



Australian Government

Department of the Environment and Water Resources

Referral of proposed action

What is a referral?

The *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) protects matters of national environmental significance (NES), and the environment, in relation to Commonwealth actions, and actions on (or impacting upon) Commonwealth land. The purpose of a referral is to determine whether your proposed action will need formal assessment and approval under the EPBC Act.

Your referral will be the principal basis for the Minister for the Environment and Water Resources' decision as to whether approval is necessary and, if so, the type of assessment that will be taken. These decisions are made within 20 business days.

When do I need to make a referral?

A referral must be made for actions that are likely to have a significant impact on matters protected by Part 3 of the EPBC Act:

- World Heritage (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)
- Marine environment (sections 23 and 24A)
- Protection of the environment from actions involving Commonwealth land (sections 26 and 27A)
- Protection of the environment from Commonwealth actions (section 28)

OR

- actions that may 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
- actions by Commonwealth Authorities that are likely have a significant impact on the environment require approval.

You may still make a referral if you believe your action is not going to have a significant impact, or if you are unsure.

To help you decide whether or not your proposed action requires approval (and, therefore, if you should make a referral), read the following documents, available from the Department web site:

- the Policy Statement titled *Principle Significance Guidelines 1.1 – Matters of National Environmental Significance*. Additional sectoral guidelines are also available.
- the Policy Statement titled *Principle Significance Guidelines 1.2 – Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies*.
- the interactive map on the web site—enter a location to obtain a report on what matters of NES may occur in that location.

A staged or component action

An action that is a component of a larger action may not be accepted separately and may require referral of the larger action for consideration under the EPBC Act. Refer to *Fact Sheet 6: Staged Developments/Split Referrals*.

If you want to make a referral for a staged or component referral, contact the EPBC Act Referrals Section (1800 803 772).

Permits

Some activities may also require a permit under other sections of the EPBC Act, whether or not approval is required. Information is available on the Department web site.

Completing the referral form

Completing this form will help ensure that you submit the information required by the EPBC Regulations.

All referrals MUST be published on the Department's web site for public comment (the Department will arrange this) and should generally be:

- readily understood by the public
- no longer than 25 A4-sized, single-sided pages
- typed (main text no smaller than 11 points)
- have clearly legible maps and diagrams
- supplied unbound or electronically.

Provide supporting documentation, such as environmental reports or surveys, as attachments. However, the referral form must contain the core information, so that it provides an adequate basis for public comment and decision-making.

Provide coloured maps, figures or photographs to help explain the project and its location. 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.

Using the MS Word file to enter your information

You can complete your referral by entering your information into this Word file.

Instructions are provided in green text. If you do not see the instructions you need to reveal 'hidden' text. A toolbar with buttons to turn the instructions on and off should be visible when you open the file.

Normally the instruction text will not print. (If you wish to print a copy of the form with the instructions you will need to select the Options button in the Print dialog and select Hidden text.)

Submitting the referral form

By mail to

EPBC Act Referrals Section
Environment Assessment Branch
Department of the Environment and
Water Resources
GPO Box 787
CANBERRA ACT 2601

By fax to 02 6274 1789

- Referrals 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.

By 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.
- To ensure file sizes are not too large (below two megabytes), enclose maps and figures as separate files if necessary. If unsure, send a question to the email address.
- Follow up with a mailed hardcopy including copies of any attachments or supporting reports.

What happens next?

The Department will write to you at the end of the 20 business day period to advise you of the outcome of your referral and whether or not formal assessment and approval under the EPBC Act is needed. There are three types of decisions about the referral.

The proposed action is NOT LIKELY to be significant 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 state or local government requirements).

The proposed action is NOT LIKELY to be significant IF undertaken in specified manner

The specified 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 specified manner to the Department.

The proposed action is LIKELY to be significant and does NEED approval

The proposed action is subject to a public assessment process before it can be considered for approval. The level of assessment will be decided at the same time. (Further information about the levels of assessment and basis for deciding the approach are available on the web site.)

If the action is likely to be significant it is called a *controlled action* and the particular matters upon which the action may have a significant impact (such as World Heritage or threatened species) are known as the *controlling provisions*.

Compliance audits

The Department may audit your project at any time to ensure that it was completed in accordance with the information provided in the referral or the stated particular manner. If the project changes, such that the degree of significance could vary, you should write to the Department to advise of the changes, and likely significance, or discuss with the EPBC Act Referrals Section (1800 803 772).

For more information

- call the Department of the Environment and Water Resources 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 this web page.

Referral of proposed action

Project title	Rocky Springs Masterplanned Community
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1 Contacts

1.1 Referring party	Person, agent or agency who is making the referral Rob Moore Project Director Delfin Lend Lease PO Box 1512 Milton, 4064 (07) 3292 2200 rob.moore@lendlease.com.au
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1.2 Responsible party	Person responsible for or who will carry out the proposed action. If same as 1.1, write 'as above' David Keir Chief Executive Officer Delfin Lend Lease PO Box 1512, Milton Qld 4064 07 3292 2207 David.keir@lendlease.com.au
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1.3 Proponent	Person responsible for preparing assessment documentation, if approval is required. If same as 1.2, write 'as above' As Above
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2 Summary of proposed action

NOTE: You must attach an A4 size map/plan(s) showing the location and approximate boundaries of the area in which the project is to occur. The summary below should encompass any alternative locations, timeframes or activities that are listed in Section 3.2.

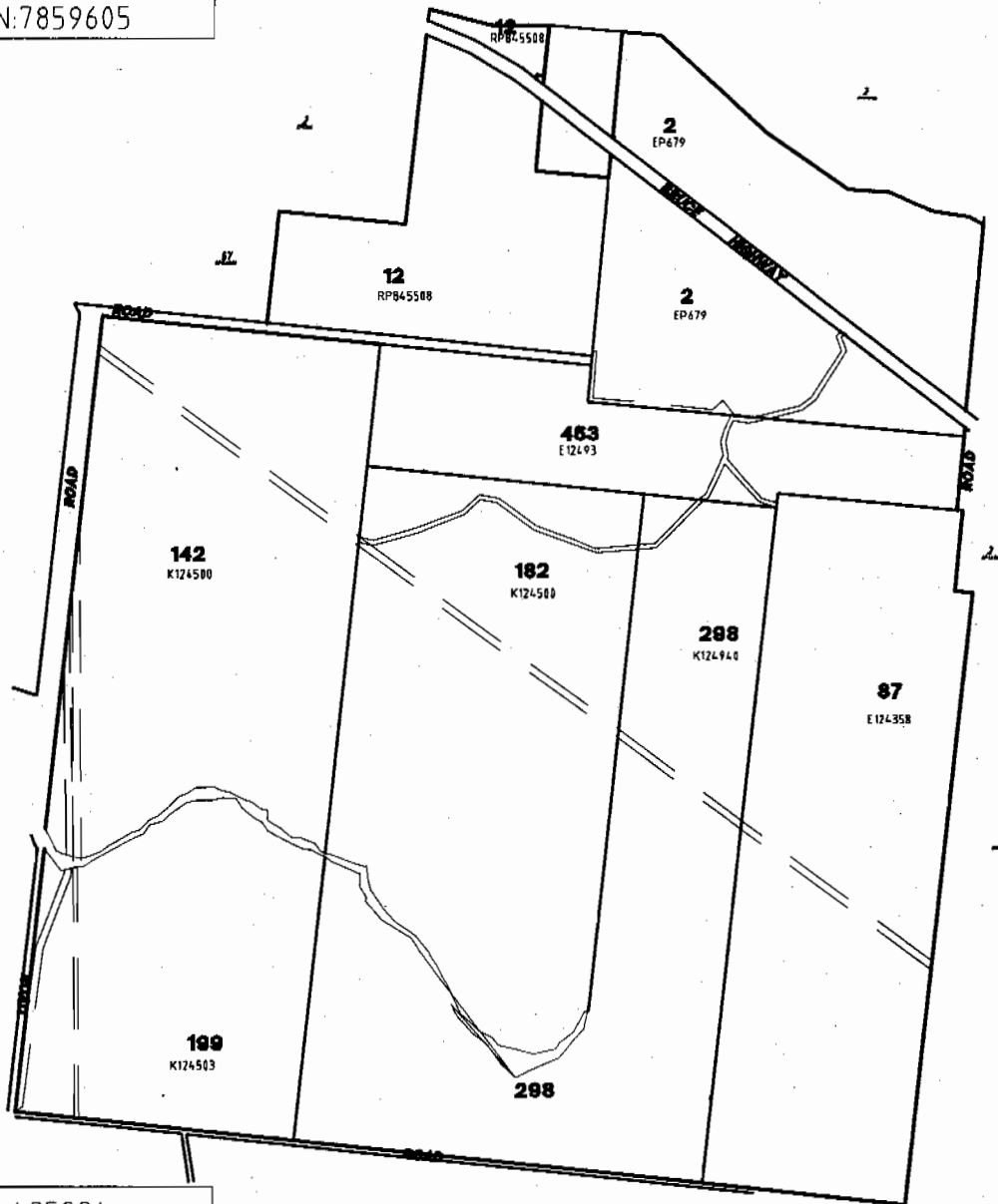
2.1	Short description	Rocky Springs Masterplanned Community, Townsville, Queensland. The proposed action will be a masterplanned community incorporating residential uses, a town centre incorporating commercial and retail uses, education precincts from prep to high school, community centres, neighbourhood centres and significant areas of recreational and environmental open space. The community will contain a number of recreation and community based opportunities as well as generate a number of employment opportunities both within and outside of the site.																																															
2.2	Latitude and longitude	<table border="1"> <thead> <tr> <th></th> <th colspan="3">Latitude</th> <th colspan="3">Longitude</th> </tr> <tr> <th>location point</th> <th>degrees</th> <th>minutes</th> <th>seconds</th> <th>degrees</th> <th>minutes</th> <th>seconds</th> </tr> </thead> <tbody> <tr> <td></td> <td>19</td> <td>21</td> <td>27.13</td> <td>146</td> <td>51</td> <td>35.93</td> </tr> <tr> <td></td> <td>19</td> <td>21</td> <td>27.27</td> <td>146</td> <td>54</td> <td>14.92</td> </tr> <tr> <td></td> <td>19</td> <td>24</td> <td>21.39</td> <td>146</td> <td>54</td> <td>14.81</td> </tr> <tr> <td></td> <td>19</td> <td>24</td> <td>21.29</td> <td>146</td> <td>51</td> <td>35.75</td> </tr> </tbody> </table>							Latitude			Longitude			location point	degrees	minutes	seconds	degrees	minutes	seconds		19	21	27.13	146	51	35.93		19	21	27.27	146	54	14.92		19	24	21.39	146	54	14.81		19	24	21.29	146	51	35.75
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2.3	Locality	The project is located approximately 12 kilometres south east of the Townsville CBD. It is a square shaped parcel of land, of which approximately 10% lies on the northern side of the Bruce Highway with the balance to the south and the west. The site is bounded to the north-west by the Townsville Correctional Centre and a crematorium, a rail reserve to the north-east, the Sisters Mountains to the East, a section of the Bowling Green Bay National Park to the east and south-east and rural properties to the south and west. The main part of the site to the south comprises two distinct landforms – steep to very steep lands to the north and east and flat alluvial plains to the south and west.																																															
2.4	Size of the development footprint or work area (hectares)	1,594 hectares																																															
2.5	Street address of the site	Bruce Highway, Julago, Townsville, Queensland.																																															
2.6	Lot description	Lot 142 on K124500 Lot 463 on E12493 Lot 2 on EP679 Lot 87 on E124358 Lot 199 on K124503 Lot 182 on K124500 Lot 12 on RP845508 Lot 298 on K124940 Lot 12 RP845508																																															
2.7	Local Government Area and Council contact (if known)	Townsville City Council Contact: Kellie Tricarico (07) 4727 9000																																															
2.8	Project life																																																
2.9	Alternatives	<table border="1"> <tr> <td>X</td> <td>No</td> </tr> </table>						X	No																																								
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		Yes, complete section 3.2
2.10	State assessment	No
	X	Yes, complete Section 3.5
2.11	Component of larger action	No
	X	Yes, complete Section 3.6

3 Detailed project description

NOTE: The proposal described here is the action(s) on which ALL subsequent decisions under the EPBC Act will be made, including decisions on significance, level of assessment (if needed) and approval (if needed). It is therefore important that the description is complete and includes all components and activities associated with the action, as well as any specific alternatives to be assessed. If certain related components are not intended to be included within the scope of the referral, this should be clearly explained in Section 3.6.

3.1 Description of proposal

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

Not applicable

3.3 Previously considered alternatives and the 'do nothing' case

Research and site investigations have identified the Black Throated Finch and Squatter Pigeon as being present on site. Current land use and land management practices are impacting on the habitats of these species. A 'do-nothing' scenario will further degrade and fragment the remaining habitats significantly compromising the species.

Comprehensive site analysis and investigations of the regional context has provided the opportunity to investigate alternatives to protect the Black Throated Finch and Squatter Pigeon. An integrated approach to the action is the best alternative in protecting significant habitat whilst allowing for local and broader area to be investigated ensuring minimal impact on the existing population. Please refer to Attachment B for the Ecological Assessment Report which contains more detailed information.

3.4 Context, planning framework and state/local government requirements

To date Rocky Springs has been through extensive planning at State and Local Levels.

Queensland State Government

The Queensland Government in partnership with the Townsville and Thuringowa councils recently completed a review of the Regional Structure Plan map and associated planning text, which form part of the Townsville-Thuringowa Strategy Plan. The amended TTSP removed the proposed timeframes on developments, including Rocky Springs site.

Refer the Attachment D for a full copy of the 2007 amended Townsville Thuringowa Strategy Plan.

Townsville City Council

Townsville City Council is currently going through the process of getting a Planning Scheme Amendment approved to allow for Rocky Springs to be developed as a Master Planned Community. The Planning Scheme Amendment is currently going through the Council approval process (with cabinet in early August for approval) and will be lodged with DLGPSR in the near future for approval by the State.

The site is currently designated Rural in the Townsville Planning Scheme.

3.5 Environmental impact assessments under Commonwealth, state or territory legislation

Delfin Lend Lease considers and EIS under the Bilateral Agreement not necessary because –

- Queensland State Government have completed studies and consultation relating to Rocky Springs over the past 10 years which have resulted in the TTSP being amended to allow the urban development of Rocky Springs effective immediately.
- The Council Planning Scheme Amendment identifies the site as "Urban" and will go through a thorough approval process which includes consultation with major stakeholders as part of the approval and subsequent inclusion in the Townsville Planning Scheme.
- No other development of similar scale and intensity in Townsville has required an EIS.
- Delfin Lend Lease intends to complete an Environmental Management Plan as part of the planning and design of the site as a master planned community.

3.6 A staged development or component of a larger project
Not applicable

4 Affected environment

NOTE: You must attach a map(s)/plan(s) clearly showing the location of the action in relation to any matters of national environmental significance

Information in this section is sourced from the Ecological Assessment Report for Rocky Springs (July 2007). This report was produced by Yurrah Pty Ltd. A copy of this report (as Attachment A) accompanies this referral.

The species richness of the indigenous site flora is of a medium level, including seventy-four species of flowering plants and ferns. This is regarded as a relatively low number considering the size of the site, reflecting the degree of disturbance over time from clearing and management of the land for agricultural activities, resulting in a relatively homogeneous landscape, with a uniform vegetation appearance.

The majority of the site, on both the alluvial plains and hill landforms, is dominated by the white gum woodland, with a dense grassy understorey. This woodland has been partially or completely cleared in parts, but is relatively widespread. The narrow-leaved Ironbark is the dominant species in the woodland in the south-western parts of the site, also with a dense grass understorey. Vine thicket or forest elements are restricted to small-scale patches in south-facing gullies and along waterways, probably due to their inability to withstand fire.

Clearing and disturbance of savanna sites for grazing leads to opportunistic weed introductions. Weed invasion by aggressive species such as the chinee apple can lead to irreversible changes in vegetation type, where they colonise large, disturbed areas, remaining un-checked for many years, and interfere with natural regeneration processes through severe competition for resources. Weed species that are climatically suited to a site, such as the chinee apple, do not have natural predators, and their spread is likely to reduce indigenous plant species richness and diversity.

The vegetation on the subject site displays the results of the process of weed invasion, typical of the tropical savannah, where changed fire management and the spread of introduced species (both pasture and weeds) have led to changes in vegetation characteristics.

It is clear from the site observations that there is a hierarchy of ecological values on the subject site, based on species richness, inferred diversity of indigenous plant species, and fauna habitat. At the lower end are the least natural, lowest richness parts of the site in the central and southern parts of the Ross Creek alluvial plain, where trees have been removed, and the chinee apple is the dominant shrub. Next higher in value are the areas of alluvial plain where the tree layer is more or less intact, corresponding with remnant vegetation.

The hill landform is of higher value again, and includes both the lower slopes comprising colluvial material, and the mid and upper, steeper slopes and crests. The former contain similar vegetation to that on the alluvial flats, but the ground-layer is somewhat richer due to the presence of rocky outcrops and scree slopes, which provide more cover for small terrestrial fauna. The areas above the lower slopes are more natural, having been less impacted by agricultural activity, and provide increased habitat opportunities through their micro-relief and diversity of substrate.

Finally, the presence of vine thicket or vineforest species along south-facing gullies and in close association with ephemeral waterways across both of the major landforms mean that these corridors provide high biodiversity values.

The major vegetation associations present generally do not display any particular intrinsic values in the sense that they comprise common and widespread plant species. The Regional Ecosystem classification combines the flora and vegetation data with soils, geomorphology and geology as a surrogate for biodiversity of the entire ecosystem (that is, the flora, fauna and abiotic environment). The purpose of this is to include the fauna and microbial communities that inhabit the vegetation types, and that which may otherwise not be included in any consideration of ecological values. In this case, all three REs (11.3.30, 11.3.35, 11.12.9) have a VMA status of 'not

of concern'. Their respective Biodiversity Status is 'no concern at present, under review', 'no concern at present', and 'no concern at present'.

Young et al. (1999) classify the Townsville Plains as a distinct Biogeographical province within the Brigalow Bioregion. According to these authors:

Vegetation consists of poplar gum Eucalyptus platyphylla woodland with narrow-leaved ironbark E crebra, Dallachy's gum E dallachiana (formerly referred to as E papuana) and paperbarks.

Thus the subject site vegetation is typical of the Townsville Plains province. Further, Young et al. (1999) indicated that, for the Bioregion as a whole:

The major threats to biodiversity are continued tree clearing, high total grazing pressure and the proliferation of exotic species.

The subject site is typical in this sense too, due to the extent of exotic species, ongoing grazing pressure and, to a lesser extent, tree clearing.

As stated above, the impacts of previous and current land use mean that most of the site has been disturbed to some extent. The site is therefore regarded as being of medium naturalness generally, but is of high-medium naturalness where remnant vegetation occurs, and is in high ecological condition in the latter areas (ie, where fewer weeds occur).

The likely future condition and naturalness of the vegetation will depend on future changes in land use and/or management regime. The existing land use of cattle grazing has provided a low level of management in terms of protecting ecological values, and these are seriously threatened by weed infestation, feral fauna and changes to frequency of fire.

The subject site has not apparently been burned for some time. The lack of evidence for recent or frequent fires on the subject site became apparent during the current study. Although rare signs of past fires were observed on the boles of trees, most standing and fallen timber did not display any charring. Termite nests were often observed built against tree trunks, and may have caused tree death and subsequent tree-fall as observed across the site. It is concluded that the site has not experienced fire of any significance for at least several years. A change in fire regime, both too frequent or too seldom, can lead to homogenisation of the landscape, and this appears to be the case for the subject site. There is strong dominance of two grass species, *Themeda triandra* and *Heteropogon contortus*, across the vast majority of the site, outside of current grazing areas.

As noted above, the remnant vegetation provides habitat for a range of indigenous fauna, based on the number of mammals, birds, reptiles and amphibians identified during the past and present surveys. The presence of dense vegetated cover in the vicinity of the ephemeral waterways in particular provides habitat for smaller, more cryptic species. However, their tenure on the subject site may be less than secure due to the presence of feral predators and competition from exotic species.

The subject site in isolation is possibly large enough to support small breeding groups of most of the observed indigenous species, especially when taken together with the surrounding habitat in neighbouring properties. Connectivity to these larger blocks of remnant vegetation, especially to National Park in the immediate southeast, is regarded as essential to the long-term survival of most species. Terrestrial species in particular will require this physical connectivity, while flying species are better able to cope with small discontinuities.

The presence of a large number of mature trees on the subject site provides roosting and nesting habitat for arboreal mammals, birds, microbats and reptiles, and numerous hollows were

observed. The quality of habitat and cover provided by the dense grassy understorey is considered to offer protection for small species of indigenous fauna, but exotic species also need to be subject to long-term control measures on this site, to maintain its ecological values.

The waterway network originating in and/or passing through the subject site contains a high level of ecological values overall, due to their species diversity, number of habitat niches, and provision of (semi)-permanent water supply. However, it should be noted that a high proportion of them has been impacted to some extent by grazing and weed infestation, and they are generally in need of rehabilitation. In some cases, the extent of degradation means that their values are potential only, and recovery will rely on active intervention, especially stock exclusion and weed management.

Searches of the EPA Wildlife On-line database (EPA), the Queensland Herbarium Database (BRI) and the Commonwealth Department of Environment and Water Database (DEW) indicated that a number of flora and fauna species protected under State and/or Commonwealth legislation may occur on the subject site.

Tables 1 (Flora) and **2** (Fauna) below summarises the results of these searches and the possible occurrence of each species occurring on the subject site. In the following Tables, status abbreviations are:

Environment Protection and Biodiversity Conservation Act 1999 Status: E = Endangered, V = Vulnerable

Nature Conservation (Wildlife) Regulation 1994 Status: e = Endangered; v = Vulnerable; r = Rare

Table 1 List of Rare or Threatened flora species previously reported from the vicinity of the subject site, with habitat requirements and an assessment of their possible occurrence (based on previous list provided by Chenoweth EPLA)

Species	Search	Status	Habitat Requirements	Possible Occurrence
<i>Leucopogon cuspidatus</i>	DEW	V	This species is reported in rocky habitats under a canopy consisting of <i>Eucalyptus acmenoides</i> , <i>E. drepanophylla</i> , and <i>Corymbia intermedia</i> , associated with a dense heath understorey.	Unlikely; habitat does not occur on subject site.
<i>Tylophora williamsii</i>	DEW	V	This species is a vine found in coastal vine thickets	Potentially occurs in isolated vine forest patches on the subject site, in south-facing gullies protected from fire.
<i>Babintonia papillisa</i>	BRI	e	A shrub which occurs only in Bowling Green Bay National Park in two known populations at Mt Elliot and Cape Cleveland	Unlikely to occur due to lack of suitable habitat.

<i>Bonamia dietrichiana</i>	BRI	r	Preferred habitat is wetlands.	Unlikely; no suitable wetlands occur on subject site.
<i>Croton magneticus</i>	BRI	v,V	A shrub that occurs on Magnetic Island and Mount Stuart.	Unlikely; possible occurrence in small patches of vine forest.
<i>Eucalyptus paedoglauca</i>	BRI	v,V	A eucalypt only known from Mt, Stuart	Unlikely; searches did not reveal.
<i>Peripleura scabra</i>	BRI	r	Rocky woodland, vine thicket.	Potentially occurs in small patches of vine forest.
<i>Rhamphicarpa australiensis</i>	BRI	r	A water plant (WEB 2).	Unlikely; may be resent in waterways during favourable periods.

From **Table 1** it can be seen that several protected plant species may potentially occur in the patches of vine forest and along the waterways of the subject site, although there would not be expected to be any significant populations present, due to the restricted and disturbed nature of these habitats. Nevertheless, their potential presence underscores the importance of protecting these corridors.

Table 2 List of Rare or Threatened fauna species previously reported from the vicinity of the subject site, with habitat requirements and an assessment of their possible occurrence (based on previous list provided by Chenoweth EPLA)

Species	Search	Status	Habitat Requirements	Possible Occurrence
<i>Ephippiorhynchus asiaticus</i> Black Necked Stalk	EPA	r	Only stork in Australia. Coastal and sub-coastal freshwater lakes and swamps, flooded pasture, mangroves and mudflats. Feeds mainly on fish. Also eats reptiles, frogs, crabs and carrion. Nests are a large, bulky stick platform.	Unlikely; may utilise low laying areas during favourable seasons or during floods. No nest sites observed.
<i>Erythrotriorchis radiatus</i> Red Goshawk	DEW	e,V	Inhabits open woodland, forest, rainforest edges and dense riparian vegetation. Feeds on other birds. Nests made of twigs in tree forks 7 – 25m above the ground. May rebuild abandoned nests of other bird species	Unlikely; may utilise the site as part of larger range. No nests observed.
<i>Geophaps scripta scripta</i> Squatter pigeon	DEW	V	Once found in open woodlands and savannas close to rivers, but new found in tall	Observed in small number on the subject site

(Southern)			tropical woodlands. They are most common in areas of sandy soil broken by low gravel ridges, with water nearby.	(see Digital image 18 below), as well as other sites around Townsville. Possibly at eastern edge of species range. See further discussion below.
<i>Neochmia ruficauda</i> <i>ruficauda</i> Star Finch (eastern) Star Finch (southern)	DEW	E	Restricted to areas around creeks and swamps where trees and bushes are scattered among tall, dense grass and rank vegetation. These species eat grass seeds similar to other finches recorded from the site.	May utilise the site.
<i>Peophila cincta</i> <i>cincta</i> Black-throated Finch (southern)	EPA, DEW	v,E	This species occupies woodland savanna and riverine vegetation. Inland it prefers grassy woodland dominated by eucalypts paperbarks or acacias, where there is access to seeding grasses and water. On the coast, it occupies open grassy plains with Pandanus.	Observed in small numbers at two locations on the subject site. See further discussion below.
<i>Rostratula australis</i> Australian Painted Snipe	DEW	V	The species is usually found in shallow, ephemeral inland wetlands, either freshwater or brackish.	Unlikely; may utilise low laying areas during favourable seasons or floods.
<i>Dasyurus hallucatus</i> Northern Quoll	DEW	E	Nocturnal carnivorous marsupial, with a varied diet, feeding on a wide ranged of prey, including beetles, grasshoppers, spiders, scorpions and centipedes. They also eat fruit and nectar and hunt a variety of vertebrates including bandicoots, possums, rats, gliders, bird's eggs, snakes and frogs. Make dens in rock crevices, tree holes or occasionally termite mounds.	May possibly utilise the subject site, in rocky areas of hill landform.

<i>Tadoma rajah</i> Radjah Shelduck, Burdekin Duck	EPA	r	The species prefers brackish water, mud-banks and the mangrove fringed lower reaches of tropical rivers. They visit freshwater swamps and lagoons mainly in the wet season, but spend only a limited time there.	Unlikely; may occasionally utilise low laying areas during favourable seasons or floods.
<i>Pteropus conspicillatus</i> Spectacled Flying-fox	DEW	V	This species occupies primary and secondary growth tropical rainforest. Roosting generally occurs in dead trees or trees stripped of their foliage.	Unlikely; habitat does not occur on subject site.
<i>Delma libialis</i> Striped-tail Delma	DEW	V	Known only from Magnetic Island, and a few localities on the mainland near Townsville. This species is found in low open forest with a grassy understorey.	May utilise the subject site, especially in rocky areas of the hill landform..
<i>Egernia rugosa</i> Yakka Skink	DEW	V	Found in open dry sclerophyll forest or woodland, often among dense ground vegetation, hollow logs, cavities in soil-bound root systems of fallen trees and beneath rocks. They may also excavate burrow systems around low vegetation.	May utilise the subject site, especially in rocky areas of the hill landform.

It can be seen from **Table 2** above that two listed species have been observed on the subject site, and a further three species may be present. The latter are the Northern Quoll, the Strip-tailed Delma, and the Yakka Skink, all of which may utilise the rocky slopes of the hill landform.

It should be noted that the present observations were undertaken in the cooler winter months, and further targeted survey efforts will be required for these species in the warmer times of the year.

4.1 Matters of national environmental significance

4.1 (a) World Heritage Properties

Not applicable

4.1 (b) National Heritage Places

Not applicable

4.1 (c) Wetlands of International Significance (Ramsar)

Not applicable

4.1 (d) Listed threatened species and ecological communities

As listed above, two species that have been observed on site are protected under both Queensland and Commonwealth legislation. The southern subspecies of the Squatter Pigeon (*Geophaps scripta scripta*) is regarded as Vulnerable under both the Queensland *Nature Conservation Act 1992* (NCA) and the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC). The southern subspecies of the Black-throated Finch (*Poephila cincta cincta*) is also listed as Vulnerable under the NCA, but is classified as Endangered under the EPBC

4.1 (e) Listed migratory species

Not applicable

4.1 (f) Nuclear actions

Not applicable

4.1 (g) Commonwealth marine areas

Not applicable

4.2 Important or unique aspects of the environment, if relevant

4.2 (a) Soil and vegetation characteristics

Not applicable

4.2 (b) Water flows, including rivers, creeks and impoundments

The presence of semi-permanent springs within the rocky waterways are evident on site. Please refer to the Ecological Assessment Report in Attachment A for further information.

4.2 (c) Outstanding natural features, including caves

Not applicable

4.2 (d) Gradient

Not applicable

4.2 (e) Buildings or other infrastructure

Not applicable

4.2 (f) Marine areas

Not applicable

4.2 (g) Kinds of fauna

Refer to the statements above regarding the Black Throated Finch and Squatter Pigeon.

4.2 (h) Current state of the environment

Refer to the Ecological Values statement above regarding the current state of the environment.

4.2 (i) Commonwealth Heritage Places and places on the Register of the National Estate

Not applicable

4.2 (j) Known Indigenous heritage values

Cultural heritage database and register searches for the project area have revealed that no significant Aboriginal cultural heritage sites, places or values yet to be recorded on the subject land.

A previous systematic cultural survey of the project area by Gorecki in 1994 did not locate any Aboriginal cultural heritage sites or materials (Gorecki 1994).

4.2 (k) Other important or unique values of the environment

Refer to Attachment B – The Ecological Assessment Report.

4.2 (l) Tenure of the action area (eg freehold, leasehold)

Freehold.

4.2 (m) Existing land uses

The site is currently used for pastoral/grazing purposes.

4.2 (n) Proposed land uses

It is intended that the proposed site be used for the generation of a masterplanned community. The land uses of this community will include residential, commercial, retail, recreation and environmental open space, education and employment, roads and infrastructure, lakes and waterbody's as well as environmental corridors.

5 Nature and extent of likely impacts

5.1 Likely impacts on matters of national environmental significance (NES)

The proposal is not considered likely to impact on the Black Throated Finch or Squatter Pigeon. Additionally, it is expected that there will be no significant adverse affect on the identified habitat and ecology of the Black Throated Finch and Squatter Pigeon. In the event that a Development Approval is granted, it is recommended that the observed remnant habitats be conserved and the species managed such that they will be ameliorated limiting any real impact. All highly constrained areas identified in Figure 4 of the attached Ecological Assessment Report, will provide an appropriately designed buffer between its core and adjacent residential development. This will ensure retention of habitat for the species listed as vulnerable under the EPBC Act.

5.1 (a) Likely impact on the world heritage values of a declared World Heritage property

Not applicable

5.1 (b) Likely impact on the heritage values of a listed National Heritage place

Not applicable

5.1 (c) Likely impact on the ecological character of a declared Ramsar wetland

Not applicable

5.1 (d) Likely impact on the members of a listed threatened species or ecological community, or their habitat

Refer to statement above. Likely impacts to the Black Throated Finch and Squatter Pigeon will be managed such that they will be ameliorated and not significantly impacted upon.

5.1 (e) Likely impact on the members of a listed migratory species or their habitat

Not applicable

5.1 (f) Likely impact on the environment in part of the Commonwealth marine area

Not applicable

5.2 Likely impacts for nuclear actions, actions affecting Commonwealth land or actions taken by the Commonwealth

Not applicable

6 Measures to avoid or reduce impacts

A number of site investigations, discussions with experts in the field of the threatened species and additional research have determined that habitat preservation, rehabilitation, connectivity and additional information will be key criteria for the protection and rehabilitation of the threatened species. A number of measures will be enacted upon receipt of approvals and these include;

- The provision and maintenance of dedicated open space conservation areas where the threatened species have been observed and habitat exists. The areas are considered as having the highest ecological value. Further, the provision of an outer buffer is also proposed where, should development occur, has minimal or no impact on the protected species.
- Undertaking additional study into the ecology of the threatened species and its utilisation of the landscape over the broader region. Any outcomes will be used to inform an integrated design approach of the habitat areas.
- The provision and maintenance of vegetated corridors that connect to external habitats such as the Bowling Green National Park.
- The rehabilitation and maintenance of a hierarchical waterway corridors with widths of the corridors determined by ecological value.
- The provision of Site Based Management Plans specific to particular precincts within the site. These plans would be undertaken prior to detailed design commencing and would be part of the design brief.
- Continued liaison and discussion with EPA (Qld) under the established Sustainability Alliance set up between Lend Lease and EPA (Qld)
- The provision of Stormwater Quality Management Plans for all areas within the site and the implementation of site specific water sensitive urban design principles to ensure no impacts on creek lines and waterways.
- The provision of a biodiversity friendly fire management regime within the areas of high ecological value
- Continued liaison and engagement with local landcare groups through Delfin Lend Lease national affiliation with Landcare Australia.
- The implementation of previously approved management actions for the Black-throated Finch with further investigations into additional management actions.
- Seed collecting, propagating and replanting (both locally and within the district) key species within the conservation and buffer areas. Once planted, establishment and extended maintenance of the species will be undertaken to ensure their health and longevity.
- Retention and protection of trees within open space areas.

The reduction and cessation of grazing lands over a period of time combined with the implementation of site responsive land management practices will result in improvement of waterways and habitat areas. Clearing will be undertaken on an as required basis. Monitoring

(and adjustment as required) for all aspects of water quality, noise, erosion, rehabilitation and remediation will occur over the life of the project.

7 Conclusion on the likelihood of significant impacts

NOTE: Under the EPBC Act, you must identify in the referral whether or not you believe significant impacts on the matters protected under the Act are likely. If you identify that significant impacts are likely, you must identify the relevant protected matters in section 7.2.

Do you THINK your proposed action is likely to have significant impacts?

- ☒ No, complete section 7.1
- ☐ Yes, complete Section 7.2

7.1 Proposed action is NOT LIKELY to have significant impacts

Key reasons

The Ecological Assessment Report has identified the core habitat for the Black Throated Finch and the Squatter Pigeon. The core habitat will be protected from development under the recommendations of the Ecological Assessment Report. The Ecological Assessment Report also recommends the outer buffer to the core habitat for as an area for further investigation.

7.2 Proposed action is LIKELY to have significant impacts

Matters likely to be impacted

- | | |
|--------------------------|--|
| <input type="checkbox"/> | sections 12 and 15A (World Heritage) |
| <input type="checkbox"/> | sections 15B and 15C (National Heritage places) |
| <input type="checkbox"/> | sections 16 and 17B (Wetlands of international importance) |
| <input type="checkbox"/> | sections 18 and 18A (Listed threatened species and communities) |
| <input type="checkbox"/> | sections 20 and 20A (Listed migratory species) |
| <input type="checkbox"/> | sections 21 and 22A (Protection of the environment from nuclear actions) |
| <input type="checkbox"/> | sections 23 and 24A (Marine environment) |
| <input type="checkbox"/> | sections 26 and 27A (Protection of the environment from actions involving Commonwealth land) |
| <input type="checkbox"/> | section 28 (Protection of the environment from Commonwealth actions) |

Key reasons

8 Assessment approach under the EPBC Act

NOTE: If a decision is made that a proposal needs approval under the Act, the Minister will also decide the assessment approach needed to satisfy the objectives of the Act. While the information you have provided in this referral will be taken into account in making this decision, the final decision rests with the Minister.

Level of assessment

<input type="checkbox"/>	Bilateral Agreement applies
<input type="checkbox"/>	Accredited assessment
<input checked="" type="checkbox"/>	Assessment on referral information
<input type="checkbox"/>	Preliminary information
<input type="checkbox"/>	Public Environment Report
<input type="checkbox"/>	Environmental Impact Statement
<input type="checkbox"/>	Commission of Inquiry
<input type="checkbox"/>	No comment/Not sure

Key reasons

The referral information within this application combined with additional report material provides a comprehensive and detailed insight into the state of the site, habitat and recommendations

Delfin Lend Lease has undertaken a number of site and district investigations, researched the ecology of the species and consulted with a number of experts in the field of the threatened species to derive measures to avoid impact. Its support for the ongoing scientific study into the ecology of the species is an additional measure in ensuring the species amelioration.

Additional to this, Delfin Lend Leases' environmental policies, internal guidelines and reporting, experience, qualifications and affiliations with key environment bodies such as EPA (Qld) and Landcare will further the amelioration of the species. With this comprehensive and detailed information we believe assessment can be made on the referral information provided.

9 Environmental history of the responsible party

NOTE: The EPBC Act Regulations provide for the environmental history of the party proposing to take the action to be taken into account when deciding the assessment approach for actions that need approval under the Act.

	Yes	No
<p>9.1 Does the party taking the action have a satisfactory record of responsible environmental management.</p> <ul style="list-style-type: none"> If Yes, provide details <p>Delfin Lend Lease has an excellent record of environmental management and sustainability. It has worked closely with community as well as local and state authorities to ensure site responsive outcomes. Examples of this include returned effluent treatment and reuse systems, seed collection and propagation programmes with both Landcare and Greening Australia, undertaking HIA GreenSmart programmes across a number of projects, provision of site based management plans across all communities, generation of site based urban design outcomes (in consultation with the local authorities), waster recycling programmes at a number of communities, waterway and corridor management plans ensuring no impact into downstream wetlands and builder's waster recycling programmes. Additional to this, Delfin Lend Lease undertakes community education and interaction programmes throughout all of its communities in creating a high level of social capital. Delfin Lend Lease also undertakes within its communities skilling and employment programmes</p> <p>Delfin Lend Lease has won a number of state and national Urban Development Institute of Australia awards for masterplanned communities. These awards are recognition for the comprehensive planning and implementation of site specific outcomes in working with all constraints including the provision of environmental and sustainability initiatives. Also, two of our communities, Twin Waters and Golden Grove, have won the global Prix d'Excellence awarded by the International Real Estate Federation for world's best address. Lend Lease has also won awards for design and construction of 5 star energy rated buildings.</p> <p>Additional to the above elements, Lend Lease has entered into a Sustainability Alliance with EPA (Qld). This is a voluntary agreement to mutually explore operational sustainability activities and increase the sustainability of core business functions. The alliance is also aimed at implementing sustainability actions that embody 'beyond compliance' performance. Lend Lease also reports against internationally recognised guidelines (see below). Further, this project is also part of the Commonwealth Governments' Solar Cities Programme. This initiative is aimed at reducing energy consumption and reducing impact on the environment.</p> <p>Lend Lease is a participating member of both the World Green Building Council and the World Business Council for Sustainable Development. The company is also listed on the Dow Jones Sustainability Index.</p>	X	

9.2	<p>Is the party taking the action 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?</p> <ul style="list-style-type: none"> If Yes, provide details 		X
9.3	<p>For an action for which a person has applied for a permit under the EPBC Act, is the person making the application 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?</p> <ul style="list-style-type: none"> If Yes, provide details 		X
9.4	<p>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?</p> <ul style="list-style-type: none"> If Yes, provide details of environmental policy and planning framework <p>Delfin Lend Lease environmental policy seeks to minimise its environmental impact, control waste, prevent pollution, use resources effectively and act with consideration for our neighbours. A copy of the environmental policy is attached (Attachment E). Additionally, Lend Lease identifies compliance with legislation as a minimum and will apply global best practice and innovations where legislation does not exist. Delfin Lend Lease implements management systems, sets goals and measures targets against clear objectives. These are regularly reviewed. Delfin Lend Lease also provides specific training to staff to ensure a thorough understanding of the Delfin Lend Lease commitment and its interface with the environment.</p> <p>Sustainability and environmental management reporting by Delfin Lend Lease is assessed against Global Reporting Initiatives. These initiatives are international guidelines set by the Coalition for Environmentally Responsible Economies and the UN Environment Programme. The initiatives will be site specific and feed into the global Lend Lease reporting structure. The action, therefore, will be undertaken, monitored and measured in accordance with the Delfin Lend Lease environment policy</p>	X	

10 Information sources and attachments

10.1 References

10.2 Reliability of information

Ecological Assessment Report (July 2007) at Rocky Springs. Townsville, Queensland prepared for Delfin Townsville Pty Ltd. Report undertaken by Yurrah Pty Ltd (author; David C. Hassall).

Initial information relating to threatened species was obtained through searches of the EPA Wildlife On-line database (EPA), the Queensland Herbarium Database and the and the Commonwealth Department of Environment and Water Database (DEW).

Ground truthing the database information removed any major uncertainty of the data. However, the level of use of the habitat was limited to set times indicated in the EAR. This has been supplemented with research from other consultant reports to offset seasonal variations.

10.3 Attachments

You must attach	figures, maps or aerial photographs showing the project locality (section 2)	X
	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 4)	X
If relevant, attach	copies of any state or local government approvals and consent conditions (section 3.4)	X
	copies of any completed assessments to meet state or local government approvals and outcomes of public consultations, if available (section 3.5)	X
	copies of any flora and fauna investigations and surveys (section 4)	X
	technical reports relevant to the assessment of impacts on protected matters and that support the arguments and conclusions in the referral (section 4 and 5)	X
	report(s) on any public consultations undertaken, including with Indigenous Stakeholders (section 4)	X

11 Signatures and declarations

NOTE: Providing false or misleading information is an offence punishable on conviction by imprisonment and fine (Section 489, EPBC Act).

Project title

11.1 **Party who prepared the referral**

I declare that the information contained in this form is, to my knowledge, true and not misleading. I request that the person named in 11.3 below (if any) be designated as the proponent for the action.

Signature

20th July 2007

Date

Gary Searle / Tanya Hoare.

Full name

11.2 **Party who is responsible for action**

I declare that the information contained in this form is, to my knowledge, true and not misleading.

Signature

20th July 2007

Date

David Keir

Full name

11.3 **Proponent (complete only if different from 11.2)**

I, being the person nominated in Section 1.3 of this referral form as the nominated proponent (or agent acting on behalf of), agree to be designated as the proponent for the action described above if it is decided that the action requires approval under Part 9 of the EPBC Act.

Signature

20th July 2007

Date

David Keir

Full Name

If the referring party is a small business (fewer than 20 employees), estimate the time, in hours and minutes, to complete this form (include your time reading the instructions, working on the questions and obtaining the information and time spent by all employees in collecting and providing this information).

Hours	Minutes