

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 that 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)
- 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 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 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 Referral Business Entry Point (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

Do I have to pay for my referral or assessment / what are the fees?

Currently the department does not impose fees for environmental impact assessments referred and assessed under the EPBC Act. However, fees are proposed as part of cost recovery reforms to the EPBC Act. The commencement of cost recovery is subject to an amendment Bill being passed by Parliament and the making of regulations. Further details on the proposed cost recovery arrangements can be found in the draft EPBC Act Cost Recovery Impact Statement which is available at

http://www.environment.gov.au/epbc/publications/consultation-draft-cost-recovery.html.

The department will inform you of your liability for potential fees prior to the introduction of cost recovery arrangements. Cost recovery arrangements will only apply to proposed actions referred to the department after 8 May 2012.

Your proposed action may be subject to fees for environmental impact assessments if:

• your referral is determined a controlled action and is still undergoing assessment under the EPBC Act at the commencement of cost recovery. Fees will only apply to the assessment work undertaken by the department after the commencement of cost recovery; and/or

• you submit an action management plan for approval of the Minister after the commencement of cost recovery. Please note this will only apply if an action management plan is listed as a condition of the approval decision under the EPBC Act.

There will be no retrospective charging for the stages of assessment initiated before cost recovery commences. Fees will only apply to those stages of the assessment that occur after cost recovery commences.

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 two megabytes (2mb) 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 Referral Business Entry Point for advice. Attachments larger than two megabytes (2mb) 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 submit a referral?

Referrals may be submitted by mail, fax or email.

Mail to:

Referral Business Entry Point Environment Assessment Branch Department of Sustainability, Environment, Water, Population and Communities GPO Box 787 CANBERRA ACT 2601

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

Fax to: 02 6274 1789

- Faxed documents must be of sufficiently clear quality to be scanned into electronic format.
- Address the fax to the mailing address, and clearly mark it as a 'Referral under the EPBC Act'.
- Follow up with a mailed hardcopy including copies of any attachments or supporting reports.

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 Sustainability, Environment, Water, Populations and Communities Community Information Unit on 1800 803 772 or
- visit the web site 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:

1 Summary of proposed action

NOTE: You must also attach a map/plan(s) 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

The proposed action is for an 85 lot residential subdivision and a high density (15 units) townhouse precinct. All vegetation on the subject site is proposed to be removed.

1.2	Latitude and longitude	Latitude				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.	location point NW corner SW corner SE corner NE corner	degrees -27° -27° -27° -27°	minutes 50' 50' 50' 50'	seconds 15 19 22 17	degrees 153° 153° 153° 153°	minutes 20' 20' 20' 20'	seconds 33 32 49 47	

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

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

Do not use AMG coordinates.

1.3 Locality and property description

The proposal is located in Coomera, which has been the focus of large amounts of development over the past 5 to 10 years. Large portions of Coomera to the east and south, and to the west and south-west have been subdivided with high density residential developments. Land to the north of the subject site is currently largely undeveloped and is comprised of a mix of rural uses and currently vegetated land.

The site is situated approximately 4km to the east of the Pacific Motorway and is located approximately half way between the Gold Coast and Brisbane. The site itself shows evidence of historical clearing but is currently largely vegetated with dense regrowth vegetation, averaging approximately 6m in height. Some larger, mature trees are scattered throughout the site.

1.4	Size of the development footprint or work area (hectares)	6.214ha
1.5	Street address of the site	100 Amity Road, Coomera, Queensland
1.6	Lot description Lot 22 on SP216503	

1.7 Local Government Area and Council contact (if known)

Gold Coast City Council Local Government Area – Peter Joy (5582 8152)

1.8 Time frame

It is estimated that the vegetation clearing will commence by September, 2013. The use is therefore estimated to commence mid-2014.

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?		No
			Yes, you must also complete section 2.2
1.10	Alternative time frames etc Does the proposed action	No	No
	include alternative time frames, locations or activities?		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	Yes	Yes
	or territory environmental impact assessment?		Yes, you must also complete Section 2.5
1.12	Component of larger action	No	No
	Is the proposed action a component of a larger action?		Yes, you must also complete Section 2.7
1.13	Related actions/proposals	No	No
	Is the proposed action related to other actions or proposals in the region (if known)?		Yes, provide details:
1.14	Australian Government	No	No
	funding Has the person proposing to take the action received any Australian Government grant funding to undertake this project?		Yes, provide details:
1.15	Great Barrier Reef Marine Park	No	No
	Is the proposed action inside the Great Barrier Reef Marine Park?		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

The proposed action involves removal of all vegetation from the 6.214ha site. This vegetation is proposed to be removed in order to facilitate changes to ground level, other civil works, construction of stormwater management infrastructure and the ultimate construction of residential buildings.

2.2 Alternatives to taking the proposed action

No alternatives have been considered.

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

No alternative locations, time frames or activities have been considered as part of this action.

2.4 Context, planning framework and state/local government requirements

The development application will be made to Gold Coast City Council under the provisions of the *Sustainable Planning Act 2009.* The development will be subject to constraints as set out in the *Gold Coast City Council Planning Scheme 2003.* Some vegetation on the subject site is mapped under state legislation *Vegetation Management Act 1999*, and as a result the application will be referred to the Queensland Department of Natural Resources and Mines for consideration. The impacts of the development will be considered against the *Nature Conservation Act 1992* which seeks to protect Endangered, Vulnerable, or Near Threatened from any threatening processes. The subject site is located in a Koala Assessable Development area under the Koala South East Queensland Koala State Planning Regulatory Provisions and as a result will be subject to offset requirements under the Offsets for Net Gain of Koala Habitat in South East Queensland Policy.

2.5 Environmental impact assessments under Commonwealth, state or territory legislation

No Environmental Impact Assessments have been prepared as part of the application at the time of preparation of this application.

2.6 Public consultation (including with Indigenous stakeholders)

The required standard IDAS public notification process will be followed throughout the application.

2.7 A staged development or component of a larger project

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.

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.

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

Description

Site is located within the Moreton Bay wetlands catchment.

Nature and extent of likely impact

Due to the distance from the wetlands and the intensity of development between the site and the wetland, the development is not considered to affect the Moreton Bay wetlands.

3.1 (d) Listed threatened species and ecological communities

Description

More information included in attachments.

Nature and extent of likely impact

See Attachment 9 for full assessment of anticipated impacts of the proposed development on all EPBC Act-listed species considered to potentially occur within 1km of the subject site. The only species considered to be potentially affected by the proposed development is the Koala (*Phascolarctos cinereus*). Details of the extent of likely impact are contained in Attachment of the proposed development is the Koala (*Phascolarctos cinereus*).

The critically endangered Lowland Rainforest of Subtropical Australia is the only threatened ecological community (TEC) predicted to occur within the vicinity of the subject site. This TEC was not observed as occurring on the subject site.

3.1 (e) Listed migratory species

Description

More information included in attachments.

Nature and extent of likely impact

See Attachment 9 for full assessment of anticipated impacts of the proposed development on all EPBC Act-listed species considered to potentially occur within 1km of the subject site including listed migratory species.

3.1 (f) Commonwealth marine area

(If the action is <u>in</u> 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.

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.

Not applicable

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.

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.

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

3.2 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.

	Yes (provide details below)				
the who	le environment				
No	No				
	Yes (provide details below)				
If yes, nature & extent of likely impact on the whole environment					
No	No				
1					
	the who				

	Is the proposed action to be taken on	No	No
	Commonwealth land?		Yes (provide details below)
	If yes, nature & extent of likely impact on t		le environment (in addition to 3.1(g))
	y,y		
	, ,,,		
	. , , . ,		
_	Is the proposed action to be taken in the Great Barrier Reef Marine Park?	No	No No

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 shows a history of clearing. A small number of older, large mature trees (over 50cm in diameter) exist and are scattered throughout the subject site. Whilst significant weed incursions occur in some portions of the subject site, evidence of strong regrowth of native communities was observed across the majority of the site. Some commonly observed reptiles (skinks and native geckos) were observed as occurring on the site in addition to common avian fauna. The density of regrowth vegetation is high and not reflective of ultimate densities of mature ecosystems.

3.3 (b) Hydrology, including water flows

An artificially constructed dam currently exists along the southern boundary of the subject site. It is approximately 30m in diameter and is currently full of water. The overflow of this dam has caused some seepage and subsequent wetland vegetation growth to the north of the dam. The low point of the site occurs around the centre of the site.

3.3 (c) Soil and Vegetation characteristics

Detailed soil data unavailable.

3.3 (d) Outstanding natural features

No outstanding natural features are present on the subject site.

3.3 (e) Remnant native vegetation

Least concern Regional Ecosystems 12.3.5 and 12.11.5 exist over approximately half of the site. Essential habitat for *Crinia tinnula* is mapped as occurring of a small sliver of the site.

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

Gradients on the subject site are undulating with slopes less than 5%.

3.3 (g) Current state of the environment

The majority of the site is largely in good condition ecologically. Positive and dense native regrowth was observed as occurring across the site. The western-most portion of the site contains a residence and associated anthropogenic uses and is significantly degraded by weed incursions which have also entered into portions of the remainder of the subject site.

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

No Commonwealth Heritage Places or other places recognised as having heritage values observed as occurring on the subject site.

3.3 (i) Indigenous heritage values

No indigenous heritage values observed as occurring on the subject site.

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

No indigenous heritage values observed as occurring on the subject site.

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

Freehold

3.3 (I) Existing land/marine uses of area

Primarily vegetated with a single residence existing on the western portion of the site.

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

Future proposed uses include subdivision for residential development.

4 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 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).

A suitably qualified fauna spotter/catcher will be engaged to inspect the site for all fauna and specifically targeting koalas. All trees identified as containing koalas and other fauna will be clearly demarcated and machinery operators instructed to not disturb those trees until it is confirmed by the supervising fauna spotter/catcher that the animal has vacated the site. In cases where animals do not appear to be moving, a suitably qualified fauna relocation organisation will be engaged to capture and relocate the animal in question. All large trees identified by the spotter/catcher as containing potential habitat values will be the last to be removed from the subject site and animals given 24 hours to vacate the site. Fauna will be relocated to the nature reserve on Condor Drive, Coomera.

It is likely that the Gold Coast City Council will assess the site for possible inclusion in its Koala Translocation Program. By virtue of the primarily regrowth nature of the vegetation, locating animals on this site is not considered to pose a significant problem as only a small number of mature trees exist on the site.

Dewatering of the dam will take place in accordance with a Stormwater Management Plan and measures will be implemented to ensure that no uncontrolled releases will have downstream effects on the Moreton Bay wetlands.

5 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.

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

No	No, complete section 5.2
	Yes, complete section 5.3

5.2 Proposed action IS NOT a controlled action.

The site is within a Koala Assessable Development Area and is recognised by other studies as being in important koala area. It also contains koala habitat and food trees. However, the site is primarily comprised of dense, regrowth flora not considered to be heavily used by Koalas. Additionally, no koala scats or likely scratch marks were observed on the subject site during SAT studies or transect exercises.

5.3 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
	World Heritage values (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)
	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.

6 Environmental record of the responsible partyNOTE: 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
6.1	Does the party taking the action have a satisfactory record of responsible environmental management?	Yes	
	Provide details		
	The party taking the action has always been committed to environmental responsibility in their developments.		
6.2	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?		No
	If yes, provide details		
6.3	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?		No
	If yes, provide details of environmental policy and planning framework		
6.4	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?	Yes	
	Provide name of proposal and EPBC reference number (if known)		
	Karingal Drive Residential Development – Ref. No. 2013/6716		

7 Information sources and attachments

(For the information provided above)

7.1 References

Regional Ecosystem and Regrowth Maps - http://www.ehp.qld.gov.au/ecosystems/biodiversity/regional-ecosystems/maps/index.php

Phillips S, and Callaghan J. 2001. The Spot Assessment Technique: a tool for determining localised levels of habitat use by Koalas *Phascolarctos cinereus*. Australian Zoologist vol. 35 no. (3) pp. 774-780.

Koala SPRP Mapping - http://www.ehp.qld.gov.au/wildlife/koalas/mapping/maprequestform.php

Wildlife Online Data - http://www.ehp.qld.gov.au/wildlife/wildlife-online/

7.2 Reliability and date of information

All searches were undertaken within the past two weeks prior to commencement of the preparation of this application. Sources of information are contained within the references. SAT and transect data was collected by an experienced ecologist on 19th March, 2013 who also generated the figure regarding vegetation communities. No known uncertainties in the data were detected.

7.3 Attachments

Indicate the documents you have attached. All attachments must be less than two megabytes (2mb) so they can be published on the Department's website. Attachments larger than two megabytes (2mb) may delay the processing of your referral.

		√	Tille of all all and all all all all all all all all all al
		attached	Title of attachment(s)
You must attach	figures, maps or aerial photographs showing the project locality (section 1)	Yes	 Gassman Development Perspectives Drawing 'Aerial photograph' and 'Locality Plan' drawing ref. no. 5304 E AM 01 and 5304 E LM01. Gassman Development Perspectives Vegetation Communities Plan drawing ref. no. 5304 E VC 01.
	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)	Yes	 Regional Ecosystem Map Regrowth Map Koala SPRP Map

If relevant, attach	copies of any state or local government approvals and consent conditions (section 2.5)		
	copies of any completed assessments to meet state or local government approvals and outcomes of public consultations, if available (section 2.6)		
	copies of any flora and fauna investigations and surveys (section 3)		
	technical reports relevant to the assessment of impacts on protected matters that support the arguments and conclusions in the referral (section 3 and 4)	Yes	 Transect Data Spot Assessment Technique (SAT) data Wildlife Online (DEHP) data
	report(s) on any public consultations undertaken, including with Indigenous stakeholders (section 3)		

8 Contacts, signatures and declarations

NOTE: Providing false or misleading information is an offence punishable on conviction by imprisonment and

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:

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

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

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

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.

Name NOEL ALEXANDER ADAM 4 WANDPINE PTY. LTD. ROBERT VICTOR CRIGGS SOLE DIRECTOR + SECRETARY Title SOLE INDIVIDUAL

Organisation Organisation name should match entity identified in ABN/ACN search ACN / ABN (if applicable) Rew ACN 067858 600

Postal address Ahh MAIL TO Ul-BOX 3575 P.O. ROBINA TOWN CENTRE QUD. 4230

Telephone 30TH - 0418758 900 Email N. A. A. Dam; aronda Diprimus. com. au

warro line: griggsy 24 @ big fond. com. au Declaration

 $\ensuremath{\mathrm{I}}$ declare that to the best of my knowledge the information $\ensuremath{\mathrm{I}}$ 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 acknowledge that I may be liable for fees related to my proposed action following the

NOEL HADAM 55 his

introduction of cost recovery under the EPBC Act. Signature

ROBERT VICTOR GRIGGS REBERT VICTOR GRIGGS SOLE DIRECTOR / SECRETARY

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 Business Entry Point (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.

³ If a person other than the person proposing to take action is to be nominated as the proponent, please contact the Referrals Business Entry Point (1800 803 772) to obtain an alternative contacts, signatures and declarations page.

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

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

Name Mark Spears

Title Senior Environmental Scientist

Organisation Gassman Development Perspectives

62 010 752 388

ACN / ABN (if applicable)

Postal address
PO Box 392 Beenleigh QLD 4207

Postal address (07) 3807 3333

Telephone (07) 3807 3333

Email mspears@gassman.com.au

M. Spears

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.

21/03/2013

Date

Signature

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 complete contact details and signed the form?
	Provided copies of any documents referenced in the referral form?
	Ensured that all attachments are less than two megabytes (2mb)?
	Sent the referral to the Department (electronic and hard copy preferred)?