

**Title of Proposal - Flying Fox deterrent Cairns Regional Council****Section 1 - Summary of your proposed action**

Provide a summary of your proposed action, including any consultations undertaken.

**1.1 Project Industry Type**

Private

**1.2 Provide a detailed description of the proposed action, including all proposed activities.**

Cairns Regional Council are proposing to relocate a Flying-fox camp at the Cairns City Library property located at 151 Abbott St Cairns, Queensland.

The site is an established Spectacled Flying fox (SFF) containing on average between 3000-8000 individuals, dependent on seasonal variations.

The colony has experienced high levels of juvenile mortality and urban encroachment, impacting the species negatively. The limited available vegetation on site (5 trees) is being impacted by numbers of roosting SFF.

This action aims to prevent Flying-foxes from roosting at site, to relocate to more appropriate areas outside of the CBD area. Council will undertake deterrents using experienced contractors with a combination of noise and light and other non lethal methods for limited early morning times.

Relocation will be undertaken as the end of the breeding season 2019 (likely to be May - August).

**1.3 What is the extent and location of your proposed action? Use the polygon tool on the map below to mark the location of your proposed action.**

Area	Point	Latitude	Longitude
Cairns Library Roost	1	-16.919957432672	145.77518037254
Cairns Library Roost	2	-16.919925048471	145.7751634208
Cairns Library Roost	3	-16.919952043607	145.77516910707
Cairns Library Roost	4	-16.919752144379	145.77529898007
Cairns Library Roost	5	-16.920292411151	145.77576766925
Cairns Library Roost	6	-16.920422050413	145.77558130876
Cairns Library Roost	7	-16.920076294354	145.77528202833
Cairns Library Roost	8	-16.920341013199	145.77488109145
Cairns Library Roost	9	-16.920697546547	145.77516910707
Cairns Library Roost	10	-16.920843454142	145.77492626008
Cairns Library Roost	11	-16.920297799894	145.77465524958
Cairns Library Roost	12	-16.919957432672	145.77518037254

**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 property where the proposed action will take place is a heritage-listed public library, owned and managed by Cairns Regional Council. It was formally the Cairns City Council Chambers. The site is bounded by Abbott, Aplin and Lake Streets. This is on the fringe of the Cairns CBD area. The expansive property has landscaped gardens with several large fig trees (*Ficus elastica* and *F. benjamina*) that contain roosting Spectacled Flying foxes.

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

4000m<sup>2</sup>

**1.7 Is the proposed action a street address or lot?**

Street Address

151 Abbott Street  
Cairns City QLD 4870  
Australia

**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?**

No

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

No

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

Start date 05/2019

End date 08/2019

**1.12 Provide details of the context, planning framework and State and/or Local government requirements.**

Nature Conservation Act 1992 (QLD).

Spectacled flying-foxes are native animals protected under both State and Federal legislation. The Department of Environment and Science (DES) administers the Nature Conservation Act (1992) and are responsible for the regulation and protection of native Flying foxes in Qld. Councils have an 'as of right authority' to undertake management actions as per the Code of Practice (COP) 'Ecologically sustainable management of flying fox roosts' allowing actions to drive away or attempt to drive away, or destroy a flying fox roost.

Council has informed the Wildlife Management branch (DES) of the intent to undertake roost disturbance 'management actions' to include deterrent activities to be undertaken at the fly in times, when SFF are returning to roost. If management actions directed at SFF for roost relocation are not consistent with the COP, Council will seek to conduct works under a Flying fox roost management permit (FFRMP).

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

Public notification is to occur via Cairns Regional Councils website and other such typical Council public advice/notification mechanisms

Council has a Flying fox Advisory Committee (FFAC) made up of wildlife carers, council officers and representatives (that convene every 2 months to discuss bat management actions) whom have been advised of the proposed flying fox deterrent and relocation activity.

All other formal notifications shall occur once the dates and times for works have been confirmed.

**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.**

No formal environmental impact assessment under Commonwealth, State or Territory legislation has been undertaken relevant to the project.

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

No

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

No

## Section 2 - Matters of National Environmental Significance

Describe the affected area and the likely impacts of the proposal, emphasising the relevant matters protected by the EPBC Act. Refer to relevant maps as appropriate. The [interactive map tool](#) can help determine whether matters of national environmental significance or other matters protected by the EPBC Act are likely to occur in your area of interest. Consideration of likely impacts should include both direct and indirect impacts.

Your assessment of likely impacts should consider whether a bioregional plan is relevant to your proposal. The following resources can assist you in your assessment of likely impacts:

- [Profiles of relevant species/communities](#) (where available), that will assist in the identification of whether there is likely to be a significant impact on them if the proposal proceeds;
- [Significant Impact Guidelines 1.1 – Matters of National Environmental Significance](#);
- [Significant Impact Guideline 1.2 – Actions on, or impacting upon, Commonwealth land and Actions by Commonwealth Agencies](#).

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

No

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

No

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

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

### 2.4.1 Impact table

Species	Impact
Spectacled Flying fox ( <i>Pteropus conspicillatus</i> )	Direct impact: Flying fox are listed as vulnerable species under the EPBC. The Cairns City Library is a nationally listed bat roosting site.

<b>Species</b>	<b>Impact</b>
	Deterrent activities will be undertaken to prevent Flying foxes from roosting on the site. Council shall actively deter Flying foxes from landing during the fly-in times, using non-lethal methods of light and noise for limited times in the early morning. Deterrent activities shall temporarily drive Flying foxes away from the roost and city areas. Flying foxes will be encouraged to land in other, adjacent natural areas.

**2.4.2 Do you consider this impact to be significant?**

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?**

No

**2.6 Is the proposed action to be undertaken in a marine environment (outside Commonwealth marine areas)?**

No

**2.7 Is the proposed action to be taken on or near Commonwealth land?**

No

**2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park?**

No

**2.9 Is the proposed action likely to have ANY direct or indirect impact on a water resource related to coal/gas/mining?**

No

**2.10 Is the proposed action a nuclear action?**

No

**2.11 Is the proposed action to be taken by the Commonwealth agency?**

No

**2.12 Is the proposed action to be undertaken in a Commonwealth Heritage Place Overseas?**

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?**

No

## Section 3 - Description of the project area

Provide a description of the project area and the affected area, including information about the following features (where relevant to the project area and/or affected area, and to the extent not otherwise addressed in Section 2).

### 3.1 Describe the flora and fauna relevant to the project area.

#### Flora

The Cairns City Library site features several large, mature fetaure trees that are predominately used by Spectacled flying-foxes for diurnal roosting. These trees are protected due to the State Heritage listing of the property.

The Cairns CBD roost is predominately centred on the five trees within the grounds of the city library, with spillover into adjacent street trees as SFF numbers increase during the breeding and pup-rearing season. Three tree species are used within the main Library roost are: weeping fig (*Ficus benjamina*) T1, Rubber fig (*Ficus elastica*) T2- T4), and Golden penda (*Xanthostemon chrysanthus*); T5. (trees are allocated alphanumeric identifiers T1-T5).see attached property map).

There is no intention to significantly modify, trim or destroy any vegetation as part of the relocation and dispersal works.

#### Fauna

The Library property contains a large bat roost. Is estimated that there are anywhere between 3000 to 10,000 species of SFF (*Pteropus conspicillatus*) which is listed as Endangered under Commonwealth legislation EPBC (1999).

The roost site at the City Library is listed as a 'Nationally Important Flying-fox Camp'.

Previous studies have conservatively estimated the SFF population at Cairns Library at 12% of the total SFF population . SFF numbers at the Cairns Library tend to be highest >8,000 during the breeding and pup-rearing season, between October and early May. SFF numbers decrease after the breeding season (from April-May) and there can be times between late May and September when all individuals abandon the roost entirely.

Other species of Little red flying foxes (*Pteropus scapulatus*) will or may occupy the site on a seasonal basis also. These number from a few hunderd, to over a thousand species.

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



The Cairns City library and roost is entirely within an urban setting and has no natural water flows or hydrology relevant to the project area.

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

N/A

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

The Library property is listed on the State Heritage Register under the Queensland Heritage Act (1992) as the 'former Cairns City Council Chambers'. The heritage listing places restrictions on what can be undertaken at the site and includes both the buildings and natural assets of the entire public site.

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

All of the mature SFF roost trees of the Cairns Library are deliberately planted species and not endemic to the site. These have become part of the significant context of the public property and landscape setting.

Removal of other particular roost trees in the CBD has driven SFF to roost in increasing numbers at the Cairns Library, which has led to frequent and sustained damage to the trees ). A golden penda tree (*Xanthostemon chrysanthus*) at the Cairns Library, which is typically occupied by 50-200 SFF during the breeding season, has several dead branches in the crown, as a result of long-term and intense flying-fox use. Excessive SFF roosting impact/s is damaging and affecting all large host vegetation at the Library, contributing to habitat degradation and poor visual amenity.

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

N/A

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

The Cairns City Library has considerable aesthetic and architectural significance, and together with its surrounding grounds and mature plantings and style of architecture, is adapted to suit a tropical climate. The heritage listed building makes a considerable contribution to the Cairns streetscape. The building itself is in good condition and upkeep. The white and vibrant building requires constant maintenance to keep the exterior clean and free of bat faeces and related body fluids and regurgitated food.

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

N/A

**3.9 Describe any Indigenous heritage values relevant to the project area.**

N/A

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

Cairns Regional Council freehold land.

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

The site and grounds are all part of the Cairns public library.

## Section 4 - Measures to avoid or reduce impacts

Provide a description of measures that will be implemented to avoid, reduce, manage or offset any relevant impacts of the action. Include, if appropriate, any relevant reports or technical advice relating to the feasibility and effectiveness of the proposed measures.

Examples of relevant measures to avoid or reduce impacts may include the timing of works, avoidance of important habitat, specific design measures, or adoption of specific work practices.

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

The success of the relocation works is heavily dependant upon the competence, experience and skill of the contracted ecologists, wildlife technicians and their understanding of Flying fox behaviour.

Cairns Regional Council have engaged Biodiversity Australia to develop and undertake the relocation works associated with this project. The decision to use Biodiversity Australia was based on the following;

- Extensive demonstrated experience in the field of flying-fox relocations,
- Extensive experience demonstrated by personnel undertaking the works,
- High success rate in successfully undertaking flying-fox relocation works,
- Specialised, non- lethal deterrent tools are utilised,
- Holistic and scientific based approach to flying-fox relocations,
- Thorough understanding of and ability to mitigate risks associated with flying-fox relocation works.

Biodiversity Australia staff will identify priority relocation sites in a range of areas and at varying locational bearings to the current camp. This is done to ensure that relocation works are not fighting or resisting the natural movements and behaviour of the Cairns SFF during the deterrent works.

A Council risk-assessment of the Flying fox relocation proposal also has comprehensive consideration of relative aspects and impacts.

In addition, Biodiversity Australia will determine and undertake, prior to relocation, the following;

**An Alternative roost study** - identifies all most suitable potential alternative roosting locations for the Cairns CBD population through a rigorous scientific process.

**Risk analysis and management** - Confirmation of alternative roosting identified; a thorough risk assessment will be undertaken and potential mitigation measures will be utilised. Key examples of a potential risk are an increase or potential for; wildlife stress or injury, formation of other non desirable roost locations, strike risks upon receptors such as public buildings, schools, Cairns International Airport.

In addition the following measures are scheduled;

- Community Extension and Education – notifying the community of the upcoming works to mitigate complains and limiting their interference etc;
- Undertaking on-ground relocation works for limited daily, early morning fly-in times only;
- Implement passive deterrents at current CBD roost locations only as required;
- The relocation program focuses on moving SFF short and incremental distances to acceptable interim sites and over short periods only;
- Animal welfare groups will be engaged to assist in the care of any SFF impacted directly or indirectly throughout the relocation;
- Establish a rapid response reporting platform for CRC staff and the public to quickly report new camp establishments and allow for rapid deployment of relocation staff

which utilises the methods presented within the FFRMP as soon as non-desirable (urban area) roosts form;

- Anticipation of Council's construction of a new flying- fox enclosure area, close to the city (to rear juvenile and orphaned SFF for re-release) and a create a passive SFF roost site.
- Thourough consideration that the relocation of the colony does not have any adverse effects on human health, safety and wellbeing.

*Refer CRC Flying fox Relocation Management Plan 2019*

**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 Spectacled flying-fox is undergoing continuing declines in population due to a range of known threats such as cyclone events, habitat loss (land clearing & agriculture), paralysis ticks, disease and birth abnormalities and observed mortalities, directly or indirectly associated with roosting proximity to built and non-natural environments. The species protection also formerly recognised in the recent upgrading of its conservation status by the Threatened Species Scientific Committee (Cth), determining sufficient evidence to support a change of status of the species under the EPBC Act from Vulnerable to Endangered.

Relative to the proposed undertaking of relocation of the CBD camp, the decision to move SFF is taken in the ultimate and long-term interest of their survival, and with increased opportunity in other natural and known, previous SFF roost locations. Outcomes of the relocation aim to achieve; reduced urban impacts from ongoing intensive construction and development, roads, elevated city heat (temperature levels, noise and ever declining health and available cover of suitable roost habitat, at the current city site.

The CRC Flying Fox Relocation Plan examines considerations for the relocation of camp in relation to effective environmental outcomes,

including the following;

- Identification of areas where it is acceptable and high natural habitat suitability for the relocated SFF camp to occur - incl. a close proximity to water, mature woody vegetation, at least several hectares in size, and buffered from existing sensitive urban land use areas:
- An acceptable roost site location area of non conflicting use with urban activities, and likely reduced threats and/or roost impacts;
- A listed methodology of dispersal options of how the SFF may be relocated;
- Consultation with key stakeholders and government agencies prior and at all times;
- Clear tasked responsibilities, actions and a reporting structure for those undertaking the relocation activities;
- Supporting a successful proposal plan, Council's financial sustainability of the proposed relocation scheme;
- Contingency management e.g. actions in identified unsuitable settlement areas and protocols for dealing with any injured animals, and;
- A priority and consideration of the health and welfare of flying-foxes at all times;
- Relocation of bats from the Cairns City Library shall provide both existing site vegetation and a relocated SFF colony, the opportunity to recover.

*Refer CRC Flying fox Relocation Management Plan 2019*



## **Section 5 – Conclusion on the likelihood of significant impacts**

A checkbox tick identifies each of the matters of National Environmental Significance you identified in section 2 of this application as likely to be a significant impact.

Review the matters you have identified below. If a matter ticked below has been incorrectly identified you will need to return to Section 2 to edit.

### **5.1.1 World Heritage Properties**

No

### **5.1.2 National Heritage Places**

No

### **5.1.3 Wetlands of International Importance (declared Ramsar Wetlands)**

No

### **5.1.4 Listed threatened species or any threatened ecological community**

No

### **5.1.5 Listed migratory species**

No

### **5.1.6 Commonwealth marine environment**

No

### **5.1.7 Protection of the environment from actions involving Commonwealth land**

No

### **5.1.8 Great Barrier Reef Marine Park**

No

### **5.1.9 A water resource, in relation to coal/gas/mining**

No

### **5.1.10 Protection of the environment from nuclear actions**

No

### **5.1.11 Protection of the environment from Commonwealth actions**

No

### **5.1.12 Commonwealth Heritage places overseas**

No

## **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.**

The proposal and actions to relocate Spectacled Flying foxes from the Cairns Library site is considered unlikely to have a significant or long-term impact on the EPBC listed endangered species. The intention of the deterrent activity is to prevent SFF roosting from occurring in high-risk urban areas. The planned relocation of the colony is considered in response to several factors specifically that includes the long term viability of the roost at the site, high mortality of young and new born pups during the recent breeding seasons, and also community concerns about the impacts of the roost on public health, safety and aesthetics of current roost site.

The reasons the deterrent proposal is unlikely to be a significant impact on the flying-foxes is due to the following;

- The proposal being undertaken is using accepted non-lethal methods of deterrent and dispersal actions directed at Flying foxes (i.e directed light and noise).
- The deterrent and relocation activities are scheduled for very short daily periods (the 'fly-in' times), consistent with QLD State Code of Practice: As-of-right authority to manage flying-foxes under the Code of Practice - Ecologically sustainable management of flying-fox roosts; Typical relocation and deterrent activity is only likely to take between 20 to 40 minutes and < 2 hours daily.
- The timing of the action is deliberately undertaken when SFF are not actively expected to be breeding, birthing or likely to have dependent young (est: May - July).
- Relocation activity is aimed at prevention of further vegetation damage occurring at the current roost site, where long term and persistent use of roost trees by flying-foxes is causing tree impacts and deterioration. Previous removal of other roost trees in the CBD in the course of ongoing urban development has increased SFF numbers at the Cairns Library, which in turn has led to frequent and unsustainable damage to all the remaining trees, for example;
  - All mature *Ficus elastica* and *F. benjamina* trees forming the library roost, which contain thousands of SFF during the breeding season, are also displaying signs of significant deterioration.
  - A single *Xanthostemon chrysanthus* (Golden Penda) tree at the Cairns Library, which is typically occupied by 50-200 SFF during the breeding season, has several dead branches in the



crown, as a result of long-term and intense flying-fox use. This tree has been assessed as having terminal decay and deterioration, reducing roost capacity further (to less than five large roost trees available).

- Council does not seek to exclude flying-foxes from capitalising on opportunities for feeding and using existing vegetation (trees) during the typical night foraging and movements of bats, if considered sustainable and not detrimental to individual tree health and vigour over the long term.

The methodology of the proposed SFF relocation approach will be staged and ensure the following;

- That all actions are being undertaken via formal comprehensive risk identification and management analysis identified for final alternative and suitable roosting sites.

- The determination of more favourable and sustainable SFF roosts is undertaken through (Biodiversity Australia's) rigorous scientific process, inclusive of GIS and field verification surveys, regional ecosystem types combined weighted overlays, historical uses and physical inspection/s. (The actions are aimed as supporting new camp locations that are within the normal range of SFF foraging and typical areas).

- The relocation action works are not aimed at preventing natural movements and behaviour of the Cairns SFF. For example, the main priority alternative roosting location may be identified within vegetation on the eastern side of the Trinity Inlet Cairns, however, post deterrent works, the SFF may choose to naturally travel in a western direction towards other agreeable and identified locations, or natural, suitable vegetation areas.

- Once the SFF colony has been relocated to the desired location, continual negative association works will continue at the original roost site for short periods only. These works are expected to be characterised by very low intensity deterrents at the original roost site.

- The relocation action is measured and undertaken by experienced and competent professional organisation, specialising and with a demonstrated history of successful relocation of flying-fox camps, for over 16 years.

Council is including the wider community, residents, businesses and bat carers, ensuring a balanced and inclusive consultation process as possible, prior to any actions.

Conclusion;

The actions to deter and relocate flying foxes at the site are considered a short-term impact to the species only, being deliberately undertaken to provide an increased opportunity of long-term survival to alternative or traditional natural roost areas close by. The city site is not considered a viable or suitable area for bats, as is evident negative species impacts due to the urban setting, high rates of ongoing adjacent construction activity, loss of roosting habitat and compounding reductions in tree health and canopy cover. The actions being undertaken are non-lethal deterrents or light and noise only, consistent with the current State code of practice in ecologically sustainable management of flying fox roosts. The deterrent actions are being supported by specialised and experienced wildlife ecologists with a proven track record of

effective flying fox management.

- Preferred relocation areas awithin a close distance of existing camp, maximizing the chances that flying foxes will successfully relocate to the intended area.

The timing of the action and component activities are

## **Section 6 – Environmental record of the person proposing to take the action**

Provide details of any proceedings under Commonwealth, State or Territory law against the person proposing to take the action that pertain to the protection of the environment or the conservation and sustainable use of natural resources.

### **6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Please explain in further detail.**

Cairns Regional Council regularly undertakes infrastructure projects in a variety of sensitive environments in or adjacent to the Wet Tropics, with consistent and

satisfactory environmental outcomes - including high levels of compliance on local, state and federal tiers. This involves proficient levels of project management,

comprehensive project-specific scoping and planning, and acquiring all necessary environmental approvals whilst having professional engagement in all associated

council contract works.

Cairns Regional Council's Water and Waste Department ensures compliance with licence requirements and strictly follows the Cairns Regional Council's Water and Waste Environmental

Policy which states the commitment we have in providing a service in an environmentally responsible manner.

Cairns Regional Council also employs environmental professionals in several internal departments to ensure proper environmental management, before, during and post all

construction and maintenance programs. In so doing Council makes all effort to ensure conditions and specific permit approvals are abided to and reporting mechanisms

followed accordingly.

Council regularly undertakes thorough assessment and reporting using specialised consultants to identify the presence of any endangered, vulnerable or threatened species of flora & fauna, as often will occur in particular local, high-value ecosystems or particular land areas – and then take steps to avoid, minimise, reduce or offset any actual or potential impacts.

Council has submitted more than ten (10) EPBC referrals to the Department in recent years, with the resulting federal assessment and response not identifying or triggering

any significant action or impact assessments for the projects to proceed. Council works are only undertaken according to authorised Environmental Management

Plans, Erosion and Sediment Control Plans and any required permit/approval conditions using appropriately trained staff.

Council takes pride in undertaking best practice operations, being environmentally aware and proactive in environmental management in the unique tropical environment

we operate in.

**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.**

Cairns Regional Council was found guilty of three (3) charges in the Cairns Magistrates Court for unlawfully disturbing flying foxes and trimming trees in 2014.

These charges laid (2016) are; Contravention (Offence)

- Section 88C (2) of the Nature Conservation Act 1992.

Drive or attempt to drive away a flying-fox from a flying-fox roost and the driving was unauthorised.

- Section 88C(3) of the Nature Conservation Act 1992.

Disturb a flying-fox roost and the disturbance was not authorised.

- Section 76 of the QLD Heritage Act.

Carry out development on a Queensland Heritage place for which an exemption certificate has been granted and contravened a condition of the

certificate.

**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

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

Cairns Regional Council Corporate Plan for 2017-2022,

*Vision*

- We will value our natural environment, lifestyle and surroundings

*Environmental Management*

- Council's policy on environmental management is both responsive to the regions tropical environment.

- Council seeks to achieve a sustainable, well-managed and healthy environment which will be achieved through sound planning policies that will value and protect Cairns pristine natural environment:

Reduction of carbon emissions by council;

Quality of our waterways;

Council's resource recovery rate;

State of Environment Report

Our Cairns 2019

Grow renewable energy sources

Maintain clean air, water and waste

KEY STRATEGIES, PLANS, SERVICES SUPPORTING POLICIES;

-Water Security Strategy

-Cairns Plan

-Biodiversity Strategy

-Energy Management Plan

-Reef Guardian Action Plan

-Water Demand Management Strategy

**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

#### **6.4.1 EPBC Act No and/or Name of Proposal.**

**2016/7745** Cairns Regional Council/Tree trimming on Cairns City Library property, QLD

13 Jul 2016

**2013/6937** Cairns Regional Council/Commercial development/Cairns CBD/Relocation of flying fox colony, Cairns QLD

16 Jul 2013

**2013/6794** Cairns Regional Council/Transport - land/Cape Tribulation Bloomfield Road, Bloomfield/QLD/Woobadda Creek Crossing Upgrade

20 Mar 2013

**2013/6786** Cairns Regional Council/Natural resources management/Approximately 2km west of Babinda/QLD/To undertake flood prevention

works to Giddens Creek

13 March 2013

**2012/6570** Cairns Regional Council/Waste management (sewerage)/Mossman/QLD/Mossman Wastewater Treatment Plant Upgrade, QLD

04 Oct 2012

**2012/6429** Cairns Regional Council/Waste management (sewerage)/Lot 22, Mossman/QLD/Mossman Waste Water Treatment Plant Upgrade, QLD

15 Jun 2012

**2012/6428** Cairns Regional Council/Transport - land/Whyanbeel, 10km north-east of Mossman/QLD/Baio Bridge Replacement, QLD

14 Jun 2012

**2012/6349** Cairns Regional Council/Residential development/Port Douglas/QLD/Demolition Works - Stage 1 Port Douglas Master Plan

13 Apr 2012

**2011/6227** Cairns Regional Council/Transport - land/Dinner Creek Road, Eubenangee/QLD/Dinner Creek Culvert Upgrade

21 Dec 2011

**2009/4858** Cairns Regional Council/Transport - land/Daintree to Cape Tribulation Road, 2 km North of Diwan /QLD/Cooper Creek Crossing Upgrade

16 April 2009

**2009/4731** Cairns Regional Council/Water management and use/Majuba and Junction Creeks, North QLD

06 February 2009

## Section 7 – Information sources

You are required to provide the references used in preparing the referral including the reliability of the source.

### 7.1 List references used in preparing the referral (please provide the reference source reliability and any uncertainties of source).

Reference Source	Reliability	Uncertainties
<p>Cairns Regional Council 2019. Corporate Plan. Website viewed 13/03/2019 <a href="https://www.cairns.qld.gov.au/council/news-publications/reports/corporate-plan">https://www.cairns.qld.gov.au/council/news-publications/reports/corporate-plan</a> Cairns Regional Council: Flying Fox Relocation Management Plan (FFRMP) (2019). DES (2018) 'Code of Practice'. Low impact activities affecting flying fox roosts. Website viewed 29/02/2019 <a href="https://environment.des.qld.gov.au/wildlife/livingwith/flyingfoxes/pdf/cp-wl-ff-low-impact-roosts.pdf">https://environment.des.qld.gov.au/wildlife/livingwith/flyingfoxes/pdf/cp-wl-ff-low-impact-roosts.pdf</a> EPBC Referral guidelines <a href="http://www.environment.gov.au/epbc/policy-statements">http://www.environment.gov.au/epbc/policy-statements</a>: Species Profile and Threats Database Viewed 18/03/2019 <a href="https://www.environment.gov.au/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance">https://www.environment.gov.au/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance</a> Significant Impact Guidelines 1.1 - Matters of National Environmental Significance Viewed 18/03/2019 <a href="https://www.environment.gov.au/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance">https://www.environment.gov.au/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance</a></p>	All reliable information sources	None



## **Section 8 – Proposed alternatives**

You are required to complete this section if you have any feasible alternatives to taking the proposed action (including not taking the action) that were considered but not proposed.

### **8.0 Provide a description of the feasible alternative?**

Council regards the relocation action as preferable and required for long-term welfare and sustainability of the protected SFF. The action is proactive management, if undertaken according to the accepted deterrent methodology, seeking to reduce further SFF impacts, compounding vegetation destruction and ongoing bat mortalities at the city roost site.

No acceptable or feasible alternative has been considered at this time,

### **8.1 Select the relevant alternatives related to your proposed action.**

#### **8.27 Do you have another alternative?**

No

## **Section 9 – Contacts, signatures and declarations**

Where applicable, you must provide the contact details of each of the following entities: Person Proposing the Action; Proposed Designated Proponent and; Person Preparing the Referral. You will also be required to provide signed declarations from each of the identified entities.

### **9.0 Is the person proposing to take the action an Organisation or an Individual?**

Organisation

#### **9.2 Organisation**

##### **9.2.1 Job Title**

Manager Community Development

##### **9.2.2 First Name**

Brett

##### **9.2.3 Last Name**

Spencer

##### **9.2.4 E-mail**

council@cairns.qld.gov.au

##### **9.2.5 Postal Address**

119-145 Spence Street  
Cairns QLD 4870  
Australia

##### **9.2.6 ABN/ACN**

ABN

24310025910 - Cairns Regional Council

##### **9.2.7 Organisation Telephone**

1300 69 22 47

##### **9.2.8 Organisation E-mail**

council@ Cairns.qld.gov.au

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

Not applicable

**Small Business Declaration**

I have read the Department of the Environment and Energy's guidance in the online form concerning the definition of a small a business entity and confirm that I qualify for a small business exemption.

Signature:..... Date: .....

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

No

**9.2.9.3 Under sub regulation 5.21A(5), you must include information about the applicant (if not you) the grounds on which the waiver is sought and the reasons why it should be made**

**Person proposing the action - Declaration**

I, BRETT SPENCER, 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 of or for the benefit of any other person or entity.

Signature:..... Date: 08/04/19

I, BRETT SPENCER, the person proposing the action, consent to the designation of CAIRNS REGIONAL COUNCIL as the proponent of the purposes of the action describe in this EPBC Act Referral.

Signature:..... Date: 08/04/19

**9.3 Is the Proposed Designated Proponent an Organisation or Individual?**

Organisation

**9.5 Organisation**

**9.5.1 Job Title**

Manager Community Development

**9.5.2 First Name**

Brett

**9.5.3 Last Name**

Spencer

**9.5.4 E-mail**

b.spencer@cairns.qld.gov.au

**9.5.5 Postal Address**

119-145 Spence Street  
Cairns QLD 4870  
Australia

**9.5.6 ABN/ACN**

ABN

24310025910 - Cairns Regional Council

**9.5.7 Organisation Telephone**

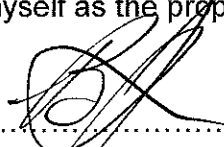
1300 69 22 47

**9.5.8 Organisation E-mail**

council@cairns.qld.gov.au

**Proposed designated proponent - Declaration**

I, BRETT SPENCER, 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:.......... Date: 08/04/2019

**9.6 Is the Referring Party an Organisation or Individual?**

Organisation

**9.8 Organisation**

**9.8.1 Job Title**

Manager Community Development

**9.8.2 First Name**

Brett

**9.8.3 Last Name**

Spencer

**9.8.4 E-mail**

b.spencer@cairns.qld.gov.au

**9.8.5 Postal Address**

119-145 Spence Street  
Cairns QLD 4870  
Australia

**9.8.6 ABN/ACN**

ABN

24310025910 - Cairns Regional Council

**9.8.7 Organisation Telephone**

1300 692247

**9.8.8 Organisation E-mail**

council@cairns.qld.gov.au

**Referring Party - Declaration**

I, BRETT SPENCER, I declare that to the best of my knowledge the information I have given 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:  ..... Date: 08/04/19 .....

## **Appendix A - Attachments**

The following attachments have been supplied with this EPBC Act Referral:

1. CRC Flying Fox Relocation Management Plan 2019.pdf
2. Cairns City Library EPBC.jpg
3. Corporate Plan2017 -22.pdf