

2015 Compliance Report

**Northeast Business Park Project, Queensland
EPBC Approval No. 2006/2912**



Document Version Control

VERSION	PREPARED BY	REVIEWED BY	DATE
Draft 1.0	B. Finney	P. Lightbody	29/5/15
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Table of Contents

Document Version Control	2
Introduction	4
Project Description.....	4
Description of Activities	6
Instances of Non-Compliance	6
Summary	7
Declaration of accuracy	7
APPENDICES	8

APPENDIX A: COMPLIANCE ASSESSMENT REPORTING TABLE

APPENDIX B: LBEMP RECORDKEEPING SUMMARY TABLES

APPENDIX C: VEGETATION REHABILITATION SUMMARY REPORT

APPENDIX D: SUPPORTING DOCUMENTATION

Introduction

Northeast Business Park Pty Ltd has commenced the development of a master planned community, to be known as “North Harbour”. On 12 July 2006, the project was determined to be a controlled action pursuant to s.75 of the *Environmental Protection and Biodiversity Conservation Act 1999* under the controlling provisions of;

- Sections 16 and 17B (Wetlands of international importance)
- Sections 18 and 18A (Listed threatened species and communities)
- Sections 20 and 20A (Listed migratory species)

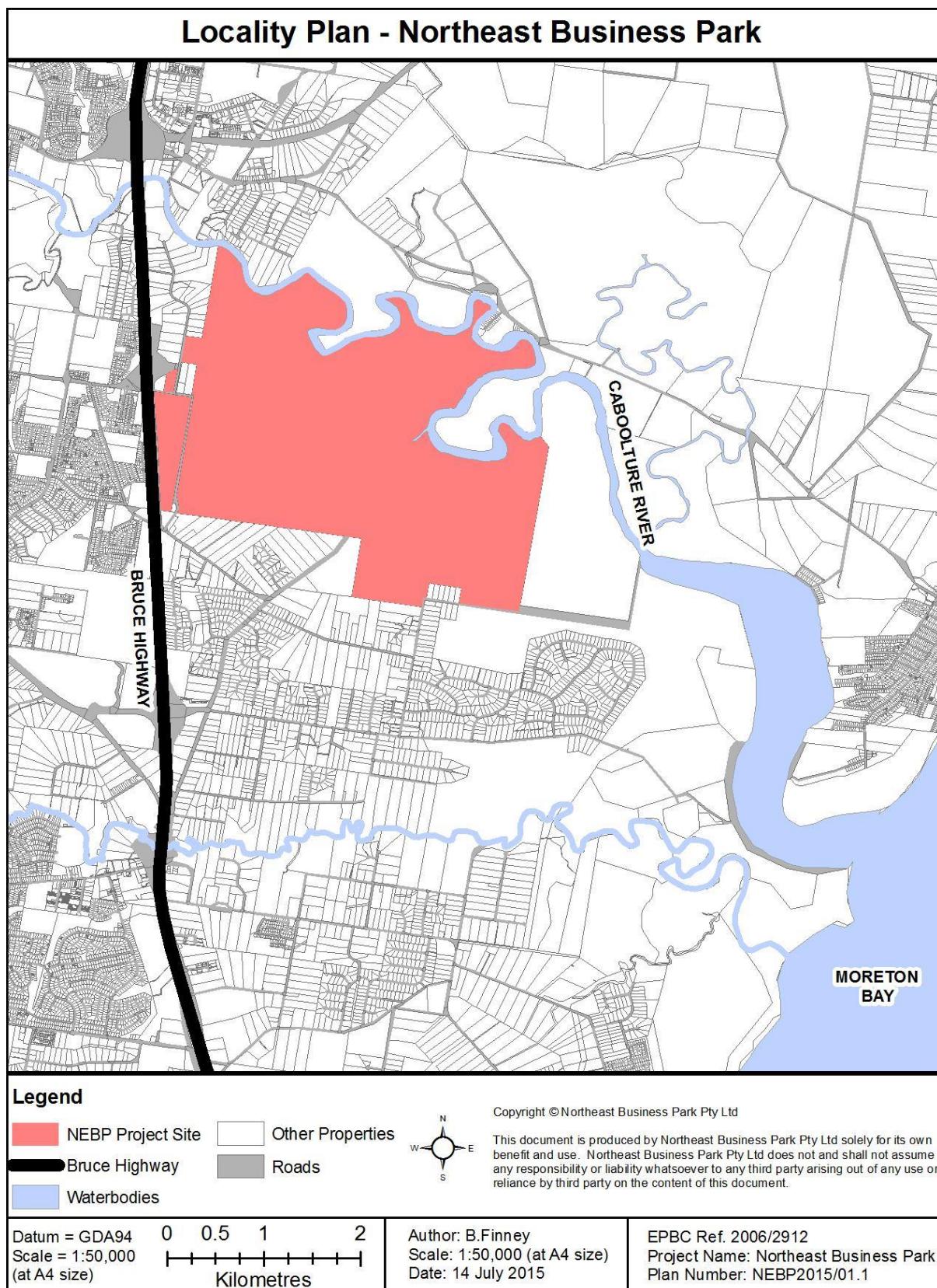
Following a detailed environmental impact investigation and assessment process, the project was granted approval with conditions on 18 December 2012. Commencement of the action (as defined within the approval) was triggered 12 May 2014. Condition 3 of the approval requires the publication of an annual report, addressing compliance with each of the conditions of approval.

This document is the first compliance report, relating to activities undertaken in the first 12 months following commencement of the Northeast Business Park project. Please note that during the preparation period of this report, subsequent approvals have been acquired including LBEMP Sub-Plan 3. Reporting associated with these approvals and works undertaken after 12 May 2015 will be provided in the 2016 report.

Project Description

EPBC Number:	2006/2912
Project Name:	Northeast Business Park
Approval Holder:	Northeast Business Park Pty Ltd (ACN: 101 569 457)
Approved Action:	To develop an approximately 762 hectare site, for an integrated business park, including residential and marina precincts, located to the east of the Bruce Highway, and bounded to the north by the Caboolture River, Caboolture Shire, Queensland.
Project Location:	The project is located in the Moreton Bay region, Queensland. The property address is 34 Nolan Drive, Morayfield. The site is bounded to the west by the Bruce Highway and to the north by the Caboolture River, as shown on the locality plan at figure 1.
Responsible Person:	Malcolm Hall-Brown (Chairman)
Reporting Period:	12 May 2014 – 12 May 2015
Report Preparation:	June / July 2015

Figure 1



Description of Activities

During the period relevant to this report, the following activities have been undertaken for the project;

Activities undertaken under the LBEMP & sub-plan 1

Sub-plan 1 (approved 17 February 2014) defined the approved works program for vegetation clearing within the Business Park development footprint of the project. Actions taken in accordance with sub-plan 1 have been completed.

Activities undertaken under the LBEMP & sub-plan 2

Sub-plan 2 (approved 2 September 2014) defined the approved works program for;

- Vegetation clearing and upgrade to part of the entry road to the residential precinct (Buckley Road).
- Bulk earthworks and civil construction of phase 1 (stages 1 to 6) of the residential development.

Vegetation clearing activities have been completed, while Buckley road upgrade and the phase 1 earthworks and civil construction works are ongoing and have not been completed in the period addressed by this report.

Other project related activities

Vegetation rehabilitation of a riparian corridor alongside the Caboolture River (100m wide behind the top of the southern riverbank) has been underway for some time, with various planting and management methodologies being trialled since 2012. Progress has been detailed in the onsite vegetation restoration report provided at appendix C.

Instances of Non-Compliance

No instances of non-compliance with the conditions of approval 2001/2912 were identified during the reporting period. Further detail relating to each condition is presented in the compliance assessment reporting table included at appendix A.

Summary

The long term development of the Northeast Business Park Pty Ltd “North Harbour” project has commenced, with this report providing information on operations conducted during the first 12 months following commencement of the action.

This report has identified no instances of non-compliance with the conditions identified in the project’s EPBC approval (ref. 2001/2912).

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 (please print) _____

Position (please print) _____

Organisation (please print including ABN/ACN if applicable) _____

Date _____ / _____ / _____

APPENDICES

APPENDIX A:	COMPLIANCE ASSESSMENT REPORTING TABLE	PAGE 9
APPENDIX B:	LBEMP RECORDKEEPING SUMMARY TABLES	PAGE 17
APPENDIX C:	VEGETATION REHABILITATION SUMMARY REPORT	PAGE 23
APPENDIX D:	SUPPORTING DOCUMENTATION	PAGE 92

APPENDIX A: COMPLIANCE ASSESSMENT REPORTING TABLE

EPBC APPROVAL 2006/2912 - COMPLIANCE ASSESSMENT REPORTING TABLE

Condition Number / Reference	Condition	Project Compliance	Evidence / Comments
1	Within 20 days after the commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement of the action.	Compliant	Commencement of the action occurred on 12/5/2014 (see appendix D – supporting documentation).
2	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans 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.	Compliant	Accurate records maintained by the proponent and contractors, as demonstrated by the information below and associated documentation attached, including the testing summaries for water quality monitoring, acid sulphate soils and vegetation clearing at appendix D. Records available for audit by the Department or independent auditor upon request.
3	Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.	Not Applicable	This report relates to the first 12 month period since commencement of the action. This report will be uploaded by the 12 th of August 2015 and reported on as part of the next annual report.
4	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit	Not Applicable	No direction for an independent audit issued by the Minister in the 12 month period applicable to this report.

APPENDIX A

	criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.		
5	If the person taking the action wishes to carry out any activity otherwise than in accordance with the management plan/s as specified in the conditions, the person taking the action must submit to the Department for the Minister's written approval a revised version of that management plan/s. The varied activity shall not commence until the Minister has approved the varied management plan/s in writing. The Minister will not approve a varied management plan/s unless the revised management plan/s would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised management plan/s, that management plan/s must be implemented in place of the management plan/s originally approved.	Not Applicable	No activities undertaken otherwise than in accordance with the management plans (approved LBEMP and sub-plans 1 and 2 during the 12 month period applicable to this report).
6	If the Minister believes that it is necessary or convenient for the better protection of the Moreton Bay Ramsar site (sections 16 and 17B of the EPBC Act), listed threatened species (sections 18 and 18A of the EPBC Act) or migratory shorebirds (sections 20 and 20A of the EPBC Act) to do so, the Minister may request that the person taking the action make specified revisions to the management plan/s specified in the conditions and submit the revised management plan/s for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plan/s must be implemented. Unless the Minister has approved the revised management plan/s then the person taking the action must continue to implement the management plan/s originally approved, as specified in the conditions.	Not Applicable	No request from the Minister to revise the management plans received in the 12 month period applicable to this report.
7	If, at any time after five years from the date of this approval, the person taking the action has not substantially commenced	Not Applicable	Project substantially commenced within 5 years from the date of the approval, as confirmed by the

APPENDIX A

	the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.		letter advising commencement of the action (refer appendix D).
8	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all management plans referred to in these conditions of approval on their website. Each management plan must be published on the website within one month of being approved.	Compliant	<p>LBEMP approved 17/2/2015, notification of publication sent 17/3/2015.</p> <p>LBEMP sub-plan 1 approved 17/2/2015, notification of publication sent 17/3/2015.</p> <p>LBEMP sub-plan 2 approved 02/09/2015, notification of publication sent 12/09/2015.</p> <p>Correspondence documenting the actions taken in relation to this condition attached at appendix D.</p>
9	<p>The person taking the action must prepare and submit a Land-Based Environmental Management Plan (LBEMP) for the Minister's approval. The LBEMP must include, but not be limited to, the following:</p> <ul style="list-style-type: none"> a. Measures to minimise impacts on EPBC Act listed threatened species, including measure to care for injured fauna and a vegetation clearing strategy; b. Measures to limit the spread of pests and invasive species; c. Sediment and erosion controls; and d. Measures to implement, monitor, or improve (should deficiencies be identified) the LBEMP <p>The person taking the action must not conduct clearance of native vegetation unless the Minister has approved the LBEMP. The approved LBEMP must be implemented.</p>	Compliant	<p>Land Based Environmental Management Plan and sub-plans 01 and 02 prepared and approved prior to commencement of relevant works, including provisions for points a. - d. in condition 9.</p> <p>LBEMP approved 17/02/2015 LBEMP sub-plan 1 approved 17/02/2015 LBEMP sub-plan 2 approved 02/09/2015</p> <p>Clearance of native vegetation undertaken in accordance with management plans as outlined in the LBEMP recordkeeping tables at appendix B. Post clearance fauna reports attached at appendix D.</p>

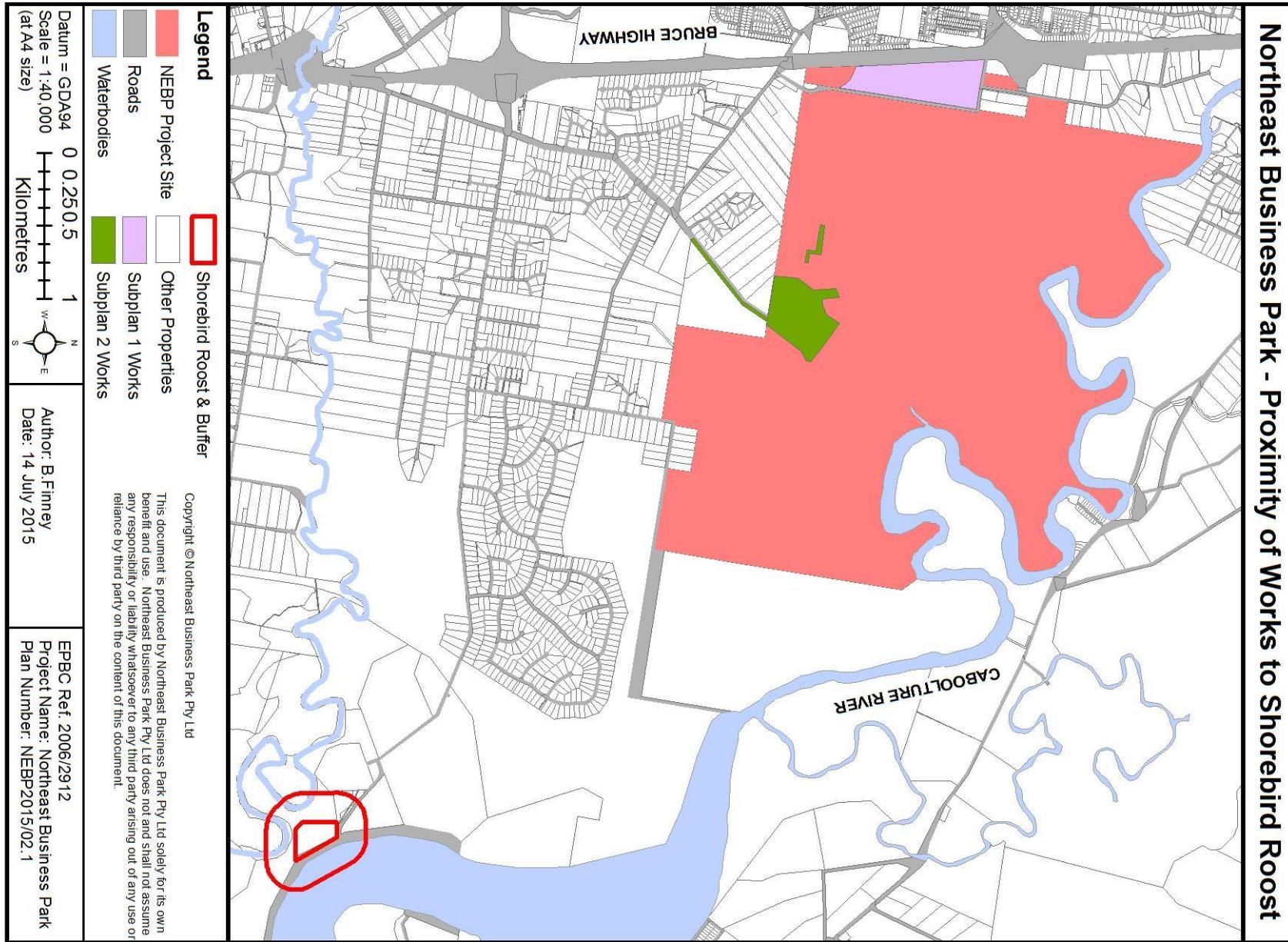
APPENDIX A

10	<p>The person taking the action must not destroy by clearing or any other activity, more than 25 ha of native vegetation on the subject site.</p> <ul style="list-style-type: none"> a. If clearing more than 25 ha of native vegetation is necessary, the person taking the action must: <ul style="list-style-type: none"> i. Undertake a pre-clearance survey of additional areas to be cleared; and ii. Submit the pre-clearance survey to the Minister for approval, prior to clearing. <p>The person taking the action must not clear more than 25 ha of native vegetation unless then Minister has provided approval in writing to do so.</p>	Compliant	<p>In the 12 month reporting period, approximately 9.61 Hectares of Remnant Native Vegetation was cleared, as identified by LBEMP Sub Plan 1.</p> <p>Vegetation clearance undertaken as part of works approved in LBEMP Sub Plan 2 was small scale clearing or isolated trees and did not meet the clearance of vegetation definition as set out in approval 2006/2912. Whilst the appropriate controls were implemented during this clearing (as demonstrated by the post clearance fauna reports attached at appendix D), these areas have not been included in the calculations relevant to compliance with this condition.</p>
11	<p>No construction activities may occur within 200 m of the critical high tide shorebird roost area at the mouth of the Caboolture River, during the months of September to April (inclusive) of any given year.</p>	Compliant	<p>The shorebird roost area is well removed from the project site owned by Northeast Business Park Pty Ltd. Only works associated with dredging of the navigation channel in the Caboolture River will occur in the vicinity of the roost area.</p> <p>No dredging or associated works have been undertaken in the reporting period. All construction activities undertaken in the reporting period have been outside the 200m buffer to the critical high tide shorebird roost area, as shown by plan number NEBP2015/02.1 (below).</p>
12	<p>The person taking the action must undertake, maintain and monitor all bank rehabilitation and restoration works detailed in Appendix J of the EIS – Riverbank Erosion Assessment, to prevent unacceptable impacts to wetlands of international importance (section 16 and 17B of the EPBC Act). This must include, but not be limited to:</p>	Compliant	<p>Revegetation and rehabilitation works have commenced for the frontage the project has to the Caboolture River. Further information is available at appendix C.</p>

	<ul style="list-style-type: none"> a. Undertaking, maintaining and monitoring the revegetation of riparian area on the referred subject site; and b. Undertaking, maintaining and monitoring the restoration of wetland area on the referred subject site. 		
13	<p>The person taking the action must prepare and submit a Caboolture River Estuary Management Plan (CREMP) for the Minister's approval.</p> <ul style="list-style-type: none"> a. The CREMP must include, but not be limited to the following: <ul style="list-style-type: none"> i. Detail all restoration and rehabilitation works that will be undertaken to mitigate impacts on the river bed and banks, including a description of priority works and agreed performance criteria. The strategy must avoid the use of artificial bank protection structures; ii. Identify corrective actions or alternative options that will be implemented if unexpected adverse impacts on marine and shorebird species are detected and are attributed to the construction and operation of the action; iii. Specify a schedule of works and/or compensatory actions required to address all potential development related impacts, and measures to implement them; iv. Specify a monitoring program, including requirements for further baseline data that must be collected prior to capital dredging works. Monitoring must include, but not be limited to: <ol style="list-style-type: none"> 1. Wave energy recorded at the river bank at a minimum of three key locations. Monitoring must also include concurrent measurements of boat traffic and wind velocity. This must be conducted at least once every three months; 2. Water level recording in the mid estuary to determine any changes to the hydrodynamics that may be attributable to dredging. This must be conducted at least once every three months; 	Not Applicable	No works impacting on the Caboolture River were undertaken in the 12 month period applicable to this report. Preparation and Minister's approval of the CREMP to be undertaken at a future date, prior to works impacting the Caboolture River.

	<p>3. Annual bank erosion monitoring at fixed locations, including but not limited to, at least four monitoring points on the northern bank of the Caboolture River, evenly spaced within one kilometre downstream of the marina entrance;</p> <p>4. Hydrographical surveys of the river bed and banks in the vicinity of the upper one-third of the dredged channel, between three and six months from completion of dredging works. Survey must be undertaken by a qualified hydrographical surveyor and consist of soundings no more than 10 metres apart and within a vertical accuracy of 0.1 metre or better;</p> <p>5. Shorebird monitoring at a minimum of ten key locations in the lower estuary of the Caboolture River, including the critical high tide shorebird roost area at the mouth of the Caboolture River; and</p> <p>6. Sampling of benthic invertebrates on shallow banks adjacent to the dredged channel at a minimum of three locations.</p> <p>b. The CREMP must be reviewed annually (within three months of every 12 months anniversary of the commencement of works impacting on the Caboolture River) by the person taking the action, with any revision to be approved by the Minister before implementation of changes.</p> <p>The person taking the action must not commence works impacting on the Caboolture River unless the Minister has approved the CREMP. The approved CREMP must be implemented.</p>		
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Northeast Business Park - Proximity of Works to Shorebird Roost



APPENDIX B: LBEMP RECORDKEEPING SUMMARY TABLES

LBEMP RECORD KEEPING

Reference	Recordkeeping Requirements	Project Compliance	Evidence / Comments
LBEMP section 8 point 1	<p>Retain appropriate records concerning the preparation and implementation of LBEMP Sub Plans, including;</p> <ul style="list-style-type: none"> - A register of all LBEMPs including all Sub-Plans, along with hard copies of each LBEMP; and - All records that are required by each element of an implemented LBEMP Sub-Plan, including copies of all issue specific management plans that each LBEMP Sub-Plan draws from. 	Compliant	<p>Register of all LBEMPs in place. Register currently includes; LBEMP v2 (31 Jan 2014) Sub-Plan 01 v2 (31 Jan 2014) Sub-Plan 02 v1.2 (22 Aug 2014)</p> <p>Record Keeping required by sub-plans in place. Refer to sub-plan record keeping tables below for further information.</p>
LBEMP section 8 point 2	<p>Review this LBEMP:</p> <ul style="list-style-type: none"> - As part of the preparation of each LBEMP Sub-Plan; - Following significant environmental incidents involving a MNES; - At the completion of any environmental audit carried out by the CDotE; and - In the instance where the objectives of any element of this LBEMP are not being met. 	Compliant	<p>LBEMP reviewed as part of the preparation of sub-plans 1 and 2.</p> <p>No significant environmental incidents involving a MNES have occurred.</p> <p>No environmental audits carried out by CDotE have been requested.</p> <p>Objectives for all LBEMP elements are considered to be achieved for works in the reporting period.</p>

LBEMP SUB-PLAN 1 RECORD KEEPING

Reference	Recordkeeping Requirements	Project Compliance	Evidence / Comments
Subplan 1 Section 7 Point 1	Copies of all relevant permits or approvals relevant to the works the subject of this LBEMP Sub-Plan 01	Compliant	All relevant permits and approvals obtained for sub-plan 1 works, as set out in the schedule below. Copies can be provided upon request by DotE.
Subplan 1 Section 7 Point 2	The name, qualifications and contact details of the appropriately qualified ecologist engaged to assist in the preparation of this LBEMP Sub-Plan 01	Compliant	Sub-Plan 1 prepared by Cardno (QLD) Pty Ltd (John Delaney). Qualification and contact details can be provided upon request by DotE.
Subplan 1 Section 7 Point 3	The dates and findings of the preclearance flora and fauna surveys and the name, qualifications and contact details of the ecologist who completed the surveys	Compliant	Ecological Assessment Report completed 22 January 2014 by Cardno (QLD) Pty Ltd (John Delaney). Copy of report and associated information can be provided upon request by DotE.
Subplan 1 Section 7 Point 4	The name, qualifications and contact details of the appropriately qualified fauna spotter catcher engaged to supervise vegetation clearance works	Compliant	Fauna Spotter-Catcher supervision provided by Australia Wide Fauna Consultants (Joel Keady). Qualification and contact details can be provided upon request by DotE.
Subplan 1 Section 7 Point 5	The dates of all vegetation clearance works	Compliant	During the reporting period, vegetation clearance works were undertaken on the following dates as outlined in post-disturbance fauna reports; 12 to 21 May 2014. Copies of the post-disturbance fauna report is included at appendix D.

LBEMP SUB-PLAN 2 RECORD KEEPING

Reference	Recordkeeping Requirements	Project Compliance	Evidence / Comments
Subplan 2 Section 6 Point 1	Copies of all relevant permits or approvals relevant to the works the subject of this LBEMP Sub-Plan 02	Compliant	All relevant permits and approvals obtained for subplan 2 works undertaken in the reporting period, as set out in the schedule below. Copies can be provided upon request by DotE.
Subplan 2 Section 6 Point 2	The name, qualifications and contact details of the appropriately qualified ecologist engaged to assist in the preparation of this LBEMP Sub-Plan 02	Compliant	Sub-Plan 2 prepared by Future-Plus Environmental (Tracey Birt). Qualification and contact details can be provided upon request by DotE.
Subplan 2 Section 6 Point 3	The dates and findings of the preclearance flora and fauna surveys and the name, qualifications and contact details of the ecologist who completed the surveys	Compliant	Ecological Assessment Report completed 4 June 2014 by Cardno (QLD) Pty Ltd (John Delaney). Copy of report and associated information can be provided upon request by DotE.
Subplan 2 Section 6 Point 4	The name, qualifications and contact details of the appropriately qualified fauna spotter catcher engaged to supervise vegetation clearance works	Compliant	Fauna Spotter-Catcher supervision provided by Australia Wide Fauna Consultants (Joel Keady). Qualification and contact details can be provided upon request by DotE.
Subplan 2 Section 6 Point 5	The dates and locations of all vegetation clearance works	Compliant	During the reporting period, vegetation clearance works were undertaken on the following dates as outlined in post-disturbance fauna reports; 27 Nov. to 5 Dec. 2014 17 December 2014 6 January 2015 17 April 2015 22 April 2015 Clearing locations identified in the associated reporting (can be provided upon request by DotE).
Subplan 2 Northeast Bush Management Project required by	The post clearance Fauna Management Report as required by	Compliant	Copy of reports by Australia Wide Fauna Consultants May 2015

Point 6	section 4.2 of the LBEMP Sub-Plan 02		provided following each clearing event and attached at appendix D.
Subplan 2 Section 6 Point 7	Any records required to be kept in for specific environmental management elements as identified in Section 4 of this LBEMP sub plan 02	Compliant	<p>Records relating to compliance with environmental management elements have been maintained, including under associated approved management plans for;</p> <ul style="list-style-type: none"> - Acid Sulphate Soils MP - Water Quality MP - Stormwater Quality and Site Based Mgt. - Construction Environment MP <p>Records include (but not limited to);</p> <ul style="list-style-type: none"> - Testing and validation for ASS - Monitoring of ground water and surface water quality - Sediment basin discharge authorisations - Pest hygiene declarations - Vegetation clearance records as referenced above <p>Copies of records can be provided upon request by DotE.</p>
Subplan 2 Section 6 Point 8	All incident reports and corrective action requests generated during the works program	Not Applicable	No incident reports or corrective action requests generated during the reporting period.

Northeast Business Park - Register of Permits or Approvals relevant to Land Based Environmental Management Plans

LBEMP Sub-Plan 1

Reference	Approval Date	Description
MCU-2002-1079	28 June 2012 (amended 27 March 2015)	Preliminary approval for the development of mixed industry, business area precincts, open space and related purposes. Includes State and Local Government conditions and the approved Northeast Business Park MIBA Plan.
2006/008928	21 May 2010	Operational work – Clearing of native vegetation. Includes state Government conditions and development permit plan DPP2006/008928.

LBEMP Sub-Plan 2

Reference	Approval Date	Description
MCU-2004-1420	28 June 2013	Preliminary approval for the Residential West precinct. Includes State and Local Government conditions and the Residential West Area Plan.
DA/29013/2014/V3RL	19 November 2014	Reconfiguring a Lot approval for Phase 1 (Stages 1 to 6) of the residential west precinct.
DA/29013/2014/V4E/1	19 November 2014	Bulk Earthworks Phase 1 (Stages 1 to 6).
DA/29013/2014/V4DU/1	19 November 2014	Operational Works for Residential West, MIBA Connection Rd and Buckley Rd, Stage 1: Roadworks, Stormwater, Water and Sewerage
DA/29013/2014/V4DU/2	26 November 2014	Operational Works for Residential West Precinct 1, Stage 2, Roadworks, Stormwater, Water and Sewerage
DA/29013/2014/V4DU/3	14 January 2015	Operational Works for Stage 3: Roadworks, Drainage Works, Stormwater, Water and Sewerage

Note:

- Register Current as at 12 May 2015
- Other approvals including operational works for future stages and LBEMP Sub-Plan 3 has been recently approved but is not relevant to the reporting period.