Cairns Marine Precinct Common User Facility

Application Number: **02902** Commencement Date: **01/05/2025** Status: **Locked**

1. About the project

1.1 Project details

1.1.1 Project title *

Cairns Marine Precinct Common User Facility

1.1.2 Project industry type *

Transport - Water

1.1.3 Project industry sub-type

Port

1.1.4 Estimated start date *

01/07/2026

1.1.4 Estimated end date *

31/12/2029

1.2 Proposed Action details

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

The Far North Queensland Ports Corporation Limited (trading as 'Ports North') is proposing to upgrade and expand selected facilities for the Cairns Marine Precinct (CMP), which is located on the western side of the Trinity Inlet and continues along Smiths Creek (the Project). For the purposes of this referral, the CMP-CUF area is focused on the following two sites:

- Offshore area of Smiths Creek (the Ship Lift Area) ('marine works')
- Onshore area ('landside works') project area which covers the following lot portions:
    - Portion of Lot 485 SP323637 (vacant undeveloped land)
    - Portion of Lot 463 SP207571 (Cairns Bulk Sugar Terminal)
    - Portion of Lot 807 SP199206 (waterfront)
    - Portion of Lot 4 NR7868 (northern section of Fearnley Street including the Fearnley Street drain)

The proposed construction and operational works that are subject to this referral include:

- Construction:
    - Construction of the CUF portion at Fearnley Street (Lot 485).
    - Capital dredging (44,800 m³) to establish the CMP-CUF berth approach (deepening portions of Smiths Creek) and the berth pocket for the new facility.
    - Demolition of approximately 670 m² of maritime structures, including the Fearnley Street public boat ramp and selected commercial wharves.
    - Development of new marine structures within Smiths Creek, including a wet berth jetty (100 m × 8 m = 800 m²), resulting in a net increase of 130 m² compared to the 670 m² of existing in-water structures to be removed.
    - Unloading and rehandling of dredged material at the Tingira Street Precinct before offsite disposal at a licensed facility.
    - Demolition of the existing public boat ramp at Fearnley Street and the commercial fishing base no. 1 (CFB1) wharves and slip structures to accommodate the new CMP-CUF.
    - Excavation of 50,000 m³ of land above the high-water mark to create the ship lift void (to be connected to tidal water upon completion).
    - Construction of wharf and mooring structures, sheet piling, and other harbour works at or below the high-water mark in Smiths Creek.
    - Clearing of a narrow strip of mangroves along the CMP-CUF development site's foreshore.
    - Excavation and widening of the Fearnley Street artificial drain (3,200 m³) to improve flood resilience.
    - Various landside service connections and relocations.
    - Removal of approximately 0.26 hectares of mangroves along the Fearnley Street drain for the proposed ship lift and drain widening. An additional 0.15 hectares will be disturbed along the Smiths Creek foreshore due to marine works. No seagrass or coral reefs will be affected.
- Operations:
    - Operation of the CUF, including ship lift activities and vessel maintenance.
    - Maintenance dredging to be incorporated into the Port of Cairns' existing maintenance dredging regime (approved under the Sea Dumping Act).

Decommissioning and remediation are not currently proposed. However, in the event that the Project is decommissioned, all above ground infrastructure will be removed in accordance with the requirements of the time. This may include removal of infrastructure or some components remaining where safe to do so. A decommissioning plan (or similar) will outline how activities will be undertaken and potential impacts managed in accordance with relevant legislation, policies, and regulations, including the EPBC Act.

As part of the CMP-CUF, dredged and excavated material from both the proposed CUF and CFB2 works will be placed and managed at the Tingira Street Dredge Material Management Area (DMMA), located on a portion of Lot 27 SP218291 on Tingira Street. The Tingira Street DMMA is a purpose-built facility designed

to ensure the safe containment and management of dredged material from the Project. The proposed Tingira Street DMMA works include the following key components:

- Construction of earth bunds to form five containment cells (Cells 1-5).
- Placement and management of dredged and excavated material from the CUF and CFB2 sites within these five containment cells.
- Management of both 'clean fill' and material containing low levels of per- and poly-fluoroalkyl substances (PFAS), in accordance with relevant environmental guidelines

While works associated with CFB2 basin, the Tingira Street boat ramp and the DMMA occur within the CMP and will be undertaken by the same proponent as the CUF Project (i.e. Ports North), these are considered separate actions due to their scale, location and purpose. As such, these works are not considered as part of this referral.

An image showing the location of the project area is provided in **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 1.3, Figure 1.1, page 6**. Images showing the 5% design footprint of the proposed land-based and marine works is included in **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 1.3, Figure 1.2 and 1.3, pages 7 and 8.**

For further information on the proposed action and project footprint, see **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 1.3, pages 3 to 8**.

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

Yes

1.2.3 Is the proposed action the first stage of a staged development (or a larger project)?

No

1.2.4 Related referral(s)

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1.2.5 Provide information about the staged development (or relevant larger project).

While the CMP-CUF Project is strategically aligned with broader development objectives within the Port of Cairns and functionally related to other projects being undertaken by Ports North, it is not considered part of a staged development or a larger controlled action under the EPBC Act. Each associated project is being progressed independently, with separate planning, approval, and environmental assessment pathways. Accordingly, the CMP-CUF Project is being referred as a standalone action for consideration by the Department of Climate Change, Energy, the Environment and Water (DCCEEW).

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

The relevant and primary Commonwealth legislation to the proposed action is the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The proposed action is expected to require a Controlled Action determination under the EPBC Act, as the proposed action is located in proximity with an Australian marine area and has the potential to have an impact on MNES. Relevant EPBC Act-related policy and guidance documents include the *Significant Impact Guidelines 1.1 – Matters of National Environmental Significance (MNES)*, which have been used to assess the likelihood of significant impact on MNES.

In addition to consideration under the EPBC Act, the following State (QLD) Government approvals will be required for the Project:

- Development Permit (operational works) for filling and drainage of greater than 50m3 of material
- Development Permit (operational works) for works involving destruction of marine plants (mangroves along foreshores located in Fearnley Street Drain and near Cairns Bulk Sugar Terminal)
- Development Permit (operational works) for tidal works (capital dredging, demolition of existing tidal structures and construction of new harbour facilities)
- Development Permit (material change of use) for concurrence environmentally relevant activity (ERA) (being ERA 16(1))
- Environmental Authority for ERA 16(1) (dredging)
- Environmental Authority for ERA 16(2) (excavation)
- *Nature Conservation Act* permit for the disturbance and translocation of Ant Plants that will be removed as part of the site development
- Sales Permit for removal of quarry material from below mean high-water springs (MHWS) within a lease.

Other legislations relevant to proposed action:

Other legislations considered which have underpinned the proposed actions' works and approvals include:

- *Planning Act 2016* and supporting acts (e.g. *Fisheries Act 1994*, *Coastal Protection and Management Act 1995*, *Vegetation Management Act 1999*)
- *Land Act 1994*
- *Environmental Protection Act 1994*
- *Nature Conservation Act 1992*
- *Environmental Offsets Act 2014*
- *Aboriginal Cultural Heritage Act 2003*
- *Sustainable Ports Development Act 2015*

During the life of the Project, additional potentially applicable legislations will be determined in consultation between Ports North and the relevant Commonwealth and State authorities. The Port of Cairns Land Use Plan and Cairns Regional Council Planning Scheme are applicable to land use and planning within the project area.

The summary of the legislative context of the proposed action is included in **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 1.4, pages 9 to 10.**

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. *

Consultation and stakeholder engagement for the proposed action has involved a range of government agencies, indigenous stakeholder, port users and other key parties. Engagement has occurred through formal and informal meetings, correspondence and ongoing liaison, and will continue throughout the Project's approvals, construction and operational phases.

The CUF Project has undertaken consultation and engagement with the following agencies:

- **CMP-CUF Project Stakeholder Reference Group (SRG):** Quarterly meetings consisting key SRG members including Ports North, Department of Main Roads, Queensland Treasury, Department of State Development and Infrastructure, Department of Infrastructure, Transport Regional Development Communications and the Arts, Department of Defence, Norship, Tropical Reef Shipyard, Austal, Norsta, Sugar Terminal Limited, Cairns Regional Council and Superyacht Group Greater Barrier Reef.
- ***Cairns Regional Council***: Consultation has occurred through pre-lodgement meetings regarding potential impacts to Council-owned and operated infrastructure such as services, roads, bridges, and reserves. While Ports North is the assessment manager for future development applications, Council will act as a referral agency for approvals relating to Lot 485 and adjacent road and drainage reserves.
- ***Queensland Government Agencies***: Consultation has included the State Assessment and Referral Agency (SARA), Department of Primary Industries (DPI), Maritime Safety Queensland (MSQ), Department of Transport and Main Roads (DTMR), and the Department of Environment, Tourism, Science and Innovation (DETSI), primarily through pre-lodgement discussions. Liaison has also occurred with the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (DNRMMRRD) for matters including permanent road closure applications.
- ***Indigenous stakeholders***: Ports North has established a Cultural Heritage Management Agreement with the Aboriginal Party (i.e., Gimuy Walubara Yidinji People) for the Cairns area to address duty of care requirements under the Aboriginal Cultural Heritage Act 2003. Ongoing consultation will ensure any potential impacts on cultural heritage are avoided or appropriately managed.
- ***Port Tenants and User***s: Consultation has been undertaken with key tenants affected by the project, including Sugar Terminals Limited (STL), Tropical Reef Shipyard (TRS), and other local shipyards. Recreational boating stakeholders will be consulted regarding the proposed relocation of the DTMR/MSQ boat ramp from Fearnley Street to the Tingira Street Precinct.
- ***Department of Defence (HMAS Cairns)***: Engagement has focused on the implications of the CUF Project for Navy operations and infrastructure. The Commonwealth Government is a co-investor in the CUF Project and continues to participate in detailed planning discussions.

Consultation has commenced during the planning and early approvals phase of the CUF Project and remains ongoing. The engagement program is structure to continue through construction and into operations, with key stakeholders (as above) regularly updated and involved in project refinements as any concerns addressed as required. Feedback from this consultation process has informed the ultimate design of the proposed action.

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.

By completing and submitting this form, you consent to the collection of all personal information contained in this form. If you are providing the personal information of other individuals in this form, please ensure you have their consent before doing so.

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Alternatively, email us at privacy@awe.gov.au.

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1.3.1.1 Is Referring party an organisation or business? *

Yes

Referring party organisation details

ABN/ACN	54010830421
Organisation name	BMT COMMERCIAL AUSTRALIA PTY LTD
Organisation address	4000 QLD

Referring party details

Name	Janelle Rescar
Job title	Environmental Consultant
Phone	+61 7 3026 0826
Email	janelle.rescar@apac.bmt.org
Address	Level 5, 348 Edward Street, Brisbane, QLD, 4000

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	38657722043
Organisation name	FAR NORTH QUEENSLAND PORTS CORPORATION LIMITED
Organisation address	Level 4, 175 Eagle Street, Brisbane City, QLD, 4000

Person proposing to take the action details

Name	Onuma Carmody
Job title	CMP-CUF Delivery Director
Phone	0459 321 588
Email	onuma.carmody@portsnorth.com.au
Address	Level 4, 175 Eagle Street, Brisbane City, QLD, 4000

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? *

No

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. *

The person proposing the action (PPA) is Far North Queensland Ports Corporation Limited (trading as 'Ports North'), a Queensland Government Owned Corporation (GOC), and as the PPA is the proponent of the broader Cairns Marine Precinct-Common User Facility (CMP-CUF) project and will continue in this role for the purpose of upgrading and expanding selected project facilities. Ports North has no history of adverse proceedings under Commonwealth, State, or Territory laws relating to environmental protection or the conservation and sustainable use of natural resources. Additionally, Ports North has previously and successfully delivered Projects and maintenance of port infrastructure in accordance with relevant Commonwealth, State, and Territory legislation.

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

The proposed action will be undertaken in accordance with Ports North's environmental policy, and environmental management framework that are consistent with ISO 14000 Standards. Ports North has responsibilities under the Queensland Planning Act 2016 as Assessment Manager via the Land Use Plan for assessable development on strategic port land, as well as obligations as a referral agency to other State agencies for proposed development on non-strategic port land and within the respective port limits. Ports North's obligations under environmental and planning policy and framework are central to planning for the project, its development and ongoing operations. Additionally, all relevant approvals required for the proposed action will be obtained, as discussed in Section 1.2.6.

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	38657722043
Organisation name	FAR NORTH QUEENSLAND PORTS CORPORATION LIMITED
Organisation address	Level 4, 175 Eagle Street, Brisbane City, QLD, 4000

Proposed designated proponent details

Name	Onuma Carmody
Job title	CMP-CUF Delivery Director
Phone	0459 321 588
Email	onuma.carmody@portsnorth.com.au
Address	Level 4, 175 Eagle Street, Brisbane City, QLD, 4000

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	54010830421
Organisation name	BMT COMMERCIAL AUSTRALIA PTY LTD
Organisation address	4000 QLD
Representative's name	Janelle Rescar
Representative's job title	Environmental Consultant
Phone	+61 7 3026 0826
Email	janelle.rescar@apac.bmt.org
Address	Level 5, 348 Edward Street, Brisbane, QLD, 4000

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	38657722043
Organisation name	FAR NORTH QUEENSLAND PORTS CORPORATION LIMITED
Organisation address	Level 4, 175 Eagle Street, Brisbane City, QLD, 4000
Representative's name	Onuma Carmody
Representative's job title	CMP-CUF Delivery Director
Phone	0459 321 588
Email	onuma.carmody@portsnorth.com.au
Address	Level 4, 175 Eagle Street, Brisbane City, QLD, 4000

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

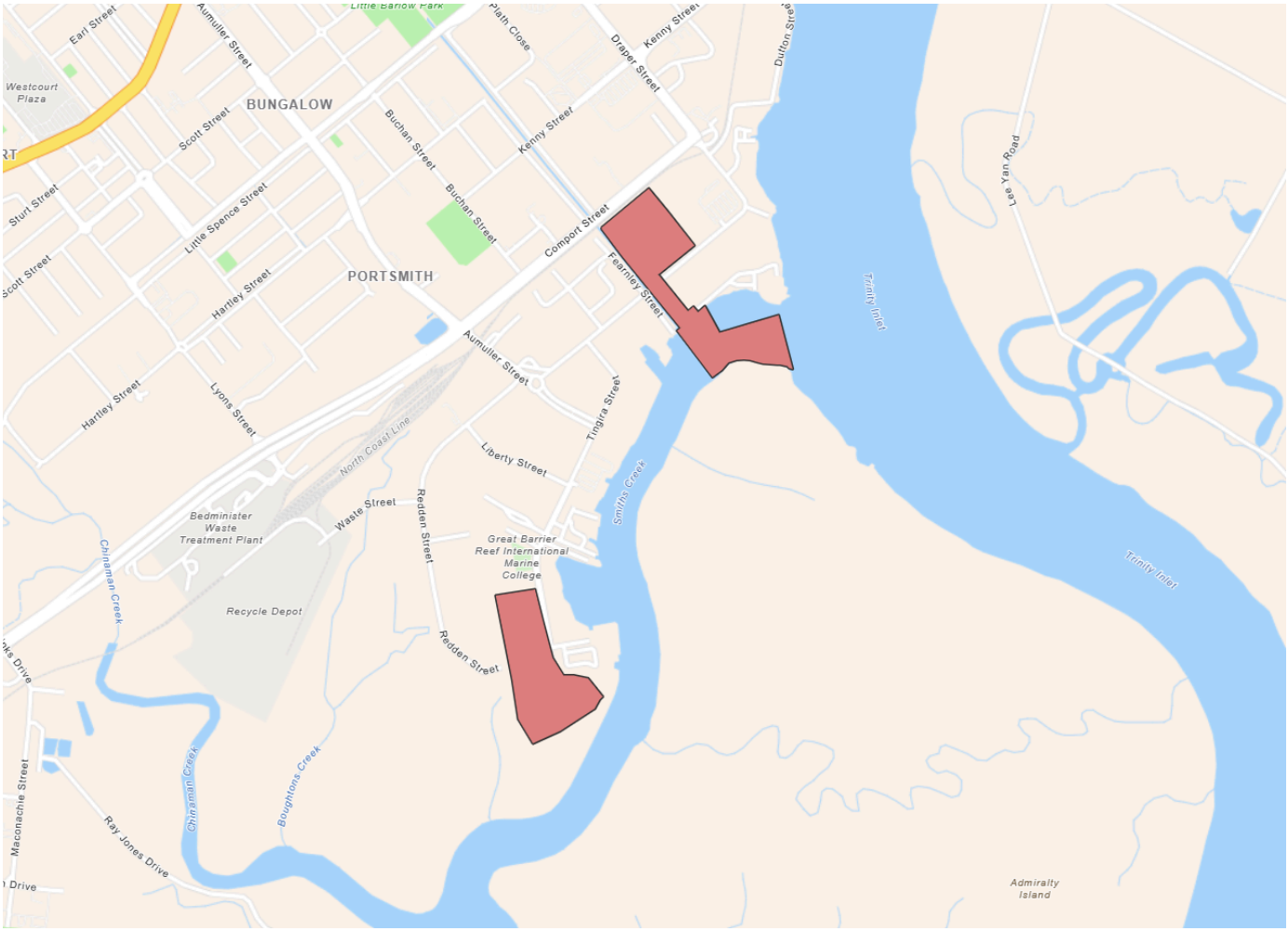
1.4 Payment details: Payment allocation

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



Project Area: 23.74 Ha **Disturbance Footprint:** 23.74 Ha

2.2 Footprint details

2.2.1 What is the address of the proposed action? *

2-48 Cook Street Portsmith QLD, 1-47 Cook Street Portsmith QLD and 27 Tingira Street Portsm

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

Queensland

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? *

The CUF Project, which is the proposed action, is located within the Port of Cairns and is owned by Ports North. The landside works associated with the proposed action are situated within the following lot portions:

- Portion of Lot 485 SP323637 (Vacant undeveloped land)
- Portion of Lot 463 SP207571 (Cairns Bulk Sugar Terminal)
- State Land Lease for portion of Lot 807 SP199206 (waterfront)
- State Land for portion of Lot 4 NR7868 (northern section of Fearnley Street including the Fearnley Street drain)
- Portion of Lot 27 SP218291 on Tingira Street.

These areas have been previously modified and disturbed due to the existing CMP development. The CUF Project also includes marine-based works within the offshore area of Smiths Creek, specifically in the existing ship lift area. All necessary state approvals and tenure arrangements are being progressed by Ports North in consultation with the relevant state agencies and the Cairns Regional Council.

The traditional owners of the land and marine areas are the Gimuy Walubara Yidinji People.

3. Existing environment

3.1 Physical description

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

The project area is located on the western side of Trinity Inlet, extending along Smiths Creek within the Port of Cairns. The proposed development by Ports North involves upgrades and expansion of selected facilities within the CMP, specifically at Lot 485 on SP323637, encompassing the ship lift area, adjacent to the Sugar Terminal Limited sheds and offshore areas of Smiths Creek as well as the Tingira Street DMMA, located on a portion of Lot 27 SP218291 on Tingira Street.

The onshore project area is situated within a heavily modified industrial and port environment. Lot 485 is bordered by the North Coast Railway Line, the Cairns Bulk Sugar Terminal, and HMAS Cairns. The site has been subject to long-term industrial and maritime use, including port operations and vehicle parking. These historical uses have altered the natural environment, resulting in areas of cleared and compacted ground and the presence of low levels of contaminants. Lot 485 is listed on the Environmental Management Register (EMR) due to the detection of low concentrations of PFAS, metals, and acid sulfate soils (ASS), consistent with historical land use. The offshore area includes active port infrastructure such as commercial fishing wharves and shipping yards, reflecting its ongoing use as a working harbour.

The project area is zoned partly as High Impact Industry under the Cairns Regional Council Planning Scheme (northern portion of Lot 485) and partly as Strategic Port Land under the Ports North Land Use Plan (southern portion of Lot 485). These zoning designations reflect the site's long-standing use for industrial and maritime purposes and are consistent with the proposed development. The eastern portion of Lot 485 is currently used for vehicle parking associated with HMAS Cairns. No amendments to zoning have been required to facilitate the project.

Adjoining land uses include industrial facilities and rail infrastructure to the north and west, port operations and defence facilities to the east, and Smiths Creek to the south, which forms a natural boundary to the site. The surrounding land use context supports the continued development of the site for marine industry and port-related activities.

The project area is located approximately 3 km southeast of the Cairns Central Business District (CBD). The broader region is serviced by a well-established road network, including Comport Street and Ray Jones Drive, and is accessible via public transport and cycling infrastructure. The area is also frequented by recreational users, with a public boat ramp located approximately 200 m south of the site.

The site has not been recently affected by bushfire or flood events. However, it is located in a cyclone-prone region, with tropical cyclones typically occurring between November and April. While no recent cyclone damage has been recorded, the low-lying nature of the site (<5 m AHD) and its proximity to tidal waterways make it susceptible to storm surge and inundation during extreme weather events.

For an overarching description (that is discussed further in this referral), see **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 4, pages 27 to 34**.

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

The existing and proposed uses of the project area are described in detail in Section 3.1.1. This includes information on historical land use, current zoning, environmental conditions, and the scope of proposed development activities.

No additional land uses beyond those outlined in Section 3.1.1 are proposed at this stage.

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

Matters of National Environmental Significance (MNES)

A search of the Protected Matters Search Tool (PMST) under the EPBC Act identified the following MNES relevant to the CMP-CUF area:

- **World Heritage Areas** - Marine works (e.g., dredging, marine piling, demolition, tidal works) associated with the CMP-CUF will occur in Smiths Creek, which lies within the mapped boundaries of the Great Barrier Reef World Heritage Area (GBRWHA). However, the establishment of the ship lift void and excavation works to widen the Fearnley Street Drain will occur outside the GBRWHA, though immediately adjacent to it.
- **National Heritage Places**- For the purposes of this assessment, the Great Barrier Reef National Heritage Place (GBRNHP) covers the same area as the GBRWHA. Both are listed for similar values, reflecting the natural heritage of the Great Barrier Reef region. Therefore, the GBRWHA is considered the most relevant matter, as all assessment findings related to it generally apply to the GBRNHP. See above for further description.
- **Threatened Ecological Community** - The PMST search identified the potential presence of the Lowland Tropical Rainforest of the Wet Tropics, an endangered threatened ecological community (TEC), within the project area. This TEC is endemic to the north Queensland region and typically occurs across Land Zones 3 (recent Quaternary alluvial systems), 8 (Cainozoic igneous rocks), 11 (metamorphic rocks), and 12 (Mesozoic to Proterozoic igneous rocks). In contrast, the shoreline of Smiths Creek is classified as Land Zone 1 (deposits subject to periodic tidal inundation). Therefore, this TEC is not present at the CMP-CUF site.
- **Listed Threatened Species** -The 2025 PMST search identified 54 listed threatened species that are likely or possibly present within or adjacent to the project area, including one conservation-dependent species.
- **Migratory Species** - The 2025 PMST search identified 45 migratory species relevant to the project area.

See **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 3, pages 14 to 26** for further information on each of these MNES. Potential impacts to these MNES are also further discussed in Section 4 of this referral and in **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 5, pages 35 to 51.** This assessment follows the *Significant Impact Guidelines* under the EPBC Act, with further details provided in **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Annex C**.

No significant impacts to MNES are expected as a result of the proposed action. The project will be managed in accordance with the national assessment process under the requirements of the EPBC Act.

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

The site features a generally low-lying and flat topography, with elevations predominantly below 5m above the Australian Height Datum (AHD). Marine-based works involve capital dredging in Smiths Creek, with depths ranging from -5.3 metres to -10.5 metres Lowest Astronomical Tide (LAT), impacting the seabed and underwater habitats. The dredging footprint transitions from shallow areas near the shore to deeper zones at the entrance of Smiths Creek, where wet berth capital dredging extends to depths of up to -5.7 metres LAT.

This information was sourced in **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 1.3, pages 3 to 8 and Section 4.3, page 31.**

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.

Ecological assessments have been undertaken across the CMP-CUF project area, encompassing both terrestrial and marine environments. These assessments were informed by desktop analysis, including a 2024 PMST search and site-specific ecological surveys conducted in 2023 and 2024. Key findings are summarised below.

Threatened Ecological Communities (TECs)

The 2024 PMST search identified the potential presence of the Lowland Tropical Rainforest of the Wet Tropics TEC (Endangered). However, this community typically occurs on Land Zones 3, 8, 11, and 12. The CMP-CUF site is located on Land Zone 1, which is subject to periodic tidal inundation. As such, this TEC is not present within the project area.

Terrestrial and Marine Flora

Vegetation within the CMP-CUF site is predominantly disturbed and modified due to historical and ongoing industrial use. The foreshore of Smiths Creek supports a narrow (<10 m wide), low closed-canopy mangrove forest, dominated by:

- *Rhizophora stylosa*
- *Avicennia marina*
- *Excoecaria agallocha*
- *Bruguiera gymnorhiza*

The upper banks support a modified fringe of woody vegetation, including *Cocos nucifera*, *Hibiscus tiliaceus*, and *Ficus* spp., with sparse groundcover and isolated patches of saltmarsh species such as *Cynodon dactylon* and *Sesuvium portulacastrum*. Nine threatened plant species were identified in the PMST search; however, all are considered unlikely to occur due to the absence of suitable rainforest, vine forest, or swamp habitats. These include *Bruguiera × hainesii*, *Canarium acutifolium*, *Carronia pedicellata*, *Eleocharis retroflexa, Leichhardtia araujacea, Myrmecodia beccarii , Phlegmariurus squarrosus, Phlegmariurus tetrastichoides* and *Vappodes lithocola.*

Notably, seven individuals of *Myrmecodia beccarii* (Ant plant) previously recorded within the disturbance footprint have been successfully translocated to remnant vegetation south of the Tingira Street precinct.

Birds

The PMST identified a wide range of migratory and threatened bird species with potential to occur within the CMP-CUF project area. Based on habitat availability and ecological survey data, several species are considered likely or possible to occur, particularly in association with mangrove vegetation, estuarine margins, and upstream wetlands.

Species considered likely to occur include the common sandpiper (*Actitis hypoleucos*), sharp-tailed sandpiper (*Calidris acuminata*), and the northern masked owl (*Tyto novaehollandiae kimberli*), all of which may utilise mangrove-lined waterways and adjacent wetland habitats for foraging or shelter.

A broader group of species is considered possible to occur, primarily due to the presence of marginal foraging habitat in estuarine and intertidal areas. These include shorebirds such as the ruddy turnstone (*Arenaria interpres*), red knot (*Calidris canutus*), curlew sandpiper (*Calidris ferruginea*), pectoral sandpiper (*Calidris melanotos*), great knot (*Calidris tenuirostris*), greater sand plover (*Charadrius leschenaultii*), and lesser sand plover (*Charadrius mongolus*). Other waders and wetland-associated species with potential to occur include the Latham's snipe (*Gallinago hardwickii*), Asian dowitcher (*Limnodromus semipalmatus*), bar-tailed godwit (*Limosa lapponica* or *Limosa limosa*), Nunivak bar-tailed godwit (*Limosa lapponica baueri*), eastern curlew (*Numenius madagascariensis*), common greenshank (*Tringa nebularia*), and Terek sandpiper (*Xenus cinereus*).

Additional species that may utilise the area include the yellow wagtail (*Motacilla flava*), osprey (*Pandion haliaetus*), grey plover (*Pluvialis squatarola*), Australian painted snipe (*Rostratula australis*), little tern (*Sternula albifrons*), and common noddy (*Anous stolidus*). The white-bellied storm-petrel (*Fregetta grallaria grallaria*), which includes both the Tasman Sea and Australasian subspecies, may also be present on occasion, although its occurrence would be rare and transient.

Aerial and pelagic species such as the fork-tailed swift (*Apus pacificus*), white-throated needletail (*Hirundapus caudacutus*), and great frigatebird (*Fregata minor*) may fly over the site during migration or weather events but are unlikely to utilise the area for nesting or foraging due to the lack of suitable habitat.

No breeding or roosting sites for any listed bird species have been recorded within the CMP-CUF project footprint.

Mammals:

The PMST identified several threatened and migratory mammal species with potential to occur within the CMP-CUF project area. However, ecological surveys and habitat assessments indicate that most are unlikely to be present due to the absence of suitable habitat types.

Species such as the northern quoll (*Dasyurus hallucatus*), koala (*Phascolarctos cinereus*), and spectacled flying-fox (*Pteropus conspicillatus*) are forest-dependent and are therefore unlikely to occur within the largely cleared and industrialised project footprint. Similarly, several bat species including *Hipposideros semoni*, *Macroderma gigas*, *Rhinolophus robertsi*, and *Saccolaimus nudicluniatus* may occasionally fly over the area but are not expected to roost or forage due to the lack of suitable vegetation structure and roosting sites.

The water mouse (*Xeromys myoides*), typically associated with mangrove and saltmarsh habitats, has not shown any evidence of nesting or feeding activity within the site. The Australian snubfin dolphin (*Orcaella heinsohni*), although known from the broader region, is considered unlikely to occur in Smiths Creek due to high levels of vessel traffic and limited estuarine habitat quality.

In contrast, the Australian humpback dolphin (*Sousa sahulensis*) is considered likely to occur on occasion, particularly near the confluence of Smiths Creek and Trinity Inlet, where estuarine conditions may support transient use.

Reptiles

Eight marine turtle species were identified in the PMST search as potentially occurring in the region. These include the loggerhead (*Caretta caretta*), green (*Chelonia mydas*), and flatback (*Natator depressus*) turtles. However, all are considered unlikely to occur within Smiths Creek due to the absence of seagrass beds, which are critical for foraging, and the impacts of regular dredging activity that reduce habitat suitability.

Freshwater reptiles such as Irwin's turtle (*Elseya irwini*) and Mertens' water monitor (*Varanus mertensi*) are also unlikely to be present, given the lack of freshwater systems within the project area.

The saltwater crocodile (*Crocodylus porosus*), however, is known to inhabit estuarine environments and has been previously sighted in Smiths Creek. As such, it is considered likely to occur within the project area.

Fish and Sharks

Smiths Creek's estuarine environment may provide suitable habitat for some threatened fish and shark species. Two species in particular, namely, the narrow sawfish (*Anoxypristis cuspidata*) and the green sawfish (*Pristis zijsron*) are known to occur in the Cairns region and may utilise estuarine habitats within the project area, particularly during certain life stages or tidal conditions.

Other species identified in the PMST search are considered unlikely to occur due to their pelagic or reef-associated nature and the absence of suitable habitat in Smiths Creek. These include the porbeagle (*Lamna nasus*), reef manta ray (*Mobula alfredi*), whale shark (*Rhincodon typus*), and white shark (*Carcharodon carcharias*).

Amphibians

The Australian lace-lid (*Litoria dayi*), a rainforest-dependent amphibian endemic to the Wet Tropics Bioregion, was also identified in the PMST search. However, it is considered unlikely to occur within the CMP-CUF site due to the absence of suitable rainforest habitat.

Flora

Ten threatened flora species were identified in the PMST search. Site surveys confirmed that none are present within the CMP-CUF site due to unsuitable habitat. As noted, seven individuals of *Myrmecodia beccarii* were successfully translocated. No EPBC-listed flora species were recorded during the 2023–2024 surveys.

See **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Sections 3.2 to 3.3, pages 16 to 26 and 4.1, pages 27 to 30 and Annex D** for further information on each of these MNES. Potential impacts to these MNES are also further discussed in **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 5, pages 35 to 51 and Annex C**.

No significant impacts are expected to occur to MNES as a result of the proposed action and it will managed as part of the national assessment process under the requirements of the EPBC Act.

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

The study site supports the following vegetation communities:

- A narrow (<10 m wide), closed-canopy mangrove forest along the Smiths Creek foreshore, dominated by native species including *Rhizophora stylosa*, *Avicennia marina*, *Excoecaria agallocha*, *Lumnitzera racemosa*, *Bruguiera gymnorhiza*, *Aegiceras corniculatum*, and *Clerodendrum inerme*;
- A modified upper bank vegetation fringe with a mix of native and exotic species such as *Cocos nucifera*, *Hibiscus tiliaceus*, *Casuarina equisetifolia*, *Cupaniopsis anacardioides*, and *Melia azedarach*;
- A small 180 m² patch of irregularly inundated grassland near the boat ramp, containing saltmarsh species like *Cynodon dactylon* and *Sesuvium portulacastrum*, mixed with exotic grasses;

No TECs are present within the project area as outlined in Section 3.2.1 above. Flora species identified in the project area is also described in 3.2.1 above, and further information is provided in **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 3.2 to 3.3, pages 16 to 28 and Section 4.1, pages 27 to 30.**

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.

The following Heritage places are relevant to the project area:

- **World Heritage Areas** - The marine works associated with the CMP-CUF project (including dredging, demolition, and tidal works) will occur within Smiths Creek, which lies within the mapped boundaries of the Great Barrier Reef World Heritage Area (GBRWHA). These areas are listed for their outstanding natural heritage values and are therefore relevant to the project. Although the proposed land-based works, including the establishment of the ship lift void and the widening of the Fearnley Street Drain will occur outside the mapped boundary of the GBRWHA, the proximity of these works still warrants consideration.
- **National Heritage Places**- For the purposes of this referral, the GBRWHA and the Great Barrier Reef National Heritage Place (GBRNHP) cover the same area and are listed for similar values, reflecting the natural heritage of the Great Barrier Reef region. As such, the GBRWHA is considered the most relevant matter, as all assessment findings related to it will generally also apply to the GBRNHP. See above for further description.

See **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 3.1, page 14 to 15** for further information.

No Commonwealth Heritage Places overseas (e.g., European heritage sites, shipwrecks) have been identified within the project area.

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

The CMP-CUF project is located on land originally inhabited by the Gimuy Walubara Yidinji people. While no Aboriginal heritage sites are currently recorded within the project site boundaries as confirmed by a search of the Aboriginal Cultural Heritage Database, there remains a low risk of encountering unknown subsurface cultural heritage materials. To manage this risk, a chance find procedure has been developed and incorporated into the Construction Environmental Management Plan (CEMP).

In recognition of the area's cultural significance, and to meet the requirements of the *Aboriginal Cultural Heritage Act 2003*, a Cultural Heritage Management Agreement has been established between Ports North and the Gimuy Walubara Yidinji people. This agreement outlines the management measures to be implemented during the project's planning and construction phases to protect cultural heritage values.

Note: This response does not include culturally sensitive information. Where Indigenous stakeholder contributions are referenced, they are done so respectfully and in general terms in accordance with Department guidelines.

See **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 4.10, page 34** for further information.

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. *

The site is located adjacent to Smiths Creek and approximately 320 m west of Trinity Inlet. Surface water within the site primarily drains westward toward the Fearnley Street drain, which discharges into Smiths Creek. The site is low-lying, unsealed, and prone to ponding during high tides and rainfall events. It also experiences tidal influence, particularly during surge conditions, and has limited formal stormwater infrastructure. Additionally, the site is not within a mapped Wetland Protection Area.

The site lies within the Mulgrave–Russell drainage basin and the Mulgrave River sub-basin. While no registered bores are present within the CMP-CUF site itself, three groundwater bores exist within 500 m of the site, including two active bores used for water supply and one used for groundwater monitoring. The site's shallow groundwater is tidally influenced, with groundwater levels ranging between 0.05 m and 1.35 m AHD, following surface drainage patterns toward the Fearnley Street drain. Although the site supports ephemeral wetlands, it is not mapped as a potential groundwater-dependent ecosystem (GDE) area, and no GDEs were identified within a 500 m buffer from the site.

See **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 4.4 and Section 4.5, page 31** for further information on the hydrology characteristics and conditions of the project area.

Additionally, flood and storm tide modelling assessments have been undertaken to evaluate the potential flooding and storm tide impacts resulting from the proposed action. The modelling covered a range of flood scenarios (50%, 10%, 2%, 1%, 0.5%, and 0.2% AEP), incorporating rainfall- and storm tide-driven events, including Highest Astronomical Tide (HAT) conditions. The results indicated that the existing CUF site currently provides passive flood storage. Without appropriate development design and mitigation measures, the proposed CMP-CUF could result in unacceptable flood impacts. Potential impacts on the site's flooding regime due to the proposed action, along with the proposed mitigation measures, are further discussed in **Attachment** '**R.003257.018.02_AP5_CUF_EPBC_referral', Section 5.4.2, page 42**.

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	Yes	Yes
S15B	National Heritage	Yes	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.

Direct impact	Indirect impact	World heritage
Yes	No	Great Barrier Reef

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

Yes

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

Due to the proposed marine works occurring within the Great Barrier Reef World Heritage Area (GBRWHA), the construction and operation of the CMP-CUF will directly impact such World Heritage Area. These impacts will result from:

- Direct disturbance to marine habitats through dredging and piling activities, which could alter seabed structure and affect benthic communities.
- Changes to the footprint of in-water infrastructure, with approximately 670 m² of existing maritime structures (including the DTMR community boat ramp at Fearnley Street and several commercial fishing wharves at the existing CFB1 site) to be removed. These will be replaced by new marine structures, including a proposed 800 m² wet berth jetty within Smiths Creek, resulting in a net increase of 130 m² of in-water infrastructure within Smiths Creek.
- Indirect impacts on marine water quality due to sediment plumes generated by capital dredging and excavation within Smiths Creek.
- Underwater noise emissions from piling and dredging, which may disturb or displace marine megafauna such as dolphins, turtles, dugongs, and crocodiles.
- Increased vessel traffic, which poses a collision risk to surface-dwelling marine fauna and may contribute to behavioural disturbance.
- Potential introduction of marine pests via construction vessels, which could alter local marine biodiversity and ecosystem function.
- Ongoing operational activities, such as maintenance dredging, which may continue to affect water quality and habitat conditions over time.

Further discussion of these impacts, in comparison with the significant impact guidelines, is provided below in Section 4.1.1.6.

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

No

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

While the proposed tidal works of the CUF Project are located within the boundary of the GBRWHA, they are not expected to have a significant impact on its Outstanding Universal Value (OUV). According to the EPBC Act referral guidelines for the Outstanding Universal Value of the GBRWHA (the OUV Guidelines), the values relevant to the CMP-CUF Project include:

- Vast mangrove forests and mangrove diversity
- Unique and varied seascapes and landscapes
- Marine turtles
- Dugongs
- Inshore dolphins.

The site meets the following World Heritage listing criteria:

- Criterion (vii) - Contains superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance
- Criterion (viii) - Represents outstanding examples representing major stages of earth's history, including the record of life, significant on-going geological processes in the development of landforms, or significant geomorphic or physiographic features;
- Criterion (ix) - Represents outstanding examples representing significant on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals;
- Criterion (x) - Contains the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation.

Although the proposed works will occur within the GBRWHA, they are not expected to result in significant impacts, degradation, or loss of these Outstanding Universal Values. While capital dredging and marine piling will take place, the alteration of landforms will be minimised and confined to a very small and localised area. The proposed works are temporary, and the site is already industrialised and subject to existing marine vessel traffic and operations.

Significant effort has been made to ensure that the proposed works do not disturb important vegetation, coastal habitats, or marine ecology. This has been guided by environmental surveys and careful design to avoid sensitive habitat areas. There are no known significant breeding, nesting, or feeding areas (e.g., seagrass habitats) in or adjacent to the project area, although several MNES species may occasionally visit the area (e.g., shorebirds and marine megafauna).

Sediment mobilisation will occur temporarily during construction; however, it is expected to settle quickly after the works are completed, and no long-term impacts on water quality are anticipated. Sediment testing indicates that onshore material contains elevated levels of some metals, per- and polyfluoroalkyl substances (PFAS), and acid sulfate soils (ASS), while offshore materials for capital dredging contain potential acid sulfate soils (PASS). The total dredge volume (approximately 44,800 m^3) is relatively small and will be managed efficiently to minimise the duration of disturbance.

With regard to noise disturbance, due to the site’s location in Smiths Creek and the existing vessel traffic in the area, the presence of fauna contributing to the GBRWHA values is considered unlikely. Therefore, disturbance to the extent of affecting these values is not expected. Although some redirection and concentration of vessel traffic may occur post-construction, the upstream location and low habitat value of the area mean that additional disturbance to fauna is unlikely.

Upon completion of the upgrades, the area will continue to be used for vessel berthing, and no increase in risk to heritage values is anticipated. The integrity of the GBRWHA’s Outstanding Universal Values will remain intact, with no expected degradation, fragmentation, or loss of ecological function.

As such, the extent of marine works is not expected to significantly impact the GBRWHA or its associated Outstanding Universal Values relevant to the proposed action.

See **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 3.1, pages 14 to 16 and Section 5, pages 35 to 51 and Annex C1.**

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

No

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

As outlined in Section 4.1.1.6 above, no significant impacts on the criteria of the GBRWHA are expected to occur. Therefore, the proposed action is not considered a controlled action.

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

A number of recommended management measures will be implemented as outlined in **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 5, pages 35 to 51.**

The key management measure of the CMP-CUF is the optimisation and enhancement of existing infrastructure at the Port of Cairns. This approach avoids the need for development in more ecologically sensitive and undeveloped coastal areas in the region. By concentrating marine industrial activities within an already established precinct, the CMP-CUF minimises potential disturbance to undisturbed environments and reduces cumulative impacts on the GBRWHA.

The design and development of the CMP-CUF have been guided by a commitment to best-practice environmental management through Ports North Environmental Management Framework outlined in **Section 1.3.2.18** of this referral. This includes implementing measures to avoid or minimise water quality impacts, limit marine habitat disturbance, and ensure all activities are contained within clearly defined construction and operational footprints. The use of existing port infrastructure reduces the project's footprint, while integrated environmental controls will manage discharges and stormwater runoff to maintain water quality standards consistent with the protection of the Great Barrier Reef.

More broadly, the CMP-CUF will support the long-term sustainability of the Cairns region by strengthening port-related industries such as marine repair, defence, and tourism, all of which rely on a healthy marine environment. Enhancing the capabilities of the existing CMP allows for more efficient vessel servicing within an appropriately zoned area, reducing the need for unregulated or informal activities in ecologically sensitive locations.

In addition, the following management measures will be implemented:

- All construction works will be undertaken in accordance with a Construction Environmental Management Plan (CEMP), which includes measures such as:
    - Clear demarcation of vegetation to be cleared, to prevent excessive removal
    - Cultural heritage protocols for unexpected chance finds
    - Implementation of erosion and sediment controls (e.g., silt fences, sediment basins)
    - Water quality monitoring (e.g., pH and turbidity) prior to the controlled tidal inundation required for culvert works
    - Noise mitigation measures to reduce potential impacts on marine fauna from piling and dredging.
- Ant plant individuals have been translocated within the disturbance footprint in accordance with the Ant Plant Management Plan, included as **R.003257.002.00_AntPlant_ImpactManagementPlan_CFB2.pdf**

Other management plans developed to support the CMP-CUF and ensure potential environmental harm is prevented or minimised include:

- Management of acid sulfate soils in accordance with an Acid Sulfate Soils Management Plan (ASSMP) or an Acid Sulfate Soils and Contaminated Land Management Plan (ASSCLMP)
- Integration of capital and minor maintenance dredging into the Port of Cairns' existing Long-Term Maintenance Dredging Management Plan (LMDMP)
- A Dredge Management Plan (DMP) to govern the extent, depth, and timing of dredging activities to limit environmental impact
- Fuel transfer by licensed operators, in accordance with the Construction Vessel Management Plan

During the operational phase of the development, the following key management measures will be in place:

- Ongoing operations will remain subject to the Port of Cairns' navigational safety protocols, minimising risks to marine fauna
- Periodic maintenance dredging will be required to maintain navigability. These works will be undertaken:
    - In accordance with the Port's Long-Term Maintenance Dredging Management Plan (LMDMP)

- Under the existing GBRMPA Sea Dumping Permit
- In compliance with the National Assessment Guidelines for Dredging (NAGD).

However, the management of contaminated material during operation, including PFAS from Lot 485, falls outside the scope of this referral and will be addressed under Queensland's contaminated land legislation, supported by a PFAS Site Management Plan prepared by a suitably qualified contaminated land auditor.

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

No offsets are currently proposed.

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.

Direct impact	Indirect impact	National heritage
Yes	No	Great Barrier Reef

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

Yes

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

Due to the proposed tidal works occurring within the Great Barrier Reef National Heritage Place (GBRNHP), construction of the CMP-CUF and its operations will directly impact such NHP. These impacts will be as a result of:

- Direct disturbance to marine habitats through dredging and piling activities, which could alter seabed structure and affect benthic communities.
- Changes to the footprint of in-water infrastructure, with approximately 670 m² of existing maritime structures (including the DTMR community boat ramp at Fearnley Street and several commercial fishing wharves at the existing CFB1 site) to be removed. These will be replaced by new marine structures, including a proposed 800 m² wet berth jetty within Smiths Creek, resulting in a net increase of 130 m² of in-water infrastructure within Smiths Creek.
- Indirect impacts on marine water quality due to sediment plumes generated by capital dredging and excavation within Smiths Creek.
- Underwater noise emissions from piling and dredging, which may disturb or displace marine megafauna such as dolphins, turtles, dugongs, and crocodiles.
- Increased vessel traffic, which poses a collision risk to surface-dwelling marine fauna and may contribute to behavioural disturbance.
- Potential introduction of marine pests via construction vessels, which could alter local marine biodiversity and ecosystem function.
- Ongoing operational activities, such as maintenance dredging, which may continue to affect water quality and habitat conditions over time.

Further discussion of these impacts, in comparison with the significant impact guidelines, is provided below in **Section 4.1.1.6**.

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

No

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

While the proposed tidal works of the CUF Project are located within the boundary of the GBRNHP, they are not expected to have a significant impact on its Outstanding Universal Value (OUV). According to the EPBC Act referral guidelines for the Outstanding Universal Value of the GBRWHA/GBRNHP (the OUV Guidelines), the values relevant to the CUF Project include:

- Vast mangrove forests and mangrove diversity
- Unique and varied seascapes and landscapes
- Marine turtles
- Dugongs
- Inshore dolphins.

The site meets the following National Heritage listing criteria:

- Criterion (vii) - Contains superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance
- Criterion (viii) - Represents outstanding examples representing major stages of earth's history, including the record of life, significant on-going geological processes in the development of landforms, or significant geomorphic or physiographic features;
- Criterion (ix) - Represents outstanding examples representing significant on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals;
- Criterion (x) - Contains the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation.

Although the proposed works will occur within the GBRNHP, they are not expected to result in significant impacts, degradation, or loss of these Outstanding Universal Values. While capital dredging and marine piling will take place, the alteration of landforms will be minimised and confined to a very small and localised area. The proposed works are temporary, and the site is already industrialised and subject to existing marine vessel traffic and operations.

Significant effort has been made to ensure that the proposed works do not disturb important vegetation, coastal habitats, or marine ecology. This has been guided by environmental surveys and careful design to avoid sensitive habitat areas. There are no known significant breeding, nesting, or feeding areas (e.g., seagrass habitats) in or adjacent to the project area, although several MNES species may occasionally visit the area (e.g., shorebirds and marine megafauna).

Sediment mobilisation will occur temporarily during construction; however, it is expected to settle quickly after the works are completed, and no long-term impacts on water quality are anticipated. Sediment testing indicates that onshore material contains elevated levels of some metals, per- and polyfluoroalkyl substances (PFAS), and acid sulfate soils (ASS), while offshore materials for capital dredging contain potential acid sulfate soils (PASS). The total dredge volume (approximately 44,800 m^3) is relatively small and will be managed efficiently to minimise the duration of disturbance.

With regard to noise disturbance, due to the site’s location in Smiths Creek and the existing vessel traffic in the area, the presence of fauna contributing to the GBRNHP values is considered unlikely. Therefore, disturbance to the extent of affecting these values is not expected. Although some redirection and concentration of vessel traffic may occur post-construction, the upstream location and low habitat value of the area mean that additional disturbance to fauna is unlikely.

Upon completion of the upgrades, the area will continue to be used for vessel berthing, and no increase in risk to heritage values is anticipated. The integrity of the GBRNHP’s Outstanding Universal Values will remain intact, with no expected degradation, fragmentation, or loss of ecological function.

As such, the extent of marine works is not expected to significantly impact the GBRNHP or its associated Outstanding Universal Values relevant to the proposed action.

See **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 3.1, pages 14 to 16 and Section 5, pages 35 to 51 and Annex C1.**

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

No

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

As per Section 4.1.1.6 above, the impacts to the GBRNHP from the proposed action are not expected to have significant impacts, therefore the proposed action is not expected to be a controlled action.

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

A number of recommended management measures will be implemented as outlined in **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 5, pages 35 to 51.**

The key management measure of the CMP-CUF is the optimisation and enhancement of existing infrastructure at the Port of Cairns. This approach avoids the need for development in more ecologically sensitive and undeveloped coastal areas in the region. By concentrating marine industrial activities within an already established precinct, the CMP-CUF minimises potential disturbance to undisturbed environments and reduces cumulative impacts on the GBRWHA/GBRNHP.

The design and development of the CMP-CUF have been guided by a commitment to best-practice environmental management through Ports North Environmental Management Framework outlined in **Section 1.3.2.18** of this referral. This includes implementing measures to avoid or minimise water quality impacts, limit marine habitat disturbance, and ensure all activities are contained within clearly defined construction and operational footprints. The use of existing port infrastructure reduces the project's footprint, while integrated environmental controls will manage discharges and stormwater runoff to maintain water quality standards consistent with the protection of the Great Barrier Reef.

More broadly, the CMP-CUF will support the long-term sustainability of the Cairns region by strengthening port-related industries such as marine repair, defence, and tourism, all of which rely on a healthy marine environment. Enhancing the capabilities of the existing CMP allows for more efficient vessel servicing within an appropriately zoned area, reducing the need for unregulated or informal activities in ecologically sensitive locations.

IIn addition, the following management measures will be implemented:

- All construction works will be undertaken in accordance with a Construction Environmental Management Plan (CEMP), which includes measures such as:
    - Clear demarcation of vegetation to be cleared, to prevent excessive removal
    - Cultural heritage protocols for unexpected chance finds
    - Implementation of erosion and sediment controls (e.g., silt fences, sediment basins)
    - Water quality monitoring (e.g., pH and turbidity) prior to the controlled tidal inundation required for culvert works
    - Noise mitigation measures to reduce potential impacts on marine fauna from piling and dredging.
- Ant plant individuals have been translocated within the disturbance footprint in accordance with the Ant Plant Management Plan, included as **R.003257.002.00_AntPlant_ImpactManagementPlan_CFB2.pdf**

Other management plans developed to support the CMP-CUF and ensure potential environmental harm is prevented or minimised include:

- Management of acid sulfate soils in accordance with an Acid Sulfate Soils Management Plan (ASSMP) or an Acid Sulfate Soils and Contaminated Land Management Plan (ASSCLMP)
- Integration of capital and minor maintenance dredging into the Port of Cairns' existing Long-Term Maintenance Dredging Management Plan (LMDMP)
- A Dredge Management Plan (DMP) to govern the extent, depth, and timing of dredging activities to limit environmental impact
- Fuel transfer by licensed operators, in accordance with the Construction Vessel Management Plan

During the operational phase of the development, the following key management measures will be in place:

- Ongoing operations will remain subject to the Port of Cairns' navigational safety protocols, minimising risks to marine fauna
- Periodic maintenance dredging will be required to maintain navigability. These works will be undertaken:
    - In accordance with the Port's Long-Term Maintenance Dredging Management Plan (LMDMP)

- Under the existing GBRMPA Sea Dumping Permit
- In compliance with the National Assessment Guidelines for Dredging (NAGD).

However, the management of contaminated material during operation, including PFAS from Lot 485, falls outside the scope of this referral and will be addressed under Queensland's contaminated land legislation, supported by a PFAS Site Management Plan prepared by a suitably qualified contaminated land auditor.

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

No offsets are proposed at present.

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.

Direct impact	Indirect impact	Ramsar wetland
Yes		Gippsland Lakes

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. *

The proposed project area is not located within or near a mapped Ramsar wetland. The nearest Ramsar site is the Great Barrier Reef Marine Park, situated approximately 50 km northeast, just off the coast of Cairns. Therefore, the proposed action is not expected to have any impact.

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	Amphibromus fluitans	River Swamp Wallaby-grass, Floating Swamp Wallaby-grass
No	No	Antechinus minimus maritimus	Swamp Antechinus (mainland)
No	No	Anthochaera phrygia	Regent Honeyeater
No	No	Ardenna grisea	Sooty Shearwater
No	No	Arenaria interpres	Ruddy Turnstone
No	No	Balaenoptera borealis	Sei Whale
No	No	Balaenoptera musculus	Blue Whale
No	No	Balaenoptera physalus	Fin Whale
No	No	Botaurus poiciloptilus	Australasian Bittern
No	No	Bruguiera x hainesii	Haines's Orange Mangrove
No	No	Caladenia tessellata	Thick-lipped Spider-orchid, Daddy Long-legs
No	Yes	Calidris acuminata	Sharp-tailed Sandpiper
No	Yes	Calidris canutus	Red Knot, Knot
No	Yes	Calidris ferruginea	Curlew Sandpiper
No	Yes	Calidris tenuirostris	Great Knot
No	No	Callocephalon fimbriatum	Gang-gang Cockatoo
No	No	Calyptorhynchus lathami lathami	South-eastern Glossy Black-Cockatoo
No	No	Canarium acutifolium	
No	No	Carcharodon carcharias	White Shark, Great White Shark
No	No	Caretta caretta	Loggerhead Turtle
No	No	Carronia pedicellata	

Direct impact	Indirect impact	Species	Common name
No	No	Casuarius casuarius	Southern Cassowary
No	No	Centrophorus harrissoni	Harrisson's Dogfish, Endeavour Dogfish, Dumb Gulper Shark, Harrison's Deepsea Dogfish
No	No	Centrophorus uyato	Little Gulper Shark
No	Yes	Charadrius leschenaultii	Greater Sand Plover, Large Sand Plover
No	Yes	Charadrius mongolus	Lesser Sand Plover, Mongolian Plover
No	No	Chelonia mydas	Green Turtle
No	No	Climacteris picumnus victoriae	Brown Treecreeper (south-eastern)
No	No	Commersonia prostrata	Dwarf Kerrawang
No	No	Dasyurus hallucatus	Northern Quoll, Digul [Gogo-Yimidir], Wijingadda [Dambimangari], Wiminji [Martu]
No	No	Dasyurus maculatus maculatus (SE mainland population)	Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population)
No	No	Dermochelys coriacea	Leatherback Turtle, Leathery Turtle, Luth
No	No	Diomedea antipodensis	Antipodean Albatross
No	No	Diomedea antipodensis gibsoni	Gibson's Albatross
No	No	Diomedea epomophora	Southern Royal Albatross
No	No	Diomedea exulans	Wandering Albatross
No	No	Diomedea sanfordi	Northern Royal Albatross
No	No	Dodonaea procumbens	Trailing Hop-bush
No	No	Elseya irwini	Irwin's Turtle, White-headed Snapping Turtle
No	No	Eretmochelys imbricata	Hawksbill Turtle
No	No	Erythrotriorchis radiatus	Red Goshawk
No	No	Eubalaena australis	Southern Right Whale
No	No	Falco hypoleucos	Grey Falcon
No	No	Fregetta grallaria grallaria	White-bellied Storm-Petrel (Tasman Sea), White-bellied Storm-Petrel (Australasian)
No	No	Galaxiella pusilla	Eastern Dwarf Galaxias, Dwarf Galaxias

Direct impact	Indirect impact	Species	Common name
No	No	Galeorhinus galeus	School Shark, Eastern School Shark, Snapper Shark, Tope, Soupfin Shark
No	Yes	Gallinago hardwickii	Latham's Snipe, Japanese Snipe
No	No	Grantiella picta	Painted Honeyeater
No	No	Halobaena caerulea	Blue Petrel
No	No	Heleioporus australiacus flavopunctatus	Southern Owl Frog, Southern Giant Burrowing Frog
No	No	Hipposideros semoni	Semon's Leaf-nosed Bat, Greater Wart-nosed Horseshoe-bat
No	No	Hirundapus caudacutus	White-throated Needletail
No	No	Hoplostethus atlanticus	Orange Roughy, Deep-sea Perch, Red Roughy
No	No	Lathamus discolor	Swift Parrot
No	No	Leichhardtia araujacea	
No	No	Lepidium hyssopifolium	Basalt Pepper-cress, Peppercress, Rubble Pepper-cress, Pepperweed
No	No	Lepidochelys olivacea	Olive Ridley Turtle, Pacific Ridley Turtle
No	Yes	Limnodromus semipalmatus	Asian Dowitcher
No	Yes	Limosa lapponica baueri	Nunivak Bar-tailed Godwit, Western Alaskan Bar-tailed Godwit
No	No	Lissolepis coventryi	Swamp Skink, Eastern Mourning Skink
No	No	Litoria aurea	Green and Golden Bell Frog
No	No	Litoria dayi	Australian Lace-lid, Lace-eyed Tree Frog, Day's Big-eyed Treefrog
No	No	Litoria raniformis	Southern Bell Frog, Growling Grass Frog, Green and Golden Frog, Warty Swamp Frog, Golden Bell Frog
No	No	Macroderma gigas	Ghost Bat
No	No	Macronectes giganteus	Southern Giant-Petrel, Southern Giant Petrel
No	No	Macronectes halli	Northern Giant Petrel

Direct impact	Indirect impact	Species	Common name
No	No	Melanodryas cucullata cucullata	South-eastern Hooded Robin, Hooded Robin (south-eastern)
No	No	Mesembriomys gouldii rattoides	Black-footed Tree-rat (north Queensland), Shaggy Rabbit-rat
No	No	Myrmecodia beccarii	Ant Plant
No	No	Natator depressus	Flatback Turtle
No	No	Neophema chrysogaster	Orange-bellied Parrot
No	No	Neophema chrysostoma	Blue-winged Parrot
No	Yes	Numenius madagascariensis	Eastern Curlew, Far Eastern Curlew
No	No	Orcaella heinsohni	Australian Snubfin Dolphin
No	No	Pachyptila turtur subantarctica	Fairy Prion (southern)
No	No	Petaurus australis australis	Yellow-bellied Glider (south-eastern)
No	No	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	Phoebetria fusca	Sooty Albatross
No	Yes	Pluvialis squatarola	Grey Plover
No	No	Prasophyllum frenchii	Maroon Leek-orchid, Slaty Leek-orchid, Stout Leek-orchid, French's Leek-orchid, Swamp Leek-orchid
No	No	Pristis pristis	Freshwater Sawfish, Largetooth Sawfish, River Sawfish, Leichhardt's Sawfish, Northern Sawfish
No	Yes	Pristis zijsron	Green Sawfish, Dindagubba, Narrowsnout Sawfish
No	No	Prototroctes maraena	Australian Grayling
No	No	Pseudomys novaehollandiae	New Holland Mouse, Pookila
No	No	Pterodroma leucoptera leucoptera	Gould's Petrel, Australian Gould's Petrel
No	No	Pteropus conspicillatus	Spectacled Flying-fox
No	No	Pteropus poliocephalus	Grey-headed Flying-fox

Direct impact	Indirect impact	Species	Common name
No	No	Pterostylis chlorogramma	Green-striped Greenhood
No	No	Pycnoptilus floccosus	Pilotbird
No	No	Rexea solandri (eastern Australian population)	Eastern Gemfish
No	No	Rhincodon typus	Whale Shark
No	No	Rhinolophus robertsi	Large-eared Horseshoe Bat, Greater Large-eared Horseshoe Bat
No	Yes	Rostratula australis	Australian Painted Snipe
No	No	Saccolaimus saccolaimus nudicluniatus	Bare-rumped Sheath-tailed Bat, Bare-rumped Sheathtail Bat
No	No	Senecio psilocarpus	Swamp Fireweed, Smooth-fruited Groundsel
No	No	Seriolella brama	Blue Warehou
No	Yes	Sousa sahulensis	Australian Humpback Dolphin
No	No	Sphyrna lewini	Scalloped Hammerhead
No	No	Stagonopleura guttata	Diamond Firetail
No	Yes	Sternula albifrons	Little Tern
No	No	Sternula nereis nereis	Australian Fairy Tern
No	No	Stiphodon semoni	Opal Cling Goby
No	No	Thalassarche bulleri	Buller's Albatross, Pacific Albatross
No	No	Thalassarche bulleri platei	Northern Buller's Albatross, Pacific Albatross
No	No	Thalassarche carteri	Indian Yellow-nosed Albatross
No	No	Thalassarche cauta	Shy Albatross
No	No	Thalassarche chrysostoma	Grey-headed Albatross
No	No	Thalassarche eremita	Chatham Albatross
No	No	Thalassarche impavida	Campbell Albatross, Campbell Black-browed Albatross
No	No	Thalassarche melanophris	Black-browed Albatross
No	No	Thalassarche salvini	Salvin's Albatross

Direct impact	Indirect impact	Species	Common name
No	No	Thalassarche steadi	White-capped Albatross
No	No	Thelymitra epipactoides	Metallic Sun-orchid
No	No	Thesium australe	Austral Toadflax, Toadflax
No	No	Thinornis cucullatus cucullatus	Eastern Hooded Plover, Eastern Hooded Plover
No	Yes	Tringa nebularia	Common Greenshank, Greenshank
No	Yes	Tyto novaehollandiae kimberli	Masked Owl (northern)
No	No	Uperoleia martini	Martin's Toadlet
No	No	Varanus mertensi	Mertens' Water Monitor, Mertens's Water Monitor
No	Yes	Xenus cinereus	Terek Sandpiper
No	No	Xerochrysum palustre	Swamp Everlasting, Swamp Paper Daisy
No	No	Xeromys myoides	Water Mouse, False Water Rat, Yirrkoo

Ecological communities

Direct impact	Indirect impact	Ecological community
No	No	Lowland tropical rainforest of the Wet Tropics
No	No	Natural Damp Grassland of the Victorian Coastal Plains
No	No	Subtropical and Temperate Coastal Saltmarsh

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 study area may potentially provide feeding, foraging, or resting habitat for some of the identified threatened species. To assess the habitat values of the site for these species, detailed fauna surveys were conducted in 2023 and 2024 by qualified ecologists. It was determined that the CMP-CUF site offers only marginal habitat for threatened species (primarily shorebirds) and is not considered critical to the survival of any federally listed threatened, marine, or migratory species.

The Project site does not fall within any mapped Biologically Important Areas (BIAs). However, the proposed action may have indirect impacts on threatened species identified in the Protected Matters Search Tool (PMST) results. A review of the species listed in the PMST identified the following threatened species as likely or possibly occurring in the project area based on habitat suitability (refer to Table 3.1 and Table 3.2 of **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral, Section 3.3, pages 16 to 26**):

- Critically Endangered and Endangered Bird Species:
  - Curlew sandpiper
  - Eastern curlew
  - Lesser sand plover/Mongolian plover
  - Bar-tailed godwit
  - Nunivak bar-tailed godwit
  - Australian painted snipe
  - Common greenshank
- Vulnerable Bird Species
  - Sharp-tailed sandpiper
  - Red knot
  - Greater sand plover
  - Great knot
  - Latham's snipe
  - Asian dowitcher
  - Grey plover
  - Little tern
  - Masked owl (northern)
  - Terek sandpiper
- Vulnerable Marine Megafauna Species:
  - Green sawfish

The proposed action may result in several direct and indirect environmental interactions. However, based on ecological assessments, site-specific investigations, and the implementation of mitigation measures (**Section 4.1.4.10**), these interactions are not expected to result in significant impacts to threatened or vulnerable species.

The potential impacts to threatened species as a result of the proposed action include:

- Disturbance to terrestrial habitat from excavation works and vegetation clearing along the foreshores of Smith Creek at Lot 463 and adjacent to the Fearnley Street drain. These areas are already industrialised and not considered suitable or critical habitat for listed species. No listed threatened or vulnerable bird or marine species such as the Curlew Sandpiper, Eastern Curlew, Lesser Sand Plover (Mongolian Plover), Bar-tailed Godwit, Nunivak Bar-tailed Godwit, Australian Painted Snipe, Common Greenshank, Sharp-tailed Sandpiper, Red Knot, Greater Sand Plover, Great Knot, Latham's Snipe, Asian Dowitcher, Grey Plover, Little Tern, Masked Owl (Northern), Terek Sandpiper, Green Sawfish, or Water Mouse were recorded during site surveys, and the habitat is considered marginal compared to nearby areas like Admiralty Island.
- Disturbance to marine habitat at the ship lift and capital dredging area within Smith Creek. Smith Creek is subject to regular vessel traffic and dredging and does not support favourable benthic conditions or important populations of marine species. The site is not known to house important population of threatened species such as the Green Sawfish and no significant impacts is expected.

- Temporary land-based water quality changes associated with excavation of the ship lift void and widening of the Fearnley Street drain, potentially altering the local surface water regime and affecting downstream water quality, particularly in Smith Creek. These impacts will be localised and managed through mitigation measures to prevent downstream effects. Given the absence of listed species such as the Curlew Sandpiper, Eastern Curlew, Lesser Sand Plover, Bar-tailed Godwit, Nunivak Bar-tailed Godwit, Australian Painted Snipe, Common Greenshank, including the Green Sawfish and Water Mouse, no reduction in the area of occupancy of any important population is expected.
- Temporary marine water quality changes due to sediment plumes resulting from capital dredging will be managed using best-practice dredging techniques and are not expected to affect biologically important areas or critical habitat. These measures are considered sufficient to avoid modifying, destroying, or decreasing the availability or quality of habitat to the extent that any of the listed threatened or vulnerable species, including the Green Sawfish and Water Mouse, would be likely to decline.
- Underwater noise from piling and dredging will be temporary and managed under the CEMP, with high-risk activities limited to daylight hours. Dredging may occur 24/7 with noise monitoring to minimise impacts. Given the industrial nature and low ecological value of the site, noise impacts on fauna are unlikely. Best-practice noise controls will be applied, and equipment maintained to reduce emissions. Therefore, noise is not expected to fragment existing populations or adversely affect habitat critical to the survival of any threatened or vulnerable species, including the Green Sawfish and Water Mouse.
- Artificial light disturbance during construction and operational phases will be controlled to reduce spill into adjacent habitats, with no disruption expected to nocturnal behaviours or breeding cycles. This includes no expected disruption to the breeding cycles of listed species, which are not known to breed in the project area. The site is not known to house an important population of any vulnerable species, including the Green Sawfish or Water Mouse.

No significant impact on these threatened species or their habitats is expected, provided that the recommended management measures are implemented.

For further details on the threatened species likely or potentially present, their likelihood of occurrence, and the potential impacts they may experience as a result of the Project, refer to **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Annex C2 to C4**

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. *

As outlined above, the project area provides only marginal habitat for listed threatened and vulnerable species and is not considered critical to their survival.

The placement of development infrastructure has been carefully planned to align with the existing industrial character of the site, and the extent of vegetation clearing has been minimised. Retained vegetation within the broader project area, along with surrounding terrestrial and marine habitats such as Admiralty Island and Smiths Creek, will continue to provide suitable habitat for fauna. Given the disturbed nature of the site and the absence of important populations or critical habitat, habitat modification is not expected to result in species decline or interfere with recovery efforts.

While anthropogenic activity during construction and operation may cause localised behavioural disturbance to shorebirds and marine megafauna, the site is not located within any known biologically important areas, nor is it recognised as critical habitat for these species. Noise and light impacts will be temporary, managed in accordance with **Section 4.1.4.10** , and limited to daylight hours where applicable.

Seven ant plant individuals identified within the disturbance footprint have been successfully translocated to remnant vegetation south of Tingira Street (Lots 3 and 4 on SP218291), in accordance with the approved Ant Plant Management Plan (Attachment R.003257.002.00_AntPlant_ImpactManagementPlan_CFB2.pdf). This action ensures no loss in population size or viability.

Furthermore, the dredge material placement site is already cleared and located within operational port land. No MNES-relevant habitat occurs at this location, and associated disturbance is not expected to result in population decline, disruption of breeding, or interference with recovery.

All potential impacts will be mitigated through the implementation of management measures outlined in **Section 4.1.4.10**. A full assessment against the *Significant Impact Guidelines 1.1* (Matters of National Environmental Significance) is provided in Attachment **R.003257.018.02_AP5_CUF_EPBC_referral, Annexes C2 to C4**.

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. *

As the project is not expected to have a significant impact on any of the identified threatened species that are likely or possibly present within the study area, the proposed action is not anticipated to be a controlled action.

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. *

The proposed development will seek to utilise existing industrialised and disturbed footprints as much as possible for the construction of the CMP-CUF, thereby minimising the clearing of vegetation for land-based activities. The amount of vegetation to be removed for the proposed action will be minimal, and all ant plant individuals have already been translocated to remnant vegetation areas south of the Tingira Street precinct, in accordance with the Ant Plant Management Plan. This is included as **R.003257.002.00_AntPlant_ImpactManagementPlan_CFB2.pdf**

For marine-based activities, capital dredging and marine piling will be limited to the minimum necessary and confined to a very small, localised area. These works will be temporary in nature, and the site is already industrialised and regularly used by marine vessels and operations.

In addition, the following management measures will be put in place:

- All construction works will be undertaken in accordance with a Construction Environmental Management Plan (CEMP), which includes measures such as:
    - Clear demarcation of vegetation to be cleared to prevent excessive removal.
    - Cultural Heritage protocols for unexpected chance finds.
    - Implementation of erosion and sediment controls (e.g., silt fences, sediment basins)
    - Water quality monitoring (e.g., pH and turbidity) prior to the controlled tidal inundation required for culvert works;
    - Noise mitigation measures to reduce potential impacts on marine fauna from piling and dredging.
- An Ant Plant Management Plan is also being in place to manage the translocation of ant plant species. This is included as **R.003257.002.00_AntPlant_ImpactManagementPlan_CFB2.pdf**

Other management plans developed to support the CMP-CUF and ensure that potential environmental harm is prevented or minimised include:

- Management of acid sulfate soils in accordance with an Acid Sulfate Soils Management Plan (ASSMP) or an Acid Sulfate Soils and Contaminated Land Management Plan (ASSCLMP);
- Integration of capital and minor maintenance dredging into the Port of Cairns' existing Long-Term Maintenance Dredging Management Plan (LMDMP);
- A Dredge Management Plan (DMP) to govern the extent, depth, and timing of dredging activities to limit environmental impact;
- Fuel transfer by licensed operators, in accordance with the Construction Vessel Management Plan.

During the operational phase of the development, the following key management measures will be in place:

- Ongoing operations will remain subject to the Port of Cairns' navigational safety protocols, minimising risks to marine fauna;
- Periodic maintenance dredging will be required to maintain navigability. These works will be undertaken:
    - In accordance with the Port's Long-Term Maintenance Dredging Management Plan (LMDMP);
    - Under the existing GBRMPA Sea Dumping Permit;
    - In compliance with the National Assessment Guidelines for Dredging (NAGD).

However, the management of contaminated material during operation, including PFAS from Lot 485, falls outside the scope of this referral and will be addressed under Queensland's contaminated land legislation, supported by a PFAS Site Management Plan prepared by a suitably qualified contaminated land auditor.

Overall, no significant impacts to threatened species are expected following the implementation of these management measures.

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

As the proposed action is not expected to have any significant residual impacts on any identified threatened species, offsets are not required.

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	Yes	Actitis hypoleucos	Common Sandpiper
No	Yes	Anous stolidus	Common Noddy
No	Yes	Anoxypristis cuspidata	Narrow Sawfish, Knifetooth Sawfish
No	No	Apus pacificus	Fork-tailed Swift
No	No	Ardenna carneipes	Flesh-footed Shearwater, Fleshy-footed Shearwater
No	No	Ardenna grisea	Sooty Shearwater
No	No	Balaenoptera bonaerensis	Antarctic Minke Whale, Dark-shoulder Minke Whale
No	No	Balaenoptera borealis	Sei Whale
No	No	Balaenoptera edeni	Bryde's Whale
No	No	Balaenoptera musculus	Blue Whale
No	No	Balaenoptera physalus	Fin Whale
No	Yes	Calidris acuminata	Sharp-tailed Sandpiper
No	Yes	Calidris canutus	Red Knot, Knot
No	Yes	Calidris ferruginea	Curlew Sandpiper
No	Yes	Calidris melanotos	Pectoral Sandpiper
No	No	Calidris ruficollis	Red-necked Stint
No	No	Caperea marginata	Pygmy Right Whale
No	No	Carcharhinus longimanus	Oceanic Whitetip Shark
No	No	Carcharias taurus	Grey Nurse Shark
No	No	Carcharodon carcharias	White Shark, Great White Shark
No	No	Caretta caretta	Loggerhead Turtle

Direct impact	Indirect impact	Species	Common name
No	Yes	Charadrius leschenaultii	Greater Sand Plover, Large Sand Plover
No	No	Chelonia mydas	Green Turtle
No	Yes	Crocodylus porosus	Salt-water Crocodile, Estuarine Crocodile
No	No	Cuculus optatus	Oriental Cuckoo, Horsfield's Cuckoo
No	No	Dermochelys coriacea	Leatherback Turtle, Leathery Turtle, Luth
No	No	Diomedea antipodensis	Antipodean Albatross
No	No	Diomedea epomophora	Southern Royal Albatross
No	No	Diomedea exulans	Wandering Albatross
No	No	Diomedea sanfordi	Northern Royal Albatross
No	No	Eretmochelys imbricata	Hawksbill Turtle
No	No	Eubalaena australis	Southern Right Whale
No	No	Fregata ariel	Lesser Frigatebird, Least Frigatebird
No	No	Fregata minor	Great Frigatebird, Greater Frigatebird
No	Yes	Gallinago hardwickii	Latham's Snipe, Japanese Snipe
No	No	Hirundapus caudacutus	White-throated Needletail
No	No	Hirundo rustica	Barn Swallow
No	No	Isurus oxyrinchus	Shortfin Mako, Mako Shark
No	No	Lagenorhynchus obscurus	Dusky Dolphin
No	No	Lamna nasus	Porbeagle, Mackerel Shark
No	No	Lepidochelys olivacea	Olive Ridley Turtle, Pacific Ridley Turtle
No	Yes	Limnodromus semipalmatus	Asian Dowitcher
No	Yes	Limosa lapponica	Bar-tailed Godwit
No	No	Macronectes giganteus	Southern Giant-Petrel, Southern Giant Petrel

Direct impact	Indirect impact	Species	Common name
No	No	Macronectes halli	Northern Giant Petrel
No	No	Megaptera novaeangliae	Humpback Whale
No	No	Mobula alfredi	Reef Manta Ray, Coastal Manta Ray
No	No	Mobula birostris	Giant Manta Ray
No	Yes	Motacilla flava	Yellow Wagtail
No	No	Natator depressus	Flatback Turtle
No	Yes	Numenius madagascariensis	Eastern Curlew, Far Eastern Curlew
No	No	Orcaella heinsohni	Australian Snubfin Dolphin
No	No	Orcinus orca	Killer Whale, Orca
No	Yes	Pandion haliaetus	Osprey
No	No	Phaethon lepturus	White-tailed Tropicbird
No	No	Phoebetria fusca	Sooty Albatross
No	No	Physeter macrocephalus	Sperm Whale
No	No	Pristis pristis	Freshwater Sawfish, Largetooth Sawfish, River Sawfish, Leichhardt's Sawfish, Northern Sawfish
No	Yes	Pristis zijsron	Green Sawfish, Dindagubba, Narrowsnout Sawfish
No	No	Rhincodon typus	Whale Shark
No	Yes	Sousa sahulensis	Australian Humpback Dolphin
No	Yes	Sternula albifrons	Little Tern
No	No	Thalassarche bulleri	Buller's Albatross, Pacific Albatross
No	No	Thalassarche carteri	Indian Yellow-nosed Albatross
No	No	Thalassarche cauta	Shy Albatross
No	No	Thalassarche chrysostoma	Grey-headed Albatross
No	No	Thalassarche eremita	Chatham Albatross

Direct impact	Indirect impact	Species	Common name
No	No	Thalassarche impavida	Campbell Albatross, Campbell Black-browed Albatross
No	No	Thalassarche melanophris	Black-browed Albatross
No	No	Thalassarche salvini	Salvin's Albatross
No	No	Thalassarche steadi	White-capped Albatross
No	Yes	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. *

The study area may potentially provide feeding, foraging or resting areas for some of the identified migratory species. To determine the habitat values of the site for migratory species, detailed fauna surveys were undertaken in 2023 and 2024 by qualified ecologists. It was determined that the CMP-CUF site would provide only marginal habitat for migratory species (largely shorebirds) and is not viewed as constituting habitat critical to the survival of any federally listed threatened, marine or migratory species.

The Project site does not fall within mapped Biologically Important Areas (BIA). The proposed action may have indirect impacts on migratory species identified in the PMST search. Review of the species identified in the PMST search identified the following migratory species are considered likely or possibly to occur in the project area based on habitat suitability (as per Table 3.1 and Table 3.2 of **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral, Section 3.3, pages 16 to 26**):

- Migratory Bird Species
  - Common Sandpiper
  - Common Noddy
  - Pectoral Sandpiper
  - Yellow Wagtail
  - Osprey
- Migratory Marine Megafauna Species
  - Narrow Sawfish
  - Salt-water Crocodile
  - Australian Humpback Dolphin

The proposed action has been assessed for potential impacts on listed threatened and migratory species. Based on ecological surveys and site characteristics, the following potential impacts have been identified:

- Disturbance to terrestrial habitat will result from excavation and vegetation clearing along the foreshores of Smith Creek at Lot 463 and adjacent to the Fearnley Street drain.These areas are already industrialised and are not considered suitable or critical habitat for listed species such as the Common Sandpiper, Common Noddy, Pectoral Sandpiper, Yellow Wagtail, and Osprey. No individuals of these species were recorded during site ecological surveys. The vegetation to be cleared is limited in extent and does not constitute important habitat when compared to larger, more suitable areas such as Admiralty Island.
- Disturbance to marine habitat is expected at the ship lift and capital dredging area within Smith Creek. This area is subject to regular vessel traffic and maintenance dredging and does not support favourable benthic conditions or important populations of marine species. No marine megafauna, including the Narrow Sawfish, Salt-water Crocodile, or Australian Humpback Dolphin, were observed during site surveys. As such, the area is not considered important habitat for listed marine species, and the proposed works are not expected to result in significant impacts.
- Temporary land-based water quality changes may occur due to excavation of the ship lift void and widening of the Fearnley Street drain. These activities may alter the local surface water regime and affect downstream water quality in Smith Creek. These areas are already industrialised and are not considered suitable or critical habitat for listed species such as the Common Sandpiper, Common Noddy, Pectoral Sandpiper, Yellow Wagtail, and Osprey. No individuals of these species were recorded during site ecological surveys. In addition, impacts will be localised and managed through mitigation measures outlined in **Section 4.5.1.10**, ensuring no significant downstream effects on any listed species.
- Temporary marine water quality changes are anticipated due to sediment plumes from capital dredging. These plumes will be managed using best-practice dredging techniques. Given the existing disturbed nature of the creek and the absence of critical habitat for species such as the Narrow Sawfish, Salt-water Crocodile, and Australian Humpback Dolphin, these plumes are not expected to affect biologically important areas or listed species.

- Underwater noise from piling and dredging will be temporary and managed under the CEMP, with high-risk activities limited to daylight hours. Dredging may occur 24/7 with noise monitoring to minimise impacts. Given the industrial nature and low ecological value of the site, noise impacts on fauna are unlikely. Best-practice noise controls will be applied, and equipment maintained to reduce emissions. Therefore, noise is not expected to fragment existing populations or adversely affect habitat critical to the survival of any migratory and marine megafauna such as the Narrow Sawfish, Salt-water Crocodile, and Australian Humpback Dolphin.
- Artificial light disturbance during construction and operational phases will be controlled to reduce spill into adjacent habitats. No disruption to nocturnal behaviours or breeding cycles of listed species, including the Common Sandpiper, Common Noddy, Pectoral Sandpiper, Yellow Wagtail, and Osprey, is expected, particularly as no such species were recorded in the area during ecological surveys.

The proposed site does not provide important or critical habitat for listed migratory species. No listed species were recorded during ecological surveys, and the site is already subject to industrial use and disturbance. Similar activities in nearby areas (e.g., the barge ramp project upstream of CFB2) have previously been determined not to be controlled actions. With the implementation of mitigation measures outlined in **Section 4.1.5.10**, the proposed action is not expected to result in a significant impact on any protected matters.

For further description of the threatened species identified as likely or potentially occurring, their likelihood of being present and potential impacts that they may experience as a result of the Project, see **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Annex C5 to C6.**

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 placement of the development infrastructure has been carefully considered in relation to the existing industrial character of the site, and vegetation clearing has been minimised to the extent practicable. Retained and existing vegetation within the broader project area, along with surrounding marine and terrestrial habitats (e.g., Admiralty Island and Smiths Creek), will continue to provide suitable habitat for terrestrial and marine species. As such, habitat modification is not expected to result in a decline in species abundance or interfere with the recovery of any listed migratory species.

Anthropogenic activity during construction and operation may cause localised behavioural disturbance to shorebirds and marine megafauna. However, the site is not located within any known biologically important areas (BIAs) or recognised critical habitat for these species. Therefore, such disturbances are not expected to result in significant impacts.

The dredge material placement site is located within already cleared and operational port land. No MNES-relevant habitat occurs at this location, and associated disturbance is not expected to result in population decline, disruption of breeding, or interference with recovery of any listed species.

All potential impacts will be mitigated through the implementation of management measures outlined in **Section 4.1.4.10**. These measures are designed to avoid or minimise impacts to migratory species and their habitats.

Based on the disturbed nature of the site, the absence of critical habitat or important populations, and the implementation of robust mitigation measures, the proposed action is not expected to result in a significant impact on any listed migratory species or their habitats.

A full assessment against the *Significant Impact Guidelines 1.1 – Matters of National Environmental Significance* is provided in **Attachment R.003257.018.02_AP5_CUF_EPBC_referral, Annexes C5 to C6.**

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. *

As explained above in 4.1.5.6, no significant impacts on migratory species are expected as a result of the project and, therefore, the project is not considered a controlled action.

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. *

The proposed development will seek to utilise existing industrialised and disturbed footprints as much as possible for the construction of the CMP-CUF, limiting the clearing of vegetation for land-based activities.

For marine-based activities, capital dredging and marine piling will be limited to the minimum necessary, confined to a very small and localised area. These works will be temporary in nature, and the site is already industrialised and regularly used by marine vessels and operations.

In addition, the following management measures will be put in place:

- All construction works will be undertaken in accordance with a Construction Environmental Management Plan (CEMP). These includes measures such as:
    - Clear demarcation of vegetation to be cleared to prevent excessive removal.
    - Cultural Heritage protocols for unexpected chance finds.
    - Implementation of erosion and sediment controls (e.g., silt fences, sediment basins)
    - Water quality monitoring (e.g., pH and turbidity) prior to the controlled tidal inundation required for culvert works;
    - Noise mitigation measures to reduce potential impacts on marine fauna from piling and dredging.

Other management plans that have been developed to support the CMP-CUF and ensure potential harm to the environment is prevented or minimised include:

- Management of acid sulfate soils in accordance with an Acid Sulfate Soils Management Plan (ASSMP) or an Acid Sulfate Soils and Contaminated Land Management Plan (ASSCLMP)
- Capital dredging and minor maintenance dredging will be integrated into the Port of Cairns' existing Long-Term Maintenance Dredging Management Plan (LMDMP)
- Dredge Management Plan (DMP) will govern the extent, depth, and timing of dredging activities to limit environmental impact
- Fuel transfer by licensed operators, in accordance with the Construction Vessel Management Plan

During the operational phase of the development, the following key management measures will be in place:

- Ongoing operations will remain subject to the Port of Cairns' navigational safety protocols, minimising risk to marine fauna
- Periodic maintenance dredging will be required to maintain navigability. These works will be undertaken:
    - In accordance with the Port's Long-Term Maintenance Dredging Management Plan (LMDMP);
    - Under the existing GBRMPA Sea Dumping Permit.
    - In compliance with the National Assessment Guidelines for Dredging (NAGD).

However, management of contaminated material during operation, including PFAS from Lot 485, falls outside the scope of this referral and will be addressed under Queensland's contaminated land legislation, supported by a PFAS Site Management Plan prepared by a suitably qualified contaminated land auditor. Overall, no significant impacts to migratory species are expected to occur, following implementation of these management measures.

For further information on the recommended management measures for migratory species, see **Attachment 'R.003257.018.02_AP5_CUF_EPBC_referral', Section 5, pages 35 to 51.**

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

As per 4.1.5.6, as no significant impact on a migratory species has been identified as a result of the proposed action, no environmental offset under Commonwealth legislation is required.

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. *

The proposed action does not involve any nuclear activities or the management of land previously used for such purposes. Therefore, it is not expected to result in any impacts.

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. *

The proposed development is located at least 15 km west of a Commonwealth Marine Area. Based on the plume modelling undertaken for the Project, the models indicate that sediment plumes from capital dredging will be highly localised and short-lived within the CUF site, and would not extend this far. As such, the proposed development is not expected to have any impact on this protected matter.

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 proposed action will not take place within the Great Barrier Reef Marine Park. The Marine Park is located approximately 15 km east and offshore of the CMP-CUF site. Furthermore, plume modelling conducted for the Project indicates that sediment plumes resulting from capital dredging will be highly localised and short-lived within the CUF site, and will not extend this far. As such, no impact from the proposed action is expected to occur on this protected matter.

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 project area is not located near any water resources used for coal mining or coal seam gas extraction, and therefore, it will not have any impact on this protected matter.

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.

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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. *

The project area does not occur on Commonwealth land or a Queensland (QLD) State National Park; therefore, the proposed action will not impact this protected matter.

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.

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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. *

The proposed action is being undertaken within Australian waters and, therefore, will not affect any Commonwealth heritage places located overseas.

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. *

The project sits within the site of an existing port in the Port of Cairns, hence providing a footprint of the existing disturbance that could be utilised by the current infrastructure to facilitate on minimising additional disturbance of the surrounding habitat areas. It occurs on land zoned for port and maritime infrastructure purposes. The CMP-CUF's purpose is to to develop advanced maritime infrastructure at the Port of Cairns to support the growth of the Maintenance, Repair and Overhaul (MRO) sector, enhance defence and marine industry capabilities, and drive economic diversification and job creation in Far North Queensland.

The preparatory works currently being undertaken at the Port of Cairns are not included in the CMP-CUF referral because they are either already substantially commenced, previously approved, or necessary for broader site development regardless of the CMP-CUF project. These works, which include infrastructure upgrades, site preparation, and road realignments, are located outside the boundaries of the Great Barrier Reef World Heritage Area (GBRWHA) and National Heritage Place (GBRNHP). Each package has been individually and cumulatively self-assessed under the EPBC Act and determined not to have a significant impact on MNES. As such, they are not considered part of a larger action requiring assessment under the current referral, and no viable alternatives were necessary or applicable.

5. Lodgement

5.1 Attachments

1.2.1 Overview of the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

1.2.6 Commonwealth or state legislation, planning frameworks or policy documents that are relevant to the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

3.1.1 Current condition of the project area's environment

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

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

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

3.1.4 Gradient relevant to the project area

	Type	Name	Date	Sensitivity	Confidence

#1.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

3.2.1 Flora and fauna within the affected area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

3.2.2 Vegetation within the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

3.3.1 Commonwealth heritage places overseas or other places that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025		High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

3.3.2 Indigenous heritage values that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf	06/06/2025	Yes	High

		The CMP-CUF Referral Report (Redacted version)			
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

3.4.1 Hydrology characteristics that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

4.1.1.6 (World Heritage) Why you do not consider the direct and/or indirect impact to be a Significant Impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

4.1.1.10 (World Heritage) Avoidance or mitigation measures proposed for this action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att-AntPlant_MP_CFB2_2025-Redacted.pdf Ant Plant Management Plan for the Lot 485 Ground Preparation Works (Redacted Version)	17/12/2024	Yes	High
#2.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#3.	Document	R.003257.002.00_AntPlant_ImpactManagementPlan_CFB2.pdf Ant Plant Management Plan for the Lot 485 Ground Preparation Works	17/12/2024		High
#4.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

4.1.2.6 (National Heritage) Why you do not consider the direct and/or indirect impact to be a Significant Impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

4.1.2.10 (National Heritage) Avoidance or mitigation measures proposed for this action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att-AntPlant_MP_CFB2_2025-Redacted.pdf Ant Plant Management Plan for the Lot 485 Ground Preparation Works (Redacted Version)	17/12/2024	Yes	High
#2.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#3.	Document	R.003257.002.00_AntPlant_ImpactManagementPlan_CFB2.pdf Ant Plant Management Plan for the Lot 485 Ground Preparation Works	17/12/2024	Yes	High
#4.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

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-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	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-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	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-AntPlant_MP_CFB2_2025-Redacted.pdf Ant Plant Management Plan for the Lot 485 Ground Preparation Works (Redacted Version)	17/12/2024	Yes	High
#2.	Document	R.003257.002.00_AntPlant_ImpactManagementPlan_CFB2.pdf Ant Plant Management Plan for the Lot 485 Ground Preparation Works	17/12/2024	Yes	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-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

4.1.5.6 (Migratory Species) Why you do not consider the direct and/or indirect impact to be a Significant Impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High

4.1.5.10 (Migratory Species) Avoidance or mitigation measures proposed for this action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document				

		Att-CUF_EPBC_referral_2025-Redacted.pdf The CMP-CUF Referral Report (Redacted version)	06/06/2025	Yes	High	
#2.	Document	R.003257.018.02_AP5_CUF_EPBC_referral.pdf This is the EPBC Act Referral Report for the CMP -CUF (the Project)	06/06/2025	Yes	High	

5.2 Declarations

Completed Referring party's declaration

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

ABN/ACN	54010830421
Organisation name	BMT COMMERCIAL AUSTRALIA PTY LTD
Organisation address	4000 QLD
Representative's name	Janelle Rescar
Representative's job title	Environmental Consultant
Phone	+61 7 3026 0826
Email	janelle.rescar@apac.bmt.org
Address	Level 5, 348 Edward Street, Brisbane, QLD, 4000

☑ 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, **Janelle Rescar of BMT COMMERCIAL 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	38657722043
Organisation name	FAR NORTH QUEENSLAND PORTS CORPORATION LIMITED
Organisation address	Level 4, 175 Eagle Street, Brisbane City, QLD, 4000
Representative's name	Onuma Carmody

Representative's job title	CMP-CUF Delivery Director
Phone	0459 321 588
Email	onuma.carmody@portsnorth.com.au
Address	Level 4, 175 Eagle Street, Brisbane City, QLD, 4000

☑ 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, **Onuma Carmody of FAR NORTH QUEENSLAND PORTS CORPORATION LIMITED**, 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, **Onuma Carmody of FAR NORTH QUEENSLAND PORTS CORPORATION LIMITED**, 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. *