



---

**Title of Proposal** - Industrial Development of 165-195 O'Herns Road, Epping VIC

## Section 1 - Summary of your proposed action

Provide a summary of your proposed action, including any consultations undertaken.

### 1.1 Project Industry Type

Commercial Development

### 1.2 Provide a detailed description of the proposed action, including all proposed activities.

The proposed project is to create an integrated, contemporary employment node within the Cooper Street Employment Area. The project will expand the Alliance Business Park (previously known as 275 O'Herns Road) to the east by adding approximately 31.5 hectares of land identified as 165-195 O'Herns Road, Epping, Victoria. The project will establish a mix of employment generating uses, including industrial (warehouse and manufacturing), commercial and large format retail development.

This development is to include:

- Subdivision of the land for commercial / industrial development in accordance with the Schedule 2 to the Comprehensive Development Zone (Cooper Street Employment Area Comprehensive Development Plan) under the Whittlesea Planning Scheme.
- Extension of Edgars Road north to O'Herns Road, linking roads to existing industrial subdivisions to the west (Alliance Business Park) and south, a 4.277 ha reserve associated with Edgars Creek, a 1.001 ha tree reserve, serviced industrial lots of various sizes.

### 1.3 What is the extent and location of your proposed action? Use the polygon tool on the map below to mark the location of your proposed action.

Area	Point	Latitude	Longitude
165 to 195 O'Herns Road	1	-37.635341880249	145.00343020967
165 to 195 O'Herns Road	2	-37.635885641857	145.00785049013
165 to 195 O'Herns Road	3	-37.642784271724	145.00675614885
165 to 195 O'Herns Road	4	-37.642308524713	145.00227149538
165 to 195 O'Herns Road	5	-37.635341880249	145.00343020967



---

**1.5 Provide a brief physical description of the property on which the proposed action will take place and the location of the proposed action (e.g. proximity to major towns, or for off-shore actions, shortest distance to mainland).**

The site is located approximately 3 km west of Epping and approximately 20 km north of the Melbourne central business district. The study area is bounded by O'Herns Road to the north, and is traversed by Edgars Creek in the south.

**1.6 What is the size of the development footprint or work area?**

Approximately 26.2 ha, with exception of 4.277 ha reserve buffering Edgars Creek and roughly 1 ha tree reserve.

**1.7 Is the proposed action a street address or lot?**

Street Address

165-195 O'herns Road  
Epping VIC 3076  
Australia

**1.8 Primary Jurisdiction.**

Victoria

**1.9 Has the person proposing to take the action received any Australian Government grant funding to undertake this project?**

No

**1.10 Is the proposed action subject to local government planning approval?**

Yes

**1.10.1 Is there a local government area and council contact for the proposal?**

No

**1.11 Provide an estimated start and estimated end date for the proposed action.**

Start date 03/2018

End date 08/2021

**1.12 Provide details of the context, planning framework and State and/or Local**



---

## **government requirements.**

The proposed study area is currently zoned as part of a Comprehensive Development Zone (CDZ) and is not influenced by any vegetation protection or environmental significance overlay (VPO/ESO).

### **1.13 Describe any public consultation that has been, is being or will be undertaken, including with Indigenous stakeholders.**

No consultation other than liaison with officers from the City of Whittlesea.

### **1.14 Describe any environmental impact assessments that have been or will be carried out under Commonwealth, State or Territory legislation including relevant impacts of the project.**

Biosis Pty Ltd completed a biodiversity assessment of the land at 165-195 O'Herns Rd, Epping. Other sources of biodiversity information were examined including:

- Biosis Research 2012. 275 O'Herns Road, Epping: Flora, fauna and habitat assessment. Report for MAB Corporation. Authors Mueck, S., Byrne, A. and Gilmore, D. Biosis Research Melbourne. Project no.: 13806. (EPBC Referral 2012/6298)
- Jacobs 2015. Epping Branch Sewer Stage 4B and Melbourne Markets Duplication Yarra Valley Water: Ecology Report. Report for Yarra Valley Water. Author, Sutherland, R. Jacobs: Report No. IS0803DU – EP – RP – 0001| A. (EPBC Referral 2015/7528)

### **1.15 Is this action part of a staged development (or a component of a larger project)?**

No

### **1.16 Is the proposed action related to other actions or proposals in the region?**

Yes

#### **1.16.1 Identify the nature/scope and location of the related action (Including under the relevant legislation).**

MAB established an industrial subdivision at 275 O'Herns Road, Epping (Alliance Business Park) assessed by Biosis Research (2012). This neighbouring development was determined to be a controlled action under the EPBC Act (Referral 2012/6298). This assessment identified a range of biodiversity issues relating to that property which are also relevant to 165-195 O'Herns Road.

These include:



- 
- the broad-scale presence of Golden Sun-moth *Synemon plana*;
  - scattered occurrences of patches of native vegetation, particularly Plains Grassland which also corresponds to the EPBC Act listed Natural Temperate Grassland of the Victorian Volcanic Plain (NTGVVP);
  - the identification of Edgars Creek and its environs as a habitat corridor for Growling Grass Frog *Litoria raniformis*;
  - the presence of a population of Matted Flax-lily *Dianella amoena*;
  - the local absence of a population of Striped Legless Lizard *Delma impar*;
  - potential habitat for Curly Sedge *Carex tasmanica* along Edgars Creek; and
  - the broad-scale presence of a variety of noxious weeds including the State prohibited Lobed Needle-grass *Nassella charruana*.

Jacobs (2015) identified the presence of habitat for Golden Sun-moth along the proposed alignment of a new sewer within 165-195 O'Herns Road. While no targeted surveys were completed for this species, the entire proposed construction footprint within the property was assessed as Golden Sun-moth habitat in association with the referral under the EPBC Act (2015/7528).

Since the Jacobs (2015) assessment, Curly Sedge has been de-listed as a threatened species under the EPBC Act but remains a species listed under the FFG Act.



## Section 2 - 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. Consideration of likely impacts should include both direct and indirect impacts.

Your assessment of likely impacts should consider whether a bioregional plan is relevant to your proposal. The following resources can assist you in your assessment of likely impacts:

- [Profiles of relevant species/communities](#) (where available), that will assist in the identification of whether there is likely to be a significant impact on them if the proposal proceeds;
- [Significant Impact Guidelines 1.1 – Matters of National Environmental Significance](#);
- [Significant Impact Guideline 1.2 – Actions on, or impacting upon, Commonwealth land and Actions by Commonwealth Agencies](#).

### 2.1 Is the proposed action likely to impact on the values of any World Heritage properties?

No

### 2.2 Is the proposed action likely to impact on the values of any National Heritage places?

No

### 2.3 Is the proposed action likely to impact on the ecological character of a Ramsar wetland?

No

### 2.4 Is the proposed action likely to impact on the members of any listed threatened species (except a conservation dependent species) or any threatened ecological community, or their habitat?

Yes

#### 2.4.1 Impact table

Species	Impact
Golden Sun Moth ( <i>Synemon plana</i> )	Targeted surveys for Golden Sun Moth were



Species	Impact
	conducted and recorded 278 individuals. The project was assessed as impacting 21.44 hectares of Golden Sun Moth habitat (excluding areas impacted on the approval of referral 2015/7528). Commercial development of the proposed area would have a significant impact on Golden Sun Moth and its associated habitat as all vegetation would be removed. Note that part of the site has been assessed in association with referral 2015/7528 and offsets prescribed for Golden Sun Moth habitat within the nominate footprint of the new Epping branch sewer. This includes approximately 3 ha of defined Golden Sun Moth habitat within 165-195 O'Herns Road.
Matted Flax-lily ( <i>Dianella amoena</i> )	Targeted survey for Matted Flax-lily were conducted and recorded 19 individuals. Commercial development of the proposed area would illicit a significant impact to Matted Flax-lily as development would constitute completed removal of all native vegetation.
Growling Grass Frog ( <i>Litoria raniformis</i> )	Targeted surveys were conducted for Growling Grass Frog (GGF) and none were recorded. Despite absence of the species during targeted survey. Edgars Creek, which bisects the proposed works area, provides a habitat corridor, as the species is known to be present in wetlands north and south of the proposed works area. The proposed development concept plan retains a habitat corridor along Edgars Creek. The corridor is designed in a manner consistent with the principles associated with the approval of Alliance Business Park (referral 2012/6298) which acknowledged the importance of Edgars Creek as a movement corridor for GGF. While the corridor width within this development was constrained by surrounding developments and other fixed features (i.e. the alignment of Edgars Road is defined by VicRoads), a substantial habitat corridor is a feature of the concept design for the development of 165 – 195 O'herns Road. Therefore no significant impact is anticipated for GGF.
Natural Temperate Grassland of the Victorian Volcanic Plain	Nine small patches of grassland totalling 1.608 ha are proposed for clearing in association with



Species	Impact
	the development concept plan. Note this excludes areas assessed in association with the approval of the Epping Sewer (Referral 2015/7528).

**2.4.2 Do you consider this impact to be significant?**

Yes

**2.5 Is the proposed action likely to impact on the members of any listed migratory species, or their habitat?**

No

**2.6 Is the proposed action to be undertaken in a marine environment (outside Commonwealth marine areas)?**

No

**2.7 Is the proposed action likely to impact on any part of the environment in the Commonwealth land?**

No

**2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park?**

No

**2.9 Will there be any impact on a water resource related to coal / gas / mining?**

No

**2.10 Is the proposed action a nuclear action?**

No

**2.11 Is the proposed action to be taken by the Commonwealth agency?**

No

**2.12 Is the proposed action to be undertaken in a Commonwealth Heritage Place Overseas?**



No

**2.13 Is the proposed action likely to impact on any part of the environment in the Commonwealth marine area?**

No





## Section 3 - Description of the project area

Provide a description of the project area and the affected area, including information about the following features (where relevant to the project area and/or affected area, and to the extent not otherwise addressed in Section 2).

### 3.1 Describe the flora and fauna relevant to the project area.

The study area has been extensively modified due to past development and agricultural activities including establishing various buildings and horse training infrastructure, grazing, slashing and weed invasion. Significant portions of the study area have been degraded and support predominantly introduced vegetation that is of reduced value for most native fauna.

However, the study area still supports a range of ecological features including small scattered areas of native grassland, patches of indigenous trees, scattered indigenous trees and areas dominated by Chilean Needle-grass *Nassella neesiana* which retains habitat values for Golden Sun Moth *Synemon plana*. The site also supports scattered individuals of Matted Flax-lily of which 19 plants were identified during targeted searches for this species.

The study area is part of the Edgars Creek catchment within outer metropolitan Melbourne. It is therefore part of a corridor of land which extends northward and includes Edgars Creek and associated areas of native and introduced vegetation. This area is progressively being urbanised as part of Melbourne's expansion to the north.

The site contributes to a known riparian habitat corridor along Edgars Creek which is considered important for the local movement of Growling Grass Frog *Litoria raniformis*.

Throughout the proposed works area, various habitat types are present (see descriptions below). Note the habitat zones refer to areas of native vegetation identified by Biosis (2017).

#### Plains Grassland (EVC 132)

- Generally associated with gilgai soils and rocky platforms / localised rocky rises.
- Characterised by spear-grasses *Austrostipa* spp., wallaby-grasses *Rytidosperma* spp. and Kangaroo Grass *Themeda triandra* with occasional forbs in the ground layer. Trees are absent and shrubs are sparse (gilgai soils) to moderately common (rocky rises).
- Degraded remnants have a high cover of weedy perennial grasses such as Serrated Tussock and Chilean Needle-grass.
- Represented by Habitat Zones 3, 4 & 5.



- Scattered across the study area (Figure 2 in Biosis 2017)
- Corresponds to Natural Temperate Grassland of the Victorian Volcanic Plain community (NTGVVP - EPBC Act) and Western (Basalt) Plains Grassland Community (FFG Act).
- Includes a population of Golden Sun-moth.
- Other populations of rare and threatened species likely to be present include numerous species considered to be rare or restricted in northern Melbourne.
- Species such as the vulnerable Tussock Skink *Pseudemoia pagenstecheri* (DSE advisory list), are likely to be common in this habitat.

### **Plains Grassy Woodland (EVC 55)**

- An open to scattered canopy layer of mature and regenerating River Red-gum *Eucalyptus camaldulensis* with a single Swamp Gum *Eucalyptus ovata* was also recorded.
- The ground cover of this vegetation is dominated by introduced grasses and shrubs such as African Boxthorn *Lycium ferocissimum*, Chilean Needle Grass, Toowoomba Canary-grass *Phalaris aquatica* and other annuals.
- Scattered indigenous shrubs include Tree Violet *Melicytus dentatus* and Fragrant Saltbush *Rhagodia parabolica* and various wattles. Otherwise the ground cover supports a relatively low cover of indigenous grasses and herbs.
- Represented by Habitat Zone 1 & 2.
- Restricted to the north west of the study area.
- Fragrant Saltbush *Rhagodia parabolica* is listed as rare in Victoria although these individuals may have colonised the site from local landscape plantings.
- This vegetation includes large hollow bearing trees and extensive areas of regeneration.
- This community is endangered within the bioregion.

### **Plains Grassy Wetland (EVC 125)**

- Seasonally wet depressions dominated by Common Spike-sedge *Eleocharis acuta*, Common Swamp Wallaby-grass *Amphibromus nervosus* and Brown-back Wallaby-grass *Rytidosperma duttonianum*. Represented by Habitat Zone 6.
- Central sections of the study area
- Provides potential habitat for a range of wetland species including common frogs. Contributes to the sites habitat diversity.



---

## Edgars Creek

- An ephemeral stream that includes areas of flowing water and relatively open ponds flowing over a rock substrate.
- Scattered patches of aquatic indigenous macrophytes such as Common Spike-sedge, Narrow-leaf Cumbungi *Typha domingensis* and River Club-sedge *Schoenoplectus tabernaemontani*.
- This vegetation is classified as Creekline Tussock Grassland and Represented by Habitat Zone 7.
- The wet channel of Edgars Creek.
- Provides a habitat corridor for Growling Grass Frog and other species dependant on riparian environments (i.e. Baillon's Crane *Porzana pusilla*). The bed and banks of Edgars Creek support potential habitat for threatened species such as Small Scurf-pea *Cullen parvum* (recorded from the creek environs to the west) and Curly Sedge *Carex tasmanica*.

## Predominantly introduced vegetation

- Substantial portions of the study area supports degraded vegetation. This includes areas variously dominated by
- Chilean Needle Grass, Artichoke Thistle *Cynara cardunculus* and African Boxthorn.
- Other weed species are both broadly and locally common.
- Large portions of the study area (see Figure 2 in Biosis 2017).
- Areas dominated by Chilean Needle-grass are habitat for Golden Sun-moth.
- Species such as the vulnerable Tussock Skink (DSE advisory list), are likely to be common in this habitat.

## Scattered trees

- Scattered remnant trees within the study area (Plate 1) provide a foraging resource for mobile fauna species. Some of the trees contain hollows.
- Scattered throughout the northern half of the study area.
- Eucalypts in these areas offer possible foraging habitat for a range of common birds.

## Farm Dams

- Open bodies of water generally without any significant fringing or aquatic vegetation.



- 
- Northern half of the study area (see Figure 2 in Biosis 2017).
  - Provides habitat for common frogs and potential breeding habitat for Growling Grass Frog.
  - Furthermore, various EPBC and FFG Act listed threatened species are most likely to occur throughout the study area and are listed below in Table 2.

Below is a list of EPBC Act listed species most likely to occur throughout the study area.

### **Golden Sun-moth**

- Critically Endangered under EPBC Act
- Listed under FFG Act
- Records shown in Biosis (2017) Figure 3

### **Growling Grass Frog**

- Vulnerable under EPBC Act
- Listed under FFG Act
- Recorded from the wetlands to the north and south of the site. Edgars Creek environs provide a habitat corridor.

### **Matted Flax-lily**

- Endangered under EPBC Act
- Listed under FFG Act
- Recorded from both this site and 275 O'Herns Road. Areas of native grassland and broader rocky platforms provide habitat.
- 19 plants recorded from the study area (Figure 2 in Biosis 2017).

### **Grey-headed Flying-fox**

- Vulnerable under EPBC Act
- Listed under FFG Act
- Scattered trees and areas of Plains Grassy Woodland



The targeted survey for Golden Sun-moth identified a total of 278 individuals (Figure 3 in Biosis 2017). No Growling Grass Frogs were recorded within the study area.

Previous surveys at 275 O'Herns Road have identified Matted Flax-lily within areas similar environments to those present within the study area (Figure 3 in Biosis 2017).

Areas of Plains Grassland (EVC 132) identified within this assessment are consistent with the Western (Basalt) Plains Grassland community listed under the FFG Act. Where areas of Habitat zones 2, 3 and 4 are greater than 0.05 ha, these areas also satisfy the definition of Natural Temperate Grassland of the Victorian Volcanic Plains (NTGVVP) Community listed under the EPBC Act.

Plains Grassy Woodland is endangered within the Victorian Volcanic Plains bioregion. This vegetation corresponds to the Western Basalt Plains (River Red Gum) Grassy Woodland floristic community 55-04 listed under the FFG Act but not the EPBC Act listed community Grassy Eucalypt Woodland of the Victorian Volcanic Plains (GEWVVP). The degraded nature of the understorey and the limited size of each remnant prevents the woodland from being classified as GEWVVP.

Areas of greatest value for significant species within the study area include:

- Plains Grassland: known to support populations of Golden Sun Moth.
- Edgars Creek environs: Considered to provide a habitat corridor for Growling Grass Frog and supports threatened flora in adjacent properties.

*The flora and fauna investigation completed by Biosis for 165-195 O'herns Road has been uploaded to section 2.14 of this referral.*

### **3.2 Describe the hydrology relevant to the project area (including water flows).**

The subject land is dissected by Edgars Creek which is a seasonally ephemeral stream. The surrounding undulating volcanic plain typically drains into Edgars Creek although, gentle slopes and undulating topography often result in localised areas of poor drainage which may be seasonally wet.

### **3.3 Describe the soil and vegetation characteristics relevant to the project area.**

Soils within the study area vary from shallow rocky outcrops with poor soil development to grey to black self-mulching clays.



The natural vegetation of the site includes small patches of woodland dominated by River Red-gum *Eucalyptus camaldulensis* and broader areas of grassland, now variously dominated by native and introduced grasses and herbs. Small rocky rises often support and open to dense shrub cover depending on the intensity of land use (grazing by domestic stock) in the recent past.

The channel of Edgars Creek is treeless and typically dominated by a variety of rushes, sedges, grasses and herbs.

The site is therefore predominantly a grassland with smaller areas of woodland and shrubland.

### **3.4 Describe any outstanding natural features and/or any other important or unique values relevant to the project area.**

The site is dissected by Edgars Creek. This narrow ephemeral stream has a relatively narrow floodplain.

### **3.5 Describe the status of native vegetation relevant to the project area.**

Remnants of native vegetation within the study area are relatively small and isolated. They largely occur within a broader landscape dominated by introduced grasses and herbs. The remnants recorded were classified as four ecological vegetation classes: Plains Grassland (EVC 132), Plains Grassy Woodland (EVC 55) and Creekline Tussock Grassland (EVC 654) and Plains Grassy Wetland (EVC 125). All of these communities are considered endangered in Victoria.

### **3.6 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area.**

The study area is part of a broad undulating volcanic plain. Altitudes change slowly within a range of 130 to 140 m above sea level.

### **3.7 Describe the current condition of the environment relevant to the project area.**

The study area has been substantially modified from its natural condition due to past clearing, an ongoing agricultural land use (grazing by domestic stock) clearing associated with the installation of the Edgars Road Sewer (Referral 2015/7528) and invasion from a significant number of noxious and other environmental weeds. Remnants of native vegetation are therefore small and scattered across the site.

Most of the site has not been subject to past cultivation and much of the site still supports the original ground structure including imbedded rock, scattered rocky outcrops and extensive areas of gilgai soils.



**3.8 Describe any Commonwealth Heritage Places or other places recognised as having heritage values relevant to the project area.**

Not Applicable

**3.9 Describe any Indigenous heritage values relevant to the project area.**

A Notice of Intention to Prepare a Cultural Heritage Management Plan (CHMP) was submitted to Department of Premier and Cabinet and the Registered Aboriginal Party (RAP) for the activity area, the Wurundjeri Tribe Land and Compensation Cultural Heritage Council Inc (Wurundjeri) on 28 November 2016. The Wurundjeri has indicated that they would be involved with the project and would evaluate the CHMP.

A standard CHMP (CHMP No. 14732) was prepared by Cultural Heritage Management Group (Author John Stevens).

Cultural Heritage Management Group (on behalf of MAB) are currently preparing a complex Aboriginal CHMP, which will be required for the activity area prior to permit approval from the statutory authority.

**3.10 Describe the tenure of the action area (e.g. freehold, leasehold) relevant to the project area.**

The site is freehold land.

**3.11 Describe any existing or any proposed uses relevant to the project area.**

The site is currently subject to construction works installing the Epping Sewer (Referral 2015/7528).



## Section 4 - Measures to avoid or reduce impacts

Provide a description of measures that will be implemented to avoid, reduce, manage or offset any relevant impacts of the action. Include, if appropriate, any relevant reports or technical advice relating to the feasibility and effectiveness of the proposed measures.

Examples of relevant measures to avoid or reduce impacts may include the timing of works, avoidance of important habitat, specific design measures, or adoption of specific work practices.

### **4.1 Describe the measures you will undertake to avoid or reduce impact from your proposed action.**

The development concept plan includes the establishment of a habitat corridor along Edgars Creek. This would be managed in a manner consistent with the management plan applied to the Edgar Creek corridor associated with the adjacent Alliance Business Park (Referral 2012/6298). The concept plan also includes a 1 ha woodland reserve. Both reserves will retain habitat for Golden Sun Moth.

Matted Flax-lily impacted as part of the development would be salvaged, propagated in a nursery and translocated into a managed area of native vegetation approved through the referral process and Victoria's Department of Environment Land Water and Planning (DELWP).

### **4.2 For matters protected by the EPBC Act that may be affected by the proposed action, describe the proposed environmental outcomes to be achieved.**

All impacts to matters of national environmental significance (MNES) would be offset in a manner consistent with the EPBC Act offset policy.

*Refer to Biosis (2017) Flora and Fauna assessment, uploaded in section 2.14, which discusses offsets and how to avoid or reduce impact from the proposed action.*





## **Section 5 – Conclusion on the likelihood of significant impacts**

A checkbox tick identifies each of the matters of National Environmental Significance you identified in section 2 of this application as likely to be a significant impact.

Review the matters you have identified below. If a matter ticked below has been incorrectly identified you will need to return to Section 2 to edit.

### **5.1.1 World Heritage Properties**

No

### **5.1.2 National Heritage Places**

No

### **5.1.3 Wetlands of International Importance (declared Ramsar Wetlands)**

No

### **5.1.4 Listed threatened species or any threatened ecological community**

Listed threatened species and communities - Yes

### **5.1.5 Listed migratory species**

No

### **5.1.6 Commonwealth marine environment**

No

### **5.1.7 Protection of the environment from actions involving Commonwealth land**

No

### **5.1.8 Great Barrier Reef Marine Park**

No

### **5.1.9 A water resource, in relation to coal/gas/mining**

No



#### **5.1.10 Protection of the environment from nuclear actions**

No

#### **5.1.11 Protection of the environment from Commonwealth actions**

No

#### **5.1.12 Commonwealth Heritage places overseas**

No

**5.2 If no significant matters are identified, provide the key reasons why you think the proposed action is not likely to have a significant impact on a matter protected under the EPBC Act and therefore not a controlled action.**

Not applicable



## **Section 6 – Environmental record of the person proposing to take the action**

Provide details of any proceedings under Commonwealth, State or Territory law against the person proposing to take the action that pertain to the protection of the environment or the conservation and sustainable use of natural resources.

### **6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Please explain in further detail.**

Yes. Note compliance with existing referrals for other MAB developments including 2001/169, 2009/4721 and 2012/6298. MAB was also initially involved in 2015/7516 but that project has now been sold to another developer.

### **6.2 Provide details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against either (a) the person proposing to take the action or, (b) if a permit has been applied for in relation to the action – the person making the application.**

Not Applicable

### **6.3 Will the action be taken in accordance with the corporation's environmental policy and planning framework?**

No

### **6.4 Has the person taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?**

Yes

#### **6.4.1 EPBC Act No and/or Name of Proposal.**

2001/169, 2009/4721 and 2012/6298. MAB was also initially involved in 2015/7516



## Section 7 – Information sources

You are required to provide the references used in preparing the referral including the reliability of the source.

### 7.1 List references used in preparing the referral (please provide the reference source reliability and any uncertainties of source).

Reference Source	Reliability	Uncertainties
Jacobs 2015. Epping Branch Sewer Stage 4B and Melbourne Markets Duplication Yarra Valley Water: Ecology Report. Report for Yarra Valley Water. Author, Sutherland, R. Jacobs: Report No. IS0803DU – EP – RP – 0001  A	Moderate	Some issues dismissed by the report are not considered justifiable.
Biosis 2017. 165-195 O'Herns Road Epping: Biodiversity Assessment. Report for MAB Corporation. Authors: Mueck S, & Gilmore D Biosis Pty Ltd, Melbourne. Project no. 23682.	High	None not described in the report



## **Section 8 – Proposed alternatives**

You are required to complete this section if you have any feasible alternatives to taking the proposed action (including not taking the action) that were considered but not proposed.

### **8.0 Provide a description of the feasible alternative?**

No feasible alternatives proposed.

### **8.1 Select the relevant alternatives related to your proposed action.**

### **8.27 Do you have another alternative?**



## Section 9 – Contacts, signatures and declarations

Where applicable, you must provide the contact details of each of the following entities: Person Proposing the Action; Proposed Designated Proponent and; Person Preparing the Referral. You will also be required to provide signed declarations from each of the identified entities.

### 9.0 Is the person proposing to take the action an Organisation or an Individual?

Organisation

### 9.2 Organisation MAB Corporation Pty Ltd

#### 9.2.1 Job Title

Director Business Parks

#### 9.2.2 First Name

Michael

#### 9.2.3 Last Name

Martin

#### 9.2.4 E-mail

mmartin@mab.com.au

#### 9.2.5 Postal Address

Level 5, 441 St Kilda Road  
Melbourne VIC 3004  
Australia

#### 9.2.6 ABN/ACN

ACN

151 353 829 - Alliance Business Park Pty Ltd

#### 9.2.7 Organisation Telephone

8681 2222



### 9.2.8 Organisation E-mail

mmartin@mab.com.au

### 9.2.9 I qualify for exemption from fees under section 520(4C)(e)(v) of the EPBC Act because I am:

Not applicable

### Small Business Declaration

I have read the Department of the Environment and Energy's guidance in the online form concerning the definition of a small a business entity and confirm that I qualify for a small business exemption.

Signature:..... Date: .....

### 9.2.9.2 I would like to apply for a waiver of full or partial fees under Schedule 1, 5.21A of the EPBC Regulations

No

### 9.2.9.3 Under sub regulation 5.21A(5), you must include information about the applicant (if not you) the grounds on which the waiver is sought and the reasons why it should be made

### Person proposing the action - Declaration

I, MICHAEL MARTIN, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf of or for the benefit of any other person or entity.

Signature: [Signature] Date: 2/5/2017

I, \_\_\_\_\_, the person proposing the action, consent to the designation of \_\_\_\_\_ as the proponent of the purposes of the action describe in this EPBC Act Referral.

Signature:..... Date: .....

### 9.3 Is the Proposed Designated Proponent an Organisation or Individual?



## **9.5 Organisation**

### **9.5.1 Job Title**

### **9.5.2 First Name**

### **9.5.3 Last Name**

### **9.5.4 E-mail**

### **9.5.5 Postal Address**

### **9.5.6 ABN/ACN**

### **9.5.7 Organisation Telephone**

### **9.5.8 Organisation E-mail**

### **Proposed designated proponent - Declaration**

I, \_\_\_\_\_, the proposed designated proponent, consent to the designation of myself as the proponent for the purposes of the action described in this EPBC Act Referral.





Signature:..... Date: .....

## 9.6 Is the Referring Party an Organisation or Individual?

Organisation

## 9.8 Organisation

### 9.8.1 Job Title

Mr.

### 9.8.2 First Name

Steve

### 9.8.3 Last Name

Mueck

### 9.8.4 E-mail

smueck@biosis.com.au

### 9.8.5 Postal Address

38 Bertie Street  
Port Melbourne VIC 3207  
Australia

### 9.8.6 ABN/ACN

ABN

65006175097 - BIOSIS PTY LTD

### 9.8.7 Organisation Telephone

8686 4800

### 9.8.8 Organisation E-mail

melbourne@biosis.com.au

## Referring Party - Declaration



Australian Government

Department of the Environment and Energy

EPBC Act Referral - Industrial Development of 165-195  
O'Herns Road, Epping VIC

I, Steve MUECK, I declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence.

Signature: .....

Date: .....

02/05/2017



---

## Appendix A - Attachments

The following attachments have been supplied with this EPBC Act Referral:

1. 2012-6298.mab\_.275oherns.approval-decision.pdf
2. 2012-6298.mab\_.275oherns.referral.pdf
3. 2015-7528.eppingsewer.approval-decision.pdf
4. 23682.165-195.ohernsrd.biodiv.fin\_.parta\_.05042017.pdf
5. 23682.165-195.ohernsrd.biodiv.fin\_.partb\_.05042017.pdf
6. 23682.165-195.ohernsrd.biodiv.fin\_.partc\_.05042017.pdf
7. dscn3184.jpg
8. dscn3190.jpg
9. dscn3222.jpg
10. dscn3224.jpg
11. dscn3239.jpg
12. dscn3254.jpg
13. jacobs.eppingsewer.ecologyreport.2015.pdf
14. jacobs.eppingsewer.epbcreferral.2015.7528.pdf
15. study\_area.zip