



Notification of

REFERRAL DECISION – not controlled action if undertaken in a particular manner

Tree removal including roost trees for Spectacled Flying Fox, Cairns Queensland (EPBC 2014/7296)

This decision is made under sections 75 and 77A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Proposed action

person named in the referral BRCP Oasis Land Pty Ltd
ABN: 46 124 801 958

proposed action To remove 11 trees at 122 Abbott Street, Cairns, Queensland between 2 May and 30 August 2015 [See EPBC Act referral 2014/7296].

Referral decision: Not a controlled action if undertaken in a particular manner

status of proposed action The proposed action is not a controlled action provided it is undertaken in the manner set out in this decision.

Person authorised to make decision

Name and position Deb Callister
Assistant Secretary
Queensland and Sea Dumping Assessment Branch

signature

date of decision

12 September 2014

manner in which proposed action must be taken

The following measures must be taken to avoid significant impacts on:

- World Heritage properties (sections 12 & 15A)
 - National Heritage places (sections 15B & 15C)
 - Listed threatened species and communities (sections 18 & 18A)
1. Tree removal must be limited to the trees identified at Attachment 1. No more 11 trees may be removed.
 2. Tree removal must not be undertaken between 1 September – 1 May, inclusive.
 3. Tree removal may only commence after all Spectacled Flying-foxes (*Pteropus conspicillatus*) have left the trees to be removed, as identified at Attachment 1. Tree removal must be
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stopped if Spectacled Flying-foxes return to the roost.

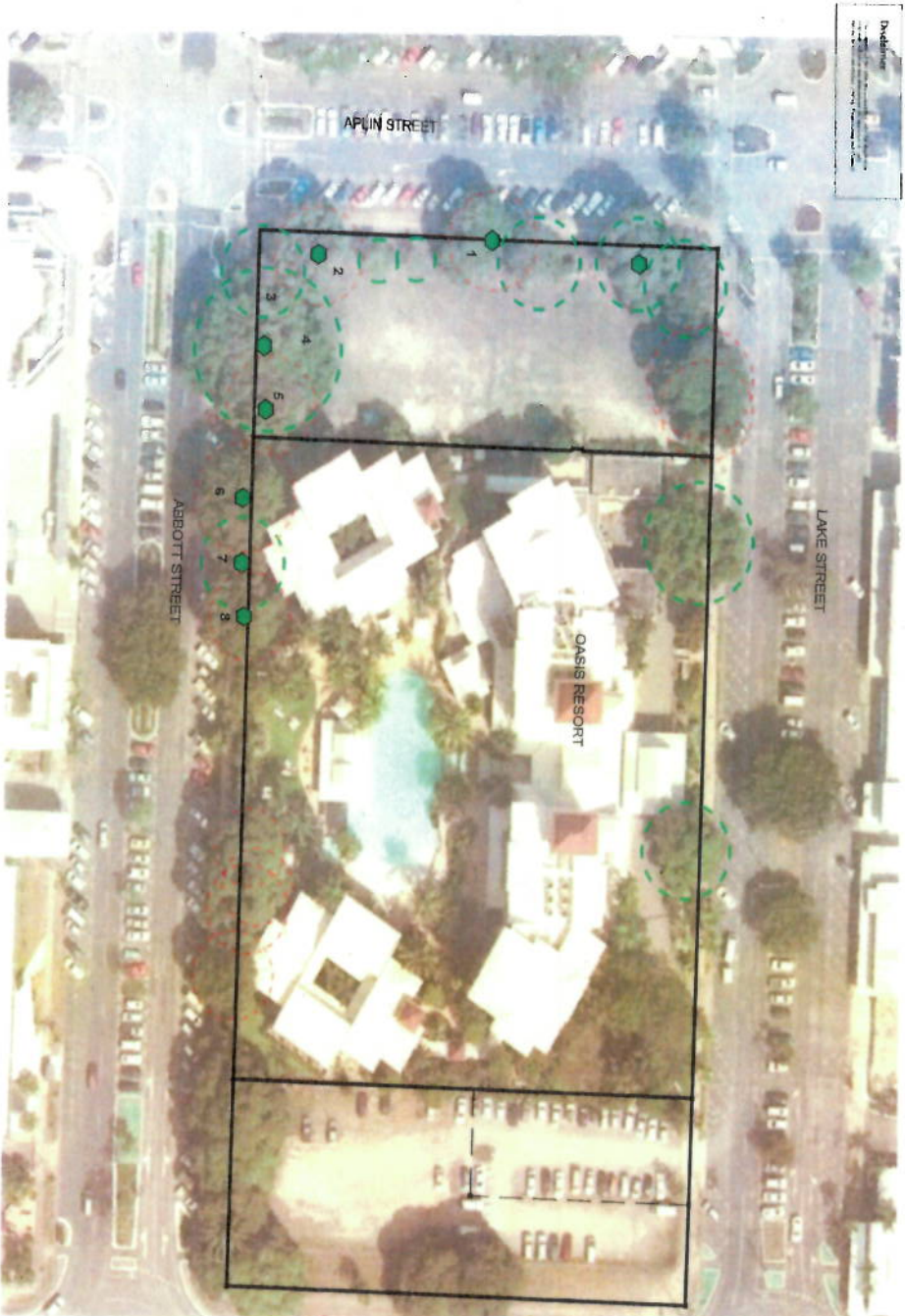
4. Tree removal may only commence if a qualified wildlife ecologist/carer has completed pre-clearing inspections and is present during operations to address injuries to bats during clearing.

A qualified wildlife ecologist/carer is considered to be an individual with a minimum of three years demonstrated experience relevant to the care and physical inspection of Spectacled Flying-foxes.



Australian Government
Department of the Environment

Attachment



Legend

- Existing trees to remain
- Existing tree to be removed
- Trees identified as 80% rooting trees
- Trees that have been pruned