

EPBC Act referral



Australian Government

Department of Agriculture, Water and the Environment

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Title of proposal	2020/8757 - Zanow Quarry, 4km west Coominya, QLD
Section 1	
Summary of your proposed action	
1.1 Project industry type	Mining
1.2 Provide a detailed description of the proposed action, including all proposed activities	
<p>BACKGROUND: This submission has predominantly been prepared as a result of the listing of koala populations in Queensland as Vulnerable under the EPBC Act. The potential for the proposed development to have a significant impact on the Koala population in Queensland and local regions is considered to be very low, particularly considering no clearing of vegetation is required to facilitate the development and additional habitat planting within buffer areas is proposed. However, this submission has been prepared to meet the applicant's obligations under the Act and receive confirmation that an assessment under the EPBC Act is not required to allow the development to proceed.</p> <p>A Pre-Referral conference call was held with Officers from the Department of Environment & Energy on 20 September 2017. A copy of the Pre-Referral agenda is attached (Section 1.13.1 - Attachment 8).</p> <p>PROPOSAL: A development application was lodged with Somerset Regional Council (South East Queensland) on 31 May 2017 and referred to State government for matters of State interest. The application was determined and approved by Council on 20 December 2019. The Decision Notice included the State Government response dated 18 December 2018. A subsequent Negotiated Decision Notice was issued on 20 May 2020 (supersedes the Decision Notice – refer Attachment 2). The Council's Development Application reference is DA16842. The State Governments reference is SDA-0617-040209. Note: The extractive industry is not anticipated to commence until approximately July 2023 and no works have commenced on-site.</p> <p>The development approval is for a Development Permit for a Material Change of Use for an Extractive Industry; including Environmentally Relevant Activity (ERA) 16 - Extractive and Screening Activities.</p> <p>The extractive industry proposal comprises off stream extraction, processing and distribution of soil, sand, gravel and associated materials on freehold land. The proposed extraction operation will involve progressive and staged removal of topsoil and overburden, extraction of sand and gravel, processing (crushing, screening and washing) and transportation of the processed material from the Site. There will be no blasting associated with the extractive operations.</p> <p>The areas of proposed extraction are currently used for turf farming, broad acre cropping and grazing. The turf farming/cropping/grazing and extractive activities are proposed to continue simultaneously, excluding area/s under extraction. As one area of extraction is exhausted, it will be rehabilitated and returned to cropping or grazing, using overburden and topsoil from the next stage of extraction.</p> <p>The key features of the proposed development include:</p> <ul style="list-style-type: none">a) Three extraction areas to be extracted in stages. Only 2 pits will be in operation at any given time. An area of approximately 160 hectares (50% of total land area) is proposed for extraction.b) The maximum rate of extraction at the peak of production will be 500,000 tonnes per year. However, the extraction rate per year will vary depending upon market demands.c) Two operational areas comprising processing plant, stockpiling area, weighbridge, site office, amenities workshop and other ancillary facilities (approx. 38 hectares).d) The proposed actions seek to retain all the higher value habitats, remnant vegetation and provide additional habitat. A total of approximately 36 hectares of naturally revegetated buffers (10.4 hectares), a Central Restoration Area (23.5 hectares along unnamed tributary), and enhancement planting along the southern boundary near Buaraba Creek (2 hectares) is proposed. As part of the rehabilitation of the final extractive industry these vegetated areas will be retained.e) The final land form, post extraction, will consist of 2 lakes (one on each side of Banffs Lane) and rehabilitated land for cropping and grazing purposes. <p>Refer to the attached approved Proposal Plans (section 1.4) for further details (Attachments 1A and 1B).</p> <p>Under the State Planning Policy, and as reflected in the Somerset Region Planning Scheme, the Site is identified as a Key Resource Area (i.e. specific matter of State interest in land use planning and development).</p> <p>The site and surrounds represent an already modified and predominantly cleared environment. The local area accommodates a mix of land uses including existing extractive industries, poultry farms, a private airstrip, cropping activities along the Buaraba Creek floodplains, and associated haulage routes. The site consists of current turf farming, broad acre cropping and grazing.</p>	



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The proposed extractive industry will not result in clearing of any vegetation of State or local significance. Furthermore, additional revegetation is proposed which will enhance the current environmental values of the Site. Separation distances, and in some locations revegetation, will protect and buffer the existing mapped area of State remnant vegetation, Buaraba Creek and the unnamed tributary that traverses the site.

ECOLOGICAL ASSESSMENT:

The development application was supported by a number of technical reports including an "Ecology Assessment and Restoration Area Management Plan", dated 25 May 2016 (refer Attachment 7). This report addresses Federal, State and local ordinances. A field survey was conducted on 22 September 2016, focusing on the ecological values of the existing habitats within the site and adjacent lands.

The report advises that as a result of the proposed development there is expected to be an overall increase in Koala habitat and increased vegetated linkages for safe fauna movement. Based on DoEE criteria (in accordance with the EPBC Act referral guidelines for the vulnerable Koala), the ecological assessment has identified "no significant impact is expected. Accordingly, it is considered unlikely a referral to DoEE in relation to Koala would be necessary for the proposed development of the site".

Since completion of the Ecological Assessment (May 2016), an additional Central Restoration Area (23.5 hectares along the unnamed tributary) has been included in the approved Proposal Plans in response to an information request from Somerset Regional Council (refer to Attachment 1B).

An additional letter of clarification has been provided by BAAM Ecological Consultants regarding koala habitat (refer to Attachment 1C).

Documents attached in support of this EPBC Act Referral include:

Uploaded under Section 1.4:

1. Attachment 1A Proposed Action Area (State and Local Overlays)
2. Attachment 1B Restoration Management Plan (May 2018).
3. Attachment 1C BAAM Ecological Consultants Koala Habitat Letter (20.08.2020)

Uploaded under Section 1.10.2:

4. Attachment 2 Council Negotiated Decision Notice Approval (20.05.2020)
5. Attachment 3 State Govt Approval Conditions (18.12.2018)
6. Attachment 4 State Govt Environmental Authority (20.09.2018)

Uploaded under Section 1.13.1:

7. Attachment 5 Public Notification (16.06.2018)c
8. Attachment 8 EPBC Pre-lodgement Agenda (Sept 2017)

Uploaded under Section 6.3:

9. Attachment 10 Integrated Environmental Management System (May 2018)

Emailed separately due to file size:

1. Attachment 6 Cultural Heritage Assessment (July 2018) – NOTE: Not published for cultural sensitivity and confidentiality reasons.
2. Attachment 7 Ecological Assessment (25.05.2016)
3. Attachment 9 Groundwater Impact Assessment (May 2018).

1.3 What is the extent and location of your proposed action?

See Appendix B

1.5 Provide a brief physical description of the property on which the proposed action will take place and the location of the proposed action (e.g. proximity to major towns, or for off-shore actions, shortest distance to mainland)

The site is located in the Somerset Regional Council (South East Queensland). It is located off Rocky Gully Road and Banffs Lane, Coominya approximately 4km west of the township of Coominya. The subject site comprises five (5) properties described as Lot 236 on SP260138; Lot 220 on SP250792; Lot 246 on CA31773; and Lots 225 & 226 on CA31641.

The areas of proposed extraction are currently used for turf farming, broad acre cropping and grazing.



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1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)?

Total site area - 322.641 hectares. Approximately 160 hectare area for extraction. Approximately 38 hectares for operational works area.

No removal of higher value habitats or remnant vegetation.

1.7 Proposed action location

Lot - Lot 236 on SP260138; Lot 220 on SP250792; Lot 246 on CA31773; and Lots 225 & 226 on CA31641

1.8 Primary jurisdiction

Queensland

1.9 Has the person proposing to take the action received any Australian Government grant funding to undertake this project?

☐ Yes ☒ No

1.10 Is the proposed action subject to local government planning approval?

☒ Yes ☐ No

1.10.1 Is there a local government area and council contact for the proposal?

☒ Yes ☐ No

1.10.1.0 Council contact officer details

1.10.1.1 Name of relevant council contact officer

Madeline Jelf

1.10.1.2 E-mail

mail@somerset.qld.gov.au

1.10.1.3 Telephone Number

(07) 5424 4000

1.11 Provide an estimated start and estimated end date for the proposed action

Start Date 01/07/2023

End Date 01/07/2058

1.12 Provide details of the context, planning framework and state and/or local Government requirements

In accordance with the Integrated Development Assessment System (IDAS) process under the former Sustainable Planning Act 2009, the following provides a summary of each stage of the planning framework and State and Local government requirements for the development application:

ASSESSMENT MANAGER: Somerset Regional Council

APPLICATION STAGE: The development application (DA reference: DA16842) was submitted to the Somerset Regional Council on 31 May 2017. The proposed development sought approval for the following components:

- a) A Development Permit for a Material Change of Use for an Extractive Industry;
- b) A Development Permit for a Material Change of Use for Environmentally Relevant Activity (ERA) 16 - Extractive and Screening Activities;
- c) Application for an Environmental Authority for: ERA 16(2)(b) – Extracting, other than by dredging, in a year, more than 100,000t but not more than 1,000,000t; and ERA 16(3)(b) – Screening, in a year, more than 100,000t but not more than 1,000,000t;
- d) A Development Permit for Operational Works (Filling and excavation, Landscaping, and import of fill for rehabilitation works); and
- e) A Development Permit for Operational Works for taking or interfering with water (assessable development under the Sustainable Planning Regulation 2009 - Schedule 3, part 1, table 4, item 3(c)).

REFERRAL STAGE: The development application was referred to the (former) Department of Infrastructure, Local Government and Planning (SARA) for the following matters of State interest (reference: SDA-0617-040209):

- a) Schedule 7, Table 2, Item 1 - a material change of use for an Environmentally Relevant Activity made assessable under schedule 3, part 1, table 2, item 1;
- b) Schedule 7, Table 2, Item 9 – Operational works for taking or interfering with water under the Water Act 2000 made assessable under schedule 3, part 1, table 4, item 3; and



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c) Schedule 7, Table 3, Item 2 – Development impacting on State transport infrastructure – An aspect of development identified in Schedule 9 that exceeds the threshold for development in LGA population 2 - Extractive industry using machinery having an annual throughput of product of 10,000t.

INFORMATION REQUEST STAGE: Both Somerset Regional Council and the former DILGP (SARA) requested further information. Responses to both these requests were submitted on 15 May 2018.

PUBLIC NOTIFICATION STAGE: Refer to Section 1.13 below for details.

DECISION STAGE: The State government (Department of State Development, Manufacturing, Infrastructure and Planning) provided their final “changed concurrence agency response” to Council on 18 December 2018 (Ref. SDA-0617-040209). This recommended approval subject to conditions (refer to Attachment 3). The State also issued an Environmental Authority in accordance with the Environmental Protection Act 1994 (September 2018) with conditions (refer to Attachment 4). The Somerset Regional Council issued a Decision Notice approval dated 20 December 2019 (Ref. DA16842). A request was submitted by the applicant to negotiate some of the conditions of the Decision Notice approval. The final Negotiated Decision Notice (NDN) was issued by Council on 20 May 2020. A copy of the NDN and approved plan is attached – Attachment 2.

1.13 Describe any public consultation that has been, is being or will be undertaken, including with Indigenous stakeholders

PUBLIC NOTIFICATION STAGE: The development application was subject to impact assessment which required public notification. It was advertised in accordance with the former Sustainable Planning Act requirements for 15 business days between 24 May and 15 June 2018. This included publishing a notice in the local newspaper, placing 6 notice boards on the subject land, and giving written notice to the owners of all land adjoining the subject site. A copy of the Notice of Compliance of Public Notification, dated 16 June 2018 is attached (refer to Attachment 5).

A number of submissions were received by the Somerset Regional Council. All matters of concern, raised by submitters, were taken into account by Council during their decision-making period.

In addition, Everick Heritage Consultants were commissioned by Zanows' Concrete & Quarries Pty Ltd to undertake a Duty of Care Assessment of the site. The report presents the results of a desktop assessment (including a field survey on 22 June 2018) of the Project Area conducted for the purposes of ensuring the Proponent meets their Duty of Care statutory requirements for Aboriginal cultural heritage. A copy of this report (Cultural Heritage Assessment) is attached – Attachment 6 (Note: Not published for cultural sensitivity and confidentiality reasons). The report concludes that the proposed works can proceed without further assessment, subject to the recommendations of the report.

1.14 Describe any environmental impact assessments that have been or will be carried out under Commonwealth, State or Territory legislation including relevant impacts of the project

Not applicable.

1.15 Is this action part of a staged development (or a component of a larger project)?

☐ Yes ☒ No

1.16 Is the proposed action related to other actions or proposals in the region?

☐ Yes ☒ No



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Section 2

Matters of national environmental significance

2.1 Is the proposed action likely to have any direct or indirect impact on the values of any World Heritage properties?

☐ Yes ☒ No

2.2 Is the proposed action likely to have any direct or indirect impact on the values of any National Heritage places?

☐ Yes ☒ No

2.3 Is the proposed action likely to have any direct or indirect impact on the ecological character of a Ramsar wetland?

☐ Yes ☒ No

2.4 Is the proposed action likely to have any direct or indirect impact on the members of any listed species or any threatened ecological community, or their habitat?

☒ Yes ☐ No

Species or threatened ecological community

A number of listed threatened species and communities are show as likely to occur within the area in the EPBC Act Protected Matters Report (refer to Attachment 2 of Attachment 7 - Ecological Assessment).

Impact

The Ecological Assessment report (section 2.3) provides detailed information on the nature and extent of likely impacts on those species listed under the EPBC Act for the site (refer to Attachment 7). The following are extracts from this report:

LISTED THREATENED SPECIES:

- Koala (vulnerable under the EPBC Act): species is known from the site and surrounds.
- Grey-headed Flying-fox *Pteropus poliocephalus* (vulnerable under EPBC Act): likely this species would utilise the vegetated portions of the site in response to flowering/fruitleting events. However, no Flying-fox camp was found within or immediately adjoining the site during the field survey and, given the proposed actions avoids the vegetated portions and there is a relatively abundant availability of food resources for this species in the broader region, future development of the site will not have a significant impact on this species.
 - It is possible that some of the other threatened fauna returned by the data search (e.g. Red Goshawk or Swift Parrot) may utilise the vegetated portions of the site, although this use would be rare if at all, and no loss of important habitat values or significant impacts are likely.

Regarding the Koala, reference was made to the Report for the criteria under the EPBC Act, for when an action is likely to have a significant impact on a vulnerable species or if there is a real chance or possibility that it will (DotE 2013).

The desktop assessment determined Koala are known to occur within 2 km of the site; therefore, a particular focus of the field survey was to determine if Koala were present and if the site supported habitats suited to this species.

The site was found to support Koala habitat trees and, although no Koalas were directly sighted during the field assessment, Koala evidence (scratches and scats) was observed during active searches.

Given the proposed actions seeks to retain all higher value habitats, remnant vegetation and provide additional habitat within the proposed buffer areas (on property boundaries), there is expected to be an overall increase in Koala habitat and vegetated linkages for safe fauna movement.



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There will be an increase in traffic (primarily during daytime operational hours) and proposed internal haul roads within the site will have limited speed for human safety purposes. Short road distances will also prevent any significant speeds. It is envisaged all koala movement to, through and from the site would be via the existing vegetated portions and in combination with the daytime operations avoiding peak Koala movement times, there is little likelihood of any interaction with vehicles.

Overall, the proposed actions are not expected to have any notable threat on the species' presence in the local landscape. The location of the site is such that any future development would not fragment an existing important population. Hence, it is considered unlikely that the proposed development would lead to a long-term decrease in the size of an important population of the species or significantly reduce the area of occupancy of an important population.

Even so, under the EPBC Act referral guidelines for the vulnerable Koala (DotE 2014), a determination of whether a development will cause a significant impact on the species (i.e. referral to DoEE required) also relies heavily upon whether the development will adversely affect habitat critical to the survival of the species, and interfere substantially with their recovery. Accordingly, an assessment of the importance of Koala habitats onsite has been made in accordance with the referral guidelines (summarised in Table A7.1 of Attachment 9 within Attachment 7).

Based on the DoEE criteria, the site in conjunction with the surrounding landscape is considered to contain "habitat critical to the survival" of the Koala (i.e. total score >5). However, the assessment of the significance of removing habitat critical to the survival of Koala, based on the application not seeking removal of any notable Koala habitats, has identified that no significant impact is expected (refer Table A7.2 of Attachment 9 within Attachment 7).

An additional letter of clarification has been provided by BAAM Ecological Consultants regarding koala habitat (refer to Attachment 1C).

THREATENED ECOLOGICAL COMMUNITIES returned by the data search comprised:

- Lowland Rainforest of Subtropical Australia.
- Swamp Tea-tree (*Melaleuca irbyana*) Forest.
- White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland.

Site investigations confirmed these communities are not present on or immediately adjoining the site.

2.4.2 Do you consider this impact to be significant?

☐ Yes ☒ No

2.5 Is the proposed action likely to have any direct or indirect impact on the members of any listed migratory species or their habitat?

☒ Yes ☐ No

Migratory species

Migratory species such as Black-faced Monarch *Monarcha melanopsis*, Rufous Fantail *Rhipidura rufifrons* and Great Egret *Ardea alba* have potential to occur.

Impact

The Ecological Assessment report (section 2.3) provides detailed information on the nature and extent of likely impacts on those species listed under the EPBC Act for the site (refer to Attachment 7). The following are extracts from this report:

LISTED MIGRATORY SPECIES

Migratory species such as Black-faced Monarch *Monarcha melanopsis*, Rufous Fantail *Rhipidura rufifrons* and Great Egret *Ardea alba* have potential to occur, although these are all common species for which no notable impact is expected as a result of the proposed actions.

2.5.2 Do you consider this impact to be significant?

☐ Yes ☒ No



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2.6 Is the proposed action to be undertaken in a marine environment (outside Commonwealth marine areas)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.7 Is the proposed action likely to be taken on or near Commonwealth land? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.9 Is the proposed action likely to have any direct or indirect impact on a water resource from coal seam gas or large coal mining development? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.10 Is the proposed action a nuclear action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.11 Is the proposed action to be taken by a Commonwealth agency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.12 Is the proposed action to be undertaken in a Commonwealth Heritage place overseas? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.13 Is the proposed action likely to have any direct or indirect impact on any part of the environment in the Commonwealth marine area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No



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Section 3

Description of the project area

3.1 Describe the flora and fauna relevant to the project area

An ecological assessment was prepared in support of the development application (refer to Attachment 7). This included a field survey that was conducted on 22nd September 2016, focusing on the ecological values of the existing habitats within the site and adjacent lands.

The following is an extract from Attachment 7 Ecological Assessment (May 2016) describing the flora and fauna of the project area:

In general terms, the site comprises an active rural property. There are patches of native vegetation and these primarily occur in association with the central drainage feature on Lot 236 and along the boundaries of the lots. For the most part the central portions are cleared agricultural lands, although evidence of very young native regrowth was observed in some portions. The under story and ground layer are generally dominated by exotic species. Previous land use of the site was evidenced by relatively large, cleared areas.

FAUNA AND FAUNA HABITATS: During the field survey, fauna use of the site was restricted to locally common species, other than evidence of Koala *Phascolarctos cinereus* visitation. Birds recorded included wide ranging species typical of rural landscapes (e.g. Rainbow Lorikeet *Trichoglossus haematodus*, Noisy Miner *Manorina melanocephala*, Black-shouldered Kite *Elanus axillaris* and Wedge-tailed Eagle *Aquila audax*). Eastern Grey Kangaroos *Macropus giganteus* were observed traversing across the site and Red-necked Wallabies *Macropus rufogriseus* were observed on the adjoining lands. Scats from Common Brushtail Possum *Trichosurus vulpecula* were observed as were fox scats along Banff's Lane. Large, old-growth trees are infrequently scattered and restricted to the outer boundaries and road reserves. The proposed layout will not remove any old growth or high value fauna habitats. Koala is well known in the local area and evidence of Koala visitation was scattered within the more vegetated portions of the site, which hold primary Koala food trees.

CORRIDORS AND CONNECTIVITY: The site occurs within a landscape featuring a mosaic of land uses including patches of bushland, large, partially cleared rural blocks and roadways. Connectivity between the site and larger parcels of bushland to the west and east is relatively unconstrained other than by open pastoral areas. To the south of the site, Buaraba Creek provides a vegetated linkage across the landscape. Consequently, the site forms part of a mosaic of retained habitats providing native vegetation.

Based on the limited size of the extant bushland patches and vegetation within the road reserves and property boundaries, it is likely that the site primarily provides habitat for vagile (wide ranging and mobile) species and species that can persist in fragmented landscapes. The value of the vegetated portions of the site and surrounds as a wildlife movement corridor is therefore considered to be of local importance only. It would function as a stepping stone corridor for ranging species (e.g. birds and flying foxes) and as habitat for fauna with small home ranges. There are high value habitats within the road reserves and outer edges of the site (Photo 3), which hold important vegetated connections for localised fauna movement.

VEGETATION ASSESSMENT: The majority of the site's vegetated area is located in association with the drainage feature in the southern portions of Lot 236 and the outer edges and road reserves around the site. DNRM Regulated Vegetation mapping identifies that Category B (remnant vegetation) is mapped over portions of vegetation on the site (Attachment 2). This includes:

- 'Endangered' Regional Ecosystem (RE) 12.3.3, which occurs along the drainage feature on Lot 236.
- 'Least Concern' RE 12.3.7, which is mapped along Buaraba Creek on Lot 226. This RE is also mapped as an 'Essential Habitat'.

Site investigations confirmed the DNRM mapping is correct for these locations. Further details regarding the vegetated portions of the site are summarised in Table 1.

(Note: Attachment 7 Ecological Assessment will be emailed to the Department due to the size of the file).

An additional letter of clarification has been provided by BAAM Ecological Consultants regarding koala habitat (refer to Attachment 1C).

3.2 Describe the hydrology relevant to the project area (including water flows)

A Groundwater Impact Assessment was prepared in support of the development application (refer to Attachment 9 - sent via email). The following information is extracted from this report.

It is anticipated that the resource will be extracted from the alluvial flat located adjacent to Buaraba Creek. The two proposed alluvial extraction pits / ponds will be approximately 10 m to 15 m deep and are expected to intersect the



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groundwater table. Weathered sandstone will be quarried from a pit to the north of the alluvial sediments. Extraction of the weathered sandstone will not intersect the groundwater table.

TERRAIN AND DRAINAGE: The site is located within the Buaraba Creek sub-catchment which is part of the Lockyer Creek catchment. Lockyer Creek flows into the Brisbane River approximately 2.5 km downstream of Wivenhoe Dam.

Most of the site is located on the alluvial floodplain of Buaraba Creek. To the north of the site, the terrain gradually rises as the alluvial sediments thin, and consolidated sedimentary rocks outcrop at the surface. Southwest of the project area, Buaraba Creek is located immediately adjacent to the southern edge of the alluvial floodplain. To the south east of the project area, the alluvial flood plain opens towards Atkinson Dam, which was constructed over an existing natural lagoon.

Drainage features at the site are ephemeral and flow during and shortly after heavy rainfall events. Buaraba Creek is an ephemeral creek to the immediate south of the site and flow is influenced by the regulated retention and release of water from Atkinson Dam. Water holes in Buaraba Creek are assessed to be in direct connection to the groundwater table. Whilst Buaraba Creek is a losing stream, it is unlikely to be disconnected from the water table during flow events. A minor drainage feature runs through the site from the north-west to the south-east.

The site is relatively flat, varying in elevation between approximately 50 metres above Australian Height Datum (mAHD) and 80 mAHD. The areas of higher topography occur away from Buaraba Creek.

ATKINSON DAM: Atkinson Dam is located to the south of the site and the water release from this structure is managed by Seqwater. Atkinson Dam was constructed in 1970 over an existing lagoon and collects water from a diversion from a weir constructed on Buaraba Creek. The dam also receives inflow via overflow from Seven Mile Lagoon. The dam is used to supply irrigation water via surface water releases back into Lockyer Creek, Buaraba Creek and associated channels and weirs.

PROPOSAL: Water on-site will be managed in accordance with the site Stormwater Management Plan.

3.3 Describe the soil and vegetation characteristics relevant to the project area

The following are extracts from Attachment 9 Groundwater Impact Assessment.

GEOLOGICAL SETTING: The site is located within the Late Triassic to Late Jurassic Clarence-Moreton Basin which covers an area of approximately 26,000 km² of southeast Queensland and northeast New South Wales (Geoscience Australia, 2017). The Clarence-Moreton Basin stratigraphically overlies the Ipswich Basin and comprises Triassic to Jurassic aged sandstones, siltstones, and mudstones deposited in a predominantly fluvio-lacustrine depositional environment.

The Jurassic strata are unconformably overlain by Quaternary age sediments. The Quaternary sediments are associated with the floodplain of the present day Lockyer Creek and Buaraba Creek.

Available geological mapping indicates that the oldest rocks in the area are the Woogaroo Sub-group. The Early Jurassic-Late Triassic Woogaroo Sub-group (previously known as the Helidon Sandstone) forms the basement rock at the site (Figure 4.1). The Woogaroo Sub-group outcrops at the northern boundary of the site and thickens to the south. The unit comprises thin to thick bedded, fine to medium-grained, quartz-lithic and quartz sandstone, quartz-rich granule conglomerate, silty sandstone, siltstone, claystone; carbonaceous siltstone and claystone; minor laminates and coal.

The Woogaroo Sub-group is overlain by the Jurassic age Gatton Sandstone which is the lower formation of the Marburg Sandstone (Figure 4.1). The Gatton Sandstone comprises thin to thick-bedded, coarse to medium-grained, feldspathic to lithic feldspathic sandstone with clay matrix; subordinate intervals of granule, pebble and minor cobble polymictic conglomerate, with abundant ferruginised fossil wood logs and fragments.

Buaraba Creek has eroded these Triassic and Jurassic aged rocks and the valley has been infilled with Tertiary and recent (Quaternary) sediments forming the alluvial plain. Sandstones of the Woogaroo Sub-group and Gatton Sandstone outcrop at the surface on the northern and southern sides of Buaraba Creek.

The Tertiary and Quaternary sediments consist of:

- minor colluvial material mapped as Late Tertiary to Quaternary in age (clay, silt, sand, gravel and soil; colluvial and residual deposits);
- alluvial sediments of Pleistocene age (clay, silt, sand, gravel; floodplain alluvium on high terraces); and
- Holocene sediments to the east and west of site comprising sand, silt, clay and gravel. Within the banks of Buaraba Creek is the lowest river terrace of gravel, sand, silt, clay.

The alluvial plain at the site is about 1,500 m wide narrowing to 200 m upstream of the site. Downstream of the site the



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alluvial sediments can be up to 2,500 m wide. The alluvium is up to 20 m thick. The alluvial deposits consist of multiple layers of sand and gravel interspersed with thin interbeds of clay, silt and clayey or silty sand and gravel. The overburden material varies between about 2 m and 8 m thick and consists of soil, clay, silt and thin sand lenses.

A review of the lithological logs of resource test holes at the site indicates that the sand and gravel varies from very clean material up to 10 m thick, to silty and clayey sand and gravels. Registered bore RN 14320619 is a DNRME monitoring bore located within the site and in between the two proposed alluvial extraction pits. The Quaternary alluvium intersected at the bore is 11.4 m thick and comprises surficial loam, brown clay and silty clay to a depth of 5.7 mbGL. From 5.7 mbGL to 8.4 mbGL comprises sandy clay with coarse sand and gravel and claybound gravel from 8.4 mbGL to 11.4 mbGL.

VEGETATION: The majority of the site's vegetated area is located in association with the drainage feature in the southern portions of Lot 236 and the outer edges and road reserves around the site. Refer to Section 3.1 for details.

3.4 Describe any outstanding natural features and/or any other important or unique values relevant to the project area

The natural features in the area include:

1. The site adjoins Buaraba Creek (refer to 3.2 for details).
2. Atkinson Dam is located to the south of the site (refer to 3.2 for details).

3.5 Describe the status of native vegetation relevant to the project area

The following are extracts from Attachment 7 Ecological Assessment (sent via email).

The majority of the site's vegetated area is located in association with the drainage feature in the southern portions of Lot 236 and the outer edges and road reserves around the site.

VEGETATION RECORDED WITHIN THE SITE:

1. Regional Ecosystem: 12.3.3 (Endangered). Brief description: Eucalyptus tereticornis woodland on Quaternary alluvium. Eucalypt open forest, with some minor open cleared areas (the site of access tracks). Some recruitment of dominant species within the mid layer. Ground layer dominated by native and exotic grasses. Mapped remnant area and surrounds have been fenced to prevent livestock and assist in ongoing management. Canopy (T1): Mid-dense with some open areas. Median height 18m. Dominant species: Eucalyptus tereticornis. Sub-dominant species: Lophostemon suaveolens. Associated species: Corymbia tessellaris.

2. Regional Ecosystem: 12.3.7 (Least concern). Brief description: Riverine wetland or fringing riverine wetland. Eucalyptus tereticornis, Casuarina cunninghamiana and Melaleuca and Callistemon spp. This habitat has high value native vegetation, though is subject to considerable weed invasion through the area with high levels of Camphor laurel, Cats-claw Creeper and Wild tobacco limiting native species recruitment and overall habitat values. Canopy (T1): Mid-dense with some open areas. Median height 18m. Dominant species: Eucalyptus tereticornis. Sub-dominant species: Casuarina cunninghamiana. Associated species: Corymbia tessellaris.

3. Banff's Lane. Regional Ecosystem: non-remnant. Brief description: Eucalypt open forest, with large, hollow bearing trees and open cleared areas. Eucalyptus tereticornis woodland with Eucalyptus crebra and Corymbia tessellaris and C. intermedia, also present with C. tessellaris becoming relatively abundant and dominant in southern portions. A relatively narrow band of high value vegetation with Koala evidence recorded within this area.

4. Rocky Gully Road frontage. Regional Ecosystem: non-remnant. Brief description: regrowth vegetation dominated by Acacia and Allocasuarina with occasional Eucalyptus sp. present. Ground layer dominated by introduced and typical roadside exotic grasses.

5. Proposed Buffer lands (25 metres from site boundaries). Regional Ecosystem: non-remnant. Brief description: The proposed buffer areas contain a mix of vegetation from relatively well vegetated portions to areas which have begun regeneration dominated by Eucalyptus species. In most of these proposed buffers regeneration of native vegetation is occurring and will continue to develop into high value fauna habitats, particularly in terms of Koala feeding resources and movement options.

3.6 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area

A slope extends from the north-east corner of the Project Area with an elevation of 93m north-east to 62m south above sea level.

3.7 Describe the current condition of the environment relevant to the project area



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

The Project Area is bordered by Rocky Gully Road to the north, Buaraba Creek to the south and freehold land to the east and west. However, Banffs Lane extends through the centre of the Project Area.

The project area (comprising 5 lots) is currently used for turf farming, broad acre cropping and grazing.

3.8 Describe any Commonwealth Heritage places or other places recognised as having heritage values relevant to the project

Not applicable.

Refer to section 4.5 of the Cultural Heritage Assessment (Attachment 6).

3.9 Describe any Indigenous heritage values relevant to the project area

The following are extracts from Attachment 6 Cultural Heritage Assessment (sent via email).

Section 5.5 Survey Conclusion:

The following conclusions can be made from the results of the desktop study and field inspection:

- The Project Area has seen significant ground disturbance within the meaning of Category 4 of the Duty of Care Guidelines. The modification of this area was through extensive clearing, cropping, grazing and construction activities. These activities have removed any reasonable potential for archaeologically significant deposits to be located within the Project Area.
- There are no mature trees on the Project Area that could pre-date the original Bannf Homestead of 1880, when the site was first occupied and cleared.
- One (1) Aboriginal object was identified during the survey, a pale green silcrete core (SLIA01). This was found in a disturbed context.
- The area has low potential for buried archaeological deposits and the proposed works will not cause further harm to Aboriginal cultural heritage.
- It is noted that there are no Significant Aboriginal Areas registered on the DATSIP database or in the ethnographic literature within the Project Area. No areas of high intangible heritage significance were identified that are likely to be impacted by the Project.
- The application of the ACHA Duty of Care Guidelines, the project would fall under Category 4. The proposed works can proceed without further assessment, subject to the cautionary recommendations below.

3.10 Describe the tenure of the action area (e.g. freehold, leasehold) relevant to the project area

The Project Area comprises five (5) properties described as Lot 220 SP250792, Lot 225 CA31641, Lot 226 CA31641, Lot 236 SP260138 and Lot 246 CA31773. The five properties have a total site area of 322.641 hectares. All 5 properties are freehold.

3.11 Describe any existing or any proposed uses relevant to the project area

Existing Uses: The Project Area is currently used for turf farming, broad acre cropping and cattle grazing. There are two dwellings and associated sheds on the Site.

Proposed Uses: An area of approximately 160 hectares (50% of the total land area) is proposed for extraction.



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Section 4

Measures to avoid or reduce impacts

4.1 Describe the measures you will undertake to avoid or reduce impact from your proposed action

Under the State Planning Policy, and as reflected in the Somerset Region Planning Scheme, the Site is identified as a Key Resource Area (i.e. locations across Queensland that have been found to contain important extractive materials such as sand, gravel and rock). They are a specific matter of State interest in land use planning and development.

The design of the quarry has been developed through detailed assessment of the on-site and surrounding environmental values and characteristics, and in consultation with Council and State agency representatives. The proposed extractive industry operations (i.e. layout and design taking into account pits, operational areas and internal haulage routes) avoids all areas which are mapped as remnant vegetation or waterways. As part of the development application preparation, detailed assessments were carried out and the following reports prepared:

- Noise Assessment
- Dust Assessment
- Traffic and Pavement Impact Assessment
- Flood Study
- Groundwater Impact Assessment
- Stormwater Management Plan
- Geotechnical Stability Report
- Ecological Assessment and Restoration Area Management Plan
- Environmental Assessment Report (for associated Environmentally Relevant Activities)
- Integrated Environmental Management System
- Water Monitoring Programs.

As part of the development assessment process, the application was referred to State government for assessment. Consequently, development approval conditions have been issued by both the State government and local Council to guide operations and set criteria and standards appropriate for ensuring the potential impacts on-site are avoided or reduced (refer to Attachments 3 to 5 for the approval conditions).

4.2 For matters protected by the EPBC Act that may be affected by the proposed action, describe the proposed environmental outcomes to be achieved

The majority of the site's vegetated area is located in association with the drainage feature in the southern portions of Lot 236 and the outer edges and road reserves around the site. The areas of proposed extraction, and the associated operational areas have been located to avoid these areas, and are currently used for turf farming, broad acre cropping and grazing.

As such, the proposed extractive industry will not result in clearing of any vegetation of National, State or local significance. Furthermore, additional revegetation is proposed which will enhance the current environmental values of the Site. Separation distances, and in some locations revegetation, will protect and buffer the existing mapped area of State remnant vegetation, Buaraba Creek and the unnamed tributary that traverses the site.

The Ecological Assessment (Attachment 7) concludes that "given the proposed actions seeks to retain all higher value habitats, remnant vegetation and provide additional habitat within the proposed buffer areas (on property boundaries), there is expected to be an overall increase in Koala habitat and vegetated linkages for safe movement".

A total of approximately 36 hectares of naturally revegetated buffers (10.4 hectares), a Central Restoration Area (23.5 hectares along the unnamed tributary), and enhancement planting along the southern boundary near Buaraba Creek (2 hectares) is proposed. As part of the rehabilitation of the final extractive industry these vegetated areas will be retained.

Refer to the attached approved Proposal Plans (section 1.4) for further details (Attachments 1A – Proposed Action Area, and Attachment 1B – Restoration Management Plan).



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 5

Conclusion on the likelihood of significant impacts

5.1 You indicated the below ticked items to be of significant impact and therefore you consider the action to be a controlled action

- ☐ World Heritage properties
- ☐ National Heritage places
- ☐ Wetlands of international importance (declared Ramsar wetlands)
- ☐ Listed threatened species or any threatened ecological community
- ☐ Listed migratory species
- ☐ Marine environment outside Commonwealth marine areas
- ☐ Protection of the environment from actions involving Commonwealth land
- ☐ Great Barrier Reef Marine Park
- ☐ A water resource, in relation to coal seam gas development and large coal mining development
- ☐ Protection of the environment from nuclear actions
- ☐ Protection of the environment from Commonwealth actions
- ☐ Commonwealth Heritage places overseas
- ☐ Commonwealth marine areas

5.2 If no significant matters are identified, provide the key reasons why you think the proposed action is not likely to have a significant impact on a matter protected under the EPBC Act and therefore not a controlled action

This submission has predominantly been prepared as a result of the listing of koala populations in Queensland as Vulnerable under the EPBC Act. The potential for the proposed development to have a significant impact on the Koala population in Queensland and the local regions is considered to be very low (as described below). However, this submission has been prepared to meet the applicant's obligations under the Act and receive confirmation that an assessment under the EPBC Act is not required to allow the development to proceed.

The site and surrounds represent an already modified and predominantly cleared environment. The local area accommodates a mix of land uses including existing extractive industries, poultry farms, a private airstrip, cropping activities along the Buaraba Creek floodplains, and associated haulage routes. The site itself consisting of turf farming, broad acre cropping and grazing.

The areas of proposed extraction, and the associated operational areas, have been located to avoid clearing of any vegetation of National, State or local significance.

With regards to the potential impacts on the Koala (matter protected by EPBC Act), the following proposed environmental outcomes are to be achieved:

- The proposed extractive industry will not result in clearing of any vegetation of State or local significance.
- Additional revegetation is proposed which will enhance the current environmental values of the Site.
- Separation distances, and in some location's revegetation, will protect and buffer the existing mapped area of State remnant vegetation, Buaraba Creek and the unnamed tributary that traverses the site.
- A total of approximately 36 hectares of naturally revegetated buffers (10.4 hectares), a Central Restoration Area (23.5 hectares along the unnamed tributary), and enhancement planting along the southern boundary near Buaraba Creek (2 hectares) is proposed. As part of the rehabilitation of the final extractive industry these vegetated areas will be retained.

The Ecological Assessment (Attachment 7) provides the following supporting information:

- a) Given the proposed actions seeks to retain all higher value habitats, remnant vegetation and provide additional habitat within the proposed buffer areas (on property boundaries), there is expected to be an overall increase in Koala habitat and vegetated linkages for safe movement.
- b) Overall, the proposed actions are not expected to have any notable threat on the species' presence in the local landscape. The location of the site is such that any future development would not fragment an existing important population. Hence, it is considered unlikely that the proposed development would lead to a long-term decrease in the size of an important population of the species or significantly reduce the area of occupancy of an important population.
- c) Based on the DoEE criteria, the site in conjunction with the surrounding landscape is considered to contain "habitat critical to the survival" of the Koala (i.e. total score >5). However, our assessment of the significance of removing habitat critical to the survival of Koala, based on the application not seeking removal of removing any notable Koala habitats, has identified that no significant impact is expected (refer Table A7.2 Attachment 9).
- d) No notable impact is expected on migratory species as a result of the proposed actions.

Based on the DoEE criteria (in accordance with the EPBC Act referral guidelines for the vulnerable Koala), the ecological



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assessment has identified that “no significant impact is expected. Accordingly, it is considered unlikely a referral to DoEE in relation to Koala would be necessary for the proposed development of the site”.

An additional letter of clarification has been provided by BAAM Ecological Consultants regarding koala habitat (refer to Attachment 1C).



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Section 6

Environmental record of the person proposing to take the action

6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Explain in further detail

Yes.

Commencing in 1957, the Zanows' (currently known as Zanows' Concrete and Quarries) have been supplying natural sand and gravel products to the construction industry, local councils and landscape markets in the South East Queensland region. They have good consultation and a close working relationship with both local and State government, as well as community partners. As such they are a well established business with appropriate environmental measures in place.

Zanow's have confirmed that no recorded offences under the Environmental Protection Act 1994 or other environmental legislation are known to have occurred since conducting quarry operations.

6.2 Provide details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against either (a) the person proposing to take the action or, (b) if a permit has been applied for in relation to the action – the person making the application

Not applicable. There have been no proceedings (past or present) against the person proposing to take the action.

6.3 If it is a corporation undertaking the action will the action be taken in accordance with the corporation's environmental policy and framework?

☒ Yes ☐ No

6.3.1 If the person taking the action is a corporation, provide details of the corporation's environmental policy and planning framework

Zanows Concrete and Quarries has developed an Integrated Environmental Management System (IEMS) with the following objectives identified (refer to Attachment 10):

- Enhance environmental performance of all Zanows Concrete and Quarries sites and operations;
- Ensure compliance with regulatory and legislative requirements;
- Set objectives and mechanisms to achieve these objectives;
- Provide a consistent structure and management across the organisation;
- Conduct regular reviews of environmental performance with a commitment to continuous improvement across all sites and operations.

In addition to the IEMS, site specific environmental documentation including procedures have been developed and implemented at the different sites reflecting the different operations and potential impacts. Documented procedures and environmental registers can be found in Appendices A – F of the IEMS.

Zanows Concrete and Quarries undertake regular staff training to ensure all staff are aware of their environmental responsibilities, commitments and objectives made by management and mechanisms to achieve those objectives with continuous improvement in environmental performance. All staff are encouraged to report any actual or potential environmental issue they may identify with open communication encouraged throughout the organisation.

6.4 Has the person taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?

☒ Yes ☐ No

6.4.1 EPBC Act No and/or Name of Proposal

In March 2013 a submission was referred under the EPBC Act for the Zanows' site located at 24 and 551 Frazerview Road, Frazerview (Queensland). The Department of Sustainability, Environment, Water, Population and Communities issued a Referral Decision (dated 6 May 2013) advising that the proposed hard rock quarry is "not a controlled action". The reference was 2013/6800.



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Section 7

Information sources

Reference source

Supporting technical documents:

1. Attachment 1A Proposed Action Area (State and Local Overlays)
2. Attachment 1B Restoration Management Plan May 2018
3. Attachment 1C BAAM Koala Habitat Letter 20.08.2020
4. Attachment 2 Council Negotiated Decision Notice Approval 20.05.2020
5. Attachment 3 State Govt Approval Conditions 18.12.2018
6. Attachment 4 State Govt Environmental Authority 20.09.2018
7. Attachment 5 Public Notification 16.06.2018
8. Attachment 6 Cultural Heritage Assessment July 2018 - NOTE: Not published for cultural sensitivity & confidentiality reasons
9. Attachment 7 Ecological Assessment 25.05.2016
10. Attachment 8 EPBC Prelodgement Agenda Sept 2017
11. Attachment 9 Groundwater Impact Assessment May 2018.
12. Attachment 10 Integrated Environmental Management System May 2018.

Reliability

All attached plans / reports have been prepared by suitably qualified consultants (refer to each Attachment for details).

Uncertainties

Not applicable.



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Section 8
Proposed alternatives
Do you have any feasible alternatives to taking the proposed action? Yes <input checked="" type="checkbox"/> No



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 9

Person proposing the action

9.1.1 Is the person proposing the action a member of an organisation?

☒ Yes ☐ No

Organisation

Organisation name	ZANOWS' CONCRETE & QUARRIES PTY LTD
Business name	
ABN	86610940648
ACN	
Business address	1630 Brisbane Valley Highway, Fernvale, 4306, QLD, Australia
Postal address	
Main Phone number	(07) 5427 0347
Fax	
Primary email address	darren@zanow.com.au
Secondary email address	

9.1.2 I qualify for exemption from fees under section 520(4C)(e)(v) of the EPBC Act because I am:

☐ Small business
☒ Not applicable

9.1.2.2 I would like to apply for a waiver of full or partial fees under Schedule 1, 5.21A of the EPBC Regulations *

☐ Yes ☒ No

9.1.3 Contact

First name	Darren
Last name	Zanow
Job title	Director - Zanows' Concrete and Quarries
Phone	(07) 5427 0354
Mobile	0417722595
Fax	
Email	darren@zanow.com.au
Primary address	54 Oxford St, North Booval, 4304, QLD, Australia
Address	

Declaration: Person proposing the action

I, DARREN WILLIAM ZANOW ON BEHALF OF ZANOWS CONCRETE AND QUARRIES P/L, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf or for the benefit of any other person or entity.

Signature: Dw. Zanow Date: 21-8-2020

I, DARREN WILLIAM ZANOW ON BEHALF OF ZANOWS CONCRETE AND QUARRIES P/L, the person proposing the action, consent to the designation of DARREN WILLIAM ZANOW ON BEHALF OF ZANOWS CONCRETE AND QUARRIES P/L the proponent for the purposes of the action described in this EPBC Act Referral. OF ZANOWS CONCRETE AND QUARRIES P/L

Signature: Dw. Zanow Date: 21-8-2020



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Proposed designated proponent

9.2.1 Is the proposed designated proponent a member of an organisation?

☒ Yes ☐ No

Organisation

Organisation name	ZANOWS' CONCRETE & QUARRIES PTY LTD
Business name	
ABN	86610940648
ACN	
Business address	1630 Brisbane Valley Highway, Fernvale, 4306, QLD, Australia
Postal address	
Main Phone number	(07) 5427 0347
Fax	
Primary email address	darren@zanow.com.au
Secondary email address	

9.2.2 Contact

First name	Darren
Last name	Zanow
Job title	Director - Zanows' Concrete and Quarries
Phone	(07) 5427 0354
Mobile	0417722595
Fax	
Email	darren@zanow.com.au
Primary address	54 Oxford St, North Booval, 4304, QLD, Australia
Address	

Declaration: Proposed Designated Proponent

I, Darren William Zanow ON BEHALF OF ZANOWS CONCRETE AND QUARRIES PTY LTD, the proposed designated proponent, consent to the designation of myself as the proponent for the purposes of the action described in this EPBC Act Referral.

Signature: [Signature] Date: 21-8-2020



Australian Government

Department of Agriculture, Water and the Environment

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Referring party (person preparing the information)

9.3.1 Is the referring party (person preparing the information) a member of an organisation?

☐ Yes ☒ No

9.3.2 Contact

First name	Diane
Last name	Kerr
Job title	Town Planner
Phone	0417086921
Mobile	
Fax	
Email	dianekerr66@gmail.com
Primary address	19 Frobisher St, Springwood, 4127, QLD, Australia
Address	

Declaration: Referring party (person preparing the information)

I, DIANE KERR, declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence.

Signature: D. Kerr Date: 21 August 2020



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Appendix A

Attachment

Document Type	File Name
action_area_images	Attachment 1A Proposed Action Area - State and Local Overlays.pdf
action_area_images	Attachment 1B Restoration Management Plan May 2018.pdf
localgov_approval_consent	Attachment 2 Council Negotiated Decision Notice Approval 20.05.202.pdf
localgov_approval_consent	Attachment 3 State Govt Approval Conditions 18.12.2018. pdf
localgov_approval_consent	Attachment 4 State Govt Environmental Authority 20.09.2018.PDF
public_consultation_reports	Attachment 5 Public Notification 16.06.2018.pdf
public_consultation_reports	Attachment 8 EPBC Prelodgement Agenda Sept 2017.pdf
supporting_tech_reports	Attachment 7 Ecological Assessment 25.05.2016.pdf
corp_env_policy_docs	Attachment 10 Integrated Environmental Management System May 2018.pdf

Appendix B

Coordinates

Area 1

-27.39523906989,152.45109949247
-27.395200967339,152.45114240781
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Area 2

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