Sovereign Hills Precinct 3

Application Number: **02538** Commencement Date: **07/08/2024** Status: **Locked**

1. About the project

1.1 Project details

1.1.1 Project title *

Sovereign Hills Precinct 3

1.1.2 Project industry type *

Residential Development

1.1.3 Project industry sub-type

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1.1.4 Estimated start date *

01/02/2025

1.1.4 Estimated end date *

01/02/2030

1.2 Proposed Action details

1.2.1 Provide an overview of the proposed action, including all proposed activities. *

The proposed action will involve the clearing of vegetation to facilitate the development and operation of a residential subdivision, including earthworks, road construction, service connections and water quality basins. The project area is 58.97 ha, with 19.86 ha proposed for impact and 39.11 ha proposed for avoidance.
The lands within the project area are comprised of land included in the Thrumster (Area 13) urban release area and subsequent Thrumster Structure Plan under the Port Macquarie Hastings Council (PMHC).

The project area includes areas surveyed by WolfPeak Pty Ltd (WolfPeak) for a Biodiversity Development Assessment Report (BDAR) of the South Oxley East precinct within the Sovereign Hills Estate, Thrumster. The BDAR is provided in Attachment 'Att E_WolfPeak SOX East BDAR'.
Avoid and minimise consultations were conducted between Lewis Land Group and WolfPeak to refine the Disturbance footprint and avoid impacts to native vegetation and Koala Feed Trees (KFTs). The areas within the Disturbance footprint will be directly impacted by the proposed action. The total area of the Disturbance footprint is 19.86 ha.
Initial development design proposed a total of 245 residential lots within the project area, which would encompass the entire residential zoned portion of the project area. This impact area has been significantly reduced in the final development design to include 111 residential lots and a large area of the forested vegetation in the south proposed for retention, including proposed large lot 88. This reduction in impact area has significantly reduced the amount of good condition vegetation required for removal and resulted in the retention of numerous hollow-bearing trees and KFTs. 295 KFTs and 46 hollow-bearing trees will be retained outside of the disturbance footprint.
The final development design has also incorporated two large residential lots. Both proposed lots 86 and 87 contain KFTs and are located within an area mapped as 'Core' Koala Habitat in the Area 13 Koala Plan of Management. In an effort to maintain access to this resource, development design has allowed for these allotments to be of a sufficient size to allow the development of a residential dwelling (within a small cleared portion of the lot) and the retention of canopy trees within the broader allotment. 20 KFTs which fall within the residential lots (proposed Lots 86 and 87) will be retained within a tree protection zone and a restriction on title to ensure their retention. KFTs within the proposed tree protection zone will be retained in perpetuity and access to these trees by Koala will be maintained via the installation of a Koala underpass.
The project area, disturbance footprint, avoidance area and offset planting areas are provided in Attachment 'Att A_Figures', Figure 1, Page 2.
Please note, all referencing throughout this referral and associated attachments is provided in Attachment 'Att H_Reference list'.

1.2.2 Is the project action part of a staged development or related to other actions or proposals in the region?

No

1.2.6 What Commonwealth or state legislation, planning frameworks or policy documents are relevant to the proposed action, and how are they relevant? *

Matters of National Environmental Significance (MNES) were identified within the project area during field survey. MNES will be directly impacted by the proposed action and therefore a referral under the Commonwealth Environment Protection and Biodiversity Act 1999 (EPBC Act) has been undertaken.
The proposed action will be assessed under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and a Development Application (DA) will be submitted to Port Macquarie Hastings Council for approval. To support the submission of a DA, a BDAR has been prepared by WolfPeak, which assesses impacts to biodiversity values. Impacts to biodiversity values require assessment consistent with the NSW Biodiversity Conservation Act 2016 (BC Act) and must be undertaken in accordance with the Biodiversity Assessment Method (DPIE 2020).
The State Environmental Planning Policy (Biodiversity and Conservation) 2021 also applies to the proposed action and requires the consideration of Council. Area 13 Urban Investigation Area Koala Plan of Management (KPoM) (Biolink 2008) applies to the land within the project area. As such, the DA is to be consistent with the KPoM, including provisions on KFTs and KFT offsetting.

1.2.7 Describe any public consultation that has been, is being or will be undertaken regarding the project area, including with Indigenous stakeholders. Attach any completed consultation documentations, if relevant. *

Public consultation was undertaken in 2003 at rezoning stage (PMHC 2006) (Attachment 'Att B_Area 13 Thrumster Local Environmental Study', Section 12.2.1., Page 62).
Consultation with Birpai Local Aboriginal Land Council (LALC) was undertaken in 2005 for the Aboriginal Heritage Assessment completed to support the Area 13 Structure Plan (Collins 2005) (Attachment 'Att G_Area 13 Thrumster Aboriginal Heritage Assessment'). Please note: this attachment contains sensitive information, including the locations of Aboriginal Heritage site locations and should not be provided to the public without consent from the Birpai LALC.
Public consultation will be completed in accordance with the EP&A Act and the PMHC Community Participation Plan 2019 (PMHC 2019).

1.3.1 Identity: Referring party

Privacy Notice:

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

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1.3.1.1 Is Referring party an organisation or business? *

Yes

Referring party organisation details	
ABN/ACN	87096512088
Organisation name	ECO LOGICAL AUSTRALIA PTY LTD
Organisation address	Suite 403, Level 4, 45 Watt Street, Newcastle NSW 2300

Referring party details	
Name	Alexandria Yates
Job title	Ecologist
Phone	0455124013
Email	alex.yates@ecoaus.com.au
Address	Suite 403, Level 4, 45 Watt Street, Newcastle NSW 2300

1.3.2 Identity: Person proposing to take the action

1.3.2.1 Are the Person proposing to take the action details the same as the Referring party details? *

No

1.3.2.2 Is Person proposing to take the action an organisation or business? *

Yes

Person proposing to take the action organisation details	
ABN/ACN	609049336
Organisation name	Lewis Developments Pty Ltd

Organisation address	Suite 3802, Level 38, Australia Square, 264 George St, Sydney, NSW 2000

Person proposing to take the action details

Name	Trent Kelly
Job title	Senior Development Manager
Phone	0417775427
Email	trent.kelly@lewisland.com
Address	Suite 3802, Level 38, Australia Square, 264 George St, Sydney, NSW 2000

1.3.2.14 Are you proposing the action as part of a Joint Venture? *

No

1.3.2.15 Are you proposing the action as part of a Trust? *

Yes

1.3.2.16 Describe the nature of the trust arrangement in relation to the proposed action. *

The Trustee to the Trust is Lewis Developments Pty Limited (ACN 609 049 336). The Trust Deed for Lewis Developments Trust is provided in Attachment ‘Att I_Unit Trust Deed - Lewis Developments Trust’.

1.3.2.17 Describe the Person proposing the action’s history of responsible environmental management including details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against the Person proposing to take the action. *

No known history of environmental issues.

1.3.2.18 If the person proposing to take the action is a corporation, provide details of the corporation's environmental policy and planning framework

None exists at this stage.

1.3.3 Identity: Proposed designated proponent

1.3.3.1 Are the Proposed designated proponent details the same as the Person proposing to take the action? *

Yes

Proposed designated proponent organisation details

ABN/ACN	609049336

Organisation name	Lewis Developments Pty Ltd
Organisation address	Suite 3802, Level 38, Australia Square, 264 George St, Sydney, NSW 2000

Proposed designated proponent details

Name	Trent Kelly
Job title	Senior Development Manager
Phone	0417775427
Email	trent.kelly@lewisland.com
Address	Suite 3802, Level 38, Australia Square, 264 George St, Sydney, NSW 2000

1.3.4 Identity: Summary of allocation

Confirmed Referring party's identity

The Referring party is the person preparing the information in this referral.

ABN/ACN	87096512088
Organisation name	ECO LOGICAL AUSTRALIA PTY LTD
Organisation address	Suite 403, Level 4, 45 Watt Street, Newcastle NSW 2300
Representative's name	Alexandria Yates
Representative's job title	Ecologist
Phone	0455124013
Email	alex.yates@ecoaus.com.au
Address	Suite 403, Level 4, 45 Watt Street, Newcastle NSW 2300

Confirmed Person proposing to take the action's identity

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

ABN/ACN	609049336
Organisation name	Lewis Developments Pty Ltd
Organisation address	Suite 3802, Level 38, Australia Square, 264 George St, Sydney, NSW 2000
Representative's name	Trent Kelly
Representative's job title	Senior Development Manager
Phone	0417775427
Email	trent.kelly@lewisland.com
Address	Suite 3802, Level 38, Australia Square, 264 George St, Sydney, NSW 2000

Confirmed Proposed designated proponent's identity

The Person proposing to take the action is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

1.4 Payment details: Payment exemption and fee waiver

1.4.1 Do you qualify for an exemption from fees under EPBC Regulation 5.23 (1) (a)? *

No

1.4.3 Have you applied for or been granted a waiver for full or partial fees under Regulation 5.21A? *

No

1.4.5 Are you going to apply for a waiver of full or partial fees under EPBC Regulation 5.21A?

No

1.4.7 Has the department issued you with a credit note? *

No

1.4.9 Would you like to add a purchase order number to your invoice? *

No

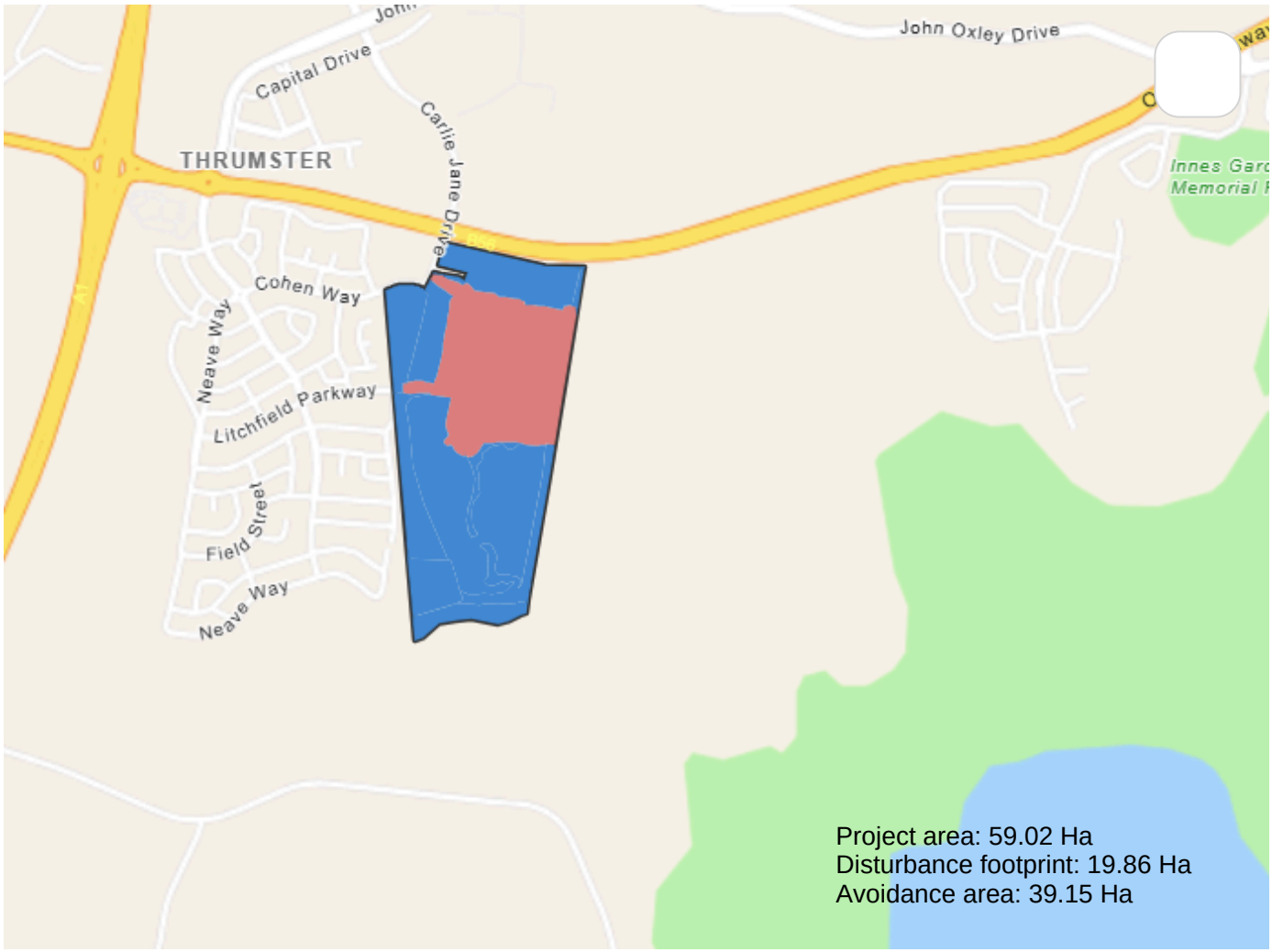
1.4 Payment details: Payment allocation

1.4.11 Who would you like to allocate as the entity responsible for payment? *

Person proposing to take the action

2. Location

2.1 Project footprint



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2.2 Footprint details

2.2.1 What is the address of the proposed action? *

The corner of Carlie Jane Drive and Cohen Way, Thrumster. Formally described as Lot 31 DP12

2.2.2 Where is the primary jurisdiction of the proposed action? *

New South Wales

2.2.3 Is there a secondary jurisdiction for this proposed action? *

No

2.2.5 What is the tenure of the action area relevant to the project area? *

Freehold land

3. Existing environment

3.1 Physical description

3.1.1 Describe the current condition of the project area's environment.

The project area is in the locality of Thrumster, NSW and is approximately 7 km south-west of Port Macquarie and sits within the Port Macquarie-Hastings Local Government Area (Attachment 'Att A_Figures', Figure 3, Page 4). To maintain clarity throughout this EPBC Referral, the following key definitions have been used through this document and in Attachment 'Att A_Figures':

• Project area: Lot 31 DP1298370, Lot 67 DP1274051 and Lot 383 DP1241368 (58.97 ha).

•Disturbance footprint: defined as the area of land that would be directly impacted by the proposed action. This covers a total of 19.86 hectares and is inclusive of all areas proposed to require vegetation clearing and/or the development of infrastructure. The disturbance footprint contains the proposed early works fill area, the future development area, new access roads, water quality basins, the extent of the proposed residential lots and the proposed building envelope within proposed large lot 88.

The project area currently contains both cleared and forested areas and comprises land zoned as General Residential (R1), Environmental Conservation (C2) and Environmental Management (C3) under Port Macquarie Hastings Local Environmental Plan (2011) (Attachment 'Att A_Figures', Figure 2, Page 3). The majority of the disturbance footprint is zoned as R1 General Residential. Two new access roads and a water quality basin are proposed within land zoned as C3 Environmental Management. No works are proposed within the remainder of the C3 Environmental Management area nor in the C2 Environmental Conservation zone. No rezoning is proposed.

Forested land to the east of the project area is zoned as RU1 Primary Production. Land to the west of the project area is predominantly zoned as R1 General Residential and contains existing residential subdivisions within the Stirling Green, Stirling Rise and The Heritage precincts of Sovereign Hills. The project area is bordered by the Oxley Highway road reserve to the north, a residential estate to the west and intact vegetation to the south-east (Attachment 'Att A_Figures', Figure 2, Page 3). Two roads will be constructed off Litchfield Parkway and Carlie Jane Drive to provide access to the subdivision. Additional internal roads will be constructed to provide access for future residents. Forested vegetation covers approximately half of the project area with the remaining half containing grasslands or bare ground. Some earthworks have been conducted in recent years with historical clearing likely to have occurred for agricultural purposes.

Within the proposed disturbance footprint, three native vegetation communities occur. These cover a total area of 9.51 hectares with the dominant vegetation community covering 7.58 ha of this area. This dominant vegetation community comprises dry sclerophyll forest described as PCT 3250: Northern Foothills Blackbutt Grassy Forest in good condition (4.20 ha), moderate condition (0.76 ha) and poor condition (2.63 ha). PCT 3253: Northern Hinterland Grey Gum-Turpentine Mesic Forest occurs in moderate condition (0.48 ha) and

PCT 4004: Northern Melaleuca quinquenervia Swamp Forest occurs in good condition (0.33 ha) and poor condition (1.13 ha). The remainder of the disturbance footprint is classified as non-native vegetation or non-vegetated (10.34 ha), including a small dam (0.09 ha) (Attachment 'Att A_Figures', Figure 5, Page 6).

3.1.2 Describe any existing or proposed uses for the project area.

The project area is currently grazed by cattle at a low stocking rate. Non-native vegetation in the form of managed grassland and areas containing no vegetation occur within the project area due to soil stockpiling. The proposed use of the project area is a residential subdivision and all associated infrastructure. Area 13 Thrumster was identified in the Hastings Urban Growth Strategy (Hastings Council 2001) as an Urban Investigation Area (UIA) for further study and potential rezoning to accommodate population growth in the Hastings Local Government Area. The entirety of the lands within the project area are located within the Area 13 Thrumster UIA for which a Local Environmental Study and Structure Plan were developed in 2006 (Attachment 'Att B_Area 13 Thrumster Local Environmental Study'). The purpose of the Area 13 UIA is to accommodate for rapid population growth by providing housing and supporting services by taking a staged and strategic approach.

3.1.3 Describe any outstanding natural features and/or any other important or unique values that applies to the project area.

The project area does not contain any outstanding natural features. Lake Innes Nature Reserve and Lake Innes are approximately 1 km to the southeast of the project area (Attachment 'Att A_Figures', Figure 4, page 5).

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

Elevation within the project area ranges from 10 m above sea level to 30 m above sea level.

3.2 Flora and fauna

3.2.1 Describe the flora and fauna within the affected area and attach any investigations of surveys if applicable.

This section is answered in greater detail in Attachment 'Att C_Section 3.2.1.', however a summary is provided below. Throughout the course of the field surveys conducted by WolfPeak ecologists between 2021 and 2023, habitats within the project area were assessed for habitat constraints. The results of the surveys are provided in Attachment 'Att A_Figures', Figure 10, Page 11.
The habitat assessment found there is potential for fauna and flora species listed under the EPBC Act to occur within the disturbance footprint due to the presence of suitable habitat in the form of remnant vegetation comprising Hollow-Bearing Trees (HBTs), KFTs and other foraging resources. A review of EPBC Act listed flora and fauna species records within the assessment area was undertaken (Attachment 'Att A_Figures', Figures 6 and 7, pages 7 and 8) to support a likelihood of occurrence assessment on EPBC Act listed species and ecological communities and is provided in Attachment 'Att D_Likelihood of occurrence assessment.'

Based on the habitat values identified during field surveys and the EPBC Act listed species considered to have potential to occur within the disturbance footprint, targeted flora and fauna surveys were undertaken by WolfPeak in line with the Biodiversity Assessment Method 2020 (BAM) and the following relevant species survey guidelines:
• Department of Planning, Industry and Environment (2020). NSW Survey Guide for Threatened Frogs: A guide for the survey of threatened frogs and their habitats for the Biodiversity Assessment Method.
• Department of Sustainability, Environment, Water, Population and Communities (2011). Survey guidelines for Australia's threatened mammals: Guidelines for detecting mammals listed as threatened under the Environment Protection and Biodiversity Conservation Act 1999.
• Office or Environment and Heritage (2018). 'Species credit' threatened bats and their habitats: NSW survey guide for the Biodiversity Assessment Method.

Targeted flora survey transects were completed by WolfPeak ecologists in Summer 2021, Spring 2023 and Winter 2024 (Attachment 'Att A_Figures', Figure 11, Page 12).

The following targeted fauna surveys were completed:
• Targeted amphibian survey (August 2021 - June 2023) – four nights of aural visual surveys, six call playback surveys, four surveys lifting and disturbing debris, fallen timber, tocks, logs, dense vegetation and leaf litter (120 minutes total).
• Targeted microbat survey (November 2021) – one ultrasonic detector deployed for nine nights (4.5 nights of data analysed).
• Diurnal avifauna survey (May 2021 – April 2023) – six diurnal bird surveys (180 minutes total).
• Nocturnal avifauna survey (May 2021 – June 2023) – 13 stag watch surveys (19.5 hours total).
• Targeted terrestrial and arboreal mammal survey (August 2021 – June 2023) – baited remote cameras (10 units for 75 arboreal trap nights and 75 terrestrial trap nights), pitfall trapping (two traplines for a total of 24 trap nights), spotlighting transects (32 hours total), hair tube surveys (two hair tube lines for 150 arboreal trap

nights and 150 terrestrial trap nights), six call playback surveys and Koala Spot Assessment Technique (SAT) (eight SAT surveys).
• Pterygota surveys (December 2022 – June 2023) – 10 pterygota surveys (300 minutes total).
Targeted fauna survey effort is demonstrated in Attachment 'Att A_Figures', Figure 12, pages 13.

EPBC Act listed species have been detected within the project area during targeted survey and opportunistically while undertaking related biodiversity surveys. The following EPBC Act listed species were detected within the project area:
•*Pteropus poliocephalus* (Grey-headed Flying Fox) – Vulnerable.
•*Phascolarctos cinereus* (Koala)– Endangered.
•*Melaleuca biconvexa* (Biconvex Paperbark) – Vulnerable.
•*Rhodamnia rubescens* (Scrub Turpentine) – Critically Endangered.
•*Rhodomyrtus psidioides* (Native Guava) – Critically Endangered.

No EPBC Act listed species were detected within the disturbance footprint. The locations of all EPBC Act listed threatened species detected within the project area within areas of vegetation to be retained are provided in Attachment 'Att A_Figures', Figure 13, page 14. Although no EPBC Act listed species were detected within the disturbance footprint during field survey, significant impact assessments for species that are known to or have potential to occur within the project area have been conducted in Attachment 'Att F_Section 4.1.4.4.'.

3.2.2 Describe the vegetation (including the status of native vegetation and soil) within the project area.

NSW Mitchell Landscapes (v3.1) indicates that the majority of the project area (including the disturbance footprint) is mapped as containing Wauchope Coastal Foothills which is characterised by red and yellow texture-contrast soils with dendritic drainage on lithic sandstone, siltstone, tuff and some limestone. A smaller, southern portion of the project area is mapped as containing Manning-Macleay Coastal Alluvial Plains which is characterised by dark organic loams and silty clay on the floodplain and brown loams and yellow-brown texture contrast soil on terraces (Attachment 'Att A_Figures', Figure 4, page 5). The project area contains low, rolling hills with elevation ranging between 10 – 30 m above sea level.

Recently listed EPBC Act TECs were assigned to all associated BC Act listed TECs. WolfPeak ecologists validated the vegetation during field surveys and mapped two EPBC Act listed TECs within the project area (Attachment 'Att A_Figures', Figure 9, page 10).
The project area contains approximately 36.97 ha of native vegetation and 22.01 ha of exotic vegetation/cleared land, including 0.09 ha covered by a small farm dam. The disturbance footprint is 19.86 ha and contains 9.51 ha of native vegetation and 10.34 ha of exotic vegetation/cleared land. The 10.34 ha of exotic vegetation in the disturbance footprint is predominantly comprised of slashed exotic grassland and excavated earth.
Vegetation mapping and Vegetation Integrity (VI) plot surveys undertaken by WolfPeak ecologists within the project area identified five Plant Community Types (PCTs). These PCTs include:

•PCT 3171 Northern Lowland Viney Wet Forest
•PCT 3250 Northern Foothills Blackbutt Grassy Forest
•PCT 3253 Northern Hinterland Grey Gum-Turpentine Mesic Forest
•PCT 4004 Northern Melaleuca quinquenervia Swamp Forest
•PCT 4048 Northern Swamp Oak-Paperbark Forest

Mapped PCTs within the project area are provided in Attachment 'Att A_Figures', Figure 5, page 6 and Attachment 'Att J_Supporting Documentation', Table 5, page 12. Of these PCTs, PCT 4004 Northern Melaleuca quinquenervia Swamp Forest and PCT 4048 Northern Swamp Oak-Paperbark Forest form part of EPBC Act listed TECs. Wolf Peak validated the presence of two EPBC Act listed TECs within the project area:

•'Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions' Endangered Ecological Community.

•'Swamp Oak Floodplain Forest of the NSW North Coast, Sydney Basin and South East Corner bioregions' Endangered Ecological Community.

PCT 4004 has associations with the EPBC Act listed Endangered 'Coastal Swamp Sclerophyll Forest of New South Wales and South East Queensland' as per BioNet Vegetation Classification (DCCEEW 2024c). As identified by WolfPeak ecologists in the BDAR, all patches of PCT 4004 Northern Melaleuca quinquenervia Swamp Forest met the EPBC Act definition of the community (Attachment 'Att E_WolfPeak SOX East BDAR', Section 4.3.2, page 71). This TEC extends into the disturbance footprint, with 1.45 ha fringing the south-western boundary and northern boundary of the disturbance footprint. Of this TEC within the disturbance footprint, 0.33 hectares occurs in good condition and the remaining 1.13 hectares comprises a poor condition form that is limited to groundcover only.

PCT 4048 has associations with the Endangered EPBC Act listed 'Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland ecological community' as per the BioNet Vegetation Classification (DCCEEW 2024c). The mapped area of PCT 4048 within the north-western corner of the project area is identified by WolfPeak ecologists in the BDAR as part of the EPBC Act listed 'Coastal Swamp Oak (Casuarina glauca) Forest on South-east Australia' TEC (Attachment 'Att E_WolfPeak SOX East BDAR', Section 4.3.2, page 71). This TEC does not extend into the disturbance footprint.

3.3 Heritage

3.3.1 Describe any Commonwealth heritage places overseas or other places recognised as having heritage values that apply to the project area.

There are no Commonwealth heritage places that apply to the project area.

3.3.2 Describe any Indigenous heritage values that apply to the project area.

An Aboriginal Heritage Assessment (AHA) was completed in 2005 to support the Area 13 Thrumster Local Environmental Study (Attachment 'Att B_Area 13 Thrumster Local Environmental Study') and Structure Plan. The AHA is provided as Attachment 'Att G_Area 13 Thrumster Aboriginal Heritage Assessment'. Please note: this attachment contains sensitive information, including the locations of Aboriginal Heritage site locations and should not be provided to the public without consent from the Birpai Local Aboriginal Land Council (LALC).

The AHA identified one Aboriginal site within the project area. Site Karikeree 1 is located within the south of the project area in an area proposed for retention. The item is a large artefact scatter, containing at least 100 visible artefacts (Attachment 'Att G_Area 13 Thrumster Aboriginal Heritage Assessment', Section 8.2, page 24). The site is listed as an Aboriginal Conservation Area under the Port Macquarie-Hastings Local Environmental Plan 2011. The site will not be impacted by the proposed action.

3.4 Hydrology

3.4.1 Describe the hydrology characteristics that apply to the project area and attach any hydrological investigations or surveys if applicable. *

Karikeree Creek runs along the southern boundary of the project area, which flows east into Lake Innes approximately 1.5 kilometres south-east of the project area. Two drainage lines also run through the project area, one flowing east along the northern project area boundary and one flowing west of the project area to the south-eastern corner of the project are where it flows into Karikeree Creek (Attachment 'Att A_Figures', Figure 4, page 5). Both drainage lines within the project area occur in conjunction with wetlands. A forested wetland occurs in the south-west of the project area which is dominated by Melaleuca spp. and Eucalyptus tereticornis. This wetland holds standing water following rainfall events and permanent pools of water with aquatic plants present. Another wetland occurs in the north of the project area which also holds water following rainfall. This area is dominated by Melaleuca spp. and Casuarina glauca. This wetland area in the north is mapped as a Coastal Wetland under the State Environmental Planning Policy (Resilience and Hazards) 2021. The wetland in the south-west of the project area is not mapped as a Coastal Wetland.
A Water Cycle Management Plan was prepared for the 2006 Area 13 Local Environmental Study (Attachment 'Att B_Area 13 Thrumster Local Environmental Study', Section 9, page 45) to support the 2006 Structure Plan. The hydrological study noted that inundation due to regional flooding is not a major issue in relation to the project area.

4. Impacts and mitigation

4.1 Impact details

Potential Matters of National Environmental Significance (MNES) relevant to your proposed action area.

EPBC Act section	Controlling provision	Impacted	Reviewed
S12	World Heritage	No	Yes
S15B	National Heritage	No	Yes
S16	Ramsar Wetland	No	Yes
S18	Threatened Species and Ecological Communities	Yes	Yes
S20	Migratory Species	Yes	Yes
S21	Nuclear	No	Yes
S23	Commonwealth Marine Area	No	Yes
S24B	Great Barrier Reef	No	Yes
S24D	Water resource in relation to large coal mining development or coal seam gas	No	Yes
S26	Commonwealth Land	No	Yes
S27B	Commonwealth Heritage Places Overseas	No	Yes
S28	Commonwealth or Commonwealth Agency	No	Yes

4.1.1 World Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

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4.1.1.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.1.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

There are no world heritage areas within the action area or within the vicinity of the action area.

4.1.2 National Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

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4.1.2.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.2.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

There are no national heritage areas within the action area or within the vicinity of the action area.

4.1.3 Ramsar Wetland

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

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4.1.3.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.3.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

There are no Ramsar Wetlands within the action area or within the vicinity of the action area.

4.1.4 Threatened Species and Ecological Communities

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Threatened species

Direct impact	Indirect impact	Species	Common name
No	No	Acronychia littoralis	Scented Acronychia
No	No	Anthochaera phrygia	Regent Honeyeater
No	No	Argynnis hyperbius inconstans	Australian Fritillary
No	No	Arthraxon hispidus	Hairy-joint Grass
No	No	Asperula asthenes	Trailing Woodruff
No	No	Botaurus poiciloptilus	Australasian Bittern
No	No	Calidris acuminata	Sharp-tailed Sandpiper
No	No	Calidris canutus	Red Knot, Knot

Direct impact	Indirect impact	Species	Common name
No	No	Calidris ferruginea	Curlew Sandpiper
Yes	No	Calyptorhynchus lathami lathami	South-eastern Glossy Black-Cockatoo
No	No	Chalinolobus dwyeri	Large-eared Pied Bat, Large Pied Bat
No	No	Charadrius leschenaultii	Greater Sand Plover, Large Sand Plover
No	No	Climacteris picumnus victoriae	Brown Treecreeper (south-eastern)
No	No	Coeranoscincus reticulatus	Three-toed Snake-tooth Skink
No	No	Cryptostylis hunteriana	Leafless Tongue-orchid
No	No	Cynanchum elegans	White-flowered Wax Plant
No	No	Dasyurus maculatus maculatus (SE mainland population)	Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population)
No	No	Erythrotriorchis radiatus	Red Goshawk
No	No	Euphrasia arguta	
No	No	Falco hypoleucos	Grey Falcon
No	Yes	Gallinago hardwickii	Latham's Snipe, Japanese Snipe
No	No	Grantiella picta	Painted Honeyeater
No	Yes	Hirundapus caudacutus	White-throated Needletail
Yes	No	Lathamus discolor	Swift Parrot
No	No	Leichhardtia longiloba	Clear Milkvine
No	No	Limosa lapponica baueri	Nunivak Bar-tailed Godwit, Western Alaskan Bar-tailed Godwit
No	No	Litoria aurea	Green and Golden Bell Frog
No	No	Macadamia integrifolia	Macadamia Nut, Queensland Nut Tree, Smooth-shelled Macadamia, Bush Nut, Nut Oak
No	Yes	Melaleuca biconvexa	Biconvex Paperbark
No	No	Melanodryas cucullata cucullata	South-eastern Hooded Robin, Hooded Robin (south-eastern)
No	No	Mixophyes balbus	Stuttering Frog, Southern Barred Frog (in Victoria)

Direct impact	Indirect impact	Species	Common name
No	No	Mixophyes iteratus	Giant Barred Frog, Southern Barred Frog
No	No	Neophema chrysostoma	Blue-winged Parrot
No	No	Notamacropus parma	Parma Wallaby
No	No	Numenius madagascariensis	Eastern Curlew, Far Eastern Curlew
No	No	Petauroides volans	Greater Glider (southern and central)
No	No	Petaurus australis australis	Yellow-bellied Glider (south-eastern)
No	No	Phaius australis	Lesser Swamp-orchid
Yes	Yes	Phascolarctos cinereus (combined populations of Qld, NSW and the ACT)	Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)
No	No	Potorous tridactylus tridactylus	Long-nosed Potoroo (northern)
No	No	Pseudomys novaehollandiae	New Holland Mouse, Pookila
Yes	No	Pteropus poliocephalus	Grey-headed Flying-fox
No	Yes	Rhodamnia rubescens	Scrub Turpentine, Brown Malletwood
No	Yes	Rhodomyrtus psidioides	Native Guava
No	No	Rostratula australis	Australian Painted Snipe
No	No	Saltuarius moritzi	New England Leaf-tailed Gecko, Moritz's Leaf-tailed Gecko
No	No	Stagonopleura guttata	Diamond Firetail
No	No	Sternula nereis nereis	Australian Fairy Tern
No	No	Syzygium paniculatum	Magenta Lilly Pilly, Magenta Cherry, Daguba, Scrub Cherry, Creek Lilly Pilly, Brush Cherry
No	No	Thesium australe	Austral Toadflax, Toadflax
No	No	Tringa nebularia	Common Greenshank, Greenshank
No	No	Vincetoxicum woollsii	

Ecological communities

Direct impact	Indirect impact	Ecological community
No	No	Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland ecological community
Yes	No	Coastal Swamp Sclerophyll Forest of New South Wales and South East Queensland
No	No	Lowland Rainforest of Subtropical Australia
No	No	Subtropical eucalypt floodplain forest and woodland of the New South Wales North Coast and South East Queensland bioregions

4.1.4.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.4.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

The significant impact criteria was applied for each MNES and is provided in Attachment 'Att F_Section 4.1.4.4.'.

Grey-headed Flying Fox (*Pteropus poliocephalus*)

This species was heard calling from within the project area during nocturnal surveys on one occasion. The proposed action would remove 5.76 ha of potential foraging habitat through vegetation clearing (Attachment 'Att A_Figures', Figure 14, page 15). No breeding habitat in the form of camps would be affected by the proposed action.

Koala (*Phascolarctos cinereus*)

Secondary evidence of Koala, including scats of various ages and scratch marks on trees have been recorded within the project area in 2003 and more recently between 2021 and 2023. Five historic Koala records from 2003 occur within the south-east of the disturbance footprint, however no primary or secondary evidence of Koala was observed within the disturbance footprint during field survey conducted by WolfPeak ecologists in 2021 – 2023 or by Koala sniffer dog in 2022.

Within the disturbance footprint 0.88 ha of forested vegetation is mapped as 'Core' Koala Habitat under the Port Macquarie Hastings Council Area 13 Koala Plan of Management (Biolink 2008). Within the disturbance footprint the remaining 4.88 of native forested vegetation is not mapped as 'Core' Koala habitat, however the PCTs within the disturbance footprint contains canopy species that provide foraging resources for Koala. Therefore, given the secondary evidence of Koalas in the broader project area and the presence of suitable foraging habitat in the disturbance footprint, it has been assumed that the disturbance footprint contains potential habitat for this species.

The proposed action would remove 5.76 ha of potential Koala foraging habitat, including 238 KFTs listed under the Area 13 Koala Plan of Management (Attachment 'Att A_Figures', Figure 16, page 17).

South-eastern Glossy Black-cockatoo (*Calyptorhynchus lathami lathami*)

This species has not been detected within the disturbance footprint during field survey. The proposed action would remove 5.76 ha of forested vegetation containing scattered Allocasuarina species that provide potential foraging habitat. Three hollow-bearing trees with suitable specifications for breeding hollows would also require removal. Stag watch surveys did not identify use of any large tree hollows by this species, however, despite no evidence of breeding in suitable hollows the precautionary principle has been applied and an assessment has been completed (Attachment 'Att A_Figures', Figure 18, page 19).

Swift Parrot (*Lathamus discolor*)
This species has not been detected within the disturbance footprint during field survey to date. The proposed action would require the removal of 5.76 ha of potential Swift Parrot foraging habitat, of which a 3.31 ha portion of the disturbance footprint is mapped as Swift Parrot important habitat in the BAM Important Area mapping (DCCEEW 2024) (Attachment 'Att A_Figures', Figure 20, page 21). The disturbance footprint contains mature winter flowering Eucalypt species and is therefore considered to be potential Swift Parrot foraging habitat. No breeding habitat will be affected as the Swift Parrot only breeds in Tasmania.

Melaleuca biconvexa (Biconvex Paperbark)
This species has not been detected within the disturbance footprint during any of the targeted flora field surveys to date. The proposed action would remove 0.33 ha of potential habitat for Melaleuca biconvexa, however no individuals recorded within the project area during field survey are proposed to be directly impacted (Attachment 'Att A_Figures', Figure 22, page 23).

Rhodamnia rubescens (Scrub Turpentine)
This species has not been detected within the disturbance footprint during any of the targeted flora field surveys to date. No *Rhodamnia rubescens* individuals recorded within the project area during field survey are proposed to be directly impacted.

Rhodomyrtus psidoides (Native Guava)
This species has not been detected within the disturbance footprint during any of the targeted flora field surveys to date. No *Rhodomyrtus psidoides* individuals recorded within the project area during field survey are proposed to be directly impacted.

Coastal Swamp Sclerophyll Forest of New South Wales and South East Queensland
The proposed action would remove 1.45 ha of Swamp Sclerophyll Forest within the disturbance footprint through vegetation clearing. Of this 1.45 ha, 1.13 ha comprises poor condition vegetation, comprising groundlayer species only. Approximately 13.13 ha or 90% of the community would be retained within the project area.

The application of the significant impact criteria determined that the proposed action is unlikely to constitute a significant impact to Swamp Sclerophyll Forest. A more detailed description of direct impacts to EPBC Act listed threatened species and TECs is provided in Attachment 'Att F_Section 4.1.4.4.'.

Indirect impacts to MNES that may be associated with the proposed action are provided below:

Noise, dust and light spill

•Minor-moderate levels of dust may be generated during construction and may lead to minor impacts on directly adjoining vegetation. Dust suppression will be undertaken if required to reduce this impact.
•The project area is currently subject to noise from traffic and residential areas, therefore fauna is likely to have some tolerance to anthropogenic noise. During the development's establishment, noise would be highest during construction, but limited to daytime hence would only impact diurnal birds, reptiles and mammals utilising the project area. Post-construction, noise levels will be typical of a residential estate which peaks during the weekend and night. As fauna occurring in and adjacent to the project area are expected to have some tolerance to the current level of anthropogenic noise in the area, long-term impacts are not anticipated.
•During the construction phase, no additional illumination is expected as all works are to be conducted during daytime. Operationally, the new residences are likely to install artificial lighting for security and safety reasons. Artificial lighting is recommended to be kept to a minimum and strategically placed so as not to disturb fauna in adjacent habitats.

Injury to fauna as a result of fencing

The development proposes to introduce fencing around each residential allotment. The introduction of fencing to the project area has the potential to pose risk of fauna injury or mortality via collision or entanglement. The introduction of fencing also has the potential to restrict fauna movements throughout the project area. Recommendations have been made in the BDAR to ensure that fauna-friendly fencing is utilised (Attachment 'Att E_WolfPeak SOX East BDAR', Section 8.4, page 157).
• Fauna fencing will be required along the new access roads to the estate which will reduce the risk of road strike and ensure the fauna underpasses are effective. Permanent fencing is also proposed to be installed along the northern boundary of proposed large lot 88 to prevent dogs entering this area.
• Fencing restrictions are recommended for allotments within mapped core koala habitat which contains KFTs (proposed lots 86 and 87). To ensure continued access of these areas for Koala, fences around these allotments are to be constructed of a material readily traversed by Koala, such as timber, and to have minimum ground clearance of 250 mm or provide a Koala ladder over the fence to comply with the Area 13 KPoM.
• Any temporary fences required for construction works are recommended to encompass only the area required. Such fencing is to be free from barbed wire, allow fauna to escape and are to be removed immediately after the completion of the construction phase.

Trampling of threatened flora species

•Trampling of *Melaleuca biconvexa* individuals recorded within the project area outside of the disturbance footprint is not considered a risk as these individuals occur within swampy areas of the project area as either tree form or as juveniles greater than 2 m in height. These areas will be designated no-go zones and cordoned off and will not be accessible during construction.
•All recorded *Rhodamnia rubescens* individuals are located along the western boundary of proposed large lot 88 and are proposed to be retained. The location of these recorded plants is along the edge of an existing vehicle track which bisects the forested vegetation in the south. Offset tree plantings are proposed to be planted within these existing gaps, which would effectively block vehicle access and reduce foot traffic through the area. Any personnel undertaking planting works will be notified of sensitive threatened species prior to completing the works, to prevent any inadvertent impacts to these individuals.
Therefore, indirect impacts will be minimised and works proposed are anticipated to be positive for this species.
•The *Rhodomyrtus psidioides* individuals were recorded near the northern boundary of proposed large lot 88. All plants will be retained; however, the plants are small juveniles and there is a risk of trampling if public or resident access is not restricted. Specific access restriction measures to this retained habitat area will be included in the Vegetation Management Plan (VMP) for the development. As a further protective measure, a permanent exclusion zone around the recorded *Rhodamnia rubescens* and *Rhodomyrtus psidioides* has been recommended. This aims to restrict access to these locations and ensures that no inadvertent impacts to these species can occur. A restriction is to be made on any chemical or machine works within this exclusion zone, with a particular ban on lawn maintenance.
•Manual maintenance of grasses within this exclusion zone is to be completed on a regular basis, which is to consist of hand pulling grasses from within the exclusion zone. This method of grass management should successfully mitigate the risk of competition.

4.1.4.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact? *

No

4.1.4.6 Describe why you do not consider this to be a Significant Impact. *

Below is a summary of why the proposed action is not considered to be a significant impact on any EPBC Act listed threatened species or ecological communities. A more detailed assessment is provided in Attachment 'Att F_Section 4.1.4.4.'.

The proposed action is unlikely to have a significant impact to the Grey-headed Flying Fox given:
•No camps would be affected;
•The proposed action would remove 5.76 ha of foraging habitat;
•Approximately 58,442 ha of potential foraging habitat is available within the locality, the majority of which is present in National Park and Nature Reserves which are conserved and managed in-perpetuity;
•The proposed action would not isolate or fragment areas of breeding habitat, or areas of breeding habitat from foraging habitat;
•The breeding cycle for this species is unlikely to be disrupted;
•Additionally, within the project area, 27.35 ha of potential foraging habitat will be retained in the avoidance areas (Attachment 'Att A_Figures', Figure 14, page 15).

The proposed action is unlikely to have a significant impact to the Koala given:
•It is unlikely breeding habitat would be affected;
•The proposed action would remove 5.76 ha of potential low quality scattered foraging habitat;
•Large areas of potential foraging habitat are present in the locality, including within Lake Innes Nature Reserve, Kooloobung Creek Nature Reserve and Limeburners Creek National Park which are conserved and managed in perpetuity;
•The proposed action would not isolate or fragment areas of breeding habitat, or isolate areas of breeding habitat from foraging habitat;
•The breeding cycle for this species is unlikely to be disrupted;
•Additionally, 27.35 ha of potential Koala foraging habitat will be retained in the avoidance and offset planting areas within the project area, including 295 KFTs within the proposed Large Lot 88 (Attachment 'Att A_Figures', Figure 19, page 20).

The proposed action is unlikely to have a significant impact to the South-eastern Glossy Black-cockatoo given:
•The proposed action would remove 5.76 ha of potential foraging habitat and three hollow-bearing trees with hollows that fit the specifications required by the species to breed;
•No evidence of this species has been identified during surveys;
•The potential foraging habitat within the disturbance footprint is limited, with scattered feed trees occurring in low density across the disturbance footprint;
•Large areas of potential foraging habitat are available within the locality, the majority of which is present in National Park and Nature Reserves which are conserved and managed in-perpetuity;
•The proposed action would not isolate or fragment areas of breeding habitat, or areas of breeding habitat from foraging habitat;
•The breeding cycle for this species is unlikely to be disrupted;
•Additionally, 27.35 ha of potential foraging habitat will be retained in the avoidance and offset planting areas within the project area (Attachment 'Att A_Figures', Figure 18, page 19).

The proposed action is unlikely to have a significant impact to the Swift Parrot given:
•No breeding habitat would be affected;
•The proposed action would remove 5.76 ha of potential foraging habitat;
•Of the resources within the locality, (estimated at 5,269 ha) the area of foraging habitat in the disturbance footprint represents 0.11%. Of the habitat within the locality the majority is present within Lake Innes Nature Reserve and State Conservation Area, which are subject to an in-perpetuity management and conservation agreement (Attachment 'Att A_Figures', Figure 21, page 22);
•The proposed action would not isolate or fragment areas of breeding habitat, or areas of breeding habitat from foraging habitat;
•The breeding cycle for this species is unlikely to be disrupted;

•Additionally, 27.35 ha of potential Swift Parrot foraging habitat, including 4.32 ha mapped on the BAM Important Area mapping will be retained in the avoidance and offset planting areas within the project area (Attachment 'Att A_Figures', Figure 20, page 21).

The proposed action is unlikely to have a significant impact to Melaleuca biconvexa given:
•The proposed action would remove 0.33 ha of potential habitat;
•There will be no direct impacts to known records of the species;
•Large areas of likely suitable habitat are located to the northeast (towards Port Macquarie airport) and to the southeast (the lands within and surrounding Lake Innes Nature Reserve) (Attachment 'Att A_Figures', Figure 23, page 24);
•The reproductive cycle and connectivity of the species will not be disrupted;
•Additionally, 13.36 ha of Good condition PCT 4004 providing suitable habitat will be retained within the project area (Attachment 'Att A_Figures', Figure 22, page 23). Retained vegetation within the project area will be managed under a VMP that includes management actions on weed control.

The proposed action is unlikely to have a significant impact to *Rhodamnia rubescens* given:
•The proposal will not remove any *Rhodamnia rubescens* and all vegetation immediately surrounding these plants is to be retained. There will be no direct impacts to known records of the species;
•The reproductive cycle and connectivity of the species will not be disrupted;
•Existing threats from cattle, vehicles and slashing are proposed to be removed, therefore, indirect impacts will be minimised and works proposed are anticipated to be positive for this species, provided that protection and management measures are successfully implemented.

The proposed action is unlikely to have a significant impact to *Rhodomyrtus psidioides* given:
•The proposal will not remove any *Rhodomyrtus psidioides* and all vegetation immediately surrounding these plants is to be retained. There will be no direct impacts to known records of the species;
•The reproductive cycle and connectivity of the species will not be disrupted;
•Existing threats from cattle, vehicles and slashing are proposed to be removed, therefore, indirect impacts will be minimised and works proposed are anticipated to be positive for this species, provided that protection and management measures are successfully implemented.

The proposed action is unlikely to have a significant impact to Coastal Swamp Sclerophyll Forest of New South Wales and South East Queensland given:
•The proposed action would modify a maximum of 1.45 ha of the community within the disturbance footprint;
•Of this 1.45 ha, 1.13 ha comprises poor condition vegetation, comprising groundlayer species only (Attachment 'Att A_Figures', Figure 9, page 10);
•Approximately 13.13 ha or 90% of the community would be retained within the project area;
•The proposed action would not further fragment or isolate patches of the community;
•The proposed action is unlikely to cause a substantial reduction in the integrity or composition of the community;
•Additionally, the project area will be subject to a VMP and offset plantings are proposed in areas adjoining the community.

4.1.4.7 Do you think your proposed action is a controlled action? *

No

4.1.4.9 Please elaborate why you do not think your proposed action is a controlled action. *

The proposed action is not considered a controlled action as proposed direct impacts to threatened species and ecological communities are not considered a significant impact as described in Section 4.1.4 and Attachment 'Att F_Section 4.1.4.4.'.

4.1.4.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

A Biodiversity Development Assessment Report for the proposed residential subdivision within the Sovereign Hills Estate was completed in October 2024. Initial development design proposed a total of 245 residential lots within the project area, which would encompass the entire residential zoned portion of the project area (Attachment 'Att A_Figures', Figure 2, page 3). Following initial project design, the client consulted with WolfPeak ecologists, to discuss where potential environmental constraints were flagged. The disturbance footprint was refined with a focus on situating impacts to areas of lower biodiversity values, such as exotic grasslands and previously cleared areas, minimising the direct and indirect environmental impacts of the development. The final development design was reduced to 111 residential lots and a large area of forested vegetation in the south was proposed for retention. This reduction in impact area has significantly reduced the amount of good condition vegetation removal required and has resulted in the retention of numerous hollow-bearing trees and KFTs. Additionally, the retention of these forested areas has ensured the retention of a fauna movement corridor for species crossing the project area in a west-east and east-west direction. Threatened flora species recorded within the project area during field surveys were located within areas of retained vegetation outside of the disturbance footprint and will not be directly impacted (Attachment 'Att A_Figures', Figure 13, page 14).

The final development design has also incorporated two large residential lots. Both proposed Lots 86 and 87 contain KFTs and are located within an area mapped as 'Core' Koala Habitat in the Area 13 KPoM (Biolink 2008). In an effort to maintain access to these resources, development design has allowed for these allotments to be of a sufficient size to allow the development of a residential dwelling and the retention of canopy trees within the allotment. 20 KFTs which fall within the residential lots (proposed Lots 86 and 87) will be retained within a tree protection zone and a restriction on title is to be used to ensure their retention. KFTs within the proposed tree protection zone will be retained in perpetuity and access to these trees by Koala will be maintained via the installation of a Koala underpass.

The reduction of impacts to known and potential threatened species and ecological communities are discussed in more detail in Attachment 'Att F_Section 4.1.4.4.'.

4.1.4.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

The impact assessments provided in Attachment 'Att F_Section 4.1.4.4.' of this referral have concluded that the proposed action is unlikely to constitute a significant impact to any MNES. No residual significant impact is expected. Although there is no anticipated residual significant impact, details on a proposed offset are presented below. The proposed offset strategy includes the purchase and retirement of credits consistent with the Biodiversity Assessment Method (BAM). The BDAR prepared by WolfPeak outlines the credit requirement for impacts to biodiversity values across the disturbance footprint.

KFTs proposed to be removed within the disturbance footprint will be offset in line with the provisions in the Area 13 KPoM (Biolink 2008) and PMHC Development Control Plan (DCP) Part B: General Provisions (PMHC 2013). Any KFTs within the Area 13 KPoM area require offset planting at a 1:4 ratio. Any KFTs within the remaining land outside the KPoM area, require offset planting at a 1:2 ratio in line with the PMHC DCP. The proposed offset planting area will be located within the project area outside of the disturbance footprint and in close proximity to the avoidance areas, with the intention to augment habitat for fauna movement within the landscape. Despite the provision for KFT plantings in subdivision landscaping, this is not recommended as it may attract Koalas to high risk areas. Extensive KFT planting will occur away from the subdivision in the south and southwest of the project area. The proposed offset planting areas are provided in Attachment 'Att A_Figures', Figure 24, page 25.

4.1.5 Migratory Species

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Direct impact	Indirect impact	Species	Common name
No	No	Actitis hypoleucos	Common Sandpiper
No	Yes	Apus pacificus	Fork-tailed Swift
No	No	Calidris acuminata	Sharp-tailed Sandpiper
No	No	Calidris canutus	Red Knot, Knot
No	No	Calidris ferruginea	Curlew Sandpiper
No	No	Calidris melanotos	Pectoral Sandpiper
No	No	Charadrius leschenaultii	Greater Sand Plover, Large Sand Plover
No	No	Cuculus optatus	Oriental Cuckoo, Horsfield's Cuckoo
No	Yes	Gallinago hardwickii	Latham's Snipe, Japanese Snipe
No	Yes	Hirundapus caudacutus	White-throated Needletail
No	No	Limosa lapponica	Bar-tailed Godwit
No	No	Numenius madagascariensis	Eastern Curlew, Far Eastern Curlew
No	No	Pandion haliaetus	Osprey
No	Yes	Pluvialis fulva	Pacific Golden Plover
No	Yes	Rhipidura rufifrons	Rufous Fantail
No	No	Tringa nebularia	Common Greenshank, Greenshank

4.1.5.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.5.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

After undertaking the habitat assessment and likelihood of occurrence assessment (Attachment 'Att D_Likelihood of occurrence assessment) described in Section 3.2.1. and Attachment 'Att C_Section 3.2.1., the following migratory species were considered to have potential to occur within the project area:
•Fork-tailed Swift (*Apus pacificus*)
•Latham's Snipe (*Gallinago hardwickii*)
•Pacific Golden Plover (*Pluvialis fulva*)
•Rufous Fantail (*Rhipidura rufifrons*)
•White-throated Needletail (*Hirundapus caudacutus*)

Targeted surveys for avifauna were undertaken during Winter 2021, Summer 2022 and Autumn 2023 across the project area. A total of six bird surveys equating to 180 minutes of survey have been conducted across the project area. No migratory birds were detected within the project area. However, these species are highly mobile and there is potential that they could occasionally utilise the habitat within the disturbance footprint. Therefore, there is potential the above migratory species could potentially be impacted through the removal of the following foraging habitat:

•19.86 ha of indirect foraging habitat that could potentially be utilised aerially by the Fork-tailed swift;
•0.33 ha of potential foraging and roosting habitat (good condition Northern Melaleuca quinquenervia Swamp Forest) that could potentially be utilised by the Latham's Snipe.
•0.33 ha of potential foraging habitat (good condition Northern Melaleuca quinquenervia Swamp Forest) that could potentially be utilised by the Pacific Golden Plover;
•5.76 ha of woodland (good and moderate condition native vegetation) that could potentially be utilised by the Rufous Fantail when migrating through the landscape;
•19.86 ha of indirect foraging habitat that could potentially be utilised aerially by the White-throated Needletail.

4.1.5.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact? *

No

4.1.5.6 Describe why you do not consider this to be a Significant Impact. *

The proposed action is unlikely to have a significant impact on the EPBC Act listed migratory species listed in Section 4.1.5.2. above. These migratory species are all highly mobile species that have not been detected within the disturbance footprint. While there is potential they could infrequently utilise habitats within the disturbance footprint while migrating throughout the landscape, the proposed action will not:
•Substantially modify, destroy or isolate an area of important habitat for any of the migratory species with potential or known to occur within the disturbance footprint;
•Result in an invasive species that is harmful to migratory species becoming established in the habitat of the migratory species known to occur or with potential to occur within the disturbance footprint;
•Seriously disrupt the lifecycle of an ecologically significant proportion of the population of a migratory species.

4.1.5.7 Do you think your proposed action is a controlled action? *

No

4.1.5.9 Please elaborate why you do not think your proposed action is a controlled action. *

This is not considered a controlled action as proposed direct impacts to migratory species are not considered a significant impact.

4.1.5.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

Avoidance measures have been discussed in Section 4.1.4.10 above.

4.1.5.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

The proposed offsetting strategy has been discussed above in Section 4.1.4.11.

4.1.6 Nuclear

4.1.6.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.6.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

There are no nuclear entities within the action area or within the vicinity of the action area.

4.1.7 Commonwealth Marine Area

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

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4.1.7.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.7.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

There are no Commonwealth Marine Areas within the action area or within the vicinity of the action

4.1.8 Great Barrier Reef

4.1.8.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.8.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

The action area is not within the vicinity of the Great Barrier Reef.

4.1.9 Water resource in relation to large coal mining development or coal seam gas

4.1.9.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.9.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

The proposed action is not a large coal mining or coal seam gas development.

4.1.10 Commonwealth Land

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.10.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.10.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

There are 15 mapped Commonwealth Land entities within the buffer area only. These will not be impacted by the proposed action..

4.1.11 Commonwealth Heritage Places Overseas

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.11.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.11.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. *

There are no Commonwealth Heritage places overseas in the project area.

4.1.12 Commonwealth or Commonwealth Agency

4.1.12.1 Is the proposed action to be taken by the Commonwealth or a Commonwealth Agency? *

No

4.2 Impact summary

Conclusion on the likelihood of significant impacts

You have indicated that the proposed action will likely have a significant impact on the following Matters of National Environmental Significance:

None

Conclusion on the likelihood of unlikely significant impacts

You have indicated that the proposed action will unlikely have a significant impact on the following Matters of National Environmental Significance:

- World Heritage (S12)
- National Heritage (S15B)
- Ramsar Wetland (S16)
- Threatened Species and Ecological Communities (S18)
- Migratory Species (S20)
- Nuclear (S21)
- Commonwealth Marine Area (S23)
- Great Barrier Reef (S24B)
- Water resource in relation to large coal mining development or coal seam gas (S24D)
- Commonwealth Land (S26)
- Commonwealth Heritage Places Overseas (S27B)
- Commonwealth or Commonwealth Agency (S28)

4.3 Alternatives

4.3.1 Do you have any possible alternatives for your proposed action to be considered as part of your referral? *

No

4.3.8 Describe why alternatives for your proposed action were not possible. *

Within the remaining developable land within the Sovereign Hills masterplan community there is limited remaining land with R1 and MU1 land zoning, where the proposed action is permissible under the land zoning. There are no other feasible alternatives for the proposed action.

5. Lodgement

5.1 Attachments

1.2.1 Overview of the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att A_Figures.pdf Figures		Yes	High
#2.	Document	Att A_Figures_redacted.pdf Figures. Sensitive species locations have been redacted.		No	High
#3.	Document	Att E_WolfPeak SOX East BDAR.pdf BDAR prepared by WolfPeak		Yes	Medium
#4.	Document	Att E_WolfPeak SOX East BDAR_redacted__V3_2025-02-11.pdf BDAR prepared by WolfPeak. Sensitive species locations have been redacted. V3_2025-02-11.		No	Medium
#5.	Document	Att H_Reference list.pdf Reference list		No	High

1.2.7 Public consultation regarding the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att B_Area 13 Thrumster Local Environmental Study.pdf Area 13 Thrumster Local Environmental Study prepared for Port Macquarie Hastings Council		No	Medium
#2.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 1 Workshop Notes.pdf Att B Appendix 1 Workshop Notes		No	Medium
#3.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 2 Development Yields.pdf Att B Appendix 2 Development Yields		No	Medium
#4.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 3 Ecological Constraints Report.pdf Att B Appendix 3 Ecological Constraints Report		Yes	Medium
#5.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 3_redacted.pdf Att B Appendix 3 Ecological Constraints Report. Sensitive species locations redacted.		No	Medium
#6.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 5 Koala Plan of Management.pdf Att B Appendix 5 Koala Plan of Management		No	Medium
#7.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 6 Water Cycle Management.pdf Att B Appendix 6 Water Cycle Management		No	Medium

#8.	Document	Att G_Area 13 Thrumster Aboriginal Heritage Assessment.pdf Area 13 Urban Investigation Area Aboriginal Heritage Assessment		Yes	Medium
#9.	Document	Att G_Area 13 Thrumster Aboriginal Heritage Assessment_redacted.pdf Aboriginal heritage assessment. Appendix C containing sensitive locations of Aboriginal sites has been redacted. Att G is the same document as Att B_Appendix 4 Aboriginal Heritage Assessment.		No	Medium

1.3.2.16 (Person proposing to take the action) Nature of the trust arrangement in relation to the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att I_Unit Trust Deed - Lewis Developments Trust.pdf		Yes	

3.1.1 Current condition of the project area's environment

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att A_Figures.pdf Figures		Yes	High
#2.	Document	Att A_Figures_redacted.pdf Figures. Sensitive species locations have been redacted.		No	High

3.1.2 Existing or proposed uses for the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att B_Area 13 Thrumster Local Environmental Study.pdf Area 13 Thrumster Local Environmental Study prepared for Port Macquarie Hastings Council		No	Medium
#2.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 1 Workshop Notes.pdf Att B Appendix 1 Workshop Notes		No	Medium
#3.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 2 Development Yields.pdf Att B Appendix 2 Development Yields		No	Medium
#4.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 3 Ecological Constraints Report.pdf Att B Appendix 3 Ecological Constraints Report		Yes	Medium
#5.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 3_redacted.pdf Att B Appendix 3 Ecological Constraints Report. Sensitive species locations redacted.		No	Medium
#6.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 5 Koala Plan of Management.pdf Att B Appendix 5 Koala Plan of Management		No	Medium

#7.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 6 Water Cycle Management.pdf Att B Appendix 6 Water Cycle Management		No	Medium
#8.	Document	Att G_Area 13 Thrumster Aboriginal Heritage Assessment.pdf Area 13 Urban Investigation Area Aboriginal Heritage Assessment. Att G is the same document as Att B_Appendix 4 Aboriginal Heritage Assessment.		Yes	Medium
#9.	Document	Att G_Area 13 Thrumster Aboriginal Heritage Assessment_redacted.pdf Aboriginal heritage assessment. Appendix C containing sensitive locations of Aboriginal sites has been redacted. Att G is the same document as Att B_Appendix 4 Aboriginal Heritage Assessment.		No	Medium

3.1.3 Natural features, important or unique values that applies to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att A_Figures.pdf Figures		Yes	High
#2.	Document	Att A_Figures_redacted.pdf Figures. Sensitive species locations have been redacted.		No	High

3.2.1 Flora and fauna within the affected area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att A_Figures.pdf Figures		Yes	High
#2.	Document	Att A_Figures_redacted.pdf Figures. Sensitive species locations have been redacted.		No	High
#3.	Document	Att C_Section 3.2.1.pdf Section 3.2.1 further details of survey effort		No	High
#4.	Document	Att D_Likelihood of occurrence assessment.pdf Likelihood of occurrence assessment		No	High
#5.	Document	Att F_Section 4.1.4.4.pdf Section 4.1.4.4 significant impact assessments		No	High

3.2.2 Vegetation within the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att A_Figures.pdf Figures		Yes	High
#2.	Document	Att A_Figures_redacted.pdf Figures. Sensitive species locations have been redacted.		No	High
#3.	Document				

		Att E_WolfPeak SOX East BDAR.pdf BDAR prepared by WolfPeak	Yes	Medium	
#4.	Document	Att E_WolfPeak SOX East BDAR_redacted__V3_2025-02-11.pdf BDAR prepared by WolfPeak. Sensitive species locations have been redacted. V3_2025-02-11.		No	Medium
#5.	Document	Att J_Supporting Documentation_V2_2025-01-08.pdf Supporting documentation.		No	High

3.3.2 Indigenous heritage values that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att B_Area 13 Thrumster Local Environmental Study.pdf Area 13 Thrumster Local Environmental Study prepared for Port Macquarie Hastings Council		No	Medium
#2.	Document	Att B_Area 13 Thrumster Local Environmental Study.pdf Area 13 Thrumster Local Environmental Study prepared for Port Macquarie Hastings Council		No	Medium
#3.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 1 Workshop Notes.pdf Att B Appendix 1 Workshop Notes		No	Medium
#4.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 2 Development Yields.pdf Att B Appendix 2 Development Yields		No	Medium
#5.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 3 Ecological Constraints Report.pdf Att B Appendix 3 Ecological Constraints Report		Yes	Medium
#6.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 3_redacted.pdf Att B Appendix 3 Ecological Constraints Report. Sensitive species locations redacted.		No	Medium
#7.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 5 Koala Plan of Management.pdf Att B Appendix 5 Koala Plan of Management		No	Medium
#8.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 6 Water Cycle Management.pdf Att B Appendix 6 Water Cycle Management		No	Medium
#9.	Document	Att G_Area 13 Thrumster Aboriginal Heritage Assessment.pdf Area 13 Urban Investigation Area Aboriginal Heritage Assessment		Yes	Medium
#10.	Document	Att G_Area 13 Thrumster Aboriginal Heritage Assessment_redacted.pdf Aboriginal heritage assessment. Appendix C containing sensitive locations of Aboriginal sites has been redacted.		No	Medium

		Att G is the same document as Att B_Appendix 4 Aboriginal Heritage Assessment.			
#11.	Document	Att G_Area 13 Thrumster Aboriginal Heritage Assessment_redacted.pdf Aboriginal heritage assessment. Appendix C containing sensitive locations of Aboriginal sites has been redacted. Att G is the same document as Att B_Appendix 4 Aboriginal Heritage Assessment.		No	Medium

3.4.1 Hydrology characteristics that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att A_Figures.pdf Figures		Yes	High
#2.	Document	Att A_Figures_redacted.pdf Figures. Sensitive species locations have been redacted.		No	High
#3.	Document	Att B_Area 13 Thrumster Local Environmental Study.pdf Area 13 Thrumster Local Environmental Study prepared for Port Macquarie Hastings Council		No	Medium
#4.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 1 Workshop Notes.pdf Att B Appendix 1 Workshop Notes		No	Medium
#5.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 2 Development Yields.pdf Att B Appendix 2 Development Yields		No	Medium
#6.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 3 Ecological Constraints Report.pdf Att B Appendix 3 Ecological Constraints Report		Yes	Medium
#7.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 3_redacted.pdf Att B Appendix 3 Ecological Constraints Report. Sensitive species locations redacted.		No	Medium
#8.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 5 Koala Plan of Management.pdf Att B Appendix 5 Koala Plan of Management		No	Medium
#9.	Document	Att B_Area 13 Thrumster Local Environmental Study_Appendix 6 Water Cycle Management.pdf Att B Appendix 6 Water Cycle Management		No	Medium
#10.	Document	Att G_Area 13 Thrumster Aboriginal Heritage Assessment.pdf Area 13 Urban Investigation Area Aboriginal Heritage Assessment. Att G is the same document as Att B_Appendix 4 Aboriginal Heritage Assessment.		Yes	Medium
#11.	Document	Att G_Area 13 Thrumster Aboriginal Heritage Assessment_redacted.pdf Aboriginal heritage assessment. Appendix C containing		No	Medium

sensitive locations of Aboriginal sites has been redacted.
Att G is the same document as Att B_Appendix 4 Aboriginal Heritage Assessment.

4.1.4.2 (Threatened Species and Ecological Communities) Why your action has a direct and/or indirect impact on the identified protected matters

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att A_Figures.pdf Figures		Yes	High
#2.	Document	Att A_Figures_redacted.pdf Figures. Sensitive species locations have been redacted.		No	High
#3.	Document	Att E_WolfPeak SOX East BDAR.pdf BDAR prepared by WolfPeak		Yes	Medium
#4.	Document	Att E_WolfPeak SOX East BDAR_redacted__V3_2025-02-11.pdf BDAR prepared by WolfPeak. Sensitive species locations have been redacted. V3_2025-02-11.		No	Medium
#5.	Document	Att F_Section 4.1.4.4.pdf Section 4.1.4.4 significant impact assessments		No	High

4.1.4.6 (Threatened Species and Ecological Communities) Why you do not consider the direct and/or indirect impact to be a Significant Impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att A_Figures.pdf Figures		Yes	High
#2.	Document	Att A_Figures_redacted.pdf Figures. Sensitive species locations have been redacted.		No	High
#3.	Document	Att F_Section 4.1.4.4.pdf Section 4.1.4.4 significant impact assessments		No	High

4.1.4.9 (Threatened Species and Ecological Communities) Why you do not think your proposed action is a controlled action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att F_Section 4.1.4.4.pdf Section 4.1.4.4 significant impact assessments		No	High

4.1.4.10 (Threatened Species and Ecological Communities) Avoidance or mitigation measures proposed for this action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att A_Figures.pdf Figures		Yes	High
#2.	Document	Att A_Figures_redacted.pdf Figures. Sensitive species locations have been redacted.		No	High

#3.	Document	Att F_Section 4.1.4.4.pdf Section 4.1.4.4 significant impact assessments	No	High

4.1.4.11 (Threatened Species and Ecological Communities) Proposed offsets relevant to avoidance or mitigation measures

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att A_Figures.pdf Figures		Yes	High
#2.	Document	Att A_Figures_redacted.pdf Figures. Sensitive species locations have been redacted.		No	High
#3.	Document	Att F_Section 4.1.4.4.pdf Section 4.1.4.4 significant impact assessments		No	High

4.1.5.2 (Migratory Species) Why your action has a direct and/or indirect impact on the identified protected matters

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att C_Section 3.2.1.pdf Section 3.2.1 further details of survey effort		No	High
#2.	Document	Att D_Likelihood of occurrence assessment.pdf Likelihood of occurrence assessment		No	High

5.2 Declarations

Completed Referring party's declaration

The Referring party is the person preparing the information in this referral.

ABN/ACN	87096512088
Organisation name	ECO LOGICAL AUSTRALIA PTY LTD
Organisation address	Suite 403, Level 4, 45 Watt Street, Newcastle NSW 2300
Representative's name	Alexandria Yates
Representative's job title	Ecologist
Phone	0455124013
Email	alex.yates@ecoaus.com.au
Address	Suite 403, Level 4, 45 Watt Street, Newcastle NSW 2300

☑ Check this box to indicate you have read the referral form. *

☑ I would like to receive notifications and track the referral progress through the EPBC portal. *

☑ By checking this box, I, **Alexandria Yates of ECO LOGICAL AUSTRALIA PTY LTD**, 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. *

☑ I would like to receive notifications and track the referral progress through the EPBC portal. *

Completed Person proposing to take the action's declaration

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

ABN/ACN	609049336
Organisation name	Lewis Developments Pty Ltd
Organisation address	Suite 3802, Level 38, Australia Square, 264 George St, Sydney, NSW 2000
Representative's name	Trent Kelly
Representative's job title	Senior Development Manager
Phone	0417775427
Email	trent.kelly@lewisland.com
Address	Suite 3802, Level 38, Australia Square, 264 George St, Sydney, NSW 2000

☑ Check this box to indicate you have read the referral form. *

☑ I would like to receive notifications and track the referral progress through the EPBC portal. *

☑ I, **Trent Kelly of Lewis Developments Pty Ltd**, 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 or for the benefit of any other person or entity. *

☑ I would like to receive notifications and track the referral progress through the EPBC portal. *

✔ Completed Proposed designated proponent's declaration

The Proposed designated proponent is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

☑ Check this box to indicate you have read the referral form. *

☑ I would like to receive notifications and track the referral progress through the EPBC portal. *

☑ I, **Trent Kelly of Lewis Developments Pty Ltd**, the Proposed designated proponent, consent to the designation of myself as the Proposed designated proponent for the purposes of the action described in this EPBC Act Referral. *

☐ I would like to receive notifications and track the referral progress through the EPBC portal. *