



**Australian Government**

**Department of the Environment, Water, Heritage and the Arts**

## Referral of proposed action

### What is a referral?

The *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) provides for the protection of the environment, especially matters of national environmental significance (NES). Under the EPBC Act, a person must not take an action that has, will have, or is likely to have a significant impact on any of the matters of NES without approval from the Australian Government Environment Minister. To obtain approval from the Environment Minister, a proposed action should be referred. The purpose of a referral is to obtain a decision on whether your proposed action will need formal assessment and approval under the EPBC Act.

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

### Who can make a referral?

Referrals may be made by a person proposing to take an action, the Commonwealth or a Commonwealth agency, a state or territory government, or agency, provided that the relevant government or agency has administrative responsibilities relating to the action.

### When do I need to make a referral?

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

- World Heritage properties (sections 12 and 15A)
- National Heritage places (sections 15B and 15C)
- Wetlands of international importance (sections 16 and 17B)
- Listed threatened species and communities (sections 18 and 18A)
- Listed migratory species (sections 20 and 20A)
- Protection of the environment from nuclear actions (sections 21 and 22A)
- Commonwealth marine environment (sections 23 and 24A)
- The environment, if the action involves Commonwealth land (sections 26 and 27A), including:
  - actions that are likely to have a significant impact on the environment of Commonwealth land (even if taken outside Commonwealth land);
  - actions taken on Commonwealth land that may have a significant impact on the environment generally;
- The environment, if the action is taken by the Commonwealth (section 28)
- Commonwealth Heritage places outside the Australian jurisdiction (sections 27B and 27C)

You may still make a referral if you believe your action is not going to have a significant impact, or if you are unsure. This will provide a greater level of certainty that Commonwealth assessment requirements have been met.

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

- the Policy Statement titled [Significant Impact Guidelines 1.1 – Matters of National Environmental Significance](#). Additional [sectoral guidelines](#) are also available.
- the Policy Statement titled [Significant Impact Guidelines 1.2 - Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies](#).
- the [interactive map tool](#) (enter a location to obtain a report on what matters of NES may occur in that location).

### Can I refer part of a larger action?

In certain circumstances, the Minister may not accept a referral for an action that is a component of a larger action and may request the person proposing to take the action to refer the larger action for consideration under the EPBC Act (Section 74A, EPBC Act). If you wish to make a referral for a staged or component referral, read '[Fact Sheet 6 Staged Developments/Split Referrals](#)' and contact the Referral Business Entry Point (1800 803 772).

### Do I need a permit?

Some activities may also require a permit under other sections of the EPBC Act. Information is available on the Department's [web site](#).

## What information do I need to provide?

Schedule 2 of the EPBC Regulations sets out the information that must be included in a referral. Completing all parts of this form will ensure that you submit the required information and will also assist the Department to process your referral efficiently.

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

### Instructions

Instructions are provided in green text throughout the form.

### Attachments/supporting information

The referral form should contain sufficient information to provide an adequate basis for a decision on the likely impacts of the proposed action. You should also provide supporting documentation, such as environmental reports or surveys, as attachments.

Coloured maps, figures or photographs to help explain the project and its location should also be submitted with your referral. Aerial photographs, in particular, can provide a useful perspective and context. Figures should be good quality as they may be scanned and viewed electronically as black and white documents. Maps should be of a scale that clearly shows the location of the proposed action and any environmental aspects of interest.

**Please ensure any attachments are below two megabytes (2mb) as they will be published on the Department's website for public comment (Note: the Minister may decide not to publish information that is commercial-in-confidence). To minimise file size, enclose maps and figures as separate files if necessary. If unsure, contact the Referral Business Entry Point for advice. Attachments larger than two megabytes (2mb) may delay processing of your referral.**

## How do I submit a referral?

Referrals may be submitted by mail, fax or email.

### Mail to:

Referral Business Entry Point  
Environment Assessment Branch  
Department of the Environment, Water, Heritage and the Arts  
GPO Box 787  
CANBERRA ACT 2601

- If submitting via mail, electronic copies of documentation (on CD/DVD or by email) are appreciated.

**Fax to: 02 6274 1789**

- Faxed documents must be of sufficiently clear quality to be scanned into electronic format.
- Address the fax to the mailing address, and clearly mark it as a 'Referral under the EPBC Act'.
- Follow up with a mailed hardcopy including copies of any attachments or supporting reports.

**Email to: [epbc.referrals@environment.gov.au](mailto:epbc.referrals@environment.gov.au)**

- Clearly mark the email as a 'Referral under the EPBC Act'.
- Attach the referral as a Microsoft Word file and, if possible, a PDF file.
- Follow up with a mailed hardcopy including copies of any attachments or supporting reports.

## **What happens next?**

Following receipt of a valid referral (containing all required information) you will be advised of the next steps in the process, and the referral and attachments will be published on the Department's web site for public comment (**Note: the Minister may decide not to publish information that is commercial-in-confidence**).

The Department will write to you at the end of 20 business days to advise you of the outcome of your referral and whether or not formal assessment and approval under the EPBC Act is required. There are a number of possible decisions regarding your referral, including:

**The proposed action is NOT LIKELY to have a significant impact and does NOT NEED approval**

No further consideration is required under the environmental assessment provisions of the EPBC Act and the action can proceed (subject to any state or local government requirements).

**The proposed action is NOT LIKELY to have a significant impact IF undertaken in a particular manner**

The particular manner in which you must carry out the action will be identified as part of the final decision. You must report your compliance with the particular manner to the Department.

**The proposed action is LIKELY to have a significant impact and does NEED approval**

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

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

### **Compliance audits**

The Department may audit your project at any time to ensure that it was completed in accordance with the information provided in the referral or the particular manner specified in the decision. If the project changes, such that the likelihood of significant impacts could vary, you should write to the Department to advise of the changes.

## **For more information**

- call the Department of the Environment, Water, Heritage and the Arts Community Information Unit on 1800 803 772 or
- visit the web site [www.environment.gov.au/epbc](http://www.environment.gov.au/epbc)

All the information you need to make a referral, including documents referenced in this form, can be accessed from the above web site.

# Referral of proposed action

## Project title: East Gippsland Shire Council Poplar Removal Program – Grey-headed Flying-Fox Zone

### 1 Summary of proposed action

NOTE: You must also attach a map/plan(s) showing the location and approximate boundaries of the area in which the project is to occur. Maps in A4 size are preferred. You must also attach a map(s)/plan(s) showing the location and boundaries of the project area in respect to any features identified in 3.1 & 3.2, as well as the extent of any freehold, leasehold or other tenure identified in 3.3(j).

#### 1.1 Short description

East Gippsland Shire Council Poplar tree removal program on the Mitchell River. Removal of poplar trees used as a seasonal roost habitat by Grey-headed Flying Fox.

#### 1.2 Latitude and longitude

Latitude and longitude details are used to accurately map the boundary of the proposed action. If these coordinates are inaccurate or insufficient it may delay the processing of your referral.

location point	Latitude			Longitude		
	degrees	minutes	seconds	degrees	minutes	seconds
Poplar site	-37	49	12	147	37	22

The Interactive Mapping Tool may provide assistance in determining the coordinates for your project area.

If area less than 5 hectares, provide the location as a single pair of latitude and longitude references. If area greater than 5 hectares, provide bounding location points.

If the proposed action is linear (eg. a road or pipeline), provide coordinates for each turning point.

Do not use AMG coordinates.

#### 1.3 Locality

The site is adjacent to the northern side of the town of Bairnsdale on the Mitchell River approximately 1km downstream of the Lind Bridge (Bairnsdale – Wy Yung Road crossing of Mitchell River).

#### 1.4 Size of the development footprint or work area (hectares)

The area of intended tree removal is approximately 0.5Ha

#### 1.5 Street address of the site

59-100 Riverine Street

#### 1.6 Lot description

EGSC committee of management Crown land.

#### 1.7 Local Government Area and Council contact (if known)

East Gippsland Shire Council application

#### 1.8 Timeframe

The tree felling component of the project will be completed in a two week time frame commencing late March 2010. Tree poisoning (none impact) usually occurs three months prior to tree falling.

#### 1.9 Alternatives

Does the proposed action include alternative timeframes, locations or activities?

	No
X	Yes, you must also complete section 2.2

#### 1.10 State assessment

X	No
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	Is the action subject to a state or territory environmental impact assessment?		Yes, you must also complete Section 2.4
1.11	<b>Component of larger action</b> Is the proposed action a component of a larger action?	X	No
			Yes, you must also complete Section 2.6
1.12	<b>Related actions/proposals</b> Is the proposed action related to other actions or proposals in the region (if known)?	X	No
			Yes, provide details:
1.13	<b>Australian Government funding</b> Has the person proposing to take the action received any Australian Government grant funding to undertake this project?		No
		X	Yes, provide details: The project has been funded from EGSC, EGCMA and Landcare. It is possible that funding may be procured from AG however there are no grant applications presently pending.

## 2 Detailed description of proposed action

NOTE: It is important that the description is complete and includes all components and activities associated with the action. If certain related components are not intended to be included within the scope of the referral, this should be clearly explained in section 2.6.

### 2.1 Description of proposed action

East Gippsland Shire Council has been undertaking a Poplar removal program since 2003 along the Mitchell River, adjacent to the township of Bairnsdale between the Lind Bridge and the Princess Highway Bridge. The Poplars are targeted for removal by this ongoing program as they are an environmental weed, in a state of senescence and will pose a public safety threat in the near future due to dead branches and severe lean angles. The Poplar removal programs next scheduled stage of action will remove trees used by GHFF as 'summer camp' habitat. It is intended the trees will be removed and burnt nearby during April 2009. The operation process of removal will require that trees maybe completely removed on level ground or felled with stumps remaining in the ground on slopes. The trees will NOT be removed if bats are present at the time of scheduled operations. Revegetation activities will commence following removal. The program represents a concerted community effort by East Gippsland Shire Council, East Gippsland Catchment Management Authority and the Bairnsdale Urban Landcare Group. The program has been nominated for State Landcare Awards in 2009.

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

The extent of the poplar distribution along the Mitchell River in the program activity zone will allow for continued removal of poplar species. Staged removal of the area of poplars used by the GHFF is an option while allowing the poplar program to continue. It is considered that the staged removal could occur over a three year period allowing the GHFF opportunities to relocate and present enhanced opportunities to manage the relocation to other suitable habitat.

### 2.3 Context, planning framework and state/local government requirements

The poplars are recognised as environmental weeds and do not require approval under the native vegetation framework for removal. The program has been successfully ongoing for a number of years and is in accordance with East Gippsland Environmental Sustainability Strategy 2008-2013.

### 2.4 Environmental impact assessments under Commonwealth, state or territory legislation

Proposal is not considered to be subject to environmental impact assessment.

### 2.5 Consultation with Indigenous stakeholders

Indigenous stakeholders are not considered to be effected by this proposal.

### 2.6 A staged development or component of a larger project

The project is an ongoing program, the proposed activities represent one particular years work but it is not considered that this project represents a component of a larger project.

## 3 Description of environment & likely impacts

### 3.1 Matters of national environmental significance

Describe the affected area and the likely impacts of the proposal, emphasising the relevant matters protected by the EPBC Act. Refer to relevant maps as appropriate. The [interactive map tool](#) can help determine whether matters of national environmental significance or other matters protected by the EPBC Act are likely to occur in your area of interest.

Your assessment of impacts should refer to the following resources (available from the Department's web site):

- specific values of individual [World Heritage properties and National Heritage places](#) and the ecological character of [Ramsar wetlands](#);
- profiles of relevant species/communities (where available), that will assist in the identification of significance;
- [Significant Impact Guidelines 1.1 – Matters of National Environmental Significance](#); and
- associated sectoral and species policy statements available on the web site, as relevant.

**Note that even if your action will not be taken in a World Heritage area, Ramsar wetland, Commonwealth marine area, or on Commonwealth land, it could still impact upon these areas (for example, through downstream impacts). Consideration of likely impacts should include both direct and indirect impacts.**

#### 3.1 (a) World Heritage Properties

##### Description

None in area within 1km of site (protected matters search tool).

##### Nature and extent of likely impact

Address any impacts on the World Heritage values of any World Heritage property

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#### 3.1 (b) National Heritage Places

##### Description

None in area within 1km of site (protected matters search tool).

##### Nature and extent of likely impact

Address any impacts on the National Heritage values of any National Heritage place

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#### 3.1 (c) Wetlands of International Importance (declared Ramsar wetlands)

##### Description

Gippsland Lakes is listed as Ramsar wetland. The Poplar program intends to enhance native vegetation in the Mitchell River environment, a major tributary of the Gippsland Lakes.

##### Nature and extent of likely impact

The proposed project is considered to have a positive impact on the health of the Gippsland Lakes. Erosion control measures to minimise run off from ground disturbance will be undertaken and work will not be undertaken in periods of high erosion incidence. Address any impacts on the ecological character of any Ramsar wetlands

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### 3.1 (d) Listed threatened species and ecological communities

#### Description

Removal of poplar trees presently used as habitat by Grey-headed Flying-fox.

#### Nature and extent of likely impact

Loss of habitat for GHFF at present summer camp site. It is anticipated that the GHFF will relocate to find other suitable habitat. The camp is presently used by 3-5000 bats (on average) over summer and is closely monitored by the Department of Sustainability and Environment. While other suitable habitat is without question available locally it is the potential human interaction of any new habitat adopted by the bats that is of concern. Where possible the bats will be encouraged to adopt habitat of low human contention.

Address any impacts on the members of any listed threatened species or any threatened ecological community, or their habitat

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### 3.1 (e) Listed migratory species

#### Description

#### Nature and extent of likely impact

Address any impacts on the members of any listed migratory species, or their habitat

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### 3.1 (f) Commonwealth marine area

#### Description

12 species listed within 1km (protected matters search tool)

#### Nature and extent of likely impact

This is a terrestrial site in the riparian zone, ground disturbance will be minimised and work will only be undertaken in dry conditions to avoid any potential run off.

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### 3.1 (g) Commonwealth land



### Description

If the action will affect Commonwealth land also describe the more general environment. The Policy Statement titled [\*Significant Impact Guidelines 1.2 - Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies\*](#) provides further details on the type of information needed. If applicable, identify any potential impacts from actions taken outside the Australian jurisdiction on the environment in a Commonwealth Heritage Place overseas.

### Nature and extent of likely impact

Address any impacts on any Commonwealth land

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### 3.2 Nuclear actions, actions taken by the Commonwealth (or Commonwealth agency), actions taken in a Commonwealth marine area, or actions taken on Commonwealth land

You must describe the nature and extent of likely impacts (both direct & indirect) on the whole environment if your project:

- is a nuclear action;
- will be taken by the Commonwealth or a Commonwealth agency;
- will be taken in a Commonwealth marine area; or
- will be taken on Commonwealth land.

Your assessment of impacts should refer to the [Significant Impact Guidelines 1.2 - Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies](#) and specifically address impacts on:

- ecosystems and their constituent parts, including people and communities;
- natural and physical resources;
- the qualities and characteristics of locations, places and areas;
- the heritage values of places; and
- the social, economic and cultural aspects of the above things.

3.2 (a)	Is the proposed action a nuclear action?	X	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment

3.2 (b)	Is the proposed action to be taken by the Commonwealth or a Commonwealth agency?	X	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment

3.2 (c)	Is the proposed action to be taken in a Commonwealth marine area?	X	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(f))

3.2 (d)	Is the proposed action to be taken on Commonwealth land?	X	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(g))

### **3.3 Other important features of the environment**

Provide a description of the following features of the project area and the affected area.

#### **3.3 (a) Soil and vegetation characteristics**

Deep alluvial soils on river flats with limestone escarpment and exposed limestone on steeper slopes. The pre settlement ecological vegetation community is warm temperate rainforest however the site is heavily invaded with weed species, predominantly poplar and ivy and the site is not now considered to represent the warm temperate rainforest ecological vegetation community.

#### **3.3 (b) Water flows, including rivers, creeks and impoundments**

Site is adjacent to the Mitchell River.

#### **3.3 (c) Outstanding natural features, including caves**

Underlying limestone escarpment.

#### **3.3 (d) Gradient (or depth range if action to be taken in a marine area)**

#### **3.3 (e) Buildings or other infrastructure**

Site is adjacent to the urban area, separated by a road.

#### **3.3 (f) Marine areas**

#### **3.3 (g) Kinds of fauna & flora**

#### **3.3 (h) Current state of the environment in the area**

The Mitchell River environs are heavily infested with weed species and the program has provided an opportunity for rehabilitation to be undertaken. Extensive areas of the Mitchell River environs are now revegetated with native species.

Include information about the extent of erosion, whether the area is infested with weeds or feral animals and whether the area is covered by native vegetation or crops.

#### **3.3 (i) Other important or unique values of the environment**

The area is part of a linear walking path in the urban area that provides many residents with a recreational opportunity.

Describe any other key features of the environment affected by, or in proximity to the proposed action (for example, any national parks, conservation reserves, wetlands of national significance etc).

#### **3.3 (j) Tenure of the action area (eg freehold, leasehold)**

#### **3.3 (k) Existing land/marine uses of area**

#### **3.3 (l) Any proposed land/marine uses of area**

## 4 Measures to avoid or reduce impacts

The poplar trees will NOT be removed if GHFF are present at the time of intended operations. If the GHFF are present operation works will be postponed until the GHFF have departed the site.

The staged removal of trees may help to encourage the bats to find suitable habitat at another location and reduce any sudden change in conditions at the site.

It is anticipated that a three year staged removal program would represent a practical option for the limited size of the site if this option was required to be exercised.

The Minister for the Environment, Heritage and the Arts may decide that a proposed action is not a controlled action if the action will be undertaken in a particular manner that will ensure that any potential significant impacts are avoided or reduced by mitigation measures to the extent that they will not be significant (Subsection 77A(1) of the EPBC Act).

To be considered, any such measures must:

- clearly form part of the referral (eg be identified in the referral form and fall within the responsibility of the person proposing to take the action),
- be concrete and prescriptive, and
- be clearly effective in avoiding or mitigating significant impacts.

Examples of relevant measures to avoid or reduce impacts may include the timing of works to avoid critical periods for listed species, avoidance of habitat important for listed species from direct and indirect impacts, application of specific design measures to avoid or reduce impacts, or adoption of specific work practices to reduce or avoid impacts.

More general commitments (eg preparation of management plans or monitoring) and measures aimed at providing environmental offsets, compensation or off-site benefits CANNOT be taken into account in making a decision on significance (but are relevant at the assessment and approval stages if your project proceeds to these stages).

Refer to the [Guideline on Particular Manner Decisions](#) under the EPBC Act available at the Department's web site.

For any measures intended to avoid or mitigate significant impacts on matters protected under the EPBC Act, specify:

- what the measure is
- how the measure is expected to be effective
- the timeframe or workplan for the measure.

## 5 Conclusion on the likelihood of significant impacts

Identify whether or not you believe the action is a controlled action (ie. significant impacts on the matters protected under the Act are likely) and the reasons why. If you think that the action is a controlled action, you must also identify the relevant protected matters in section 5.3. (An action is a controlled action if it has, will have, or is likely to have a significant impact on a matter protected by a provision of Part 3 of the EPBC Act).

### 5.1 Do you THINK your proposed action is a controlled action?

<input type="checkbox"/>	No, complete section 5.2
<input checked="" type="checkbox"/>	Yes, complete section 5.3

### 5.2 Proposed action IS NOT a controlled action.

Specify the key reasons why you think the proposed action is not a controlled action (ie. NOT LIKELY to have significant impacts).

### 5.3 Proposed action IS a controlled action

Type 'x' in the box for the matter(s) of the EPBC Act that you think are likely to be impacted (controlling provisions).

#### Matters likely to be impacted

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

Specify the key reasons why you think the proposed action is a controlled action (ie. LIKELY to have significant impacts).

The proposed action will remove habitat presently used by GHFF. It is considered that the impact will be minimal as suitable habitat is likely to be found by the bats at other nearby locations.

## 6 Environmental history of the responsible party

NOTE: If a decision is made that a proposal needs approval under the Act, the Minister will also decide the assessment approach. The EPBC Regulations provide for the environmental history of the party proposing to take the action to be taken into account when deciding the assessment approach for actions that need approval under the Act.

	Yes	No
<p><b>6.1 Does the party taking the action have a satisfactory record of responsible environmental management?</b></p> <p><b>Provide details</b></p> <p>The project will be undertaken by EGSC and coordinated by the Sustainability Units Environment Officer.</p>	X	
<p><b>6.2 Has the party taking the action ever been subject to any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources?</b></p> <p><b>If yes, provide details</b></p>		X
<p><b>6.3 If the party taking the action is a corporation, will the action be taken in accordance with the corporation's environmental policy and planning framework?</b></p> <p><b>If yes, provide details of environmental policy and planning framework</b></p>		X
<p><b>6.4 Has the person proposing to take the action previously referred an action under the EPBC Act?</b></p> <p><b>Provide name of proposal and EPBC reference number (if known)</b></p>		X

## 7 Information sources and attachments

(For the information provided above)

### 7.1 References

- List the references used in preparing the referral.
- Highlight documents that are available to the public, including web references if relevant.

### 7.2 Reliability and date of information

For information in section 3 specify:

- source of the information;
- how recent the information is;
- how the reliability of the information was tested; and
- any uncertainties in the information.

### 7.3 Attachments

Indicate the documents you have attached. All attachments must be less than two megabytes so they can be published on the Department's website. Attachments larger than two megabytes (2mb) may delay the processing of your referral.

		✓ attached	Title of attachment(s)
<b>You must attach</b>	figures, maps or aerial photographs showing the project locality (section 1)		
	figures, maps or aerial photographs showing the location of the project in respect to any matters of national environmental significance or important features of the environments (section 3)		
<b>If relevant, attach</b>	copies of any state or local government approvals and consent conditions (section 2.3)		
	copies of any completed assessments to meet state or local government approvals and outcomes of public consultations, if available (section 2.4)		
	copies of any flora and fauna investigations and surveys (section 3)		
	technical reports relevant to the assessment of impacts on protected matters and that support the arguments and conclusions in the referral (section 3 and 4)		
	report(s) on any public consultations undertaken, including with Indigenous stakeholders (section 3)		



## 8 Contacts, signatures and declarations

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

Under the EPBC Act a referral can only be made by:

- the person proposing to take the action; or
- a Commonwealth, state or territory government, or agency that is aware of a proposal by a person to take an action, and that has administrative responsibilities relating to the action<sup>1</sup>.

**Project title:** East Gippsland Shire Council Poplar Removal Program – Grey-Headed Flying-Fox Zone

### 8.1 Person proposing to take action

This is the individual, government agency or company that will be principally responsible for, or who will carry out, the proposed action.

If the proposed action will be taken under a contract or other arrangement, this is:

- the person for whose benefit the action will be taken; or
- the person who procured the contract or other arrangement and who will have principal control and responsibility for the taking of the proposed action.

The Minister may also request additional information from this person, for the purposes of deciding whether the action is a controlled action, the controlling provisions that apply, and for the making of an approval decision (if applicable).

If approval for the action is required and is granted, it will be issued to the person proposing to take the action. This person will be responsible for complying with any conditions of approval.

If the Minister decides that the action is a controlled action, the Minister must also designate a person as a proponent of the action. The proponent is responsible for meeting the requirements of the EPBC Act during the assessment process. The proponent will generally be the person proposing to take the action<sup>2</sup>.

Name Ian Bate

Title Environment Officer

Organisation East Gippsland Shire Council

ACN / ABN (if applicable)

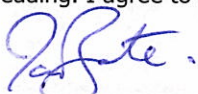
Postal address PO Box 1618, Bairnsdale, VIC 3875

Telephone 0438 011198

Email ianba@egipps.vic.gov.au

Declaration I declare that the information contained in this form is, to my knowledge, true and not misleading. I agree to be nominated as the proponent for this action.

Signature



Date 24/7/09


<sup>1</sup> If the proposed action is to be taken by a Commonwealth, state or territory government or agency, section 8.1 of this form should be completed. However, if the government or agency is aware of, and has administrative responsibilities relating to, a proposed action that is to be taken by another person which has not otherwise been referred, please contact the Referrals Business Entry Point (1800 803 772) to obtain an alternative contacts, signatures and declarations page.

<sup>2</sup> If a person other than the person proposing to take action is to be nominated as the proponent, please contact the Referrals Business Entry Point (1800 803 772) to obtain an alternative contacts, signatures and declarations page.



**8.2 Person preparing the referral information (if different from 8.1)**

Individual or organisation who has prepared the information contained in this referral form.

Name Ian Bate  
Title Environmental Officer  
Organisation East Gippsland shire Council  
Postal address PO Box 1618, Bairnsdale VIC 3875  
Telephone 0438 011198  
Email ianba@egipps.vic.gov.au  
Declaration I declare that the information contained in this form is, to my knowledge, true and not misleading.  
Signature  Date 24/7/09

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

Hours	Minutes

## REFERRAL CHECKLIST

NOTE: This checklist is to help ensure that all the relevant referral information has been provided. It is not a part of the referral form and does not need to be sent to the Department.

### HAVE YOU:

- ☐ Completed all required sections of the referral form?
- ☐ Included accurate coordinates (to allow the location of the proposed action to be mapped)?
- ☐ Provided a map showing the location and approximate boundaries of the project area?
- ☐ Provided a map/plan showing the location of the action in relation to any matters of NES?
- ☐ Provided complete contact details and signed the form?
- ☐ Provided copies of any documents referenced in the referral form?
- ☐ Ensured that all attachments are less than two megabytes (2mb)?
- ☐ Sent the referral to the Department (electronic and hard copy preferred)?