



**Notification of
REFERRAL DECISION AND DESIGNATED PROPONENT – controlled action
DECISION ON ASSESSMENT APPROACH**

**Scenic Rim Trail - Thornton Trailhead to Spicers Canopy Nature Reserve, Qld
(EPBC 2016/7847)**

This decision is made under section 75 and section 87 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

proposed action To construct and operate a five to six day supervised bushwalk trail and four associated campsites from Mt Mistake to Spicers Peak Nature Refuge, within and adjacent to the Main Range National Park, Queensland. [See EPBC Act referral 2016/7847]

decision on proposed action The proposed action is a controlled action.
The project will require assessment and approval under the EPBC Act before it can proceed.

relevant controlling provisions

- World Heritage properties (sections 12 & 15A)
- National Heritage places (sections 15B & 15C)
- Listed threatened species and communities (sections 18 & 18A)

designated proponent Gainsdale Pty Ltd
ACN 008 971 499

assessment approach The project will be assessed by preliminary documentation.

Decision-maker

Name and position James Barker
Assistant Secretary
Assessments (QLD, Tas, Vic) and Sea Dumping Branch

Signature

date of decision 23 February 2017



Mr Ben O'Hara
General Manager, Land and Environment
Gainsdale Pty Ltd
PO Box 108
FORTITUDE VALLEY QLD 4006

Dear Mr O'Hara

Additional information required for preliminary documentation — Scenic Rim Trail - Thornton Trailhead to Spicers Canopy Nature Reserve, Qld (EPBC 2016/7847)

I write to you in relation to the above proposed action. On 23 February 2017 I decided under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) that the the proposed action is a controlled action. On the same day, I also decided under section 87 of the EPBC Act that the proposed action will be assessed by preliminary documentation. In accordance with section 95A(2) of the EPBC Act further information is required to be able to assess the relevant impacts of the proposed action. Details outlining the further information required are at Attachment A.

Once the requested preliminary documentation information is provided to the Department you will be instructed to publicly notify the preliminary documentation for comment. Any public comments received will need to be addressed before the preliminary documentation can be finalised. Once complete, the preliminary documentation is then provided to the Department for a decision on whether to approve the proposed action. Further information is available from the department's website at <http://www.environment.gov.au/epbc>.

If you have any questions about the assessment process or the further information required, please contact Ben Phillips, by email at ben.phillips@environment.gov.au or telephone 07 3837 3442 and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

James Barker
Assistant Secretary
Assessments and Sea Dumping Branch

30 March 2017

Additional information required for preliminary documentation

1. General

1.1	The preliminary documentation must be contained as one document with attachments.
1.2	Please follow the structure of this information request when structuring the preliminary documentation.
1.3	Please also include a reference table within the preliminary documentation indicating where to find the information fulfilling this request.
1.4	In addressing this information request please ensure all work and conclusions: <ul style="list-style-type: none"> • are evidence based; • use scientifically robust methodologies; • are supported by peer reviewed literature; • demonstrates consideration of relevant recovery plans, conservation advices, threat abatement plans, and the statement of outstanding universal value for the Gondwana Rainforests of Australia World Heritage property.

Hastings River Mouse, Koontoo (*Pseudomys oralis*) – endangered

2. Description of the environment

The Department notes the survey effort to date identified one individual Hastings River Mouse. However, it is unclear, in relation to the proposed action, where habitat for the Hastings River Mouse is located and the quantity and quality of that habitat, the proximity of that habitat to the proposed action and any current threats that may exist.

To clarify the above the preliminary documentation must:

2.1	Provide a map/s of Hastings River Mouse habitat, and a calculation of the area and quality of Hastings River Mouse habitat (in hectares), within and adjacent to the entire project site (not just at the Woodcutters Ecocamp site) by a suitably qualified expert. Please ensure maps and area of habitat calculations are based on field surveys conducted by a suitably qualified ecologist in accordance with appropriate methodologies; and,
2.2	Provide an assessment of the extent, nature, and severity of current threats to the Hastings River Mouse in the habitat identified in item 2.1, based on field surveys conducted in accordance with appropriate methodologies by a suitably qualified ecologist. Please demonstrate consideration of the <i>Recovery Plan for the Hastings River Mouse (Pseudomys oralis)</i> when assessing threats.

3. Quantification of impacts

The Department considers it is likely the proposed action will significantly impact the Hastings River Mouse in several ways; potential habitat fragmentation, increased predation through increased access for introduced predators, and reduced area of occupancy from noise and light impacts. The Department also considers there is potential for the *Amphitheatre View Wilderness Ecocamp* to provide food sources for introduced rat and mouse species, which could bring these introduced species into competition with the Hastings River Mouse.

To clarify the above the preliminary documentation must:

3.1	<p>Provide an evidence-based, scientifically robust assessment of the likelihood, extent (e.g. area, number of individuals etc.), and severity of the proposed action's impacts on the Hastings River Mouse.</p> <p>Please demonstrate consideration of the <i>Recovery Plan for the Hastings River Mouse (Pseudomys oralis)</i>, and be supported by appropriate literature sources, when assessing impacts. Please also ensure a discussion and analysis of all impacts is identified here. Discussion of residual impacts following implementation of mitigation measures can be included in the following section.</p>
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4. Avoidance and mitigation

The referral does not identify, or provide sufficient information to assess the effectiveness of, measures to avoid and mitigate impacts on the Hastings River Mouse.

To clarify the above the preliminary documentation must:

4.1	Provide a description of each proposed avoidance or mitigation measure in relation to each identified impact;
4.2	Provide an assessment of the expected or predicted effectiveness of each proposed avoidance or mitigation measure; and
4.3	<p>If you are proposing to use an environmental management plan (EMP), provide an EMP that details the proposed avoidance and mitigation measures and how those measures will mitigate impacts to the Hastings River Mouse, including clear, measurable and time specific:</p> <ul style="list-style-type: none"> • performance criteria; • environmental outcomes to be achieved; • auditing regime to measure the implementation and effectiveness of the EMP • corrective actions to be taken if the performance criteria and/or environmental outcomes are not being met. <p>Detail all limitations of any EMPs prepared for the proposed action.</p>

Fleay's Frog (*Mixophyes fleayi*) – endangered**5. Description of the environment**

The Department notes the survey effort to date, however, it is unclear, in relation to the proposed action, where habitat for the Fleay's Frog is located and the quantity and quality of that habitat, the proximity of that habitat to the proposed action, and any current threats that may exist.

To clarify the above the preliminary documentation must:

5.1	Provide a map/s of all Fleay's Frog habitat, and a calculation of the area of Fleay's Frog habitat, within and adjacent to the entire project site. Please ensure maps and area of habitat calculations are based on field surveys conducted by a suitably qualified ecologist in accordance with appropriate methodologies;
5.2	Provide an estimate of the abundance of Fleay's Frogs in the habitat identified in item 5.1, based on field surveys conducted in accordance with appropriate methodologies by a suitably qualified ecologist;
5.3	Provide an assessment of the quality of Fleay's Frog habitat mapped from item 5.1 based on field surveys conducted in accordance with appropriate methodologies by a suitably qualified ecologist; and,
5.4	Provide an assessment of the extent, nature, and severity of current threats (including the presence of chytrid fungal disease and feral pigs) to Fleay's Frog in the habitat identified in item 5.1, based on field surveys conducted in accordance with appropriate methodologies by a suitably qualified ecologist. Please demonstrate consideration of the <i>Recovery plan for stream frogs of south-east Queensland 2001-2005</i> when assessing threats.

6. Quantification of impacts

The Department considers it is likely the proposed action will significantly impact habitat critical to the survival of the Fleay's Frog in several ways; the construction and use of a stream crossing degrading the habitat, creating access to the habitat for feral pigs who will degrade the habitat, exacerbating soil creep impacts which will degrade the habitat, and introducing chytrid fungal disease.

To clarify the above the preliminary documentation must:

6.1	<p>Provide an evidence-based, scientifically robust assessment of the likelihood, extent (e.g. area, number of individuals etc.), and severity of the proposed action's impacts on the Fleay's Frog.</p> <p>Please demonstrate consideration of the <i>Recovery plan for stream frogs of south-east Queensland 2001-2005</i>, the <i>Threat abatement plan for predation, habitat degradation, competition and disease transmission by feral pigs (Sus scrofa) (2017)</i>, and the <i>Threat abatement plan for infection of amphibians with chytrid fungus resulting in</i></p>
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	<p><i>chytridiomycosis</i> when assessing impacts.</p> <p>Please ensure the assessment of impacts is supported by appropriate literature sources. Please also ensure a discussion and analysis of all impacts is identified here. Discussion of residual impacts following implementation of mitigation measures can be included in the following section.</p>
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7. Avoidance and mitigation

The referral does not identify, or provide sufficient information to assess the effectiveness of, measures to avoid and mitigate impacts on the Fleay's Frog.

To clarify the above the preliminary documentation must:

7.1	Provide a description of each proposed avoidance or mitigation measure in relation to each identified impact;
7.2	Provide an assessment of the expected or predicted effectiveness of each proposed avoidance or mitigation measure; and
7.3	<p>If you are proposing to use an environmental management plan (EMP), provide an EMP that details the proposed avoidance and mitigation measures and how those measures will mitigate impacts to the Fleay's Frog, including clear, measurable and time specific:</p> <ul style="list-style-type: none"> • performance criteria; • environmental outcomes to be achieved; • auditing regime to measure the implementation and effectiveness of the EMP • corrective actions to be taken if the performance criteria and/or environmental outcomes are not being met. <p>Detail all limitations of any EMPs prepared for the proposed action.</p>

Gondwana Rainforests of Australia World Heritage property and National Heritage place

8. Quantification of impacts

The Department considers it is likely the proposed action will significantly impact the world and national heritage values of the Gondwana Rainforests, specifically those values under criteria (ix) and (x) of the statement of outstanding universal value, as well as the integrity of the property.

These values and integrity are considered likely to be significantly impacted through impacts to the endangered Hastings River Mouse, endangered Fleay's Frog, and potential fragmentation of the environment through construction of a road and walking tracks.

To clarify the above the preliminary documentation must:

8.1	Provide an evidence-based of the likelihood, extent, and severity of the proposed action's impacts on the world and national heritage values of the Gondwana Rainforests.
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	<p>Please demonstrate consideration of the Gondwana Rainforests <i>Statement of Outstanding Universal Value</i> and the <i>World Heritage Central Eastern Rainforest Reserves Strategic Overview for Management</i>, and be supported by appropriate literature sources, when assessing impacts. Please also ensure a discussion and analysis of all impacts is identified here. Discussion of residual impacts following implementation of mitigation measures can be included in the following section.</p>
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9. Avoidance and mitigation

The referral does not identify, or provide sufficient information to assess the effectiveness of, measures to avoid and mitigate impacts to the values of the Gondwana Rainforests.

To clarify the above the preliminary documentation must:

9.1	<p>Provide a description of each proposed avoidance or mitigation measure in relation to each identified impact;</p>
9.2	<p>Provide an assessment of the expected or predicted effectiveness of each proposed avoidance or mitigation measure; and,</p>
9.3	<p>If you are proposing to use an environmental management plan (EMP), provide an EMP that details the proposed avoidance and mitigation measures and how those measures will mitigate impacts to the World and National heritage values of the Gondwana Rainforests, including clear, measurable and time specific:</p> <ul style="list-style-type: none"> • performance criteria; • environmental outcomes to be achieved; • auditing regime to measure the implementation and effectiveness of the EMP • corrective actions to be taken if the performance criteria and/or environmental outcomes are not being met. <p>Detail all limitations of any EMPs prepared for the proposed action.</p>

All matters of national environmental significance

10. Facilitated Impacts

The Department considers the proposed action is likely to facilitate impacts to matters of national environmental significance through facilitated impacts, including the proposed trail being used by others. The referral does not identify, or provide sufficient information on, or to assess the effectiveness of, measures to avoid and mitigate such impacts.

To clarify the above the preliminary documentation must:

10.1	<p>Provide an evidence-based of the likelihood, extent, and severity of the proposed action's facilitated impacts to all matters of national environment significance;</p>
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10.2	Provide a description of each proposed avoidance or mitigation measure in relation to each identified impact;
10.3	Provide an assessment of the expected or predicted effectiveness of each proposed avoidance or mitigation measure; and
10.4	<p>If you are proposing to use an environmental management plan (EMP), provide an EMP that details the proposed avoidance and mitigation measures and how those measures will mitigate impacts, including clear, measurable and time specific:</p> <ul style="list-style-type: none"> • performance criteria; • environmental outcomes to be achieved; • auditing regime to measure the implementation and effectiveness of the EMP • corrective actions to be taken if the performance criteria and/or environmental outcomes are not being met. <p>Detail all limitations of any EMPs prepared for the proposed action.</p>

11. Proposed offsets

The Preliminary Documentation must clearly articulate how the 'avoid, mitigate' hierarchy will be applied to impacts to MNES and how proposed compensation (environmental offsets) will be provided for any residual significant impacts. To clarify the above the preliminary documentation must:

11.1	Provide an assessment of whether the proposed action will have a residual significant impact on each affected MNES. Please demonstrate the use of the <i>Significant Impact Guidelines 1.1 - Matters of National Environmental Significance</i> in making this assessment;
11.2	<p>Propose a direct offset for MNES where a residual significant impact/s is identified in 12.1. If required, the direct offset must compensate for at least 90 per cent of the impact, as determined by the Minister/Department in accordance with the EPBC Act offsets policy. The identified offset must clearly state whether the conservation gain is proposed to be achieved by:</p> <ul style="list-style-type: none"> • improving existing habitat for the protected matter; • creating new habitat for the protected matter; • reducing threats to the protected matter; and/or • averting the loss of a protected matter or its habitat that is under threat;
11.3	If the direct offset does not compensate for 100 per cent of the impact (using the Department's <i>Offsets assessment guide</i>), provide detailed and evidenced costings for the direct offset and detail any indirect offsets proposed including costs. Costing information is necessary to calculate the cost of the other compensatory measures component of the offset (but is only required where a direct offset does not compensate for 100 per cent of

	the impact);
11.4	Identify the proposed offset's geographical location (including an appropriately scaled map);
11.5	Detail the time-specific outcomes (Key Performance Indicators) against which achievement of the proposed offset outcomes will be measured. This includes interim milestones so the proponent can demonstrate they are on track to achieving the proposed offset outcomes. Please include a monitoring and evaluation plan that will be used to demonstrate that the offset is meeting the interim milestones and final outcomes;
11.6	Detail the management actions for the proposed offset, describing how the outcomes will be achieved; and,
11.7	In order for the Department to consider whether any offset proposal meets the Department's Offset Policy, provide a table detailing the proposed offset's 'score' for each attribute of the <i>Offsets assessment guide</i> , an evidence-based justification for the score for each attribute, and literature references to support the evidence-based justification. If the offset involves improving habitat quality, the same methodology for measuring habitat quality must be used at both the impact and offset sites. Should the offset proposal be acceptable and the project be approved, please note that the information provided will be used in conditions to ensure that environmental outcomes are achieved.

12. Social and Economic

The preliminary documentation must provide details on the social and economic costs and/or benefits of undertaking the proposed action.