

EPIQ (formerly PACIFIC PINES) ESTATE - ANNUAL COMPLIANCE REPORT

	DECEMBER 2015		DECEMBER 2016		DECEMBER 2017	
<p>Department of Sustainability, Environment, Water, Population and Communities Pacific Pines Estate, Lennox Heads, NSW, EPBC 20073585 <small>Lot 224 DP-1104071 located at Hulley Drive, Lennox Heads NSW, (see EPBC referral 20073585)</small></p> <p>CONDITIONS</p> <p>1. Prior to the registration of titles for any lots at the Pacific Pines Estate, the person taking the action must place a restriction on title, covenant or other conservation mechanism on the conservation zones shown at Attachment A, to ensure that the conservation zone is protected for conservation in perpetuity. The mechanism of protection must be approved by the department prior to being placed over the conservation zone.</p> <p>2. The person taking the action must advise the department when the restriction on title, covenant or other conservation mechanism has been placed on the conservation zone <u>and</u> to the commencement of the action.</p> <p>3. The person taking the action must provide the department with a textual description and map to clearly define the location and boundaries of the conservation zone. This must be accompanied with the offset attributes and a shapefile.</p> <p>4. The person taking the action must ensure that the conservation zone provides for at least a 2:1 ratio of Hairy Joint Grass (HJG) cleared during construction, including any construction and installation of infrastructure within the conservation zone, to HJG retained.</p> <p>5. The person taking the action must develop an Environmental Management Plan for the Conservation Zone. The plan must include, but not be limited to:</p> <p>a. The area (in hectares) of the original population of HJG present within the conservation zone at the time the plan is written;</p> <p>b. The area of HJG to be cleared during construction;</p> <p>c. Measures designed to ensure that the original population of HJG as specified by Condition 5a is retained and protected within the conservation zone both during and post construction;</p> <p>d. Measures designed to rehabilitate areas of HJG habitat within the conservation zone on site and establish a viable population of HJG within that habitat;</p> <p>e. Details of the current hydrology of the site and how the hydrological function will be maintained in order to support a viable HJG population during and post construction;</p> <p>f. Monitoring and reporting measures to monitor the success of the retention and rehabilitation activities within the conservation zone until the completion of construction;</p> <p>g. Details of remediation measures that will be undertaken if monitoring indicates that the original population of HJG is not surviving within the conservation zone;</p> <p>h. If, at any time after 12 months from the date of commencement of the action, monitoring shows that 10% or more of the original population of HJG has not survived, the department must be informed within 30 days and the remediation measures must be implemented.</p> <p>i. Details of further compensation measures to maintain the offset ratio of 2:1 hectares secured for hectares lost, which must be implemented if the mortality rate of HJG continues to be at or above 10% within 24 months of the implementation of the remediation measures.</p> <p>j. Details of the proposed handover of the conservation zone to the Ballina Shire Council.</p> <p>This plan must be approved by the Minister prior to commencement of the action and the approved plan must be implemented.</p> <p>6. The person taking the action must manage the conservation zone in accordance with the Environmental Management Plan (as required by Condition 5), until the completion of construction of the lot on site and until such time as the monitoring undertaken in accordance with Condition 5f demonstrates that HJG has been retained within the conservation zone at a ratio of 2:1 as specified in Condition 4.</p> <p>7. Prior to the handover of the conservation zone to Ballina Shire Council, the person taking the action must submit a handover plan including:</p> <p>i. the proposed timeframe for the handover; and</p> <p>ii. agreement by the Council to manage the site in accordance with the Environmental Management Plan for the conservation zone after hand over of the site.</p> <p>This plan must be approved by the Minister prior to the handover of the conservation zone.</p> <p>8. Within 10 days after the commencement of the action, the person taking the action must advise the department of the actual date of commencement.</p> <p>9. 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 Environmental Management Plan 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 45B of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the department's website. The results of audits may also be publicised through the general media.</p> <p>10. By 31 December of each year after the commencement of the action, the person taking the action must publish a report on their website addressing compliance with the conditions of this approval over the previous 12 months, including implementation of any management plans specified in the conditions. Non-compliance with any of the conditions of this approval must be reported to the department and to Ballina Shire Council at the same time as the compliance report is published.</p> <p>11. 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 and to Ballina Shire Council. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.</p> <p>12. If the person taking the action wishes to carry out any activity otherwise than in accordance with the Environmental Management Plan 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. The revised activity shall not commence until the Minister has approved the revised management plan in writing. The Minister will not approve a revised management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised management plan, that management plan must be implemented in place of the management plan originally approved.</p> <p>13. If the Minister believes that it is necessary or convenient for the better protection of listed threatened species to do so, the Minister may request that the person taking the action make specific revisions to the management plan specified in the conditions and submit the revised management plan for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plan must be implemented. Unless the Minister has approved the revised management plan then the person taking the action must continue to implement the management plan originally approved, as specified in the conditions.</p> <p>14. If, at any time after five years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.</p> <p>15. Unless otherwise agreed to in writing by the Minister, the person taking the action must publish the Environmental Management Plan referred to in these conditions of approval on their website. Each management plan must be published on the website within 1 month of being approved.</p>	OUTCOME	COMMENT	OUTCOME	COMMENT	OUTCOME	COMMENT
	COMPLIANCE ACHIEVED	Restriction registered on 13/10/2015	COMPLIANCE ACHIEVED	Restriction registered on 13/10/2015	COMPLIANCE ACHIEVED	Restriction registered on 13/10/2015
	COMPLIANCE ACHIEVED	Restriction registered on 13/10/2015	COMPLIANCE ACHIEVED	Restriction registered on 13/10/2015	COMPLIANCE ACHIEVED	Restriction registered on 13/10/2015
	COMPLIANCE ACHIEVED	Restriction registered on 13/10/2015	COMPLIANCE ACHIEVED	Restriction registered on 13/10/2015	COMPLIANCE ACHIEVED	Restriction registered on 13/10/2015
	COMPLIANCE ACHIEVED	2:1 ratio provided for as recorded in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	2:1 ratio provided for as recorded in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	2:1 ratio provided for as recorded in project Environmental Management Plan REF: 1675-1141
	COMPLIANCE ACHIEVED	Total area of Original Population recorded in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Total area of Original Population recorded in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Total area of Original Population recorded in project Environmental Management Plan REF: 1675-1141
	COMPLIANCE ACHIEVED	Total area of HJG to be cleared recorded in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Total area of HJG to be cleared recorded in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Total area of HJG to be cleared recorded in project Environmental Management Plan REF: 1675-1141
	COMPLIANCE ACHIEVED	Measures designed to ensure population retained and protected recorded in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Measures designed to ensure population retained and protected recorded in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Measures designed to ensure population retained and protected recorded in project Environmental Management Plan REF: 1675-1141
	COMPLIANCE ACHIEVED	Measures designed to rehabilitate HJG habitat recorded in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Measures designed to rehabilitate HJG habitat recorded in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Measures designed to rehabilitate HJG habitat recorded in project Environmental Management Plan REF: 1675-1141
	COMPLIANCE ACHIEVED	Details of current hydrology recorded in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Details of current hydrology recorded in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Details of current hydrology recorded in project Environmental Management Plan REF: 1675-1141
	COMPLIANCE ACHIEVED	Monitoring ongoing in accordance with measures outlined in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Monitoring ongoing in accordance with measures outlined in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Monitoring ongoing in accordance with measures outlined in project Environmental Management Plan REF: 1675-1141
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	NOT APPLICABLE	ACTIONS ONGOING COMMENCED IN JUNE 2015	NOT APPLICABLE	Monitoring has not indicated a drop of 10% or more in survival rate of original population of HJG	NOT APPLICABLE	Monitoring has not indicated a drop of 10% or more in survival rate of original population of HJG
	COMPLIANCE ACHIEVED	Details of further compensation measures outlined in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Details of further compensation measures outlined in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Details of further compensation measures outlined in project Environmental Management Plan REF: 1675-1141
	COMPLIANCE ACHIEVED	Details of future handover to Ballina Shire Council outlined in Section 6.3 of project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Details of future handover to Ballina Shire Council outlined in Section 6.3 of project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Details of future handover to Ballina Shire Council outlined in Section 6.3 of project Environmental Management Plan REF: 1675-1141
	COMPLIANCE ACHIEVED	Project Environmental Management Plan REF: 1675-1141 approved 15 August 2013	COMPLIANCE ACHIEVED	Project Environmental Management Plan REF: 1675-1141 approved 15 August 2013	COMPLIANCE ACHIEVED	Project Environmental Management Plan REF: 1675-1141 approved 15 August 2013
	NOT APPLICABLE	Works are ongoing	NOT APPLICABLE	Works are ongoing	NOT APPLICABLE	Works are ongoing
	COMPLIANCE ACHIEVED	Details of future handover to Ballina Shire Council outlined in Section 6.3 of project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Details of future handover to Ballina Shire Council outlined in Section 6.3 of project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Details of future handover to Ballina Shire Council outlined in Section 6.3 of project Environmental Management Plan REF: 1675-1141
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	NOT APPLICABLE	Works are ongoing	NOT APPLICABLE	Works are ongoing	NOT APPLICABLE	Works are ongoing
	NOT APPLICABLE	Works are ongoing	NOT APPLICABLE	Works are ongoing	NOT APPLICABLE	Works are ongoing
	COMPLIANCE ACHIEVED	Reporting ongoing as outlined in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Reporting ongoing as outlined in project Environmental Management Plan REF: 1675-1141	COMPLIANCE ACHIEVED	Reporting ongoing as outlined in project Environmental Management Plan REF: 1675-1141
	NOT APPLICABLE	ACTIONS ONGOING COMMENCED IN JUNE 2015	COMPLIANCE NOT ACHIEVED	Report not published end 2016	COMPLIANCE NOT ACHIEVED	Report published May 2018
	COMPLIANCE ACHIEVED	No direction from Minister received	COMPLIANCE ACHIEVED	No direction from Minister received	COMPLIANCE ACHIEVED	No direction from Minister received
	NOT APPLICABLE	All action undertaken to date as per the project Environmental Management Plan REF: 1675-1141	NOT APPLICABLE	All action undertaken to date as per the project Environmental Management Plan REF: 1675-1141	NOT APPLICABLE	All action undertaken to date as per the project Environmental Management Plan REF: 1675-1141
	NOT APPLICABLE	No request received from the Minister to date to make specific revisions to the Environmental Management Plan REF: 1675-1141	NOT APPLICABLE	No request received from the Minister to date to make specific revisions to the Environmental Management Plan REF: 1675-1141	NOT APPLICABLE	No request received from the Minister to date to make specific revisions to the Environmental Management Plan REF: 1675-1141
	COMPLIANCE ACHIEVED	Action has substantially commenced prior to 5 years from date of approval	COMPLIANCE ACHIEVED	Action has substantially commenced prior to 5 years from date of approval	COMPLIANCE ACHIEVED	Action has substantially commenced prior to 5 years from date of approval
	COMPLIANCE ACHIEVED	Link here to Geolink website where report is published: http://www.geolink.net.au/pacific-pines-environmental-approvals-in-place/	COMPLIANCE ACHIEVED	Link here to Geolink website where report is published: http://www.geolink.net.au/pacific-pines-environmental-approvals-in-place/	COMPLIANCE ACHIEVED	Link here to Geolink website where report is published: http://www.geolink.net.au/pacific-pines-environmental-approvals-in-place/