



Australian Government

Department of Climate Change, Energy,
the Environment and Water

Variation of conditions attached to approval

Multi-Modal Transport Corridor, Sunshine Coast, Queensland (EPBC No 2008/4361)

This decision to vary conditions of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action

approval holder	Queensland Department of Transport and Main Roads ABN: 57 836 727 711
approved action	The upgrade, extension and construction of approximately 10 km of a Multi-Modal Transport Corridor (MMTC) up to 6 lanes (with provision for 8 lanes) and 2 railway lines between Caloundra and Maroochydore, on the Sunshine Coast, QLD as described in the referral document accepted by the Department on 30 July 2008 and the preliminary documentation published on 8 May 2010.
period for which the approval has effect	This project was approved on 1 September 2010 and has effect until 1 September 2040.
controlling provisions	18 and 18A (Listed threatened species and communities)

Variation

variation of conditions attached to approval	The variation is: Include three areas to the approved area of the action, add the definition of the MMTC corridor (the project area), and attach the map at Annexure A showing the approved action area.
date of effect	This variation has effect on the date this instrument is signed.

Person authorised to make decision

Name and position

Brendan Linton-Smith

Acting Branch Head - Environment Assessments (Vic and Tas) and Post Approvals

Environment Regulation Division

Signature

date of decision	10 April 2026
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date of decision	conditions attached to approval
Variation dated 20 December 2016	<p>1. The person taking the action must not clear more than 4.4 hectares of habitat for the flora species <i>Acacia attenuata</i>, and 2.6 hectares of habitat for the Wallum Sedge Frog (<i>Litoria olongburensis</i>).</p> <p>A report and maps verifying compliance with this condition must be submitted to the Minister within three months of the completion of construction.</p>
Variation dated 20 December 2016	<p>2. The person taking the action must submit a Biodiversity Offset Strategy to the Minister for approval. The strategy must address the following requirements:</p> <ul style="list-style-type: none"> a. The acquisition and conservation of 3 ha of land containing occupied habitat for <i>Acacia attenuata</i> for every 1 ha of habitat cleared or degraded for <i>Acacia attenuata</i>. The land acquired must contain habitat that is of quality equal to or greater than that removed; and b. In addition to land pertaining to 2(a), the acquisition and conservation of land containing a minimum of 3 ha of land which is potential habitat for <i>Acacia attenuata</i> for every 1 ha of habitat cleared or degraded for <i>Acacia attenuata</i> that will be revegetated to provide occupied habitat for this species, that is of quality equal to or greater than that removed; and c. Details of revegetation work required to achieve the requirements of condition 2(b). The works must be consistent with advice from a suitably qualified expert; and d. To offset impacts to the Water Mouse and Wallum Sedge Frog (<i>Litoria olongburensis</i>) and ensure a conservation gain, the approval holder must: <ul style="list-style-type: none"> i. Secure a direct offset, under a legally binding mechanism, to compensate for the loss of 0.83 ha of water mouse habitat and 2.6 ha of Wallum Sedge Frog in accordance with the EPBC Act <i>Environmental Offsets Policy</i> for the duration of the impact; e. The acquisition and conservation of land containing a minimum of 92.5ha of foraging habitat for the Grey-headed Flying-Fox that is of quality equal to or greater than that removed; and f. The land referred to in sub-conditions 2.a., 2.b. and 2.e. must address the following: <ul style="list-style-type: none"> i. Provide connectivity to other large tracts of remnant vegetation, preferably existing protected areas; and

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- ii. Be protected by a legal instrument under relevant nature conservation legislation, that ensures the land is conserved in perpetuity
 - g. The strategy must include commitments to ongoing management of the land referred to in sub-conditions 2.a., 2.b. and 2.e. for the life of the approved project; and
 - h. The strategy must include key milestones, performance indicators, corrective actions and timeframes for the completion of all actions outlined in the strategy;

The approved strategy must be implemented.

The person taking the action must not **clear** any habitat for *Acacia attenuata*, Wallum Sedge Frog or Water Mouse until the **Minister** approves the strategy.

Approval dated 1
September 2010

- 3. The person taking the action must:
 - a. Undertake pre-construction surveys to identify and map the location, extent and quality of habitat for *Acacia attenuata* (including **occupied habitat**) that occurs adjacent to the **MMTC corridor**. This information should be provided to the **department** prior to commencement of **construction**;
 - b. Ensure that all habitat identified under condition 3(a) be retained and its extent and quality maintained to the same quality or better;
 - c. Demonstrate compliance with b) above, through audit reports at intervals of 2, 5 and 10 years following completion of **construction**. These audit reports must be made immediately available to the **department** in the event that the **department** requests to view the report;
 - d. In the event that a reduction in the extent or quality of habitat for *Acacia attenuata* is detected, a report must be provided to the **department** within 3 months of detection, that describes the deterioration of habitat, and outlines the measures that will be implemented to address the reduction in quality or extent:
 - e. In the event that the population occupying the habitat identified in 3(a) is declining or is determined to be no longer viable, the offset strategy outlined under condition 2 will be revised to take account of this further loss to achieve a similar additional ratio of outcomes achieved under condition 2(a) and 2(b).
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Variation dated 20
December 2016

4. The person taking the action must:
- a. Undertake pre-construction surveys to identify and map the location, extent and quality of habitat for the Wallum Sedge Frog (including **occupied habitat**) that occurs adjacent to the **MMTC corridor**. This information should be provided to the **department** prior to the commencement of **construction**;
 - b. Ensure that all habitat identified in condition 4.a. be retained and its extent and quality be maintained to the same quality or better and that measures consistent with recommendations 2 and 3 outlined in the report prepared by **Ingram & Agnew (2010)** are implemented;
 - c. Ensure the level of occupancy of the Wallum Sedge Frog within all habitat pertaining to 4.a. remains equal or greater, unless the person taking the action can adequately demonstrate (e.g. the use of control sites) that any decline is due to factors unrelated to the **construction** and operation of the **MMTC corridor**;
 - d. Demonstrate compliance with b. and c. above, through audit reports at intervals of 2, 5 and 10 years following completion of **construction**. These audit reports must be made available to the **department** promptly in the event that the **department** requests to view the report;
 - e. In the event that a reduction in the extent or quality of habitat or in the level of occupancy for Wallum Sedge Frog is detected, a report must be provided to the **department** within 3 months of such detection that describes the deterioration of habitat and outlines the measures that will be implemented to address these;
 - f. In the event that the population occupying the habitat identified in 4.e. is declining and is determined to be no longer viable, revise the offset strategy required under condition 2 to take account of this further loss and apply the methodology outlined in condition 2.d. to determine an appropriate offset.

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December 2016

- 4A. The person taking the action must:
- a. Apply design measures to:
 - i. Maintain the natural volume, magnitude, frequency and duration of tidal water movements throughout retained Water Mouse habitat;
 - ii. Provide opportunities to facilitate and maintain the safe passage of the Water Mouse between the associated supralittoral and sublittoral zones within the **MMTC corridor**
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- b. Prior to commencing the action, establish a baseline data collection program to determine:
 - i. The area of occupancy of the Water Mouse population within the project area;
 - ii. The water quality and salinity levels at the high and low tide levels within the Water Mouse habitat to be impacted by the action;
 - iii. The condition and extent of Water Mouse habitat to be retained/avoided by the action, for comparison against appropriate control sites;
 - c. Establish measures for the **construction** phase of the action that:
 - i. Manage the impacts upon retained Water Mouse individuals and active nest sites;
 - ii. Maintain the condition and viability of retained Water Mouse habitat in the **MMTC corridor**.

The baseline data collection program outlined in condition 4A.b. must be approved by the **department** prior to the commencement of the action.

The person taking the action must implement a **construction** monitoring program which is consistent with all measures in sub-conditions 4A.b. and 4A.c..

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- 5. The person taking the action must ensure all reports, plans, strategies and programs required by the approval conditions are publicly available on the proponent's website within three months of finalisation of the report, plan, strategy or program.

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- 6. If the **Minister** believes that it is necessary or desirable for the better protection of listed threatened species and communities or migratory species, the **Minister** may request that the person taking the action make specified revisions to the plans, programs or strategies approved pursuant to condition 2 and submit the revised plan, program or strategy for the **Minister's** approval. The person taking the action must comply with any such request. If the **Minister** approves a revised plan, program or strategy pursuant to this condition, the revised approved plan, program or strategy must be implemented in place of the plan, program or strategy originally approved.

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September 2010

- 7. If the person taking the action wishes to carry out any activity other than in accordance with a plan, program or strategy approved pursuant to condition 2 the person taking the action must submit for the **Minister's** approval a revised version of any such plan, program or strategy. If the **Minister** approves the revised plan, program or strategy so submitted,
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	the person taking the action must implement that plan, program or strategy instead of the plan, program or strategy as originally approved.
Approval dated 1 September 2010	8. The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the above conditions of 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.
Variation dated 28 August 2015	9. If, at any time after ten years from the date of this approval, the Minister notifies the person taking the action in writing that the Minister is not satisfied that there has been substantial commencement of the action, the action must not thereafter be commenced without the written agreement of the Minister .
date of decision	definitions attached to approval
Approval dated 1 September 2010	Acquisition means the acquiring of land via the transfer of money or the transfer of ownership.
Approval dated 1 September 2010	Clear means to cut down, fell, thin, log, remove, kill, destroy, poison, ringbark, uproot or burn native vegetation.
Approval dated 1 September 2010	Construction includes all works in respect of the action other than survey, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys, minor clearing (except where threatened species, populations or ecological communities would be affected), establishing site compounds (in locations meeting the criteria of the conditions), or other activities determined by the Minister to have minimal environmental impact.
As varied on the date this instrument was signed	MMTC corridor means EPBC approval 2008/4361 project area as shown at <u>Annexure A</u> .
Approval dated 1 September 2010	The department means the Australian Government Department responsible for the Environment Protection and Biodiversity Conservation Act 1999.
Approval dated 1 September 2010	The Minister means the Minister responsible for the Environment Protection and Biodiversity Conservation Act 1999.

Approval dated 1 September 2010	Occupied habitat means habitat that is occupied or used periodically by individuals of the subject species.
Approval dated 1 September 2010	Potential habitat means habitat that is not currently occupied or used by the subject species but has the potential to become occupied or used if rehabilitated or managed appropriately.
Approval dated 1 September 2010	Substantial commencement means when any construction (as defined above) has started, not including the clearing (as defined above) of any EPBC listed species or ecological communities.
Approval dated 1 September 2010	Ingram & Agnew (2010) means Appendix B of the Multi-Modal Transport Corridor – Supplementary Response to Information Request, February 2010. <i>Wallum Sedgefrog Litoria Olongburensis Surveys and Habitat Assessments Report</i> prepared on behalf of the Queensland Department of Main Roads.
date of decision	Annexure
As varied on the date this instrument was signed	Annexure A -MMTC corridor – EPBC approval 2008/4361 project area

