Environment Protection and Biodiversity Conservation Act 1999

Referral Form

Important Note:

Please read the Referral Guide and associated Fact Sheets (available at http://www.deh.gov.au/epbc) carefully. The guide and Fact Sheets will help you to complete the form correctly and ensure that your referral is in a form that can be processed. The completed form, together with the required maps and any other information you may wish to submit, should be sent to the EPBC Act Referrals Section, Approvals and Wildlife Division, Department of the Environment and Heritage, GPO Box 787, Canberra, ACT, 2601 and/or by email to epbc.referrals@deh.gov.au (see Referral Guide for allowable electronic formats).

1. Contacts and proponent

1.1 Person making the referral

(Note: The term "person" can refer to an individual or a corporation)

The person making the referral can be either the person proposing to take the action, an agent acting on their behalf (eg, a consultant), or a government agency making the referral in relation to an action to be taken by another person. (Include name, postal address, telephone, fax, email.)

Barry Kay Manager, Vertebrate Pests NSW Department of Primary Industries Locked Bag 21 Kite Street Orange NSW 2800 (02) 63 913 539

Barry. Kay @ agric. nsw. gov. qu

1.2 Person(s) proposing to take the action

This is the person who proposes to carry out the action, or who is otherwise responsible for the action. If approval is necessary, this is the person to whom the approval will be granted, and they will be responsible for meeting any conditions of approval. (Include name postal address, telephone, fax, email – if same as person making the referral, write "as above".)

Hunter Rural Lands Protection Board and the Department of Defence and Bulga Coal Management Wild Dog Control Authority.
Simon Scoular Ranger, Hunter RLPB
98 John Street Singleton NSW 2330
(02) 65722944

If a corporation is proposing to take the action, please ensure you provide the name of a contact officer for this matter.

1.3 Person(s) who will be the proponent for the action

The proponent is responsible for preparing all documentation for the assessment process, if the action requires approval. If the proponent is the same as the person proposing to take the action, write 'as above'. If the proponent is different from the person proposing to take the action, the signature of both is required (at Section 7.3). (Include name(s), postal address, telephone, fax, email)

As Above

If a corporation is the proponent for the action, please also provide the name of a contact officer for this matter.

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2. Description of the proposal

2.1 Provide a summary description of the action (two or three sentences)

Acrial Bait for wild dog control using 1080 meat baits dropped from a helicopter at a rate of 5.25 Kg per km.

2.2 Details of the location of the project area

Where the project is of less than 1 km² in size, provide the location as a single pair of latitude and longitude references. Latitude and longitude references should be used instead of AMG and/or digital coordinates.

Locality: Singleton Training Area and Bulga Coal Mine

Latitude:	-32	degrees:	41	minutes:	econds:
Longitude:	151	degrees:	06	minutes	seconds:
Latitude:	-32	degrees;	45	minutes:	seconds:
Longitude:	151	degrees:	15	minutes	econds:

Where the project area is greater than 1 km2 or any dimension is greater than 1 km, provide additional coordinates to enable accurate identification of the location of the project area.

Please provide a brief physical description of the project area, including the size of the development footprint or work area in hectares (a more detailed description is required at Part 3 of this form).

Please see attached map.

Attach an A4/A3 size map(s) showing the location and approximate boundaries of the area in which the project is to occur (this map, or a second attached map, should also show features mentioned in responses to questions in Part 3 of this referral, for example, conservation reserves, areas of remnant native vegetation, streams and roads).

2.3 Provide the timeframe in which the action is proposed to occur. Include start and finish dates where applicable.

The action will take place on one day during May 2005 depending on weather conditions and availability of access to the Singleton Training Area.

2.4 Provide a description of the action, including all activities proposed to be carried out as part of the proposed action.

250g Meat baits containing 6mg 1080 are dropped from a height of approximately 100 feet at a rate of 5.25kg (21 baits) per km of transect. Approximately 210 kg (840 baits) of baits will be dropped along 40km of transect (see map)

2.5 Provide an explanation of the context in which the action is proposed to take place, including any relevant planning framework (for example, relevant management plans or State or Local Government approvals). Indicate whether, and in what way, the action is related to other actions or proposals that may have already occurred, are occurring, or are likely to occur, at a future date. You should also provide the name(s) of the Local Council and/or Local Government Area the action will take place in, if relevant.

The land is known to harbour wild dogs which attack livestock on neighbouring properties. Wild dogs also pose a threat to native fauna known to occur on the site, including the Brush Tailed Rock Wallaby.

Some sectors of the Singleton Training Area have been regularly baited for dogs over the past ten years using ground-baiting techniques. However, large areas of the property are contaminated with unexploded ordnance and are therefore limited access is available to personnel wishing to conduct ground-baiting. Also, other areas are inaccessible by road making ground baiting techniques difficult and impractical.

Department of Defence is committed to ensuring that the management of Defence properties is sustainable. Further Defence recognises that, as well as their impact on ecosystem diversity and function, feral animals can significantly interfere with Defence operations and the delivery of training capability of Defence personnel. To effectively manage feral animals on the Singleton Training Area, two documents have been prepared by Department of Defence and are referred to when conducting feral animal control programs:

- "Management of Feral Animals, Weeds and Overabundant Native Species on Defence Estate: National Guidelines" (Feb 2005); and
- "Vertebrate Pest Management Plan Singleton Army Training Area" (July 2003). The baiting is part of a wider management campaign of wild dog control in NSW and 64 wild dogs have been sighted in the area.
- 2.6 If you are considering making a referral of a stage or component of a larger action, you must provide information about the larger action and details of any interdependency between the stages/components and the larger action. If appropriate, you may also provide justification as to why you believe it is reasonable for the proposed action, that is the subject of this referral, to be considered separately from the larger proposal (see the <u>Referral Guide</u>).

Section 74A of the EPBC Act provides that the Environment Minister may not accept a referred action that is a component of a larger action. If the Environment Minister does not accept the referral, he or she is not permitted to make a decision on whether the action is a controlled action. The Environment Minister may request the person proposing to take the action to refer the larger action for consideration under the EPBC Act (see also <u>Fact Sheet</u>).

N/A

3. Description of the project area and the affected area

Note: You must include a *map(s)* clearly showing the location of the action, and any relevant features referred to in 3.1. (A general location map (eg, 1:250 000 scale) and a more detailed map showing the elements of the proposal may be appropriate. If available, an aerial photograph or other photograph of the site can be included.)

3.1 Describe the affected area, referring, as appropriate, to attached maps. In particular, indicate on the map the location of any of the following features: World Heritage properties, Ramsar wetlands, listed threatened species or communities and/or known habitat for these species or communities, listed migratory species and/or known habitat for these species, Commonwealth marine areas and Commonwealth land, conservation reserves/parks, and areas of remnant native vegetation.

The area is largely Commonwealth land (Defence Purposes) – see map

- 3.2 Provide a description of important features of the project area and the affected area and show these on the attached map, including (if relevant to the project area or affected area) information about:
 - (a) soil and vegetation characteristics;
 - (b) water flows, including rivers, creeks and impoundments;
 - (c) the presence of outstanding natural features, including caves;
 - (d) gradient;
 - (e) any buildings or other infrastructure;
 - (f) any marine areas;
 - (g) kinds of fauna in the area; and
 - (h) the current state of the environment in the area, including 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.

Singleton Training Area encompasses an area of 13 742 ha and is located 5 km to the south of Singleton in the Hunter Valley (*Figure 1.1*). The property falls within the Singleton Local Government Area and the catchment of the Hunter River. The property comprises mostly of undulating grasslands with lightly timbered creeklines in the northern and central areas. In the south the landscape is more heavily timbered and the terrain becomes more rugged towards the Brokenback Range, which runs along the southern boundary. STA is drained largely by Emigrants Creek and Minimbah Creek to the north of the site (Hyder Consulting 1998).

The Australian Government acquired the site for Defence Force purposes during World War II. Prior to this acquisition, the area was heavily cleared for agricultural and utilised for grazing of livestock. The primary use of the STA is the provision of live firing and non-firing training areas to all units of the Australian Defence Force. The facilities provide for a wide range of firepower and manoeuvre activity, including small arms ranges, aircraft ground attack, armoured vehicle movement and tactical training (Hyder Consulting 1998).

The STA also provides a conservation role for a number of threatened flora and fauna species. The STA is located at the east-west biogeographical junction of the Hunter Valley, and the total area of native vegetation is relatively large, increasing the conservation value of the property.

The STA contains two flora species listed under the EPBC Act and a further three species included in the list of Rare or Threatened Australian Plants (ROTAP). The woodland community containing *Eucalyptus glaucina* is believed to have high National conservation value due to the fact that it has almost completely been cleared in the Hunter Valley. The small pockets of rainforest communities present within the STA are of high regional conservation significance. There are also numerous other plant species found on this property that are of conservation value because they are uncommon, restricted in their range or are poorly known (Hyder Consulting 1998).

The brush-tailed rock-wallaby (*Pterogale penicillata*) is the only known fauna species present on the STA that is listed (vulnerable) under the EPBC Act. Similarly, this species is also listed as vulnerable on the schedules of the NSW TSC Act, as are the red-crowned toadlet (*Pseudophryne australis*) and the yellow-bellied glider (*Petaurus australis*). These latter species also occur within the STA (Hyder Consulting 1998).

Of particular relevance to the current proposal is the spotted-tail quoll, which is listed as when the STA, although individuals occupy large home ranges and are known to be difficult to detect regardless of trapping effort. A number of the vegetation types found within the STA would provide suitable habitat for this species and it is possible that quolls occur sporadically and/or in low numbers within the STA. Quolls are sensitive to the 1080 baits used to control foxes and dogs.

3.3 What is the *tenure* of the project area (for example is it freehold, leasehold or some other tenure)? If practicable, show on the attached map.

Commonwealth land (Department of Defence) Freehold land (Bulga Mine).

3.4 What are the current and/or proposed land uses for the project area?

Military training.

Open-cut and underground coal mining.

4. Nature and extent of the likely impacts of the action

- 4.1 Describe, as relevant to your project, the nature and extent of *likely impacts* on the following matters protected by the EPBC Act:
- the world heritage values of a declared World Heritage property; or
- the ecological character of a declared Ramsar wetland; or
- the members of a listed threatened species (except a conservation-dependent species) or any threatened ecological community, or their habitat, or
- the members of a listed migratory species or their habitat; or
- the environment in part of the Commonwealth marine area; or
- the environment on Commonwealth land.

Of particular relevance to the current proposal is the spotted-tail quoll, which is listed as vulnerable both at State and Federal levels. This species has not been recorded within the STA, although individuals occupy large home ranges and are known to be difficult to detect regardless of trapping effort. A number of the vegetation types found within the STA would provide suitable habitat for this species and it is possible that quolls occur sporadically and/or in low numbers within the STA. Quolls are sensitive to the 1080 baits used to control foxes and dogs.

Brush Taled Rock Wallabies are known to occur in the area being targeted by the aerial baiting program. However, this species is likely to benefit from the proposed action.

A number of listed threatened bird and flora species are known to occur in the area, butthese will not be affected bythe proposed action.

4.2 Indicate if your action is:

- (a) a nuclear action; or
- (b) will be taken by the Commonwealth or by a Commonwealth agency; or
- (c) will be taken in a Commonwealth marine area; or
- (d) will be taken on Commonwealth land.

If your action falls into one of these categories, provide details about the impact of your action on the environment generally (ie, in addition to the specific matters addressed above in 4.1).

The baiting will be undertaken on Commonwealth land. There will be no impact to the environment generally. The program is being undertaken in accordance with relevant Defence policies and strategies, and in conjunction withthe largest pest control program in NSW. The aerial baiting program will supplement the existing practices already in place to control foaxes and wild dogs (including the current ground-baiting program).

Measures aimed at avoiding or reducing significant impacts on matters protected under the EPBC Act

5.1 Describe any specific measures proposed as part of the action to avoid or lessen significant impacts on matters protected under the EPBC Act. Include a timeframe or workplan for implementation of any relevant measures.

Examples of relevant measures may include the timing of works to avoid critical periods for listed species, avoidance of habitat important for listed species from direct and indirect impacts, application of specific design measures to avoid or reduce impacts, or adoption of specific work practices to reduce or avoid impacts (see Referral Guide, Fact Sheet and 'Particular Manner' Guideline at http://www.deh.gov.au/epbc).

Baiting will be undertaken in accordance with best practice guidelines including minimum bait application rates and bait size and shape specifically to target wild dogs. Further, the baiting program will be in accordance with the relevant Department of Defence guidelines and plans:

- "Management of Feral Animals, Weeds and Overabundant Native Species on Defence Estate: National Guidelines" (Feb 2005); and
- "Vertebrate Pest Management Plan Singleton Army Training Area" (July 2003).

Both these documents have been developed to assist Defence in ensuring that vertebrate pest control on Defence land is undertaken in a manner which minimises the impact on the environment.

6. Information sources

6.1 List relevant references

You should also attach a copy of any relevant reports or documents that support the arguments and conclusions made in this referral. For example, any flora and fauna surveys or desktop investigations should be provided.

- "Management of Feral Animals, Weeds and Overabundant Native Species on Defence Estate: National Guidelines" (Feb 2005); and
- "Vertebrate Pest Management Plan Singleton Army Training Area" (July 2003).

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- "Singleton Military Area Resource Assessment" Hyder Consulting, July 1998.
- "Singleton Military Area Environmental Management Plan" Hyder Consulting, July 1998.

6.2 For information given in sections 3 and 4 of this referral, please indicate:

- (a) the source of the information; and
- (b) how recent the information is; and
- (c) how the reliability of the information was tested; and
- (d) any uncertainties in the information.

Information provided in Sections 3 and 4 of this referral was ourced from the documents listed in Section 6.1, as well as the Singleton Range (Special) 1:25,000 Map Sheet.

Signatures and Declarations Section 489 of the EPBC Act states that the provision of false or misleading information is an offence punishable on conviction by imprisonment and fine.					
	interpretation contained in				
this form is, to my mondedge, the and n	ot misleading.				
Signature Barry Ka	\sim				
Date 6 4 05					
7.2. Signature of person proposing to	take the action				
Ciman Scoular	(full name), declare that the information contained in				
this form is, to my knowledge, true and	not misleading.				
Date 6/4/05.					
Date 6/4/05.					
The second person pominated	as proponent in Section 1.3, if different from person				
proposing to take the action	(full name), being (or agent acting on behalf of) the referral form as the nominated proponent agree to be				
Section 13 of this	releval torm as the normalized property				

person nominated in Section 1.3 of this referral form as the nominated proponent agree to be designated as the proponent for the action described above if it is decided that the action requires

approval under Pari 9 of the EPBC Act.

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Signature

Date

Signature of person proposing to take the action

Date

Fill in Section 7.4 if you believe that the proposal is not likely to have a significant impact on matters protected by the EPBC Act and that the proposal is therefore not a controlled action. Fill in Section 7.5 if you believe that the proposal is likely to have a significant impact on a protected matter and that the proposal is therefore a controlled action. (Note: This Section must be completed in all cases except where the referral is made by a State or Territory or a Commonwealth agency in relation to an action to be taken by another person.)

7.4. If you think your proposed action is not likely to have a significant impact on any of the matters listed in the table below, then you should select and complete the following statement and you should not mark any of the boxes in the table below.

I Berry (full name), being the person making this referral and the person proposing to take the action (or agent acting on behalf of the person) believe that the action described in this referral is not a controlled action.

Briefly provide reasons why you believe your proposed action is not a controlled action: (Note: For an explanation of the term "controlled action", see the Referral Guide.)

- > Baiting where quolls are not known to occur.
- Baiting in accordance with best practice guidelines All baiting programs are carried out according to the operational procedures in Section 6.3 Preparation of 1080 Baits and Planning a Campaign in the NSW DPI Vertebrate Pest Control Manual (1996) and relevant Wild Dog Control Association Management Plans.



OR

7.5. If you think that your proposed action is likely to have a significant impact on any of the matters listed in the table below, then you should select and complete the following statement. You must then mark 'Yes' against those matters on which you think it will have a significant impact, in the table below.

-	World Heritage property)				
	Ramsar Wetland (Sections 16 and 17B - significant impacts on the ecological character of a Ramsar wetland)				
·					
-	Threatened species or ecological communities (Section 18 and Section 18A - significant impacts on a listed threatened species or a listed threatened ecological community) Migratory species				
·-					
	(Sections 20 and 20A - significant impacts on a listed migratory species)				
	Nuclear action				
	(Sections 21 and 22A - nuclear actions)				
	Commonwealth marine area				
	(Sections 23, 24 and 24A - actions relating to the Commonwealth marine area and fishing in coastal waters managed by the Commonwealth)				
	Commonwealth land				
	(Sections 26 and 27A - actions relating to Commonwealth land)				
	Commonwealth action				
	(Section 28 - actions by the Commonwealth having a significant impact on the environment)				

Briefly provide reasons why you believe your proposed action is a controlled action: (Note: For an explanation of the term "controlled action", see the Referral Guide.)

If the person making this referral is, or is representing, a *small business* (a business having fewer than 20 employees), please provide an estimate of the time taken to complete this form.

Please Include

- The time spent reading the instructions, working on the questions and obtaining the information; and
- The time spent by all employees in collecting and providing this information.

hours	minutes	

END OF FORM