



Compliance Report 2025

White Patch Esplanade Upgrade (Bridge Installation),
Bribie Island, Queensland
EPBC 2022/09433

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Rev	Date	Description	Prepared	Reviewed
1	02/09/2025	Compliance Report EPBC 2022/09433 (Compliance Report 2)	Principal Environment Officer – Projects (CMB) 73285879	Manager Environmental Services (CMB)

Declaration of Accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environmental Protection 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 that authorisation being revoked at the time of making this declaration.

Signed:



Full Name: Matthew Anderson

Position: Executive General Manager

Organisation: City of Moreton Bay (ABN 92 967 232 136)

Date: 08/10/2025

Project Overview

The area of White Patch on Bribie Island is home to a small community of residents. The principal formal access to the locality is via a bridge over Wrights Creek to the east. The bridge crossing consists of a causeway with a series of large steel pipes that allow continuous tidal flow through to Wrights Creek - close to its mouth, where it empties into Pumicestone Passage. The creek at this point is tidal.

In March 2022, a significant weather event struck the City of Moreton Bay Local Government Area. The event brought prolonged heavy rainfall over the region causing flooding. The high flow caused the bridge over Wrights Creek to fail, and the community of White Patch were deprived of this means of movement to and from their locality. As an interim measure, a temporary bridge was constructed to enable people movement. The delivery of a long-term solution included the construction of a bridge on an alignment immediately to the west of the existing road, and removal of the temporary and remaining past structures, which was funded through the Queensland Reconstruction Authority's Disaster Recovery program.

In the post-disaster-recovery-phase it was identified that the required bridge reconstruction works could potentially have environmental impacts on the nearby intertidal mud flats of Pumicestone Passage, which is known habitat for migratory and resident shorebirds. Further, the whole area (including the mouth of Wrights creek) is listed as a Wetland of International Significance under the Ramsar Convention. Environmental values associated with the Ramsar listed wetland include birds that are recognised as under conservation threat and listed on state and federal threatened species lists, with some also listed on international agreements to which Australia is a signatory. Consequentially, Council referred the reconstruction of the bridge for review by the Commonwealth to consider suitable Controlled Action measures in December 2022. On 18 July 2023 the Commonwealth advised Council that the construction and operation of the bridge was approved (EPBC 2022/09433) subject to conditions under the EPBC Act, relative to Queensland Government's SARA conditions on Protected Matters, and reducing impacts on the eastern curlew during high disturbance works and lighting conditions.

The Action commenced on 31 October 2023 as per the City of Moreton Bay Council notification sent to the Department of Climate Change, Energy, the Environment and Water (DCCEEW) with the project commencing on 6 November 2023. Confirmation of notification of Commencement correspondence was received from DCCEEW on 20 November 2023. Within the first 12 months, site setup and clearing, earthworks construction of bridge abutments and the bridge structure. These works were undertaken between 31 October 2023 and 17 July 2024. Within the next 12 months, roadworks was concluded, the existing road and causeway was removed, landscaping and remediation works were conducted, and lights were installed. These works were undertaken between 18 July 2024 and 31 January 2025. The reconstructed bridge was open for use from 18 December 2024 without lighting, and from 31 January 2025 with lighting. Construction and environmental compliance approvals were all completed by 16 April 2025.

Purpose and Scope

Purpose

This compliance report (report) has been prepared to comply with conditions 11 to 14 of EPBC 2022/09433 controlled action approval (refer Appendix 1).

Scope

This report describes the status of compliance with all conditions of approval from 18 July 2023 (since time of approval) to 17 July 2025 (two-year anniversary of the approval).

This report has been prepared in accordance with the Department of Climate Change, Energy, the Environment and Water Annual Compliance Report Guidelines (2023), found here: www.dcceew.gov.au/sites/default/files/documents/annual-compliance-report-guidelines-2023.pdf

Compliance descriptors used in this report are consistent with the guideline including:

- **Compliant:** *‘Compliance’ is achieved when all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.*
- **Non-compliant:** *A designation of ‘non-compliance’ should be given where the requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.*
- **Not applicable:** *A designation of ‘not applicable’ should be given where the requirements of a condition or elements of a condition fall outside of the scope of the current reporting period. For example, a condition which applies to an activity that has not yet commenced.*

Project Clearing Footprint

Figure: 1

BASE/

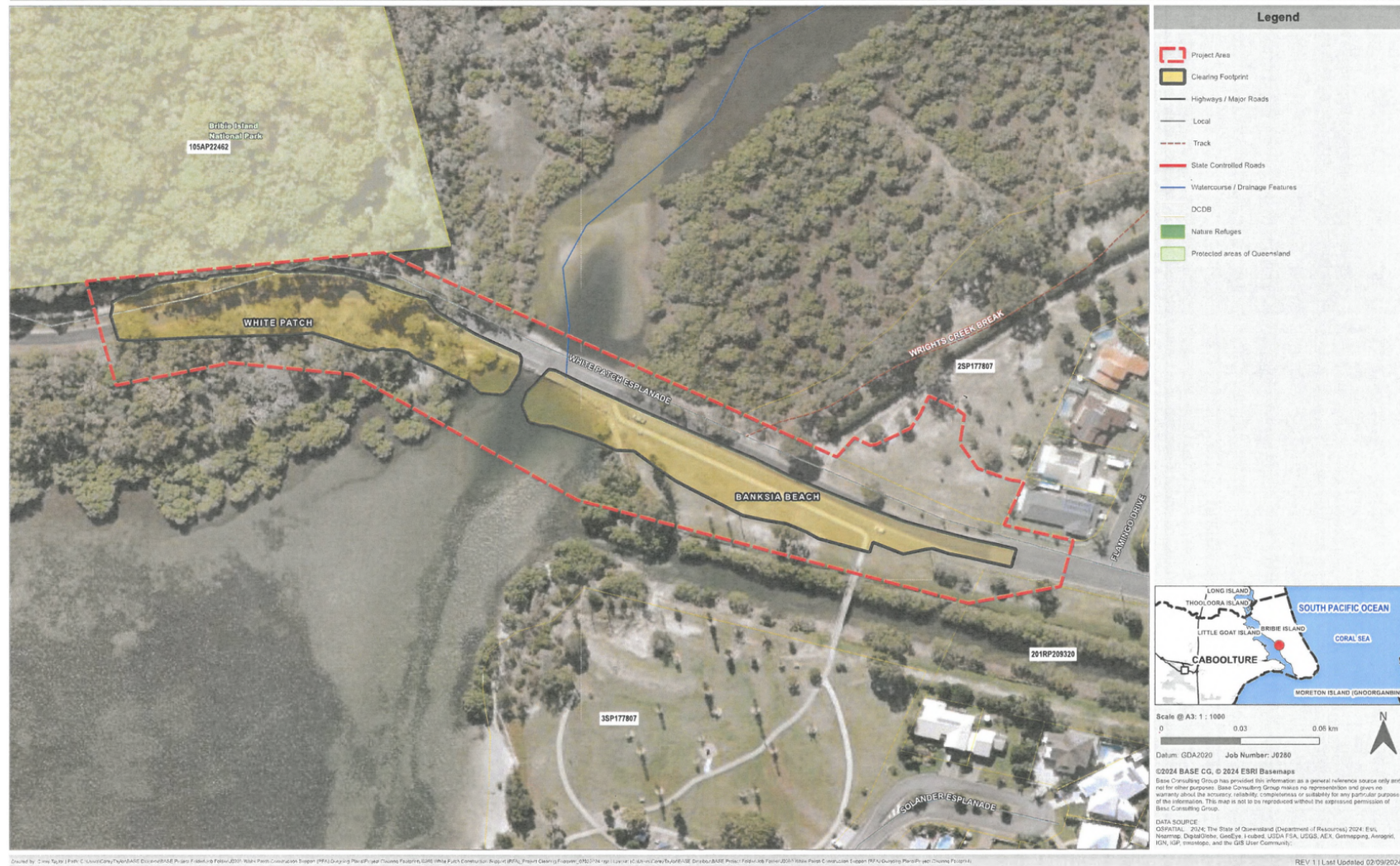


Table 1: White Patch Esplanade Upgrade - EPBC2022/09433 - Compliance Report 2025

Table 1 below contains the compliance status of all conditions and an explanation of how Council complies or otherwise with the conditions of approval. Where applicable, this includes links to detailed evidence contained in appendices for further analysis such as Council records, policies, procedures, specific Council programs or contractual agreements.

	Condition	Compliance status	Comments
	Part A – Conditions Specific to the Action		
1	To minimise harm to protected matters , in taking this Action, the approval holder must not clear or construct outside of the project area .	Compliant	As detailed in the Year One Annual Compliance Report; clearing or construction did not occur outside of the project area (Figure 1)
2	To mitigate harm to protected matters the approval holder must: a) only take the Action in accordance with the Queensland approval, to the extent that the Queensland approval relates to protected matters. b) comply with SARA conditions 3, 4, 6, 11, 16, 17 and 20, to the extent they relate to protected matters.	Compliant	a) Action was only undertaken in accordance with the Queensland approval relative to protected matters. b) SARA conditions 3, 4, 6, 11, 16, 17, and 20 were complied with relative to protected matters, which was certified by the Environmental Compliance and Auditing specialist – Base Consulting Group on 20 June 2025. Evidence of compliance has been recorded by Base Consulting across a number of reports associated with staged site inspections, compliance audits, and final handover.

	Condition	Compliance status	Comments
			Specifically, Appendix H (page 76) outlines matters related to Migratory Shorebirds (impact species – Eastern Curlew). Council contracted Redfox (subcontract to Ampflo) to design and install lighting for the project (bridge and adjacent road infrastructure), in accordance with AS/NZS 1158 (Lighting for roads and public spaces) and Energex specifications related to public safety. Permanent lighting was installed under consultation from Ampflo. The following actions have been included in the project to minimise the impact to migratory shorebirds (reference – Guideline Table 11 (page 84): • Installation of Aeroscreens (downward directional screens) to minimise light source spill and potential impacts to shorebird foraging/potential roost habitat; and • Disturbance to mangroves minimised, promoting natural screening between road lighting and shorebird foraging areas. Installed lights are LED 3000 kelvin warm-white lights, meeting road safety parameters in accordance with AS/NZS1158. These lights are considered not suitable in reference to Guideline Table 12 (page 85) – Commercial Luminaire types that are considered generally less disruptive for use near migratory shorebird habitat. To date, Council has not undertaken an EIA or surveys to assess impacts of the installed lighting. In reference to the Guideline, the effectiveness of the mitigation measures, installed lighting and potential on-ground impact to the impact species – Eastern Curlew has been scheduled for 2025/26.

	Condition	Compliance status	Comments
			Should the lighting or installed Aeroscreens prove to negatively impact shorebird foraging or roosting habitat and/or Eastern Curlew behaviour, then approvals will be sought to change the lighting, for example, installation of alternative Aeroscreens and/or installation of lights within the amber-red kelvin range.
	Part B – Administrative Conditions		
4	NOTIFICATION OF DATE OF COMMENCEMENT OF THE ACTION The approval holder must notify the department electronically of the date of commencement of the Action , within 5 business days following commencement of the Action .	Compliant	As detailed in the Year One Annual Compliance Report; the DCCEEW was notified by City of Moreton Bay on 31 October 2023, and the action commenced on 6 November, with DCCEEW corresponding confirmation on 20 November 2023.
5	If the commencement of the Action does not occur within 5 years from the date of this approval, then the approval holder must not commence the Action without the prior written agreement of the Minister .	Compliant	As detailed in the Year One Annual Compliance Report; the DCCEEW was notified by City of Moreton Bay on 31 October 2023, and the action commenced on 6 November, with DCCEEW corresponding confirmation on 20 November 2023.
6	COMPLIANCE RECORDS The approval holder must maintain accurate and complete compliance records .	Compliant	Following the completion of works, Base Consulting Group certified compliance with SARA requirements on 20 June 2025. Evidence of compliance has been recorded by Base Consulting across a number of reports associated with staged site inspections, compliance audits, and

	Condition	Compliance status	Comments
			final handover.
7	If the department makes a request in writing, the approval holder must provide electronic copies of compliance records to the department within the timeframe specified in the request.	Not applicable	Not applicable, no request has been received from the department regarding supply of compliance records.
8	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Guidelines for biological survey and mapped data, Commonwealth of Australia 2018, or as otherwise specified by the Minister in writing.	Compliant	No monitoring data was acquired throughout this 12-month period, and mapping was not updated as Activity conditions did not change from the first year of works. Refer to the Year One Annual Compliance Report, Appendix A: Fauna Monitoring Report, for all monitoring data relevant to the now concluded Activity.
9	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Guide to providing maps and boundary data for EPBC Act projects, Commonwealth of Australia 2021, or as otherwise specified by the Minister in writing.	Compliant	No monitoring data was acquired throughout this 12-month period, and mapping was not updated as Activity conditions did not change from the first year of works. Refer to the Year One Annual Compliance Report, Appendix A: Fauna Monitoring Report, for all monitoring data relevant to the now concluded Activity.

	Condition	Compliance status	Comments
10	The approval holder must submit all monitoring data (including sensitive ecological data), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the department within 20 business days of each anniversary of the date of this approval decision.	Compliant	No monitoring data was acquired throughout this 12-month period, and mapping was not updated as Activity conditions did not change from the first year of work. Refer to the Year One Annual Compliance Report, Appendix A: Fauna Monitoring Report, for all monitoring data relevant to the Activity (now concluded), which was provided to the Department on 13 August 2024.
11	ANNUAL COMPLIANCE REPORTING The approval holder must prepare a compliance report for each 12-month period following the date of this approval decision, or as otherwise agreed to in writing by the Minister .	Compliant	This report and the previous Year One Annual Compliance Report satisfies this condition.
12	Each compliance report must be consistent with the <i>Annual Compliance Report Guidelines</i> , Commonwealth of Australia 2014.	Compliant	This report and the previous Year One Annual Compliance Report satisfies this condition.

	Condition	Compliance status	Comments
13	Each compliance report must include: a) Accurate and complete details of compliance and any non-compliance with the conditions and any management plans, and any incidents. b) One or more shapefile showing all clearing of protected matters, and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared. c) A schedule of all management plans (if any) in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.	Compliant	a) This report satisfies this condition. b) The shapefile provided in this report is the same as that which was presented in the Year One Annual Compliance Report, as the works undertaken in the last 12 months were within the same area – working to complete what was started in the previous 12-month period. c) No management plans relate to this approval and the works associated with the Action have now concluded. Shorebird surveys targeting the eastern curlew will be conducted by contracted professionals with appropriate experience and expertise across the next 12-month period to determine if lighting is impacting eastern curlews', or other threatened shorebirds', roosting or feeding behaviours, and if subsequent changes to the lighting are required following the National Light Pollution Guidelines.

	Condition	Compliance status	Comments
14	The approval holder must: a) Publish each compliance report on the website within 60 business days following the end of the 12-month period for which that compliance report is required. b) Notify the department electronically, within 5 business days of the date of publication that a compliance report has been published on the website. c) Provide the weblink for the compliance report in the notification to the department. d) Keep all published compliance reports required by these conditions on the website until the expiry date of this approval. e) Exclude or redact sensitive ecological data from compliance reports published on the website or otherwise provided to a member of the public. f) If sensitive ecological data is excluded or redacted from the published version, submit the full compliance report to the department within 5 business days of its publication on the website and notify the department in writing what exclusions and redactions have been made in the version published on the website.	Compliant	a) The end of this second 12-month period is 17 July 2025, making the end of the succeeding 60 business day period 9 October 2025. The compliance report has been published online within the City of Moreton Bay domain, within the required period. b) The department will be notified as this report is published online. c) The URL details of this Year Two Annual Compliance Report will be provided to the Department, when they are notified that it has been published online. d) The Year One Annual Compliance Report is still published online as a PDF within the City of Moreton Bay domain (White Patch annual compliance report) and will remain on the City of Moreton Bay website, along with this Report and all subsequent Annual Reports, until the expiry date of this Approval (30 June 2033). e) All sensitive ecological data will be redacted from the Compliance Reports before being published on the website or disseminated to the public in any other way. To date, no redactions have been required. f) To date, no redactions have been required. However, in the event that sensitive ecological data is redacted from a Compliance Report, the full Compliance Report will be submitted to the Department within five business days, and they will be notified of all redacted details.

	Condition	Compliance status	Comments
15	REPORTING NON-COMPLIANCE The approval holder must notify the department electronically, within 2 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a management plan.	Non-Compliant	Refer Condition 3(b) and Condition 23.
16	The approval holder must specify in the notification: a) Any condition or commitment made in a management plan which has been or may have been breached. b) A short description of the incident and/or potential non-compliance and/or actual noncompliance. c) The location (including co-ordinates), date and time of the incident and/or potential noncompliance and/or actual non-compliance.	Not applicable	Refer Condition 3(b) and Condition 23.
17	The approval holder must provide to the department in writing, within 12 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance, the details of that incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a management plan. The approval holder must specify:	Not applicable	Refer Condition 3(b) and Condition 23.

	Condition	Compliance status	Comments
	a) Any corrective action or investigation which the approval holder has already taken. b) The potential impacts of the incident and/or non-compliance. c) The method and timing of any corrective action that will be undertaken by the approval holder.		
18	INDEPENDENT AUDIT The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every five-year period following the commencement of the Action until this approval expires, unless otherwise specified in writing by the Minister.	Compliant	An independent audit was not conducted during this period, as the first five-year period has not yet been reached (it has only been two years since the commencement of Action).
19	For each independent audit, the approval holder must: a) Provide the name and qualifications of the nominated independent auditor, the draft audit criteria, and proposed timeframe for submitting the audit report to the department prior to commencing the independent audit. b) Only commence the independent audit once the nominated independent auditor, audit criteria and	Not applicable	

	Condition	Compliance status	Comments
	timeframe for submitting the audit report have been approved in writing by the department. c) Submit the audit report to the department for approval within the timeframe specified and approved in writing by the department. d) Publish each audit report on the website within 15 business days of the date of the department's approval of the audit report. e) Keep every audit report published on the website until this approval expires.		
20	Each audit report must report for the five year period preceding that audit report.	Not applicable	
21	Each audit report must be completed to the satisfaction of the Minister and be consistent with the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> , Commonwealth of Australia 2019.	Not applicable	
22	COMPLETION OF THE ACTION The approval holder must notify the department electronically 60 business days prior to the expiry date	Not applicable	This is the second year of approval reporting, the expiry of this approval is currently 30 July 2033.

	Condition	Compliance status	Comments
	of this approval, that the approval is due to expire.		
23	Within 20 business days after the completion of the Action, and, in any event, before this approval expires, the approval holder must notify the department electronically of the date of completion of the Action and provide completion data. The approval holder must submit any spatial data that comprises completion data as a shapefile.	Non-Compliant	The works associated with the Action were completed on 31 January 2025. Council's consultants provided written confirmation of practical completion of construction and compliance with environmental conditions for the work by 16 April 2025. The Department was notified electronically of the completion of the Action, with completion data, on the 8 August 2025. The Council apologises for this non-compliance. The reason for the non-compliance is a result of a misunderstanding in relation to when the 'Action' was said to have been completed. Council officers were of the misapprehension that the 'Action' was said to be completed after all reporting conditions of the approval had been satisfied. This was clarified by the Department and the Council officers then took steps to rectify the non-compliance as soon as practicably possible. That said, the Council officers respectfully suggest any non-compliance with this condition is said to be administrative and not substantive in nature, with no material adverse impacts to the environment.

Appendix 1 - EPBC Approval (2022/09433)

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Australian Government
Department of Climate Change, Energy,
the Environment and Water

Notification of approval

White Patch Esplanade Upgrade Project, Bribie Island, Queensland (EPBC 2022/09433)

This decision is made under section 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Note that section 134(1A) of the EPBC Act applies to this approval. That provision provides, in general terms, that if the approval holder authorises another person to undertake any part of the Action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such conditions.

Approved Action

person to whom the approval is granted (approval holder)	Moreton Bay Regional Council
ABN of approval holder	92 967 232 136
Action	To construct and operate a bridge and facilitated utility connections at 25 White Patch Esplanade crossing over Wrights Creek, Bribie Island, Queensland [See EPBC Act referral 2022/09433].

Approval decision

decision	My decisions on whether or not to approve the taking of the Action for the purposes of each controlling provision for the Action are as follows.	
	Controlling Provision	Decision
	Wetlands of international importance (section 16 and section 17B)	Approved
	Listed threatened species and communities (section 18 and section 18A)	Approved
	Listed migratory species (section 20 and section 20A)	Approved
period for which the approval has effect	This approval has effect until 30 June 2033.	
conditions of approval	The approval is subject to conditions under the EPBC Act as set out in Annexure A.	

Person authorised to make decision

name and position	Declan O'Connor-Cox Branch Head Environment Assessments Queensland Branch
signature	
date of decision	13 July 2023

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GPO Box 3090 Canberra ACT 2601 ABN: 63 573 932 849

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Annexure A

Note: Words appearing in **bold** have the meaning assigned to them at PART C – DEFINITIONS.

Part A – Conditions specific to the Action

DISTURBANCE LIMITS

- 1) To minimise **harm** to **protected matters**, in taking this Action, the approval holder must not **clear** or **construct** outside of the **project area**.

QUEENSLAND APPROVALS

- 2) To mitigate **harm** to **protected matters** the approval holder must:
 - a) only take the Action in accordance with the **Queensland approval**, to the extent that the **Queensland approval** relates to **protected matters**.
 - b) comply with **SARA conditions** 3, 4, 6, 11, 16, 17 and 20, to the extent they relate to **protected matters**.

DISTURBANCE MITIGATION: EASTERN CURLEW

- 3) To minimise **harm** to the **Eastern Curlew** in and around the **project area**, the approval holder must:
 - a) engage a **fauna spotter** to be present at the **project area** whenever **high disturbance activity** is carried out. Where **Eastern Curlew** are observed within 250m of the **project area**, all **high disturbance activity** must cease immediately and not restart until the **Eastern Curlew** have moved beyond 250m from the project area of their own volition.
 - b) ensure all **temporary lighting** and **permanent lighting** within the **project area** is installed and used in accordance with the **National Light Pollution Guidelines**.

Part B – Administrative conditions

NOTIFICATION OF DATE OF COMMENCEMENT OF THE ACTION

- 4) The approval holder must notify the **department** electronically of the date of **commencement of the Action**, within 5 **business days** following **commencement of the Action**.
- 5) If the **commencement of the Action** does not occur within 5 years from the date of this approval, then the approval holder must not **commence the Action** without the prior written agreement of the **Minister**.

COMPLIANCE RECORDS

- 6) The approval holder must maintain accurate and complete **compliance records**.
- 7) If the **department** makes a request in writing, the approval holder must provide electronic copies of **compliance records** to the **department** within the timeframe specified in the request.

Note: **Compliance records** may be subject to audit by the **department**, or by an independent auditor in accordance with section 458 of the **EPBC Act**, and/or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the **department's** website or through the general media.

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- 8) The approval holder must ensure that any **monitoring data** (including **sensitive ecological data**), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guidelines for biological survey and mapped data*, Commonwealth of Australia 2018, or as otherwise specified by the **Minister** in writing.
- 9) The approval holder must ensure that any **monitoring data** (including **sensitive ecological data**), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guide to providing maps and boundary data for EPBC Act projects*, Commonwealth of Australia 2021, or as otherwise specified by the **Minister** in writing.
- 10) The approval holder must submit all **monitoring data** (including **sensitive ecological data**), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the **department** within 20 **business days** of each anniversary of the date of this approval decision.

ANNUAL COMPLIANCE REPORTING

- 11) The approval holder must prepare a **compliance report** for each 12-month period following the date of this approval decision, or as otherwise agreed to in writing by the **Minister**.
- 12) Each **compliance report** must be consistent with the *Annual Compliance Report Guidelines*, Commonwealth of Australia 2014.
- 13) Each **compliance report** must include:
 - a) Accurate and complete details of compliance and any non-compliance with the conditions and any management plans, and any **incidents**.
 - b) One or more **shapefile** showing all **clearing of protected matters**, and/or their habitat, undertaken within the 12-month period at the end of which that **compliance report** is prepared.
 - c) A schedule of all management plans (if any) in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.
- 14) The approval holder must:
 - a) Publish each **compliance report** on the **website** within 60 **business days** following the end of the 12-month period for which that **compliance report** is required.
 - b) Notify the **department** electronically, within 5 **business days** of the date of publication that a **compliance report** has been published on the **website**.
 - c) Provide the weblink for the **compliance report** in the notification to the **department**.
 - d) Keep all published **compliance reports** required by these conditions on the **website** until the expiry date of this approval.
 - e) Exclude or redact **sensitive ecological data** from **compliance reports** published on the **website** or otherwise provided to a member of the public.
 - f) If **sensitive ecological data** is excluded or redacted from the published version, submit the full **compliance report** to the **department** within 5 **business days** of its publication on the **website** and notify the **department** in writing what exclusions and redactions have been made in the version published on the **website**.

Note: **Compliance reports** may be published on the **department's** website.

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REPORTING NON-COMPLIANCE

- 15) The approval holder must notify the **department** electronically, within 2 **business days** of becoming aware of any **incident** and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a management plan.
- 16) The approval holder must specify in the notification:
- a) Any condition or commitment made in a management plan which has been or may have been breached.
 - b) A short description of the **incident** and/or potential non-compliance and/or actual non-compliance.
 - c) The location (including co-ordinates), date and time of the **incident** and/or potential non-compliance and/or actual non-compliance.

Note: If the exact information cannot be provided, the approval holder must provide the best information available.

- 17) The approval holder must provide to the **department** in writing, within 12 **business days** of becoming aware of any **incident** and/or potential non-compliance and/or actual non-compliance, the details of that **incident** and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a management plan. The approval holder must specify:
- a) Any corrective action or investigation which the approval holder has already taken.
 - b) The potential impacts of the **incident** and/or non-compliance.
 - c) The method and timing of any corrective action that will be undertaken by the approval holder.

INDEPENDENT AUDIT

- 18) The approval holder must ensure that an **independent audit** of compliance with the conditions is conducted for every five-year period following the **commencement of the Action** until this approval expires, unless otherwise specified in writing by the **Minister**.
- 19) For each **independent audit**, the approval holder must:
- a) Provide the name and qualifications of the nominated **independent** auditor, the draft audit criteria, and proposed timeframe for submitting the **audit report** to the **department** prior to commencing the **independent audit**.
 - b) Only commence the **independent audit** once the nominated **independent** auditor, audit criteria and timeframe for submitting the **audit report** have been approved in writing by the **department**.
 - c) Submit the **audit report** to the **department** for approval within the timeframe specified and approved in writing by the **department**.
 - d) Publish each **audit report** on the **website** within 15 **business days** of the date of the **department's** approval of the **audit report**.
 - e) Keep every **audit report** published on the **website** until this approval expires.
- 20) Each **audit report** must report for the five year period preceding that audit report.

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- 21) Each **audit report** must be completed to the satisfaction of the **Minister** and be consistent with the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019.

COMPLETION OF THE ACTION

- 22) The approval holder must notify the **department** electronically 60 **business days** prior to the expiry date of this approval, that the approval is due to expire.
- 23) Within 20 **business days** after the **completion of the Action**, and, in any event, before this approval expires, the approval holder must notify the **department** electronically of the date of **completion of the Action** and provide **completion data**. The approval holder must submit any spatial data that comprises **completion data** as a **shapefile**.

Part C - Definitions

In these conditions any bolded use of a word or term refers to the below definition of that word or term:

Audit report means a written report of compliance and fulfilment of the conditions attached to this approval, objectively evaluated against the audit criteria approved by the **department**.

Business day/s means a day that is not a Saturday, a Sunday or a public holiday in Queensland.

Clear, cleared or clearing means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting, or burning of vegetation.

Commence the Action or Commencement of the Action means the date on which the first instance of any activity associated with the Action (including **clearing** and **construction**) is undertaken. **Commencement of the Action** does not include minor physical disturbance necessary to:

- a) Undertake pre-clearance surveys or monitoring programs.
- b) Install signage and/or temporary fencing to prevent unapproved use of the **Action area**, so long as the signage and/or temporary fencing is located where it does not **harm** any **protected matter**.
- c) Protect environmental and property assets from fire, weeds, and feral animals, including use of existing surface access tracks.
- d) Install temporary site facilities for persons undertaking pre-commencement activities so long as these facilities are located where they do not **harm** any **protected matter**.

Completion data means an environmental report and spatial data clearly detailing how the conditions of this approval have been met.

Completion of the Action means the date on which all activities associated with this approval have permanently ceased and/or been completed.

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Compliance records means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval (including compliance with commitments made in management plans) in the approval holder's possession, or that are within the approval holder's power to obtain lawfully.

Compliance report means a written report of compliance with, and fulfilment of, the conditions attached to the approval.

Construct or construction means the erection of a building or structure that is, or is to be, fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; any work which involves breaking of the ground (including pile driving) or bulk earthworks; the laying of pipes and other prefabricated materials in the ground, and any associated excavation work.

Department means the Australian Government agency responsible for administering the EPBC Act.

Eastern Curlew means the EPBC Act listed threatened species *Numenius madagascariensis*.

EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

Fauna spotter catcher means a person holding an appropriate license issued under the Queensland Nature Conservation Act 1992 to detect, capture, care for, assess, and release wildlife disturbed by vegetation clearance activities, and who has at least three years' experience undertaking surveys for Eastern Curlew.

Harm means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.

High disturbance activity means pile driving and any other activity that results in, or is likely to result in, significant noise, vibration, smell or movement disturbance to protected matters. Any activity that prompts Eastern curlew to take flight is a high disturbance activity.

Incident means any event which has the potential to, or does, harm any protected matter.

Independent means a person or firm who does not have any individual, financial*, employment* or family affiliation or any conflicting interests with the project, the approval holder or the approval holder's staff, representatives, or associated persons.

*Other than for the purpose of undertaking the role for which an independent person is required

Independent audit means an audit conducted by an independent and suitably qualified person as detailed in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019.

Minister means the Australian Government Minister administering the EPBC Act, including any delegate thereof.

Monitoring data means the data required to be recorded under the conditions of this approval.

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Moreton Bay Ramsar Wetland means the **EPBC Act** listed Wetland of International Importance, and Ramsar listed Site 631 as described in the Ramsar Information Sheet for Site 631. The location of the **Moreton Bay Ramsar Wetland** in the vicinity of the **project area** is represented in Attachment A by the zone shaded purple designated 'RAMSAR Moreton Bay Internationally Important Wetland'.

National Light Pollution Guidelines means the National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds and Migratory Shorebirds – Appendix G - Seabirds, Commonwealth of Australia 2020.

Permanent lighting means lighting that remains in use after the construction and demolition phase of the action.

Periods of low species usage means the period commencing on 1 May and concluding on 30 September of any given year.

Project area means the location of the Action, represented in Attachment A by the zone enclosed within the solid black lines designated 'Project Area'.

Protected matter/s means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect. Specifically:

- **Moreton Bay Ramsar Wetland**
- Eastern Curlew (*Numenius madagascariensis*) - Critically Endangered, migratory
- Curlew sandpiper (*Calidris ferruginea*) – Critically Endangered, migratory
- Great knot (*Calidris tenuirostris*) – Critically Endangered, migratory
- Red knot (*Calidris canutus*) – Endangered, migratory
- Lesser sand plover (*Charadrius mongolus*) – Endangered, migratory
- Western Alaskan bar-tailed godwit (*Limosa lapponica baueri*) – Vulnerable, migratory
- Greater sand plover (*Charadrius leschenaultia*) – Vulnerable, migratory

Queensland approval means the approval for development application number DA/2022/4969 granted under section 63 of the *Planning Act 2016* (Qld) on 30 March 2023.

Note: At the time of this decision, the **Queensland approval** can be viewed at the following web address: https://hdp-au-prod-app-mbay-yoursay-files.s3.ap-southeast-2.amazonaws.com/7116/8266/2105/White_Patch_Caseway_Development_Approval.pdf.

SARA conditions means the State Assessment and Referral Agency conditions attached to the **Queensland approval**.

Sensitive ecological data means data as defined in the *Sensitive Ecological Data – Access and Management Policy V1.0*, Commonwealth of Australia 2016.

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Shapefile means location and attribute information about the Action provided in an Esri shapefile format containing:

- a) '.shp', '.shx', '.dbf' files,
- b) a '.prj' file which specifies the projection or geographic coordinate system used, and
- c) an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

Suitably qualified person means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.

Temporary lighting means lighting that is only in use during the construction and demolition phase of the action.

Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Attachments

Attachment A – Project area

Attachment A – Project area

