Title of Proposal - Sanctum West Master Planned Community

Section 1 - Summary of your proposed action

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

1.1 Project Industry Type

Residential Development

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

Maidment Land Pty ltd (the Proponent) plans to develop Sanctum West, a master-planned residential community situated on Lot 267 on EP1719 and Lot 257 on SP253223 (the proposed action). The proposed action is located approximately 19km west of Townsville, adjacent to Black River (west) and the existing Sanctum Residential Estate (east). Of the ~ 556 ha total area, the proposed action includes a development footprint of approximately 390 ha, which includes traditional residential subdivision, open space, and associated infrastructure. The remaining area on the two lots, approximately 168.77ha, will be comprised of roadways, native vegetation and more open spaces. The current land use of the site is for agricultural cattle grazing on native pastures.

The site of the proposed action has been the subject of extensive ecological and environmental investigations and flood modelling, which originally informed the Local and State Government approvals for the subdivision.

The proposed action is a large-scale residential housing estate which includes two main components:
- Residential Planning Area; and
- Open Space Planning Area.

The Residential Planning Area will consist of mixed residential uses of varying densities. The predominant housing form will be single detached dwellings with some medium density development in places. Other planned uses may include schools or child care centres to support the amenity of the Residential Planning Area. The Open Space Planning Area will comprise a network of park and recreation areas and accommodate natural systems. The Open Space Planning Area is made up of two key land types, (1) conservation areas of sustained natural habitat, and (2) modified natural spaces in the urban environment. The modified area design is influenced by the storm water drainage corridor which effectively divides the development in two.

Retained natural vegetation and creek/ river buffers surround the development, and have been included in response to site environmental values.

Of this development area, approximately 77.22% of vegetation has been previously cleared and

is now considered non-remnant vegetation. Approximately 88.39ha of native remnant vegetation will be cleared as a result of the Proposed Action, of which all vegetation is classified as least concern under the Vegetation Management Act 1999. The remaining area, approximately 168.77ha, will be comprised of open spaces, roads, and other infrastructure.

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

Area	Point	Latitude	Longitude
Subject Lot	1	-19.222549587176	146.63291757499
Subject Lot	2	-19.222509064492	146.63291757499
Subject Lot	3	-19.220118208429	146.63562124168
Subject Lot	4	-19.219794021878	146.63647954857
Subject Lot	5	-19.218132555768	146.63999860679
Subject Lot	6	-19.216997886334	146.64201562797
Subject Lot	7	-19.215336391961	146.6425306121
Subject Lot	8	-19.212175453863	146.64257352745
Subject Lot	9	-19.208001301473	146.64317434227
Subject Lot	10	-19.203908097704	146.64347474968
Subject Lot	11	-19.200949580079	146.64429014122
Subject Lot	12	-19.199044752907	146.64527719413
Subject Lot	13	-19.197909951769	146.6463071624
Subject Lot	14	-19.196856200847	146.64793794548
Subject Lot	15	-19.194829737802	146.65416067039
Subject Lot	16	-19.195842972444	146.65566270744
Subject Lot	17	-19.197342548265	146.65703599846
Subject Lot	18	-19.197707307885	146.66081254875
Subject Lot	19	-19.200706411881	146.66042631065
Subject Lot	20	-19.201841193732	146.66081254875
Subject Lot	21	-19.208244458888	146.66506116783
Subject Lot	22	-19.209622344112	146.66699235832
Subject Lot	23	-19.211081268824	146.66694944298
Subject Lot	24	-19.210149179529	146.65553396141
Subject Lot	25	-19.228101100458	146.65334527885
Subject Lot	26	-19.229397777264	146.65351694023
Subject Lot	27	-19.223886830153	146.63643663322
Subject Lot	28	-19.222549587176	146.63291757499

1.5 Provide a brief physical description of the property on which the proposed action will

take place and the location of the proposed action (e.g. proximity to major towns, or for off-shore actions, shortest distance to mainland).

The proposed action will occur on land described as Lot 267 on EP1719 and Lot 257 on SP253223, 829 Brabon Road, Beach Holm Queensland. The proposed action is located approximately 19km west of the city of Townsville, bordered to the west by the Black River and to the east by the existing Sanctum Residential Estate. The proposed action lies within the coastal floodplains of the Townsville Plains subregion of the Brigalow Belt Bioregion. The project site is within the Black River Drainage Sub Basin, and contains floodplain wetlands and saltmarsh estuarine marine habitat in the northern section, which will be avoided by the development. The project site contains a mosaic of remnant and non-remnant vegetation communities situated on flat alluvial plains characterised by strongly duplex soils of sandy loam and heavy clay. The project site is situated within Queensland's northeast, specifically within the tropical savannah region. The area experiences monsoonal summers and dry, mild winters. The average rainfall is 1143mm, with the majority of rain falling in the wet season, between November and April.

The current land use of the site is agricultural grazing land for cattle grazing of native vegetation. Existing infrastructure on the proposed action includes fencing, unsealed roads and internal access tracks, and farm dams.

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

390 hectares

1.7 Is the proposed action a street address or lot?

Lot

1.7.2 Describe the lot number and title.267 EP1719 and 257 SP253223

1.8 Primary Jurisdiction.

Queensland

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

No

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

Yes

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

No

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

Start date 01/2018

End date 01/2034

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

The proposed action has in place a Development Permit issued by Townsville City Council under the *Sustainable Planning Act 2009* for **Preliminary Approval - Material Change of Use (Impact) (M13/0020) Preliminary Approval for Development in Accordance with a Plan of Development for Residential and Open Space Land Use.** The development permit was issued on 13 December 2016.

The Department of Environment and Heritage Protection have issued a concurrence agency response and applied conditions.

The Department of Transport and Main Roads have also issued a concurrence agency response.

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

Development Permit

The application for the development permit was publically notified under the Sustainable Planning Act 2009. Members of the public were entitled to make a submission with respect to the application for a period of 15 business days.

Black-throated Finch Recovery Team

Wild Environmental Consultants engaged directly with the Black-throated Finch Recovery Team (BTFRT) on behalf of the Proponent. The purpose of the consultation was to provide the team with an opportunity to review the Environmental Impact Assessment, and the proposed BTF Mitigation Driven Passive Relocation Plan. The BTFRT were originally contacted on 4 August 2017. On 23 August 2017, Wild Environmental provided a presentation to the team at their monthly committee meeting. The presentation included an overview of the project, and the

proposed BTF mitigation and management measures.

On 29 August 2017, Wild Environmental provided the BTFRT copies of the draft impact assessment and the draft Mitigation Driven Passive Relocation Plan. The BTFRT were provided 2 weeks (initially - extended by one week) to review the documents and provide comment and provide any recommended changes to improve the reports.

On 19 September 2017, the BTFRT provided comment on the project and the proposed Mitigation Driven Passive Relocation Plan.

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

Not applicable

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

No

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

No

Section 2 - Matters of National Environmental Significance

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

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

• Profiles of relevant species/communities (where available), that will assist in the identification of whether there is likely to be a significant impact on them if the proposal proceeds;

• Significant Impact Guidelines 1.1 – Matters of National Environmental Significance;

• Significant Impact Guideline 1.2 – Actions on, or impacting upon, Commonwealth land and Actions by Commonwealth Agencies.

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

Yes

2.1.1 Impact table

Properties	Impact
Great Barrier Reef World Heritage Area	Potential impacts to water quality from urbanisation. Refer to the Environmental Impact Assessment for further information.

2.1.2 Do you consider this impact to be significant?

No

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

Yes

2.2.1 Impact table

Place	Impact
Great Barrier Reef National Heritage Area	Potential impacts to water quality from urbanisation. Refer to the Environmental Impact Assessment for further information.

2.2.2 Do you consider this impact to be significant?

No

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

No

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

Yes

2.4.1 Impact table

Species	Impact
Black-throated Finch (Poephila cincta cincta)	Potential impacts include: - Habitat loss - Habitat fragmentation - Direct injury or mortality from the construction activity - Degradation of habitat from invasive weeds and pest animals Refer to the Environmental Impact Assessment for further information.
Bare-rumped Sheathtail Bat	Potential impacts include: - Habitat loss - Habitat fragmentation - Direct injury or mortality from the construction activity - Degradation of habitat from invasive weeds and pest animals Refer to the Environmental Impact Assessment for further information.

2.4.2 Do you consider this impact to be significant?

No

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

Yes

2.5.1 Impact table

Species	Impact
Rainbow Bee-eater	Potential impacts include: - Habitat loss - Habitat fragmentation - Direct injury or mortality from the construction activity - Degradation of habitat from invasive weeds and pest animals
Cattle Egret	Potential impacts include: - Habitat loss - Habitat fragmentation - Direct injury or mortality from the construction activity - Degradation of habitat from invasive weeds and pest animals
Great Egret	Potential impacts include: - Habitat loss - Habitat fragmentation - Direct injury or mortality from the construction activity - Degradation of habitat from invasive weeds and pest animals
Magpie Goose	Potential impacts include: - Habitat loss - Habitat fragmentation - Direct injury or mortality from the construction activity - Degradation of habitat from invasive weeds and pest animals

2.5.2 Do you consider this impact to be significant?

No

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

No

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

No

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

No

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

No

2.10 Is the proposed action a nuclear action?

No

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

No

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

No

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

No

Section 3 - Description of the project area

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

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

The protected matters search tool identified 41 threatened species, 59 migratory species, and 55 marine species. Of these species, only the following are known or considered likely to exist on site

Southern Black-throated Finch;

Bare-rumped Sheathtail Bat;

Rainbow Bee-eater;

Cattle egret;

Oriental Cuckoo;

White-throated Needletail;

Great Egret; and

Magpie Goose

Fauna and flora studies have been undertaken by Austecology, DA Environmental, and Wild Environmental Consultants. The studies were conducted in 2014, 2012, and 2017 respectively. Austecology conducted targeted Black-throated Finch investigations.

Refer to the Environmental Impact Assessment report and relevant attachments for further information.

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

The subject land is situated on the Townsville coastal plains, with mostly flat terrain draining northwards to Low Creek, which drains the western side of Mount Low. The subject site

currently accepts significant flows from an external catchment at its southern boundary and abuts the existing Sanctum residential development. The northern catchment of the site currently sheet flows across the land into natural drainage corridors that ultimately discharge into the Black river via Low Creek.

The project site contains four (4) watercourse or drainage features (streamorders 1 and 2), according to the *Vegetation Management Watercourse and Drainage Feature Map* under s 20AB of the *Vegetation Management Act 1999* (VM Act). There is approximately 2.42ha of natural wetlands in the southern section of the project site. The landscape of the project site has undergone significant modification within the past 40 years, particularly with regards to its hydrology. In 1999, bund walls were constructed to create four ponded pasture cells. *Hymenanche amplexicaulis* and *Urochloa mutica* were introduced as improved pasture. Ponded pastures were generally dry by early November (late dry season). In October 2012, these ponded pasture cells were decommissioned. A total of eight dams were constructed on the project site, notably they would generally be dry by early November (late dry season). One dam was used to hold treated effluent pumped from the Council's sewer treatment plant between 2002 and 2009.

Refer to the Environmental Impact Assessment report and relevant attachments for further information.

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

The subject lot contains the following features/ vegetation types:Category B (containing least concern regional ecosystems); andCategory X area (exempt vegetation).

Table 1: Mapped regional ecosystems and their descriptions

Regional Ecosystem

Short Description

VMA Status

11.3.12

Melaleuca viridiflora, *M. argentea* +/- *M.dealbata* woodland on alluvial plains

Least concern

11.3.35

Eucalyptus platyphylla, *Corymbia clarksoniana* woodland on alluvial plains

Least concern

11.3.25b

Melaleuca leaucadendra and/or M*. fluvialtilis*, *Nauclea orientalis* open forest upon riverine wetland or fringing riverine wetland

Least concern

11.1.2a

Bare mud flats with Quaternary estuarine deposits, with isolated *Avicennia marina* and/or *Ceriops australis* upon estuarine wetlands

Least concern

The project site is characterised by mostly non-remnant vegetation. Two large areas of remnant vegetation are located in the northern and south-eastern sections of the proposed action. All remnant vegetation communities are classified as least concern regional ecosystems under the *Vegetation Management Act 1999*. The regional ecosystems on the project site were surveyed to ground truth the remotely sensed data.

Both the northern and south-eastern remnant vegetation areas are generally consistent with the mapped regional ecosystems, although not entirely representative of the whole vegetation mosaic on the project site. Surveys conducted to characterise the vegetation communities found a community of *Melaleuca viridiflora* open woodlands, with *Eucalyptus crebra and E. platyphylla* as the dominant secondary species*.* Other species included *Corymbia clarksoniana, Grevillea striata, C. tessalaris, and C dallachiana*. Ground species generally included *Themeda triandra* and multiple introduced species including *Stylosanthes scabra, Stachytarpheta cayennensis.*

Hymenachne amplexicaulis and *Urochloa mutica* dominated the remaining wetland and stock watering points, which may be impacting on the functioning of these ecosystems (Harvel et al. 2015).

Refer to the Environmental Impact Assessment report and relevant attachments for further information.

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

Not applicable

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

The project site contains a mosaic of remnant and non-remnant vegetation communities. The following REs exist within the development footprint:

11.3.12 – Least Concern;11.3.35 – Least Concern;11.3.25b – Least Concern; and11.1.2a – Least Concern.

Refer to the Environmental Impact Assessment report and relevant attachments for further information.

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

Site investigations by Wild Environmental Consultants found that the majority of the proposed action area (except for micro reliefs, drainage features and artificial water bodies) is characterised by very low relief and a 0° gradient, at an altitude of 9-12m.

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

The project site is in a poor to average condition, which is likely due to the past land uses and the proliferation of pests and weeds. Previously, dams and pasture ponds have been constructed throughout the project site, which are now infested with *Hymenanche amplexicaulis, Urochloa mutica*. One of the dams held treated effluent wastewater, which may have contaminated the area. These dams and pasture ponds likely disrupted the natural hydrology of the area.

Currently, the land is used for cattle grazing, and there are areas of the property which are impacted by overgrazing, denuding, and impacts from feral pig diggings.

Large areas of the proposed action site are characterised by extensive historical clearing, with only low regrowth tea tree and grasslands.

In remnant vegetation areas, the upper strata of the vegetation structure are generally intact, however the ground strata is significantly impacted by invasive grasses and weeds.

Refer to the Environmental Impact Assessment report and relevant attachments for further information.

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

Not applicable

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

A search of the Aboriginal and Torres Strait Islander Cultural Heritage Database found no cultural site points within the project site. Approximately 15 cultural heritage sites are within 1500 m of the project site, predominately situated at the mouth of Black River. These cultural heritage site points contained Shell Middens and Artefact Scatter from the Gurambilbarra Wulgurukaba People. The report also noted the following:

There is no cultural heritage body recorded in the search area;

There are no cultural heritage management plans recorded in the search area;

There are no Designated Landscape Areas (DLA) recorded in the search area; and

There are no Registered Study Cultural Heritage Areas recorded in the search area.

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

project area.

Freehold land

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

The existing use is cattle grazing.

Section 4 - Measures to avoid or reduce impacts

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

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

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

Avoidance measures to protect matters of national environmental signifiance and general environmental values include:

- Maintaining a riparian buffer of minimum of 100m at a minimum along Low Creek and Black River;

- Maintain areas of remnant vegetation considered important; and

- Maintain hydrological connectivity and open space between the eastern and western sides of the development as a drainage corridor.

These measures will avoid impacts, in part, to habitat utilised by species of conservation significance, including the BTF, and minimise impacts on the onsite and downstream aquatic environments, including the Great Barrier Reef Marine Park.

Environmental management and mitigation measures will be implemented in accordance with the following plans:

- Environment Management and Rehabilitation Plan;

- Mitigation Driven Passive Relocation Management Plan for the Black-throated Finch;

- Vegetation Management Master Plan;

- Stormwater Quality Management Plan; and

- Erosion and Sediment Control Plan.

More specific requirements to be incorporated into the EMP include:

- A minimum 100 metre buffer from the defined bank of the Black River to protect the existing riparian vegetation and provide a habitat corridor for BTF and other species of conservation significance;

- Minimise the loss of Bare-rumped Sheathtail Bat potential roosting sites by identifying breeding habitat and avoiding clearing hollow bearing trees which may provide roosting habitat. Clearly marking hollow bearing trees for inspection prior to clearing;

- A detailed weed management program which focuses on removing weeds from northern section of the project site and along the riparian corridor;

- Clearing to take place outside of the breeding season for BTFs (generally February to May) or implement pre-clearing surveys and protect BTF nests from clearing until juveniles have left the nest;

- As Bare-rumped Sheathtail Bats are reported to breed during the wet season, clearing will not take place during the wet season to minimise the impact on immature bats, which are likely to be more vulnerable to direct mortality. It is not considered that inspections of tree hollows prior to clearing and throughout the development footprint would yield any results of the rare bat, as the species is notoriously difficult to detect. However, during clearing activities, the detection of Bare-rumped Sheathtail Bats will trigger the cessation of all clearing works on-site and the notification of both the Department and the Queensland Department of Environment and Heritage Protection (EHP);

- Clearing activities will be monitored by a certified fauna spotter catcher who will remain on site during clearing activities;

- Staged clearing will allow for birds and bats to leave the development area. Staged clearing will occur starting from the point furthest from the remaining habitat and progress towards remaining habitat to encourage fauna to flee into the suitable remaining habitat. Between each stage of clearing and the next there will be at least one period of 12 hours that starts at 6pm on a day and ends at 6am on the following day, during which no trees are to be cleared;

- Following the clearing, large trees (trees with a diameter of 50 cm or more) with hollows will be inspected after felling. In the unlikely occurrence that a bat or other species of conservation significance was injured, it would be taken to the nearest wildlife carer. Any bats found and identified as Bare-rumped Sheathtail Bats will be reported to EHP and the Department. If the bat is deceased, it will be provided to an appropriately curated museum for confirmation of identity;
- All equipment used for clearing and construction will be maintained in good working order and shielded to reduce noise pollution if possible;

- Inspect fill for weeds prior to allowing on site;

- A detailed rehabilitation plan addressing the revegetation of any disturbed or eroding areas, and the enhancement and rehabilitation of habitat utilising local native plant species;

- The removal of any accumulation of rubbish, car bodies, building materials and the like, from the site;

- Methods to manage unauthorised vehicular access; and

- Details of future monitoring, management and protection of revegetation and rehabilitation works.

The impacts to Black-throated Finch are dealt with extensively in the attached Mitigation Driven Passive Relocation Plan. Please refer to the attached plan.

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

No net-loss to the extent and distribution of the existing Black-throated Finch population within the project area.

No net-loss of the extent and distribution of potential habitat trees for the Bare-rumped Sheathtail Bat. No direct mortality during clearing

Avoid impacts and ensure appropriate water quality objectives are met to avoid impacts to the Great Barrier Reef Marine Park, World Heritage Area, and National Heritage Area.

Section 5 – Conclusion on the likelihood of significant impacts

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

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

5.1.1 World Heritage Properties

No

5.1.2 National Heritage Places

No

5.1.3 Wetlands of International Importance (declared Ramsar Wetlands)

No

5.1.4 Listed threatened species or any threatened ecological community

No

5.1.5 Listed migratory species

No

5.1.6 Commonwealth marine environment

No

5.1.7 Protection of the environment from actions involving Commonwealth land

No

5.1.8 Great Barrier Reef Marine Park

No

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

No

5.1.10 Protection of the environment from nuclear actions

No

5.1.11 Protection of the environment from Commonwealth actions

No

5.1.12 Commonwealth Heritage places overseas

No

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

The project is unlikely to have a significant impact on the following main listed matters:
Black-throated Finch

- the habitat occupied by the finch is non-remnant and degraded;

- the habitat is unlikely to support the species into the future with any certainty (expert opinion);

- consideration should be given to what would happen to the degraded site if left unaided or unmitigated through the proposed development plan;

- there is no legal requirement mandating the rehabilitation of the degraded site which currently provides some resources for the species;

- the impact on the species has already occurred (i.e. the original clearing);

- the project in and of itself has no significant impact because the actual impact was caused during the initial clearing and ongoing degradation of the original habitat.

Further detailed response to the significant impact guidelines is provided in the Environmental Impact Assessment.

Great Barrier Reef

- the potential impacts to water quality are mitigated by the requirement to develop and implement a Stormwater Quality Management Plan in accordance with local government permit conditions;

- it will be a requirement that the proponent also prepares and implements an Erosion and Sediment Control Plan;

- the development will be staged which is anticipated to minimise the scale of the impacts during construction.

These plans are required to demonstrate compliance with relevant state and local government laws for environmental protection, specifically to manage impacts on water quality.

The vegetation management master plan and the Black River Environmental Management and Rehabilitation Plan are both required under existing council conditions which gives certainty to the Department that the area remaining will be rehabilitated and maintained to protect native flora and fauna, including the Black-throated Finch. The Mitigation Driven Passive Relocation Plan will be effectively integrated into the EMP to ensure consistency.

It is considered that the Mitigation Driven Passive Relocation Plan should be considered by the Department in determining whether the proposed action is a controlled action or not. The Plan is proposed not as a beneficial outcome, but as a mitigation measure and management plan to mitigate the impacts of the development on the BTF. In the same context, the Department considered the Black-throated Finch Management Plan submitted for the Edify Energy EPBC Referral 2017/7963 in determining that the proposed action was not a controlled action.

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

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

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

The Proponent has completed and continues to deliver residential developments in the Townsville Region. They have a positive track record for ensuring environmental values are appropriately investigated, avoided and mitigated against impacts.

The proposed action layout is a reflection of the proponent's ongoing commitment to sustainable development.

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

Not applicable

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

No

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

No

Section 7 – Information sources

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

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

Reference Source	Reliability	Uncertainties
LAMR Pty Ltd and DA Environmental (2012), Environmental (Flora) Assessment, Lot 267 EP1719 and Part Lot 256 SP196179, an unpublished report prepared for Glen Maidment, Platinum Developments, September 2012.	Medium	Methodology unclear
Agnew, L. 2014. Black-throated Finch Poephila cincta Assessments – Lots 267 EP1719 and 256 SP196179 Townsville, Report prepared for Glen Maidment Platinum Developments, Austecology, Brisbane.	High	N/A
Fensham, R.J., Fairfax, R.J. and Archer, S.R., 2005. Rainfall, land use and woody vegetation cover change in semi?arid Australian savanna. Journal of Ecology, 93(3), pp.596-606.	High	N/A
DEWHA (2009a). Background Paper – Significant impact guidelines for the endangered black-throated finch (southern) (Poephila cincta cincta). Background Paper to the EPBCA Policy Statement 3.13 Nationally Threatened Species and Ecological Communities guidelines. Department of the Environment, Water, Heritage	High	N/A

Reference Source	Reliability	Uncertainties
and the Arts, Canberra.		
Department of the Environment, 2016, Species profile and threats database – Poephila cincta – Southern Black-throated Finch, Department of the Environment, viewed 6 July 2016, http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=64447	High	N/A
Black-throated Finch Recovery Team, Department of Environment and Climate Change (NSW) and Queensland Parks and Wildlife Service. 2007. National recovery plan for the black-throated finch southern subspecies Poephila cincta cincta . Report to the Department of the Environment and Water Resources, Canberra. Department of Environment and Climate Change (NSW), Hurstville and Queensland Parks and Wildlife Service, Brisbane.	High	N/A
Buosi, P., Anderson, T. and Steyn, K. 2013. Townsville Ring Road Section 4 Project Black-throated Finch (Poephila cincta cincta) Supplementary Assessment December 2012 and April 2013, Natural Resource Assessments Pty Ltd, Townsville	High	N/A
Agnew, L. 2010. Black-throated Finch Surveys and Habitat Assessments – Land at Mt. Low Townsville, Report prepared for Mt Low Developments Wolter Consulting Group, Austecology, Brisbane	High	N/A
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Reference Source	Reliability	Uncertainties
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GRAHAM PIZZEY, F. K. 2003. A Field Guide to the Birds of Australia, Australia, HarperCollins	High	N/A
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BirdLife International (2007) Species factsheet: Cuculus optatus. Accessed 22/8/2007	High	N/A
Atlas of Living Australia website	High	N/A

Reference Source	Reliability	Uncertainties
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Reference Source	Reliability	Uncertainties
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Unsworth, R.K.F., Rasheed, M.A. and Taylor, H.A., 2009. Port of Townsville long term seagrass monitoring. DEEDI Publication PR09 e4330, Northern Fisheries Centre, Cairns	High	N/A
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Reference Source	Reliability	Uncertainties
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Reference Source	Reliability	Uncertainties
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Germano, J.M., Field, K.J., Griffiths, R.A., Clulow, S., Foster, J., Harding, G. and Swaisgood, R.R., 2015. Mitigation?driven translocations: are we moving wildlife in the right direction?. Frontiers in Ecology and the Environment, 13(2), pp.100-105.	High	N/A
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Reference Source	Reliability	Uncertainties
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Bradley, C.A. and Altizer, S., 2007. Urbanization and the ecology of wildlife diseases. Trends in ecology & evolution, 22(2), pp.95-102.	High	N/A
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Reference Source	Reliability	Uncertainties
D.E., (1996), The effects of habitat fragmentation and livestock-grazing on animal communities in remnants of gimlet Eucalyptus salubris woodland in the Western Australian wheatbelt. I. Arthropods. Journal of Applied Ecology, pp.1281-1301.		
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Reference Source	Reliability	Uncertainties
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Ley A. & S. Cook (2001), The Black-throated Finch Poephila cincta in New South Wales in Australian Bird Watcher 19:115-120	High	N/A
Marco, I., Mentaberre, G., Ponjoan, A., Bota, G., Mañosa, S. and Lavín, S. (2006), Capture myopathy in little bustards after trapping and marking. Journal of wildlife diseases, 42(4), pp.889-891.	High	N/A
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Reference Source	Reliability	Uncertainties
Belt North Bioregion, A project funded by the Black-throated Finch Trust, August 2011.		
Sedden, P. J., Armstrong, D. P. and Maloney, R. F. (2007), Developing the Science of Reintroduction Biology. Conservation Biology, 21: 303–312.	High	N/A
Wheatbelt NRM (2013), Adaptive Management – 2013 Stragety Review, accessed online at https://www.wheatbeltnrm.org.au/sites/default/files/basic_page/files/Adaptive%20Management.pdf, 21 August 2017.	High	N/A
Wild Environmental Consultants, 2017, Environmental Impact Assessment, Sanctum West - Lot 267 on EP1719 and Lot 257 on SP253223, 829 Brabon Road, Beach Holm, prepared by Wild Environmental Consultants for Maidment Land Pty	High	N/A

Section 8 – Proposed alternatives

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

8.0 Provide a description of the feasible alternative?

No alternatives are genuinely proposed or considered. The only clear alternative for the proposed action is to not take the action. It is considered that there are no feasible alternatives to the proposed action.

The proposed layout of the proposed action is a result of flood risk modelling and avoidance of environmental values, including construction of the project on mostly non-remnant vegetation.

8.1 Select the relevant alternatives related to your proposed action.

8.27 Do you have another alternative?

No

Section 9 – Contacts, signatures and declarations

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

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

Organisation

9.2 Organisation

9.2.1 Job Title

Director

9.2.2 First Name

Glen

9.2.3 Last Name

Maidment

9.2.4 E-mail

glen@mland.com.au

9.2.5 Postal Address

PO Box 5485
Townsville QLD 4810
Australia

9.2.6 ABN/ACN

ACN

154889004 - Maidment Land Pty Ltd

9.2.7 Organisation Telephone

0747212822

9.2.8 Organisation E-mail

glen@mland.com.au

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

Not applicable

Small Business Declaration

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

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

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

No

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

Person proposing the action - Declaration

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

Signature:..... Date: 11/10/2017

I, GLEN MAIDMENT, the person proposing the action, consent to the designation of _____ as the proponent of the purposes of the action describe in this EPBC Act Referral.

Signature:..... Date: 11/10/2017

9.3 Is the Proposed Designated Proponent an Organisation or Individual?

Organisation

9.5 Organisation

9.5.1 Job Title

Director

9.5.2 First Name

Glen

9.5.3 Last Name

Maidment

9.5.4 E-mail

glen@mland.com.au

9.5.5 Postal Address

PO Box 5485
Townsville QLD 4810
Australia

9.5.6 ABN/ACN

ACN

154889004 - Maidment Land Pty Ltd

9.5.7 Organisation Telephone

0747212822

9.5.8 Organisation E-mail

glen@mland.com.au

Proposed designated proponent - Declaration

I, GLEN MAIDMENT, the proposed designated proponent, consent to the designation of myself as the proponent for the purposes of the action described in this EPBC Act Referral.

Signature:..... Date: 11/10/2017

9.6 Is the Referring Party an Organisation or Individual?

Organisation

9.8 Organisation

9.8.1 Job Title

Director

9.8.2 First Name

Nicholas

9.8.3 Last Name

Baker

9.8.4 E-mail

nicholas.baker@wildenvironmental.com

9.8.5 Postal Address

PO Box 55
Townsville QLD 4810
Australia

9.8.6 ABN/ACN

ABN

91610317327 - MILFORD BAKER PTY LTD

9.8.7 Organisation Telephone

0744109000

9.8.8 Organisation E-mail

nicholas.baker@wildenvironmental.com

Referring Party - Declaration

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

Signature:..... Date: 12/10/2017

Appendix A - Attachments

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

1. 20170926_sanctum_eia_report_part1.pdf
2. 20170926_sanctum_eia_report_part2.pdf
3. 20170926_sanctum_eia_report_part3.pdf
4. 20170926_sanctum_eia_report_part4.pdf
5. 20170926_sanctum_eia_report_part5.pdf
6. 20170926_sanctum_eia_report_part6.pdf
7. 201709245_sanctum_west_mitigationdrivenpassiverelocationplanbtf_final.pdf
8. accepted_plans_of_development.pdf
9. decision_notice.pdf
10. dehp_referral_agency_conditions.pdf
11. dtmr_referral_agency_response_part1.pdf
12. dtmr_referral_agency_response_part2.pdf
13. dtmr_referral_agency_response_part3.pdf
14. location_map_3.jpeg
15. staging_plan.jpg