



Anscape Pty Ltd
c/o Brian Clarke
PO Box 1052
BROADBEACH Qld 4218

Dear Mr Clarke

**Decision on referral
Turtle Cove Retirement Village 3, River Heads, Queensland**

Thank you for submitting a referral under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This is to advise you of my decision about the referral of the proposed action, to construct and operate a retirement village, associated infrastructure and facilities at River Heads, 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 that I have considered indicates that the proposed action is likely to have a significant impact on the following matters protected by the EPBC Act:

- Ramsar wetlands (sections 16 & 17B);
- Listed threatened species and communities (sections 18 & 18A); and
- Listed migratory species (sections 20 & 20A).

Based on the information available in the referral, the proposed action is likely to have a significant impact on matters of national environmental significance, including, but not limited to the migratory and critically endangered Eastern Curlew (*Numenius madagascariensis*) and, as a consequence, on the ecological character of the Great Sandy Strait Ramsar site.

A copy of the document recording this decision is enclosed.

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 project will need to be assessed by preliminary documentation.

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 <http://www.environment.gov.au/epbc/publications/engage-early>.

Cost Recovery

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>.

Details on the assessment process for the project and the responsibilities of the proponent are set out in the enclosed fact sheet. Further information is available from the department's website at <http://www.environment.gov.au/topics/environment-protection/environment-assessments>.

A copy of the document recording these decisions is enclosed.

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.

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

Commonwealth Minister	The Hon Ken Wyatt AM MP, Minister for Indigenous Australians
Other relevant authority	Queensland Department of Environment and Science

You may elect under section 132B of the EPBC Act to submit a management plan for approval at any time before the Minister makes an approval decision of the proposed action under section 133 of the EPBC Act.

If an election is made under section 132B of the EPBC Act, cost recovery will apply to the approval of any action management plans you submit.

Cost recovery does not apply to the approval of action management plans where you do not elect to submit an action management plan for approval under section 132B of the EPBC Act and the approval of the action management plan does not arise from a variation to the approval conditions that you have requested.

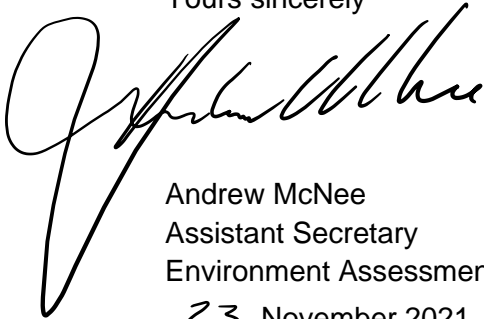
Where you vary an approval condition and it results in you being required to submit an action management plan for approval, cost recovery will apply to the approval of the action management plan. Please refer to [Attachment A](#) for more details.

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: <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: <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, Damien O'Connor, by email to damien.o'connor@environment.gov.au and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely



Andrew McNee
Assistant Secretary
Environment Assessment Qld and Sea Dumping Branch

23 November 2021