contemporary site aerial. These activities were completed with permits from State and Local administering authorities in place.





Photo 1: Progress of construction in the north-west, including road network and landscaping.



3.1. Development works update

3.1.1 Vegetation clearing

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 2023, inclusive) provided in previous ACRs which showed Koalas were not observed during pre-clearance surveys, nor during clearing works.

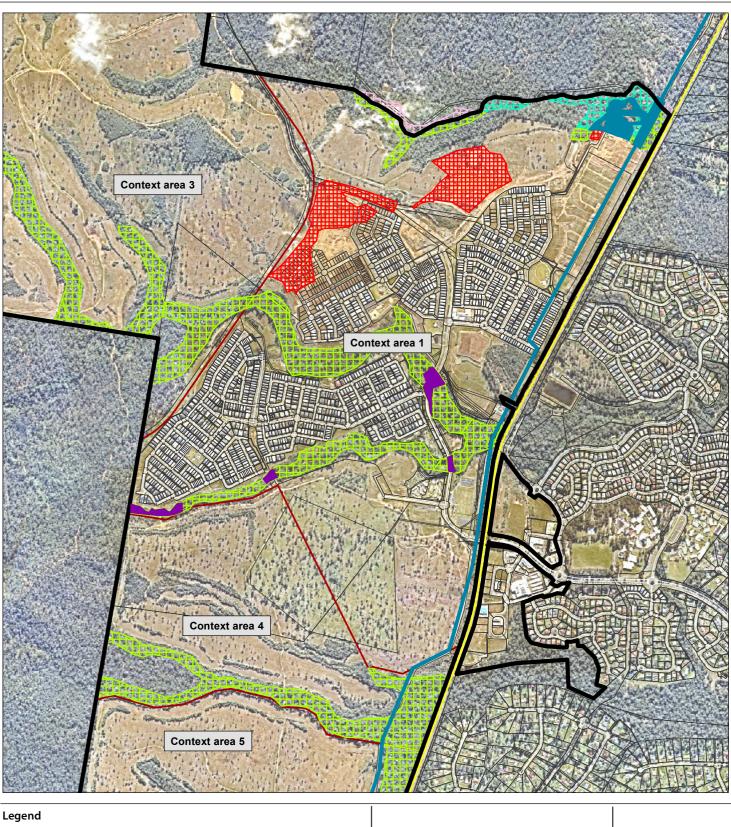
No additional clearing of Koala habitat was completed within the reporting period relating to the project, with works limited to construction within Context Area 1. A review of Koala habitat impacts is provided at **Figure 3**.

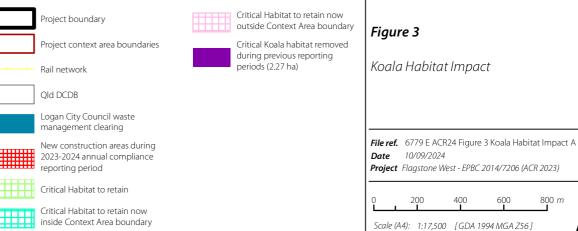
It is noted that clearing associated with separate actions have occurred within the Flagstone West Urban Development project boundary previously. The separate actions are not being undertaken by PEET and have been deemed not a controlled action under the EPBC Act (EPBC references 2018/8190 and 2018/8344). Therefore, the clearing is not considered part of this action.

3.1.2 Stability and rehabilitation works

Waterway stability works completed within the Sandy Creek tributary located within Context Area 1 were carried out in 2016 of the project and have been subject to annual monitoring from 2016 to 2023. Ongoing monitoring confirms integrity of the waterway has been restored and vegetation values progressively reinstated. Refer to the ACR published in 2023 for previous monitoring results.







Peet Flagstone City Pty Ltd



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Layer Sources: © State of Queensland 2024, Nearmap 2024

4. EPBC Act approval conditions compliance table

The EPBC Act approval conditions for the Flagstone West Urban Development Project are provided in **Table 1** with a description of relevant supporting evidence to support a designation of 'Compliant', 'Non-compliant' or 'Not applicable' against each condition. A copy of the EPBC Act approval and conditions is provided at **Appendix B**.

Condition number / reference	Condition	Is the project compliant with this condition?	Evidence / comments
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: Context Plan Area 1 - by 31 October 2015 	Compliant	Context Area 1 The minimum offset payment of \$303, 661.70 for Context 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 ACR dated 8 September 2017.
	 Context Plan Area 3 - by 31 October 2029 Context Plan Area 4 - by 31 October 2020 Context Plan Area 5 - by 31 October 2024 		<u>Context Area 4</u> The minimum offset payment of \$139,619.85 for Context Area 4 was paid to the Queensland State Government on 15 October 2020, prior to the sunset date of 31 October 2020. EDQ issued an email confirming the payment was received. This email correspondence was provided in the ACR dated 9 September 2021.
			<u>Context Area 3</u> Context Area 3 was approved on 31 May 2023. A payment of \$1,819,793.32 for Context Area 3 was made on 30 May 2024, within the 12-month timeframe following approval under this condition. EDQ issued an email

Table 1: EPBC Act approval conditions compliance table



Condition number / reference	Condition	ls the project compliant with this condition?	Evidence / comments
			on 31 May 2024 to the approval holder confirming receipt of payment. This email correspondence is provided at Appendix B .
			Context Area 5
			The payment for Context Area 5 is scheduled for later this year prior to the sunset date of 31 October 2024.
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.
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.	Compliant	During the reporting period, an offset payment was made for Context Area 3. Written notification via email correspondence was provided by SHG on behalf of the approval holder to the Department on 20 June 2024 following payment to EDQ on 31 May 2024. Notification was provided within 30 days of payment. Refer to email correspondence provided at Appendix C .
			Payments for Context Area 1 and Context Area 4 were documented in the ACRs provided in 2017 and 2021.
			It is noted that the sunset date for Context Area 5 is approaching with payment to EDQ scheduled in October 2024.
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.	Not applicable	The 6-month period following payment for Context Area 3 is 31 November 2024.
5	Clearing of up to a maximum of 148 ha must be within the project area shown in Appendix 1.	Compliant	Clearing within the project area has not met nor surpassed the maximum of 148 ha of clearing permitted. Works for the Flagstone project have been



Condition number / reference	Condition	ls the project compliant with this condition?	Evidence / comments
			undertaken in accordance with the areas shown in Appendix A of the EPBC approval.
			It is noted that clearing associated with separate actions have occurred within the Flagstone West Urban Development project boundary previously. 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	Saunders Havill Group maintains records and hold all relevant information for this EPBC approval on behalf of the approval holder. Electronic records of all material are held collectively by Saunders Havill Group and the 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 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	Compliant	The approval holder has not become aware of any potential or suspected non-compliance with the approval conditions during this reporting period. 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



Condition number / reference	Condition	ls the project compliant with this condition?	Evidence / comments
	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.		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.
			The Annual Compliance Report for the 12 month period ending 9 June 2024 will be published on the PEET website prior to 9 September 2024.
9	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.		The Minister has not provided a direction to complete an independent audit of compliance.
10	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 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.	Not applicable	The approval holder has not sought to carry out any activity that is not in accordance with a plan as specified in the conditions.
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	Not applicable	The approval holder has not received a request from the Minister to revise a plan specified in the conditions.



Condition number / reference	Condition	Is the project compliant with this condition?	Evidence / comments
	must continue to implement the plan originally approved, as 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

During the Year 8 reporting period, the approval holder, PEET, did not become aware of a non-compliance related to the approval conditions of the approved project (EPBC 2014/7206). All works completed by PEET related to the development were undertaken in accordance with the approval conditions.

It is noted that during Year 6 of the project (i.e., 10 June 2021 to 9 June 2022), PEET, became aware of a noncompliance 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. The circumstances of both identified non-compliances were considered minor administrative errors that have no lasting effect on the project or environmental outcomes. Subsequently, the Department confirmed that no further action was required. The details of this previous non-compliance are provided in the 2022 ACR.



6. Appendices

Appendix A

EPBC approval and conditions granted 30 October 2014

Appendix B

Context Area 3 receipt of payment

Appendix C

Context Area 3 payment – notification to DCCEEW



Appendix A

EPBC approval and conditions granted 30 October 2014





Australian Government

Department of the Environment

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

Co	onditions			
Of	fsets			
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:			
	 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 			
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 .			
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.			
Cle	earing			
5.	Clearing of up to a maximum of 148 ha must be within the project area shown in Appendix 1.			
Sta	andard Conditions			
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			

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

Department at the same time as the compliance report is published. The compliance report

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**.

- 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.
- 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.
- 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.

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.

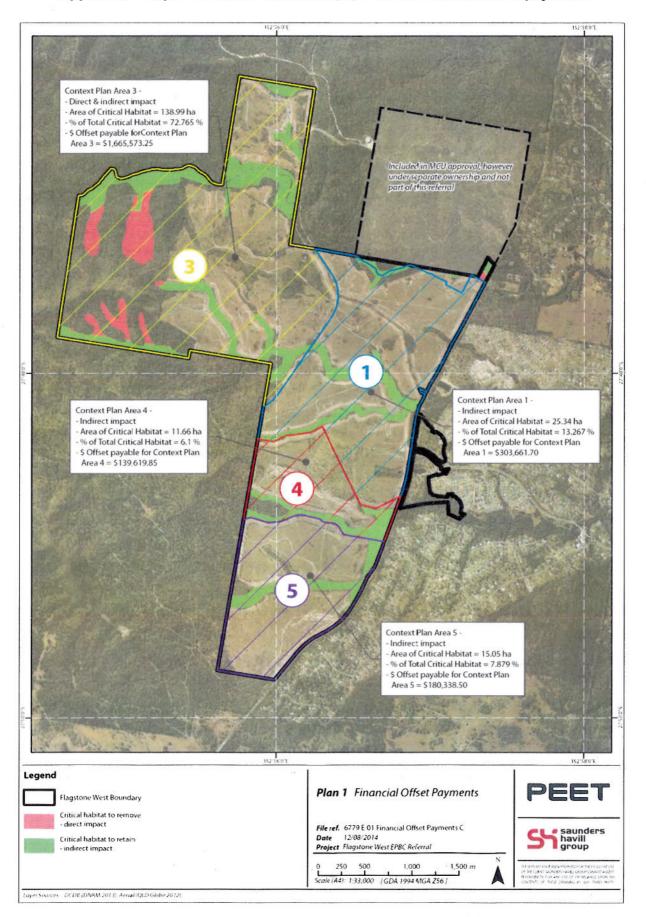
Listed Koala: Koala (*Phascolarctos cinereus* - combined populations of Queensland, New South Wales and the Australian Capital Territory) listed as vulnerable under the **EPBC Act**.

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 Context Area 3 receipt of payment



Amy Westman

From: Sent: To: Subject: Brandon Bouda < Friday, 31 May 2024 10:57 AM Brad Gates; Joanne Cousins; Louisa Sloan RE: Flagstone - Context Area 3 payment

Thanks Brad

I can confirm these payments have now been received.

Regards



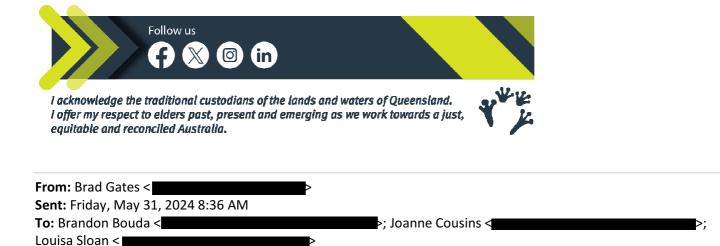
Brandon Bouda

Manager Economic Development Queensland Department of State Development and Infrastructure

Queensland Government <u>Microsoft Teams – meet now</u>

P Level 14,1 William Street, Brisbane QLD 4000 PO Box 2202, Brisbane QLD 4000

statedevelopment.qld.gov.au



Morning Brandon,

Please see the attached remittance demonstrating that:

Subject: Flagstone - Context Area 3 payment

- \$150k has been added to the Peet / EDQ draw down account in preparation for the \$99.5k lodgement of CA3 north in late June; and
- Our CA3 EPBC payment was made in May, as required by condition #1 of EPBC 2014/7206. Saunders Havill will complete the relevant reporting. \$180k for CA5 is due by the end of October.

Regards,

Brad Gates Senior Development Manager Peet Limited



Perth | Melbourne | Brisbane | Canberra | Adelaide

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Appendix C

Context Area 3 payment – notification to DCCEEW



Amy Westman

From:	Amy Westman
Sent:	Thursday, 20 June 2024 9:15 AM
То:	EPBC Monitoring
Cc:	Brad Gates; Andrew Davies; Andrew Ridley
Subject:	EPBC 2014/7206 - Notification of payment of Context Area Plan 3
Attachments:	RE: Flagstone - Context Area 3 payment

Archived

Hi EPBC Monitoring,

Categories:

On behalf of the approval holder, Peet Flagstone City Pty Ltd (EPBC 2014/7206) and in accordance with Condition 3 of the approval, please accept this email as formal notification for the payment of Context Plan Area 3. The payment was made to Economic Development Queensland (EDQ) on 31 May 2024, prior to the sunset date of 31 October 2029, 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,

Amy Westman Senior Ecologist Saunders Havill Group

direct line mobile email

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

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