

**DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT**

To: Andrew McNee, Assistant Secretary, Assessments and Governance Branch (for decision)

**Approval Decision Brief (recommendation report) – Warner Road Residential Development, Warner, Queensland (EPBC 2017/8022)**

Timing: 27 July 2020 - Statutory timeframe.

<b>Recommendation/s:</b>		
1. Consider the recommendation report at <u>Attachment A</u> .	<b>Considered / please discuss</b>	
2. Consider the responses to the invitation for comment on the proposed decision at <u>Attachment B</u> .	<b>Considered / please discuss</b>	
3. Approve, for each controlling provision, the action as summarised in the table below.	<b>Approved / Not approved</b>	
4. Agree to attach the conditions of approval as set out in <u>Attachment C</u> .	<b>Agreed / Not agreed</b>	
5. Sign the notice of your decision at <u>Attachment C</u> .	<b>Signed / Not signed</b>	
6. If you agree to 3 and 4, accept the reasoning in the Departmental briefing package as the reasons for your decision.	<b>Accepted / Please discuss</b>	
7. Sign the letters at <u>Attachment D</u> advising the person proposing to take the action, and other relevant parties, of your decision.	<b>Signed / Not signed</b>	
<b>Summary of recommendations on each controlling provision:</b>		
Controlling Provisions for the action	Recommendation	
	Approve	Refuse to Approve
Listed threatened species and communities (ss 18, 18A)	Approved	
<p style="text-align: right;">Date:</p> <p><b>Andrew McNee</b>  <b>Assistant Secretary</b>  <b>Assessments and Governance Branch:</b></p> <p><b>Comments:</b></p>		

## Key Points:

### Background

1. Ausbuild Development Corp Pty Ltd proposes to construct a residential development and associated infrastructure on Lot 1 RP92508, Lot 2 RP195936, and Lot 2 RP105475 in Warner, approximately 18 km north of Brisbane, Queensland.
2. If approved, the proposed action will result in the loss of 5 ha of habitat critical to the survival of the listed vulnerable Koala (*Phascolarctos cinereus – combined populations of Qld, NSW and the ACT*).
3. On 3 July 2020, as recommended in the Proposed Approval Decision Brief (Attachment A), a delegate of the Minister wrote to the following persons seeking comments on the proposed decision:
  - Mr Michael Loney, Joint Managing Director, Ausbuild Development Corp Pty Ltd;
  - s. 47F(1), Director Environmental Protection and Assessments, Department of Defence (delegated contact for the Minister for Defence, Senator the Hon Linda Reynolds CSC); and,
  - s. 47F(1), Director, Impact Assessment and Operational Support, Department of Environment and Science.
4. The Department's Environmental Audit and Post Approvals sections were also consulted on the proposed conditions.

### Issues/Sensitivities:

5. Under section 130 and 133 of the EPBC Act, you are now required to decide whether to approve the proposed action, and if you decide to approve it, what conditions you will attach to the approval under section 134 of the EPBC Act.
6. Unless otherwise stated in this brief, the matters for consideration and factors to be taken into account for your decision remain as set out in the proposed approval decision brief (Attachment A).

### Consultation:

7. The responses to the invitation to comment on the proposed conditions (Attachment B) have been considered by the Department and are summarised below.

### *Designated proponent comments*

8. On 6 July 2020, the proponent responded to the invitation to comment on the proposed decision (Attachment B1). The proponent agreed with the conditions and did not provide any further comments.

9. On 21 July 2020, the Department wrote to the proponent to inform them of a minor administrative change to the decision notice, that being the removal of Grey-headed Flying-fox (*Pteropus poliocephalus*) from the definitions. On the same day, the proponent agreed to this change.

*State and Commonwealth Minister comments*

10. On 16 July 2020, [s. 47F\(1\)](#), delegated contact for the Minister for Defence, responded to the invitation to comment on the proposed decision, stating that Defence had no comments on the proposed decision ([Attachment B3](#)).

# s. 47B(a)

12. The Department considers given the low impact and risk of the action, that the conditions in the proposed decision are adequate to mitigate the residual significant risk to the Koala. The Department therefore recommends no amendments to the conditions of approval as set out in [Attachment C](#).

*Internal consultation*

13. The Department's Environmental Audit and Post Approvals sections were consulted on the proposed conditions. Due to the minor nature of the proposed changes to conditions, further consultation on the final conditions was not required.
14. The Species Information and Policy section have also been consulted on relevant recovery plans, threat abatement plans, and conservation advices ([Attachment E](#)). The advice and reports indicate that there are no changes to listing status or changes to conservation advices, recovery plans or threat abatement plans relevant to this decision ([Attachment F](#)).

Conclusion:

15. The Department recommends that the approval has effect until 30 June 2035 to allow a sufficient period to effectively implement the proposed approval conditions and for the proponent to ensure the required ecological outcomes are achieved.
16. The Department considers that impacts to matters of national environmental significance will not be unacceptable provided the action is undertaken in accordance with the recommended approval conditions at [Attachment C](#).

17. The Department considers the conditions of approval represent a convenient method of achieving strong environmental outcomes and managing key risks, and recommends that you approve the proposed action subject to the conditions at Attachment C.

s. 22(1)(a)(ii)

Director  
Queensland South Assessments and Sea  
Dumping Section  
Assessments and Governance Branch

s. 22(1)(a)(ii)

22 July 2020

s. 22(1)(a)(ii)

Queensland South Assessments and Sea  
Dumping Section

s. 22(1)(a)(ii)

## ATTACHMENTS

- A: Proposed Approval Decision Package - signed
- B: Responses to invitation for comment on proposed decision
  - B1: Proponent comments received 6 July 2020
  - B2: Qld Minister comments received 21 July 2020
  - B3: Defence Minister comments received 16 July 2020
- C: Notice of decision – **FOR SIGNATURE**
- D: Letters
  - D1: Letter to proponent – **FOR SIGNATURE**
  - D2: Letter to Qld Minister – **FOR SIGNATURE**
  - D3: Letter to Defence Minister – **FOR SIGNATURE**
- E: Consultation with Species Listing Information and Policy section
- F: Approved conservation advice

**s. 22(1)(a)(ii)**

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**From:** s. 47F(1)  
**Sent:** Monday, 6 July 2020 11:43 AM  
**To:** michael.loney@ausbuild.com.au; s. 22(1)(a)(ii)  
**Cc:** s. 47F(1)  
**Subject:** Re: Warner Road Residential Development (EPBC 2017/8022) [SEC=OFFICIAL]

Thanks s. 22(1)(a)(ii)

Confirming that we have reviewed the conditions and are happy for you to take these to the delegate for final signoff.

s. 47F(1)

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**From:** s. 22(1)(a)(ii)  
**Sent:** Monday, July 6, 2020 9:49:12 AM  
**To:** michael.loney@ausbuild.com.au <michael.loney@ausbuild.com.au>  
**Cc:** s. 47F(1) ; s. 47F(1)  
**Subject:** FW: Warner Road Residential Development (EPBC 2017/8022) [SEC=OFFICIAL]

Hello all,

There appears to have been an issue with the previous decision notice attachment, I apologise. I have saved a new copy of it, and sent it successfully in an internal test email.

Please let me know if this is successful.

Thanks,  
s. 22(1)(a)

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**From:** s. 22(1)(a)(ii)  
**Sent:** Monday, 6 July 2020 9:32 AM  
**To:** michael.loney@ausbuild.com.au  
**Cc:** s. 47F(1) s. 47F(1) s. 22(1)(a)(ii)  
**Subject:** Warner Road Residential Development (EPBC 2017/8022) [SEC=OFFICIAL]

Dear Mr Loney,

I am writing to you in relation to your proposal for the Warner Road Residential Development at Warner, approximately 18km north of Brisbane, Qld (EPBC 2017/8022).

Please find attached letter and decision notice recording the proposed decision made by the delegate on 3 July 2020.

Kind regards,  
s. 22(1)(a)

s. 22(1)(a)(ii)

Environment Assessment Officer  
Queensland South and Sea Dumping | Assessments and Governance  
**Department of Agriculture, Water and the Environment**

**s. 22(1)(a)(ii)** | + GPO Box 787, Canberra ACT 2601

E: **s. 22(1)(a)(ii)**

Please consider the Environment before printing this email

**s. 22(1)(a)(ii)**

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**From:** s. 47F(1)  
**Sent:** Tuesday, 21 July 2020 2:35 PM  
**To:** s. 22(1)(a)(ii)  
**Subject:** Invitation to comment on proposed approval decision – Warner Road Residential Development, Warner, Queensland (EPBC 2017/8022)  
**Attachments:** s. 47B(a)

Hi s. 22(1)(a)(ii)

I write in response to your department's letter dated 3 July 2020 requesting advice on whether the above action will be assessed in a manner described in Schedule 1 of the Bilateral Agreement under section 45 of the *Environment Protection and Biodiversity Conservation Act 1999*.

I advise the proposal will not be assessed using the EIS process in Chapter 3 of the *Environmental Protection Act 1994*. s. 47B(a)

If you have any queries about the letter, please contact s. 47F(1) on s. 47F(1).

Kind regards, s. 47F(1)



s. 47F(1)  
**Technical Support | Operational Support**  
Environmental Services and Regulation  
Department of Environment and Science

-----  
s. 47F(1)  
Level 9, 400 George Street, Brisbane  
GPO Box 2454, Brisbane QLD 4001

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Department of  
**Environment and Science**

Ref 101/0003868

20 July 2020

s. 22(1)(a)(ii)

Queensland South and Sea Dumping Section  
Environmental Approvals (Qld, Tas, Vic) and Support Branch  
Department of Agriculture, Water and the Environment  
GPO Box 858  
CANBERRA ACT 2601

Dear s. 22(1)(a)(ii)

**Invitation to comment on proposed approval decision – Warner Road Residential Development, Warner, Queensland (EPBC 2017/8022)**

Thank you for your department's letter dated 3 July 2020, advising the Department of Environment and Science on the above proposed approval decision under the *Environment Protection and Biodiversity Conservation Act 1999*.

s. 47B(a)

Should you have any further enquiries, please contact me on telephone s. 47F(1) .

Yours sincerely

**s. 47F(1)**

s. 47F(1)

**Director, Technical and Assessment Services**

Level 9  
400 George Street Brisbane  
GPO Box 2454 Brisbane  
Queensland 4001 Australia  
s. 47F(1)

**Website** [www.des.qld.gov.au](http://www.des.qld.gov.au)  
ABN 46 640 294 485



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**s. 47B(a)**

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# s. 47B(a)



s. 47B(a), s. 47F(1)

**s. 22(1)(a)(ii)**

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**From:** s. 47F(1)  
**Sent:** Thursday, 16 July 2020 12:53 PM  
**To:** s. 22(1)(a)(ii)  
**Cc:** s. 47F(1)  
**Subject:** RE: Warner Road Residential Development, Warner, Qld (2017/8022).  
[SEC=UNCLASSIFIED]

**UNCLASSIFIED**

Good afternoon s. 22(1)(a)(ii)

Defence has no comments on the proposed approval conditions for **Warner Road Residential Development, Warner, Queensland (EPBC 2017/8022)**.

Thank you for the opportunity to provide comments.

Kind regards  
s. 47F(1)

**s. 47F(1)**  
Environment Assessment Team  
Environmental Planning, Assessment & Compliance  
Environment & Engineering Branch  
Estate & Infrastructure Group  
Department of Defence

Brindabella Business Park | PO Box 7925 | Canberra BC ACT 2610  
E: **s. 47F(1)**  
P: **s. 47F(1)**

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**From:** s. 47F(1)  
**Sent:** Monday, 6 July 2020 10:49 AM  
**To:** s. 47F(1)  
**Subject:** FW: Warner Road Residential Development, Warner, Qld (2017/8022). [SEC=UNCLASSIFIED]

**UNCLASSIFIED**

s. 47F(1)

Please review and action.

Cheers

s. 47F(1)

**IMPORTANT:** This email remains the property of the Department of Defence. Unauthorised communication and dealing with the information in the email may be a serious criminal offence. If you have received this email in error, you are requested to contact the sender and delete the email immediately.

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**From:** s. 22(1)(a)(ii)  
**Sent:** Monday, 6 July 2020 10:37 AM  
**To:** s. 47F(1)  
**Cc:** s. 47F(1) ; s. 22(1)(a)(ii) ; s. 47F(1)  
**Subject:** Warner Road Residential Development, Warner, Qld (2017/8022). [SEC=UNCLASSIFIED]

Dear s. 47F(1) ,

Please see attached letter inviting comments, and decision notice recording the proposed decision for the Warner Road Residential Development, Warner, Qld (2017/8022).

Please feel free to contact me at the details below if you have any questions.

Kind regards,

s. 22(1)(a)

**s. 22(1)(a)(ii)**  
Environment Assessment Officer  
Queensland South and Sea Dumping | Assessments and Governance  
**Department of Agriculture, Water and the Environment**

T: s. 22(1)(a)(ii) | + GPO Box 787, Canberra ACT 2601  
E: s. 22(1)(a)(ii)

Please consider the Environment before printing this email



EPBC Ref: 2017/8022

Mr Michael Loney  
Joint Managing Director  
Ausbuild Development Corp Pty Ltd  
2 Pittwin Road  
CAPALABA QLD 4157

Dear Mr Loney

### **Decision on approval Warner Road Residential Development, Warner, Queensland**

I am writing to you in relation to a proposal to construct a residential development and associated infrastructure on Lot 1 RP92508, Lot 2 RP195936, and Lot 2 RP105475 in Warner, approximately 18 kilometres north of Brisbane, Queensland [See EPBC Act referral 2017/8022 and variation of the action decision made under section 156B of the EPBC Act on 22 April 2020].

I have considered the proposal in accordance with Part 9 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and have decided to grant an approval to Ausbuild Development Corp Pty Ltd. The details of my decision are attached. The proposal must be undertaken in accordance with the conditions specified in the approval.

I would appreciate your assistance by informing me when you start the action and who will be the contact person responsible for the administration of the approval decision.

You should note that this EPBC Act approval does not affect obligations to comply with any other laws of the Commonwealth, state or territory that are applicable to the action. Neither does this approval confer any right, title or interest that may be required to access land or waters to take the action.

The Department has an active audit program for proposals that have been referred or approved under the EPBC Act. The audit program aims to ensure that proposals are implemented as planned and that there is a high degree of compliance with any associated conditions. Please note that your project may be selected for audit by the Department at any time and all related records and documents may be subject to scrutiny. Information about the Department's compliance monitoring and auditing program is enclosed.

I have also written to the following parties to advise them of this decision:

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State Minister [s. 47F\(1\)](#), delegated contact for the Hon Leeanne Enoch MP, Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts

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Commonwealth Defence Minister [s. 47F\(1\)](#) delegated contact for Senator the Hon Linda Reynolds CSC, Minister for Defence

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If you have any questions about this decision, please contact the project manager, [s. 22\(1\)\(a\)\(ii\)](#)  
by email to [s. 22\(1\)\(a\)\(ii\)](#) or telephone [s. 22\(1\)\(a\)\(ii\)](#) and quote  
the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Andrew McNee  
Assistant Secretary  
Assessments and Governance Branch  
July 2020



EPBC Ref: 2017/8022

s. 47F(1)

Director  
Technical and Assessment Services  
Department of Environment and Science  
GPO Box 2454  
BRISBANE QLD 4001

Dear s. 47F(1)

**Decision on approval  
Warner Road Residential Development, Warner, Queensland**

I am writing to you in relation to the proposal by Ausbuild Development Corp Pty Ltd to construct a residential development and associated infrastructure on Lot 1 RP92508, Lot 2 RP195936, and Lot 2 RP105475 in Warner, approximately 18 kilometres north of Brisbane, Queensland. [See EPBC Act referral 2017/8022 and variation of the action decision made under section 156B of the EPBC Act on 22 April 2020].

I have considered the proposal in accordance with Part 9 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and have decided to grant an approval to Ausbuild Development Corp Pty Ltd. A notice of my decision is attached for your information.

If you have any questions about this decision, please contact the project manager, s. 22(1)(a)(ii), by email to s. 22(1)(a)(ii) or telephone s. 22(1)(a)(ii) and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Andrew McNee  
Assistant Secretary  
Assessments and Governance Branch  
/ / 2020



EPBC Ref: 2017/8022

s. 47F(1)

Director Environmental Protection and Assessments  
Environment and Engineering Branch  
Defence Support and Reform Group  
Department of Defence  
BP26-02-B001  
PO Box 7925  
CANBERRA BC ACT 2601

Dear s. 47F(1)

**Decision on approval  
Warner Road Residential Development, Warner, Queensland**

I am writing to you in relation to the proposal by Ausbuild Development Corp Pty Ltd to construct a residential development and associated infrastructure on Lot 1 RP92508, Lot 2 RP195936, and Lot 2 RP105475 in Warner, approximately 18 kilometres north of Brisbane, Queensland. [See EPBC Act referral 2017/8022 and variation of the action decision made under section 156B of the EPBC Act on 22 April 2020].

I have considered the proposal in accordance with Part 9 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and have decided to grant an approval to Ausbuild Development Corp Pty Ltd. A notice of my decision is attached for your information.

If you have any questions about this decision, please contact the project manager, s. 22(1)(a)(ii), by email to s. 22(1)(a)(ii) or telephone s. 22(1)(a)(ii) and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Andrew McNee  
Assistant Secretary  
Assessments and Governance Branch  
July 2020

**s. 22(1)(a)(ii)**

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**From:** Species Policy  
**Sent:** Wednesday, 27 May 2020 1:55 PM  
**To:** s. 22(1)(a)(ii)  
**Cc:** s. 22(1)(a)(ii) s. 22(1)(a)(ii) Environment Protection; Species Policy; Geoff Richardson  
**Subject:** RE: Warner Road Residential Development, Warner, Queensland (EPBC 2017/8022) Request for check on new listings, advices and plans [SEC=OFFICIAL]

Hi <sup>s. 22(1)(a)(ii)</sup>

On behalf of the Protected Species and Communities Branch, I confirm that we are not anticipating any changes to the documents relating to the threatened species and ecological communities identified by EAD in the email below in the coming six weeks, except for **s. 47C(1)**

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Please note that PSCB has not re-checked whether the correct documents are present or that the citation information is correct.

Regards, <sup>s. 22(1)(a)(ii)</sup>

s. 22(1)(a)(ii)

Assistant Director | Species Information and Policy Section | **s. 22(1)(a)(ii)**  
Department of Agriculture, Water and the Environment | P/T Tues-Thurs  
PO Box 858 | CANBERRA ACT 2601  
**s. 22(1)(a)(ii)** | [awe.gov.au](http://awe.gov.au)

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**From:** **s. 22(1)(a)(ii)**

**Sent:** Tuesday, 26 May 2020 11:39 AM

**To:** Species Policy <SpeciesPolicy@environment.gov.au>

**Cc:** **s. 22(1)(a)(ii)**

**Subject:** FW: Warner Road Residential Development, Warner, Queensland (EPBC 2017/8022) Request for check on new listings, advices and plans [SEC=OFFICIAL]

Hi Species Information and Policy Section,

The proposed decision briefing package for Warner Road Residential Development, Warner, Queensland (EPBC 2017/8022) is likely to be signed by the delegate soon.

I would be grateful if you could please advise on whether or not there are any new, revised or imminent conservation advices, recovery plans or threat abatement plans that may be relevant to this project.

I have reviewed the statutory documents report below, and can confirm the relevant statutory documents have been correctly identified for the listed threatened species and ecological communities.

The last check of SPRAT for new or revised conservation advices, recovery plans or threat abatement plans was done 26 May 2020.



Thanks

s. 22(1)(a)(ii)

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**From:** s. 22(1)(a)(ii)

**Sent:** Tuesday, 26 May 2020 10:59 AM

**To:** s. 22(1)(a)(ii)

**Cc:** s. 22(1)(a)(ii)

Environment Protection

[<Environment.Protection@environment.gov.au>](mailto:Environment.Protection@environment.gov.au)

**Subject:** Warner Road Residential Development, Warner, Queensland (EPBC 2017/8022) Request for check on new listings, advices and plans [SEC=OFFICIAL]

Hi s. 22(1)(a)(ii)

The proposed decision for Warner Road Residential Development, Warner, Queensland (EPBC 2017/8022) is likely to be signed by Andrew soon.

The project is located at Warner, Queensland. Could you please provide advice as to whether or not there are any new, revised or imminent conservation advices, recovery plans or threat abatement plans that may be relevant to this project?

I've included below a list of the species and ecological communities which are likely to be significantly impacted by the project and the CAs, RPs and TAPs that have been considered in the decision.

The last check of SPRAT for new or revised conservation advices, recovery plans or threat abatement plans was done today (26 May 2020).

Let me know if you need anything else and if possible can you please let me know by the end of this week (29 May 2020)?

Thanks,

s. 22(1)(a)

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#### Listed threatened species and communities (s18 & s18A)

The Department considers that the action will have, or is likely to have, a significant impact on the following listed threatened species and endangered communities:

- Swift Parrot (*Lathamus discolor*) – critically endangered

- Koala (Combined populations of Queensland, New South Wales and the Australian Capital Territory) (*Phascolarctos cinereus*) (combined populations of Qld, NSW and the ACT) – vulnerable
- Grey-headed Flying-fox (*Pteropus poliocephalus*) – vulnerable

#### Recovery Plans

The recovery plan identified as relevant to this action is:

- Saunders, D.L. & C.L. Tzaros (2011). National Recovery Plan for the Swift Parrot (*Lathamus discolor*). Birds Australia, Melbourne. Available from: <http://www.environment.gov.au/biodiversity/threatened/recovery-plans/national-recovery-plan-swift-parrot-lathamus-dicolor>. In effect under the EPBC Act from 10-Feb-2012.

#### Threat Abatement Plans

The Threat Abatement Plan identified as relevant to this action is:

- Department of the Environment (2015). *Threat abatement plan for predation by feral cats*. Canberra, ACT: Commonwealth of Australia. Available from: <http://www.environment.gov.au/biodiversity/threatened/publications/tap/threat-abatement-plan-feral-cats>. In effect under the EPBC Act from 23-Jul-2015.

#### Conservation Advices

The approved conservation advices identified as relevant to this action are:

- Threatened Species Scientific Committee (2016). *Conservation Advice Lathamus discolor swift parrot*. Canberra: Department of the Environment. Available from: <http://www.environment.gov.au/biodiversity/threatened/species/pubs/744-conservation-advice-05052016.pdf>. In effect under the EPBC Act from 05-May-2016.
- Department of Sustainability, Water, Population and Communities (2012). *Approved Conservation Advice for Phascolarctos cinereus (combined populations in Queensland, New South Wales and the Australian Capital Territory)*. Canberra: Department of Sustainability, Water, Population and Communities. Available from: <http://www.environment.gov.au/biodiversity/threatened/species/pubs/197-conservation-advice.pdf>

DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT

To: s. 22(1)(a)(ii) , A/g Assistant Secretary, Environmental Approvals (Qld, Tas, Vic) and Support Branch (for decision)

Proposed Approval Decision Brief (recommendation report) – Warner Road Residential Development, Warner, Queensland (EPBC 2017/8022).

Timing: As soon as possible to allow for consultation on the proposed conditions of approval prior to the statutory timeframe for the final approval decision on 20 July 2020.

Recommendations:

1. Consider the recommendation report at Attachment A.

Considered / please discuss

2. Consider the finalised preliminary documentation at Attachment C, and other attachments to this brief.

Considered / please discuss

3. Agree that the recommended decision on page 1 of the recommendation report (Attachment A), and summarised in the table below, reflects your proposed decision.

Agreed / Not agreed

4. Sign the letters at Attachment D to consult the proponent, Queensland Government and the Minister for Defence on your proposed decision.

Signed / Not signed

5. Agree to not publish the proposed decision at Attachment B on the internet for public comment.

Agreed / Not agreed

Summary of recommendations on each controlling provision:

Controlling Provisions for the action	Recommendation	
	Approve	Refuse to Approve
Listed threatened species and communities (ss 18, 18A)	Approved	

S. 47F(1)

s. 22(1)(a)(ii)

A/g Assistant Secretary  
Environmental Approvals (Qld, Tas, Vic) and Support Branch

Date:

3/7/20

Comments:

**Key Points:****Background:**

1. Ausbuild Development Corp Pty Ltd (the proponent) propose to construct a residential development and associated infrastructure on Lot 1 RP92508, Lot 2 RP195936, and Lot 2 RP105475 in Warner, approximately 18 km north of Brisbane, Queensland.
2. On 16 October 2017, a delegate of the Minister (the delegate) decided that the proposed action was a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) due to likely significant impacts on listed threatened species and communities (s18 and s18A).
3. On 22 January 2018, the proponent submitted a request for reconsideration of the referral decision under subsection 78A(1) of the EPBC Act. The request was submitted on the basis of the availability of substantial new information (paragraph 78(1)(a) of the EPBC Act) and on the basis that a substantial change in circumstances that was not foreseen at the time of the first decision has occurred (paragraph 78(1)(aa) of the EPBC Act).
4. On 22 June 2018, the delegate decided to uphold the original controlled action decision due to likely significant impacts on listed threatened species and communities (sections 18 and 18A), specifically the listed vulnerable Koala (*Phascolarctos cinereus (combined populations of Qld, NSW and the ACT)*), and the listed vulnerable Grey-headed Flying-fox (*Pteropus poliocephalus*).
5. In accordance with 95A of the EPBC Act, the proponent published the draft preliminary documentation for public comment for 20 business days from 6 December 2019 to 7 January 2020. 332 public submissions were received which stated that impacts as a result of the proposed action would result in unacceptable impacts on matters protected under the EPBC Act. Further consideration of the public comment is discussed in the recommendation report at Attachment A.
6. The stage 3 and 4 cost recovery invoices were paid on 6 December 2019.
7. On 7 February 2020, the Department received a letter from the proponent with a request to formally vary the proposed action under section 156A of the EPBC Act. The variation would formally reduce the area of impact for the Koala, from approximately 66 ha to approximately 24.1 ha, and remove a proposed future road connection to the north of the site from the proposed action. Further information on the variation request can be found in the recommendation report at Attachment A or in the variation decision briefing package (Attachment H).
8. On 10 March 2020, the proponent submitted the final preliminary documentation, including a response to submissions document. The final preliminary documentation was made publicly available for a period of 10 business days from 24 February 2020 to 6 March 2020.
9. On 22 April 2020, the delegate of the Minister accepted the variation to proposal request under section 156A of the EPBC Act at which point the 40 business-day timeframe to make an assessment decision began. The statutory timeframe to make a final assessment decision was due to expire on 22 June 2020.
10. On 4 June 2020, the delegate of the Minister agreed to extend the timeframe for making a decision on whether or not to approve the proposed action under section 130(1A) of the EPBC Act by 20 business days to 20 July 2020.

Issues/ Sensitivities:*Listed threatened species and ecological communities (section 18 and 18A)*

11. If approved, the proposed action will result in the loss of approximately 5 ha and 0.21 ha of habitat critical to the survival of the Koala and Grey-headed Flying-fox, respectively.
12. s. 47E(d)

The Department

however considers that the proposed action is likely to have indirect impacts on Koala from an increased potential for vehicle strike, predation by introduced domestic dogs, and fragmentation of habitat in the landscape.

13. Due to the small extent of *habitat critical to the survival* of the GHFF to be removed (0.21 ha) as a result of the proposed action and that approximately 5.9 ha of foraging habitat will be created for the Koala of which will benefit the GHFF, the Department considers the proposed action is unlikely to have a significant residual impact and no conditions are recommended for the GHFF.

*Statement assessment and approval process*

14. On 18 February 2020, Moreton Bay Regional Council (MBRC) refused the Development Application (DA) submitted by the proponent. The DA had proposed a Material Change of Use to the zoning of the site and a variation to the MBRC Planning Scheme. The reasons for refusal included but were not limited to:
  - a. impacts on flora and fauna, including Koalas; and,
  - b. that the proposed development was the subject of ‘considerable’ community interest mostly opposed to the proposed development.
15. The Department understands that the proponent intends to appeal the MBRC decision in the Queensland Planning and Environment Court. The Department notes that a proposed decision under the EPBC Act can proceed in this instance on the basis that timeframes for making decisions under national environmental law are independent of legal proceedings that may occur in other jurisdictions.

*Recommended decision*

16. The recommendation report (Attachment A) was prepared in accordance with section 95C of the EPBC Act and concludes that likely impacts on the above listed threatened species and communities will not be unacceptable, provided the action is undertaken in accordance with the recommended conditions of approval (Attachment B). No offset is required as there will be no significant residual impact.
17. The recommendation report further concludes that the proposed action should be approved under section 130 and 133 of the EPBC Act subject to the proposed conditions. This conclusion was reached by having regard to the likely impact of the proposed action for the purpose of the controlling provision and the relevant social and economic considerations under section 136.
18. There is no evidence to suggest the proponent would be unwilling or unable to comply with the proposed conditions of approval.

19. The Department also recommends that you do not publish the proposed decision for comment by the public, as the proponent has adequately addressed the public's concerns with the proposed action through the response to public submissions.

Public submissions on assessment documents

Number  For  Against  Not specified

Consultation:

20. Before deciding whether or not to approve the proposed action, you are required under Sections 131 and 131AA of the EPBC Act to consult with the person proposing to take the action and any other minister you, as the delegate of the Minister, believe has administrative responsibilities relating to the action. The Department recommends you consult with:

- Mr Michael Loney, Joint Managing Director, Ausbuild Development Corp Pty Ltd;
- [s. 47F\(1\)](#), Director Environmental Protection and Assessments, Department of Defence (delegated contact for the Minister for Defence, Senator the Hon Linda Reynolds CSC); and,
- [s. 47F\(1\)](#), Director, Impact Assessment and Operational Support, Department of Environment and Science.

Letters are at [Attachment D](#) for your signature.

21. The Species Information and Policy Section has been consulted on relevant recovery plans, threat abatement plans and conservation advices ([Attachment F](#)). The advice and reports indicate that there are no changes to listing status or changes to conservation advices, recovery plans or threat abatement plans relevant to this decision. In addition, the Environment Reporting Tool (ERT) report of 30 June 2020, and EPBC species and Ecological communities update dated 26 June 2020 have been taken into consideration in the drafting of the proposed approval and conditions.

22. The Office of Compliance and Post Approvals Section were also consulted on the proposed conditions of approval and the environmental history of the proponent. These comments have been considered and included in the proposed conditions of approval.

# s. 47F(1)

[s. 22\(1\)\(a\)\(ii\)](#)  
A/g Director  
Queensland South and Sea Dumping Section  
[s. 22\(1\)\(a\)\(ii\)](#)  
3 July 2020

[s. 22\(1\)\(a\)\(ii\)](#)  
Queensland South and Sea Dumping  
Section  
[s. 22\(1\)\(a\)\(ii\)](#)

## ATTACHMENTS

- A: Recommendation report
- B: Proposed approval decision notice
- C: Finalised preliminary documentation
- D: Letters to proponent and Queensland Government

- E: Current Environmental Reporting Tool Report
- F: Consultation with Species Listing Information and Policy section
- G: Approved conservation advice
- H: Variation briefing package

**Figures:**

Figure 1: Site Aerial

Figure 2: Onsite Conservation Zones

Figure 3: Foraging Habitat with 5km of nearest GHFF camp

**DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT****RECOMMENDATION REPORT****Warner Road Residential Development, Warner, Queensland (EPBC 2017/8022)****Recommendation**

That the proposed action, to construct a residential development and associated infrastructure on Warner Road, Warner, Queensland be approved subject to the conditions specified below.

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**Part A – Conditions specific to the action**

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1. To minimise impacts to the **Koala** the approval holder must:
  - a) only **construct** the residential development within the **urban precinct**;
  - b) only **clear Koala habitat** as indicated on Attachment B; and
  - c) ensure that the sewer (or water) main is entirely tunnel bored underneath Lot 5 SP174986, as indicated in the purple dashed line designated as 'Tunnel Bored Sewer or Water Main' on Attachment E.
2. To minimise the risk of injury or death to **Koalas** within the **development area** during **clearing** and **construction**, the approval holder must:
  - a) ensure that a qualified **fauna spotter catcher** is present during all **clearing** and empowered to guide all **clearance** to ensure that **Koalas** have safely moved out of trees and area of works before they are **cleared**; and
  - b) install temporary **Koala exclusion fencing** around **construction** work. Temporary **Koala exclusion fencing** must be installed immediately after **clearing** and prior to the commencement of **construction**. Temporary **Koala exclusion fencing** must remain in place around any **construction** area until all **construction** activities within that fenced area are completed.
3. For the ongoing protection of the local **Koala** population in Warner and to ensure **Koala habitat** connectivity throughout the landscape, the approval holder must:
  - a) complete **revegetation works** within **Conservation Zone D** by 31 December 2022;
  - b) complete **revegetation works** within **Conservation Zones A, B and C** by 31 December 2024;
  - c) install visible **Koala awareness signage** on Coorparoo Road, as specified on Attachment C by 31 December 2022;
  - d) install a **fauna underpass** that is at least 2100mm by 2100mm wide underneath Warner Road that allows for safe and effective passage of Koalas, as specified on Attachment D by 31 December 2022;
  - e) install and maintain **Koala exclusion fencing** so as to prevent **koala** dispersal into the **development area** and to exclude all dogs from **Conservation Zones** for the life of the approval.
  - f) **manage** all **Conservation Zones** for a period of 5 years after the completion of **revegetation works**.
4. For the ongoing protection and increase of **Koala habitat** within **Conservation Zones**, the approval holder must:
  - a) **manage** the **Conservation Zones** for the life of the approval, or until such time that the **Department** agrees in writing that it is satisfied with written evidence that the **Council** has accepted ownership of and responsibilities to manage the **Conservation Zones** for **conservation purposes**. If by 31 December 2030, **Council** has not accepted the ownership of and responsibilities to manage the **Conservation Zones** for **conservation purposes** the approval holder must submit in writing an alternative ongoing management arrangement for the **Conservation Zones** to the **Minister** for approval.



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**Part B – Standard administrative conditions**

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**Notification of date of commencement of the action**

5. The approval holder must notify the **Department** in writing of the date of **commencement of the action** within 10 **business days** after the date of **commencement of the action**.
6. If the **commencement of the action** does not occur within 5 years from the date of this approval, then the approval holder must not **commence the action** without the prior written agreement of the **Minister**.

**Compliance records**

7. The approval holder must maintain accurate and complete **compliance records**.
8. If the **Department** makes a request in writing, the approval holder must provide electronic copies of **compliance records** to the **Department** within the timeframe specified in the request.

**Note: Compliance records** may be subject to audit by the **Department** or an independent auditor in accordance with section 458 of the **EPBC Act**, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the **Department's** website or through the general media.

**Annual compliance reporting**

9. The approval holder must prepare a **compliance report** for each 12 month period following the date of **commencement of the action**, or otherwise in accordance with an annual date that has been agreed to in writing by the **Minister**. The approval holder must:
  - a. publish each **compliance report** on the **website** within 60 **business days** following the relevant 12 month period;
  - b. notify the **Department** by email that a **compliance report** has been published on the **website** and provide the weblink for the **compliance report** within five **business days** of the date of publication;
  - c. keep all **compliance reports** publicly available on the **website** until this approval expires;
  - d. exclude or redact **sensitive ecological data** from **compliance reports** published on the **website**; and
  - e. where any **sensitive ecological data** has been excluded from the version published, submit the full **compliance report** to the **Department** within 5 **business days** of publication.

**Note: Compliance reports** may be published on the **Department's** website.

**Reporting non-compliance**

10. The approval holder must notify the **Department** in writing of any: **incident**; non-compliance with the conditions; or non-compliance with the commitments made in **plans**. The notification must be given as soon as practicable, and no later than two **business days** after becoming aware of the **incident** or non-compliance. The notification must specify:
  - a. any condition which is or may be in breach;
  - b. a short description of the **incident** and/or non-compliance; and
  - c. the location (including co-ordinates), date, and time of the **incident** and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.
11. The approval holder must provide to the **Department** the details of any **incident** or non-compliance with the conditions or commitments made in **plans** as soon as practicable and no later than 10 **business days** after becoming aware of the **incident** or non-compliance, specifying:

- a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;
- b. the potential impacts of the **incident** or non-compliance; and
- c. the method and timing of any remedial action that will be undertaken by the approval holder.

### Independent audit

12. The approval holder must ensure that **independent audits** of compliance with the conditions are conducted as requested in writing by the **Minister**.
13. For each **independent audit**, the approval holder must:
  - a. provide the name and qualifications of the independent auditor and the draft audit criteria to the **Department**;
  - b. only commence the **independent audit** once the audit criteria have been approved in writing by the **Department**; and
  - c. submit an audit report to the **Department** within the timeframe specified in the approved audit criteria.
14. The approval holder must publish the audit report on the **website** within 10 **business days** of receiving the **Department's** approval of the audit report and keep the audit report published on the **website** until the end date of this approval. **Completion of the action**
15. Within 30 days after the **completion of the action**, the approval holder must notify the **Department** in writing and provide **completion data**.

### Completion of the action

16. Within 30 days after the **completion of the action**, the approval holder must notify the **Department** in writing and provide **completion data**.

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## Part C - Definitions

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In these conditions, except where contrary intention is expressed, the following definitions are used:

**Business day** means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.

**Clear/Clearing/Clearance** means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation (but not including weeds – see the *Australian weeds strategy 2017 to 2027* for further guidance). **Clearing** does not include any relevant prescribed burns or actions undertaken for bushfire management, where required.

**Commencement of the action** means the first instance of any specified activity associated with the action including clearing of vegetation and **construction** of any infrastructure. **Commencement of the action** does not include minor physical disturbance necessary to:

- i. undertake pre-clearance surveys or monitoring programs;
- ii. install signage and /or temporary fencing to prevent unapproved use of the project area;
- iii. protect environmental and property assets from fire, weeds and pests, including erection of temporary fencing, and use of existing surface access tracks; and
- iv. install temporary site facilities for persons undertaking pre-commencement activities so long as these are located where they have no impact on the **protected matters**.

**Completion data** means an environmental report and spatial data clearly detailing how the conditions of this approval have been met. The **Department's** preferred spatial data format is **shapefile**.

**Completion of the action** means the time at which all approval conditions (except condition 17) have been fully met.

**Compliance records** means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the approval holder's possession or that are within the approval holder's power to obtain lawfully.

**Compliance reports** means written reports:

- i. providing accurate and complete details of compliance, **incidents**, and non-compliance with the conditions and the **plans**;
- ii. consistent with the **Department's Annual Compliance Report Guidelines (2014)**;
- iii. include a **shapefile** of any clearance of any **protected matters**, or their habitat, undertaken within the relevant 12 month period; and
- iv. annexing a schedule of all **plans** prepared and in existence in relation to the conditions during the relevant 12 month period.

**Connectivity** means undertaking **revegetation works** and **fauna management** to provide for the movement of **Koalas** between multiple different patches of **Koala habitat**.

**Conservation purposes** means that the land is zoned as an Environmental Management and **Conservation Zone** under the **Council** planning scheme.

**Conservation zones** means any and all of **Conservation zones A, B and C** and **Conservation zone D**.

**Conservation zones A, B and C** means any and all of the areas designated as zones A, B and C respectively on Attachment A.

**Conservation zone D** means the area designated as Zone D on Attachment A.

**Construction/construct** means the erection of a building or structure that is or is to be fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; preliminary site preparation work which involves breaking of the ground (including pile driving); the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of temporary fences and signage.

**Council** means the local government authority responsible for the local government area encompassing Warner, currently Moreton Bay Regional Council.

**Department** means the Australian Government agency responsible for administering the **EPBC Act**.

**Development area** means the 24.1 hectare area enclosed by the red line designated as 'Site Boundary' on Attachment A and Attachment B, and comprising Lot 1RP92508, Lot 2RP195936, and Lot 2RP105475, located at Warner Road, Warner, Queensland.

**EPBC Act** means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

**Fauna spotter catcher** means a person licenced under the Queensland *Nature Conservation Act 1992* to detect, capture, care for, assess, and release wildlife disturbed by vegetation clearance activities who has at least three years experience undertaking this work with **Koala**.

**Fauna management** means installing and maintaining infrastructure including, but not limited to, **Koala exclusion fencing** and **fauna underpasses** that allow for safe dispersal of **Koalas** throughout the landscape.

**Fauna underpass** means a dedicated dry passage for the safe and effective movement of Koalas.

**Grey-headed Flying-fox** means the Grey-Headed Flying-fox (*Pteropus poliocephalus*) listed as a threatened species under the **EPBC Act**.

**Incident** means any event which has the potential to, or does, impact on one or more **protected matter(s)**.

**Independent audit:** means an audit conducted by an independent and **suitably qualified person** as detailed in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines* (2019).

**Koala(s)** means the Koala *Phascolarctos cinereus* (combined populations of Queensland, New South Wales and the Australian Capital Territory) listed as a threatened species under the **EPBC Act**.

**Koala awareness signage** means prominent, easily understood signage as indicated on Attachment C.

**Koala exclusion fencing** means fencing which prevents the movement of koalas. Suitable examples of **Koala exclusion fencing** design are provided in *Koala Sensitive Design Guideline: A guide to koala sensitive designed measures for planning and development activities, November* (Queensland Department of Environment and Heritage Protection, 2012).

**Koala food trees** means a species of tree of genus *Angophora*, *Corymbia*, *Eucalyptus*, *Lophostemon* or *Melaleuca*, the leaves of which are known to be consumed by the **Koala**.

**Koala habitat** means any forest or woodland containing species that are known **Koala** food trees, or shrubland with emergent **Koala food trees**, as defined in the *EPBC Act Referral Guidelines for the vulnerable koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)*, Commonwealth of Australia, 2014.

**Manage/Managed** means to implement **Council's Planning Scheme Policy Environmental Areas and Corridors – 9. Ecological Restoration Plan**, pp. 18-19 accessible at [https://www.moretonbay.qld.gov.au/files/assets/public/services/building-development/mbrc-plan/psp/v4/environmental\\_areas\\_corridors.pdf](https://www.moretonbay.qld.gov.au/files/assets/public/services/building-development/mbrc-plan/psp/v4/environmental_areas_corridors.pdf), or any subsequently approved version.

**Minister** means the Australian Government Minister administering the **EPBC Act** including any delegate thereof.

**Protected matter** means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

**Regional Ecosystem** means a vegetation community in a bioregion that is consistently associated with a particular combination of geology, landform and soil as classified by the Queensland Government under the *Vegetation Management Act, 1999*. **Regional Ecosystems** at the **development area** include RE 12.3.6, RE 12.3.11, and RE 12.9-10.17, as indicated on Attachment A.

**Revegetation works** means revegetation undertaken to establish the relevant **Regional Ecosystem** as designated on Attachment A, in accordance with the **Council's** approved Ecological Restoration Plans.

**Sensitive ecological data** means data as defined in the Australian Government Department of the Environment (2016) *Sensitive Ecological Data – Access and Management Policy V1.0*.

**Shapefile** means location and attribute information of the action provided in an Esri shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

**Suitably qualified person** means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.

**Urban precinct** means the area shaded grey designated as 'Urban Residential Precinct' on the map in Attachment B.

**Website** means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

## **Background**

### **Description of the project and location**

1. Ausbuild Development Corp Pty Ltd (the proponent) propose to construct a residential development and associated infrastructure on Lot 1 RP92508, Lot 2 RP195936, and Lot 2 RP105475 in Warner, approximately 18 km north of Brisbane, Queensland.
2. The proposed action site is approximately 24.1 ha in size and is located within the Moreton Bay Regional Council (MBRC) Local Government Area. The proposed action will consist of:
  - a 14.76 ha development footprint which will be cleared and developed for 287 lots with supporting infrastructure, roads and greenspace; and
  - approximately 9.37 ha of revegetation works.

### *Description of the environment*

3. The proposed site is predominantly cleared, consisting of scattered *Eucalypt* trees and areas of open exotic grassland. The proposed action site consists of approximately 125 non-juvenile Koala habitat trees (NJKHTs) which constitutes approximately 5 ha of Koala habitat.
4. The surrounding landscape is comprised of rural residential lots, cleared industrial lots, and vacant bushland areas. To the north-west of the proposed site lies the cleared Mordar Investments Sandblasting site. To the immediate north of the site lies the cleared CSR Quarry site; an active sand and gravel quarry (previously referred under the EPBC Act and determined not a controlled action (EPBC 2016/7728)). Rural residential properties to the south and west of the site are well-vegetated (see [Figure 1](#)).
5. Areas of native vegetation lie directly to the east and north of the site (see [Figure 1](#)). The preliminary documentation states that Queensland Koala mapping identifies these areas as medium and high-value bushland habitat for the Koala. Lot 5 on SP174986 is burdened by an environmental covenant imposed by MBRC.
6. Vegetation across the proposed site is predominantly comprised of exotic pasture grasses and scattered *Eucalypts*, most of which are located within the Conflagration Creek corridor. Some *Acacia* regrowth occurs across the site.

### **Controlling provisions, assessment approach and public consultation**

#### *Referral and reconsideration decision*

7. On 21 August 2017, the proposed action was referred under Part 7 of the EPBC Act. No public submissions were received.
8. On 16 October 2017, a delegate of the Minister determined the proposed action to be a controlled action due to likely significant impacts on listed threatened species and communities (section 18 & section 18A). On the same day it was determined that the proposed action would be assessed by preliminary documentation.
9. The proposed action, as originally referred, covered approximately 66 ha of land across Lot 1 on RP92508, Lot 2 on RP195936 and Lot 2 on RP1105475, to the north of Warner Road, and Lots 3 to 7, 9 and 10 on RP79062 and Lot 2 on SP121774 and lot 2 on RP118172 to the south of Warner Road.

10. On 22 January 2018, the proponent submitted a request for reconsideration of the referral decision under subsection 78A(1) of the EPBC Act. The request was submitted on the basis of the availability of substantial new information (paragraph 78(1)(a) of the EPBC Act) and on the basis that a substantial change in circumstances that was not foreseen at the time of the first decision has occurred (paragraph 78(1)(aa) of the EPBC Act).
11. The substantial change in circumstances raised by the proponent was the amended Warner Structure Plan excluded residential development in areas south of Conflagration Creek. The decision by MBRC to retain the existing rural-residential designation reduced the development footprint from 66 ha to approximately 30 ha.
12. Under section 78B of the EPBC Act, public comments were sought on the reconsideration request for 10 business days from 22 April to 7 May 2018 and comments were also sought from relevant Commonwealth Minister and Queensland government. The Department received 115 submissions in response to the invitation to comment, the majority of which considered that the controlled action decision should be confirmed.
13. On 22 June 2018, a delegate of the Minister decided to uphold the original controlled action decision due to likely significant impacts on listed threatened species and communities.
14. On 19 July 2018, a delegate of the Minister requested the proponent to provide further information for assessment of the relevant impacts on the listed vulnerable Koala (*Phascolarctos cinereus* – combined populations of Qld, NSW and the ACT) and the listed vulnerable Grey-headed Flying-fox (*Pteropus poliocephalus*).

*Direction to publish*

15. On 12 November 2019, the proponent submitted the draft preliminary documentation (following review and revision of earlier drafts), which the Department considered adequate for the purposes of public comment. The stage 2 payment fee was received on 22 November 2019.
16. On 29 November 2019, a delegate of the Minister directed the proponent to publish the draft preliminary documentation (including the referral information), inviting public comment relating to the proposed action in accordance with section 95A of the EPBC Act.
17. On 5 December 2019, the proponent published a notice advertising the draft preliminary documentation and inviting comments for 20 business days from 6 December 2019 to 7 January 2020. The proponent received a total of 332 public submissions (265 within the public comment period and 67 outside the public comment period). These submissions raised concerns relating to:
  - the loss of Koala habitat at the site, and impacts on the local Koala population;
  - the adequacy of proposed mitigation measures;
  - the zoning of the land and proposed development yield;
  - the assertion that the Conflagration Creek corridor was required as a source of fill for the proposed action;
  - future road connections and vehicle strike;
  - impacts to the Wallum froglet (not listed under the EPBC Act);



- potential increases in flooding risk, and the filling of Conflagration Creek; and,
- the timing of the publication period, in relation to Christmas holidays and the 2019-20 bushfires.

18. On 28 January 2020, the proponent provided a Submissions Response Report collating all submissions received within and outside the public comment period. In response to public comments, the proponent removed the proposed future road connection to the north of the site from the proposed action.

19. On 27 February 2020, the proponent published a notice advertising the preliminary documentation for information only in accordance with subsection 95B(2) of the EPBC Act.

*Variation to proposal and extension to timeframe for making a final decision*

20. On 7 February 2020, the Department received a letter from the proponent with a request to formally vary the proposed action under section 156A of the EPBC Act. The variation would formally reduce the area of impact for the Koala, from approximately 66 ha to approximately 24.1 ha, and remove a proposed future road connection to the north of the site from the proposed action.

21. On 22 April 2020, a delegate of the Minister accepted the variation to proposal request under section 156A of the EPBC Act, at which point the 40 business-day timeframe to make an assessment decision commenced. The statutory timeframe to make a final assessment decision was to expire on 22 June 2020. The variation briefing package is at Attachment H.

22. On 4 June 2020, the delegate of the Minister agreed to extend the timeframe for making a decision on whether or not to approve the proposed action under section 130(1A) of the EPBC Act by 20 business days to 20 July 2020.

**State/Territory Assessment and Approval**

23. On 18 February 2020, MBRC refused the Development Application (DA) submitted by the proponent. The DA had proposed a Material Change of Use to the zoning of the site and a variation to the MBRC Planning Scheme. The reasons for refusal included but were not limited to:

- impacts on flora and fauna, including Koalas; and,
- that the proposed development was the subject of 'considerable' community interest mostly opposed to the proposed development.

24. The Department understands that the proponent intends to appeal the MBRC decision in the Queensland Planning and Environment Court. The proponent has noted that planning officers within the MBRC had recommended that Council approve the DA and that an appeal of Council's decision to refuse the DA has been lodged in the Queensland Planning and Environment Court.

25. Under the Queensland *Nature Conservation Act 1992*, the proponent must obtain a permit to tamper with a protected animal breeding place from the Queensland Department of Environment and Science (DES).

## **Assessment**

### **Mandatory Considerations – section 136(1)(a) Part 3 controlling provisions**

26. The proposal was determined a controlled action on 16 October 2017, under listed threatened species and ecological communities (sections 18 and 18A) controlling provisions of the EPBC Act. This controlling provision is discussed below.

### **Listed threatened species and ecological communities (sections 18 and 18A)**

27. At the time of the controlled action decision, the following listed threatened species were considered likely to incur a significant impact as a result of the proposed action:

- Koala (*Phascolarctos cinereus* – combined populations of Qld, NSW and the ACT);
- Grey-headed Flying-fox (*Pteropus poliocephalus*).

28. Based on a more recent Environment Report Tool dated 30 June 2020 (Attachment E), the Department identified two new additional Threatened Ecological Communities (TEC) and one new species as potentially occurring within 2 km of the proposed site; Poplar Box Grassy Woodland on Alluvial Plains TEC - Endangered, Coastal Swamp Oak (*Casuarina glauca*) Forest of New South Wales and South East Queensland TEC - Endangered, and the White-throated Needletail (*Hirundapus caudacutus*) - Vulnerable.

29. These species and ecological communities were not listed under the EPBC Act at the time of the controlled action decision made under section 75 of the EPBC Act. Therefore, in accordance with section 158A of the EPBC Act, these species were not assessed for this proposal under the EPBC Act.

30. The ERT report identified seven additional listed threatened species as potentially occurring within 2 km of the proposed site; Australian Fairy Tern (*Sternula nereis nereis*) – Vulnerable, Hooded Plover (eastern), Eastern Hooded Plover (*Thinornis cucullatus cucullatus* listed as *Thinornis rubricollis rubricollis*) – Vulnerable, Fleay's Frog (*Mixophyes fleayi*) – Endangered, Giant Barred Frog, Southern Barred Frog (*Mixophyes iteratus*) – Endangered, Australian Fritillary (*Argynnis hyperbius inconstans*) – Critically Endangered, Wedge-leaf Tuckeroo (*Cupaniopsis shirleyana*) – Vulnerable, and Knotweed, Tall Knotweed (*Persicaria elatior*) – Vulnerable.

31. Whilst each of these additional species were listed at the time of the controlled action decision, these were not identified to occur within or surrounding the proposed action. The Department thus did not previously ask the proponent to directly address potential impacts to the species. The Department however is satisfied that based on the proponent's assessment these species will not be significantly impacted by the proposed action.

Koala (*Phascolarctos cinereus* – combined populations in Queensland, New South Wales and the Australian Capital Territory) - vulnerable

#### *Species description*

32. The species' listing advice states that the Koala Coast and Pine Rivers areas in Queensland have experienced a population decline of more than 75% since the 1990s, and that the broader Koala populations in South East Queensland appear to be following a similar downward trend.



33. Known threats to the species include, but are not limited to, habitat loss and fragmentation from peri-urban and urban development, mortality from vehicle strike and dog attack (wild and domestic), disease, and fire.
34. A full description of this species is available at [www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon\\_id=85104](http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=85104).

*Proposed action area*

35. The koala habitat at the proposed site was assessed in the preliminary documentation with a habitat quality score of 4 in accordance with the *EPBC Act Referral guidelines for the vulnerable Koala 2014* (the Koala Referral Guidelines). The proponent therefore states that the site contains no habitat critical to the survival of the Koala. However, the preliminary documentation notes that the koala habitat present at the proposed site facilitates koala movement throughout the landscape and that this loss of connectivity needs to be considered.
36. The Department disagrees with the proponent's scoring, and considers that a habitat quality score of 5 is more appropriate. The Department considers that a score of 5 for the koala habitat on the proposed site is justified for the following reasons:
- a. Koala occurrence (+2) – Koala usage of the site was confirmed by SAT surveys in 2015, recent Atlas of Living Australia searches, and the Warner community.
  - b. Vegetation composition (+2) – the preliminary documentation states that the proposed site supports at least 2 species of Koala food trees.
  - c. Habitat connectivity (+0) – the proposed site is not part of a contiguous landscape of greater than 300 ha.
  - d. Key existing threats (+1) – the preliminary documentation provides evidence of infrequent Koala mortality as a result of vehicle strike. The preliminary documentation states that wild dog populations exist in the MBRC area. However, the preliminary documentation states that there are no recent records of wild dog attacks on Koalas.
  - e. Recovery value (+0) – the loss of vegetation at the proposed site and in surrounding areas has reduced much of the connectivity to habitat refuges, therefore it is unlikely to be important for achieving the interim recovery objectives for the Koala.
37. The Department considers that approximately 5 ha of habitat critical to the survival of the Koala is present at the impact site.
38. Targeted Koala surveys were undertaken at the proposed site in 2015. Koala scat surveys were undertaken in accordance with the Spot Assessment Technique (SAT). Spotlighting and canopy transect surveys were also undertaken. Patches of vegetation deemed most likely to provide habitat for koalas were selected as SAT sites; the majority of which occur to the south of Warner Road, in lands now excluded from the proposed action. The surveys found 'moderate' levels of usage in areas south of Warner Road, and 'low' levels of usage in areas north of Warner Road.

39. A search of the Atlas of Living Australia database returned seven records of the Koala within 5 km of the proposed action area and a Wildlife Online search identified 14 records for the Koala within the same distance. The presence of the koala at the impact site is also well-supported by the community, and tracking studies undertaken by neighbouring landholders.

#### *Potential impact*

40. The original proposed action footprint was approximately 66 ha in size, however, in response to public comments on the Warner Structure Plan, the proponent has reduced the proposed action footprint to approximately 24.1 ha. Public comments received during the preliminary documentation publication period prompted the proponent to remove a proposed road connection to the north of the site.

41. On 22 April 2020, the reduction in size of the proposed action footprint, and the removal of the proposed road were formalised in a variation (as discussed at paragraph 20 and 21).

42. The proposed action will result in the loss of approximately 5 ha of habitat critical to the survival of the Koala. [s. 47E\(d\)](#)

43. The proposed action however is likely to have indirect impacts from an increased potential for vehicle strike, predation by introduced domestic dogs, and fragmentation of habitat in the landscape.

#### *Avoidance and mitigation measures*

44. The proponent proposes to undertake approximately 9.37 ha of revegetation works in Conservation Zones A, B, C and D (see [Figure 2](#)) comprised of:

- Conservation Zone A: rehabilitation of approximately 1.16 ha of the Queensland Regional Ecosystem (RE) 12.9-10.17;
- Conservation Zone B: approximately 2 ha of powerline compatible species;
- Conservation Zone C: assisted natural regeneration of approximately 0.22 ha of RE 12.9-10.17; and
- Conservation Zone D: restoration of approximately 5.99 ha of RE 12.3.6 and RE 12.2.11.

45. REs are vegetation communities in a bioregion that are consistently associated with a particular combination of geology, landform and soil type. The Queensland Herbarium is responsible for mapping and updating REs. The revegetation works will recreate the pre-clearance REs previously present at the impact site. The above REs are dominated by Koala food trees and Grey-headed Flying-fox foraging trees.

46. The proposed revegetation works will enhance existing habitat, create new habitat in previously cleared areas, and ensure that north-south and east-west habitat connectivity is maintained for the Koala and fragmentation of habitat is minimised in the landscape.

47. Once the Conservation Zones have been revegetated by the proponent and managed for five years, ownership and management responsibility will be transferred to MBRC. The preliminary documentation states that MBRC's acceptance of these areas will occur when the proposed revegetation outcomes set by MBRC have been achieved.

48. For revegetation works, the MRBC requires that the proponent prepare and implement an Ecological Restoration Plan and a Rehabilitation Plan, in accordance with the MBRC *Planning Scheme Policy Environmental Areas and Corridors*. The policy specifies the minimum requirements for Ecological Restoration Plans includes weed suppression, species selection, site protection, performance criteria, and maintenance schedules. Examples of previous MRBC requirements provided in the preliminary documentation include requirements that:

- a species palette incorporating the numbers of each species to be used within the revegetation area must be provided
- the area must be weed free at the end of the revegetation period
- measurable and achievable criteria on the floristic component and structural components of the revegetation strategy must be provided
- planting densities are to be consistent with the relevant Regional Ecosystem
- details must be provided regarding establishment and maintenance of restoration sites including weed management, watering and replacement planting.

49. The proponent commits to accepting and implementing these performance and completion criteria for the Proposed Action, should the MBRC issue an approval.

50. The revegetated Conflagration Creek corridor (Conservation Zone D) will achieve the desired minimum Koala corridor width of 100 m at all points along its length, in accordance with the EPBC Koala referral guidelines.

51. The proponent also proposes to implement a number of mitigation and management measures during construction and post-construction to minimise the risk of injury or death of a Koala. These measures include:

- engaging a Fauna Spotter Catcher to guide clearing and construction;
- installing temporary koala exclusion fencing around construction work to prevent Koala access;
- installing and maintaining Koala exclusion fencing to prevent Koala dispersal into the development area, and to prevent dogs from accessing Conservation Zones;
- installing and maintaining a Koala underpass beneath Warner Road to facilitate Koala movement throughout the landscape; and
- installing koala awareness signage, increasing lighting and widening road shoulders on Coorparoo Road.

#### *Conservation advices, Recovery and Threat Abatement Plans*

52. The *Approved Conservation Advice for Phascolarctos cinereus (combined populations in Queensland, New South Wales and the Australian Capital Territory)* ([Attachment G1](#)) includes a number of priority actions for the species.

53. Priority actions include developing and implementing a planning protocol to be used in areas of Koala populations to prevent loss of important habitat, Koala populations or connectivity options, identify populations of high conservation priority, develop and implement a management plan to control the adverse impacts of predation on Koalas by dogs in urban and rural environments.

54. The Department has had regard to the approved conservation advice in forming its conclusions and recommendations in respect of the approval of the proposed action and has given consideration to the likely impacts of the proposed action on the Koala. Given the above-mentioned avoidance and mitigation, the Department is of the view that approval of this action would not be inconsistent with the above conservation advice.

55. There are no recovery plans or threat abatement plans relevant to the Koala.

#### *Recommended conditions*

56. To minimise potential impacts of the proposed action on the Koala, the Department has proposed conditions 1 - 4 requiring the proponent to:

- limit the extent of vegetation clearing;
- engage a fauna spotter catcher to guide all clearance and construction works;
- install temporary and permanent koala exclusion fencing;
- complete revegetation works in Conservation Zones A, B, C and D;
- install koala awareness signage on Coorparoo Road;
- install a koala underpass under Warner Road; and,
- provide written evidence demonstrating that the Council has accepted responsibility for on-going management of Conservation Zones A, B, C and D.

#### *Acceptability and Conclusion*

57. Based on the above, and the proposed avoidance and mitigation measures, the Department considers that the proposed action will not have an unacceptable impact on the Koala as long as the action is undertaken in accordance with the recommended conditions (conditions 1 – 4). In recommending this decision, the Department has had regard to the approved conservation advice for the Koala.

#### Grey-headed Flying-fox (*Pteropus poliocephalus*) - vulnerable

##### *Species description*

58. The Department's Species Profile and Threats Database (SPRAT) states that the Grey-headed Flying-fox (GHFF) commutes daily to foraging areas, usually within 15 km of the day roost site but is capable of nightly flights of up to 50 km as food resources change, utilising any habitat within this radius.

59. Additionally, SPRAT indicates that spring foraging resources are considered to be critical to the survival of the species, and food bottlenecks have been identified for the species during winter and spring. SPRAT notes that the key threats to this species are loss of foraging habitat, and particularly loss of winter flowering trees that provide winter foraging resources. Those species that flower reliably occur on coastal lowlands in northern New South Wales and south-eastern Queensland.

##### *Proposed action area*

60. The proposed site is known to contain winter and spring-blossoming species including *Eucalyptus tereticornis*, *Eucalyptus siderophloia*, and *Melaleuca quinquenervia*, which are

known GHFF foraging species. The Department's SPRAT profile for the species defines *habitat critical to the survival* of the GHFF as key winter and spring-flowering *Eucalypts*.

61. Accordingly, the Department considers that approximately 0.21 ha of *habitat critical to the survival* of the GHFF is present within the proposed action site.
62. There are no known GHFF camps located within the proposed site. The nearest GHFF camps are located approximately 2.5 km to the south of the Site (Kingfisher Street, Albany Creek) and 4 km north-east of the Site (Pine Rivers Park). Neither of these camps are recognised as Nationally Important Camps.
63. The species was surveyed using spotlights at the proposed site in 2015. Spotlighting was undertaken from dusk until 10 pm from 9-13 October 2015. Individuals of the species were observed flying over every night during these surveys.

#### *Potential impacts*

64. The Department's *Significant Impact Guidelines* state that an action is likely to have a significant impact on a vulnerable species if, but not limited to, there is a real chance or possibility that it will adversely impacting *habitat critical to the survival of the species*.
65. The proposed action will result in the removal of 52 winter and spring-flowering *Eucalypts* at the proposed site, comprising approximately 0.21 ha of *habitat critical to the survival* of the GHFF.
66. [Figure 3](#) illustrates that there is approximately 1032 ha of winter and spring-flowering foraging habitat available within 5 km of the nearest GHFF camp (Kingfisher Street, 2.5 km away from the proposed site).

#### *Avoidance and mitigation measures*

67. The proponent has avoided approximately 41.9 ha of land containing *habitat critical to the survival* of the GHFF (paragraphs 40-41).
68. The revegetation works discussed above (paragraph 44-47) will create approximately 5.9 ha of GHFF foraging habitat containing key winter and spring-flowering *Eucalypts*.
69. The proponent proposes to undertake revegetation works to restore approximately 5.9 ha of pre-clearance REs 12.3.11 (80% of total revegetation) and 12.3.6 (20%). These REs are dominated by winter and spring-flowering *Eucalypts* preferred by the GHFF. These revegetation works will create new *habitat critical to the survival to the species* in previously cleared areas, which will enhance north-south and east-west habitat connectivity.

#### *Acceptability and conclusion*

70. Due to the small extent of *habitat critical to the survival* of the GHFF to be removed (0.21 ha) as a result of the proposed action and that approximately 5.9 ha of foraging habitat will be created for the Koala of which will benefit the GHFF, the Department considers the proposed action is unlikely to have a significant residual impact and no conditions are recommended for the GHFF.
71. On this basis, the Department considers that the proposed action will not be unacceptable.

### **Considerations for Approval and Conditions**

#### **Mandatory considerations – section 136(1)(b) Economic and social matters**

72. The Department has considered economic and social matters in recommending the approval of the proposed action.
73. The preliminary documentation states that the Proposed Action is anticipated to deliver considerable economic benefits, with direct and indirect full-time equivalent employment generation of 97 and 138 jobs respectively.
74. Furthermore, the Proposed Action is assessed to have a “gross value add” of \$13.5 million directly and \$19.3 million indirectly to the economy. This contribution would further support the economic growth of the area and aligns with the MBRC’s *Economic Development Action Plan 2017-2022*.

**Factors to be taken into account – section 136(2)(a) Principles of ecologically sustainable development**

75. The principles of ESD, as defined in Part 1, section 3A of the EPBC Act, are:

- (a) decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations;
- (b) if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;
- (c) the principle of inter-generational equity – that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations;
- (d) the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making;
- (e) improved valuation, pricing and incentive mechanisms should be promoted.

76. In formulating this recommendation, the Department has taken into account the principles of ecologically sustainable development. In particular:

- This report and the assessment documentation provided contain information on the long-term and short-term economic, environmental, social and equitable considerations that are relevant to the decision and are presented for your consideration.
- Any lack of certainty related to the potential impacts of the projects is addressed by conditions that restrict environmental impacts, impose strict monitoring and adopt environmental standards which, if not achieved, require the application of response mechanisms in a timely manner to avoid adverse impacts.
- The proposed conditions will ensure protection of EPBC listed species and communities. Those conditions allow for the project to be delivered and operated in a sustainable way to protect the environment for future generations and preserve EPBC listed species and communities in perpetuity.
- The Department has considered the importance of conserving biological diversity and ecological integrity in relation to all of the controlling provisions for this project, and the advice provided within this document reflects that consideration.



- The Department's advice includes reference to and consideration of a range of information on the economic costs, benefits and impacts of the project.

**Factors to be taken into account – section 136(2)(bc) – preliminary documentation**

77. In accordance with section 136(2)(bc)(i), the documents given to the Minister under section 95B(1) are attached to proposed decision brief.

78. In accordance with section 136(2)(bc)(ii), this document forms the recommendation report relating to the action given to the Minister in accordance with section 95C.

**Person's environmental history – section 136(4)**

79. The Minister may consider whether the person proposing to take the action is a suitable person to be granted an approval. The Minister can give consideration to a person's history in relation to environmental matters, and if the person is a body corporate, the history of the executive officers, and if relevant, the history of the parent company and its executive officers in relation to environmental matters.

80. The Office of Compliance conducted relevant environmental history checks on the proponent and did not identify any adverse environmental history or contraventions of national environmental law associated with the proponent.

81. The Department therefore has no reason to believe that the proponent would not be a suitable person to be granted an approval.

**Considerations in deciding on condition – section 134**

82. In accordance with section 134(1), the Minister may attach a condition to the approval of the action if he or she is satisfied that the condition is necessary or convenient for:

- a. protecting a matter protected by a provision of Part 3 for which the approval has effect (whether or not the protection is protection from the action); or
- b. repairing or mitigating damage to a matter protected by a provision of Part 3 for which the approval has effect (whether or not the damage has been, will be or is likely to be caused by the action).

83. As detailed in the Assessment section above, all recommended conditions attached to the proposed approval are necessary or convenient to protect, repair and/or mitigate impacts on a matter protected by provision of Part 3 for which this proposed approval has affect.

84. In accordance with section 134(4), in deciding whether to attach a condition to an approval the Minister must consider any relevant conditions that have been imposed, or the Minister considers are likely to be imposed, under a law of a State or self-governing Territory or another law of the Commonwealth on the taking of the action.

85. As discussed above, the Material Change of Use development application for the eastern portion of the proposed site was refused by MBRC Councillors on 18 February 2020. The Department understands that the proponent intends to appeal the MBRC decision in the Queensland Planning and Environment Court. The Department notes that a proposed decision under the EPBC Act can proceed in this instance on the basis that timeframes for making decisions under national environmental law are independent of legal proceedings that may occur in other jurisdictions.

86. Under section 134(4), in deciding whether to attach a condition to an approval, the Minister must consider information provided by the person proposing to take the action or by the designated proponent of the action.
87. The information provided by the person proposing to take the action has been considered. Documentation provided by the person taking the action is at Attachment C of the proposed decision brief.
88. In accordance with section 134(4)(b), in deciding whether to attach a condition to an approval, the Minister must consider the desirability of ensuring as far as practicable that the condition is a cost effective means for the Commonwealth and a person taking the action to achieve the object of the condition.
89. The Department considers that the conditions proposed are a cost-effective means of achieving their purpose.

#### Consideration of Condition-setting Policy

90. The Department has considered the likely scope and severity of the impacts to Matters of National Environmental Significance, and the proposed avoidance and mitigation measures, and determined that it is likely the proposed action will result in a significant residual adverse impact on the Koala and GHFF.
91. Accordingly, the Department considers that it is necessary and convenient to apply approval conditions to this project, as outlined at the beginning of this recommendation report and attached to the proposed approval brief. In applying this analysis, the Department has had regard to the EPBC Act Condition-setting Policy (2015).

#### **Requirements for decisions about listed threatened species and communities – section 139**

- In deciding whether or not to approve for the purposes of a subsection of section 18 or section 18A the taking of an action, and what conditions to attach to such an approval, the Minister must not act inconsistently with:

(a) Australia's obligations under:

- (i) the Biodiversity Convention; or
- (ii) the Apia Convention; or
- (iii) CITES; or

(b) a recovery plan or threat abatement plan.

(2) If:

(a) the Minister is considering whether to approve, for the purposes of a subsection of section 18 or section 18A, the taking of an action; and

(b) the action has or will have, or is likely to have, a significant impact on a particular listed threatened species or a particular listed threatened ecological community;

the Minister must, in deciding whether to so approve the taking of the action, have regard to any approved conservation advice for the species or community.



*The Biodiversity Convention*

92. The Biodiversity Convention is available at:

<http://www.austlii.edu.au/au/other/dfat/treaties/ATS/1993/32.html>

93. The objectives of the Biodiversity Convention, to be pursued in accordance with its relevant provisions, are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilisation of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding.

Consideration

94. The recommendations are not considered by the Department to be inconsistent with the Biodiversity Convention, which promotes environmental impact assessment (such as this process) to avoid and minimise adverse impacts on biological diversity. The Department has also given particular consideration to an appropriate combination of avoidance and mitigation measures for the management of species potentially impacted by the proposed action.

95. The Biodiversity Convention has been considered in, and is not inconsistent with, the recommended approval which requires avoidance, mitigation and management measures for listed threatened species and communities. The recommended approval requires information related to the proposed action to be publicly available to ensure equitable sharing of information and improved knowledge relating to biodiversity.

*Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)*

96. CITES is available at: <http://www.austlii.edu.au/au/other/dfat/treaties/ATS/1976/29.html>

97. CITES is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

Consideration

98. The recommendations are not inconsistent with CITES as the proposed action does not involve international trade.

*Convention on the Conservation of Nature in the South Pacific (APIA Convention)*

99. The APIA Convention is available at:

<http://www.austlii.edu.au/au/other/dfat/treaties/ATS/1990/41.html>

100. The APIA Convention encourages the creation of protected areas which together with existing protected areas will safeguard representative samples of the natural ecosystems occurring therein (particular attention being given to endangered species), as well as superlative scenery, striking geological formations, and regions and objects of aesthetic interest or historic, cultural or scientific value.

Consideration

101. The APIA Convention was suspended with effect from 13 September 2006. While this Convention has been suspended, Australia's obligations under the Convention have been

taken into consideration. The recommendations are not inconsistent with the Convention which has the general aims of conservation of biodiversity.

#### *Recovery Plans and Threat Abatement Plans*

102. There are no approved Recovery Plans or Threat Abatement Plans for the Koala or the GHFF.

#### *Conservation Advice*

103. The approved conservation advice(s) relevant to this proposed action is:

- Department of Sustainability, Water, Population and Communities (2012). *Approved Conservation Advice for Phascolarctos cinerus (combined populations in Queensland, New South Wales and the Australian Capital Territory)*. Canberra: Department of Sustainability, Water, Population and Communities. Available from: <http://www.environment.gov.au/biodiversity/threatened/species/pubs/197-conservation-advice.pdf>
- There is no approved conservation advice for the GHFF.

104. The approved conservation advice is provided at Attachment G1 of the proposed approval brief.

105. The Department has had regard to the approved conservation advices relevant to the proposed action and has given consideration to the likely impacts of the proposed action on listed threatened species and endangered ecological communities. The Department is of the view that approval of this action would not be inconsistent with these conservation advices.

#### **Bioregional Plans section 176(5)**

106. In accordance with section 176(5), the Minister is required to have regard to a bioregional plan in making any decision under the Act to which the plan is relevant.

107. The proposed action is not located within or near an area designated by a bioregional plan. The Department considers that there are no bioregional plans relevant to the proposed action.

#### **Conclusion**

108. The proposed action will result in the clearance of approximately 5 ha of *habitat critical to the survival* of the Koala, and approximately 0.21 ha of *habitat critical to the survival* of the Grey-headed Flying-fox. However, the Department considers that the likely impacts of the proposed action on listed threatened species will be not unacceptable, provided the action is undertaken in accordance with the recommended conditions and consistent with the mitigation proposed by the proponent. Having considered all matters required to be considered under the EPBC Act, the Department recommends the proposed action be approved, subject to the recommended conditions.

109. The Department recommends that the approval has effect until 2035. This timeframe is recommended to allow the proponent sufficient time to complete required management actions and achieve the expected ecological benefits at the impact site and allow additional time for any contingency actions and reporting at completion.

**Material used to prepare Recommendation Report**

Relevant documents used to prepare this report include:

- Referral documentation and attachments.
- Preliminary documentation.
- Correspondence and additional information provided from the proponent.
- Advice received from the Department's Assessments and Post Approval Branch and Office of Compliance in the development of the proposed conditions of approval.

These materials are attached within the [Proposed Approval electronic briefing package](#).



EPBC Ref: 2017/8022

Mr Michael Loney  
Joint Managing Director  
Ausbuild Development Corp Pty Ltd  
2 Pittwin Road  
CAPALABA QLD 4157

Dear Mr Loney

**Invitation to comment on proposed approval decision  
Warner Road Residential Development, Warner, Queensland**

I am writing to you in relation to your proposal to develop the Warner Road residential development at Warner, approximately 18 kilometres north of Brisbane, Queensland (Proposed Action). The Proposed Action was referred and assessed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for its impacts on Listed threatened species and communities (sections 18 & 18A).

I am proposing to approve the Proposed Action subject to conditions.

My proposed decision of approval is attached. In accordance with the EPBC Act, I invite you to provide comments on my proposed decision of approval, including the conditions which I propose to attach, within 10 business days of the date of this letter.

Please quote the title of the action and EPBC reference, as shown at the beginning of this letter, in any correspondence. You can send comments to:

by letter      Queensland South and Sea Dumping Section  
                  Environmental Approvals (Qld, Tas, Vic) and Support Branch  
                  Department of Agriculture, Water and the Environment  
                  GPO Box 858  
                  CANBERRA ACT 2601

by email      [s. 22\(1\)\(a\)\(ii\)](#)

If you have any questions about this decision, please contact the project manager, [s. 22\(1\)\(a\)\(ii\)](#), by email to [s. 22\(1\)\(a\)\(ii\)](#), or telephone [s. 22\(1\)\(a\)\(ii\)](#) and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

**s. 47F(1)**

[s. 22\(1\)\(a\)\(ii\)](#)

Acting Assistant Secretary  
Environmental Approvals (Qld, Tas, Vic) and Support Branch  
3 July 2020



## APPROVAL

### Warner Road Residential Development, Warner, Queensland (EPBC 2017/8022)

This decision is made under sections 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*. Note that section 134(1A) of the **EPBC Act** applies to this approval, which provides in general terms that if the approval holder authorises another person to undertake any part of the action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such condition.

#### Details

<b>Person to whom the approval is granted (approval holder)</b>	Ausbuild Development Corp Pty Ltd
<b>ACN or ABN of approval holder</b>	ABN: 95 168 741 455
<b>Action</b>	To construct a residential development and associated infrastructure on Lot 1 RP92508, Lot 2 RP195936, and Lot 2 RP105475 in Warner, approximately 18 kilometres north of Brisbane, Queensland. [See EPBC Act referral 2017/8022 and variation of the action decision made under section 156B of the EPBC Act on 22 April 2020].

#### Proposed Approval decision

My decision on whether or not to approve the taking of the action for the purposes of the controlling provision for the action is as follows.

#### Controlling Provisions

Listed Threatened Species and Communities	
Section 18	Approve
Section 18A	Approve

#### *Period for which the approval has effect*

This approval has effect until 30 June 2035.

#### Decision-maker

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**Name and position**

Andrew McNee  
Assistant Secretary of Assessments and Governance Branch  
Department of Agriculture, Water and the Environment

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**Signature**

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**Date of decision**

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#### Conditions of approval

This approval is subject to the conditions under the EPBC Act as set out in ANNEXURE A.

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**ANNEXURE A – CONDITIONS OF APPROVAL**

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**Part A – Conditions specific to the action**

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1. To minimise impacts to the **Koala** the approval holder must:
  - a) only **construct** the residential development within the **urban precinct**;
  - b) only **clear Koala habitat** as indicated on Attachment B; and
  - c) ensure that the sewer (or water) main is entirely tunnel bored underneath Lot 5 SP174986, as indicated in the purple dashed line designated as 'Tunnel Bored Sewer or Water Main' on Attachment E.
2. To minimise the risk of injury or death to **Koalas** within the **development area** during **clearing** and **construction**, the approval holder must:
  - a) ensure that a qualified **fauna spotter catcher** is present during all **clearing** and empowered to guide all **clearance** to ensure that **Koalas** have safely moved out of trees and area of works before they are **cleared**; and
  - b) install temporary **Koala exclusion fencing** around **construction** work. Temporary **Koala exclusion fencing** must be installed immediately after **clearing** and prior to the commencement of **construction**. Temporary **Koala exclusion fencing** must remain in place around any **construction** area until all **construction** activities within that fenced area are completed.
3. For the ongoing protection of the local **Koala** population in Warner and to ensure **Koala habitat** connectivity throughout the landscape, the approval holder must:
  - a) complete **revegetation works** within **Conservation Zone D** by 31 December 2022;
  - b) complete **revegetation works** within **Conservation Zones A, B and C** by 31 December 2024;
  - c) install visible **Koala awareness signage** on Coorparoo Road, as specified on Attachment C by 31 December 2022;
  - d) install a **fauna underpass** that is at least 2100mm by 2100mm wide underneath Warner Road that allows for safe and effective passage of Koalas, as specified on Attachment D by 31 December 2022;
  - e) install and maintain **Koala exclusion fencing** so as to prevent **koala** dispersal into the **development area** and to exclude all dogs from **Conservation Zones** for the life of the approval.
  - f) **manage** all **Conservation Zones** for a period of 5 years after the completion of **revegetation works**.
4. For the ongoing protection and increase of **Koala habitat** within **Conservation Zones**, the approval holder must:
  - a) **manage** the **Conservation Zones** for the life of the approval, or until such time that the **Department** agrees in writing that it is satisfied with written evidence that the **Council** has accepted ownership of and responsibilities to manage the **Conservation Zones** for **conservation purposes**. If by 31 December 2030, **Council** has not accepted the ownership of and responsibilities to manage the **Conservation Zones** for **conservation purposes** the approval holder must submit in writing an alternative ongoing management arrangement for the **Conservation Zones** to the **Minister** for approval.

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## Part B – Standard administrative conditions

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### Notification of date of commencement of the action

5. The approval holder must notify the **Department** in writing of the date of **commencement of the action** within **10 business days** after the date of **commencement of the action**.
6. If the **commencement of the action** does not occur within 5 years from the date of this approval, then the approval holder must not **commence the action** without the prior written agreement of the **Minister**.

### Compliance records

7. The approval holder must maintain accurate and complete **compliance records**.
8. If the **Department** makes a request in writing, the approval holder must provide electronic copies of **compliance records** to the **Department** within the timeframe specified in the request.

**Note:** **Compliance records** may be subject to audit by the **Department** or an independent auditor in accordance with section 458 of the **EPBC Act**, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the **Department's** website or through the general media.

### Annual compliance reporting

9. The approval holder must prepare a **compliance report** for each 12 month period following the date of **commencement of the action**, or otherwise in accordance with an annual date that has been agreed to in writing by the **Minister**. The approval holder must:
  - a. publish each **compliance report** on the **website** within **60 business days** following the relevant 12 month period;
  - b. notify the **Department** by email that a **compliance report** has been published on the **website** and provide the weblink for the **compliance report** within five **business days** of the date of publication;
  - c. keep all **compliance reports** publicly available on the **website** until this approval expires;
  - d. exclude or redact **sensitive ecological data** from **compliance reports** published on the **website**; and
  - e. where any **sensitive ecological data** has been excluded from the version published, submit the full **compliance report** to the **Department** within **5 business days** of publication.

**Note:** **Compliance reports** may be published on the **Department's** website.

### Reporting non-compliance

10. The approval holder must notify the **Department** in writing of any: **incident**; non-compliance with the conditions; or non-compliance with the commitments made in **plans**. The notification must be given as soon as practicable, and no later than two **business days** after becoming aware of the **incident** or non-compliance. The notification must specify:
  - a. any condition which is or may be in breach;
  - b. a short description of the **incident** and/or non-compliance; and
  - c. the location (including co-ordinates), date, and time of the **incident** and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.
11. The approval holder must provide to the **Department** the details of any **incident** or non-compliance with the conditions or commitments made in **plans** as soon as practicable and no later than **10 business days** after becoming aware of the **incident** or non-compliance, specifying:

- a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;
- b. the potential impacts of the **incident** or non-compliance; and
- c. the method and timing of any remedial action that will be undertaken by the approval holder.

### Independent audit

12. The approval holder must ensure that **independent audits** of compliance with the conditions are conducted as requested in writing by the **Minister**.
13. For each **independent audit**, the approval holder must:
  - a. provide the name and qualifications of the independent auditor and the draft audit criteria to the **Department**;
  - b. only commence the **independent audit** once the audit criteria have been approved in writing by the **Department**; and
  - c. submit an audit report to the **Department** within the timeframe specified in the approved audit criteria.
14. The approval holder must publish the audit report on the **website** within 10 **business days** of receiving the **Department's** approval of the audit report and keep the audit report published on the **website** until the end date of this approval. **Completion of the action**
15. Within 30 days after the **completion of the action**, the approval holder must notify the **Department** in writing and provide **completion data**.

### Completion of the action

16. Within 30 days after the **completion of the action**, the approval holder must notify the **Department** in writing and provide **completion data**.

---

## Part C - Definitions

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In these conditions, except where contrary intention is expressed, the following definitions are used:

**Business day** means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.

**Clear/Clearing/Clearance** means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation (but not including weeds – see the *Australian weeds strategy 2017 to 2027* for further guidance). **Clearing** does not include any relevant prescribed burns or actions undertaken for bushfire management, where required.

**Commencement of the action** means the first instance of any specified activity associated with the action including clearing of vegetation and **construction** of any infrastructure. **Commencement of the action** does not include minor physical disturbance necessary to:

- i. undertake pre-clearance surveys or monitoring programs;
- ii. install signage and /or temporary fencing to prevent unapproved use of the project area;
- iii. protect environmental and property assets from fire, weeds and pests, including erection of temporary fencing, and use of existing surface access tracks; and
- iv. install temporary site facilities for persons undertaking pre-commencement activities so long as these are located where they have no impact on the **protected matters**.

**Completion data** means an environmental report and spatial data clearly detailing how the conditions of this approval have been met. The **Department's** preferred spatial data format is **shapefile**.



**Completion of the action** means the time at which all approval conditions (except condition 17) have been fully met.

**Compliance records** means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the approval holder's possession or that are within the approval holder's power to obtain lawfully.

**Compliance reports** means written reports:

- i. providing accurate and complete details of compliance, **incidents**, and non-compliance with the conditions and the **plans**;
- ii. consistent with the **Department's Annual Compliance Report Guidelines (2014)**;
- iii. include a **shapefile** of any clearance of any **protected matters**, or their habitat, undertaken within the relevant 12 month period; and
- iv. annexing a schedule of all **plans** prepared and in existence in relation to the conditions during the relevant 12 month period.

**Connectivity** means undertaking **revegetation works** and **fauna management** to provide for the movement of **Koalas** between multiple different patches of **Koala habitat**.

**Conservation purposes** means that the land is zoned as an Environmental Management and **Conservation Zone** under the **Council** planning scheme.

**Conservation zones** means any and all of **Conservation zones A, B and C** and **Conservation zone D**.

**Conservation zones A, B and C** means any and all of the areas designated as zones A, B and C respectively on Attachment A.

**Conservation zone D** means the area designated as Zone D on Attachment A.

**Construction/construct** means the erection of a building or structure that is or is to be fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; preliminary site preparation work which involves breaking of the ground (including pile driving); the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of temporary fences and signage.

**Council** means the local government authority responsible for the local government area encompassing Warner, currently Moreton Bay Regional Council.

**Department** means the Australian Government agency responsible for administering the **EPBC Act**.

**Development area** means the 24.1 hectare area enclosed by the red line designated as 'Site Boundary' on Attachment A and Attachment B, and comprising Lot 1RP92508, Lot 2RP195936, and Lot 2RP105475, located at Warner Road, Warner, Queensland.

**EPBC Act** means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

**Fauna spotter catcher** means a person licenced under the Queensland *Nature Conservation Act 1992* to detect, capture, care for, assess, and release wildlife disturbed by vegetation clearance activities who has at least three years experience undertaking this work with **Koala**.

**Fauna management** means installing and maintaining infrastructure including, but not limited to, **Koala exclusion fencing** and **fauna underpasses** that allow for safe dispersal of **Koalas** throughout the landscape.

**Fauna underpass** means a dedicated dry passage for the safe and effective movement of **Koalas**.

**Incident** means any event which has the potential to, or does, impact on one or more **protected matter(s)**.

**Independent audit:** means an audit conducted by an independent and **suitably qualified person** as detailed in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines* (2019).

**Koala(s)** means the Koala *Phascolarctos cinereus* (combined populations of Queensland, New South Wales and the Australian Capital Territory) listed as a threatened species under the **EPBC Act**.

**Koala awareness signage** means prominent, easily understood signage as indicated on Attachment C.

**Koala exclusion fencing** means fencing which prevents the movement of koalas. Suitable examples of **Koala exclusion fencing** design are provided in *Koala Sensitive Design Guideline: A guide to koala sensitive designed measures for planning and development activities, November* (Queensland Department of Environment and Heritage Protection, 2012).

**Koala food trees** means a species of tree of genus *Angophora*, *Corymbia*, *Eucalyptus*, *Lophostemon* or *Melaleuca*, the leaves of which are known to be consumed by the **Koala**.

**Koala habitat** means any forest or woodland containing species that are known **Koala** food trees, or shrubland with emergent **Koala food trees**, as defined in the *EPBC Act Referral Guidelines for the vulnerable koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)*, Commonwealth of Australia, 2014.

**Manage/Managed** means to implement **Council's Planning Scheme Policy Environmental Areas and Corridors – 9. Ecological Restoration Plan**, pp. 18-19 accessible at [https://www.moretonbay.qld.gov.au/files/assets/public/services/building-development/mbrc-plan/psp/v4/environmental\\_areas\\_corridors.pdf](https://www.moretonbay.qld.gov.au/files/assets/public/services/building-development/mbrc-plan/psp/v4/environmental_areas_corridors.pdf), or any subsequently approved version.

**Minister** means the Australian Government Minister administering the **EPBC Act** including any delegate thereof.

**Protected matter** means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

**Regional Ecosystem** means a vegetation community in a bioregion that is consistently associated with a particular combination of geology, landform and soil as classified by the Queensland Government under the *Vegetation Management Act, 1999*. **Regional Ecosystems** at the **development area** include RE 12.3.6, RE 12.3.11, and RE 12.9-10.17, as indicated on Attachment A.

**Revegetation works** means revegetation undertaken to establish the relevant **Regional Ecosystem** as designated on Attachment A, in accordance with the **Council's** approved Ecological Restoration Plans.

**Sensitive ecological data** means data as defined in the Australian Government Department of the Environment (2016) *Sensitive Ecological Data – Access and Management Policy V1.0*.

**Shapefile** means location and attribute information of the action provided in an Esri shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

**Suitably qualified person** means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.

**Urban precinct** means the area shaded grey designated as 'Urban Residential Precinct' on the map in Attachment B.

**Website** means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

**ATTACHMENTS**

- Attachment A: Plan of project site, identifying the Development area and Conservation Zones.**





2. **Attachment B:** Plan of project site, identifying the trees required to be retained.



Warner Road, Warner		Legend													
<b>Figure 9 - Development Impacts on Koala Habitat</b>		<span style="color: orange;">■</span> Juvenile koala trees required for removal <span style="color: green;">■</span> Non-juvenile koala habitat trees <span style="color: green;">■</span> To be retained <span style="color: orange;">■</span> To be removed	<span style="background-color: #cccccc;">■</span> Urban Residential Precinct <span style="background-color: #90ee90;">■</span> Focus areas for vegetation enhancement <span style="border: 2px solid red;">■</span> Site Boundary <span style="border: 1px solid black;">■</span> Property Boundaries												
28 South Project Ref: 2014-040  Data Sources: Nearmap Aerial Imagery (Nearmap October 2019); Digital Cadastre Database (Dept. Natural Resources and Mines, 2019); Waterways (DRRME 2017); Baseline Roads (DRRME 2018).		--- Tunnel Bored Sewer or Water Main --- Proposed Sewer --- Proposed Water Main	<table border="1"> <thead> <tr> <th>Issue Date</th> <th>Revision</th> <th>Author</th> </tr> </thead> <tbody> <tr> <td>1 Nov 2019</td> <td></td> <td>RP</td> </tr> <tr> <th colspan="2">Approved</th> <th>Revision Note</th> </tr> <tr> <td colspan="2">CC</td> <td></td> </tr> </tbody> </table>	Issue Date	Revision	Author	1 Nov 2019		RP	Approved		Revision Note	CC		
Issue Date	Revision	Author													
1 Nov 2019		RP													
Approved		Revision Note													
CC															
		(A3) GDA 94 MGA 56 1:3000 													

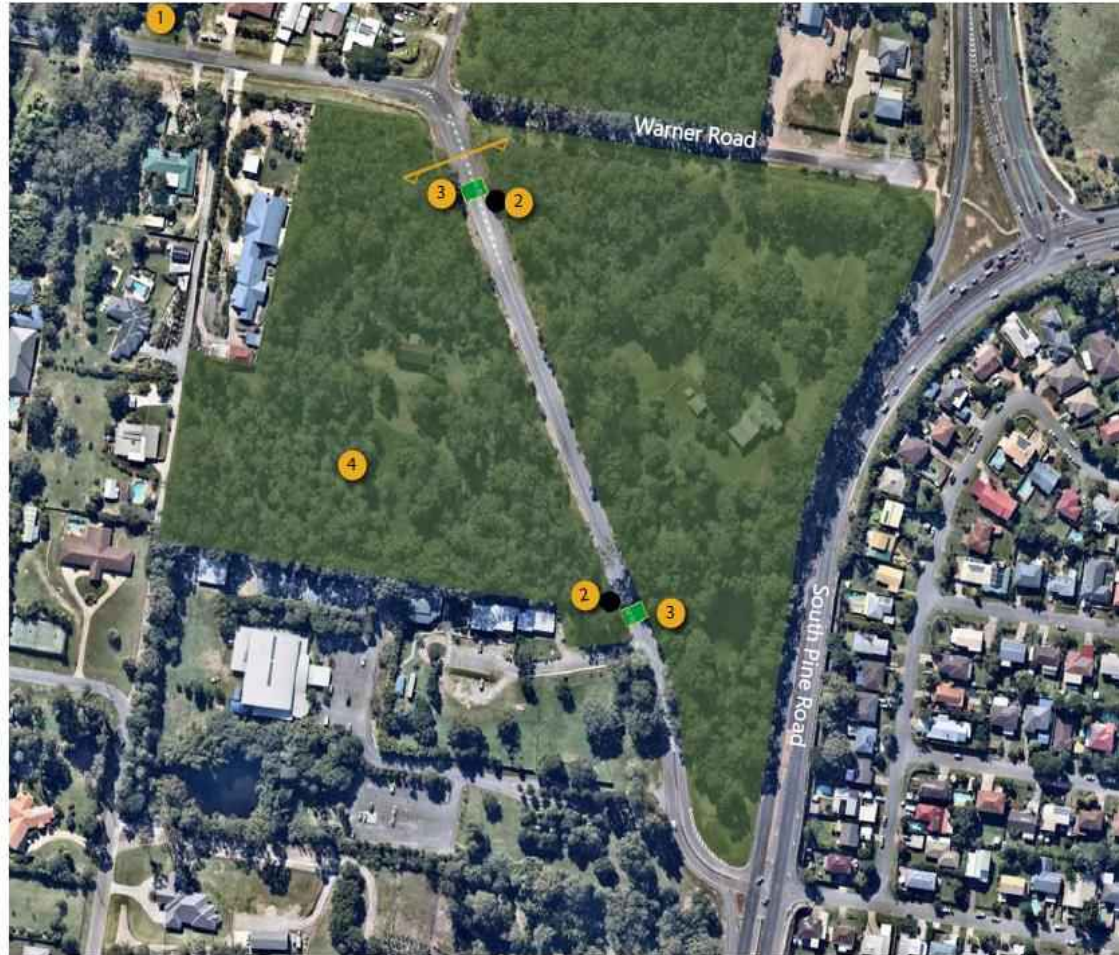


3. Attachment C: Map of Coorparoo Road, illustrating the location of Koala signage.

COORPAROO ROAD

KOALA SIGNAGE

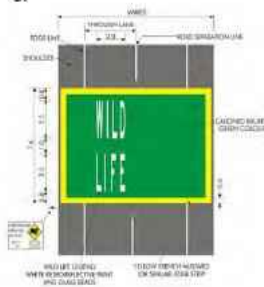
- 1. Proposed Development
- 2. "Slow Down for Koalas" speed limit detection sign to be installed at points indicated
- 3. Wildlife road surface sign to be installed at each end of the road. Refer p19 Coorparoo Road Indicative Street Perspective
- 4. Existing vegetation



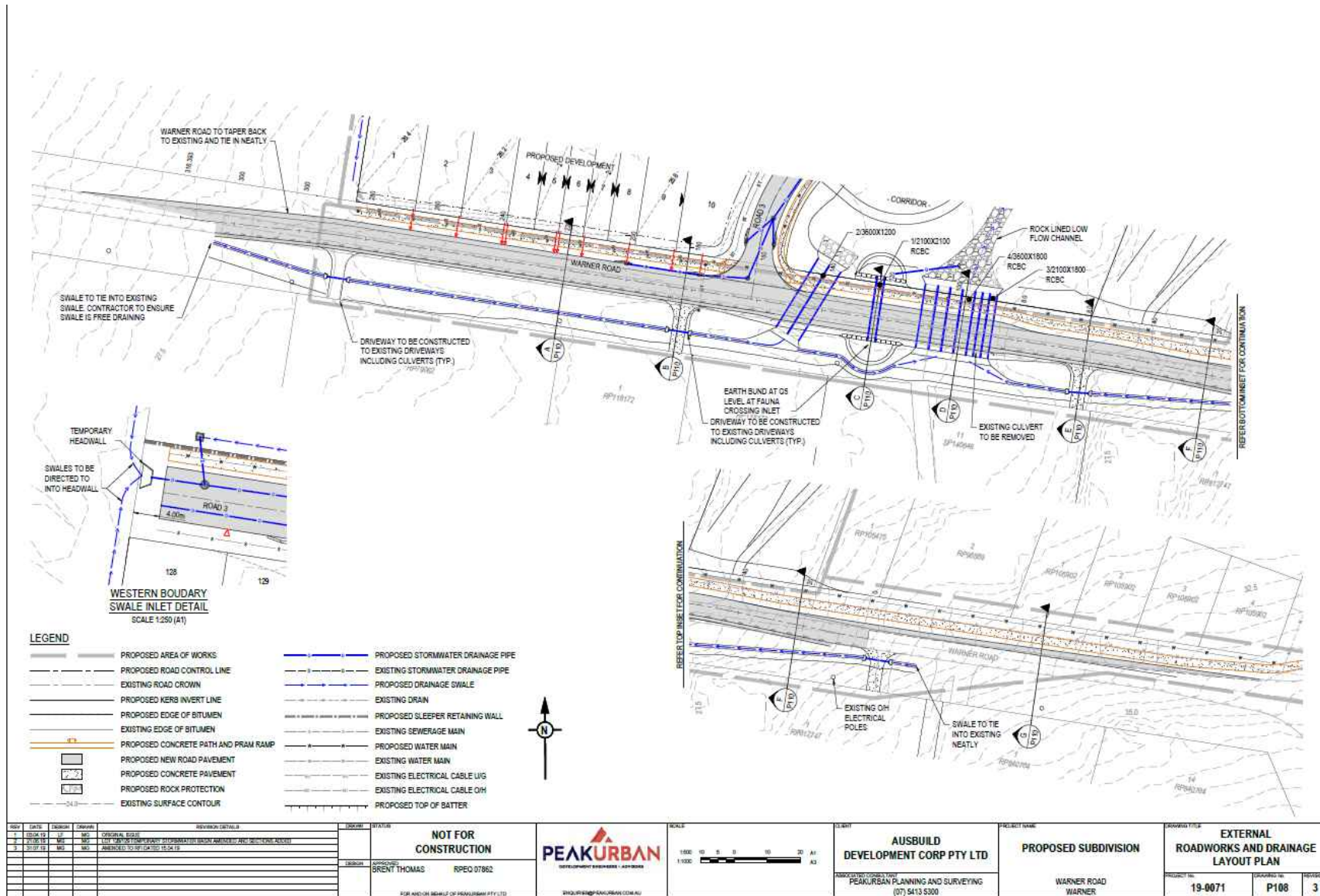
2.



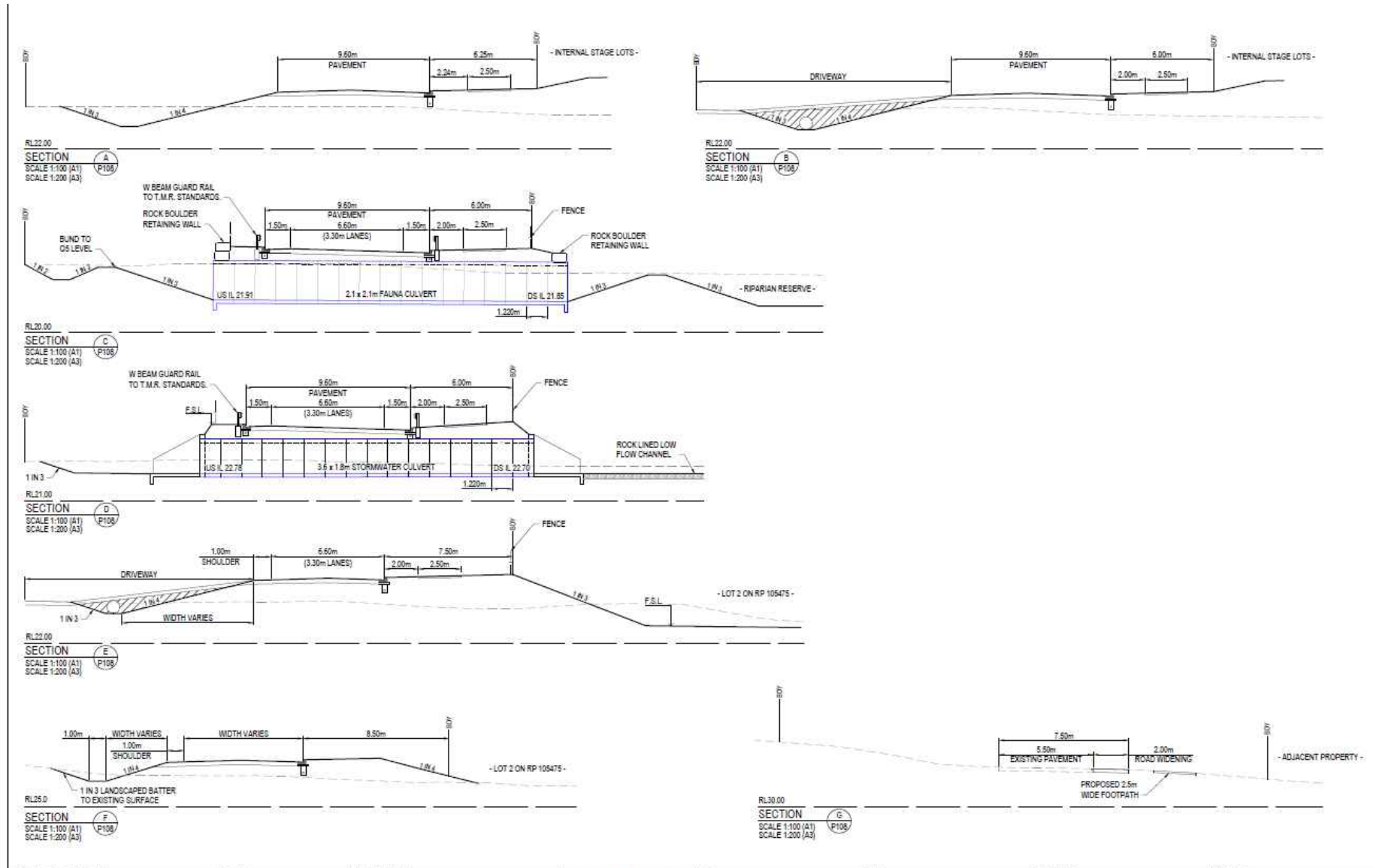
3.



4. Attachment D: Plans illustrating the designs







REV	DATE	BY	CHECKED	DESCRIPTION	ISSUED TO	STATUS	SCALE	PROJECT	PROJECT NAME	DRAWING TITLE
1	15/04/19	BT	MS	ORIGINAL ISSUE			1:100 (A1) 1:200 (A3)	AUSBUILD DEVELOPMENT CORP PTY LTD	PROPOSED SUBDIVISION	WARNER ROAD CROSS SECTIONS
2	15/04/19	BT	MS	REVISION TO PLAN (SEE 15/04/19)				PEAKURBAN PLANNING AND SURVEYING (07) 5413 5300	WARNER ROAD WARNER	
<p><b>NOT FOR CONSTRUCTION</b></p> <p><b>PEAKURBAN</b> DEVELOPMENT ENGINEERS - ARCHITECTS</p> <p>APPROVED: BRENT THOMAS RPE0 07862</p> <p>FOR AND ON BEHALF OF AUSBUILD DEVELOPMENT CORP PTY LTD</p>							<p>SCALE</p> <p>1:100 0 5 10 20 M</p> <p>1:200 0 5 10 20 M</p>		<p>PROJECT NO: 19-0071</p> <p>DRAWING NO: P110</p> <p>PAGE NO: 2</p>	

5. Attachment E: Map illustrating the location of the 'Tunnel Bored Sewer or Water Main'.







EPBC Ref: 2017/8022

s. 47F(1)

Director  
Impact Assessment and Operational Support  
Department of Environment and Science  
GPO Box 2454  
BRISBANE QLD 4001

Dear s. 47F(1)

### Invitation to comment on proposed approval decision Warner Road Residential Development, Warner, Queensland

I am writing to you in relation to a proposal to develop the Warner Road residential development at Warner, approximately 18 kilometres north of Brisbane, Queensland. The above proposal was referred and assessed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for its impacts on Listed threatened species and communities (sections 18 & 18A).

I am proposing to approve this proposal. My proposed decision is attached.

I understand that you may have administrative responsibilities relating to the action. I invite you to provide comments on my proposed decision within 10 business days of the date of this letter, including on any matters of economic or social concern that should be considered consistent with the principles of ecologically sustainable development.

Please quote the title of the action and EPBC reference, as shown at the beginning of this letter, in any correspondence. You can send information to us:

by letter Queensland South and Sea Dumping Section  
Environmental Approvals (Qld, Tas, Vic) and Support Branch  
Department of Agriculture, Water and the Environment  
GPO Box 858  
CANBERRA ACT 2601

by email s. 22(1)(a)(ii)

If you have any questions about this decision, please contact the project manager, s. 22(1)(a)(ii), by email to s. 22(1)(a)(ii), or telephone s. 22(1)(a)(ii) and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

# s. 47F(1)

s. 22(1)(a)(ii)

Acting Assistant Secretary  
Environmental Approvals (Qld, Tas, Vic) and Support Branch  
3 July 2020



EPBC Ref: 2017/8022

s. 47F(1)

Director Environmental Protection and Assessments  
Environment and Engineering Branch  
Defence Support and Reform Group  
Department of Defence  
BP26-02-B001  
PO Box 7925  
CANBERRA BC ACT 2601

Dear s. 47F(1)

### **Invitation to comment on proposed approval decision Warner Road Residential Development, Warner, Queensland**

I am writing to you, as the delegated contact for the Minister for Defence, Senator the Hon Linda Reynolds CSC, in relation to a proposal to develop the Warner Road residential development at Warner, approximately 18 kilometres north of Brisbane, Queensland. The above proposal was referred and assessed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for its impacts on Listed threatened species and communities (sections 18 & 18A).

I am proposing to approve this proposal. My proposed decision is attached.

I understand that you may have administrative responsibilities relating to the action. I invite you to provide comments on my proposed decision within 10 business days of the date of this letter, including on any matters of economic or social concern that should be considered consistent with the principles of ecologically sustainable development.

Please quote the title of the action and EPBC reference, as shown at the beginning of this letter, in any correspondence. You can send information to us:

by letter      Queensland South and Sea Dumping Section  
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                  CANBERRA ACT 2601

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If you have any questions about this decision, please contact the project manager, s. 22(1)(a)(ii), by email to s. 22(1)(a)(ii), or telephone s. 22(1)(a)(ii) and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

**s. 47F(1)**

s. 22(1)(a)(ii)

Acting Assistant Secretary  
Environmental Approvals (Qld, Tas, Vic) and Support Branch  
3 July 2020

# EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected. Please see the caveat for interpretation of information provided here.

2017-8022 ERT 2km Buffer

Report created: 30/06/2020 02:58:33

[Summary](#)

[Details](#)

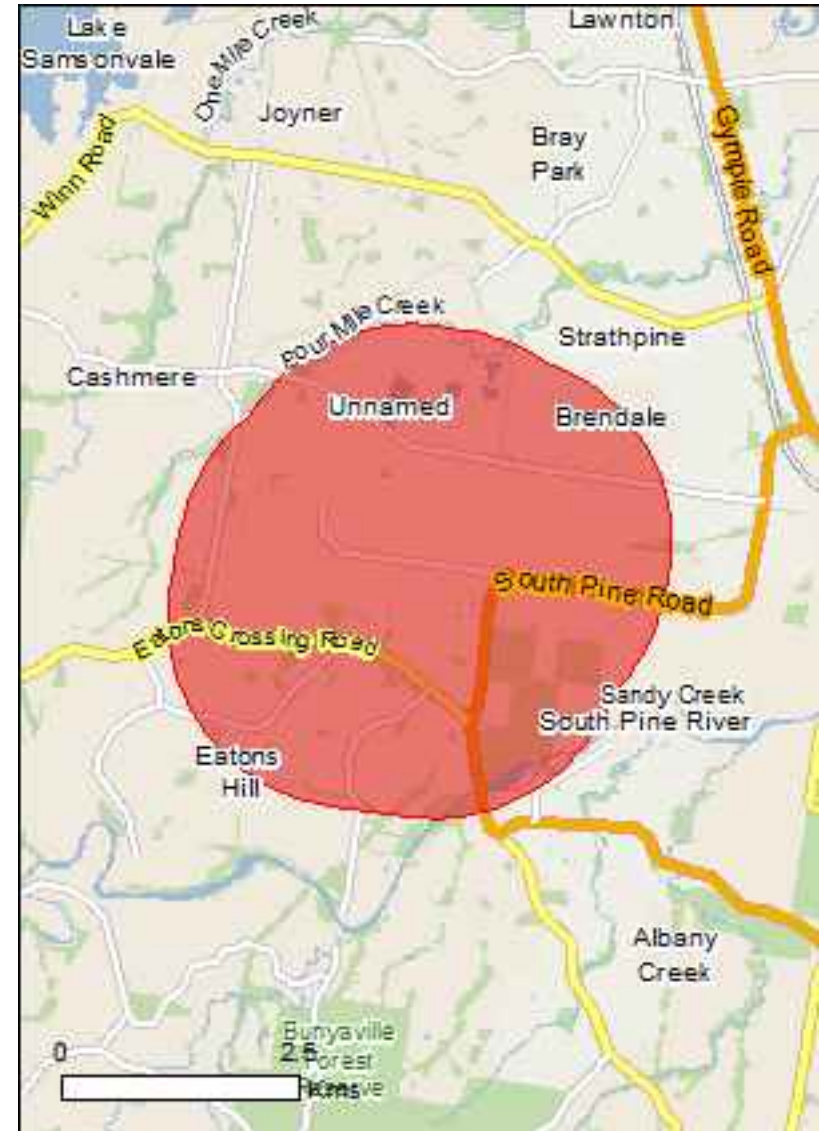
[Matters of NES](#)

[Other Matters Protected by the EPBC Act](#)

[Extra Information](#)

[Caveat](#)

[Acknowledgements](#)



This map may contain data which are ©Commonwealth of Australia (Geoscience Australia), ©PSMA Australia Limited



# Summary

## Matters of National Environment Significance

<a href="#">World Heritage Properties:</a>	None
<a href="#">National Heritage Places:</a>	None
<a href="#">Ramsar Wetlands:</a>	1
<a href="#">Great Barrier Reef Marine Park:</a>	None
<a href="#">Commonwealth Marine Area:</a>	None
<a href="#">Threatened Ecological Communities:</a>	3
<a href="#">Threatened Species:</a>	42
<a href="#">Migratory Species:</a>	16

## Other Matters Protected by the EPBC Act

<a href="#">Commonwealth Lands:</a>	None
<a href="#">Commonwealth Heritage Places:</a>	None
<a href="#">Listed Marine Species:</a>	23
<a href="#">Whales and Other Cetaceans:</a>	None
<a href="#">Critical Habitats:</a>	None
<a href="#">Commonwealth Reserves Terrestrial:</a>	None
<a href="#">Australian Marine Parks:</a>	None

## Extra Information

This part of the report provides information that may also be relevant to the area you have

<a href="#">State and Territory Reserves:</a>	None
<a href="#">Regional Forest Agreements:</a>	None
<a href="#">Invasive Species:</a>	40
<a href="#">Nationally Important Wetlands:</a>	None
<a href="#">EPBC Act Referrals:</a>	14
<a href="#">Key Ecological Features (Marine):</a>	None

# Details

## Matters of National Environmental Significance

### Wetlands of International Importance (Ramsar Wetlands)

[\[ Resource Information \]](#)

Name	Proximity
<a href="#">Moreton bay</a>	Within 10km of Ramsar site

### Threatened Ecological Communities

[\[ Resource Information \]](#)

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Status of Vulnerable, Disallowed and Ineligible are not MNES under the EPBC Act.

Name	Status	Type of Presence
<a href="#">Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland ecological community</a>	Endangered	Community may occur within area
<a href="#">Lowland Rainforest of Subtropical Australia</a>	Critically Endangered	Community may occur within area
<a href="#">Poplar Box Grassy Woodland on Alluvial Plains</a>	Endangered	Community may occur within area

### Threatened Species

[\[ Resource Information \]](#)

Status of Conservation Dependent and Extinct are not MNES under the EPBC Act.

Number is the current name ID.

Current Scientific Name	Status	Type of Presence
<b>BIRD</b>		
<a href="#">Anthochaera phrygia</a> Regent Honeyeater [82338]	Critically Endangered	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Botaurus poiciloptilus</a> Australasian Bittern [1001]	Endangered	Species or species habitat likely to occur within area
<a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat may occur within area

Current Scientific Name	Status	Type of Presence
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	LEX-21732 Critically Endangered	Species or species habitat may occur within area
<a href="#">Cyclopsitta diophthalma coxeni</a> Coxen's Fig-Parrot [59714]	Endangered	Species or species habitat may occur within area
<a href="#">Erythrotriorchis radiatus</a> Red Goshawk [942]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Geophaps scripta scripta</a> Squatter Pigeon (southern) [64440]	Vulnerable	Species or species habitat may occur within area
<a href="#">Hirundapus caudacutus</a> White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Lathamus discolor</a> Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Rostratula australis</a> Australian Painted Snipe [77037]	Endangered	Species or species habitat likely to occur within area
<a href="#">Sternula nereis nereis</a> Australian Fairy Tern [82950]	Vulnerable	Species or species habitat may occur within area
<a href="#">Thinornis cucullatus cucullatus listed as Thinornis rubricollis rubricollis</a> Hooded Plover (eastern), Eastern Hooded Plover [90381]	Vulnerable	Species or species habitat may occur within area
<a href="#">Turnix melanogaster</a> Black-breasted Button-quail [923]	Vulnerable	Species or species habitat likely to occur within area



Current Scientific Name	Status	Type of Presence
<a href="#">Mixophyes fleayi</a> Fleay's Frog [25960]	LEX-21732 Endangered	Species or species habitat may occur within area
<a href="#">Mixophyes iteratus</a> Giant Barred Frog, Southern Barred Frog [1944]	Endangered	Species or species habitat may occur within area
<b>INSECT</b>		
<a href="#">Argynnis hyperbius inconstans</a> Australian Fritillary [88056]	Critically Endangered	Species or species habitat may occur within area
<b>MAMMAL</b>		
<a href="#">Chalinolobus dwyeri</a> Large-eared Pied Bat, Large Pied Bat [183]	Vulnerable	Species or species habitat may occur within area
<a href="#">Dasyurus hallucatus</a> Northern Quoll, Digul [Gogo-Yimidir], Wijingadda [Dambimangari], Wiminji [Martu] [331]	Endangered	Species or species habitat likely to occur within area
<a href="#">Dasyurus maculatus maculatus (SE mainland population)</a> Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population) [75184]	Endangered	Species or species habitat likely to occur within area
<a href="#">Petauroides volans</a> Greater Glider [254]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Phascolarctos cinereus (combined populations of Qld, NSW and the ACT)</a> Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) [85104]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Potorous tridactylus tridactylus</a> Long-nosed Potoroo (SE Mainland) [66645]	Vulnerable	Species or species habitat may occur within area
<a href="#">Pteropus poliocephalus</a> Grey-headed Flying-fox [186]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Xeromys myoides</a> Water Mouse, False Water Rat, Yirrkoo [66]	Vulnerable	Species or species habitat likely to occur within area

**PLANT**

Current Scientific Name	Status	Type of Presence
<a href="#">Arthraxon hispidus</a> Hairy-joint Grass [9338]	LEX-21732 Vulnerable	Species or species habitat likely to occur within area
<a href="#">Bosistoa transversa</a> Three-leaved Bosistoa, Yellow Satinheart [16091]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Corchorus cunninghamii</a> Native Jute [14659]	Endangered	Species or species habitat likely to occur within area
<a href="#">Cryptocarya foetida</a> Stinking Cryptocarya, Stinking Laurel [11976]	Vulnerable	Species or species habitat may occur within area
<a href="#">Cupaniopsis shirleyana</a> Wedge-leaf Tuckeroo [3205]	Vulnerable	Species or species habitat may occur within area
<a href="#">Dichanthium setosum</a> bluegrass [14159]	Vulnerable	Species or species habitat may occur within area
<a href="#">Macadamia integrifolia</a> Macadamia Nut, Queensland Nut Tree, Smooth-shelled Macadamia, Bush Nut, Nut Oak [7326]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Macadamia ternifolia</a> Small-fruited Queensland Nut, Gympie Nut [7214]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Macadamia tetraphylla</a> Rough-shelled Bush Nut, Macadamia Nut, Rough-shelled Macadamia, Rough-leaved Queensland Nut [6581]	Vulnerable	Species or species habitat may occur within area
<a href="#">Persicaria elatior</a> Knotweed, Tall Knotweed [5831]	Vulnerable	Species or species habitat may occur within area
<a href="#">Phaius australis</a> Lesser Swamp-orchid [5872]	Endangered	Species or species habitat likely to occur within area



Current Scientific Name	Status	Type of Presence
<a href="#">Samadera bidwillii</a> Quassia [29708]	LEX-21732 Vulnerable	81 of 108 Species or species habitat likely to occur within area
<a href="#">Sophora fraseri</a> [8836]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Thesium australe</a> Austral Toadflax, Toadflax [15202]	Vulnerable	Species or species habitat may occur within area

## REPTILE

<a href="#">Coeranoscincus reticulatus listed as Saiphos reticulatus</a> Three-toed Snake-tooth Skink [59628]	Vulnerable	Species or species habitat may occur within area
<a href="#">Delma torquata</a> Adorned Delma, Collared Delma [1656]	Vulnerable	Species or species habitat may occur within area
<a href="#">Furina dunmalli</a> Dunmall's Snake [59254]	Vulnerable	Species or species habitat may occur within area

## Migratory Species [ Resource Information ]

Current Scientific Name	Threatened	Type of Presence
Migratory Marine Birds		
<a href="#">Apus pacificus</a> Fork-tailed Swift [678]		Species or species habitat likely to occur within area

## Migratory Terrestrial Species

<a href="#">Cuculus optatus</a> Oriental Cuckoo, Horsfield's Cuckoo [86651]		Species or species habitat known to occur within area
<a href="#">Hirundapus caudacutus</a> White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Monarcha melanopsis</a> Black-faced Monarch [609]		Species or species habitat known to occur within area

Current Scientific Name	Threatened	Type of Presence
<a href="#">Myiagra cyanoleuca</a> Satin Flycatcher [612]	LEX-21732 Threatened	82 of 108 Species or species habitat known to occur within area
<a href="#">Rhipidura rufifrons</a> Rufous Fantail [592]		Species or species habitat known to occur within area
<a href="#">Symposiachrus trivirgatus as Monarcha trivirgatus</a> Spectacled Monarch [83946]		Species or species habitat known to occur within area
<b>Migratory Wetlands Species</b>		
<a href="#">Actitis hypoleucos</a> Common Sandpiper [59309]		Species or species habitat may occur within area
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area
<a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat may occur within area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Calidris melanotos</a> Pectoral Sandpiper [858]		Species or species habitat may occur within area
<a href="#">Gallinago hardwickii</a> Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Pandion cristatus as Pandion haliaetus</a> Eastern Osprey [82411]		Species or species habitat may occur within area

Current Scientific Name	Threatened	Type of Presence
<a href="#">Tringa nebularia</a>	LEX-21732	83 of 108
Common Greenshank, Greenshank [832]		Species or species habitat likely to occur within area

### Other Matters Protected by the EPBC Act

Listed Marine Species		[ Resource Information ]
Current Scientific Name	Threatened	Type of Presence
Bird		
<a href="#">Actitis hypoleucos</a>		
Common Sandpiper [59309]		Species or species habitat may occur within area
<a href="#">Anseranas semipalmata</a>		
Magpie Goose [978]		Species or species habitat may occur within area overfly marine area
<a href="#">Apus pacificus</a>		
Fork-tailed Swift [678]		Species or species habitat likely to occur within area overfly marine area
<a href="#">Ardea ibis</a>		
Cattle Egret [59542]		Species or species habitat may occur within area overfly marine area
<a href="#">Ardea modesta as Ardea alba</a>		
Eastern Great Egret [82410]		Species or species habitat known to occur within area overfly marine area

Current Scientific Name	Threatened	Type of Presence
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [874]	LEX-21732 Threatened	84 of 108 Species or species habitat may occur within area
<a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat may occur within area overfly marine area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area overfly marine area
<a href="#">Calidris melanotos</a> Pectoral Sandpiper [858]		Species or species habitat may occur within area overfly marine area
<a href="#">Gallinago hardwickii</a> Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area overfly marine area
<a href="#">Haliaeetus leucogaster</a> White-bellied Sea-Eagle [943]		Species or species habitat likely to occur within area
<a href="#">Hirundapus caudacutus</a> White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area overfly marine area
<a href="#">Lathamus discolor</a> Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area overfly marine area
<a href="#">Merops ornatus</a> Rainbow Bee-eater [670]		Species or species habitat may occur within area overfly marine area
<a href="#">Monarcha melanopsis</a> Black-faced Monarch [609]		Species or species habitat known to occur within area overfly marine area

Current Scientific Name	Threatened	Type of Presence
<a href="#">Myiagra cyanoleuca</a> Satin Flycatcher [612]	LEX-21732 Threatened	85 of 108 Species or species habitat known to occur within area overfly marine area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Pandion cristatus as Pandion haliaetus</a> Eastern Osprey [82411]		Species or species habitat may occur within area
<a href="#">Rhipidura rufifrons</a> Rufous Fantail [592]		Species or species habitat known to occur within area overfly marine area
<a href="#">Rostratula australis as Rostratula benghalensis (sensu lato)</a> Australian Painted Snipe [77037]	Endangered	Species or species habitat likely to occur within area overfly marine area
<a href="#">Symposiachrus trivirgatus as Monarcha trivirgatus</a> Spectacled Monarch [83946]		Species or species habitat known to occur within area overfly marine area
<a href="#">Thinornis cucullatus cucullatus as Thinornis rubricollis rubricollis</a> Hooded Plover (eastern), Eastern Hooded Plover [90381]	Vulnerable	Species or species habitat may occur within area overfly marine area
<a href="#">Tringa nebularia</a> Common Greenshank, Greenshank [832]		Species or species habitat likely to occur within area overfly marine area

## Invasive Species

[\[ Resource Information \]](#)

Weeds reported here are the 20 species of national significance (WoNS), along with other introduced plants that are considered by the States and Territories to pose a particularly significant threat to biodiversity. The following feral animals are reported: Goat, Red Fox, Cat, Rabbit, Pig, Water Buffalo and Cane Toad. Maps from Landscape Health Project, National Land and Water Resources Audit,

Name	Status	Type of Presence
<b>Bird</b>		
<a href="#">Acridotheres tristis</a> Common Myna, Indian Myna [387]	Feral	Species or species habitat likely to occur within area
<a href="#">Anas platyrhynchos</a> Mallard [974]	Feral	Species or species habitat likely to occur within area
<a href="#">Carduelis carduelis</a> European Goldfinch [403]	Feral	Species or species habitat likely to occur within area
<a href="#">Columba livia</a> Rock Pigeon, Rock Dove, Domestic Pigeon [803]	Feral	Species or species habitat likely to occur within area
<a href="#">Lonchura punctulata</a> Nutmeg Mannikin [399]	Feral	Species or species habitat likely to occur within area
<a href="#">Passer domesticus</a> House Sparrow [405]	Feral	Species or species habitat likely to occur within area
<a href="#">Streptopelia chinensis</a> Spotted Turtle-Dove [780]	Feral	Species or species habitat likely to occur within area
<a href="#">Sturnus vulgaris</a> Common Starling [389]	Feral	Species or species habitat likely to occur within area

**Frog**

Name	Status	Type of Presence
<a href="#">Rhinella marina</a>	LEX-21732	87 of 108
Cane Toad [83218]	Feral	Species or species habitat known to occur within area
<b>Mammal</b>		
<a href="#">Bos taurus</a>		
Domestic Cattle [16]	Feral	Species or species habitat likely to occur within area
<a href="#">Canis familiaris listed as Canis lupus familiaris</a>		
Domestic Dog, Dingo [17]	Feral	Species or species habitat likely to occur within area
<a href="#">Capra hircus</a>		
Goat [2]	Feral	Species or species habitat likely to occur within area
<a href="#">Felis catus</a>		
Cat, House Cat, Domestic Cat [19]	Feral	Species or species habitat likely to occur within area
<a href="#">Feral deer</a>		
Feral deer species in Australia [85733]	Feral	Species or species habitat likely to occur within area
<a href="#">Lepus capensis</a>		
Brown Hare [127]	Feral	Species or species habitat likely to occur within area
<a href="#">Mus musculus</a>		
House Mouse [120]	Feral	Species or species habitat likely to occur within area
<a href="#">Oryctolagus cuniculus</a>		
Rabbit, European Rabbit [128]	Feral	Species or species habitat likely to occur within area
<a href="#">Rattus norvegicus</a>		
Brown Rat, Norway Rat [83]	Feral	Species or species habitat likely to occur within area
<a href="#">Rattus rattus</a>		
Black Rat, Ship Rat [84]	Feral	Species or species habitat likely to occur within area



Name	Status	Type of Presence
<a href="#">Sus scrofa</a> Pig [6]	LEX-21732 Feral	88 of 108 Species or species habitat likely to occur within area
<a href="#">Vulpes vulpes</a> Red Fox, Fox [18]	Feral	Species or species habitat likely to occur within area
<b>Plant</b>		
<a href="#">Alternanthera philoxeroides</a> Alligator Weed [11620]	WoNS	Species or species habitat likely to occur within area
<a href="#">Anredera cordifolia</a> Madeira Vine, Jalap, Lamb's-tail, Mignonette Vine, Anredera, Gulf Madeiravine, Heartleaf Madeiravine, Potato Vine [2643]	WoNS	Species or species habitat likely to occur within area
<a href="#">Asparagus aethiopicus</a> Asparagus Fern, Ground Asparagus, Basket Fern, Sprengi's Fern, Bushy Asparagus, Emerald Asparagus [62425]	WoNS	Species or species habitat likely to occur within area
<a href="#">Asparagus asparagoides</a> Bridal Creeper, Bridal Veil Creeper, Smilax, Florist's Smilax, Smilax Asparagus [22473]	WoNS	Species or species habitat likely to occur within area
<a href="#">Cabomba caroliniana</a> Cabomba, Fanwort, Carolina Watershield, Fish Grass, Washington Grass, Watershield, Carolina Fanwort, Common Cabomba [5171]	WoNS	Species or species habitat likely to occur within area
<a href="#">Chrysanthemoides monilifera</a> Bitou Bush, Boneseed [18983]	WoNS	Species or species habitat may occur within area
<a href="#">Cryptostegia grandiflora</a> Rubber Vine, Rubbervine, India Rubber Vine, India Rubbervine, Palay Rubbervine, Purple Allamanda [18913]	WoNS	Species or species habitat likely to occur within area
<a href="#">Dolichandra unguis-cati</a> Cat's Claw Vine, Yellow Trumpet Vine, Cat's Claw Creeper, Funnel Creeper [85119]	WoNS	Species or species habitat likely to occur within area
<a href="#">Eichhornia crassipes</a> Water Hyacinth, Water Orchid, Nile Lily [13466]	WoNS	Species or species habitat likely to occur within area



Name	Status	Type of Presence
<a href="#">Hymenachne amplexicaulis</a>	LEX-21732 WoNS	89 of 108 Species or species habitat likely to occur within area
Hymenachne, Olive Hymenachne, Water Stargrass, West Indian Grass, West Indian Marsh Grass [31754]		
<a href="#">Lantana camara</a>	WoNS	Species or species habitat likely to occur within area
Lantana, Common Lantana, Kamara Lantana, Large-leaf Lantana, Pink Flowered Lantana, Red Flowered Lantana, Red-Flowered Sage, White Sage, Wild Sage [10892]		
<a href="#">Parkinsonia aculeata</a>	WoNS	Species or species habitat likely to occur within area
Parkinsonia, Jerusalem Thorn, Jelly Bean Tree, Horse Bean [12301]		
<a href="#">Parthenium hysterophorus</a>	WoNS	Species or species habitat likely to occur within area
Parthenium Weed, Bitter Weed, Carrot Grass, False Ragweed [19566]		
<a href="#">Rubus fruticosus aggregate</a>	WoNS	Species or species habitat likely to occur within area
Blackberry, European Blackberry [68406]		
<a href="#">Sagittaria platyphylla</a>	WoNS	Species or species habitat likely to occur within area
Delta Arrowhead, Arrowhead, Slender Arrowhead [68483]		
<a href="#">Salvinia molesta</a>	WoNS	Species or species habitat likely to occur within area
Salvinia, Giant Salvinia, Aquarium Watermoss, Kariba Weed [13665]		
<a href="#">Senecio madagascariensis</a>	WoNS	Species or species habitat likely to occur within area
Fireweed, Madagascar Ragwort, Madagascar Groundsel [2624]		
<b>Reptile</b>		
<a href="#">Hemidactylus frenatus</a>	Feral	Species or species habitat likely to occur within area
Asian House Gecko [1708]		
<a href="#">Indotyphlops braminus listed as Ramphotyphlops braminus</a>	Feral	Species or species habitat likely to occur within area
Flowerpot Blind Snake [88345]		

## EPBC Act Referrals

[\[ Resource Information \]](#)

Further details about the referral is available in the Environmental Impact Assessment System (EIAS); click on the title to access.

Referral			
Title	Reference	Referral Outcome	Assessment Status
Referral			
Title	Reference	Referral Outcome	Assessment Status
<a href="#">Brendale Connect Industry North Development</a>	2009/5181	Referral Decision	Completed
<a href="#">Concrete Batching plant</a>	2003/1245	Not Controlled Action	Completed
<a href="#">Create a 2914 m2 lot for the storage of contaminated material, Kremzow Road, Warner, Qld</a>	2014/7158	Not Controlled Action	Completed
<a href="#">CSR Residential and Industrial Development</a>	2010/5577	Not Controlled Action	Completed
<a href="#">Development of residential community at Lawnton Pocket Road</a>	2004/1571	Not Controlled Action	Completed
<a href="#">Dohles Rocks residential subdivision and development</a>	2004/1494	Not Controlled Action	Completed
<a href="#">Duplication of the South Pine to Hays Inlet 110kV overhead power transmission li</a>	2009/4870	Not Controlled Action (Particular Manner)	Post-Approval
<a href="#">Improving rabbit biocontrol: releasing another strain of RHDV, sthrn two thirds of Australia</a>	2015/7522	Not Controlled Action	Completed
<a href="#">Kremzow Road Quarry Expansion, Warner, Qld</a>	2016/7728	Not Controlled Action	Completed
<a href="#">Rehabilitation of Dowse Lagoon, Sandgate</a>	2004/1401	Not Controlled Action	Completed
<a href="#">Residential Subdivision, Freshwater Development, Brays Road</a>	2004/1606	Not Controlled Action	Completed
<a href="#">Sandgate Waste Water Treatment Plant Augmentation Works</a>	2001/262	Controlled Action	Post-Approval
<a href="#">Warner Road Residential Development, Warner, Qld</a>	2017/8022	Controlled Action	Proposed Decision
<a href="#">Warner Springs Residential Development</a>	2009/5184	Referral Decision	Completed

# Caveat

The information presented in this report has been provided by a range of data sources as acknowledged at the end of the report.

This report is designed to assist in identifying the locations of places which may be relevant in determining obligations under the Environment Protection and Biodiversity Conservation Act 1999. It holds mapped locations of World and National Heritage properties, Wetlands of International and National Importance, Commonwealth and State/Territory reserves, listed threatened, migratory and marine species and listed threatened ecological communities. Mapping of Commonwealth land is not complete at this stage. Maps have been collated from a range of sources at various resolutions.

Not all species listed under the EPBC Act have been mapped (see below) and therefore a report is a general guide only. Where available data supports mapping, the type of presence that can be determined from the data is indicated in general terms. People using this information in making a referral may need to consider the qualifications below and may need to seek and consider other information sources.

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

For species where the distributions are well known, maps are digitised from sources such as recovery plans and detailed habitat studies. Where appropriate, core breeding, foraging and roosting areas are indicated under 'type of presence'. For species whose distributions are less well known, point locations are collated from government wildlife authorities, museums, and non-government organisations; bioclimatic distribution models are generated and these validated by experts. In some cases, the distribution maps are based solely on expert knowledge.

Threatened, migratory and marine species distributions have been derived through a variety of methods. Where distributions are well known and if time permits, maps are derived using either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc) together with point locations and described habitat; or environmental modelling (MAXENT or BIOCLIM habitat modelling) using point locations and environmental data layers.

Where very little information is available for species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc). In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More reliable distribution mapping methods are used to update these distributions as time permits.

Only selected species covered by the following provisions of the EPBC Act have been mapped:

- migratory and
- marine

The following species and ecological communities have not been mapped and do not appear in reports produced from this database:

- threatened species listed as extinct or considered as vagrants
- some species and ecological communities that have only recently been listed
- some terrestrial species that overfly the Commonwealth marine area
- migratory species that are very widespread, vagrant, or only occur in small numbers

The following groups have been mapped, but may not cover the complete distribution of the species:

- non-threatened seabirds which have only been mapped for recorded breeding sites
- seals which have only been mapped for breeding sites near the Australian continent

Such breeding sites may be important for the protection of the Commonwealth Marine environment.

# Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

- [-Office of Environment, Energy and Science, New South Wales](#)
- [-Department of Environment, Land, Water and Planning, Victoria](#)
- [-Department of Primary Industries, Parks, Water and Environment, Tasmania](#)
- [-Government of South Australia, Department for Environment and Water, South Australia](#)
- [-Department of Environment and Natural Resources, Northern Territory](#)
- [-Department of Environment and Science, Queensland](#)
- [-Department of Biodiversity, Conservation and Attractions, Western Australia](#)
- [-Environment, Planning and Sustainable Development Directorate, ACT](#)
- [-Birdlife Australia](#)
- [-Department of Environment and Energy, Australian Bird and Bat Banding Scheme](#)
- [-CSIRO, Australian National Wildlife Collection](#)
- Natural history museums of Australia
- [-Australian Museum](#)
- [-Museums Victoria](#)
- [-South Australian Museum](#)
- [-Queensland Museum](#)
- [-Online Zoological Collections of Australian Museums](#)
- [-Queensland Herbarium](#)
- [-National Herbarium of NSW](#)
- [-National Herbarium of Victoria](#)
- [-Tasmanian Herbarium](#)
- [-State Herbarium of South Australia](#)
- [-Northern Territory Herbarium](#)
- [-Western Australian Herbarium](#)
- [-Australian National Herbarium, Canberra](#)
- [-University of New England](#)
- [-Ocean Biogeographic Information System](#)
- [-Australian Government, Department of Defence](#)
- [-Forestry Corporation of NSW](#)
- [-Geoscience Australia](#)
- [-CSIRO](#)
- [-Australian Tropical Herbarium, Cairns](#)
- [-eBird Australia](#)
- [-Australian Government – Australian Antarctic Data Centre](#)
- [-Museum and Art Gallery of the Northern Territory](#)
- [-Australian Government National Environmental Science Program](#)
- [-Australian Institute of Marine Science](#)
- [-Reef Life Survey Australia](#)
- [-American Museum of Natural History](#)
- [-Queen Victoria Museum and Art Gallery, Inveresk, Tasmania](#)
- [-Tasmanian Museum and Art Gallery, Hobart, Tasmania](#)
- Other groups and individuals

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

## DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT

**To:** Andrew McNee, Assistant Secretary, Assessments and Governance Branch (for decision)

### **VARIATION TO PROPOSED ACTION: Warner Road Residential Development, Warner, Queensland (EPBC 2017/8022)**

**Timing:** 5 March 2020 – Statutory timeframe, 20 days after receiving the variation request.

#### **Recommendations:**

1. Consider the information in this brief and the attachments.

**Considered / Please discuss**

2. Note the variation request at **Attachment A**.

**Noted / Please discuss**

3. Agree to the recommended decision to approve the variation request.

**Agreed / Not agreed**

4. If you agree to recommendation 3, sign the decision notice at **Attachment B**.

**Signed / Not signed**

5. Sign the letter at **Attachment C** advising the proponent of your decision.

**Signed / Not signed**

**Andrew McNee**  
**Assistant Secretary**  
**Assessments and Governance Branch**

Date:

#### **Comments:**

#### **Key Issues**

1. On 7 February 2020, the Department received a letter (**Attachment A**) from Ausbuild Development Corp Pty Ltd (the person proposing to take the action and also the proponent) with a request to vary the proposed Warner Road residential development under section 156A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
2. If approved, the variation would significantly reduce the area of impact for the Koala, from approximately 66 ha to approximately 24.1 ha, and remove a proposed future road connection to the north of the site from the proposed action.
3. The proposal is locally contentious; concerns include impacts on the local population of Koala at Warner.

**DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT**

4. On 18 February 2020, Moreton Bay Regional Council refused the Development Application (DA) submitted by Ausbuild. The DA had proposed a Material Change of Use to the zoning of the site and a variation to the Moreton Bay Regional Council Planning Scheme. The reasons for refusal included but were not limited to: impacts on flora and fauna, including koalas, and that the proposed development was the subject of 'considerable' community interest mostly opposed to the proposed development.
5. The proponent has noted that planning officers within the Moreton Bay Regional Council had recommended that Council approve Ausbuild's DA and that an appeal of Council's decision to refuse the DA has been lodged in the Queensland Planning and Environment Court.

**Background**

6. On 16 October 2017, a delegate of the Minister (the delegate) decided that the proposed action for a residential development at Warner Road, Warner, Queensland, was a controlled action under the EPBC Act due to likely significant impacts on listed threatened species and communities (s18 & s18A). On the same day, the delegate decided that the proposed action would be assessed by preliminary documentation and further information was required.
7. The proposed action, as originally referred, covers approximately 66 ha of land across Lot 1 on RP92508, Lot 2 on RP195936 and Lot 2 on RP1105475, to the north of Warner Road, and Lots 3 to 7, 9 and 10 on RP79062 and Lot 2 on SP121774 and Lot 2 on RP118172 to the south of Warner Road.
8. On 22 January 2018, the proponent submitted a request for reconsideration of the referral decision under subsection 78A(1) of the EPBC Act. The request was submitted on the basis of the availability of substantial new information (paragraph 78(1)(a) of the EPBC Act) and on the basis that a substantial change in circumstances that was not foreseen at the time of the first decision has occurred (paragraph 78(1)(aa) of the EPBC Act).
9. The substantial change in circumstances raised by the proponent was that the amended Warner Structure Plan excluded residential development in areas south of Conflagration Creek. The decision by Moreton Bay Regional Council to retain the existing rural-residential designation reduced the development footprint from 66 ha to approximately 30 ha.
10. On 22 June 2018, the delegate decided to uphold the original controlled action decision due to likely significant impacts on listed threatened species and communities (sections 18 and 18A).
11. On 12 November 2019, the proponent submitted the draft preliminary documentation (following review and revision of earlier drafts) which the Department considered adequate for the purposes of public comment. The stage 2 payment fee was received on 25 November 2019.
12. In accordance with 95A of the EPBC Act, the proponent published the draft preliminary documentation for public comment for 20 business days from 6 December 2019 to 7 January 2020.
13. On 10 March 2020, the proponent submitted the final preliminary documentation, including a response to submissions document.



**DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT****Variation to action request**

14. The final version of the preliminary documentation describes the action as proposed in the request for variation, which includes a further reduction in the proposed area of impact on the Koala to approximately 24.1 ha and removal of the previously proposed road connection to the north of the site (**Attachment A**).
15. The original proposed action area is shown in Attachment 1 of the variation request at **Attachment A**. The proposed varied action area is shown in Attachment 2 of the variation request at **Attachment A**.
16. The proposed action is subject to cost recovery and a fee of \$1,353 applies to the request for a variation of a proposed action. This fee was paid on 14 February 2020.
17. The decision clock for consideration of whether or not the proposed action will be approved under the EPBC Act will commence once a decision is made on this variation request.

**Legal considerations**

18. EPBC Regulation 5.08 specifies that a request to vary a proposal under section 156A must contain the following information:
  - a. *details of the proposed variation to the action*
    - i. The proponent would like to vary the proposed action to:
      - exclude Lots 3 to 7, 9 and 10 on RP79062, Lot 2 on SP121774 and Lot 2 on RP118172 to the south of Warner Road, totalling approximately 41.9 ha of land, from the project site. This will result in an overall reduction in the size of the proposed action area from 66 ha to 24.1 ha. The maps at Attachment 1 of the variation request indicate the area of the original proposal, and the maps at Attachment 2 indicate the revised current proposal (see **Attachment A**).
    - ii. As a result, the varied proposed action area will only include Lot 1 on RP92508, Lot 2 on RP195936 and Lot 2 on RP1105475, encompassing a total of 24.1 ha.
  - b. *the reasons for the proposed variation*
    - i. The variation request states that the proposed variation is made to address community concerns regarding the proposed development that arose out of the Warner Structure Plan community consultation process, and the more recent public exhibition of the draft preliminary documentation, particularly in relation to impacts on the local population of the Koala at Warner.
  - c. *how the impacts of the proposed variation on matters of national environmental significance (MNES) compare with those of the original proposal*
    - i. The proposed variation will result in a reduction in direct impacts on MNES by 41.9 ha, specifically the listed vulnerable Koala. The varied action will occur on an impact site of 24.1 ha, comprised of mostly cleared areas with scattered *Eucalypts*.

## DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT

- ii. With a reduction in the number of proposed residential lots proposed, and the removal of a proposed future road connection to the north of the site, there is also likely to be a reduction in the intensity of threats to the koala from mortality from vehicle strike and dog attack.

*d. if applicable, the impacts of the proposed variation on matters of national environmental significance not considered in the referral or assessment of the original proposal*

- i. The Department considers there are no MNES in or adjacent to the varied project site that will be directly or indirectly impacted by the varied action, which were not already considered under the assessment of the original proposal.

*e. if applicable, alternatives, mitigation measures and offsets to compensate for additional impacts on MNES*

- i. The revegetation measures north of Warner Road proposed in the original referral, including improving habitat linkages to the west and south west of the proposed impact area, installing fauna friendly passage under Warner Road, and koala fencing and signage remain part of the proposed action. No revegetation measures will be undertaken on Lots south of Warner Road, as these areas would be excluded from the proposed action boundary.
- ii. As a result of the variation, impacts to listed threatened species, specifically the Koala, may be reduced to an extent where residual significant impacts are not likely. The Department will consider all proposed on-site mitigation and rehabilitation measures in preparing recommendations on whether or not the proposed action should be approved under the EPBC Act.

19. Under section 156B of the EPBC Act, you must decide whether to accept the varied proposal within 20 business days of receiving the request. You must not decide to accept the varied proposal unless you are satisfied that the character of the varied proposal is substantially the same as the character of the original proposal, having regard to the change (if any) in:

*a. the nature of the activities proposed to be carried out in taking the action*

- i. The Department considers the nature of the activities are substantially the same as referred.

*b. the nature and extent of the impact (if any) has, will have, or is likely to have on a MNES*

- i. The Department is of the view that the nature of the activities are similar to those of the original proposal, however reduced in the extent of impacts on listed threatened species (see points a, c and d above).

### Conclusion

- Given the points above, the Department recommends that you accept the variation of the action in accordance with section 156B of the EPBC Act.
- If you accept the variation, a written notice of your decision (**Attachment B**) will be published on the Department's website. A letter to the proponent advising of your decision, is at **Attachment C** for your signature.



**DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT**

s. 22(1)(a)(ii)

Director

Queensland South and Sea Dumping Section

Assessments and Governance Branch

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Assessment Officer

Queensland South and Sea Dumping Section

s. 22(1)(a)(ii)

**ATTACHMENTS**

A: Request for variation of proposal (dated 7 February 2020)

B: Decision notice - FOR SIGNATURE

C: Letter to proponent - FOR SIGNATURE



Australian Government  
Department of Agriculture,  
Water and the Environment

EPBC Ref: 2017/8022

Mr Michael Loney  
Joint Managing Director  
Ausbuild Development Corp Pty Ltd  
2 Pittwin Road  
CAPALABA QLD 4157

Dear Mr Loney

**Decision on variation request — Warner Road residential development, Warner, Queensland**

I am writing to you in response to a letter of 7 February 2020 requesting a variation of the above proposal under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

As a delegate of the Minister for the Environment, I have decided under section 156B of the EPBC Act to accept the variation to the proposal. A copy of the notice recording this decision is enclosed. This document, along with your request, will be published on the Department's website.

I note that all provisions under the EPBC Act have ceased to apply to the original proposal and now apply to the varied proposal, and that for the purpose of the application of those provisions, anything done in relation to the original proposal is taken to have been done in relation to the varied proposal.

I also note that the final preliminary documentation submitted to the Department on 10 March 2020 contained a description of the proposed action that is consistent with the variation request.

If you have any questions about this decision, please contact the assessment officer, [s. 22\(1\)\(a\)\(ii\)](#), by email to [s. 22\(1\)\(a\)\(ii\)](#), or telephone [s. 22\(1\)\(a\)\(ii\)](#) and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Andrew McNee  
Assistant Secretary  
Assessments and Governance Branch  
/ / 2020

7 February 2020

**s. 22(1)(a)(ii)**

Environment Assessment Officer  
Queensland South and Sea Dumping | Assessments and Governance  
Department of Environment and Energy

By email: **s. 22(1)(a)(ii)**

Dear **s. 22(1)(a)(ii)**

**RE: EPBC REFERRAL NO. 2017/8022 (WARNER ROAD RESIDENTIAL PROJECT – VARIATION OF PROPOSAL TO TAKE ACTION)**

We are writing to inform the Department of Environment and Energy (the **Department**) of a variation to the proposed action being assessed under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC)* Referral No. 2017/8022 (Warner Road Residential Project). The proposed action is sought by Ausbuild Development Corp Pty Ltd (**Ausbuild**).

In accordance with Division 5.4, Section 5.08 of the *Regulation 2000* (Cth), we submit the following mandatory information in response and to accompany the request:

**(a) Details of the Proposed Variation to the Action**

The initial controlled action referral (**Original Action**) was submitted on 21 August 2017. The Original Action involved a development footprint of 66 hectares and was over several properties located in Warner. These properties were described as Lot 1 on RP92508, Lot 2 on RP195936 and Lot 2 on RP1105475, to the north of Warner Road, and Lots 3 to 7, 9 and 10 on RP79062 and Lot 2 on SP121774 and Lot 2 on RP118172, to the south of Warner Road. The proposed action (as submitted with the CAR) is shown in **Attachment 1**.

The footprint of the amended proposal (the proposed action submitted with the Preliminary Documentation Report) has been significantly reduced. The proposed action is now restricted to Lot 1 on RP92508, Lot 2 on RP1105475 and Lot 2 on RP195936 north of Warner Road. Furthermore, a proposed future road connection to the north has been removed. The amended proposal is shown in **Attachment 2**.

(b) **Reasons for the Proposed Variation**

The proposed variation is made to address community concerns regarding the proposed development that arose out of the Warner Structure Plan community consultation process, and the more recent public exhibition of the Preliminary Documentation Report.

(c) **How the Impacts of the Proposed Variation on MNES compared with the Original Action**

The proposed variation significantly reduces development impacts to koala and other MNES such as grey-headed flying fox and swift parrot. The reduction in the development footprint coupled with the revegetation and restoration works proposed to Conflagration Creek in the Original Action, which will continue to form part of the proposed variation mean that these species will benefit from the proposed action. The revegetation will establish more habitat and a more ecologically valuable corridor connection to the vegetation on the neighbouring properties.

(d) **If Applicable – the Impacts of the Proposed Variation on MNES not considered by the Original Action**

The proposed variation reduces the impacts on MNES because the conceptual development footprint is significantly less, meaning that the potential disturbances to koala and other MNES species' population and habitat are substantially reduced.

(e) **If Applicable – Alternatives, Mitigation Measures and Offsets to Compensate for Additional Impacts on MNES**

As stated in the above response (d), the conceptual development footprint of the Proposed Action has decreased significantly and therefore the ramifications to the MNES have also substantially reduced. No additional negative impacts to koalas or other MNES will be caused as a result of the proposed variation. In contrast, the proposed variation will enhance and consolidate the retained vegetation within the Site (e.g. the restoration of the waterway corridor of Conflagration Creek) therefore making an improved outcome for koalas and other MNES species.

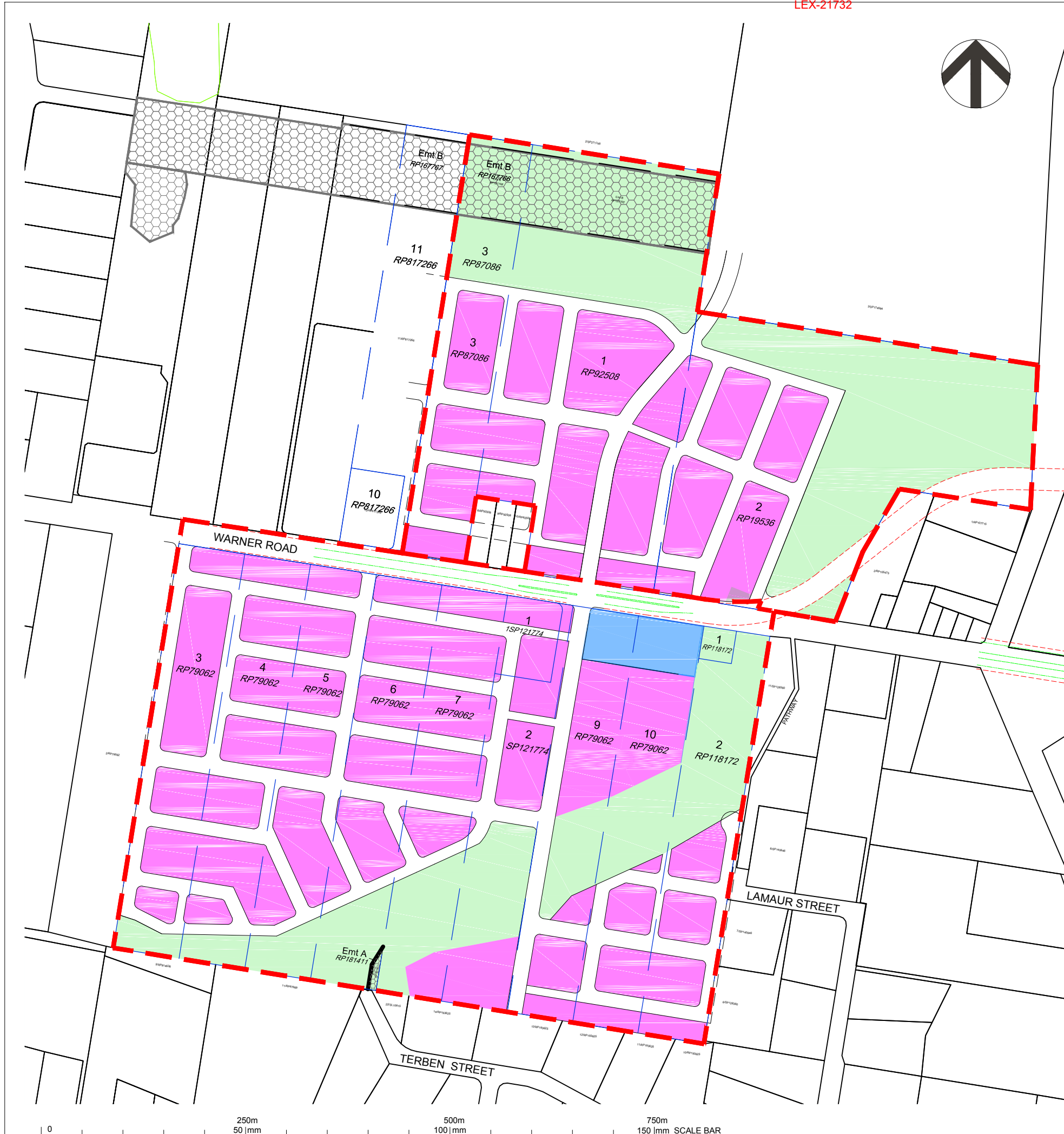
If you have any further questions in regard to the abovementioned matter, please do not hesitate to contact us on the details below.

Kind regards,

**s. 47F(1)**

s. 47F(1)  
Environmental Consultant  
E: [s. 47F\(1\)](mailto:s.47F(1)@28south.com.au)  
M: [s. 47F\(1\)](tel:s.47F(1)@28south.com.au)  
W: [www.28south.com.au](http://www.28south.com.au)

## Attachment 1



LEGEND	
Site Boundary	
Residential (Next Generation Precinct)	
Centre	
Constrained Land	
EMT	
Existing Lot Boundary	

DEVELOPMENT SUMMARY	
Approx. Total Site Area (Existing lots only)	64.03ha
Approx. Total Site Area (Including Warner Road)	66.28ha
Approx. Lot size Range (Frontage)	7.5m - 18.0m
Approx. Lot size Range (Area)	195m <sup>2</sup> - 600m <sup>2</sup>
Indicative Yield	730 - 830 du

## Warner Road, Warner

For  
**Ausbuid**

**IMPORTANT NOTES:**  
This plan was prepared for Preliminary evaluation of the land situated at Warner. This plan is intended for discussion purposes only and should not be used for any other purposes. No investigations have been undertaken by Queensland Surveying Pty Ltd over this area of land other than to sight the registered plan and topographical map. The Contours, boundaries, creek line, flood lines, building locations have all been scaled and should not have any reliance based on them as they are only intended as a general guide. Any comments contained on this plan should be confirmed by the relevant authorities. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation. In particular, no relevance should be placed on the information on this plan for any financial dealings involving the land.

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**Data Sources**  
Cadastral Boundaries PP03-V  
Contours / Topographic PP03-V

Issue	Revisions	Date	Drawn
A	Original	17.08.2017	KS

Locality: Warner  
Local Authority: MBRC  
Horizontal Meridian: DCDB  
Vertical Level Datum: Lidar  
Scale: 1:5,000@A3  
Drawn: KS  
Checked: KS  
Plot Date: 17 Aug, 2017  
Computer File Ref: 30766-GP1000-A.dwg

## Warner Road



BRISBANE (07) 3666 4700 WHITSUNDAYS (07) 4945 1722  
MACKAY (07) 4951 2911 CAIRNS (07) 4051 6722

veris.com.au

ACN 604 671 374  
Queensland Surveying Pty Ltd, a Veris Company

Drawing No 30766-GP1000 Issue A

**DRAFT  
FOR DISCUSSION  
PURPOSES ONLY**





Project Name: Warner Road, Warner  
 Client: Ausbuild

Title: Figure 2: Site

Date: 14th October 2015

Coordinate System: GDA 1994 MGA Zone 56

Reference Scale: 1:7,000

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0 0.1 0.2  
 Kilometers

Reference: Cadastre - DNRM 2014,  
 Imagery - NearMaps 2015

Disclaimer: While every reasonable effort has been made to ensure that this document is correct at the time of development, 28 South Environmental and its agents, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.



## Attachment 2

**APPLICATION 1+2:**

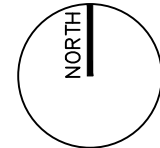
YIELD - Residential

MBRC Lot Type	Lot Frontage	Number of Lots	%
Type A	7.5m	23	17.8%
Type B	>7.5m-10m	40	31.0%
Type C	>10m-12.5m	21	16.3%
Type D	>12.5m-18m	41	31.8%
Type E	>18.0m-32.0m	4	3.1%
Type F	32.0m+	0	0.0%
<b>Total</b>		<b>129</b>	<b>100%</b>

**APPLICATION 3:**

YIELD - Residential

MBRC Lot Type	Lot Frontage	Number of Lots	%
Type A	7.5m	25	16.3%
Type B	>7.5m-10m	43	28.1%
Type C	>10m-12.5m	30	19.6%
Type D	>12.5m-18m	52	34.0%
Type E	>18.0m-32.0m	3	2.0%
Type F	32.0m+	0	0.0%
<b>Total</b>		<b>153</b>	<b>100%</b>



CLIENT  
Ausbuild

PROJECT  
APPLICATION 1-3  
Warner Road, Warner

AMENDMENTS	DATE
A Original	28/01/20
B	
C	
D	
E	
F	

DESIGNED	KS	DATE	28/01/20
SURVEYED		DATE	
DRAWN	KS	DATE	28/01/20

NOTES  
Cadastral Boundaries:  
DCDB © State of Queensland (Department of Natural Resources and Mines) 2016.

This note is an integral part of this plan. This plan may not be reproduced without this note.

This plan was prepared for discussion purposes only and is conceptual only. This plan should not be used for any other purposes.

This plan remains subject to, but not limited to, authority approval, detail design and final survey.

The total number of lots shown on this plan is approximate only.

No relevance should be placed on the information on this plan for any financial dealings involving the land.

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SHEET NO... 1 OF 1 ...SHEETS

COMPUTER FILE 18-0083-PG1001-A

SCALE 1:2,500@A3

DRAWING No

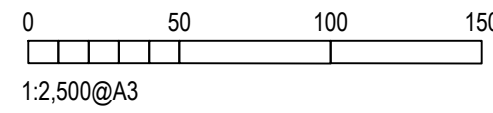
18-0083-PG1001

AMEND

A

**LEGEND**

Site Boundary	
Existing Lot Boundary	







Warner Road, Warner

Legend

**Figure 2 - Site**

- Site Boundary
- Broad Landscape Connectivity
- Watercourse (DNRME)
- Property Boundaries

Issue Date	Revision	Author
5 Nov 2019		RF
Approved	Revision Note	
CC		

28 South Project Ref: 2014-040

Data Sources: Nearmap Aerial Imagery (Nearmap October 2019); Digital Cadastre Database (Dept. Natural Resources and Mines, 2019); Waterways (DNRME 2017); Baseline Roads (DNRME 2018).



(A3) GDA 94 MGA 56

1:5500







Australian Government  
Department of Agriculture,  
Water and the Environment

EPBC Ref: 2017/8022

Mr Michael Loney  
Joint Managing Director  
Ausbuild Development Corp Pty Ltd  
2 Pittwin Road  
CAPALABA QLD 4157

Dear Mr Loney

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Yours sincerely

Andrew McNee  
Assistant Secretary  
Assessments and Governance Branch  
/ / 2020