

To: Kim Farrant, Assistant Secretary, Environment Assessments Queensland and Sea Dumping Branch (for decision)

**Referral Decision Brief – Cleveland Bay Industrial Park, Townsville, QLD (EPBC 2020/8810)**

Timing: 13 November 2020 - Statutory timeframe.

<b>Recommended Decision</b>	NCA <input type="checkbox"/> NCA(pm) <input type="checkbox"/> CA <input checked="" type="checkbox"/>												
<b>Designated Proponent</b>	Cleveland Bay Industrial Park Pty Ltd ABN: 33 633 380 677												
<b>Controlling Provisions Triggered</b>	<table border="0"> <tr> <td>World Heritage (s12 &amp; s15A) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/></td> <td>National Heritage (s15B &amp; s15C) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/></td> </tr> <tr> <td>Ramsar wetland (s16 &amp; s17B) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/></td> <td>Threatened species &amp; communities (s18 &amp; s18A) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No if PM <input type="checkbox"/></td> </tr> <tr> <td>Migratory species (s20 &amp; s20A) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/></td> <td>C'wealth marine (s23 &amp; s24A) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/></td> </tr> <tr> <td>Nuclear actions (s21 &amp; s22A) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/></td> <td>C'wealth land (s26 &amp; s27A) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/></td> </tr> <tr> <td>C'wealth actions (s28) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/></td> <td>GBRMP (s24B &amp; s24C) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/></td> </tr> <tr> <td>A water resource – large coal mines and CSG (s24D &amp; s24E) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/></td> <td>C'wealth Heritage o/s (s27B &amp; s27C) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/></td> </tr> </table>	World Heritage (s12 & s15A) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/>	National Heritage (s15B & s15C) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/>	Ramsar wetland (s16 & s17B) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/>	Threatened species & communities (s18 & s18A) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No if PM <input type="checkbox"/>	Migratory species (s20 & s20A) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/>	C'wealth marine (s23 & s24A) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/>	Nuclear actions (s21 & s22A) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/>	C'wealth land (s26 & s27A) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/>	C'wealth actions (s28) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/>	GBRMP (s24B & s24C) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/>	A water resource – large coal mines and CSG (s24D & s24E) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/>	C'wealth Heritage o/s (s27B & s27C) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No if PM <input type="checkbox"/>
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<b>Public Comments</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>												
<b>Ministerial Comments</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Who: Queensland Department of Environment and Science (See Attachment E)												
<b>Assessment Approach Decision</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> What: Preliminary Documentation (further information required)												
<b>Recommendations:</b>													
1. Consider the information in this brief, the referral ( <u>Attachment A</u> ) and other attachments.													
<b>Considered / Please discuss</b>													
2. Agree that the proposed action is not a component of a larger action.													
<b>Agreed / Not agreed</b>													
3. Agree with the recommended decision under section 75 of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act).													
<b>Agreed / Not agreed</b>													

4. <sup>LEX 21960</sup> Agree the action be assessed on Preliminary Documentation under Division 4 of Part 8 of <sup>2</sup> the EPBC Act.

Agreed / ~~Not agreed~~

5. If you agree to recommendations 2 to 4 above, indicate that you accept the reasoning in the departmental briefing package as the basis for your decision.

Accepted / ~~Please discuss~~

6. Agree to the designated proponent.

Agreed / ~~Not agreed~~

7. Agree to the fee schedule with justifications (Attachment F) and that the fee schedule be sent to the person proposing to take the action.

Agreed / ~~Not agreed~~

8. Note the letter notifying the person proposing to take the action of your referral and assessment approach decisions will include an invoice for Stage 1 assessment fees. A letter requesting further information under section 95A(2) of the EPBC Act will be prepared for your signature within 10 business days of the Stage 1 payment.

Noted / ~~Please discuss~~

9. Sign the notice at Attachment H (which will be published if you make the recommended decision).

Signed / ~~Not signed~~

10. Sign the letters at Attachment I1 and Attachment I2.

s. 47F(1)

Signed / ~~Not signed~~

**Kim Farrant**  
**Assistant Secretary**  
**Environment Assessments Queensland and Sea**  
**Dumping Branch**

Date: 11/11/2020

Comments:

### KEY ISSUES:

- The Department considers the proposed action is likely to have a significant impact on listed threatened species as a result of the clearance of up to 159.25 hectares (ha) of potential habitat for the endangered Black-throated Finch (southern) (*Poephila cincta cincta*) and up

LE 23960 ha of potential habitat for the vulnerable Bare-rumped Sheath-tailed Bat (*Saccolaimus saccolaimus nudicluniatu*s).

- The proponent has not undertaken targeted ecological surveys of the project site, thus there is uncertainty regarding the presence or absence of listed threatened species and communities within and surrounding the project site.
- The proposed action area is approximately 6.7 km upstream of the Bowling Green Bay Ramsar wetland, but the Department considers the proposed action will not have a significant impact on listed migratory species or the ecological character of a declared Ramsar wetland.

## **BACKGROUND:**

### **Description of the referral**

A referral was received on 16 October 2020. The action was referred by Cleveland Bay Industrial Park Pty Ltd (the proponent), which has stated its belief that the proposal is not a controlled action for the purposes of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

### **Description of the proposal (including location)**

The proposed action is to prepare land and establish infrastructure for a new industrial precinct located approximately 6 km (kilometres) south of the Townsville Central Business District. The proposed action will involve:

- bulk earthworks;
- construction of a signalised intersection and internal roads;
- water, sewerage and stormwater infrastructure;
- electrical and telecommunications services;
- drainage works to improve stormwater quality; and
- subdivision of the land into individual industrial allotments.

Once works are completed, land parcels will be made available to third parties to establish commercial enterprises consistent with the site's zoning ('Medium Impact Industry Precinct', 'High Impact Industry Precinct' and 'Environmental Management Precinct').

The proposed action has a 159.25 ha disturbance footprint, of which 106.8 ha will make up the industrial precinct and an area of up to 52.45 ha for flood mitigation, drainage features for stormwater treatment (quality), access tracks, infrastructure and utilities.

### **Description of the environment**

The proposed action is within the Ross River drainage sub-basin of the Ross drainage basin and is also within the catchment of the Bowling Green Bay Ramsar wetland which is 6.7 km east of the proposed action. The proposed action is approximately 2.5 km upstream of the Great Barrier Reef Marine Park and approximately 1.3 km from the Great Barrier Reef World Heritage Area and National Heritage place.

The western part of the project area has been largely cleared for grazing purposes and the eastern part of the site is forested with *Eucalyptus* and *Melaleuca* woodlands. Areas of the project site at lower altitudes support riverine, saltmarsh and coastal grass-sedge wetlands. The

proposed action is located immediately adjacent to an intertidal area which is inundated on the highest astronomical tide.

### **State Assessment**

The referral states that the proposed action will be undertaken within the Townsville State Development Area (TSDA), with the State of Queensland having recently entered into an agreement with the proponent to facilitate the development of the land. The proponent notes the following development approvals will be required for the proposed action under the *State Development and Public Works Organisations Act 1971* (QLD):

- Development Permit for Reconfiguring a Lot; and
- Development Permit for Operational Work are required.

The Department also notes that the bilateral agreement between the State of Queensland and the Commonwealth of Australia does not apply to the proposed action (Attachment E).

### **SECTION 74A – REFERRAL OF A LARGER ACTION:**

Section 74A(1) of the EPBC Act states that if the Minister (or delegate) is satisfied the action that is the subject of the referral is a component of a larger action, the Minister (or delegate) may decide not to accept the referral. This is a discretionary decision and, as such, you are not obliged to exercise the power.

The *Environment Protection and Biodiversity Conservation Act 1999 (Cth) Policy Statement: Staged Developments – Split referrals: Section 74A of the EPBC Act* states that “[a] referred action that is part of a larger action can be refused only if there is a reasonable basis for doing so. The key question for the Minister is: does the splitting of the project reduce the ability to achieve the objects of the Act?”

The referral documentation states that the proposed action is not part of a larger action as the TSDA, of which the proposed action is a part of, is a planning instrument or scheme as opposed to an action. Further, the proponent has no plans to undertake any other actions within the TSDA.

The proposed action is to prepare land and establish infrastructure, to be used by third parties to establish commercial enterprises. The proposed action is not considered a part of a larger action as the commercial enterprises will be owned and operated independently from the proponent.

For these reasons, the Department considers that the referred action and the activities described as the TSDA and third-party commercial enterprises do not comprise a larger action proposed to be undertaken by the same person.

### **RECOMMENDED DECISION:**

Under section 75 of the EPBC Act you must decide whether the action that is the subject of the proposal referred is a controlled action, and which provisions of Part 3 (if any) are controlling provisions for the action. In making your decision you must consider all adverse impacts the action has, will have, or is likely to have, on the matter protected by each provision of Part 3. You must not consider any beneficial impacts the action has, will have or is likely to have on the matter protected by each provision of Part 3.

The Department recommends that you decide that the proposal is a controlled action, because there are likely to be significant impacts on the following controlling provision:

These impacts are discussed respectively below.

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

The Department's Environment Reporting Tool (ERT) (dated 22 October 2020) identified 43 listed threatened species and one threatened ecological community that may occur within 5 km of the proposed action (Attachment B). Based on the location of the action and likely habitat present in the area of the proposed action, the Department considers that impacts will potentially arise.

#### Black-throated Finch (southern) (*Poephila cincta cincta*) – Endangered

A description of the characteristics and range of the Black-throated Finch (southern) can be found in SPRAT: [http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon\\_id=64447](http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=64447).

The Department notes that targeted surveys were not undertaken for the Black-throated Finch (southern) in the project area. The referral states that the subspecies is unlikely to occur on the site of the proposed action as there is no suitable habitat present.

The Department disagrees with the assertion that there is no suitable habitat for the Black-throated Finch (southern) at the site of the proposed action. The SPRAT database considers that the Black-throated Finch (southern) occurs mainly in grassy, open woodlands and forests, typically dominated by *Eucalyptus*, *Corymbia* and *Melaleuca*, and occasionally in tussock grasslands or other habitats (for example, freshwater wetlands), often along or near watercourses, or in the vicinity of water. Further, the *Significant impact guidelines for the endangered Black-throated Finch (southern)* (2019) states that, within their habitat, the subspecies requires access to three key resources: water sources, grass seeds and trees providing suitable nesting habitat.

Black-throated Finch (southern) habitat as defined by these documents appears to be present at the site with approximately 33 ha of *Eucalyptus* and *Melaleuca* woodlands in the eastern part of the site and approximately 126.25 ha of grasslands in the western part of the site, with water sources including numerous streams and wetlands and Stuarts Creek within and proximal to the site.

The *Significant impact guidelines for the endangered Black-throated Finch (southern)* considers significant impacts on the Black-throated Finch (southern) to be likely if an action results in:

- net loss or degradation of water sources (either permanent or seasonal) in the locality;
- widespread or indiscriminate loss of trees, including known nest trees within one km of a water source;
- a decrease in tree recruitment capacity which limits the area's ability to be self-sustaining; or
- the degradation of foraging habitat (grassland) where known Black-throated Finch (southern) records exist, including the intensification of biomass reduction or stocking rates.

The *Significant impact guidelines for the endangered Black-throated Finch (southern)* notes that the Townsville area is particularly important for the subspecies, which is seen as its best-known remaining stronghold. Further, the guidelines state that the long-term preservation of the population in the Townsville area is critical to the survival of the subspecies, and that the loss of a stable population in this area would contribute significantly to the risk of extinction.

LEX 21960  
Although the site of the proposed action is not within any of the 5 km buffers of Black-throated<sup>6</sup> Finch (southern) sightings recorded between 1995-2009, which the *Significant impact guidelines for the endangered Black-throated Finch (southern)* considers to be important sites, the Department notes the ERT report lists the subspecies as known to occur at the site and considers the habitat requirements for the subspecies to be present.

Based on the information available to the Department, including the referral, the SPRAT Database and *Significant impact guidelines for the endangered Black-throated Finch (southern)*, without a habitat assessment in accordance with Commonwealth requirements, and with consideration of the *EPBC Act Significant impact guidelines 1.1* (2013), the Department considers there is a real chance or possibility that the removal of up to 159.25 ha of Black-throated Finch (southern) habitat will adversely affect habitat critical to the survival of the subspecies. The Department therefore considers the proposed action is **likely** to have a significant impact on the endangered Black-throated Finch (southern).

#### Bare-rumped Sheath-tailed Bat (*Saccolaimus saccolaimus nudicluniatu*s) – Vulnerable

A description of the characteristics and range of the Bare-rumped Sheath-tailed Bat can be found in SPRAT: [http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon\\_id=66889](http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=66889).

The Department notes that targeted surveys were not undertaken for the Bare-rumped Sheath-tailed Bat in the project area. However, the referral notes that the subspecies likely forages at the site and may use it as roosting habitat. The proponent believes that there will be minor impacts on the Bare-rumped Sheath-tailed Bat as there are very small areas of core habitat present at the site but considers that the proposed action will not significantly impact the subspecies.

The Department agrees that the Bare-rumped Sheath-tailed Bat is likely to forage and may roost at the site. The SPRAT database considers that the Bare-rumped Sheath-tailed Bat occurs mostly in lowland areas, typically in a range of woodland, forest and open environments and may forage along forest edges and around a large clearing. The Department notes that up to 33 ha of habitat is present in the eastern part of the site of the proposed action, consisting of *Eucalyptus* and *Melaleuca* woodlands, with the possibility of the cleared land in the western areas of the site also being used as foraging habitat. Further, it is possible that tree hollows that may be used as roosting sites are present at the site of the proposed action. Although, there is no information given in the referral documentation regarding the presence of tree hollows at the site.

Based on the information available to the Department, including the referral, the SPRAT Database, without a habitat assessment in accordance with Commonwealth requirements, and with consideration of the *EPBC Act Significant impact guidelines 1.1*, the Department considers there is a real chance or possibility that the removal of up to 33 ha of Bare-rumped Sheath-tailed Bat habitat will adversely affect habitat critical to the survival of the subspecies. The Department therefore considers the proposed action is **likely** to have a significant impact on the vulnerable Bare-rumped Sheath-tailed Bat.

#### Other listed species

On the basis of all the information available to the Department (including the ERT, which suggests the presence of the following species or communities in the area of the proposal), and without targeted ecological surveys and further detailed assessment of potential impacts, the Department considers that there is a real chance or possibility that project activities will significantly impact the following:

- ~~LEB21960~~ Grass (*Dichanthium setosum*), Vulnerable; and
- Ant Plant (*Myrmecodia beccarii*), Vulnerable.

### Conclusion

For the reasons stated above, the Department is of the view that the proposed action is likely to have a significant impact on listed threatened species and communities. Therefore, the Department considers sections 18 and 18A are controlling provisions for the proposed action.

### **PROTECTED MATTERS THAT ARE NOT CONTROLLING PROVISIONS:**

#### **Ramsar wetlands (s16 & s17B)**

The Department notes that the Bowling Green Bay Ramsar wetland is located 6.7 km east and downstream of the proposed action area.

The Department's Wetlands Section provided advice on 4 November 2020 (Attachment C). The Wetlands Section noted that:

- No part of the Ramsar site will be destroyed or substantially modified during construction, nor is this likely as a result of future facilitated uses.
- If the proponent undertakes the works in accordance with the stated intentions in the referral documentation, it is considered unlikely that there will be a substantial and measurable change in the hydrological regime of the Bowling Green Bay Ramsar wetland.
- Provided that the standards outlined in the referral documentation (in alignment with the State Planning Policy 2017, the Environmental Protection (Water) Policy 2009 and Water Quality Guidelines for the Great Barrier Reef Marine Park 2010) are fully adopted and mitigation measures (including adequate monitoring and reporting) are implemented as per State requirements and the Townsville State Development Area assessment criteria, it is considered unlikely that there will be a substantial and measurable change in the physico-chemical status of the Bowling Green Bay Ramsar site as a result of the proposed development.
- It is considered unlikely that the habitat or lifecycle of native species, such as migratory shorebirds or fish, dependent on the Bowling Green Bay wetland will be seriously affected as a result of the proposed development.
- With implementation of the provisions of State Code 9 and the water quality measures mentioned in the referral documentation, it is considered unlikely that the proposed development will result in an invasive species that is harmful to the ecological character of the wetland being established.

### Conclusion

Based on the information available, including the ERT, the SPRAT Database, referral information, advice of the Department's Wetlands Section, and with consideration of the Significant impact guidelines 1.1 (2013), the Department considers that the proposed action will not have, or be likely to have, a significant impact on the ecological character of a declared Ramsar wetland.

For these reasons, the Department considers sections 16 and 17B not to be controlling provisions for the proposed action.

The Department's Environment Reporting Tool (ERT) (dated 22 October 2020) identifies 66 listed migratory species that may occur within 5 km of the proposed action (Attachment B).

The Department's Migratory Species Section provided advice on 3 November 2020 (Attachment D), noting that the site of the proposed action is not in an area of internationally or nationally important habitat for migratory birds and that, although listed migratory birds may use habitats in the area (i.e. forest/farmland habitat, seasonally ephemeral wetlands, permanent wetlands or the air space above the site), the project is unlikely to cause adverse impacts to an 'ecologically significant proportion' of the population of any listed migratory species. The Migratory Species Section advised that adverse impacts are considered unlikely.

Conclusion

Based on the information available, including the ERT, the SPRAT Database, referral information, advice of the Department's Migratory Species Section, and with consideration of the *Significant impact guidelines 1.1* (2013), the Department considers that the proposed action will not have, or be likely to have, a significant impact on listed migratory species.

For these reasons, the Department considers sections 20 and 20A not to be controlling provisions for the proposed action.

<p><b>World Heritage properties (s12 &amp; 15A)</b></p>	<p>The nearest World Heritage property is the Great Barrier Reef, approximately 1.3 km north of the proposed action. The Department notes the Great Barrier Reef is downstream of the proposed action.</p> <p>Given the information contained in the referral documentation, the nature and scale of the proposed action and its potential impacts, the proposed action is unlikely to have a significant impact on World Heritage properties.</p> <p>For these reasons the Department considers that sections 12 and 15A are not controlling provisions for the proposed action.</p>
<p><b>National Heritage places (s15B &amp; 15C)</b></p>	<p>The nearest National Heritage place is the Great Barrier Reef, approximately 1.3 km north of the proposed action. The Department notes the Great Barrier Reef is downstream of the proposed action.</p> <p>Given the information contained in the referral documentation, the nature and scale of the proposed action and its potential impacts, the proposed action is unlikely to have a significant impact on National Heritage places.</p> <p>For these reasons the Department considers that sections 15B and 15C are not controlling provisions for the proposed action.</p>
<p><b>Commonwealth marine environment (s23 &amp; 24A)</b></p>	<p>The proposed action does not occur in a Commonwealth marine area. The nearest Commonwealth marine area is approximately 26.5 km north-east of the proposed action.</p> <p>Further, given the information contained in the referral documentation, the nature and scale of the proposed action and its potential impacts, and the distance to a Commonwealth marine area, the proposed action is unlikely to have a significant impact on the environment in a Commonwealth marine area.</p> <p>For these reasons the Department considers that sections 23 and 24A are not controlling provisions for the proposed action.</p>



<p>LEX-21960</p> <p><b>Commonwealth action (s28)</b></p>	<p>The referring party is not a Commonwealth agency. For this reason, the Department considers that section 28 is not a controlling provision for the proposed action.</p>
<p><b>Commonwealth land (s26 &amp; 27A)</b></p>	<p>The proposed action is <u>not</u> being undertaken on Commonwealth land. The nearest Commonwealth land is Lavarack Barracks, approximately 3 km west of the proposed action.</p> <p>Further, given the information contained in the referral documentation, the nature and scale of the proposed action and its potential impacts, and the distance to Commonwealth land, the proposed action is unlikely to have a significant impact on the environment on Commonwealth land.</p> <p>For these reasons the Department considers that sections 26 and 27A are not controlling provisions for the proposed action.</p>
<p><b>Nuclear action (s21 &amp; 22A)</b></p>	<p>The proposed action does <u>not</u> meet the definition of a nuclear action as defined in the EPBC Act. For this reason, the Department considers that sections 21 and 22A are not controlling provisions for the proposed action.</p>
<p><b>Great Barrier Reef Marine Park (s24B &amp; 24C)</b></p>	<p>The proposed action is <u>not</u> being undertaken in the Great Barrier Reef Marine Park. The Great Barrier Reef Marine Park is approximately <u>2.5 km north</u> of the proposed action. The Department notes the Great Barrier Reef is downstream of the proposed action.</p> <p>Given the information contained in the referral documentation, the nature and scale of the proposed action and its potential impacts, the proposed action is <u>unlikely</u> to have a significant impact on the Great Barrier Reef Marine Park.</p> <p>For these reasons the Department considers that sections 24B and 24C are not controlling provisions for the proposed action.</p>
<p><b>Commonwealth Heritage places overseas (s27B &amp; 27C)</b></p>	<p>The proposed action is <u>not</u> located overseas. For this reason, the Department considers that sections 27B and 27C are not controlling provisions for the proposed action.</p>
<p><b>A water resource, in relation to coal seam gas development and large coal mining development (s24D &amp; 24E)</b></p>	<p>The proposed action is <u>not</u> a coal seam gas or a large coal mining development. For these reasons the Department considers that sections 24D and 24E are not controlling provisions for the proposed action.</p>

**SUBMISSIONS:**

**Public submissions**

As required by section 74(3) of the EPBC Act, the proposal was published on the Department's website on 15 October 2020 and public comments were invited for a period of 10 business days until 29 October 2020. No public submissions were received.

By letter dated 15 October 2020, the following ministers were invited to comment on the referral:

- The Hon Christian Porter, Attorney-General;
- Mr Lloyd Woodford, delegated contact for the Hon Linda Reynolds CSC, Minister for Defence; and
- The Hon Ken Wyatt AM MP, Minister for Indigenous Australians.

The Great Barrier Reef Marine Park Authority (GBRMPA) were also invited to comment on the referral by letter dated 15 October 2020.

No comments were received in response to that invitation.

### **Comments from State Ministers**

By letter dated 15 October 2020, Mr Chris Loveday, delegate of the Hon Leeanne Enoch, Queensland Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts was invited to comment on the referral.

On 28 October 2020, Mr Chris Loveday responded and noted that the proposed action would not be assessed in a manner under which the bilateral agreement between the State of Queensland and the Commonwealth of Australia would apply. Mr Chris Loveday also noted that the Department of State Development, Tourism and Innovation has advised that the proposal is not currently being assessed as a coordinated project under Part 4 of the State Development and Public Works Organisation Act 1971 and is not likely to be assessed under this process in the future (Attachment E).

### **ASSESSMENT APPROACH:**

If you agree that the action is a controlled action, you must also decide on the approach for assessment in accordance with section 87 of the EPBC Act. The Department recommends that this proposal be assessed by preliminary documentation (further information required).

The matters for consideration in making a decision on assessment approach are outlined in section 87(3) of the EPBC Act (see the table below). Under section 87(5) of the EPBC Act, you may decide on an assessment on preliminary documentation only if you are satisfied that the approach will enable an informed decision to be made about whether or not to approve the taking of the action.

In this case, the Department considers the complexity of potential impacts are low and locally confined. This view is based on an analysis of the location of MNES, the scale of the proposed action and potential impacts from the proposed action, as outlined at Attachment A and summarised above.

Therefore, the Department considers that assessment on preliminary documentation is appropriate for the proposed action. The Department recommends seeking additional information to inform the assessment, including targeted ecological surveys and impact assessments for the listed threatened species identified above.

Matter to be considered	Comment
Information relating to the action given to the Minister in the referral of the proposal to take the action – s87(3)(a)	The referral is at <u>Attachment A</u> .
Any other information about the impacts of the action considered relevant (including information in a report on the impacts of the action under a policy, plan or program under which the action is to be taken that was given to the Minister under an agreement under Part 10) - s87(3)(b)	Relevant information is discussed in the Department's <u>advice on relevant impacts contained in the referral decision brief</u> . There are <u>no strategic assessments relevant to the proposed action and the Department is not aware of any other relevant information for your consideration</u> .
Any comments received from a State or Territory minister relevant to deciding the appropriate assessment approach – s87(3)(c)	One <u>comment was received</u> in response to an invitation under s74(2) for this proposal. This comment is at <u>Attachment E</u> .
Guidelines (if any) published under s87(6), and matters (if any) prescribed in the regulations – s87(3)(d) and (e)	No <u>guidelines</u> have been made and no <u>regulations</u> have been <u>prescribed</u> .

**OTHER MATTERS FOR DECISION-MAKING:**

**Significant impact guidelines**

The Department has reviewed the information in the referral against the *EPBC Act Policy Statement 1.1 Significant Impact Guidelines – Matters of National Environmental Significance* (December 2013) and other relevant material. While this material is not binding or exhaustive, the factors identified are considered adequate for decision-making in the circumstances of this referral. Adequate information is available for decision-making for this proposal.

**Precautionary principle**

In making your decision under section 75, you are required to take account of the precautionary principle (section 391). The precautionary principle is that a lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment where there are threats of serious or irreversible environmental damage.

**Bioregional Plans**

In accordance with section 176(5) of the EPBC Act, you are required to have regard to a bioregional plan in making any decision under the EPBC Act to which the plan is relevant. There is no bioregional plan that is relevant to your decision.

In accordance with section 362(2) of the EPBC Act, the Commonwealth or a Commonwealth agency must not perform its functions or exercise its powers in relation to a Commonwealth reserve inconsistently with a management plan that is in operation for the reserve. There is no Commonwealth reserve management plan that is relevant to your decision.

### Cost Recovery

The fee schedule (with justifications) for your consideration is at Attachment F. The fee schedule (without justifications) at Attachment G will be sent to the person taking the action, including an invoice for Stage 1, seeking fees prior to the commencement of any further activity.

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

Director  
Queensland North Assessments Section  
Environment Assessments Queensland and Sea  
Dumping Branch  
Ph: s. 22(1)(a)(ii)  
5 November 2020

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

Assessment Officer  
Queensland North Assessments Section  
Environment Assessments Queensland  
and Sea Dumping Branch  
Ph: s. 22(1)(a)(ii)

### ATTACHMENTS

- A: Referral documentation
- B: ERT Report
- C: Wetlands Section advice
- D: Migratory Species Section advice
- E: Comment from DES
- F: Fee schedule (with justifications)
- G: Fee schedule (without justifications)
- H: Decision notice – FOR SIGNATURE
- I: Letters
  - I1: Letter to the proponent – FOR SIGNATURE
  - I2: Letter to Queensland Department of Environment and Science – FOR SIGNATURE

# 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.

2020-8810 Referral-Decision-AttB-ERT-5km-20201022

Report created: 22/10/2020 02:41:52

[Summary](#)

[Details](#)

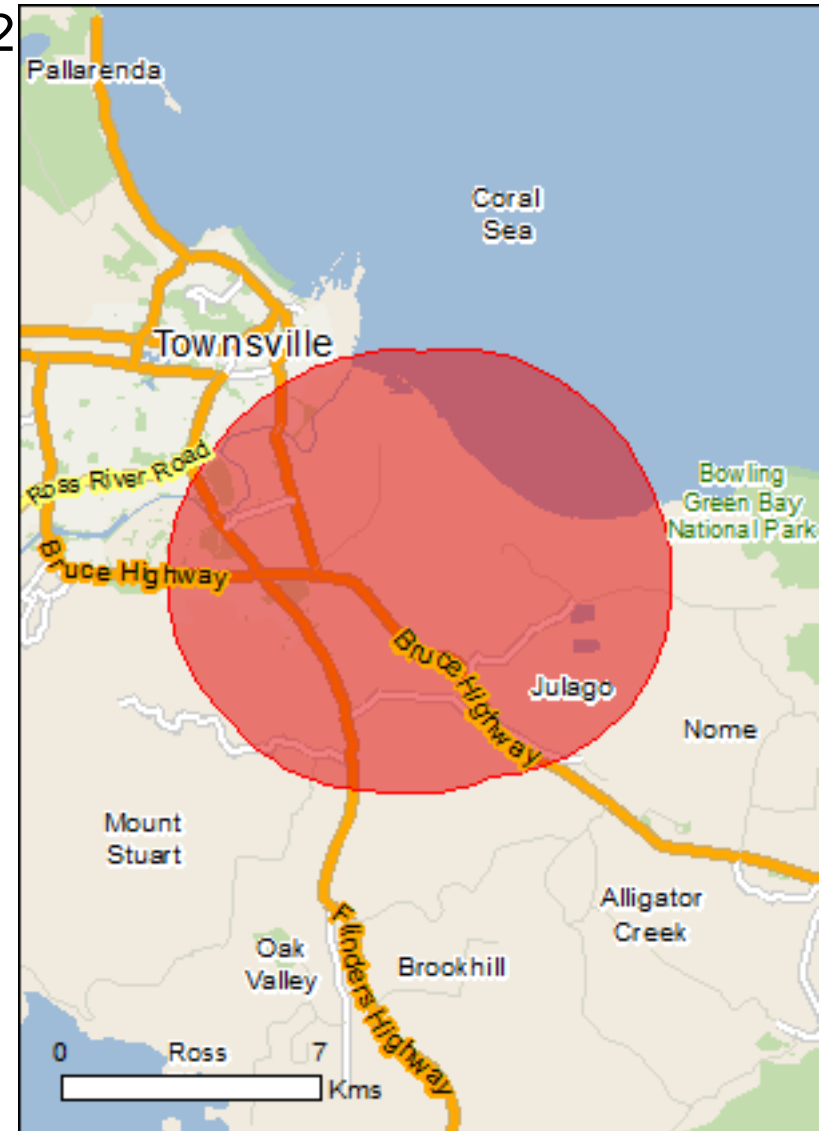
[Matters of NES](#)

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

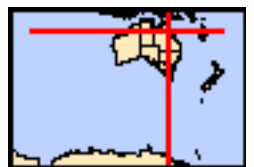
[Extra Information](#)

[Caveat](#)

[Acknowledgements](#)



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# Summary

## Matters of National Environment Significance

<a href="#">World Heritage Properties:</a>	1
<a href="#">National Heritage Places:</a>	1
<a href="#">Ramsar Wetlands:</a>	1
<a href="#">Great Barrier Reef Marine Park:</a>	2
<a href="#">Commonwealth Marine Area:</a>	None
<a href="#">Threatened Ecological Communities:</a>	1
<a href="#">Threatened Species:</a>	43
<a href="#">Migratory Species:</a>	66

## Other Matters Protected by the EPBC Act

<a href="#">Commonwealth Lands:</a>	28
<a href="#">Commonwealth Heritage Places:</a>	None
<a href="#">Listed Marine Species:</a>	108
<a href="#">Whales and Other Cetaceans:</a>	12
<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>	4
<a href="#">Regional Forest Agreements:</a>	None
<a href="#">Invasive Species:</a>	35
<a href="#">Nationally Important Wetlands:</a>	2
<a href="#">EPBC Act Referrals:</a>	19
<a href="#">Key Ecological Features (Marine):</a>	None

# Details

## Matters of National Environmental Significance

### World Heritage Properties [\[ Resource Information \]](#)

Name	State	Status
<a href="#">Great Barrier Reef</a>	QLD	Declared property

### National Heritage Places [\[ Resource Information \]](#)

Name	State	Status
Natural <a href="#">Great Barrier Reef</a>	QLD	Listed place

### Wetlands of International Importance (Ramsar Wetlands) [\[ Resource Information \]](#)

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

### Great Barrier Reef Marine Park [\[ Resource Information \]](#)

Type	Zone	IUCN
Conservation Park	CP-19-4059	IV
General Use	GU-16-6004	VI

### 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="#">Semi-evergreen vine thickets of the Brigalow Belt (North and South) and Nandewar Bioregions</a>	Endangered	Community likely to 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
BIRD <a href="#">Botaurus poiciloptilus</a>	Endangered	Species or species habitat known to occur within area
Australasian Bittern [1001]		

Current Scientific Name	Status	Type of Presence
<sup>LEX-21960</sup> <a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat known to occur within area
<a href="#">Calidris tenuirostris</a> Great Knot [862]	Critically Endangered	Roosting known to occur within area
<a href="#">Charadrius leschenaultii</a> Greater Sand Plover, Large Sand Plover [877]	Vulnerable	Roosting known to occur within area
<a href="#">Charadrius mongolus</a> Lesser Sand Plover, Mongolian Plover [879]	Endangered	Roosting known to occur within area
<a href="#">Erythrotriorchis radiatus</a> Red Goshawk [942]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Falco hypoleucos</a> Grey Falcon [929]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Fregetta grallaria grallaria</a> White-bellied Storm-Petrel (Tasman Sea), White-bellied Storm-Petrel (Australasian) [64438]	Vulnerable	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
<a href="#">Limosa lapponica baueri</a> Bar-tailed Godwit (baueri), Western Alaskan Bar-tailed Godwit [86380]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Limosa lapponica menzbieri</a> Northern Siberian Bar-tailed Godwit, Bar-tailed Godwit (menzbieri) [86432]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Neochmia ruficauda ruficauda</a> Star Finch (eastern), Star Finch (southern) [26027]	Endangered	Species or species habitat likely to occur within area



Current Scientific Name	Status	Type of Presence
<sup>LEX-21960</sup> <a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat known to occur within area
<a href="#">Poephila cincta cincta</a> Southern Black-throated Finch [64447]	Endangered	Species or species habitat known to occur within area
<a href="#">Rostratula australis</a> Australian Painted Snipe [77037]	Endangered	Species or species habitat known to occur within area
<a href="#">Tyto novaehollandiae kimberli</a> Masked Owl (northern) [26048]	Vulnerable	Species or species habitat likely to occur within area
<b>MAMMAL</b>		
<a href="#">Balaenoptera musculus</a> Blue Whale [36]	Endangered	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="#">Macroderma gigas</a> Ghost Bat [174]	Vulnerable	Breeding likely to occur within area
<a href="#">Megaptera novaeangliae</a> Humpback Whale [38]	Vulnerable	Species or species habitat known 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 may occur within area
<a href="#">Pteropus conspicillatus</a> Spectacled Flying-fox [185]	Endangered	Species or species habitat likely to occur within area
<a href="#">Saccolaimus saccolaimus nudicluniatus</a> Bare-rumped Sheath-tailed Bat, Bare-rumped Sheathtail Bat [66889]	Vulnerable	Species or species habitat likely to occur within area

Current Scientific Name	Status	Type of Presence
<small>LEX-21960</small> <a href="#">Xeromys myoides</a> Water Mouse, False Water Rat, Yirrkoo [66]	Vulnerable	Species or species habitat may occur within area
<b>PLANT</b>		
<a href="#">Dichanthium setosum</a> bluegrass [14159]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Eucalyptus paedoglauca</a> Mt Stuart Ironbark [56188]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Marsdenia brevifolia</a> [64585]	Vulnerable	Species or species habitat may occur within area
<a href="#">Myrmecodia beccarii</a> Ant Plant [11852]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Omphalea celata</a> [64586]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Tephrosia leveillei</a> [16946]	Vulnerable	Species or species habitat may occur within area
<b>REPTILE</b>		
<a href="#">Caretta caretta</a> Loggerhead Turtle [1763]	Endangered	Breeding likely to occur within area
<a href="#">Chelonia mydas</a> Green Turtle [1765]	Vulnerable	Breeding known to occur within area
<a href="#">Dermochelys coriacea</a> Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Breeding likely to occur within area
<a href="#">Egernia rugosa</a> Yakka Skink [1420]	Vulnerable	Species or species habitat may occur within area

Current Scientific Name	Status	Type of Presence
<sup>LEX-21960</sup> <a href="#">Eretmochelys imbricata</a> Hawksbill Turtle [1766]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Lepidochelys olivacea</a> Olive Ridley Turtle, Pacific Ridley Turtle [1767]	Endangered	Breeding likely to occur within area
<a href="#">Natator depressus</a> Flatback Turtle [59257]	Vulnerable	Breeding known to occur within area
<b>SHARK</b>		
<a href="#">Carcharodon carcharias</a> White Shark, Great White Shark [64470]	Vulnerable	Species or species habitat may occur within area
<a href="#">Pristis pristis</a> Freshwater Sawfish, Largetooth Sawfish, River Sawfish, Leichhardt's Sawfish, Northern Sawfish [60756]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Pristis zijsron</a> Green Sawfish, Dindagubba, Narrowsnout Sawfish [68442]	Vulnerable	Breeding likely to occur within area
<a href="#">Rhincodon typus</a> Whale Shark [66680]	Vulnerable	Species or species habitat may occur within area
<a href="#">Sphyrna lewini</a> Scalloped Hammerhead [85267]	Conservation Dependent	Species or species habitat likely to occur within area
<b>Migratory Species</b>		
Current Scientific Name	Threatened	[ <u>Resource Information</u> ] Type of Presence
<b>Migratory Marine Birds</b>		
<a href="#">Anous stolidus</a> Common Noddy [825]		Species or species habitat likely to occur within area
<a href="#">Apus pacificus</a> Fork-tailed Swift [678]		Species or species habitat likely to occur within area
<a href="#">Fregata ariel</a> Lesser Frigatebird, Least Frigatebird [1012]		Species or species habitat known to occur within area

Current Scientific Name	Threatened	Type of Presence
<small>LEX-21960</small> <a href="#">Fregata minor</a> Great Frigatebird, Greater Frigatebird [1013]		Species or species habitat known to occur within area
<a href="#">Sternula albifrons</a> Little Tern [82849]		Species or species habitat may occur within area
<b>Migratory Marine Species</b>		
<a href="#">Anoxypristis cuspidata</a> Narrow Sawfish, Knifetooth Sawfish [68448]		Species or species habitat likely to occur within area
<a href="#">Balaenoptera edeni</a> Bryde's Whale [35]		Species or species habitat may occur within area
<a href="#">Balaenoptera musculus</a> Blue Whale [36]	Endangered	Species or species habitat may occur within area
<a href="#">Carcharhinus longimanus</a> Oceanic Whitetip Shark [84108]		Species or species habitat may occur within area
<a href="#">Carcharodon carcharias</a> White Shark, Great White Shark [64470]	Vulnerable	Species or species habitat may occur within area
<a href="#">Caretta caretta</a> Loggerhead Turtle [1763]	Endangered	Breeding likely to occur within area
<a href="#">Chelonia mydas</a> Green Turtle [1765]	Vulnerable	Breeding known to occur within area
<a href="#">Crocodylus porosus</a> Salt-water Crocodile, Estuarine Crocodile [1774]		Species or species habitat likely to occur within area
<a href="#">Dermochelys coriacea</a> Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Breeding likely to occur within area
<a href="#">Dugong dugon</a> Dugong [28]		Species or species habitat known to occur within area

Current Scientific Name	Threatened	Type of Presence
<sup>LEX-21960</sup> <a href="#">Eretmochelys imbricata</a> Hawksbill Turtle [1766]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Lamna nasus</a> Porbeagle, Mackerel Shark [83288]		Species or species habitat may occur within area
<a href="#">Lepidochelys olivacea</a> Olive Ridley Turtle, Pacific Ridley Turtle [1767]	Endangered	Breeding likely to occur within area
<a href="#">Megaptera novaeangliae</a> Humpback Whale [38]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Mobula alfredi as Manta alfredi</a> Reef Manta Ray, Coastal Manta Ray [90033]		Species or species habitat may occur within area
<a href="#">Mobula birostris as Manta birostris</a> Giant Manta Ray [90034]		Species or species habitat may occur within area
<a href="#">Natator depressus</a> Flatback Turtle [59257]	Vulnerable	Breeding known to occur within area
<a href="#">Orcaella heinsohni</a> Australian Snubfin Dolphin [81322]		Species or species habitat known to occur within area
<a href="#">Orcinus orca</a> Killer Whale, Orca [46]		Species or species habitat may occur within area
<a href="#">Pristis pristis</a> Freshwater Sawfish, Largetooth Sawfish, River Sawfish, Leichhardt's Sawfish, Northern Sawfish [60756]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Pristis zijsron</a> Green Sawfish, Dindagubba, Narrowsnout Sawfish [68442]	Vulnerable	Breeding likely to occur within area
<a href="#">Rhincodon typus</a> Whale Shark [66680]	Vulnerable	Species or species habitat may occur within area

Current Scientific Name	Threatened	Type of Presence
<small>LEX-21960</small> <a href="#">Sousa saahulensis as Sousa chinensis</a> Australian Humpback Dolphin [87942]		<small>22</small> Breeding known to occur within area
<b>Migratory Terrestrial Species</b>		
<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
<a href="#">Motacilla flava</a> Yellow Wagtail [644]		Species or species habitat likely to occur within area
<a href="#">Myiagra cyanoleuca</a> Satin Flycatcher [612]		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 known to occur within area
<a href="#">Arenaria interpres</a> Ruddy Turnstone [872]		Foraging, feeding or related behaviour known to occur within area
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [874]		Roosting known to occur within area

Current Scientific Name	Threatened	Type of Presence
<small>LEX-21960</small> <a href="#">Calidris alba</a> Sanderling [875]		Foraging, feeding or related behaviour known to occur within area
<a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat known to occur within area
<a href="#">Calidris melanotos</a> Pectoral Sandpiper [858]		Species or species habitat likely to occur within area
<a href="#">Calidris ruficollis</a> Red-necked Stint [860]		Roosting known to occur within area
<a href="#">Calidris tenuirostris</a> Great Knot [862]	Critically Endangered	Roosting known to occur within area
<a href="#">Charadrius leschenaultii</a> Greater Sand Plover, Large Sand Plover [877]	Vulnerable	Roosting known to occur within area
<a href="#">Charadrius mongolus</a> Lesser Sand Plover, Mongolian Plover [879]	Endangered	Roosting known to occur within area
<a href="#">Charadrius veredus</a> Oriental Plover, Oriental Dotterel [882]		Foraging, feeding or related behaviour known to occur within area
<a href="#">Gallinago hardwickii</a> Latham's Snipe, Japanese Snipe [863]		Roosting may occur within area
<a href="#">Gallinago megala</a> Swinhoe's Snipe [864]		Roosting likely to occur within area
<a href="#">Gallinago stenura</a> Pin-tailed Snipe [841]		Roosting likely to occur within area
<a href="#">Limicola falcinellus</a> Broad-billed Sandpiper [842]		Foraging, feeding or related behaviour known to occur within area

Current Scientific Name	Threatened	Type of Presence
<small>LEX-21960</small> <a href="#">Limosa lapponica</a> Bar-tailed Godwit [844]		Species or species habitat known to occur within area
<a href="#">Limosa limosa</a> Black-tailed Godwit [845]		Roosting known to occur within area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat known to occur within area
<a href="#">Numenius minutus</a> Little Curlew, Little Whimbrel [848]		Roosting known to occur within area
<a href="#">Numenius phaeopus</a> Whimbrel [849]		Roosting known to occur within area
<a href="#">Pandion haliaetus</a> Osprey [952]		Breeding known to occur within area
<a href="#">Philomachus pugnax</a> Ruff (Reeve) [850]		Foraging, feeding or related behaviour known to occur within area
<a href="#">Pluvialis fulva</a> Pacific Golden Plover [25545]		Roosting known to occur within area
<a href="#">Pluvialis squatarola</a> Grey Plover [865]		Roosting known to occur within area
<a href="#">Tringa brevipes</a> Grey-tailed Tattler [851]		Roosting known to occur within area
<a href="#">Tringa glareola</a> Wood Sandpiper [829]		Foraging, feeding or related behaviour known to occur within area
<a href="#">Tringa incana</a> Wandering Tattler [831]		Foraging, feeding or related behaviour known to occur within area
<a href="#">Tringa nebularia</a> Common Greenshank, Greenshank [832]		Species or species habitat known to occur within area



Current Scientific Name	Threatened	Type of Presence
LEX-21960 <a href="#">Tringa stagnatilis</a>		25
Marsh Sandpiper, Little Greenshank [833]		Roosting known to occur within area
<a href="#">Xenus cinereus</a>		
Terek Sandpiper [59300]		Roosting known to occur within area

## Other Matters Protected by the EPBC Act

### Commonwealth Lands [ [Resource Information](#) ]

The Commonwealth area listed below may indicate the presence of Commonwealth land in this vicinity. Due to the unreliability of the data source, all proposals should be checked as to whether it impacts on a Commonwealth area, before making a definitive decision. Contact the State or Territory government land department for further information.

#### Name

Defence - LAVARACK BARRACKS - TOWNSVILLE

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Defence - LAVARACK BARRACKS - TOWNSVILLE

Defence - LAVARACK BARRACKS - TOWNSVILLE

Defence - Mount Stuart Close Training Area

Defence - Mount Stuart Close Training Area

Defence - ROSS ISLAND BARRACKS

## Listed Marine Species

## [ Resource Information ]

Current Scientific Name

Threatened

Type of Presence

Bird

[Actitis hypoleucos](#)

Common Sandpiper [59309]

Species or species habitat known to occur within area

[Anous stolidus](#)

Common Noddy [825]

Species or species habitat likely to occur within area

[Anseranas semipalmata](#)

Magpie Goose [978]

Species or species habitat may occur within area overfly marine area

[Apus pacificus](#)

Fork-tailed Swift [678]

Species or species habitat likely to occur within area overfly marine area

Current Scientific Name	Threatened	Type of Presence
<sup>LEX-21960</sup> <a href="#">Ardea ibis</a> Cattle Egret [59542]		Breeding likely to occur within area overfly marine area
<a href="#">Ardea modesta as Ardea alba</a> Eastern Great Egret [82410]		Breeding known to occur within area overfly marine area
<a href="#">Arenaria interpres</a> Ruddy Turnstone [872]		Foraging, feeding or related behaviour known to occur within area
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [874]		Roosting known to occur within area
<a href="#">Calidris alba</a> Sanderling [875]		Foraging, feeding or related behaviour known to occur within area
<a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area overfly marine area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat known to occur within area overfly marine area
<a href="#">Calidris melanotos</a> Pectoral Sandpiper [858]		Species or species habitat likely to occur within area overfly marine area
<a href="#">Calidris ruficollis</a> Red-necked Stint [860]		Roosting known to occur within area overfly marine area
<a href="#">Calidris tenuirostris</a> Great Knot [862]	Critically Endangered	Roosting known to occur within area overfly marine area
<a href="#">Chalcites osculans as Chrysococcyx osculans</a> Black-eared Cuckoo [83425]		Species or species habitat known to occur within area overfly marine area

Current Scientific Name	Threatened	Type of Presence
<sup>LEX-21960</sup> <a href="#">Charadrius leschenaultii</a> Greater Sand Plover, Large Sand Plover [877]	Vulnerable	Roosting known to occur within area
<a href="#">Charadrius mongolus</a> Lesser Sand Plover, Mongolian Plover [879]	Endangered	Roosting known to occur within area
<a href="#">Charadrius ruficapillus</a> Red-capped Plover [881]		Roosting known to occur within area overfly marine area
<a href="#">Charadrius veredus</a> Oriental Plover, Oriental Dotterel [882]		Foraging, feeding or related behaviour known to occur within area overfly marine area
<a href="#">Fregata ariel</a> Lesser Frigatebird, Least Frigatebird [1012]		Species or species habitat known to occur within area
<a href="#">Fregata minor</a> Great Frigatebird, Greater Frigatebird [1013]		Species or species habitat known to occur within area
<a href="#">Gallinago hardwickii</a> Latham's Snipe, Japanese Snipe [863]		Roosting may occur within area overfly marine area
<a href="#">Gallinago megala</a> Swinhoe's Snipe [864]		Roosting likely to occur within area overfly marine area
<a href="#">Gallinago stenura</a> Pin-tailed Snipe [841]		Roosting likely to occur within area overfly marine area
<a href="#">Haliaeetus leucogaster</a> White-bellied Sea-Eagle [943]		Species or species habitat known to occur within area
<a href="#">Himantopus himantopus</a> Pied Stilt, Black-winged Stilt [870]		Roosting known to occur within area overfly marine area

Current Scientific Name	Threatened	Type of Presence
<small>LEX-21960</small> <a href="#">Hirundapus caudacutus</a> White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area overfly marine area
<a href="#">Limicola falcinellus</a> Broad-billed Sandpiper [842]		Foraging, feeding or related behaviour known to occur within area overfly marine area
<a href="#">Limosa lapponica</a> Bar-tailed Godwit [844]		Species or species habitat known to occur within area
<a href="#">Limosa limosa</a> Black-tailed Godwit [845]		Roosting known 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
<a href="#">Motacilla flava</a> Yellow Wagtail [644]		Species or species habitat likely to occur within area overfly marine area
<a href="#">Myiagra cyanoleuca</a> Satin Flycatcher [612]		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 known to occur within area
<a href="#">Numenius minutus</a> Little Curlew, Little Whimbrel [848]		Roosting known to occur within area overfly marine area

Current Scientific Name	Threatened	Type of Presence
<small>LEX-21960</small> <a href="#">Numenius phaeopus</a> Whimbrel [849]		Roosting known to occur within area
<a href="#">Pandion haliaetus</a> Osprey [952]		Breeding known to occur within area
<a href="#">Philomachus pugnax</a> Ruff (Reeve) [850]		Foraging, feeding or related behaviour known to occur within area overfly marine area
<a href="#">Pluvialis fulva</a> Pacific Golden Plover [25545]		Roosting known to occur within area
<a href="#">Pluvialis squatarola</a> Grey Plover [865]		Roosting known to occur within area overfly marine area
<a href="#">Recurvirostra novaehollandiae</a> Red-necked Avocet [871]		Foraging, feeding or related behaviour known to occur within area overfly marine 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 known to occur within area overfly marine area
<a href="#">Sternula albifrons as Sterna albifrons</a> Little Tern [82849]		Species or species habitat may occur within 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="#">Tringa brevipes as Heteroscelus brevipes</a> Grey-tailed Tattler [851]		Roosting known to occur within area

Current Scientific Name	Threatened	Type of Presence
<p><small>LEX-21960</small>  <a href="#">Tringa glareola</a>  Wood Sandpiper [829]</p>		<p>Foraging, feeding or related behaviour known to occur within area overfly marine area</p>
<p><a href="#">Tringa incana as Heteroscelus incanus</a>  Wandering Tattler [831]</p>		<p>Foraging, feeding or related behaviour known to occur within area</p>
<p><a href="#">Tringa nebularia</a>  Common Greenshank, Greenshank [832]</p>		<p>Species or species habitat known to occur within area overfly marine area</p>
<p><a href="#">Tringa stagnatilis</a>  Marsh Sandpiper, Little Greenshank [833]</p>		<p>Roosting known to occur within area overfly marine area</p>
<p><a href="#">Xenus cinereus</a>  Terek Sandpiper [59300]</p>		<p>Roosting known to occur within area overfly marine area</p>
<b>Fish</b>		
<p><a href="#">Acentronura tentaculata</a>  Shortpouch Pygmy Pipehorse [66187]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Campichthys tryoni</a>  Tryon's Pipefish [66193]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Choeroichthys brachysoma</a>  Pacific Short-bodied Pipefish, Short-bodied Pipefish [66194]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Choeroichthys suillus</a>  Pig-snouted Pipefish [66198]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Corythoichthys amplexus</a>  Fijian Banded Pipefish, Brown-banded Pipefish [66199]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Corythoichthys flavofasciatus</a>  Reticulate Pipefish, Yellow-banded Pipefish, Network Pipefish [66200]</p>		<p>Species or species habitat may occur within area</p>

Current Scientific Name	Threatened	Type of Presence
<p><small>LEX-21960</small>  <a href="#">Corythoichthys intestinalis</a>            Australian Messmate Pipefish, Banded Pipefish            [66202]</p>		<p>Species or species habitat            may occur within area</p>
<p><a href="#">Corythoichthys ocellatus</a>            Orange-spotted Pipefish, Ocellated Pipefish [66203]</p>		<p>Species or species habitat            may occur within area</p>
<p><a href="#">Corythoichthys paxtoni</a>            Paxton's Pipefish [66204]</p>		<p>Species or species habitat            may occur within area</p>
<p><a href="#">Corythoichthys schultzi</a>            Schultz's Pipefish [66205]</p>		<p>Species or species habitat            may occur within area</p>
<p><a href="#">Cosmocampus darrosanus</a>            D'Arros Pipefish [66207]</p>		<p>Species or species habitat            may occur within area</p>
<p><a href="#">Doryrhamphus excisus</a>            Bluestripe Pipefish, Indian Blue-stripe Pipefish, Pacific            Blue-stripe Pipefish [66211]</p>		<p>Species or species habitat            may occur within area</p>
<p><a href="#">Festucalex cinctus</a>            Girdled Pipefish [66214]</p>		<p>Species or species habitat            may occur within area</p>
<p><a href="#">Halicampus dunckeri</a>            Red-hair Pipefish, Duncker's Pipefish [66220]</p>		<p>Species or species habitat            may occur within area</p>
<p><a href="#">Halicampus grayi</a>            Mud Pipefish, Gray's Pipefish [66221]</p>		<p>Species or species habitat            may occur within area</p>
<p><a href="#">Halicampus nitidus</a>            Glittering Pipefish [66224]</p>		<p>Species or species habitat            may occur within area</p>
<p><a href="#">Halicampus spinirostris</a>            Spiny-snout Pipefish [66225]</p>		<p>Species or species habitat            may occur within area</p>



Current Scientific Name	Threatened	Type of Presence
<p><small>LEX-21960</small>  <a href="#">Hippichthys cyanospilos</a>            Blue-speckled Pipefish, Blue-spotted Pipefish [66228]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Hippichthys heptagonus</a>            Madura Pipefish, Reticulated Freshwater Pipefish [66229]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Hippichthys penicillus</a>            Beady Pipefish, Steep-nosed Pipefish [66231]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Hippocampus bargibanti</a>            Pygmy Seahorse [66721]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Hippocampus kuda</a>            Spotted Seahorse, Yellow Seahorse [66237]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Hippocampus planifrons</a>            Flat-face Seahorse [66238]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Hippocampus zebra</a>            Zebra Seahorse [66241]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Micrognathus andersonii</a>            Anderson's Pipefish, Shortnose Pipefish [66253]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Micrognathus brevis</a>            thortail Pipefish, Thorn-tailed Pipefish [66254]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Nannocampus pictus</a>            Painted Pipefish, Reef Pipefish [66263]</p>		<p>Species or species habitat may occur within area</p>
<p><a href="#">Solegnathus hardwickii</a>            Pallid Pipehorse, Hardwick's Pipehorse [66272]</p>		<p>Species or species habitat may occur within area</p>

Current Scientific Name	Threatened	Type of Presence
<small>LEX-21960</small> <a href="#">Solenostomus cyanopterus</a>		34
Robust Ghostpipefish, Blue-finned Ghost Pipefish, [66183]		Species or species habitat may occur within area
<a href="#">Solenostomus paradoxus</a>		
Ornate Ghostpipefish, Harlequin Ghost Pipefish, Ornate Ghost Pipefish [66184]		Species or species habitat may occur within area
<a href="#">Syngnathoides biaculeatus</a>		
Double-end Pipehorse, Double-ended Pipehorse, Alligator Pipefish [66279]		Species or species habitat may occur within area
<a href="#">Trachyrhamphus bicoarctatus</a>		
Bentstick Pipefish, Bend Stick Pipefish, Short-tailed Pipefish [66280]		Species or species habitat may occur within area
<a href="#">Trachyrhamphus longirostris</a>		
Straightstick Pipefish, Long-nosed Pipefish, Straight Stick Pipefish [66281]		Species or species habitat may occur within area
<b>Mammal</b>		
<a href="#">Dugong dugon</a>		
Dugong [28]		Species or species habitat known to occur within area
<b>Reptile</b>		
<a href="#">Acalyptophis peronii</a>		
Horned Seasnake [1114]		Species or species habitat may occur within area
<a href="#">Aipysurus duboisii</a>		
Dubois' Seasnake [1116]		Species or species habitat may occur within area
<a href="#">Aipysurus eydouxii</a>		
Spine-tailed Seasnake [1117]		Species or species habitat may occur within area
<a href="#">Aipysurus laevis</a>		
Olive Seasnake [1120]		Species or species habitat may occur within area
<a href="#">Astrotia stokesii</a>		
Stokes' Seasnake [1122]		Species or species habitat may occur within area

Current Scientific Name	Threatened	Type of Presence
<sup>LEX-21960</sup> <a href="#">Caretta caretta</a> Loggerhead Turtle [1763]	Endangered	Breeding likely to occur within area
<a href="#">Chelonia mydas</a> Green Turtle [1765]	Vulnerable	Breeding known to occur within area
<a href="#">Chitulia ornata as Hydrophis ornatus</a> Spotted Seasnake, Ornate Reef Seasnake [87377]		Species or species habitat may occur within area
<a href="#">Crocodylus porosus</a> Salt-water Crocodile, Estuarine Crocodile [1774]		Species or species habitat likely to occur within area
<a href="#">Dermochelys coriacea</a> Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Breeding likely to occur within area
<a href="#">Disteira kingii</a> Spectacled Seasnake [1123]		Species or species habitat may occur within area
<a href="#">Disteira major</a> Olive-headed Seasnake [1124]		Species or species habitat may occur within area
<a href="#">Enhydrina schistosa</a> Beaked Seasnake [1126]		Species or species habitat may occur within area
<a href="#">Eretmochelys imbricata</a> Hawksbill Turtle [1766]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Hydrophis elegans</a> Elegant Seasnake [1104]		Species or species habitat may occur within area
<a href="#">Hydrophis macdowelli as Hydrophis mcdowelli</a> Small-headed Seasnake [75601]		Species or species habitat may occur within area
<a href="#">Lapemis curtus as Lapemis hardwickii</a> Spine-bellied Seasnake [83554]		Species or species habitat may occur within area

Current Scientific Name	Threatened	Type of Presence
<sup>LEX-21960</sup> <a href="#">Laticauda colubrina</a> a sea krait [1092]		Species or species habitat may occur within area
<a href="#">Laticauda laticaudata</a> a sea krait [1093]		Species or species habitat may occur within area
<a href="#">Lepidochelys olivacea</a> Olive Ridley Turtle, Pacific Ridley Turtle [1767]	Endangered	Breeding likely to occur within area
<a href="#">Natator depressus</a> Flatback Turtle [59257]	Vulnerable	Breeding known to occur within area
<a href="#">Pelamis platurus</a> Yellow-bellied Seasnake [1091]		Species or species habitat may occur within area

## Whales and Other Cetaceans [ Resource Information ]

Current Scientific Name	Status	Type of Presence
<b>Mammal</b>		
<a href="#">Balaenoptera acutorostrata</a> Minke Whale [33]		Species or species habitat may occur within area
<a href="#">Balaenoptera edeni</a> Bryde's Whale [35]		Species or species habitat may occur within area
<a href="#">Balaenoptera musculus</a> Blue Whale [36]	Endangered	Species or species habitat may occur within area
<a href="#">Delphinus delphis</a> Common Dolphin, Short-beaked Common Dolphin [60]		Species or species habitat may occur within area
<a href="#">Grampus griseus</a> Risso's Dolphin, Grampus [64]		Species or species habitat may occur within area
<a href="#">Megaptera novaeangliae</a> Humpback Whale [38]	Vulnerable	Species or species habitat known to occur within area

Current Scientific Name	Status	Type of Presence
<sup>LEX-21960</sup> <a href="#">Orcaella heinsohni as Orcaella brevirostris</a> Australian Snubfin Dolphin [81322]		Species or species habitat known to occur within area
<a href="#">Orcinus orca</a> Killer Whale, Orca [46]		Species or species habitat may occur within area
<a href="#">Sousa sahalensis as Sousa chinensis</a> Australian Humpback Dolphin [87942]		Breeding known to occur within area
<a href="#">Stenella attenuata</a> Spotted Dolphin, Pantropical Spotted Dolphin [51]		Species or species habitat may occur within area
<a href="#">Tursiops aduncus</a> Indian Ocean Bottlenose Dolphin, Spotted Bottlenose Dolphin [68418]		Species or species habitat likely to occur within area
<a href="#">Tursiops truncatus s. str.</a> Bottlenose Dolphin [68417]		Species or species habitat may occur within area

## Extra Information

State and Territory Reserves	[ Resource Information ]
Name	State
Cleveland Bay Fish Habitat Area (A)	QLD
Cleveland Bay - Magnetic Island Dugong Protection Area (A)	QLD
Great Barrier Reef Coast Marine Park	QLD
Stuart Creek Nature Refuge	QLD

## 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
Bird		

Name	Status	Type of Presence
<small>LEX-21960</small> <a href="#">Acridotheres tristis</a>		38
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="#">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
<b>Frog</b>		
<a href="#">Rhinella marina</a>		
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="#">Felis catus</a>		
Cat, House Cat, Domestic Cat [19]	Feral	Species or species habitat likely to occur within area

Name	Status	Type of Presence
<a href="#">LEX-21960</a> <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
<a href="#">Sus scrofa</a> Pig [6]	Feral	Species or species habitat likely to occur within area
<b>Plant</b>		
<a href="#">Annona glabra</a> Pond Apple, Pond-apple Tree, Alligator Apple, Bullock's Heart, Cherimoya, Monkey Apple, Bobwood, Corkwood [6311]	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="#">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="#">LEX-21960</a> <a href="#">Hymenachne amplexicaulis</a> Hymenachne, Olive Hymenachne, Water Stargrass, West Indian Grass, West Indian Marsh Grass [31754]	WoNS	Species or species habitat likely to occur within area
<a href="#">Jatropha gossypifolia listed as Jatropha gossypifolia</a> Cotton-leaved Physic-Nut, Bellyache Bush, Cotton-leaf Physic Nut, Cotton-leaf Jatropha, Black Physic Nut [89505]	WoNS	Species or species habitat likely to occur within area
<a href="#">Lantana camara</a> Lantana, Common Lantana, Kamara Lantana, Large- leaf Lantana, Pink Flowered Lantana, Red Flowered Lantana, Red-Flowered Sage, White Sage, Wild Sage [10892]	WoNS	Species or species habitat likely to occur within area
<a href="#">Opuntia spp.</a> Prickly Pears [82753]	WoNS	Species or species habitat likely to occur within area
<a href="#">Parkinsonia aculeata</a> Parkinsonia, Jerusalem Thorn, Jelly Bean Tree, Horse Bean [12301]	WoNS	Species or species habitat likely to occur within area
<a href="#">Parthenium hysterophorus</a> Parthenium Weed, Bitter Weed, Carrot Grass, False Ragweed [19566]	WoNS	Species or species habitat likely to occur within area
<a href="#">Prosopis spp.</a> Mesquite, Algaroba [68407]	WoNS	Species or species habitat likely to occur within area
<a href="#">Salvinia molesta</a> Salvinia, Giant Salvinia, Aquarium Watermoss, Kariba Weed [13665]	WoNS	Species or species habitat likely to occur within area
<a href="#">Vachellia nilotica</a> Prickly Acacia, Blackthorn, Prickly Mimosa, Black Piquant, Babul [84351]	WoNS	Species or species habitat likely to occur within area
<a href="#">Vachellia nilotica subsp. indica listed as Acacia nilotica subsp. indica</a> Prickly Acacia [87881]	WoNS	Species or species habitat may occur within area
<b>Reptile</b>		
<a href="#">Hemidactylus frenatus</a> Asian House Gecko [1708]	Feral	Species or species habitat likely to occur within area



Name	Status	Type of Presence
<sup>LEX-21960</sup> <a href="#">Indotyphlops braminus listed as Ramphotyphlops braminus</a>		
Flowerpot Blind Snake [88345]	Feral	Species or species habitat known to occur within area
<a href="#">Lepidodactylus lugubris</a>		
Mourning Gecko [1712]	Feral	Species or species habitat likely to occur within area

### Nationally Important Wetlands [\[ Resource Information \]](#)

Name	State
<a href="#">Burdekin - Townsville Coastal Aggregation</a>	QLD
<a href="#">Great Barrier Reef Marine Park</a>	QLD

### 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
<a href="#">275kV and 132 kV transmission line from Ross Substation to Townsville South Substation</a>	2001/221	Controlled Action	Post-Approval
<a href="#">Cleveland Bay Industrial Park</a>	2020/8810	Referral Decision	Referral Publication
<a href="#">Cleveland Bay Purification Plant Outfall Upgrade Project, Townsville, Qld</a>	2016/7821	Not Controlled Action	Completed
<a href="#">Cleveland Bay WasteWater Treatment Facility and Water Reclamation Facility</a>	2006/2882	Not Controlled Action	Completed
<a href="#">Construction &amp; operation of new intermodal terminal &amp; freight distribution, Townsville, Qld</a>	2015/7424	Not Controlled Action	Completed
<a href="#">Construction of a western access road, Julago, Qld</a>	2015/7534	Not Controlled Action	Completed
<a href="#">Development and Construction of Rocky Springs Masterplanned Community</a>	2007/3574	Controlled Action	Post-Approval
<a href="#">Extension to existing Extractive Industry, Roseneath Quarry</a>	2009/4984	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="#">Industrial Development and Reconfiguration of the Lot</a>	2009/4949	Not Controlled Action	Completed

## Referral

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Title	Reference	Referral Outcome	Assessment Status
<a href="#">North Queensland Power Project</a>	2001/412	Controlled Action	Completed
<a href="#">Riverway project</a>	2003/1152	Not Controlled Action	Completed
<a href="#">Subdivision of Lot 12 on SP243847 Elliot Springs Estate, Townsville, Qld</a>	2019/8436	Not Controlled Action	Completed
<a href="#">Townsville Commercial Marine Precinct</a>	2008/4497	Controlled Action	Post-Approval
<a href="#">Townsville Port Access Project (Road and Rail)</a>	2003/1011	Controlled Action	Post-Approval
<a href="#">Townsville Recreational Boating Park</a>	2012/6375	Not Controlled Action	Completed
<a href="#">Townsville South Power Station</a>	2005/2047	Not Controlled Action	Completed
<a href="#">Townsville South to East power line &amp; substation</a>	2006/2626	Not Controlled Action (Particular Manner)	Post-Approval
<a href="#">WITHDRAWN BEFORE VALIDATION Cleveland Bay Industrial Park</a>	2020/8733		Referral Validation

# 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.

## EPBC ACT ADVICE FROM WETLANDS SECTION

## REFERRAL: EPBC 2020/8810: ADVICE ON CONTROLLING PROVISIONS

DATE DUE BACK TO ESD: 5 NOVEMBER 2020

## CLEVELAND BAY INDUSTRIAL PARK, QUEENSLAND

**Brief Description of Proposal**

The proposed action is for a 106.8ha industrial precinct designed to cater for large-format freight, warehousing, industrial and manufacturing facilities with direct triple road train access to the Townsville Port and Flinders Highway.

The proposed action will involve:

- undertaking bulk earthworks to level the ground for future industrial development
- construction of signalised intersection and internal roads, water, sewer, stormwater drains, electrical and telecommunications services for each of 26 proposed industrial allotments
- drainage works to improve stormwater quality
- subdivision of the land into individual industrial allotments.

The proposed action will not establish any new uses of the land. However, it will facilitate the future development of the land by the end-user parties that purchase the resultant lots. These end-users will be of a type and nature that are consistent with the Townsville State Development Area (TSDA) scheme that has been implemented by the Queensland Government Coordinator-General. This would potentially include medium and high impact industries.

State Development Areas are development precincts identified by the Queensland Government to promote economic development in Queensland, and in this case, is intended to accommodate State-significant industrial activities that rely on strategic links to the Townsville Port, Bruce Highway, Mt Isa rail line, Flinders Highway and connections to the North West Minerals Province.

**Impacts Checklist*****How far is the proposal from a Ramsar site?***

The proposed action is approximately 5 - 10km north to north east of the Bowling Green Bay Ramsar site, which is located on the central coast of Queensland, 52km southeast of Townsville (see Attachment A).

The critical components and processes underpinning the ecosystem services of the Bowling Green Bay Ramsar wetland are numerous and complex, reflecting the diversity and extent of wetland types that transition from fresh to brackish and marine systems. The wetland components that contribute to ecological character include a mixture of palustrine (freshwater and brackish swamps dominated by the bulkuru sedge, *Eleocharis* spp.), coastal dune and swale systems, mangrove and saltmarsh tidal wetlands, intertidal sand and mudflats, freshwater and estuarine streams, creeks and riverine habitats.

The wetlands support a significant diversity and abundance of species including turtles, shorebirds and other waterbirds. Several of these species are listed as threatened at international, national and/or state levels.

The site is recognised as a network site under the East Asian-Australasian Flyway Partnership and supports at least 3 migratory shorebirds at greater than 1% of the flyway population. The site is high value for fisheries with important fish and crustacean nurseries. Some species depend on the site for certain stages of their life-cycle.

The site meets the following Ramsar criteria:

- 1: The site includes rare and representative wetland types
- 2: It supports at least 7 nationally or internationally threatened species including green turtles and dugong
- 3: Up to 342 plant and 375 animal species occur here
- 4: It supports critical habitats for migratory shorebird feeding and roosting; nesting habitat for marine turtles; and diadromous fish migration
- 6: The site supports greater than 1% of the population of sharp-tailed sandpiper, red-necked stint and common tern
- 7: It supports endemic and diadromous fish species and a wide range of morphologies
- 8: It is a nursery site for fish and crustaceans.

The main threats to the ecological character of the site include runoff of agricultural pesticides and fertilisers, and over fishing.

***Is there a real chance or possibility that the proposed action will result in:***

Issue	Y	N
areas of the wetland being destroyed or substantially modified?		X
a substantial and measurable change in the hydrological regime of the wetland?		X
the habitat or lifecycle of native species dependent upon the wetland being seriously affected?		X
a substantial and measurable change in the physico-chemical status of the wetland?		X
an invasive species that is harmful to the ecological character of the wetland being established or encouraging the spread of existing invasive species?		X

### **Impacts to note**

#### **Areas of the wetland being destroyed or substantially modified**

The proposed development is located approximately 5 - 10km from the Bowling Green Bay Ramsar site at its nearest point. No part of the Ramsar site will be destroyed or substantially modified during construction, nor is this likely as a result of future facilitated uses.

#### **A substantial and measurable change in the hydrological regime of the wetland**

If the proponent undertakes the works in accordance with the stated intentions in the referral documentation, it is considered unlikely that there will be a substantial and measurable change in the hydrological regime of the Bowling Green Bay Ramsar wetland.

#### **A substantial and measurable change in the physico-chemical status of the wetland**

There is potential for an increase in erosion and sedimentation/pollution, including from disturbed acid sulfate soils, as result of the proposed development during its construction phase and future facilitated uses. The Environmental Planning Assessment document for the project states (p.18):

*“The proposed landuse poses an indirect threat to the threatened and migratory fauna, primarily via environmental pollution. The type and magnitude of this threat cannot be characterised until the final landuse (and associated activities) is known .... The development should comply with the TSDA [Townsville State Development Area] assessment criteria for water quality .... If this occurs, indirect impacts ... are expected to be minimal.”*

LEX-21969 The referral (Attachment 5, Stormwater Quality Management Framework, p.1) indicates that most drainage from the development site is to the north. Mapping (see Attachment 1) indicates that the development is within the upstream catchment of the Bowling Green Bay Ramsar wetland. Any contaminants and sediments in water leaving the site that make their way downstream to the Ramsar site could harm species dependent on the receiving waters including critical components of the site's ecological character such as fish, saltmarsh, marine mammals and shorebirds. 47

Attachment 5 states that all runoff from the development will be captured and treated on site and that a detailed stormwater quality management plan will be provided that will:

*"... accommodate and treat the flows and pollutants from end-uses, as well as the runoff from the internal road network and verges, in line with the TSDA Development Scheme. The TSDA Development Scheme nominates compliance with the best practice principles outlined within:*

*Table B (Appendix 2) of the State Planning Policy July 2017 (SPP)  
WSUD Design Objectives for Urban Stormwater Management  
Construction and Establishment Guidelines, Swales, Bioretention Systems and Wetlands  
Concept Design Guidelines for Water Sensitive Urban Design  
Standard Drawings for Water Sensitive Urban Design  
Environmental Protection (Water) Policy 2009 (Townsville region)  
Water Quality Guidelines for the Great Barrier Reef Marine Park (2010)."*

The referral states that it is intended that the development will result in a net improvement in stormwater quality, in line with the requirements of the State Planning Policy 2017, the Environmental Protection (Water) Policy 2009 and Water Quality Guidelines for the Great Barrier Reef Marine Park 2010. Compliance with these specific standards would be via the application of the State and Council assessment process.

Provided these standards are fully adopted and mitigation measures (including adequate monitoring and reporting) are implemented as per State requirements and the Townsville State Development Area assessment criteria, it is considered unlikely that there will be a substantial and measurable change in the physico-chemical status of the Bowling Green Bay Ramsar site as a result of the proposed development.

**The habitat or lifecycle of native species dependent on the wetland being seriously affected**

The proposed development, including future facilitated uses of the site, occurs within the context of existing development and industrial uses. Habitat for native species is limited. The referral documentation (Attachment 6, p.8) suggests that migratory shorebirds may use the site during or after storm events, but such occurrences are likely to be infrequent. Fish passage through the site was already likely to be impaired by existing nearby transport infrastructure. As noted above, the objectives for the proposed developed include improvement of water quality discharging from the site.

It is therefore considered unlikely that the habitat or lifecycle of native species, such as migratory shorebirds or fish, dependent on the Bowling Green Bay wetland will be seriously affected as a result of the proposed development.

**An invasive species that is harmful to the ecological character of the wetland being established or encouraging of existing invasive species**

The referral documentation (Attachment 6, p.9) states that the vegetation cover of the site has a high abundance of weeds. Attachment 6 identifies planning considerations including the need to avoid the

introduction of pest plants and animals and refers to State Code 9 – Great Barrier Reef Wetland Protection Areas. LEX-21960 48

With implementation of the provisions of State Code 9 and the water quality measures identified above, it is considered unlikely that the proposed development will result in an invasive species that is harmful to the ecological character of the wetland being established.

## Conclusion

A number of species that are critical components of the ecological character of the Bowling Green Bay Ramsar wetland have the potential to be impacted as a result of the proposed development and the activities that it is designed to facilitate into the future. The main potential impacts identified with respect to the ecological character of the Bowling Green Bay Ramsar wetland are water quality impacts that may result from erosion at the development site and associated sediment and pollutants being transported to the Ramsar wetland.

The referral documentation identifies an intention that the proposed development will result in a net improvement in stormwater quality, in line with State policy and legislated requirements. Provided these standards are fully adopted and mitigation measures are implemented and adequately monitored and reported on, it is not considered likely that the ecological character of the Bowling Green Bay Ramsar wetland will be adversely affected as a result of the proposed development.

**Advice prepared by:** s. 22(1)(a)(ii) , Wetlands Section

**Other DAWE areas consulted:** no

**Is OWS providing advice?** no

**EACD Referral Officer:** s. 22(1)(a)(ii) (Assessment Officer, Qld Assessments North Section)

Cleared by: s. 22(1)(a)(ii) Director: Wetlands Section  
s. 22(1)(a)(ii)

Signature: .....

Date: 3 November 2020

Cleared by: Michael Wrathall, Assistant Secretary: Wetlands, Policy and Northern Water Use Branch

Signature: s. 47F(1) ...

Date: 4/11/2020

## Sources:

- Ramsar Information Sheet
- Environment Reporting Tool: Interactive Map - internal
- Referral Documentation



**Bowling Green Bay Ramsar site location and location of proposed development (EPBC 2020-8810)**

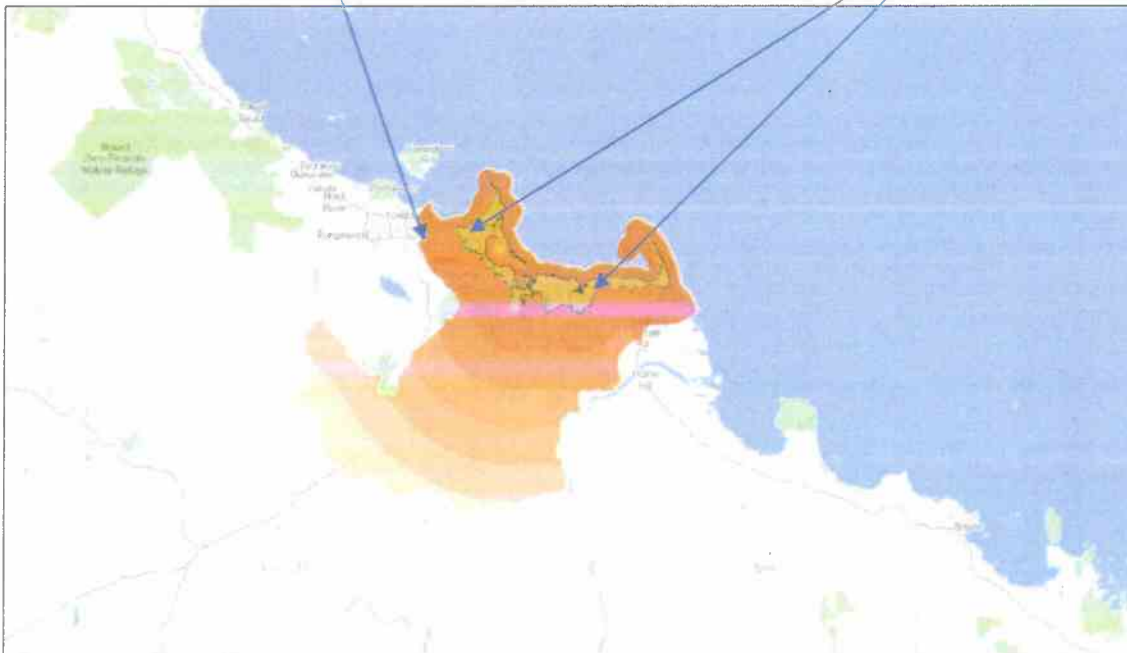


Approximate location of proposed development and Ramsar upstream catchments

Bowling Green Bay Ramsar

EPBC 2020 - 8810

For Official Use Only



Map produced by the Department of the Environment and Energy  
 © Commonwealth of Australia. Geoscience Australia, 2014  
 RMCA Australia, 11/2015 22/15

DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT  
PROTECTED SPECIES AND COMMUNITIES BRANCH

MIGRATORY SPECIES SECTION EPBC ACT REFERRAL ADVICE

EPBC 2020/8810 Cleveland Bay Industrial Park, Townsville, QLD

**Stage: Referral**

**1.0 Proposed action**

The proposed action is to prepare land and establish infrastructure for a new industrial precinct located approximately 6 km (kilometres) south of the Townsville Central Business District.

**2.0 Listed Threatened and Migratory Species**

*2.1*

On the basis of the available information, the proposed action is not in an area of internationally or nationally important habitat for migratory birds.

Although listed migratory birds may use habitats in the area (i.e., forest/farmland habitat, seasonally ephemeral wetlands, permanent wetlands or the air space above the site), the project is unlikely to cause adverse impacts to an 'ecologically significant proportion' of the population of any listed migratory species. Adverse impacts are considered unlikely.

*Conclusion*

The proposed action is unlikely to result in adverse impacts to listed migratory species.

**3.0 References**

Prepared by: s. 22(1)(a)(ii)

Cleared by: s. 22(1)(a)(ii), A/g Director, Migratory Species Section

Date: 2 November 2020



Department of  
**Environment and Science**

Ref 101/0003868

28 October 2020

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

Director  
Environment Queensland (North)  
Environment Assessments Queensland and Sea Dumping  
Department of Agriculture, Water and the Environment  
GPO Box 858  
CANBERRA ACT 2601

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

**Invitation to comment on referral – Cleveland Bay Industrial Park, Cluden, QLD (EPBC 2020/8810)**

Thank you for your department's email dated 15 October 2020 requesting advice on whether the above action will be assessed in a manner described in Schedule 1 of the Agreement between the Commonwealth of Australia and the State of Queensland (the Bilateral Agreement) developed under Section 45 of the *Environment Protection and Biodiversity Conservation Act 1999*.

I advise the proposal will not be assessed using the environmental impact statement process in Chapter 3 of the *Environmental Protection Act 1994*.

The Department of State Development, Tourism and Innovation has advised that the proposal is not currently being assessed as a coordinated project under Part 4 of the *State Development and Public Works Organisation Act 1971* and is not likely to be assessed under this process in the future.

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

Yours sincerely

**s. 47F(1)**

Chris Loveday  
**Director, Technical and Assessment Services**

Level 9  
400 George Street Brisbane  
GPO Box 2454 Brisbane  
Queensland 4001 Australia  
**Telephone + 61 7 3330 5598**  
**Facsimile + 61 7 3330 5875**  
**Website [www.des.qld.gov.au](http://www.des.qld.gov.au)**  
ABN 46 640 294 485



**Australian Government**  
**Department of Agriculture,  
 Water and the Environment**

### EPBC Act Cost Recovery - Fee Schedule

EPBC No: 2020/8810

Date of Fee Schedule: Nov. 5, 2020

Project title: Cleveland Bay Industrial Park

Assessment method: Preliminary Documentation

#### Fee Schedule

STAGE FEES	Base fee	PART A Complexity costs (A-L, P)	PART B Complexity costs (MNO)	Total
Stage 1	\$2,074	\$809	\$0	\$2,883
Stage 2	\$2,289	\$1,280	\$0	\$3,569
Stage 3	\$852	\$1,348	\$22,965	\$25,165
Stage 4	\$2,795	\$3,303	\$22,965	\$29,064
<b>TOTAL PROJECT COST</b>	<b>\$8,010</b>	<b>\$6,742</b>	<b>\$45,931</b>	<b>\$60,683</b>

#### Notes:

- For assessments by environmental impact statement - If standard guidelines are used under Section 101A(2)(a) of the EPBC Act, the Stage 1 fee will not be applicable.
- For assessments by public environmental report - If standard guidelines are used under Section 96B of the EPBC Act, the Stage 1 fee will not be applicable.
- If no further information is requested under section 95A of the EPBC Act, the Stage 1 and 2 fees will not be applicable.
- The Department advises applicants of the maximum liability for Part B complexity fees at the time of the assessment approach decision, based on the information provided in the referral documentation. Applicants have the opportunity to reduce the Part B complexity fees during the assessment process by improving the quality of information provided to the Department during Stage 2 of the assessment. These Part B complexity fees are confirmed when all the assessment documentation is provided in Stage 2, and are not payable until Stages 3 and 4 of the assessment.

#### Fee Breakdown

		COMPLEXITY	FEE	
<b>CONTROLLING PROVISIONS</b>				
<b>Part A Fees</b>	A	Listed threatened species and ecological communities 2-4 species to be impacted by habitat clearance. Impacts are well understood.	Moderate	\$6,742
	B	Listed migratory species Not applicable.	None	\$0
	C	Wetlands of international importance Not applicable.	None	\$0
	D	Environment of the Commonwealth marine area Not applicable.	None	\$0
	E	World heritage properties Not applicable.	None	\$0
	F	National heritage places Not applicable.	None	\$0
	G	Nuclear actions Not applicable.	None	\$0
	H	Great Barrier Reef Marine Park Not applicable.	None	\$0
	I	Water Resources Not applicable.	None	\$0
	J	Commonwealth Land/Commonwealth Agency/Commonwealth Heritage Places Overseas Not applicable.	None	\$0
	<b>NUMBER OF PROJECT COMPONENTS</b>			
	K	Number of project components The action is to clear land to establish an industrial precinct.	Low	\$0

	COMPLEXITY	FEE
<b>COORDINATION WITH OTHER LEGISLATION</b>		
L Coordination with other legislation	Low	\$0
<b>ADEQUACY OF INFORMATION AND CLARITY OF PROJECT SCOPE</b>		
Site surveys/Knowledge of environment	High	
M No targeted ecological surveys have been undertaken, Queensland RE mapping has been field validated although there is little information on habitat for listed threatened species.		\$34,949
<b>Part B Fees:</b> Management measures (including mitigation and offsets)	Moderate	
N Management measures are present for some impacts of the action (i.e. sediment runoff and pollution) but is lacking for the listed threatened species, the Black-throated finch (southern).		\$10,982
O Project scope	Low	
The project scope is clearly defined with no alternatives provided.		\$0
<b>EXCEPTIONAL CIRCUMSTANCES</b>		
<b>Exceptional circumstances</b> P Exceptional circumstances	False	
N/A		\$0
<b>TOTAL COMPLEXITY FEES</b>		<b>\$52,673</b>
<b>BASE FEE</b>		<b>\$8,010</b>
<b>TOTAL FEE</b>		<b>\$60,683</b>

#### Potential fees for contingent and post-approval activities (if required)

The Department will notify you if a contingent activity fee is applicable due to an additional statutory step being required under the *Environment Protection and Biodiversity Conservation Act 1999*.

#### Post-approval fees

Evaluation of new Action Management Plan (per management plan) (\$2,690)

#### Contingent Fees

Request additional information for referral or assessment approach decision (\$1,701)

Variation to the proposed action (\$1,353)

Reconsideration of the controlled action or assessment approach decision at the applicant's request (\$6,577)

Request additional information for approval decision (assessment on referral information, preliminary documentation or bilateral/accredited assessment) (\$1,701)

Request additional information for approval decision (assessment by environmental impact statement or public environment report) (\$7,476)

Variation of conditions (\$2,690)

Variation of an action management plan under conditions of approval (\$2,690)

Administrative variation of an action management plan under conditions of approval (\$710)

Transfer of approval to new approval holder (\$1,967)

Extension to approval expiry date (\$2,690)



**Australian Government**  
**Department of Agriculture,  
 Water and the Environment**

### EPBC Act Cost Recovery - Fee Schedule

EPBC No: 2020/8810

Date of Fee Schedule: Nov. 5, 2020

Project title: Cleveland Bay Industrial Park

Assessment method: Preliminary Documentation

#### Fee Schedule

STAGE FEES	Base fee	PART A Complexity costs (A-L, P)	PART B Complexity costs (MNO)	Total
Stage 1	\$2,074	\$809	\$0	\$2,883
Stage 2	\$2,289	\$1,280	\$0	\$3,569
Stage 3	\$852	\$1,348	\$22,965	\$25,165
Stage 4	\$2,795	\$3,303	\$22,965	\$29,064
<b>TOTAL PROJECT COST</b>	<b>\$8,010</b>	<b>\$6,742</b>	<b>\$45,931</b>	<b>\$60,683</b>

#### Notes:

- For assessments by environmental impact statement - If standard guidelines are used under Section 101A(2)(a) of the EPBC Act, the Stage 1 fee will not be applicable.
- For assessments by public environmental report - If standard guidelines are used under Section 96B of the EPBC Act, the Stage 1 fee will not be applicable.
- If no further information is requested under section 95A of the EPBC Act, the Stage 1 and 2 fees will not be applicable.
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#### Fee Breakdown

		COMPLEXITY FEE	
	<b>CONTROLLING PROVISIONS</b>		
	A Listed threatened species and ecological communities	Moderate	\$6,742
	B Listed migratory species	None	\$0
	C Wetlands of international importance	None	\$0
	D Environment of the Commonwealth marine area	None	\$0
	E World heritage properties	None	\$0
	F National heritage places	None	\$0
<b>Part A Fees</b>	G Nuclear actions	None	\$0
	H Great Barrier Reef Marine Park	None	\$0
	I Water Resources	None	\$0
	J Commonwealth Land/Commonwealth Agency/Commonwealth Heritage Places Overseas	None	\$0
	<b>NUMBER OF PROJECT COMPONENTS</b>		
	K Number of project components	Low	\$0
	<b>COORDINATION WITH OTHER LEGISLATION</b>		
	L Coordination with other legislation	Low	\$0
	<b>ADEQUACY OF INFORMATION AND CLARITY OF PROJECT SCOPE</b>		
<b>Part B Fees:</b>	M Site surveys/Knowledge of environment	High	\$34,949
	N Management measures (including mitigation and offsets)	Moderate	\$10,982
	O Project scope	Low	\$0
	<b>EXCEPTIONAL CIRCUMSTANCES</b>		
<b>Exceptional circumstances</b>	P Exceptional circumstances	False	\$0
	<b>TOTAL COMPLEXITY FEES</b>		<b>\$52,673</b>
	<b>BASE FEE</b>		<b>\$8,010</b>

		<b>COMPLEXITY FEE</b>
<b>TOTAL FEE</b>		<b>\$60,683</b>

**Potential fees for contingent and post-approval activities (if required)**

The Department will notify you if a contingent activity fee is applicable due to an additional statutory step being required under the *Environment Protection and Biodiversity Conservation Act 1999*.

**Post-approval fees**

Evaluation of new Action Management Plan (per management plan) (\$2,690)

**Contingent Fees**

Request additional information for referral or assessment approach decision (\$1,701)

Variation to the proposed action (\$1,353)

Reconsideration of the controlled action or assessment approach decision at the applicant's request (\$6,577)

Request additional information for approval decision (assessment on referral information, preliminary documentation or bilateral/accredited assessment) (\$1,701)

Request additional information for approval decision (assessment by environmental impact statement or public environment report) (\$7,476)

Variation of conditions (\$2,690)

Variation of an action management plan under conditions of approval (\$2,690)

Administrative variation of an action management plan under conditions of approval (\$710)

Transfer of approval to new approval holder (\$1,967)

Extension to approval expiry date (\$2,690)



EPBC Ref: 2020/8810

Ms Penelope Wilson  
Director  
Cleveland Bay Industrial Park Pty Ltd  
PO Box 2536  
IDALIA QLD 4811

Dear Ms Wilson

**Decision on referral  
Cleveland Bay Industrial Park, Townsville, QLD (EPBC 2020/8810)**

Thank you for submitting a referral under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This letter is to advise you of my decision about the referral of the proposed action to prepare land and establish infrastructure for a new industrial precinct located approximately 6 km (kilometres) south of the Townsville Central Business District, Queensland.

As a delegate of the Minister for the Environment, I have decided under section 75 of the EPBC Act that the proposed action is a controlled action and, as such, it requires assessment and a decision about whether approval for it should be given under the EPBC Act.

The information I have considered indicates the proposed action is likely to have a significant impact on listed threatened species and communities (sections 18 & 18A), including but not limited to:

- Black-throated Finch (southern) (*Poephila cincta cincta*) – Endangered
- Bare-rumped Sheath-tailed Bat (*Saccolaimus saccolaimus nudicluniatus*) – Vulnerable

Please note that this decision only relates to the potential for significant impacts on matters protected by the Australian Government under Chapter 2 of the EPBC Act.

I have also decided that the proposed action will need to be assessed by preliminary documentation (further information required). A copy of the document recording these decisions is enclosed.

Each assessment approach requires different levels of information and involves different steps. All levels of assessment include a public consultation phase, in which any third parties can comment on the proposed action. Indigenous communities may also need to be consulted during the assessment process. For more information on how and when indigenous engagement should occur during environmental assessments, please refer to the Indigenous engagement guidelines at [www.environment.gov.au/epbc/publications/engage-early](http://www.environment.gov.au/epbc/publications/engage-early).

Please note, under subsection 520(4A) of the EPBC Act and the *Environment Protection and Biodiversity Conservation Regulations 2000* your assessment is subject to cost recovery. Please find attached a copy of the fee schedule for your proposal and an invoice for Stage 1. Fees will be payable prior to each stage of the assessment



proceeding. Further details on cost recovery are available on the Department's website at: <http://www.environment.gov.au/epbc/cost-recovery>.

If you disagree with the fee schedule provided, you may apply under section 514Y of the EPBC Act for reconsideration of the method used to work out the fee.

The application for reconsideration must be made within 30 business days of the date of this letter and can only be made once for a fee. Further details regarding the reconsideration process can be found on the Department's website at:

<http://www.environment.gov.au/protection/environment-assessments/assessment-and-approval-process/refer-proposed-action>.

While I have determined that your project will be assessed by preliminary documentation, some further information will be required to be able to assess the relevant impacts of the action. You should expect to receive a letter from the Department within 10 business days of the payment of Stage 1 fees, outlining the information required.

Please also note that once a proposal to take an action has been referred under the EPBC Act, it is an offence under section 74AA to take the action while the decision-making process is on-going (unless that action is specifically excluded from the referral or other exemptions apply). Persons convicted of an offence under this provision of the EPBC Act may be liable for a penalty of up to 500 penalty units. The EPBC Act is available on line at: [www.environment.gov.au/epbc/about/index.html](http://www.environment.gov.au/epbc/about/index.html).

The Department has recently published an *Environmental Impact Assessment Client Service Charter* (the Charter) which outlines the Department's commitments when undertaking environmental impact assessments under the EPBC Act. A copy of the Charter can be found at: [www.environment.gov.au/epbc/publications/index.html](http://www.environment.gov.au/epbc/publications/index.html).

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

Yours sincerely

s. 47F(1)

s. 47F(1)

Kim Farrant  
Assistant Secretary  
Environment Assessments Queensland and Sea Dumping Branch

11 November 2020



EPBC Ref: 2020/8810

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

Dear Mr Loveday

**Decision on referral  
Cleveland Bay Industrial Park, Townsville, QLD (EPBC 2020/8810)**

This letter is to advise you of my decision on the referral of the proposed action to prepare land and establish infrastructure for a new industrial precinct located approximately 6 km (kilometres) south of the Townsville Central Business District, Queensland.

As a delegate of the Minister for the Environment, I have decided under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) that the proposed action is a controlled action and, as such, it requires assessment and a decision about whether approval for it should be given under the EPBC Act.

The information I have considered indicates the proposed action is likely to have a significant impact on listed threatened species and communities (sections 18 & 18A).

I have also decided that the proposed action will need to be assessed by preliminary documentation (further information required). A copy of the document recording these decisions is enclosed.

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

[s. 47F\(1\)](#)

Yours sincerely

[s. 47F\(1\)](#)

Kim Farrant  
Assistant Secretary  
Environment Assessments Queensland and Sea Dumping Branch

11 November 2020



Identifies the protected matters potentially impacted by the proposed action and provides clear reasons why significant impacts are likely/not likely	<input checked="" type="checkbox"/>			
Recommendations on significance are based on EPBC Act Policy Statement 1.1 Significant Impact Guidelines – Matters of National Environmental Significance (2013) and relevant referral guidelines	<input checked="" type="checkbox"/>			
Considers all adverse impacts the action has, will have or is likely to have on matters protected by each provision of Part 3 ((s.75)(2)(a))	<input checked="" type="checkbox"/>			
Does not consider any beneficial impacts the action has, will have or is likely to have on matter protected by each provision of Part 3 ((s.75)(2)(b))	<input checked="" type="checkbox"/>			
States that the decision maker must take account of the precautionary principle, and the precautionary principle is discussed as appropriate to recommendations of significance	<input checked="" type="checkbox"/>			
Bioregional plans are included and discussed (where relevant)	<input type="checkbox"/>	N/A		
Check listing status of all listed species potentially significantly impacted by the proposed action. Ensure correct listing statuses are used in the brief	<input checked="" type="checkbox"/>	N/A	Date of check against SPRAT: 2/11/2020	
BCD (Species Listing Information & Policy Section) weekly report is consulted to confirm imminent listing events or delistings (if required)	<input checked="" type="checkbox"/>	N/A	Date of weekly report: 30/10/2020	
BCD (Species Listing Information & Policy Section) line area advice included on recent and pending listing decisions (if required)	<input type="checkbox"/>	N/A	Date of advice received:	
<b>NCA-PM decision</b>		<b>Brief</b>	<b>Decision Notice</b>	<b>Letters</b>
Wording of the proposed particular manner(s) clearly describe(s) the way in which the action must be undertaken to avoid significant impacts to protected matters, and accurately reflects the intent in the referral information				
Proposed particular manner(s) checked by Post Approvals Section	<input type="checkbox"/>			
<b>CA decision</b>		<b>Brief</b>	<b>Decision Notice</b>	<b>Letters</b>
All controlling provisions have been identified	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
State/territory comments included and addressed where relevant to recommending an appropriate assessment approach (s87(3)(c))	<input checked="" type="checkbox"/>			
Has a recommendation on an approach for assessment (s.87) (do not include where bilateral agreement applies, or decision on assessment approach is deferred)	<input checked="" type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	N/A
Cost recovery fee schedule included	<input type="checkbox"/>	N/A		<input checked="" type="checkbox"/>