



Referral of proposed action

What is a referral?

The *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) provides for the protection of the environment, especially matters of national environmental significance (NES). Under the EPBC Act, a person must not take an action that has, will have, or is likely to have a significant impact on any of the matters of NES without approval from the Australian Government Environment Minister or the Minister's delegate. (Further references to 'the Minister' in this form include references to the Minister's delegate.) To obtain approval from the Environment Minister, a proposed action should be referred. The purpose of a referral is to obtain a decision on whether your proposed action will need formal assessment and approval under the EPBC Act.

Your referral will be the principal basis for the Minister's decision as to whether approval is necessary and, if so, the type of assessment that will be undertaken. These decisions are made within 20 business days, provided sufficient information is provided in the referral.

Who can make a referral?

Referrals may be made by or on behalf of a person proposing to take an action, the Commonwealth or a Commonwealth agency, a state or territory government, or agency, provided that the relevant government or agency has administrative responsibilities relating to the action.

When do I need to make a referral?

A referral must be made for actions that are likely to have a significant impact on the following matters protected by Part 3 of the EPBC Act:

- World Heritage properties (sections 12 and 15A)
- National Heritage places (sections 15B and 15C)
- Wetlands of international importance (sections 16 and 17B)
- Listed threatened species and communities (sections 18 and 18A)
- Listed migratory species (sections 20 and 20A)
- Protection of the environment from nuclear actions (sections 21 and 22A)
- Commonwealth marine environment (sections 23 and 24A)
- Great Barrier Reef Marine Park (sections 24B and 24C)
- A water resource, in relation to coal seam gas development and large coal mining development (sections 24D and 24E)
- The environment, if the action involves Commonwealth land (sections 26 and 27A), including:
 - actions that are likely to have a significant impact on the environment of Commonwealth land (even if taken outside Commonwealth land);
 - actions taken on Commonwealth land that may have a significant impact on the environment generally;
- The environment, if the action is taken by the Commonwealth (section 28)
- Commonwealth Heritage places outside the Australian jurisdiction (sections 27B and 27C)

You may still make a referral if you believe your action is not going to have a significant impact, or if you are unsure. This will provide a greater level of certainty that Commonwealth assessment requirements have been met.

To help you decide whether or not your proposed action requires approval (and therefore, if you should make a referral), the following guidance is available from the Department's website:

- the Policy Statement titled Significant Impact Guidelines 1.1 – Matters of National Environmental Significance. Additional sectoral guidelines are also available.

- the Policy Statement titled Significant Impact Guidelines 1.2 - Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies.
- the Policy Statement titled Significant Impact Guidelines: Coal seam gas and large coal mining developments—Impacts on water resources.
- the interactive map tool (enter a location to obtain a report on what matters of NES may occur in that location).

Can I refer part of a larger action?

In certain circumstances, [the Minister may not accept a referral for an action that is a component of a larger action and may request the person proposing to take the action to refer the larger action for consideration under the EPBC Act \(Section 74A, EPBC Act\)](#). If you wish to make a referral for a staged or component referral, read 'Fact Sheet 6 Staged Developments/Split Referrals' and contact the Referrals Gateway (1800 803 772).

Do I need a permit?

Some activities may also require a permit under other sections of the EPBC Act or another law of the Commonwealth. Information is available on the Department's web site.

Is your action in the Great Barrier Reef Marine Park?

If your action is in the Great Barrier Reef Marine Park it may require permission under the *Great Barrier Reef Marine Park Act 1975* (GBRMP Act). If a permission is required, referral of the action under the EPBC Act is deemed to be an application under the GBRMP Act (see section 37AB, GBRMP Act). This referral will be forwarded to the Great Barrier Reef Marine Park Authority (the Authority) for the Authority to commence its permit processes as required under the Great Barrier Reef Marine Park Regulations 1983. If a permission is not required under the GBRMP Act, no approval under the EPBC Act is required (see section 43, EPBC Act). The Authority can provide advice on relevant permission requirements applying to activities in the Marine Park.

The Authority is responsible for assessing applications for permissions under the GBRMP Act, GBRMP Regulations and Zoning Plan. Where assessment and approval is also required under the EPBC Act, a single integrated assessment for the purposes of both Acts will apply in most cases. Further information on environmental approval requirements applying to actions in the Great Barrier Reef Marine Park is available from <http://www.gbrmpa.gov.au/> or by contacting GBRMPA's Environmental Assessment and Management Section on (07) 4750 0700.

The Authority may require a permit application assessment fee to be paid in relation to the assessment of applications for permissions required under the GBRMP Act, even if the permission is made as a referral under the EPBC Act. Further information on this is available from the Authority:

Great Barrier Reef Marine Park Authority

2-68 Flinders Street PO Box 1379

Townsville QLD 4810

AUSTRALIA

Phone: + 61 7 4750 0700

Fax: + 61 7 4772 6093

www.gbrmpa.gov.au

What information do I need to provide?

[Completing all parts of this form will ensure that you submit the required information and will also assist the Department to process your referral efficiently. If a section of the referral document is not applicable to your proposal enter N/A.](#)

You can complete your referral by entering your information into this Word file.

Instructions

Instructions are provided in blue text throughout the form.

Attachments/supporting information

The referral form should contain sufficient information to provide an adequate basis for a decision on the likely impacts of the proposed action. You should also provide supporting documentation, such as environmental reports or surveys, as attachments.

Coloured maps, figures or photographs to help explain the project and its location should also be submitted with your referral. Aerial photographs, in particular, can provide a useful perspective and context. Figures should be good quality as they may be scanned and viewed electronically as black and white documents. Maps should be of a scale that clearly shows the location of the proposed action and any environmental aspects of interest.

Please ensure any attachments are below three megabytes (3mb) as they will be published on the Department's website for public comment. To minimise file size, enclose maps and figures as separate files if necessary. If unsure, contact the Referrals Gateway (email address below) for advice. Attachments larger than three megabytes (3mb) may delay processing of your referral.

Note: the Minister may decide not to publish information that the Minister is satisfied is commercial-in-confidence.

How do I pay for my referral?

From 1 October 2014 the Australian Government commenced cost recovery arrangements for environmental assessments and some strategic assessments under the EPBC Act. If an action is referred on or after 1 October 2014, then cost recovery will apply to both the referral and any assessment activities undertaken. Further information regarding cost recovery can be found on the Department's website at:

<http://www.environment.gov.au/epbc/publications/cost-recovery-cris>

Payment of the referral fee can be made using one of the following methods:

- EFT Payments can be made to:

BSB: 092-009

Bank Account No. 115859

Amount: \$7352

Account Name: Department of the Environment.

Bank: Reserve Bank of Australia

Bank Address: 20-22 London Circuit Canberra ACT 2601

Description: The reference number provided (see note below)

- Cheque - Payable to "Department of the Environment". Include the reference number provided (see note below), and if posted, address:

The Referrals Gateway

Environment Assessment Branch

Department of the Environment

GPO Box 787

Canberra ACT 2601

- Credit Card

Please contact the Collector of Public Money (CPM) directly (call (02) 6274 2930 or 6274 20260 and provide the reference number (see note below).

Note: in order to receive a reference number, submit your referral and the Referrals Gateway will email you the reference number.

How do I submit a referral?

Referrals may be submitted by mail or email.

Mail to:

Referrals Gateway

Environment Assessment Branch

Department of Environment

GPO Box 787

CANBERRA ACT 2601

- If submitting via mail, electronic copies of documentation (on CD/DVD or by email) are required.

Email to: epbc.referrals@environment.gov.au

- Clearly mark the email as a 'Referral under the EPBC Act'.
- Attach the referral as a Microsoft Word file and, if possible, a PDF file.
- [Follow up with a mailed hardcopy including copies of any attachments or supporting reports.](#)

What happens next?

Following receipt of a valid referral (containing all required information) you will be advised of the next steps in the process, and the referral and attachments will be published on the Department's web site for public comment.

The Department will write to you within 20 business days to advise you of the outcome of your referral and whether or not formal assessment and approval under the EPBC Act is required. There are a number of possible decisions regarding your referral:

The proposed action is NOT LIKELY to have a significant impact and does NOT NEED approval. No further consideration is required under the environmental assessment provisions of the EPBC Act and the action can proceed (subject to any other Commonwealth, state or local government requirements).

The proposed action is NOT LIKELY to have a significant impact IF undertaken in a particular manner.

The action can proceed if undertaken in a particular manner (subject to any other Commonwealth, state or local government requirements). The particular manner in which you must carry out the action will be identified as part of the final decision. You must report your compliance with the particular manner to the Department.

The proposed action is LIKELY to have a significant impact and does NEED approval.

If the action is likely to have a significant impact a decision will be made that it is a *controlled action*. The particular matters upon which the action may have a significant impact (such as World Heritage values or threatened species) are known as the *controlling provisions*.

The controlled action is subject to a public assessment process before a final decision can be made about whether to approve it. The assessment approach will usually be decided at the same time as the controlled action decision. (Further information about the levels of assessment and basis for deciding the approach are available on the Department's web site.)

The proposed action would have UNACCEPTABLE impacts and CANNOT proceed.

The Minister may decide, on the basis of the information in the referral, that a referred action would have clearly unacceptable impacts on a protected matter and cannot proceed.

Compliance audits

If a decision is made to approve a project, the Department may audit it at any time to ensure that it is completed in accordance with the approval decision or the information provided in the referral. If the project changes, such that the likelihood of significant impacts could vary, you should write to the Department to advise of the changes. If your project is in the Great Barrier Reef Marine Park and a decision is made to approve it, the Authority may also audit it. (See "*Is your action in the Great Barrier Reef Marine Park*," p.2, for more details).

For more information

- call the Department of the Environment Community Information Unit on 1800 803 772 or
- visit the web site <http://www.environment.gov.au/epbc>

All the information you need to make a referral, including documents referenced in this form, can be accessed from the above web site.

Referral of proposed action

Project title: Francis Street, Tivoli

1 Summary of proposed action

NOTE: You must also attach a map/plan(s) and associated geographic information system (GIS) vector (shapefile) dataset showing the location and approximate boundaries of the area in which the project is to occur. Maps in A4 size are preferred. You must also attach a map(s)/plan(s) showing the location and boundaries of the project area in respect to any features identified in 3.1 & 3.2, as well as the extent of any freehold, leasehold or other tenure identified in 3.3(i).

1.1 Short description

Use 2 or 3 sentences to uniquely identify the proposed action and its location.

Gohardsen Pty Ltd, the applicant, proposes to subdivide land for residential purposes on land located at 7, 21 and 61 Francis Street and 14 Church Street, Tivoli, properly described as Lot 1 on RP135008, Lot 68 on M3147, Lot 5 on RP111821 and Lot 1 on RP160803 (site).

The potential for the proposed development to have a significant impact on Matters of National Environmental Significance (MNES) is considered to be very low. However, this submission has been prepared to meet the applicant's obligations under the EPBC Act and receive confirmation that an assessment under the EPBC Act is not required to allow the development to proceed.

1.2 Latitude and longitude

Latitude and longitude details are used to accurately map the boundary of the proposed action. If these coordinates are inaccurate or insufficient it may delay the processing of your referral.

External Site Boundaries	GDA-94	
	Latitude	Longitude
Point 1	S27°35'03.59"	E152°46'04.85"
Point 2	S27°35'02.64"	E152°46'05.86"
Point 3	S27°35'01.00"	E152°46'03.91"
Point 4	S27°34'50.79"	E152°46'11.46"
Point 5	S27°34'47.36"	E152°46'17.80"
Point 6	S27°34'45.23"	E152°46'25.98"
Point 7	S27°34'53.32"	E152°46'35.15"
Point 8	S27°34'57.89"	E152°46'30.02"
Point 9	S27°34'59.51"	E152°46'31.84"
Point 10	S27°35'04.21"	E152°46'26.60"
Point 11	S27°35'07.91"	E152°46'30.76"
Point 12	S27°35'12.55"	E152°46'25.59"
Point 13	S27°35'13.33"	E152°46'26.79"
Point 14	S27°35'14.07"	E152°46'25.96"
Point 15	S27°35'13.01"	E152°46'25.07"
Point 16	S27°35'17.67"	E152°46'19.88"
Point 17	S27°35'18.40"	E152°46'16.66"
Point 18	S27°35'16.95"	E152°46'16.14"
Point 19	S27°35'17.54"	E152°46'14.81"
Point 20	S27°35'16.54"	E152°46'14.45"
Point 21	S27°35'16.33"	E152°46'15.92"
Point 22	S27°35'15.71"	E152°46'15.69"
Point 23	S27°35'16.11"	E152°46'14.30"
Point 24	S27°35'12.28"	E152°46'12.93"
Point 25	S27°35'09.77"	E152°46'08.06"
Point 26	S27°35'04.04"	E152°46'05.38"

Refer to Attachment 1 – Site Extents Plan showing the location and approximate boundaries of the site. Also find attached (electronically) the associated GIS-compliant file which delineates the proposed referral area.

The Interactive Mapping Tool may provide assistance in determining the coordinates for your project area.

If the area is less than 5 hectares, provide the location as a single pair of latitude and longitude references. If the area is greater than 5 hectares, provide bounding location points.

There should be no more than 50 sets of bounding location coordinate points per proposal area.

Bounding location coordinate points should be provided sequentially in either a clockwise or anticlockwise direction.

If the proposed action is linear (eg. a road or pipeline), provide coordinates for each turning point.

Also attach the associated GIS-compliant file that delineates the proposed referral area. If the area is less than 5 hectares, please provide the location as a point layer. If greater than 5 hectares, please provide a polygon layer. If the proposed action is linear (eg. a road or pipeline) please provide a polyline layer (refer to GIS data supply guidelines at [Attachment A](#)).

Do not use AMG coordinates.

1.3 Locality and property description

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

The site is located in the Ipswich City Local Government Area at Francis Street, Tivoli QLD 4305.

1.4	Size of the development footprint or work area (hectares)	The total land area of the site is 50.91 ha.	
1.5	Street address of the site	7, 21 and 61 Francis Street and 14 Church Street, Tivoli.	
1.6	Lot description Describe the lot numbers and title description, if known.	<ul style="list-style-type: none"> • Lot 68 on M3147 (14.468 ha) • Lot 5 on RP111821 (4.906 ha) • Lot 1 on RP135008 (12.032 ha) • Lot 1 on RP160803 (19.502 ha). 	
1.7	Local Government Area and Council contact (if known) If the project is subject to local government planning approval, provide the name of the relevant council contact officer.	<ul style="list-style-type: none"> • Local Government: Ipswich City Council, PO Box 191, Ipswich, QLD, 4305 (Telephone: (07) 3810 6666) • Responsible Officer: Mitchell Grant and Michael Simmons • Application Reference: 7980/2009. 	
1.8	Time frame Specify the time frame in which the action will be taken including the estimated start date of construction/operation.	<p>The development will be staged in accordance with the approved plans (refer Attachment 5 – Approved Plans). Commencement is anticipated within the next two (2) years.</p>	
1.9	Alternatives to proposed action Were any feasible alternatives to taking the proposed action (including not taking the action) considered but are not proposed?	<input checked="" type="radio"/>	No
		<input type="radio"/>	Yes, you must also complete section 2.2
1.10	Alternative time frames etc Does the proposed action include alternative time frames, locations or activities?	<input checked="" type="radio"/>	No
		<input type="radio"/>	Yes, you must also complete Section 2.3. For each alternative, location, time frame, or activity identified, you must also complete details in Sections 1.2-1.9, 2.4-2.7 and 3.3 (where relevant).
1.11	State assessment Is the action subject to a state or territory environmental impact assessment?	<input checked="" type="radio"/>	<p>No</p> <p>The application did not require the preparation of an Environmental Impact Assessment. However, the application was referred to the following State agencies for their assessment as part of the IDAS process under the <i>Integrated Planning Act 1997</i> (IPA):</p> <ul style="list-style-type: none"> • Department of Transport and Main Roads (DTMR) • Department of Environment and Heritage Protection (EHP), previously the Department of Environment and Resource Management (DERM) • Department of State Development, Infrastructure and Planning (DSDIP), now the Department of Infrastructure, Local Government and Planning, and previously the Department of Infrastructure and Planning (DIP) • Energex Limited

		Yes, you must also complete Section 2.5
1.12	Component of larger action Is the proposed action a component of a larger action?	<input type="radio"/> No <input type="radio"/> Yes, you must also complete Section 2.7
1.13	Related actions/proposals Is the proposed action related to other actions or proposals in the region (if known)?	<input type="radio"/> No <input type="radio"/> Yes, provide details:
1.14	Australian Government funding Has the person proposing to take the action received any Australian Government grant funding to undertake this project?	<input type="radio"/> No <input type="radio"/> Yes, provide details:
1.15	Great Barrier Reef Marine Park Is the proposed action inside the Great Barrier Reef Marine Park?	<input type="radio"/> No <input type="radio"/> Yes, you must also complete Section 3.1 (h), 3.2 (e)

2 Detailed description of proposed action

NOTE: It is important that the description is complete and includes all components and activities associated with the action. If certain related components are not intended to be included within the scope of the referral, this should be clearly explained in section 2.7.

2.1 Description of proposed action

This should be a detailed description outlining all activities and aspects of the proposed action and should reference figures and/or attachments, as appropriate.

Gohardsen Pty Ltd, the applicant, propose to subdivide land for residential purposes on land located at Francis Street, Tivoli QLD 4305 (refer Attachment 5 – Approved Plans). The site is described as Lot 68 on M3147, Lot 5 on RP111821, Lot 1 on RP135008 and Lot 1 on RP160803. The total area of the site is 50.91 ha. The proposed development will result in the clearing of 508 mature trees ($\geq 200\text{mm}$ diameter at breast height (DBH)), which is the reason for this referral (refer Attachment 4 – Vegetation Management Further Advice). However, the development will retain a significant area of vegetation on the site, and the applicant will implement a Revegetation Plan as outlined in Attachment 4, which involves the replacement planting of 508 trees on the site.

The site is currently vacant land with a substantial amount of vegetation on-site and is located in an area surrounded by residential purposes adjoining the site to the west, east and south. Further east and south of the site are large landholdings along the Bremer River. These land uses are appropriately separated from the site via existing roads and surrounding development. To the north of the site are large vacant landholdings and to the north-east are land uses for residential purposes. These land uses are separated from the site via the Warrego Highway (refer to Attachment 5 – Approved Plans).

Gohardsen Pty Ltd lodged a development application with Council in December 2009 for Reconfiguring a Lot (four (4) lots into eighty-one (81) lots) and Material Change of Use (Preliminary Approval to Override the Planning Scheme) (Council Application Reference: 7980/2009).

On 24 May 2012, Gohardsen Pty Ltd received a Decision Notice from the Council approving the development. On 5 March 2013 a Negotiated Decision Notice was issued to the applicant which replaces Council's previous Decision Notice issued on 24 May 2012 (refer Attachment 2 – Ipswich City Council Negotiated Decision Notice).

Prior to lodgement of the development application over the site, advice on the clearing of remnant vegetation was sought from the former Department of Natural Resources and Water (now the Department of Natural Resources and Mines) to confirm whether the clearing of vegetation on-site for the development could be undertaken under an exemption.

Correspondence from the former Department of Natural Resources and Water (now the Department of Natural Resources and Mines) dated 10 November 2008 confirmed that the proposed clearing of remnant vegetation for the development was exempt under Schedule 8, Part 1, Table 4, 1A, (g) of the IPA. The clearing of remnant vegetation on-site was considered exempt by the department as the clearing of remnant 'of concern' vegetation on-site is for an urban purpose in an urban area (refer Attachment 6 – DNRW Vegetation Clearing Exemption).

Notwithstanding this, whilst vegetation clearing for the development is considered exempt; the development retains a significant amount of vegetation as part of the development concept.

During the Information Request Stage of the development application process, a Vegetation Survey and an Ecological Report was undertaken for the site as part of a response to Council's Information Request. The Vegetation Survey undertaken for the site provided a summary of the number of trees of each species on-site while the Ecological Report provided an evaluation of species of significance within the site. Refer Attachment 3 – Vegetation Survey and Ecological Report.

A Stormwater Management Strategy dated 12 December 2011 was prepared as part of the response to Council's Information Request, and was subsequently approved by Council.

BAAM provided further advice on 5 February 2013 to supplement the Vegetation Survey and Ecological Report (refer Attachment 4 – Vegetation Management Further Advice). The advice was in response to Condition 23(a) of the superseded Decision Notice issued on 24 May 2012, which required the following:

23. Vegetation Retention

- (a) *The vegetation survey as presented in the Tree Survey and Ecological Advice Letter prepared by Biodiversity Assessment and Management Pty Ltd (dated 24 May 2011) does not include an area for lots 100 to 105 in the defined construction footprint. The applicant must submit an amended vegetation survey taking into account the building envelope plan prepared and approved as required in condition 4 (a) – Building Location Envelope Plan above. The amended advice letter must be submitted in conjunction with an application for operational works and may necessitate changes to the number of native trees to be planted as set out in the following parts of this condition.*

As a result of the further advice being issued to Council, this condition was removed in the subsequent Negotiated Decision Notice issued on 5 March 2013.

During the development application process and liaison with relevant State agencies, the proposed development was modified to ensure improved environmental outcomes were achieved. The design of the proposed subdivision has been developed through detailed assessment of on-site ecological values and in consultation with relevant State agency representatives.

The following documents are attached:

- Ipswich City Council Approval (refer Attachment 2 – Ipswich City Council Negotiated Decision Notice and Attachment 5 – Approved Plans).
- Vegetation Clearing Exemption (refer Attachment 6 – DNRW Vegetation Clearing Exemption).
- Response to Ipswich City Council's Information Request dated 18 August 2011, which includes:
 - A Vegetation Survey of trees on-site prepared by Biodiversity, Assessment and Management Pty Ltd (BAAM Pty Ltd) dated 24 May 2011 (refer Attachment 3 – Vegetation Survey and Ecological Report).
 - An Ecological Report which details the extent of the ecology within the site area prepared by BAAM Pty Ltd dated 24 May 2011 (refer Attachment 3 – Vegetation Survey and Ecological Report).
- Drawing No. 1183.006 (refer Attachment 1 – Site Extents Plan).
- Tree Survey and Ecological Advice Letter (as per Condition 23 of Council's superseded). Refer Attachment 4 – Vegetation Management Further Advice.
- A targeted ecological assessment to provide an independent assessment of the importance of the site for Koala, prepared by BAAM to accompany this referral (refer Attachment 7 – EPBC Act Koala Assessment).

Copies of the development application material which comprise detailed information of the proposed development can be found on the Ipswich City Council's website's "Planning and Development Online" services at: <http://pdonline.ipswich.qld.gov.au/pdonline/user/home/default.aspx> and can be accessed by:

1. agreeing to the Disclaimer
2. choosing 'Application Enquiry'
3. inserting Application Number (i.e. 7980/2009).

2.2 Alternatives to taking the proposed action

This should be a detailed description outlining any feasible alternatives to taking the proposed action (including not taking the action) that were considered but are not proposed (note, this is distinct from any proposed alternatives relating to location, time frames, or activities – see section 2.3).

Not applicable.

2.3 Alternative locations, time frames or activities that form part of the referred action

If you have identified that the proposed action includes alternative time frames, locations or activities (in section 1.10) you must complete this section. Describe any alternatives related to the physical location of the action, time frames within which the action is to be taken and alternative methods or activities for undertaking the action. For each alternative location, time frame or activity identified, you must also complete (where relevant) the details in sections 1.2-1.9, 2.4-2.7, 3.3 and 4. Please note, if the action that you propose to take is determined to be a controlled action, any alternative locations, time frames or activities that are identified here may be subject to environmental assessment and a decision on whether to approve the alternative.

Not applicable.

2.4 Context, planning framework and state/local government requirements

Explain the context in which the action is proposed, including any relevant planning framework at the state and/or local government level (e.g. within scope of a management plan, planning initiative or policy framework). Describe any Commonwealth or state legislation or policies under which approvals are required or will be considered against.

In accordance with the IDAS process under the *Integrated Planning Act 1997* (IPA) (which was in effect at the time of lodgement), the following provides a summary of each stage of the development application process:

Assessment Manager

Ipswich City Council

Application Stage

The development application was lodged with Council in December 2009 (Application Reference: 7980/2009) for Reconfiguring a Lot (four (4) lots into eighty one (81) lots) and Material Change of Use (Preliminary Approval to Override the Planning Scheme). The application was approved by Council on 24 May 2012. A Negotiated Decision Notice was issued to the applicant on 5 March 2012 and replaces Council's previous Decision Notice issued on 24 May 2012 (refer Attachment 2 – Ipswich City Council Negotiated Decision Notice).

Referral Stage

The Development Application was referred to the following Referral Agencies:

- Department of Transport and Main Roads (DTMR)
- Department of Environment and Heritage Protection (EHP), previously the Department of Environment and Resource Management
- The Department of State Development, Infrastructure and Planning (DSDIP), now the Department of Infrastructure, Local Government and Planning
- Energex Limited.

Information Request Stage

As part of the Information Request Stage of the development application process, the Ipswich City Council issued an Information Request to the applicant on 19 January 2010. Under items 16 and 17 of Ipswich City Council's Information Request, further information was requested in connection with a Vegetation Survey and Ecological Report for the site.

In response to Ipswich City Council's Information Request, the applicant provided a response on 18 August 2011 which included:

- A Vegetation Survey of trees on-site prepared by BAAM dated 24 May 2011 which details:
 - Position
 - Height (m)

- DBH (mm)
 - Canopy spread (m)
 - Canopy condition (poor, thick, typical, one-sided, thinning, die-back, epicormic, spread, lopped, multi-trunk, trunk damage, seeding)
 - Tree condition (fire damage, poor, typical, healthy, vines)
 - Fauna signs and habitat values (scratches, hollows, perches, nests, termites).
- An Ecological Report prepared by BAAM dated 24 May 2011 which details the extent of the ecology within the site area. Important biodiversity values are also highlighted in the Ecological Report; linkages with external areas are addressed for species that inhabit both the site area and external sites and recommendations are provided by BAAM for the conservation of important habitats for species.

As part of the Ecological Report, a desktop investigation was also undertaken in order to detail the existing identified rare and threatened species within 10 km surrounding the site area. Field surveys were taken, recording the existing numbers of species identified in the desktop survey.

Refer Attachment 3 – Vegetation Survey and Ecological Report.

Public Notification

The application was advertised in accordance with the IPA. Three submissions from nearby neighbours were received during the notification period and raised their objections and concerns in regard to the proposed development.

Decision Stage

Responses from the following Referral Agencies have been received in regard to the application:

- DTMR dated 12 October 2011
- EHP dated 21 April 2010
- DSDIP (now DILGP) dated 5 May 2010
- Energex dated 28 April 2010.

Refer to Referral Agency Responses included in Attachment 2 – Ipswich City Council Negotiated Decision Notice.

Council approved the application and issued a Decision Notice on 24 May 2012. A Negotiated Decision Notice was issued to the applicant on 5 March 2012 and replaces Council's previous Decision Notice issued on 24 May 2012 (refer Attachment 2 – Ipswich City Council Negotiated Decision Notice).

2.5 Environmental impact assessments under Commonwealth, state or territory legislation

If you have identified that the proposed action will be or has been subject to a state or territory environmental impact statement (in section 1.11) you must complete this section. Describe any environmental assessment of the relevant impacts of the project that has been, is being, or will be carried out under state or territory legislation. Specify the type and nature of the assessment, the relevant legislation and the current status of any assessments or approvals. Where possible, provide contact details for the state/territory assessment contact officer.

Describe or summarise any public consultation undertaken, or to be undertaken, during the assessment. Attach copies of relevant assessment documentation and outcomes of public consultations (if available).

Not applicable.

2.6 Public consultation (including with Indigenous stakeholders)

Your referral must include a description of any public consultation that has been, or is being, undertaken. Where Indigenous stakeholders are likely to be affected by your proposed action, your referral should describe any consultations undertaken with Indigenous stakeholders. Identify the relevant stakeholders and the status of consultations at the time of the referral. Where appropriate include copies of documents recording the outcomes of any consultations.

An Aboriginal Cultural Heritage Search was carried out using the Queensland Government's Cultural Heritage Database and Register and search results on 17 September 2013 showed no Aboriginal Cultural Heritage items are recorded on-site. Refer Attachment 8 – Cultural Heritage Search Response.

In accordance with the Aboriginal Cultural Heritage Duty of Care provisions of the *Aboriginal Cultural Heritage Act 2003*, all reasonable and practicable measures will be undertaken to ensure the proposed development does not harm Aboriginal cultural heritage. Any objects that may be of cultural significance that are identified during the development process will be reported to the relevant Aboriginal Party and/or government representatives. Operations will cease in the area of find until the relevant Aboriginal Party and/or government representatives ensure that such objects are appropriately handled and proper reporting is undertaken in accordance with the Aboriginal Cultural Heritage Duty of Care Guidelines.

In the event any objects that may be of cultural significance that are identified during the development process, liaison with the Cultural Heritage Body Jagera Daran Pty Ltd will be carried out and a Cultural Heritage Management Plan prepared in liaison with the Party if required.

The application was advertised in accordance with the IPA. Three submissions from nearby neighbours were received during the notification period and raised their objections and concerns in regard to the proposed development.

2.7 A staged development or component of a larger project

If you have identified that the proposed action is a component of a larger action (in section 1.12) you must complete this section. Provide information about the larger action and details of any interdependency between the stages/components and the larger action. You may also provide justification as to why you believe it is reasonable for the referred action to be considered separately from the larger proposal (eg. the referred action is 'stand-alone' and viable in its own right, there are separate responsibilities for component actions or approvals have been split in a similar way at the state or local government levels).

Not applicable.

3 Description of environment & likely impacts

3.1 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.

Your assessment of likely impacts should refer to the following resources (available from the Department's web site):

- specific values of individual World Heritage properties and National Heritage places and the ecological character of Ramsar wetlands;
- 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*; and
- associated sectoral and species policy statements available on the web site, as relevant.

Your assessment of likely impacts should consider whether a bioregional plan is relevant to your proposal. The Minister has prepared four marine bioregional plans (MBP) in accordance with section 176. It is likely that the MBP's will be more commonly relevant where listed threatened species, listed migratory species or a Commonwealth marine area is considered.

Note that even if your proposal will not be taken in a World Heritage area, Ramsar wetland, Commonwealth marine area, the Great Barrier Reef Marine Park or on Commonwealth land, it could still impact upon these areas (for example, through downstream impacts). Consideration of likely impacts should include both direct and indirect impacts.

3.1 (a) World Heritage Properties

Description

Not applicable.

Nature and extent of likely impact

Address any impacts on the World Heritage values of any World Heritage property.

Not applicable.

3.1 (b) National Heritage Places

Description

Not applicable.

Nature and extent of likely impact

Address any impacts on the National Heritage values of any National Heritage place.

Not applicable.

3.1 (c) Wetlands of International Importance (declared Ramsar wetlands)

Description

A Wetland of International Importance (RAMSAR) 'Moreton Bay' has been identified over 41 kilometres from the site, to the east. Due to the considerable distance, it is not anticipated to be impacted upon as a result of the proposed development (refer to Attachment 5 – Approved Plans).

In addition, a search of the site was conducted using the Department of Environment and Heritage Protection (EHP) 'Map of Referable Wetlands' website. The site is not identified as being constrained by wetlands on State Government mapping.

The Ecological Report prepared by BAAM dated 24 May 2011 identifies that there are man-made wetlands within the study area and may provide locally-important habitat for conservation species. However, the wetlands are not proposed to be directly impacted upon by the development (refer Attachment 3 – Vegetation Survey and Ecological Report).

Nature and extent of likely impact

[Address any impacts on the ecological character of any Ramsar wetlands.](#)

The potential for the proposed action to impact on the Wetland of International Importance (RAMSAR) identified as 'Moreton Bay' is considered unlikely as the site is located a considerable distance (i.e. > 41 km) from Moreton Bay. In any event, appropriate water management measures will be implemented as part of the development as requested by the Council development approval.

3.1 (d) Listed threatened species and ecological communities

Description

A number of listed threatened species and ecological communities are shown as likely to occur within the area in the EPBC Act Protected Matters Report, with a five (5) kilometre buffer (refer Attachment 9 – EPBC Act Protected Matters Report generated 10 December 2015).

Threatened Ecological Communities

The Protected Matters Search Tool database (5 kilometre buffer) identified two (2) Threatened Ecological Communities (TECs) that may occur within the area (refer Attachment 9 – EPBC Act Protected Matters Report):

- Lowland Rainforest of Subtropical Australia
- White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland

The site is dominated by eucalypt woodland and no Lowland Rainforest is present on or in proximity of the site.

Box-Gum Grassy Woodland occurs along the western slopes and tablelands of the Great Dividing Range from southern Queensland through New South Wales and the Australian Capital Territory to Victoria. This TEC is not present in the local landscape.

Threatened Species

Database searches (refer Attachment 9 – EPBC Act Protected Matters Report) recorded or predicted the presence of a number of EPBC Act listed threatened flora and fauna species within a 5 kilometre buffer.

Flora

Attachment 3 – Vegetation Survey and Ecological Report details the vegetation survey undertaken over a period of two days on 23 and 24 February 2011. The plant species are listed in Attachment 3, and are not identified as threatened flora under the EPBC Act. A revegetation plan has been formulated by BAAM based on the results of the detailed survey results, which involves the planting of 508 trees on the site as replacement trees for those to be cleared (refer Attachment 4 – Vegetation Management Further Advice).

Fauna

Table 1 below gives an assessment of the likelihood of occurrence of each listed species (information derived from Attachment 3 – Vegetation Survey and Ecological Report):

Table 1 – Threatened Species Likelihood of Occurrence

Species	Common Name	EPBC Code	Status	Type of Presence	Likelihood of Occurrence	Potential Impact of Development
Birds						
<i>Anthochaera phrygia</i>	Regent Honeyeater	82338	Critically Endangered	Foraging, feeding or related behaviour may occur within area	Occurs in dry open woodlands, strongly associated with mistletoes. (Higgins et al. 2001). No suitable habitat and not expected to occur.	-
<i>Botaurus poiciloptilus</i>	Australasian Bittern	1001	Endangered	Species or species habitat likely to occur within area	No suitable habitat present on the site.	-
<i>Dasyornis brachypterus</i>	Eastern Bristlebird	533	Endangered	Species or species habitat likely to occur within area	No suitable habitat present on the site and species is not known in the local landscape.	
<i>Erythrorhynchus radiatus</i>	Red Goshawk	942	Vulnerable	Species or species habitat known to occur within area	Occurs in woodlands and forests, ideally with a mosaic of vegetation types and permanent water, particularly riverine forests. No nest site found and unlikely to occur.	-
<i>Geophaps scripta scripta</i>	Squatter Pigeon (southern)	64440	Vulnerable	Species or species habitat may occur within area	Occurs in open dry sclerophyll woodland with grassy understorey, nearly always near permanent water. Not present east of the Great Dividing Range in SEQ so not likely to occur.	-
<i>Grantiella picta</i>	Painted Honeyeater	470	Vulnerable	Species or species habitat may occur within area	Rare vagrant in area and the site has low level of mistletoe and therefore is unlikely to have any relevance to this species.	-
<i>Lathamus discolor</i>	Swift Parrot	744	Endangered	Species or species habitat likely to occur within area	This species breeds in Tasmania during spring and summer, dispersing widely across south-eastern Australia during winter. Movements on the mainland are little understood and the species is considered nomadic and irruptive, moving in response to flowering eucalypt food resources (Higgins 1999). It is infrequently, though	Loss of some potential habitat (flowering eucalypts).

Species	Common Name	EPBC Code	Status	Type of Presence	Likelihood of Occurrence	Potential Impact of Development
					possibly annually, recorded in south-eastern Queensland. Potential to occur very rarely.	
<i>Poephila cincta cincta</i>	Black-throated Finch (southern)	64447	Endangered	Species or species habitat may occur within area	No suitable habitat, species is considered to be extinct south of Rockhampton.	
<i>Rostratula australis</i>	Australian Painted Snipe	77037	Endangered	Species or species habitat likely to occur within area	Occurs in terrestrial shallow wetlands, both ephemeral and permanent, usually freshwater but occasionally brackish. Also uses inundated grasslands, saltmarsh, dams, rice crops, sewage farms and bore drains (Marchant and Higgins 1993). Waterbodies within study area not large enough so unlikely to occur.	-
<i>Turnix melanogaster</i>	Black-breasted Button-quail	923	Vulnerable	Species or species habitat likely to occur within area	A rainforest and scrub species for which the site has no suitable habitat.	
Fish						
<i>Maccullochella mariensis</i>	Mary River Cod	83806	Endangered	Translocated population known to occur within area	Marine species not assessed due to lack of habitat.	-
<i>Neoceratodus forsteri</i>	Australian Lungfish, Queensland Lungfish	67620	Vulnerable	Species or species habitat known to occur within area	Marine species not assessed due to lack of habitat.	-
Mammals						
<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat, Large Pied Bat	183	Vulnerable	Species or species habitat likely to occur within area	Occurs in dry eucalypt, <i>Acacia</i> and <i>Callitris</i> forests and woodlands. No suitable roost sites in the study area, but the species has potential to forage over the study area.	Loss of some potential woodland foraging habitat.
<i>Dasyurus hallucatus</i>	Northern Quoll	331	Endangered	Species or species habitat may occur within area	Although found in a variety of habitats, it is most common in rocky eucalypt woodland and open forest within 200 kilometres of the coast.	-
<i>Dasyurus maculatus</i>	Spot-tailed Quoll,	75184	Endangered	Species or species	They shelter in rock caves and hollow	-

Species	Common Name	EPBC Code	Status	Type of Presence	Likelihood of Occurrence	Potential Impact of Development
<i>maculatus</i> (SE mainland population)	Spotted-tail Quoll, Tiger Quoll (southeastern mainland population)			habitat may occur within area	logs or trees, with basking sites usually nearby (Menkhorst and Knight 2004). Occur in a wide variety of habitats including rainforests, wet and dry sclerophyll forests, coastal heath, scrub and sometimes Red Gum forests along inland rivers. Study area is isolated in suburban matrix so unlikely to occur.	
<i>Phascolarctos cinereus</i> (combined populations of Qld, NSW and the ACT)	Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)	85104	Vulnerable	Species or species habitat known to occur within area	Known to occur on occasion in the past. Further discussion below.	Loss of food trees. Further discussion below.
<i>Potorous tridactylus tridactylus</i>	Long-nosed Potoroo (SE mainland)	66645	Vulnerable	Species or species habitat may occur within area	Recorded in a variety of habitat types including disturbed subtropical and warm-temperature rainforests, tall open forests with a moist understorey, woodland with tussock grass, open forest with shrubby understorey, and heathlands. Although the vegetation type used by this species varies, they are generally captured in areas where there is a dense ground cover and are reluctant to move from dense undergrowth (Heinsohn 1968; Seebeck 1981; Menkhorst and Beardsell 1982; Amos 1983; Bennett 1993). Habitat structure unsuitable, so unlikely to occur.	-
<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	186	Vulnerable	Roosting known to occur within area	Occurs in rainforests, open forests, woodlands and melaleuca swamps. No roosting camp within the study area, but may visit to forage in flowering	Loss of some potential foraging habitat (large flowering eucalypts).

Species	Common Name	EPBC Code	Status	Type of Presence	Likelihood of Occurrence	Potential Impact of Development
					trees.	
Reptiles						
<i>Delma torquata</i>	Collared Delma	1656	Vulnerable	Species or species habitat known to occur within area	Occurs in open eucalypt forest with a shrub and tussock grass understorey, preferring areas with loose surface rocks, including rocky slopes and ridge tops. Habitats in study area are largely unsuitable, so unlikely to occur.	-
<i>Furina dunmali</i>	Dunmall's Snake	59254	Vulnerable	Species or species habitat may occur within area	Most records appear in open forests and woodlands, particularly brigalow and woodlands growing on cracking black clay and clay loams (Cogger et al. 1993). However, the species has also been recorded from dry eucalypt forests and anecdotal evidence suggests it may even occur in vine thickets. No suitable habitat and unlikely to occur.	-

Koala

A further targeted ecological assessment was undertaken by BAAM in October 2015 to provide an independent assessment of the importance of the site for Koala (refer Attachment 7 – EPBC Act Koala Assessment). The habitat assessment was performed in accordance with the EPBC Act referral guidelines for Koala.

No Koala or signs of recent activity by Koalas were observed during the 2015 field assessment, despite numerous traverses across the study area. However, signs of Koala activity (tree scratches) were noticed during the previous survey (BAAM 2011), which suggests that the study area is utilised by Koala on occasion, or has been in the past.

The Koala habitat assessment tool resulted in a score of six (6), which recognises Koala habitat within the site as 'habitat critical to the survival of Koala' under the EPBC Act referral guidelines. The assessment further concluded that the risk of significant impact on the species is low, based on the following factors (further discussed in Attachment 7 – EPBC Act Koala Assessment):

- Although clearing of Koala habitat is proposed, the clearing will be staged and it is intended that this habitat will be replaced on the site as part of approval conditions (at a ratio of approximately 1:1, BAAM 2013). The offset plantings will provide the species with ongoing resources for feeding and movement.
- High value Koala habitats will be retained across much of the site, and the proposed development is expected to cause minimal fragmentation.
- A single scratch showing the characteristics of a Koala was observed previously in the study area by BAAM (2011). Prior to that, the most recent record of a Koala in the vicinity of the study area was made on 15 August 2000. Therefore there is a low risk of significant impact on the density and abundance of Koalas.
- Vegetation clearing will be conducted under the guidance of a qualified fauna spotter/catcher and in accordance with the *Nature Conservation (Koala) Conservation Plan 2205 and Management Program 2005-2015*.
- The proposed development is not expected to increase the risk of vehicle-related incidents involving Koala in the local landscape, increase the risk of disease or pathogens significantly impacting on the local Koala population, nor significantly increase the presence of barriers to movement in the local landscape.
- Whilst the study area supports Koala habitat, the utilisation of this habitat by Koala appears to be limited with low likelihood of the site providing any importance for species recovery in the local landscape. The extant habitat is unlikely to be important for achieving the interim recovery objectives for the relevant context.

Based on the results of the assessment, it is considered the proposed action would have a low risk of significant impacts on Koala. This conclusion is based on the site providing high value habitat for Koala, much of that habitat being retained despite some disturbance, and the low level of present utilisation of the site by Koala (refer Attachment 7 – EPBC Act Koala Assessment).

Nature and extent of likely impact

[Address any impacts on the members of any listed threatened species \(except a conservation dependent species\) or any threatened ecological community, or their habitat.](#)

No EPBC-listed threatened ecological communities or listed flora species were recorded within the project area and are not expected to be present.

Based on the assessment undertaken by BAAM and discussed in Table 1 – Threatened Species Likelihood of Occurrence above, the proposed action is not expected to have a significant impact on listed threatened species. Further discussion is provided in Attachment 3 – Vegetation Survey and Ecological Assessment.

The proposed action is assessed as having a low risk of significant impacts on the Koala (refer Attachment 7 – EPBC Act Koala Assessment).

3.1 (e) Listed migratory species

Description

Database searches recorded or predicted the presence of 14 species listed as migratory species under the EPBC Act within a 5 kilometre buffer (refer Attachment 9 – EPBC Act Protected Matters Report). Table 2 – Migratory Species Likelihood of Occurrence below discusses the likelihood of occurrence and potential impact on the listed migratory species, based in information provided in Attachment 3 – Vegetation Survey and Ecological Report.

Table 2 – Migratory Species Likelihood of Occurrence

Species	Common Name	EPBC Code	Status	Type of Presence	Likelihood of Occurrence	Potential Impact of Development
Migratory Marine Birds						
<i>Apus pacificus</i>	Fork-tailed Swift	678	Migratory	Species or species habitat likely to occur within area	An aerial insectivore that occurs over open country (Pizzey and Knight 2003). Likely to occur as an occasional aerial visitor over the study area.	No impact likely.
Migratory Terrestrial Species						
<i>Cuculus optatus</i>	Oriental Cuckoo, Horsfield's Cuckoo	86651	Migratory	Species or species habitat known to occur within area	Occurs in monsoon forest, rainforest edges and mangroves in eastern and far northern Queensland (Pizzey and Knight 2003). Likely to occur.	Loss of some potential woodland habitat.
<i>Hirundapus caudacutus</i>	White-throated Needletail	682	Migratory	Species or species habitat known to occur within area	An aerial insectivore that occurs over open country (Pizzey and Knight 2003). Likely to occur as a regular aerial visitor over the study area.	No impact likely.
<i>Merops ornatus</i>	Rainbow Bee-eater	670	Migratory	Species or species habitat may occur within area	Known to occur.	Loss of some woodland habitat, but impact not likely to be significant.
<i>Monarcha melanopsis</i>	Black-faced Monarch	609	Migratory	Species or species habitat known to occur within area	Found in rainforests, wet sclerophyll forests, denser eucalyptus forests, deep gullies, regrowth and mangroves. No dense or wet forest on site, unlikely to occur.	-
<i>Monarcha trivirgatus</i>	Spectacled Monarch	610	Migratory	Species or species habitat known to occur within area	Found in low dense vegetation, mainly in rainforests, but also in wet sclerophyll forests and other dense vegetation such as mangroves, drier sclerophyll forests, woodlands, parks and gardens (Higgins et al. 2006b). No dense or wet forest on site, unlikely to occur.	-
<i>Motacilla flava</i>	Yellow Wagtail	644	Migratory	Species or species habitat may occur within area	No suitable habitat and species is unknown from local area.	-
<i>Myiagra cyanoleuca</i>	Satin Flycatcher	612	Migratory	Species or species habitat known to occur	Mostly found in eucalypt forest, favouring wet forests, moist gullies and	-

Species	Common Name	EPBC Code	Status	Type of Presence	Likelihood of Occurrence	Potential Impact of Development
				within area	watercourses. They are largely absent from regrowth forests. Uncommon in SEQ, unlikely to occur.	
<i>Rhipidura rufifrons</i>	Rufous Fantail	592	Migratory	Species or species habitat known to occur within area	Occurs in rainforests, riverine and swamp woodlands and forest usually with moderately dense canopy cover and with two lower strata (Higgins et al. 2006a). Likely to occur.	Loss of some potential woodland habitat.
Migratory Wetlands Species						
<i>Ardea alba</i>	Great Egret, White Egret	59541	Migratory	Species or species habitat known to occur within area	Occurs in shallows of a variety of freshwater and tidal wetlands (Marchant and Higgins 1990). Likely to be a regular visitor to the wetland on the northern boundary of the study area.	No direct impact on wetland habitat. Potential for reduced water quality (from run-off of sediment and pollutants) in wetland to affect food availability.
<i>Ardea ibis</i>	Cattle Egret	59542	Migratory	Species or species habitat may occur within area	Inhabits grasslands, wetlands and wooded lands, often foraging in pasture and crops. Strongly associated with grazing animals (Pringle 1985; Marchant and Higgins 1990). Could occur sporadically when the grassland is mowed.	No impact likely.
<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe	863	Migratory	Species or species habitat may occur within area	Occurs in swamp and marsh margins and in wet pasture (Pringle 1987). Could occur sporadically in the wetland at the northern boundary of the study area.	No direct impact on wetland habitat. Potential for reduced water quality (from run-off of sediment and pollutants) in wetland to affect food availability.
<i>Pandion haliaetus</i>	Osprey	952	Migratory	Species or species habitat known to occur within area	Found along the Australian coastline and may occur far inland on rivers and lakes, particularly in wet years (Debus 1998). No nest site and not expected to occur.	-
<i>Tringa nebularia</i>	Common Greenshank, Greenshank	832	Migratory	Species or species habitat likely to occur within area	A typical marine species which may inhabit wetland areas. No suitable habitat present.	-

Nature and extent of likely impact

Address any impacts on the members of any listed migratory species, or their habitat.

Table 2 – Migratory Species Likelihood of Occurrence above discusses likelihood of occurrence and potential impact on migratory species listed under the EPBC Act. Further discussion is provided in Attachment 3 – Vegetation Survey and Ecological Assessment. No significant impact is expected on listed migratory species.

3.1 (f) Commonwealth marine area

(If the action is in the Commonwealth marine area, complete 3.2(c) instead. This section is for actions taken outside the Commonwealth marine area that may have impacts on that area.)

Description

Not applicable.

Nature and extent of likely impact

Address any impacts on any part of the environment in the Commonwealth marine area.

Not applicable.

3.1 (g) Commonwealth land

(If the action is on Commonwealth land, complete 3.2(d) instead. This section is for actions taken outside Commonwealth land that may have impacts on that land.)

Description

If the action will affect Commonwealth land also describe the more general environment. The Policy Statement titled *Significant Impact Guidelines 1.2 - Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies* provides further details on the type of information needed. If applicable, identify any potential impacts from actions taken outside the Australian jurisdiction on the environment in a Commonwealth Heritage Place overseas.

The database search conducted on 10 December 2015 identified two (2) occurrences of Commonwealth Land within a five (5) kilometre buffer of the site (refer Attachment 9 – EPBC Act Protected Matters Report):

- Defence – Commonwealth Centre – 3rd Floor
- Defence – Ipswich Training Depot.

Nature and extent of likely impact

Address any impacts on any part of the environment in the Commonwealth land. Your assessment of impacts should refer to the *Significant Impact Guidelines 1.2 - Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies* and specifically address impacts on:

- ecosystems and their constituent parts, including people and communities;
- natural and physical resources;
- the qualities and characteristics of locations, places and areas;
- the heritage values of places; and
- the social, economic and cultural aspects of the above things.

The proposed development to subdivide land for residential purposes on land located at Francis Street, Tivoli QLD 4305 is not likely to impact on the Commonwealth land identified in the EPBC Act Protected Matters Report.

3.1 (h) The Great Barrier Reef Marine Park

Description

Not applicable.

Nature and extent of likely impact

Address any impacts on any part of the environment of the Great Barrier Reef Marine Park.

Not applicable.

Note: If your action occurs in the Great Barrier Reef Marine Park you may also require permission under the *Great Barrier Reef Marine Park Act 1975* (GBRMP Act). If so, section 37AB of the GBRMP Act provides that your referral under the EPBC Act is deemed to be an application under the GBRMP Act and Regulations for necessary permissions and a single integrated process will generally apply. Further information is available at www.gbrmpa.gov.au

3.1 (i) A water resource, in relation to coal seam gas development and large coal mining development

Description

If the action is a coal seam gas development or large coal mining development that has, or is likely to have, a significant impact on water resources, the draft *Policy Statement Significant Impact Guidelines: Coal seam gas and large coal mining developments—Impacts on water resources* provides further details on the type of information needed.

Not applicable.

Nature and extent of likely impact

Address any impacts on water resources. Your assessment of impacts should refer to the draft *Significant Impact Guidelines: Coal seam gas and large coal mining developments—Impacts on water resources*.

Not applicable.

3.2 Nuclear actions, actions taken by the Commonwealth (or Commonwealth agency), actions taken in a Commonwealth marine area, actions taken on Commonwealth land, or actions taken in the Great Barrier Reef Marine Park

You must describe the nature and extent of likely impacts (both direct & indirect) on the whole environment if your project:

- is a nuclear action;
- will be taken by the Commonwealth or a Commonwealth agency;
- will be taken in a Commonwealth marine area;
- will be taken on Commonwealth land; or
- will be taken in the Great Barrier Reef marine Park.

Your assessment of impacts should refer to the *Significant Impact Guidelines 1.2 - Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies* and specifically address impacts on:

- ecosystems and their constituent parts, including people and communities;
- natural and physical resources;
- the qualities and characteristics of locations, places and areas;
- the heritage values of places; and
- the social, economic and cultural aspects of the above things.

3.2 (a)

Is the proposed action a nuclear action?

Ü

No

Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment

3.2 (b)	Is the proposed action to be taken by the Commonwealth or a Commonwealth agency?	Ü	No
			Yes (provide details below)
If yes, nature & extent of likely impact on the whole environment			
3.2 (c)	Is the proposed action to be taken in a Commonwealth marine area?	Ü	No
			Yes (provide details below)
If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(f))			
3.2 (d)	Is the proposed action to be taken on Commonwealth land?	Ü	No
			Yes (provide details below)
If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(g))			
3.2 (e)	Is the proposed action to be taken in the Great Barrier Reef Marine Park?	Ü	No
			Yes (provide details below)
If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(h))			

3.3 Other important features of the environment

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 above). If at Section 2.3 you identified any alternative locations, time frames or activities for your proposed action, you must complete each of the details below (where relevant) for each alternative identified.

3.3 (a) Flora and fauna

The site is currently vacant land with a substantial amount of vegetation on-site and is located in an area surrounded by residential purposes adjoining the site to the west, east and south.

The site comprises remnant 'of concern' vegetation and as shown on the Queensland Government's regional ecosystem mapping, and 'essential habitat' on the essential habitat map (refer Attachment 10 – Regulated Vegetation Management Map).

Prior to the lodgement of the development application over the site, advice on the clearing of remnant vegetation was sought from Department of Natural Resources and Water (now the Department of Natural Resources and Mines) to confirm whether the clearing of vegetation on-site for the development could be undertaken under an exemption.

Correspondence from the Department of Natural Resources and Water dated 10 November 2008 confirmed that the proposed clearing of remnant vegetation for the development is exempt under Schedule 8, Part 1, Table 4, 1A, (g) of the IPA. The clearing of remnant vegetation on-site was considered exempt by the department as the clearing of remnant 'of concern' vegetation on-site is for an urban purpose in an urban area (refer Attachment 6 – DNRW Vegetation Clearing Exemption).

Notwithstanding this, whilst vegetation clearing for the development is considered exempt; the development retains a significant amount of vegetation as part of the development concept.

Furthermore, clearing of remnant vegetation will be limited to that which is necessary for the site and in accordance with the conditions of approval for the development (refer Attachment 2 – Ipswich City Council Negotiated Decision Notice).

During the Information Request Stage of the development application process, a Vegetation Survey and an Ecological Report was undertaken for the site as part of a response to items 16 and 17 of Ipswich City Council's Information Request.

The Vegetation Survey undertaken for the site provided a summary of the number of trees of each species on-site. The Vegetation Survey of trees on-site was prepared by BAAM Pty Ltd dated 24 May 2011 and provided an assessment on:

- Position
- Height (m)
- DBH (mm)
- Canopy spread (m)
- Canopy condition (poor, thick, typical, one-sided, thinning, die-back, epicormic, spread, lopped, multi-trunk, trunk damage, seeding)
- Tree condition (fire damage, poor, typical, healthy, vines)
- Fauna signs and habitat values (scratches, hollows, perches, nests, termites).

The Ecological Report prepared for the Site provided an evaluation of species of significance within the site. The Ecological Report was prepared by BAAM Pty Ltd dated 24 May 2011 which detailed the extent of the ecology within the site area. Important biodiversity values were also highlighted in the Ecological Report; linkages with external areas were addressed for species that inhabit both the site area and external sites and recommendations were provided by BAAM Pty Ltd for the conservation of important habitats for species.

Refer Attachment 3 – Vegetation Survey and Ecological Report.

A further assessment of Koala habitat on the site is discussed in Attachment 7 – EPBC Act Koala Assessment).

3.3 (b) Hydrology, including water flows

Two small and one larger wetland occur within the study area. All appear to be man-made or the product of past earth-works disturbance. The two small wetlands are embedded in the eucalypt open forest, while the larger dam on the northern boundary is largely in the open.

A Stormwater Management Strategy was prepared by Cardno dated 12 December 2011, as a response to Council's Information Request during development assessment process, and subsequently approved by Council.

3.3 (c) Soil and Vegetation characteristics

The site is currently vacant land with a substantial amount of vegetation on-site and is located in an urban area surrounded by urban purposes.

In regard to vegetation characteristics on-site, refer to response in 3.3(a) above.

In regard to soil characteristics, the mapped regional ecosystem on the site (refer Attachment 10 – Regulated Vegetation Management Map) is described as occurring on Cainozoic and Mesozoic sediments.

3.3 (d) Outstanding natural features

Not applicable.

3.3 (e) Remnant native vegetation

The site is mapped as comprising remnant 'of concern' vegetation and as shown on the Queensland Government's regional ecosystem mapping, and 'essential habitat' on the essential habitat map (refer Attachment 10 – Regulated Vegetation Management Map).

3.3 (f) Gradient (or depth range if action is to be taken in a marine area)

Most of the site spans a northerly trending spur line, whereas a drainage line extends along the western boundary. General ground slopes in the order of 5 to 10 degrees exist. Steep fill batter slopes exist along the eastern side of the drainage line.

3.3 (g) Current state of the environment

Include information about the extent of erosion, whether the area is infested with weeds or feral animals and whether the area is covered by native vegetation or crops.

Four main fauna habitat types occur within the site, namely mixed eucalypt open forest, dense acacia regrowth, grassland and man-made wetlands (dams) (refer Attachment 3 – Vegetation Survey and Ecological Assessment).

The site is currently vacant land with a substantial amount of vegetation on-site and is located in an area surrounded by residential purposes adjoining the site to the west, east and south. Further east and south of the site are large landholdings along the Bremer River. These land uses are appropriately separated from the site via existing roads and surrounding development. To the north of the site are large vacant landholdings and to the north-east is land used for residential purposes. These land uses are separated from the site via the Warrego Highway.

The site has historically been used for mining, which was subsequently rehabilitated and substantial assessments were prepared regarding geotechnical stability. These were subsequently approved by Council.

Four introduced species were recorded in the study area during the field survey. Tracks consistent with Dog *Canis familiaris* were attributed to domestic dogs, rather than feral dogs. One declared pest species, Red Fox (Class 2) has the potential to occur on the site (refer Attachment 3 – Vegetation Survey and Ecological Assessment).

3.3 (h) Commonwealth Heritage Places or other places recognised as having heritage values

Not applicable.

3.3 (i) Indigenous heritage values

An Aboriginal Cultural Heritage Search was carried out using the Queensland Government's Cultural Heritage Database and Register and search results on 17 September 2013 showed no Aboriginal Cultural Heritage items are recorded on-site. Refer Attachment 8 – Cultural Heritage Search Response.

In accordance with the Aboriginal Cultural Heritage Duty of Care provisions of the *Aboriginal Cultural Heritage Act 2003*, all reasonable and practicable measures will be undertaken to ensure the proposed development does not harm Aboriginal cultural heritage. Any objects that may be of cultural significance that are identified during the development process will be reported to the relevant Aboriginal Party and/or government representatives. Operations will cease in the area of find until the relevant Aboriginal Party and/or government representatives ensure that such objects are appropriately handled and proper reporting is undertaken in accordance with the Aboriginal Cultural Heritage Duty of Care Guidelines.

In the event any objects that may be of cultural significance that are identified during the development process, liaison with the Cultural Heritage Body Jagera Daran Pty Ltd will be carried out and a Cultural Heritage Management Plan prepared in liaison with the Party if required.

3.3 (j) Other important or unique values of the environment

Describe any other key features of the environment affected by, or in proximity to the proposed action (for example, any national parks, conservation reserves, wetlands of national significance etc).

A desktop search of the area surrounding the site has been conducted through *Google Earth* which identifies the following important environmental features surrounding the land:

National Parks

- D'Aguilar National Park (10 km to the north)

The site is located a considerable distance from this area and is not anticipated to have direct environmental impacts on this environmental feature.

Regional Parks

- Denmark Hill Conservation Park (4 km to the south)
- Ipswich Pteropus Conservation Park (3 km to the south-west)
- Moggill Regional Park (9.7 km to the north-east).

The site is located a considerable distance from these areas and is not anticipated to have direct environmental impacts on these environmental features.

Lakes

- Lake Manchester (10 km to the north).

The site is located a considerable distance from this area and is not anticipated to have direct environmental impacts on this environmental feature.

Other

- Edward Corbould Reserve (8 km to the north).

The site is located a considerable distance from this area and is not anticipated to have direct environmental impacts on this environmental feature.

3.3 (k) Tenure of the action area (eg freehold, leasehold)

The tenure of the site is freehold.

3.3 (l) Existing land/marine uses of area

The site is currently vacant.

3.3 (m) Any proposed land/marine uses of area

Refer to response in Section 2.1 above.

4 Environmental outcomes

Provide descriptions of the proposed environmental outcomes that will be achieved for matters of national environmental significance as a result of the proposed action. Include details of the baseline data upon which the outcomes are based, and the confidence about the likely achievement of the proposed outcomes. Where outcomes cannot be identified or committed to, provide explanatory details including any commitments to identify outcomes through an assessment process.

If a proposed action is determined to be a controlled action, the Department may request further details to enable application of the draft *Outcomes-based Conditions Policy 2015* and *Outcomes-based Conditions Guidance 2015* (<http://www.environment.gov.au/epbc/consultation/policy-guidance-outcomes-based-conditions>), including about environmental outcomes to be achieved, details of baseline data, milestones, performance criteria, and monitoring and adaptive management to ensure the achievement of outcomes. If this information is available at the time of referral it should be included.

General commitments to achieving environmental outcomes, particularly relating to beneficial impacts of the proposed action, CANNOT be taken into account in making the initial decision about whether the proposal is likely to have a significant impact on a matter protected under the EPBC Act. (But those commitments may be relevant at the later assessment and approval stages, including the appropriate level of assessment, and conditions of approval, if your proposal proceeds to these stages).

The proposed development will retain a significant area of vegetation on the site. The assessment conducted by BAAM conclude that there are expected to be no significant impact on MNES as a result of this development.

5 Measures to avoid or reduce impacts

Note: If you have identified alternatives in relation to location, time frames or activities for the proposed action at Section 2.3 you will need to complete this section in relation to each of the alternatives identified.

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.

For any measures intended to avoid or mitigate significant impacts on matters protected under the EPBC Act, specify:

- what the measure is,
- how the measure is expected to be effective, and
- the time frame or workplan for the measure.

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.

Provide information about the level of commitment by the person proposing to take the action to achieve the proposed environmental outcomes and implement the proposed mitigation measures. For example, if the measures are preliminary suggestions only that have not been fully researched, or are dependent on a third party's agreement (e.g. council or landowner), you should state that, that is the case.

Note, the Australian Government Environment Minister may decide that a proposed action is not likely to have significant impacts on a protected matter, as long as the action is taken in a particular manner (section 77A of the EPBC Act). The particular manner of taking the action may avoid or reduce certain impacts, in such a way that those impacts will not be 'significant'. More detail is provided on the Department's web site.

For the Minister to make such a decision (under section 77A), the proposed measures to avoid or reduce impacts must:

- clearly form part of the referred action (eg be identified in the referral and fall within the responsibility of the person proposing to take the action),
- be must be clear, unambiguous, and provide certainty in relation to reducing or avoiding impacts on the matters protected, and
- must be realistic and practical in terms of reporting, auditing and enforcement.

More general commitments (eg preparation of management plans or monitoring) and measures aimed at providing environmental offsets, compensation or off-site benefits CANNOT be taken into account in making the initial decision about whether the proposal is likely to have a significant impact on a matter protected under the EPBC Act. (But those commitments may be relevant at the later assessment and approval stages, including the appropriate level of assessment, if your proposal proceeds to these stages).

The assessments conducted by BAAM concluded that the proposed development is not expected to have a significant impact on MNES.

Mitigation measures to avoid or minimise any potential impacts are outlined in Attachment 4 – Vegetation Management Further Advice.

The applicant will implement a Revegetation Plan as outlined in Attachment 4 – Vegetation Management Further Advice, which involves the planting of 508 trees on the site, to replace the 508 mature trees which are estimated to be cleared as part of the proposed development. Management measures are also outlined to ensure vegetation clearing is carried out with best practice methods, and fauna movement is facilitated through the site where possible.

6 Conclusion on the likelihood of significant impacts

Identify whether or not you believe the action is a controlled action (ie. whether you think that significant impacts on the matters protected under Part 3 of the EPBC Act are likely) and the reasons why.

6.1 Do you THINK your proposed action is a controlled action?

<input checked="" type="checkbox"/>	No, complete section 5.2
<input type="checkbox"/>	Yes, complete section 5.3

6.2 Proposed action IS NOT a controlled action.

Specify the key reasons why you think the proposed action is NOT LIKELY to have significant impacts on a matter protected under the EPBC Act.

The proposed action is not expected to have a significant impact on MNES. This referral has been prepared confirm that the proposed action is not a controlled action and further assessment under the EPBC Act is not required. Assessment of the site against the EPBC Act can be summarised as follows:

- No world heritage properties occur on or near the proposed action.
- No national heritage places occur on or near the proposed action.
- The closest wetlands of international importance (listed under the Ramsar Convention) is Moreton Bay, located approximately 41 kilometres from the proposed action, and will not be impacted on by the proposed action.
- No TECs were identified at the site.
- No significant impact is expected on listed threatened species.
 - A targeted assessment of the potential impact on Koala was undertaken in accordance with the EPBC Act referral guidelines for Koala. Based on the results of the assessment, it is considered the proposed action would have a low risk of significant impacts on Koala. This conclusion is based on the site providing high value habitat for Koala, much of that habitat being retained despite some disturbance, and the low level of present utilisation of the site by Koala.
- No significant impact is expected on listed migratory species.
- The site is not within or adjacent to a Commonwealth marine area.
- The site is within five (5) kilometres of two (2) Commonwealth lands. No impact on these areas are expected.
- The site is not within or adjacent to the Great Barrier Reef Marine Park.
- The proposed action is not related to a water resource, in relation to coal seam gas development or large coal mining development.
- The proposed action does not involve any nuclear actions, actions taken by the Commonwealth (or Commonwealth agency), actions in a Commonwealth marine area, actions on Commonwealth land, or actions in the Great Barrier Reef Marine Park.

6.3 Proposed action IS a controlled action

Type 'x' in the box for the matter(s) protected under the EPBC Act that you think are likely to be significantly impacted. (The 'sections' identified below are the relevant sections of the EPBC Act.)

Matters likely to be impacted

<input type="checkbox"/>	World Heritage values (sections 12 and 15A)
<input type="checkbox"/>	National Heritage places (sections 15B and 15C)
<input type="checkbox"/>	Wetlands of international importance (sections 16 and 17B)
<input type="checkbox"/>	Listed threatened species and communities (sections 18 and 18A)

	Listed migratory species (sections 20 and 20A)
	Protection of the environment from nuclear actions (sections 21 and 22A)
	Commonwealth marine environment (sections 23 and 24A)
	Great Barrier Reef Marine Park (sections 24B and 24C)
	A water resource, in relation to coal seam gas development and large coal mining development (sections 24D and 24E)
	Protection of the environment from actions involving Commonwealth land (sections 26 and 27A)
	Protection of the environment from Commonwealth actions (section 28)
	Commonwealth Heritage places overseas (sections 27B and 27C)

Specify the key reasons why you think the proposed action is likely to have a significant adverse impact on the matters identified above.

Not applicable.

7 Environmental record of the responsible party

NOTE: If a decision is made that a proposal needs approval under the EPBC Act, the Environment Minister will also decide the assessment approach. The EPBC Regulations provide for the environmental history of the party proposing to take the action to be taken into account when deciding the assessment approach.

	Yes	No
<p>7.1 Does the party taking the action have a satisfactory record of responsible environmental management?</p> <p>Provide details</p> <p>The Directors have extensive experience in development projects. Their approach is to work constructively with the local community and the relevant Government agencies to ensure sustainability of development. To date, Gohardsen Pty Ltd and its Directors have not been subject to any known prosecution for environmental breaches.</p>	ü	
<p>7.2 Has either (a) the party proposing to take the action, or (b) if a permit has been applied for in relation to the action, the person making the application - ever been subject to any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources?</p> <p>If yes, provide details</p>		ü
<p>7.3 If the party taking the action is a corporation, will the action be taken in accordance with the corporation's environmental policy and planning framework?</p> <p>If yes, provide details of environmental policy and planning framework</p> <p>Gohardsen Pty Ltd is committed to being environmentally responsible and conducting activities in compliance with environmental legislation, and will strive to achieve leading practice environmental management.</p>	ü	
<p>7.4 Has the party taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?</p> <p>Provide name of proposal and EPBC reference number (if known)</p>		ü

8 Information sources and attachments

(For the information provided above)

8.1 References

- List the references used in preparing the referral.
- Highlight documents that are available to the public, including web references if relevant.

- Attachment 1 – Site Extents Plan
- Attachment 2 – Ipswich City Council Negotiated Decision Notice
- Attachment 3 – Vegetation Survey and Ecological Report
- Attachment 4 – Vegetation Management Further Advice
- Attachment 5 – Approved Plans
- Attachment 6 – DNRW Vegetation Clearing Exemption
- Attachment 7 – EPBC Act Koala Assessment
- Attachment 8 – Cultural Heritage Search Response
- Attachment 9 – EPBC Act Protected Matters Report
- Attachment 10 – Regulated Vegetation Management Map
- Electronic Attachment – Site Extents GIS-compliant file

8.2 Reliability and date of information

For information in section 3 specify:

- source of the information;
 - how recent the information is;
 - how the reliability of the information was tested; and
 - any uncertainties in the information.
-
- Attachment 1 – Site Extents Plan (prepared by Groundwork Plus, dated 18 September 2013)
 - Attachment 2 – Ipswich City Council Negotiated Decision Notice (issued 5 March 2013)
 - Attachment 3 – Vegetation Survey and Ecological Report (prepared by BAAM, dated 24 May 2011)
 - Attachment 4 – Vegetation Management Further Advice (prepared by BAAM, dated 5 February 2013)
 - Attachment 5 – Approved Plans (approved with the Ipswich City Council Negotiated Decision Notice 5 March 2013)
 - Attachment 6 – DNRW Vegetation Clearing Exemption (correspondence dated 10 November 2008)
 - Attachment 7 – EPBC Act Koala Assessment (prepared by BAAM, dated December 2015)
 - Attachment 8 – Cultural Heritage Search Response (correspondence from the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs, dated 17 September 2013)
 - Attachment 9 – EPBC Act Protected Matters Report (report generated from Department of the Environment on 10 December 2015)
 - Attachment 10 – Regulated Vegetation Management Map (map generated from Department of Natural Resources and Mines on 10 December 2015).

8.3 Attachments

Indicate the documents you have attached. All attachments must be less than three megabytes (3mb) so they can be published on the Department's website. Attachments larger than three megabytes (3mb) may delay the processing of your referral.

		Ü attached	Title of attachment(s)
You must attach	figures, maps or aerial photographs showing the project locality (section 1)	Ü	<ul style="list-style-type: none"> - Attachment 5 – Approved Plans. - Electronic Attachment – Site Extents GIS-compliant file
	GIS file delineating the boundary of the referral area (section 1)		
	figures, maps or aerial photographs showing the location of the project in respect to any matters of national environmental significance or important features of the environments (section 3)	Ü	<ul style="list-style-type: none"> - Attachment 1 – Site Extents Plan - Attachment 5 – Approved Plans - Attachment 10 – Regulated Vegetation Management Map
If relevant, attach	copies of any state or local government approvals and consent conditions (section 2.5)	Ü	<ul style="list-style-type: none"> - Attachment 2 – Ipswich City Council Negotiated Decision Notice
	copies of any completed assessments to meet state or local government approvals and outcomes of public consultations, if available (section 2.6)	Ü	<ul style="list-style-type: none"> - Attachment 3 - Vegetation Survey and Ecological Report - Attachment 4 - Vegetation Management Further Advice
	copies of any flora and fauna investigations and surveys (section 3)	Ü	<ul style="list-style-type: none"> - Attachment 3 - Vegetation Survey and Ecological Report - Attachment 4 - Vegetation Management Further Advice - Attachment 7 – EPBC Act Koala Assessment
	technical reports relevant to the assessment of impacts on protected matters that support the arguments and conclusions in the referral (section 3 and 4)	Ü	<ul style="list-style-type: none"> - Attachment 3 - Vegetation Survey and Ecological Report - Attachment 4 - Vegetation Management Further Advice - Attachment 7 – EPBC Act Koala Assessment
	report(s) on any public consultations undertaken, including with Indigenous stakeholders (section 3)	N/A	<p>An Aboriginal Cultural Heritage Search was carried out using the Queensland Government's Cultural Heritage Database and Register and search results on 17 September 2013 showed no Aboriginal Cultural Heritage items are recorded on-site. Refer Attachment 8 – Cultural Heritage Search Response.</p> <p>In accordance with the Aboriginal Cultural Heritage Duty of Care provisions of the <i>Aboriginal Cultural Heritage Act 2003</i>, all reasonable and practicable measures will be undertaken to ensure the proposed development does not harm Aboriginal cultural</p>

	<p>heritage. Any objects that may be of cultural significance that are identified during the development process will be reported to the relevant Aboriginal Party and/or government representatives. Operations will cease in the area of find until the relevant Aboriginal Party and/or government representatives ensure that such objects are appropriately handled and proper reporting is undertaken in accordance with the Aboriginal Cultural Heritage Duty of Care Guidelines.</p> <p>In the event any objects that may be of cultural significance that are identified during the development process, liaison with the Cultural Heritage Body Jagera Daran Pty Ltd will be carried out and a Cultural Heritage Management Plan prepared in liaison with the Party if required.</p> <p>The application was advertised in accordance with the IPA. Three submissions from nearby neighbours were received during the notification period and raised their objections and concerns in regard to the proposed development.</p>
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9 Contacts, signatures and declarations

NOTE: Providing false or misleading information is an offence punishable on conviction by imprisonment and fine (s 489, EPBC Act).

Under the EPBC Act a referral can only be made by:

- the person proposing to take the action (which can include a person acting on their behalf); or
- a Commonwealth, state or territory government, or agency that is aware of a proposal by a person to take an action, and that has administrative responsibilities relating to the action¹.

Project title: Francis Street, Tivoli

9.1 Person proposing to take action

This is the individual, government agency or company that will be principally responsible for, or who will carry out, the proposed action.

If the proposed action will be taken under a contract or other arrangement, this is:

- the person for whose benefit the action will be taken; or
- the person who procured the contract or other arrangement and who will have principal control and responsibility for the taking of the proposed action.

If the proposed action requires a permit under the Great Barrier Reef Marine Park Act², this is the person requiring the grant of a GBRMP permission.

The Minister may also request relevant additional information from this person.

If further assessment and approval for the action is required, any approval which may be granted will be issued to the person proposing to take the action. This person will be responsible for complying with any conditions attached to the approval.

If the Minister decides that further assessment and approval is required, the Minister must designate a person as a proponent of the action. The proponent is responsible for meeting the requirements of the EPBC Act during the assessment process. The proponent will generally be the person proposing to take the action³.

1. Name and Title: Mark Tocchini, Director

2. Organisation (if applicable): Gohardsen Pty Ltd

Organisation name should match entity identified in ABN/ACN search

3. EPBC Referral Number (if known):

4: ACN / ABN (if applicable): ACN: 121 745 319

5. Postal address PO Box 1774, New Farm QLD 4005

6. Telephone: (07) 3666 0766

7. Email: mark@planning-initiatives.com

8. Name of proposed proponent (if not the same person at item 1 above and if applicable):

9. ACN/ABN of proposed

¹ If the proposed action is to be taken by a Commonwealth, state or territory government or agency, section 8.1 of this form should be completed. However, if the government or agency is aware of, and has administrative responsibilities relating to, a proposed action that is to be taken by another person which has not otherwise been referred, please contact the Referrals Gateway (1800 803 772) to obtain an alternative contacts, signatures and declarations page.

² If your referred action, or a component of it, is to be taken in the Great Barrier Reef Marine Park the Minister is required to provide a copy of your referral to the Great Barrier Reef Marine Park Authority (GBRMPA) (see section 73A, EPBC Act). For information about how the GBRMPA may use your information, see http://www.gbrmpa.gov.au/privacy/privacy_notice_for_permits.

proponent (if not the same person named at item 1 above):

COMPLETE THIS SECTION ONLY IF YOU QUALIFY FOR EXEMPTION FROM THE FEE(S) THAT WOULD OTHERWISE BE PAYABLE

- I qualify for exemption from fees under section 520(4C)(e)(v) of the EPBC Act because I am:
- ☐ an individual; OR
 - ☒ a small business entity (within the meaning given by section 328-110 (other than subsection 328-119(4)) of the *Income Tax Assessment Act 1997*); OR
 - ☐ not applicable.

If you are small business entity you must provide the Date/Income Year that you became a small business entity:

Refer attached Correspondence from Coughlins Accountants & Business Consultants dated 7 December 2015, which confirms the applicant is a small business entity.

Note: You must advise the Department within 10 business days if you cease to be a small business entity. Failure to notify the Secretary of this is an offence punishable on conviction by a fine (regulation 5.238(3) *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth)).

COMPLETE THIS SECTION ONLY IF YOU WOULD LIKE TO APPLY FOR A WAIVER

- I would like to apply for a waiver of full or partial fees under Schedule 1, 5.21A of the EPBC Regulations. 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:
- ☒ not applicable.
- Declaration

I declare that to the best of my knowledge the information I have given on, or attached to this form is complete, current and correct.
I understand that giving false or misleading information is a serious offence.
I agree to be the proponent for this action.
I declare that I am not taking the action on behalf of or for the benefit of any other person or entity.

Signature



Date 01/03/16

9.2 Person preparing the referral information (if different from 8.1)

Individual or organisation who has prepared the information contained in this referral form.

Name Sophie Malkin
Title Town Planning Consultant
Organisation Groundwork Plus
ACN / ABN (if applicable) ABN: 80 829 145 906
Postal address PO Box 1779, Milton BC QLD 4064
Telephone (07) 3871 0411

Email smalkin@groundwork.com.au

Declaration

I declare that to the best of my knowledge the information I have given on, or attached to this form is complete, current and correct.

I understand that giving false or misleading information is a serious offence.

Signature

A handwritten signature in black ink, appearing to be 'Smalkin', written over a horizontal line.

Date

3/3/16

REFERRAL CHECKLIST

NOTE: This checklist is to help ensure that all the relevant referral information has been provided. It is not a part of the referral form and does not need to be sent to the Department.

HAVE YOU:

- ☐ Completed all required sections of the referral form?
- ☐ Included accurate coordinates (to allow the location of the proposed action to be mapped)?
- ☐ Provided a map showing the location and approximate boundaries of the project area?
- ☐ Provided a map/plan showing the location of the action in relation to any matters of NES?
- ☐ Provided a digital file (preferably ArcGIS shapefile, refer to guidelines at [Attachment A](#)) delineating the boundaries of the referral area?
- ☐ Provided complete contact details and signed the form?
- ☐ Provided copies of any documents referenced in the referral form?
- ☐ Ensured that all attachments are less than three megabytes (3mb)?
- ☐ Sent the referral to the Department (electronic and hard copy preferred)?

Geographic Information System (GIS) data supply guidelines

If the area is less than 5 hectares, provide the location as a point layer. If the area greater than 5 hectares, please provide as a polygon layer. If the proposed action is linear (eg. a road or pipeline) please provide a polyline layer.

GIS data needs to be provided to the Department in the following manner:

- Point, Line or Polygon data types: ESRI file geodatabase feature class (preferred) or as an ESRI shapefile (.shp) zipped and attached with appropriate title
- Raster data types: Raw satellite imagery should be supplied in the vendor specific format.
- Projection as GDA94 coordinate system.

Processed products should be provided as follows:

- For data, uncompressed or lossless compressed formats is required - GeoTIFF or Imagine IMG is the first preference, then JPEG2000 lossless and other simple binary+header formats (ERS, ENVI or BIL).
- For natural/false/pseudo colour RGB imagery:
 - If the imagery is already mosaiced and is ready for display then lossy compression is suitable (JPEG2000 lossy/ECW/MrSID). Prefer 10% compression, up to 20% is acceptable.
 - If the imagery requires any sort of processing prior to display (i.e. mosaicing/colour balancing/etc) then an uncompressed or lossless compressed format is required.

Metadata or 'information about data' will be produced for all spatial data and will be compliant with ANZLIC Metadata Profile. (http://www.anzlic.org.au/policies_guidelines#guidelines).

The Department's preferred method is using ANZMet Lite, however the Department's Service Provider may use any compliant system to generate metadata.

All data will be provide under a Creative Commons license (<http://creativecommons.org/licenses/by/3.0/au/>)