



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 or the Minister's delegate. (Further references to 'the Minister' in this form include references to the Minister's delegate.) 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 undertaken. These decisions are made within 20 business days, provided sufficient information is provided in the referral.

Who can make a referral?

Referrals may be made by or on behalf of 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)
- Great Barrier Reef Marine Park (sections 24B and 24C)
- A water resource, in relation to coal seam gas development and large coal mining development (sections 24D and 24E)
- 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 website:

- 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 Policy Statement titled Significant Impact Guidelines: Coal seam gas and large coal mining developments—Impacts on water resources.
- 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 Referrals Gateway (1800 803 772).

Do I need a permit?

Some activities may also require a permit under other sections of the EPBC Act or another law of the Commonwealth. Information is available on the Department's web site.

Is your action in the Great Barrier Reef Marine Park?

If your action is in the Great Barrier Reef Marine Park it may require permission under the *Great Barrier Reef Marine Park Act 1975* (GBRMP Act). If a permission is required, referral of the action under the EPBC Act is deemed to be an application under the GBRMP Act (see section 37AB, GBRMP Act). This referral will be forwarded to the Great Barrier Reef Marine Park Authority (the Authority) for the Authority to commence its permit processes as required under the Great Barrier Reef Marine Park Regulations 1983. If a permission is not required under the GBRMP Act, no approval under the EPBC Act is required (see section 43, EPBC Act). The Authority can provide advice on relevant permission requirements applying to activities in the Marine Park.

The Authority is responsible for assessing applications for permissions under the GBRMP Act, GBRMP Regulations and Zoning Plan. Where assessment and approval is also required under the EPBC Act, a single integrated assessment for the purposes of both Acts will apply in most cases. Further information on environmental approval requirements applying to actions in the Great Barrier Reef Marine Park is available from <http://www.gbrmpa.gov.au/> or by contacting GBRMPA's Environmental Assessment and Management Section on (07) 4750 0700.

The Authority may require a permit application assessment fee to be paid in relation to the assessment of applications for permissions required under the GBRMP Act, even if the permission is made as a referral under the EPBC Act. Further information on this is available from the Authority:

Great Barrier Reef Marine Park Authority

2-68 Flinders Street PO Box 1379

Townsville QLD 4810

AUSTRALIA

Phone: + 61 7 4750 0700

Fax: + 61 7 4772 6093

www.gbrmpa.gov.au

What information do I need to provide?

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. If a section of the referral document is not applicable to your proposal enter N/A.

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

Instructions

Instructions are provided in blue 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 three megabytes (3mb) as they will be published on the Department's website for public comment. To minimise file size, enclose maps and figures as separate files if necessary. If unsure, contact the Referrals Gateway (email address below) for advice. Attachments larger than three megabytes (3mb) may delay processing of your referral.

Note: the Minister may decide not to publish information that the Minister is satisfied is commercial-in-confidence.

How do I pay for my referral?

From 1 October 2014 the Australian Government commenced cost recovery arrangements for environmental assessments and some strategic assessments under the EPBC Act. If an action is referred on or after 1 October 2014, then cost recovery will apply to both the referral and any assessment activities undertaken. Further information regarding cost recovery can be found on the [Department's website](#).

Payment of the referral fee can be made using one of the following methods:

- **EFT Payments can be made to:**

BSB: 092-009
Bank Account No. 115859
Amount: \$7352
Account Name: Department of the Environment.
Bank: Reserve Bank of Australia
Bank Address: 20-22 London Circuit Canberra ACT 2601
Description: The reference number provided (see note below)

- **Cheque** - Payable to "Department of the Environment". Include the reference number provided (see note below), and if posted, address:

The Referrals Gateway
Environment Assessment Branch
Department of the Environment
GPO Box 787
Canberra ACT 2601

- **Credit Card**

Please contact the Collector of Public Money (CPM) directly (call (02) 6274 2930 or 6274 20260 and provide the reference number (see note below).

Note: in order to receive a reference number, submit your referral and the Referrals Gateway will email you the reference number.

How do I submit a referral?

Referrals may be submitted by mail or email.

Mail to:

Referrals Gateway
Environment Assessment Branch
Department of Environment
GPO Box 787
CANBERRA ACT 2601

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

Email to: 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.

The Department will write to you within 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:

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 other Commonwealth, state or local government requirements).

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

The action can proceed if undertaken in a particular manner (subject to any other Commonwealth, state or local government requirements). 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 is likely to have a significant impact a decision will be made that it is a *controlled action*. The particular matters upon which the action may have a significant impact (such as World Heritage values or threatened species) are known as the *controlling provisions*.

The controlled action is subject to a public assessment process before a final decision can be made about whether to approve it. 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.)

The proposed action would have UNACCEPTABLE impacts and CANNOT proceed

The Minister may decide, on the basis of the information in the referral, that a referred action would have clearly unacceptable impacts on a protected matter and cannot proceed.

Compliance audits

If a decision is made to approve a project, the Department may audit it at any time to ensure that it is completed in accordance with the approval decision or the information provided in the referral. If the project changes, such that the likelihood of significant impacts could vary, you should write to the Department to advise of the changes. If your project is in the Great Barrier Reef Marine Park and a decision is made to approve it, the Authority may also audit it. (See "*Is your action in the Great Barrier Reef Marine Park*," p.2, for more details).

For more information

- call the Department of the Environment Community Information Unit on 1800 803 772 or
- visit the web site <http://www.environment.gov.au/topics/about-us/legislation/environment-protection-and-biodiversity-conservation-act-1999>

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: Staged redevelopment of 215 and 325C Cooper Street, Epping, Victoria

1 Summary of proposed action

NOTE: You must also attach a map/plan(s) and associated geographic information system (GIS) vector (shapefile) dataset 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(i).

1.1 Short description

The proposed action is the staged redevelopment of 215 and 325C* Cooper Street, Epping for residential and commercial uses (see Figure 1 at Attachment A). The action has two stages:

Stage 1 is the redevelopment of the former Epping Quarry and landfill site at 215 Cooper Street Epping. The privately owned site is approximately 45.5 ha, and has been used as a quarry and landfill that has now been capped. The site is traversed by Edgars Creek and the former quarry holes and associated waterbodies support a population of Growling Grass Frog.

Stage 2 is the redevelopment of 325C Cooper Street (~ 2.1 ha of State owned public land) and a Council owned road reserve (~ 3.5 ha registered as private land). There is uncertainty regarding the development of this stage as the land is owned by Council and State Government and is currently being rezoned for mixed-use and commercial purposes. These two site have known habitat for Golden Sun Moth.

The timing of the proposed redevelopment of Stage 2 is uncertain as it is contingent on receiving all necessary Commonwealth and state approvals and permits in addition to the council owned land being sold to the proponent. This stage of redevelopment has been included in this referral to provide a holistic picture of the potential action, however it is requested that this stage be conditioned separately to account for the uncertainty of Stage 2 occurring.

A pre-referral meeting was held with assessment officers from the Commonwealth Department of Environment on 9 March 2016.

*Note the associated ecological reports incorrectly identify the site as 325D Cooper Street, however all mapping and site descriptions are consistent with the parcel of land at 325C Cooper Street. The reference to the address in the reports is an error, however the information in the reports is correct.

1.2

Latitude and longitude**(revised in V3)**

	Location Point	Latitude	Longitude
Stage 1	1	-37.65046	145.007428
	2	-37.65072	145.009328
	3	-37.65088	145.011573
	4	-37.651	145.012708
	5	-37.65169	145.011721
	6	-37.65185	145.011174
	7	-37.65201	145.012592
	8	-37.65234	145.012533
	9	-37.65263	145.013303
	10	-37.65295	145.013605
	11	-37.6551	145.013216
	12	-37.65887	145.012533
	13	-37.65843	145.008215
	14	-37.65819	145.008279
	15	-37.65818	145.008171
	16	-37.65792	145.007506
	17	-37.65685	145.006738
	18	-37.6561	145.006452
	19	-37.6535	145.006901
	20	-37.65195	145.007172
Stage 2	1	-37.65046	145.007428
	26	-37.65042	145.007139
	25	-37.65035	145.006374
	29	-37.65059	145.005827
	28	-37.6517	145.005674
	27	-37.65246	145.005731
	21	-37.65455	145.006145
	18	-37.6561	145.006452
	19	-37.6535	145.006901
	20	-37.65195	145.007172

1.3 **Locality and property description**

The proposed redevelopment is for four parcels of land in the northern Melbourne suburb of Epping and is located approximately 19 kilometres from the CBD (Figure 1 of Attachment A).

All three parcels occur within the City of Whittlesea and Port Phillip and Westernport Catchment Management Authority region and are part of the Victorian Volcanic Plain Bioregion. The geology is comprised of Quaternary Newer Volcanics with grey loamy clay soils, which form heavier cracking clays in low-lying areas. The study area receives an average annual rainfall of 660 mm (Bureau of Meteorology data).

Stage 1 of the proposed redevelopment occurs on a site of approximately 45.5 ha. Edgars Creek, a tributary of Merri Creek, flows southwards through the site. There is a history of extensive disturbance with previous land uses including a quarry and landfill site. The area to the east of Edgars creek (a former putrescible landfill) was capped by the end of 2001. The area to the west of Edgars creek retains substantial remnants of the former basalt quarry. No landfill or capping material has been introduced post-2001. The site is currently zoned Industrial 3 Zone and is expected to be subject to a planning scheme amendment (estimated to commence in the next 6 months and be concluded in 18 months) to permit residential and commercial development once state environmental issues are resolved.

Stage 2 of the redevelopment is proposed on two parcels of land with a combined total of approximately 5.6 ha. The sites are owned by local council and State Government and are dominated by exotic Chilean Needle-grass (*Nassella neesiana*) which is maintained by mowing/slashing.

The pre-European vegetation of all sites would have predominantly been Plains Grassland and Plains Grassy Woodland. A long history of stock grazing followed by quarrying and landfill activities has degraded and all but eliminated the native vegetation, and the site is now overwhelmingly dominated by exotic flora species.

1.4	Size of the development footprint or work area (hectares)	Stage 1: 45.68 ha Stage 2: 5.4 ha
1.5	Street address of the site	Stage 1: 215 Cooper Street, Epping, Victoria. Stage 2: 325C Cooper Street, Epping, Victoria and associated council road reserve

1.6 **Lot description**

	Lot/Plan or Crown Description	SPI
Stage 1	Lot 1 PS518254	1\PS518254 (27.85ha)
	Lot 2 LP37057	2\LP37057 (17.83ha)
Stage 2	Lot RES2 PS544515	RES2\PS544515 (2.089ha)
	TP874471	Lot 1\TP874471 (3.327ha)

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

City of Whittlesea
Contacts: Ms Linda Martin-Chew
Ms Ruth Marr

1.8 Time frame

Timing of the proposed redevelopment of Stage 1 is contingent on receiving all necessary Commonwealth and state approvals and permits. An amendment to the Victorian Planning Scheme is expected to be progressed over the next 12 – 18 months (and may be lodged in approximately six months) following resolution of state environmental requirements (e.g. contaminated land). Should all planning issues be resolved within this time, development of the proposed commercial precinct (fronting Cooper Street) is planned to commence in mid-2018. The remainder of the site, including residential precincts and further commercial areas, is to be developed over a period of approximately five years (i.e. to end of 2022).

The timing of the proposed redevelopment of Stage 2 is uncertain as it is contingent on receiving all necessary Commonwealth and state approvals and permits in addition to the council owned land being sold to the proponent. This stage of redevelopment has been included in this referral to provide a holistic picture of the potential action, however it is requested that this stage be conditioned separately to account for the uncertainty of Stage 2 occurring and that Stage 1 could be progressed independently of Stage 2 if the land comprising Stage 2 is not sold to the proponent.

1.9	Alternatives to proposed action Were any feasible alternatives to taking the proposed action (including not taking the action) considered but are not proposed?	✓	No. The proposed redevelopment is considered an improvement when compared to not redeveloping the site as it provides improved social and potentially improved environmental outcomes, including for MNES being impacted.
			Yes, you must also complete section 2.2
1.10	Alternative time frames etc Does the proposed action include alternative time frames, locations or activities?	✓	No.
			Yes, you must also complete Section 2.3. For each alternative, location, time frame, or activity identified, you must also complete details in Sections 1.2-1.9, 2.4-2.7 and 3.3 (where relevant).
1.11	State assessment Is the action subject to a state or territory environmental impact assessment?	✓	No
			Yes, you must also complete Section 2.5
1.12	Component of larger action Is the proposed action a component of a larger action?	✓	No. However, the proposed action is being lodged as a staged redevelopment. It is uncertain if Stage 2 will go ahead.
			Yes, you must also complete Section 2.7
1.13	Related actions/proposals Is the proposed action related to other actions or proposals in the region (if known)?		No
		✓	The site is adjacent to the proposed Epping Central Precinct (structure plan is available on the City of Whittlesea's website). The action supports urban renewal and the implementation of state and local planning policy in Epping.
1.14	Australian Government funding Has the person proposing to take the action received any Australian Government grant funding to undertake this project?	✓	No
			Yes, provide details:
1.15	Great Barrier Reef Marine Park Is the proposed action inside the Great Barrier Reef Marine Park?	✓	No
			Yes, you must also complete Section 3.1 (h), 3.2 (e)

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 2.7.

2.1 Description of proposed action

The proposed action is the staged redevelopment of 215 and 325C Cooper Street, Epping for residential and commercial uses (Figure 2 of Attachment A). The action has two stages:

Stage 1: redevelopment of former Epping Quarry and landfill site at 215 Cooper Street, Epping

Stage 1 of the action will rehabilitate and re-develop the site at 215 Cooper Street for residential and commercial uses. The key elements of the proposed redevelopment include:

- Remediation and rehabilitation of the land to be suitable for residential and commercial development.
- Clearance of up to 33 ha for residential and commercial development.
 - The proposed action will include clearance and redevelopment across the site with the exception of a central habitat corridor proposed to be created on site (for further information on proposed mitigation and on site offset measures for MNES see section 5).
- Provision of pedestrian links and trails to encourage pedestrian activity in and around the site.
 - Encouraging appropriate passive recreation can improve outcomes, such as allowing for the passive surveillance of waterbodies that can help reduce pollution (e.g. dumping of waste).
- Creation of a central habitat corridor through the site (see Figure 1 at Attachment B).
 - Existing site features (i.e. the existing quarry hole) are proposed to be incorporated into the final corridor (see section 5 for further detail).

Stage 2: redevelopment of 325C Cooper Street and associated road reserve, Epping

There is uncertainty regarding the development of this stage as the land is owned by Council and is currently being rezoned for mixed-use and commercial purposes. Should the land be purchased and redeveloped for residential and commercial uses, the key elements of the redevelopment will include:

- Clearance of up to 5.4 ha for residential and commercial development

A draft proposed concept plan for the redevelopment is at Figure 2 Attachment B. The final configuration of the developed area of the site is likely to vary subject to detailed planning at the Victorian precinct structure planning phase. Development of residential and commercial precincts will be to a size, scale and density suitable to the Epping Central area but the amount of habitat clearing, and expected impact on MNES, will not change (i.e. no greater impact will occur).

2.2 Alternatives to taking the proposed action

It is not considered feasible or desirable for the site to remain undeveloped in the long term.

The proposed action supports urban renewal and the implementation of state and local planning policy in Epping. Redevelopment of the site creates improved social and economic outcomes for the area. The structure plan for the adjacent Epping Central Precinct (available on the City of Whittlesea's [website](#)) outlines the range of social and economic benefits of urban renewal in Epping. This includes improved housing affordability, improved access to the open space network and local job creation.

The proposed action also aims to improve environmental outcomes along Edgar's creek. It does this through enhancing and maintaining habitat for the Growling Grass Frog. This is consistent with local government strategies which identify a need to: redevelop Edgars Creek corridor for habitat, water quality and linear open space purposes, and manage waterways and wetlands for their ecological values, alongside their stormwater functions (2013 Epping Central Structure Plan, pp 49). These measures also support the outcomes of the Commonwealth approved Sub-regional Species Strategy for Growling Grass Frog (Victorian Government, 2013).

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

There are no alternative locations, time frames or activities that form part of the referred action.

2.4 Context, planning framework and state/local government requirements

Commonwealth and State Government Programs

Melbourne Strategic Assessment Program

In 2010 the Commonwealth Minister for the Environment endorsed the Melbourne Strategic Assessment *Delivering Melbourne's Newest Sustainable Communities Program Report* (the Program) (Victorian Government, 2009).

The Program outlines four key actions to develop Melbourne: the Regional Rail Link, development of 28 existing precincts, development of four new Growth Centres (north, north-west, west and south-east), and the Outer Metropolitan Ring/E6 Transport Corridor.

The Program outlines commitments from the Victorian Government to manage impacts to Matters of National Environmental Significance (MNES) as a result of implementing the Program in the Melbourne Strategic Assessment area. Commitments include:

- A Sub-regional Species Strategy for the Growling Grass Frog (SRSS),
- A Biodiversity Conservation Strategy (BCS) to implement outcomes for MNES, and
- Establishing a 15,000 ha Western Grassland Reserve.

The proposed redevelopment is located outside of the Melbourne Strategic Assessment area and as such the Part 10 EPBC Act approvals, sub-regional species strategies, BCS, and associated guidelines to implement outcomes in the Melbourne Strategic Assessment area (e.g. Draft Guidelines for Growling Grass Frog Habitat Design and Construction, DELWP 2015) do not apply.

Despite this, the proposed redevelopment site is located close to the southern boundary of the northern Growth Centre. The proximity of the site to the Melbourne Strategic Assessment mean that a number of Melbourne Strategic Assessment policies are relevant as best practice guidelines that can be applied to the proposed redevelopment (e.g. Draft Guidelines for Growling Grass Frog, Approved Prescription for the Golden Sun Moth).

In addition, the proposed redevelopment meets the criteria outlined in the *Policy Statement for Melbourne urban development proposals needing consideration under Parts 7, 8 and 9 of the EPBC Act* (Australia Government, 2014) which permit offsets (providing they meet certain criteria) to be sought in the Western Grassland Reserves.

Plan Melbourne

The Epping Metropolitan Activity Centre is recognised in the State Government policy *Plan Melbourne* (Victorian Government, 2014).

Local Government Context

The proposed redevelopment site is part of an urban area which is experiencing rapid development associated with the Epping Metropolitan Activity Centre. The area is recognised in the City of Whittlesea Municipal Strategic Statement and Council policy encourages ongoing redevelopment to improve residential densities, employment opportunity and entertainment facilities. Council policies for the area also focus on improving the environmental values of Edgars Creek (e.g. water quality and ecological habitats) and facilitating public access to the open space network.

The surrounding land uses include industrial business parks, hospital / health, major retail centre and conventional housing. The Melbourne Wholesale Food Market is to the west. The proposed redevelopment site is surrounded primarily by residential and commercial development and infrastructure. Commercial development occurs on the north side of Cooper Street and residential development occurs to the south of 215

Cooper Street. A 42 ha paddock associated with the Melbourne Markets site occurs on the west side of Edgars Road, between the market buildings and 325C Cooper Street.

Stage 1 of the proposed redevelopment site is currently zoned Industrial 3 and Edgars Creek is zoned Urban Floodway Zone.

Stage 2 of the proposed redevelopment is zoned Priority Development Zone 1 (Infrastructure Purposes Reserve) (State Owned Land) and Industrial 3 (road reserve – Council Owned Land).

Victorian planning permits are required for most buildings and works.

2.5 Environmental impact assessments under Commonwealth, state or territory legislation

Not applicable.

2.6 Public consultation (including with Indigenous stakeholders)

The proposed redevelopment will require rezoning under the Victorian Planning Scheme. This process includes statutory consultation with key stakeholders and the public.

Preliminary consultation on the proposal has been undertaken with a number of stakeholders including: the Victorian Department of Environment, Water, Land and Planning (DELWP), Environment Protection Authority Victoria (EPA Victoria), VicRoads, Melbourne Water, Melbourne Markets Authority, North Hospital, City of Whittlesea, Merri Creek Management Committee and surrounding land owners. To date, there has been broad stakeholder support for the current proposal. Further stakeholder engagement and statutory public consultation will occur in accordance with state and Commonwealth requirements as the development progresses.

Department of Environment, Land, Water and Planning (DELWP)

There has been on-going consultation with DELWP in the development of the project. Specific advice has been received and incorporated into the development of a Concept Plan for the protection and enhancement of Growling Grass Frog.

Consultation with DELWP began in December 2014 with the then Department of Environment and Primary Industry where in principle agreement was provided on the scope of flora and fauna assessments. Since this time, several meetings have guided the development of species modelling and the associated Growling Grass Frog Concept Plan.

Mr Alan Webster (Program Manager, Healthy Landscapes) has been the key contact for the project. At the most recent meeting with DELWP (held in November 2015), the proponent was encouraged to present the refined Growling Grass Frog Concept Plan and supporting documents to the Commonwealth Department of Environment.

Commonwealth Department of the Environment

A pre-referral meeting was held with assessment officers from the Commonwealth Department of the Environment on the 9 March 2016.

2.7 A staged development or component of a larger project

The proposed redevelopment is being referred as a staged development as there are differing levels of certainty regarding the commencement of each stage of development.

Stage 1 includes the redevelopment of the former Epping Quarry and landfill site at 215 Cooper Street Epping. The privately owned site is approximately 45.6 ha, and has been used as a quarry and landfill that has now been capped. The site is traversed by Edgars Creek and the former quarry holes and associated waterbodies support a population of Growling Grass Frog.

Stage 2 includes the redevelopment of 325C Cooper Street (~ 2.1 ha of State owned public land) and a Council owned road reserve (~ 3.3 ha registered as private land). There is uncertainty regarding the development of this stage as the land is owned by Government and is currently being rezoned for mixed-use and commercial purposes.

The timing of the proposed redevelopment of Stage 2 is uncertain as it is contingent on receiving all necessary Commonwealth and state approvals and permits in addition to the council and state owned land being sold to the proponent. This stage of redevelopment has been included in this referral to provide a holistic picture of the potential action, however it is requested that this stage be conditioned separately to account for the uncertainty of Stage 2 occurring.

Should the action be approved, it is requested that each stage be conditioned separately to account for the uncertainty of Stage 2 occurring. An offset management plan will be developed and take effect prior to any impact occurring for each Stage.

3 Description of environment & likely impacts

3.1 Matters of national environmental significance

3.1 (a) World Heritage Properties

No world heritage properties will be impacted by the proposed action.

3.1 (b) National Heritage Places

No national heritage places will be impacted by the proposed action.

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

No Wetlands of International Importance will be impacted by the proposed action.

3.1 (d) Listed threatened species and ecological communities

Description

A number of listed threatened species have been recorded within 5km of the study area and are outlined in Appendix 1 and 2 of Ecology Australia (2015a).

Of these, the Australian Government Protected Matters Search Tool has identified five threatened ecological communities and 28 listed threatened species as potentially occurring within 5km of the proposed redevelopment site.

No EPBC Act threatened flora species have been identified on the site and are considered unlikely to be significantly impacted (Ecology Australia, 2015a).

Two vegetation communities listed under the Victorian *Flora and Fauna Guarantee Act 1988* occur onsite:

- Western Basalt Plains (River Red Gum) Grassy Woodland Floristic Community (associated with the Plains Grassy Woodland EVC remnant), and
- Western (Basalt) Plains Grassland Community (associated with the Heavier-soils Plains Grassland EVC remnant).

These remnants are not considered to be of suitable size or quality to qualify as the respective EPBC Act listed ecological communities: *Grassy Eucalypt Woodlands of the Victorian Volcanic Plains* and *Natural Temperate Grasslands of the Victorian Volcanic Plains*.

Two EPBC Act threatened fauna species have been identified on site and are considered likely to be significantly impacted. These species are; the Growling Grass Frog (Stage 1), and the Golden Sun Moth (Stage 1 and 2). No other EPBC Act threatened fauna species have been identified on site and are considered unlikely to be significantly impacted by the action (Ecology Australia, 2015a).

Nature and extent of likely impact

Impacts to Growling Grass Frog

The Growling Grass Frog is listed as Vulnerable under the EPBC Act, as such for impacts to be considered significant, they must impact an 'important population'. Under the significant impact guidelines for the Growling Grass Frog (Australian Government, 2009a) any viable population is considered to be an 'important population'.

In addition to being an important population under the EPBC Act significant impact guidelines, the population of Growling Grass Frogs located on the site is considered to be significant to Melbourne.

The proposed action will result in terrestrial and aquatic habitat being removed. The proposed redevelopment will result in the removal of up to 11 wetlands of varying quality (see Wildlife Profiles, 2015 and Attachments E for further analysis). In the absence of mitigation, potential impacts as outlined in the significant impact guidelines (Australian Government, 2013) as a result of the proposed action include:

- a long-term decrease in the size of an important population
- a reduced area of occupancy of an important population
- disruption to the breeding cycle of an important population
- modify, destroy, remove or isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline, and
- introduce disease that may cause the species to decline.

Measures to avoid, mitigate and offset impacts to the Growling Grass Frog are outlined in section 5. Application of these proposed measures has the potential to substantially ameliorate impacts to this species.

Impacts to Golden Sun Moth

The Golden Sun Moth is listed as critically endangered under the EPBC Act. The proposed redevelopment will result in the following known habitat being removed:

- Stage 1: removal of 0.0238 ha of habitat suitable for the Golden Sun Moth.

- One Golden Sun Moth was recorded on this site. This individual is considered likely to have flown from the habitat located at 325C Cooper Street Epping (Stage 2).
- Stage 2: removal of 5.5 ha of habitat for the Golden Sun Moth (six Golden Sun Moths were recorded in this habitat).

Golden Sun Moth is known to occur in the Epping area (see 4.2.3 of Ecology Australia, 2015a). The individuals on the proposed redevelopment site are considered to be part of one local population of this broader occurrence. As such, the Golden Sun Moth on the proposed redevelopment site has not been assessed as being a separate 'population of a species' as defined in the significant impact guidelines (Australian Government, 2013 pp 9).

As Golden Sun Moth are known to occur on the proposed redevelopment site, in the absence of mitigation, the proposed action has been assessed as reducing the area of occupancy of the species (Australian Government, 2013). As such, the proposed action is considered likely to have a significant impact on the species.

Measures to offset impacts to the Golden Sun Moth are outlined in section 5.

3.1 (e) Listed migratory species

Description

A number of listed migratory species have been recorded within 5km of the study area and are outlined at Appendix 2 of Ecology Australia (2015a). Of these, the Australian Government Protected Matters Search Tool has identified nine migratory species as potentially occurring within 5km of the proposed redevelopment site.

Twelve migratory species have been recorded at the site or have a reasonable likelihood of occurrence based on the assessment by Ecology Australia (2015a). These species include; Whiskered Tern, Black-winged Stilt, Red-kneed Dotterel, Blackfronted Dotterel, Masked Lapwing, Latham's Snipe, Australian Wood Duck, Pacific Black Duck, Chestnut Teal, Grey Teal, Little Grassbird and Clamorous Reed Warbler.

Nature and extent of likely impact

Small numbers of Latham's Snipe are expected to use the wetland habitats at 215 Cooper Street earlier in the migratory season when conditions are wetter (e.g. September to December). However, this site is not considered to represent important habitat (i.e. support at least 18 individuals of the species) due to a lack and continuity of open mudflats for foraging (Ecology Australia, 2015a).

Based on an assessment against the significant impact guidelines (Australian Government, 2013) the proposed redevelopment site does not provide important habitat for migratory species. As such, the proposed development is unlikely to significantly impact on EPBC Act migratory species.

The proposed measure outlined in section 5 for protection and enhancement of Growling Grass Frog will also provide habitat for Migratory species.

3.1 (f) Commonwealth marine area

The Commonwealth marine area will not be impacted by the action.

3.1 (g) Commonwealth land

Commonwealth Land will not be impacted by the action.

3.1 (h) The Great Barrier Reef Marine Park

The Great Barrier Reef Marine Park will not be impacted by the action.

3.1 (i) A water resource, in relation to coal seam gas development and large coal mining development

The Action is not a coal seam gas development or large coal mining development.

3.2 Nuclear actions, actions taken by the Commonwealth (or Commonwealth agency), actions taken in a Commonwealth marine area, actions taken on Commonwealth land, or actions taken in the Great Barrier Reef Marine Park

3.2 (a)	Is the proposed action a nuclear action?	✓	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?	✓	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?	✓	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?	✓	No
			Yes (provide details below)
If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(g))			
3.2 (e)	Is the proposed action to be taken in the Great Barrier Reef Marine Park?	✓	No
			Yes (provide details below)
If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(h))			

3.3 Other important features of the environment

3.3 (a) Flora and fauna

The ecological values of the proposed redevelopment site are outlined in the Flora and Fauna Report commissioned for the site (Ecology Australia, 2015a) and the Growling Grass Frog survey (Wildlife Profiles, 2015). These reports have been included in the package of information provided to assist the assessment of the action.

3.3 (b) Hydrology, including water flows

The project area is within the Edgar's Creek catchment, a sub-catchment of Merri Creek. Edgar's Creek is an ephemeral stream with an upstream catchment area of approximately 1400 hectares. The upstream catchment is undergoing rapid development from open grassland/grazing to a mix of commercial and residential uses. The flow characteristics are expected to change to reflect the higher percentage of hard surfaces. Water quality monitoring shows no change upstream to downstream of the project area. Proposed developments on the project area are expected to have negligible impact on surface flow characteristics.

Groundwater hydrology in the quarry hole to be retained is connected with the regional groundwater. The water quality reflects that of the regional groundwater with elevated salinity and some metals typical of the wider basalt geology. Groundwater is found typically 5 m to 6 m below ground level.

3.3 (c) Soil and Vegetation characteristics

The proposed redevelopment site has highly modified soil and vegetation characteristics. The site's history of quarrying and landfill has resulted in gross changes to soil profiles and vegetation. The vegetation is overwhelmingly weedy and intact soil profiles of clays or clayey loams over basalt are a minor component of the site. A more detailed analysis of the vegetation composition on the site is included in the Flora and Fauna Report commissioned for the site (Ecology Australia, 2015a).

3.3 (d) Outstanding natural features

There are no outstanding natural features on or near the subject land.

3.3 (e) Remnant native vegetation

The remnant vegetation is detailed in the Flora and Fauna Assessment commissioned for the site (Ecology Australia, 2015a). Overall approximately 2 hectares of native vegetation was identified under Victoria's Permitted Clearing Regulations. Approximately 50% occurs along Edgars Creek, some of which will be lost due to the necessary realignment and rehabilitation of the creek. The balance substantially occurs on modified substrates (i.e. secondary vegetation) which is now included in losses and offsets under the new policy.

There is a small remnant of Plain Grassy Woodland (Ecology Australia, 2015a Figure 4, Habitat Zone 2) that does not satisfy the condition thresholds for the listed community: Grassy Eucalypt Woodlands of the Victorian Volcanic Plain.

3.3 (f) Gradient (or depth range if action is to be taken in a marine area)

The subject land includes gentle slopes on the capped landfill, steep slopes on former quarry holes, spoil dumps and generally a gentle gradient along Edgars Creek. Existing gradients are likely to change following development of the site, however it is not anticipated that the resulting grades will be significant or excessive due to the nature of the proposed development.

3.3 (g) Current state of the environment

As outlined above, the proposed development site has been highly modified by a history of quarrying and subsequent landfill operations. The site is dominated by exotic vegetation, including numerous high threat weeds.

3.3 (h) Commonwealth Heritage Places or other places recognised as having heritage values

There are no Commonwealth Heritage Places or other heritage values relevant to the subject land.

3.3 (i) Indigenous heritage values

There are no registered Aboriginal places within the subject land. Parts of the subject land have been the focus of previous archaeological survey, but did not identify any Aboriginal places (Marshall & Toscano 2008). The authors state that the absence of Aboriginal cultural heritage was influenced by the extensive modifications to land surfaces undertaken as part of quarrying and landfill land use practices, which will have removed any Aboriginal cultural heritage (if present). However, a landform described as the 'top of the stony rise at the Cooper Street end is the only relatively undisturbed landform' and presumably has archaeological potential (Marshall & Toscano 2008, pp19).

An Aboriginal cultural heritage due diligence assessment will be prepared to provide a more comprehensive assessment of the requirements of the Victorian *Aboriginal Heritage Act 2006* in relation to this site and any risks that the proposed development poses to Aboriginal cultural heritage values.

3.3 (j) Other important or unique values of the environment

No other important or unique values have been identified.

3.3 (k) Tenure of the action area (e.g. freehold, leasehold)

The tenure of the action area is freehold land. As outlined above, the area proposed for redevelopment during Stage 1 is owned by the proponent. The area proposed for redevelopment during Stage 2 is currently owned by local and state government.

3.3 (l) Existing land/marine uses of area

Currently the land is a large dormant landfill site, with a current and valid landfill licence to accept further putrescible waste. Activity at the site is currently limited to ongoing remediation, monitoring and investigation activities in accordance with licence conditions whilst development of the site for more sensitive uses progresses.

3.3 (m) Any proposed land/marine uses of area

The proposed future land use (as outlined in this referral) includes commercial and residential development.

4 Environmental outcomes

The design of the proposed development takes into consideration the ecological sensitivities of the site and outcomes proposed for the Growling Grass Frog will potentially also maintain habitat for EPBC Act listed migratory species and Victorian listed threatened species (Wildlife Profiles and Ecology Australia, 2015a).

Ecological assessments undertaken by Wildlife Profiles and Ecology Australia, indicate that the long term viability of the present Growling Grass Frog population at the proposed redevelopment site is uncertain as a result of diminished recruitment and current and future management of the site. Key threatening process (e.g. predation by Mosquito Fish) and variable wetland hydrology also has an impact on recruitment and the long term persistence of this population. It is acknowledged by experts that active management of the species is essential to ensure persistence of the local population.

The proposed redevelopment of the site will include a habitat corridor on the site, that incorporates breeding and foraging habitat specifically designed and managed for the Growling Grass Frog. Baseline information collected through on site surveys (Wildlife Profiles, 2015) and associated modelling (Ecology Australia, 2015c) predicts that species occupancy following the proposed redevelopment will be comparable to existing conditions.

The model was developed using an 11 year monitoring dataset for Growling Grass Frogs which was collected at 190 sites in the Darebin, Merri and Moonee Ponds Creek catchments, entailing some 2,011 surveys between 2001 and 2012. Monitoring data from the Epping Site are included in this dataset, and this makes the model directly applicable to the study area. Further information is included in the reports at Attachment F.

Of note, this methodology is being utilised by the Victorian Government to determine outcomes for the Growling Grass Frog in accordance with the Melbourne Strategic Assessment.

5 Measures to avoid or reduce impacts

A number of measures are proposed to mitigate and offset the impacts of the proposed redevelopment.

Growling Grass Frog

Avoid

The proposed redevelopment cannot avoid some level of impact to Growling Grass Frog.

Mitigation

Impacts to MNES as a result of the proposed redevelopment will be mitigated by:

- retaining the main quarry waterbody (wetland 1). This waterbody is considered to be the core habitat and refugia for the sites Growling Grass Frog population (Wildlife Profiles, 2015; Ecology Australia, 2015a).
- Demonstrating GGF breeding in constructed wetlands prior to removal of existing waterbodies
- Establishing an exclusion zone in the northern rehabilitated sections of the site, this area:
 - Includes the main quarry waterbody, two Growling Grass Frog breeding wetlands and the adjoining rehabilitated Edgars Creek, and
 - provides the majority of habitat on site for waterbirds and migratory species including the Little Grassbird and Clamorous Reed Warbler.
- Additional actions to mitigate impacts to Growling Grass Frog (e.g. minimising the spread of Chytrid fungus during construction, establishing 'no go' areas and fencing to protect existing habitat, timing of construction) will be outlined in a Conservation Management Plan to be approved by the Commonwealth prior to commencing the action.

Offset

Residual impacts to Growling Grass Frog as a result of the proposed redevelopment will be offset on site by:

- Improving the quality of habitat available in the main quarry waterbody (wetland 1)
- Constructing seven new wetlands to provide breeding and foraging habitat for Growling Grass Frog, including: two breeding wetlands (each ~2000m²); one breeding wetland of ~3000m²; and four breeding wetlands (each ~1000m²) (proposed concept plan at Figure 1 at Attachment B).
 - The design of wetlands will meet Growling Grass Frog requirements for foraging and breeding and has been designed (both their location and structure) in accordance with DELWP's best practice guidelines established for use within the Melbourne Strategic Assessment area, particularly in relation to:
 - treatment of the site as a potential 'node'
 - provision of largely breeding habitat
 - recommended minimum wetland area(s)
 - distance between wetlands (≤ 200 m)
 - emphasis on groundwater as a water source
 - design parameters and vegetation requirements for breeding wetlands
 - mechanisms for limiting predatory fish, and
 - maintenance considerations.

The proposed concept buffer widths fall short of those recommended in the guidelines, ranging from 30 to 60 metres, and reflect the constraints imposed by the proposed development. To in part compensate for reduced width, the habitat quality of the terrestrial zone would be enhanced to include the following:

- the northern section including the main quarry waterbody designated as an exclusion zone and managed specifically for Growling Grass Frog
- extensive rock beaching to be applied to the perimeter of each constructed wetland to provide basking, sheltering and overwintering habitat
- balance of the terrestrial zone to be mostly short grass as specified in the guidelines
- any landscaping to have an emphasis on clumped planting of limited area, and located not to shade breeding habitat
- adjoining development be designed not to overshadow Growling Grass Frog breeding habitat
- The established wetlands will be hydrologically independent from Edgars Creek (which aims to limit exposure to Mosquito Fish; a known threatening process for the species) and will be located to facilitate connections with other Growling Grass Frog populations in the area.
- Demonstration of GGF breeding in constructed wetlands prior to the removal of existing waterbodies.
- Preparation of a Conservation Management Plan (expected timeframe of 10 years) to address the management of Growling Grass Frog to be approved prior to commencing the action.

Analysis of the proposed offsets also indicates that the proposed concept meets the requirements of the Commonwealth's Offset Policy (detail at Attachment C and D).

Golden Sun Moth

Residual impacts to Golden Sun Moth as a result of the proposed redevelopment are proposed to be offset by securing 15.5 hectares of habitat prior to the commencement of Stage 2.

It is proposed that this offset will be sourced from the Victorian Government in accordance with the Melbourne Urban Development Policy.

Analysis of the proposed offsets indicates it meets the requirements of the Commonwealth's Offset Policy (detail at Attachment C and D).

Based on the detailed information and analysis outlined in this referral and the delay in state environment and planning processes, should the action be assessed as being a controlled action, it is requested that an assessment be undertaken by the Commonwealth based on referral information given the information available in this referral.

6 Conclusion on the likelihood of significant impacts

6.1 Do you THINK your proposed action is a controlled action?

- ☐ No, complete section 5.2
- ☒ Yes, complete section 5.3

As outlined in section 3 Stage 1 of the proposed action will have a significant impact on Growling Grass Frog and Stage 2 will have a significant action on Golden Sun Moth (noting there is a very small area of habitat impacted by Stage 1).

Stage 1 of the proposed action will result in impacts to foraging and breeding habitat for an important population of the Growling Grass Frog. Impacts will be avoided and mitigated through the retention of known habitat on site. Residual impacts will be offset through onsite habitat creation and enhancement for the species. Ecological surveys undertaken for the species note that the long term viability of this population is uncertain. Modelling undertaken for the species demonstrates that the creation and enhancement of habitat for the Growling Grass Frog would result in an comparable viability for the species. Mitigation measures and offsets for Growling Grass Frog (outlined in Section 5) are proposed to be undertaken prior to commencement of Stage 1.

Stage 2 of the proposed development will result in a reduction in the area of occupancy for the Golden Sun Moth. A small number of individuals have been recorded in low quality, exotic vegetation, which is dominated by Chilean Needlegrass. Avoiding and mitigating impacts to the poor quality habitat on site is not considered to result in a long-term beneficial outcome for this species. It is proposed that impacts to this species are offset. Offsets for Golden Sun Moth area proposed to be sourced prior to commencement of Stage 2.

6.2 Proposed action IS NOT a controlled action.

6.3 Proposed action IS a controlled action

Matters likely to be impacted

<input type="checkbox"/>	World Heritage values (sections 12 and 15A)
<input type="checkbox"/>	National Heritage places (sections 15B and 15C)
<input type="checkbox"/>	Wetlands of international importance (sections 16 and 17B)
<input checked="" type="checkbox"/>	Listed threatened species and communities (sections 18 and 18A)
<input type="checkbox"/>	Listed migratory species (sections 20 and 20A)
<input type="checkbox"/>	Protection of the environment from nuclear actions (sections 21 and 22A)
<input type="checkbox"/>	Commonwealth marine environment (sections 23 and 24A)
<input type="checkbox"/>	Great Barrier Reef Marine Park (sections 24B and 24C)
<input type="checkbox"/>	A water resource, in relation to coal seam gas development and large coal mining development (sections 24D and 24E)
<input type="checkbox"/>	Protection of the environment from actions involving Commonwealth land (sections 26 and 27A)
<input type="checkbox"/>	Protection of the environment from Commonwealth actions (section 28)
<input type="checkbox"/>	Commonwealth Heritage places overseas (sections 27B and 27C)

7 Environmental record of the responsible party

NOTE: If a decision is made that a proposal needs approval under the EPBC Act, the Environment 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.

	Yes	No
<p>7.1 Does the party taking the action have a satisfactory record of responsible environmental management?</p> <p>Riverlee is a Melbourne based firm specialising in commercial, residential, and retail projects. On all projects, Riverlee respects and adheres to all environmental and planning legislation. In most cases, solutions have been achieved at the design stage by considering and incorporating environmental objectives to the development layout. When this has not been possible, Riverlee has offset any environmental impacts in accordance with national, state and local policies. Below is just a selection of examples of previous projects with environmental issues that have been managed by Riverlee:</p> <p>Haven Estate, Wollert – Residential Golden Sun Moth (listed as critically endangered under the EPBC Act) was discovered on the site. The proposed action was approved by the Commonwealth Department of Environment in June 2014. Riverlee sourced and secured an offset site of more than 40 hectares to protect and manage Golden Sun Moth prior to the commencement of construction.</p> <p>Wyndham Springs Estate Stages 8 & 9 – Residential The project was 80% complete when Spiny Rice Flower plants (listed as endangered under the EPBC Act) were discovered on the last two stages of the project. As avoiding impacts to the species was not viable, an appropriate offset was found and the plants were removed. Following removal, the plants were also given to Debbie Reynolds at Victoria University for research purposes. (EPBC 2007/3779).</p> <p>Wyndham Waters Estate - Residential Development Commencing in 2004, the project was completed in 2012 and was designed in conjunction with Melbourne Water to incorporate Water Sensitive Urban Design principles. This project ensured streetscape drainage incorporated vegetated swales to strip nutrients in situ. In addition, rainwater from the roof of the private community centre was re-cycled for landscape purposes.</p> <p>World Trade Centre - Commercial office building (~40,000 square metres) The complex was built in 1982 using technology of that era. The existing mechanical equipment was a high energy user. Central plant elements were upgraded to improve energy efficiency. Riverlee sought and received the maximum Federal Government Grant of \$500,000 towards an expenditure of \$1.75 million to reduce the buildings energy footprint. This is a small part of the proposed works to bring the building up to date and in line with the adopted "Green Building" philosophy.</p>	✓	
<p>7.2 Has either (a) the party proposing to take the action, or (b) if a permit has been applied for in relation to the action, the person making the application - 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?</p> <p>If yes, provide details</p>		✓

<p>7.3 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?</p> <p>If yes, provide details of environmental policy and planning framework</p> <p>Yes. Riverlee is committed to sustainable green building practices and reducing the carbon footprint of our projects. We incorporate the latest initiatives to reduce operational costs and environmental impact while increasing building resilience. Key focus areas include optimal use of natural light and fresh air, energy efficient lighting and heating services, improved waste management and minimal water usage.</p>		
<p>7.4 Has the party taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?</p> <p>Provide name of proposal and EPBC reference number (if known)</p> <p>Residential Development, Haven Estate, 60 Harvest Home Road, Wollert, Victoria (EPBC 2011/5812) Residential Development, Wyndham Springs, Stage 8 & 9, Wyndam Vale, Victoria (EPBC 2007/3779).</p>	✓	

8 Information sources and attachments

(For the information provided above)

8.1 References

Publically available documents:

Australian Government (2009a) *Significant impact guidelines for the vulnerable growling grass frog (Litoria raniformis) Nationally threatened species and ecological communities EPBC Act policy statement 3.14*, Department of Environment, Water, Heritage and the Arts, Canberra.

Australian Government (2009b) *Significant impact guidelines for the critically endangered golden sun moth (Synemon plana) Nationally threatened species and ecological communities EPBC Act policy statement 3.12*, Department of Environment, Water, Heritage and the Arts, Canberra.

Australian Government (2013) *Matters of National Environmental Significance Significant impact guidelines 1.1* Environment Protection and Biodiversity Conservation Act 1999, Commonwealth Department of the Environment, Canberra.

Australian Government (2014) *Policy Statement for Melbourne urban development proposals needing consideration under Parts 7, 8 and 9 of the EPBC Act*, Commonwealth Department of the Environment, Canberra.

City of Whittlesea (2013) Epping Central Structure Plan, adopted December 2011 and amended December 2013, Melbourne

Victorian Government (2009) *Delivering Melbourne's Newest Sustainable Communities Program Report*, Department of Sustainability and Environment, Melbourne.

Victorian Government (2013) *Sub-regional Species Strategy for the Growling Grass Frog*, Department of Environment and Primary Industries, Melbourne.

Victorian Government (2014) *Plan Melbourne*, Department of Transport, Planning and Local Infrastructure, Melbourne.

Victorian Government (2015) *Draft Guidelines for Growling Grass Frog Habitat Design and Construction*, Victorian Department of Environment, Water, Land and Planning, Melbourne.

Reports:

Ecology Australia (2015a) *Epping Quarry: Flora and Fauna Assessment for Rezoning of Land*, for Remedi(y) Epping Pty Ltd.

Ecology Australia (2015b) *Fish survey, water quality and spatial data in relation to existing conditions and proposed concept for Growling Grass Frog at the Epping Site*, unpublished data, for Verve Projects Pty Ltd.

Ecology Australia (2015c) *Epping Quarry Site: Growling Grass Frog concept modelling, summary report*, for Verve Projects Pty Ltd.

Marshall, B. and Toscano, M. 2008. Drainage Works along Cooper Street and Edgars Creek in Epping. Unpublished report to Edgars Road Pty Ltd.

Wildlife Profiles (2015) *Current use of waterbodies in the former Epping Quarry Site by the threatened Growling Grass Frog*, for Remedi(y) Epping Pty Ltd.

8.2 Reliability and date of information

All references are recent and the information within considered reliable.

8.3 Attachments

Indicate the documents you have attached. All attachments must be less than three megabytes (3mb) so they can be published on the Department's website. Attachments larger than three megabytes (3mb) may delay the processing of your referral.

		✓ attached	Title of attachment(s)
You must attach	figures, maps or aerial photographs showing the project locality (section 1)	✓	Figure 1 Attachment A & Attachment F (GIS files)
	GIS file delineating the boundary of the referral area (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)	✓	Figure 1 Attachment B
If relevant, attach	copies of any state or local government approvals and consent conditions (section 2.5)	N/A	
	copies of any completed assessments to meet state or local government approvals and outcomes of public consultations, if available (section 2.6)	N/A	
	copies of any flora and fauna investigations and surveys (section 3)	✓	Attachment C
	technical reports relevant to the assessment of impacts on protected matters that support the arguments and conclusions in the referral (section 3 and 4)	✓	Attachment C & D
	report(s) on any public consultations undertaken, including with Indigenous stakeholders (section 3)	N/A	

9 Contacts, signatures and declarations

Project title:

9.1 Person proposing to take action

1. Name and Title: Mr David Lee
2. Organisation (if applicable): Bridley Epping Pty Ltd & Caruso Epping Unit Trust & Sterling Epping Pty Ltd (Riverlee Caruso Epping Pty Ltd as trustee)
3. EPBC Referral Number Unknown
4. ACN / ABN 74 569 488 283
5. Postal address c/o Riverlee Caruso Epping Pty Ltd, Level 11, 379 Collins Street, Melbourne VIC 3000
6. Telephone: 03 9620 3888
7. Email: david.lee@riverlee.com.au
8. Name of proposed proponent (if not the same person at item 1 above and if applicable): Not Applicable
9. ACN/ABN of proposed proponent (if not the same person named at item 1 above): Not Applicable
- I qualify for exemption from fees under section 520(4C)(e)(v) of the EPBC Act because I am:
- ☐ an individual; OR
 - ☐ a small business entity (within the meaning given by section 328-110 (other than subsection 328-119(4)) of the *Income Tax Assessment Act 1997*); OR
 - ☐ not applicable.

If you are small business entity you must provide the Date/Income Year that you became a small business entity:

Note: You must advise the Department within 10 business days if you cease to be a small business entity. Failure to notify the Secretary of this is an offence punishable on conviction by a fine (regulation 5.23B(3) *Environment Protection and Biodiversity Conservation Regulations 2000 (Cth)*).

COMPLETE THIS SECTION ONLY IF YOU WOULD LIKE TO APPLY FOR A WAIVER

- I would like to apply for a waiver of full or partial fees under Schedule 1, 5.21A of the [EPBC Regulations](#). Under sub regulation 5.21A(5), you must include information
- ☐ not applicable.

not you) the grounds on
which the waiver is
sought and the reasons
why it should be made:

Declaration

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

Signature

Date 21.07.16

9.2 Person preparing the referral information (if different from 8.1)

Name

Mr Tim Stephens

Title

Senior Project Manager

Organisation

Verve Projects Pty Ltd

ACN / ABN (if applicable)

14 095 681 548

Postal address

Level 1, 173 Burke Road, Glen Iris, Victoria, 3146

Telephone

03 8573 1500

Email

tim@verveprojects.com.au

Declaration

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

Signature

Signature

27/07/16