

EPBC Act referral



Australian Government

Department of Agriculture, Water and the Environment

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Title of proposal	2021/9004 - Yarra Valley Water Craigieburn Road East, Wollert Drinking Water Non-Drinking Water Mains project
Section 1	
Summary of your proposed action	
1.1 Project industry type	Water Management and Use
1.2 Provide a detailed description of the proposed action, including all proposed activities	
<p>The proposed action is the 'Yarra Valley Water: Craigieburn Road East, Wollert Drinking Water (DW) / Non-Drinking Water (NDW) Mains project'. The project will be developed by Yarra Valley Water (YVW). The mains will provide the primary water supply to the Wollert DW and NDW booster pump station.</p> <p>The project comprises the construction of the following proposed pipelines:</p> <ul style="list-style-type: none">- Craigieburn Road East Main NDW Main - length approximately 1,450 m of DN375 of mild steel cement lined pipe- Craigieburn Road East Main DW Main - length approximately 1,450 m of DN300 mild steel cement lined pipe. <p>The proposed mains will connect to mains that have been constructed by land developers in nearby residential estates and together the infrastructure will supply drinking and non-drinking water from the Epping North Tanks to the Wollert DW/NDW Booster Pump Stations.</p> <p>The construction methodology comprises of open cut construction for the majority of the alignment. Trenchless construction using laser boring will only occur at road crossings at Saltlake Boulevard, Epping Road and Craigieburn Road East. In addition to the construction, the construction area also comprises of vehicle access points, launch and retrieval shafts for trenchless construction, vehicle movements and materials stock piling.</p> <p>South of Craigieburn Road, between Highpark Drive and Epping Road, the open cut trench will be located on land (G\PS746807, 1\PS633459 and RES1\PS721233) that is to be redeveloped in the near future by the City of Whittlesea and the Victorian School Building Authority. The open cut trench will be located outside of the road reserve and south of the dry-stone wall that runs parallel to Craigieburn Road. A small section of dry-stone walls in the north-west corner of 21 Craigieburn Road, Wollert, will be removed as a result of the open cut trenching. This land will also be used for materials stock piling.</p> <p>In proximity to Findons Creek the open cut trench will be constructed in road reserves comprising of Epping Road, Craigieburn Road and Kingscote Way (this land is known as R1\PS638817). In this section, as required by Major Road Projects Victoria, the trench will be located outside of land set-aside for the proposed upgrade of the Craigieburn Road - Epping Road intersection (that is, the trench will be located to the south of the existing footpath that runs on a diagonal to Craigieburn Road).</p> <p>The open cut trench will traverse thorough the north-west corner of the Findons Creek reserve (RES1\PS640938) to the minimum extent possible. The trench will be located on the south side of the footpath until it reaches the Findons Creek culverts (bridge), at which point it will be located under the pedestrian footpath until the footpath reaches the Lehmanns Road service road. To achieve this the footpath will be opened, the pipes laid on top of the culverts and the footpath then reinstated.</p> <p>Further description of the project and the consideration of environmental impacts is provided in the following sections of this referral and are also detailed in the flora and fauna assessment (see attached report IS0803RC-EP-RP-0003-D Craigieburn Road East Flora and Fauna Assessment).</p>	
1.3 What is the extent and location of your proposed action?	
See Appendix B	
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)	
<p>The project area is located in Melbourne's North Growth Corridor, within the City of Whittlesea, approximately 20km north of the Melbourne CBD. The project will support the growth of the new communities identified in the Epping North East Precinct Structure Plan (PSP), Wollert PSP and Quarry Hills PSP.</p> <p>The proposed mains will be located in:</p> <ul style="list-style-type: none">- The Craigieburn (Lehmanns) Road road reserve, which is a one-lane single carriageway road that is to be duplicated to support planned urban growth.- Adjacent service roads	



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- Land to be developed by Whittlesea City Council as future active open space (sport fields). The land is yet to be developed.
- Land to be developed by the Victorian School Building Authority as a school (P-12). The land is yet to be developed.

The project area is generally flat and is being transformed from rural to urban land uses in accordance with the PSPs. The project crosses over Findons Creek, which was reconstructed as part of recent urban development.

1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)?

The development footprint is 5.3ha (53,698m²). This area includes all land required for undertaking the works, including traffic movements on public roads.

The area of disturbance is estimated to be 4.48ha (44,800m²). This is the area to be used for trenching, launch and retrieval shafts for trenchless construction, materials stock piling and maneuvering equipment (it excludes traffic movements on public roads).

1.7 Proposed action location

Other - Craigieburn Road, open space reserves, road reserves and land to be developed for urban purposes.

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?

☐ Yes ☒ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No

1.10.1.0 Council contact officer details

1.10.1.1 Name of relevant council contact officer

Engineering Department

1.10.1.2 E-mail

info@whittlesea.vic.gov.au

1.10.1.3 Telephone Number

03-9217-2170

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

Start Date	01/05/2022
End Date	23/12/2022

1.12 Provide details of the context, planning framework and state and/or local Government requirements

State and local planning policies support the planned urban growth of Melbourne's North Growth Corridor as described in Plan Melbourne, the Whittlesea Planning Scheme, Epping North East PSP, Wollert PSP, Quarry Hills PSPs and associated Development Contributions Plans prepared by Whittlesea City Council and the Victorian Planning Authority. Collectively these documents guide the use of land, development and the timely delivery of infrastructure.

The proposed infrastructure will support the planned growth of urban land uses in Epping North East, Wollert and Quarry Hills in accordance with the approved PSPs.

The Whittlesea Planning Scheme at Clause 19.03-2S encourages the timely, efficient and cost-effective delivery of development infrastructure. Clause 15.03-1L seeks to protect dry stone walls through the application of the Heritage Overlay and the schedule to Clause 52.33 Post Boxes and Dry Stone Walls. Clause 15.03-2S seeks to protect Aboriginal cultural heritage places and to ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the Aboriginal Heritage Act 2006. Clause 12.01-1S, Clause 12.01-1L and 12.01-2S seeks to protect and enhance biodiversity, with local policies highlighting the importance of protecting River Red Gums.



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In accordance with the Whittlesea City Council, the project will only require a planning permit to remove dry-stone walls in the event that they have not already been removed by the Victorian School Building Authority. If YVW's works require approval to remove the dry-stone walls, then the project would be required to submit a Dry-Stone Wall Management Plan that entails a field survey, site inspection, retention value assessment, impact assessment, mitigation measures and approval requirements.

In accordance with Clause 52.17 of the Whittlesea City Council, a planning permit will be required for the removal of native vegetation. An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017). Approvals for the removal of native vegetation will be via the 'Procedure to Rely on the Utility Installations Exemption in Planning Schemes - Water Service Providers, December 2020' unless a planning permit is also required to remove dry-stone walls.

An approved Cultural Heritage Management Plan will be required for the project in accordance with the Aboriginal Heritage Act 2006. A copy of the Cultural Heritage Management Plan is attached (refer to attached report - IS0803RC-EP-RP-0010-A - CHMP)

In accordance with the Heritage Act 2017, Heritage Victoria is to be notified by letter of the proposed removal of dry stone walls that have a 'D' classification in the Victorian Heritage Inventory. A 'consent to damage' the dry stone walls is not required from Heritage Victoria.

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

Consultation activities to date include a site walkover with Aboriginal representatives of the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation Registered Aboriginal Party (RAP), meetings with Whittlesea City Council, Major Road Projects Victoria, Victorian School Building Authority, and the land developer of Riverhills Estate. The purpose of the meetings was to understand the existing conditions and planned changes to the project area by the stakeholders, as well as the likely impacts, opportunities and mitigation measures to be incorporated into the project's design.

Consultation activities have been undertaken with representatives of the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation when preparing the Cultural Heritage Management Plan (refer to section 5 of the attached report - IS0803RC-EP-RP-0010-A - CHMP). The Cultural Heritage Management Plan was submitted in July 2021.

Further consultation activities will be undertaken as required by Whittlesea City Council as part of the approval process.

Prior to the commencement of works, the contractor would prepare a Construction Environmental Management Plan (or equivalent) for the project and would advise the local community of potential disruptions in accordance with the plan.

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

Ecology

The ecology assessment (see attached report (IS0803RC-EP-RP-0003-D Craigieburn Road East Flora and Fauna Assessment) identified the EPBC listed Growling Grass Frog and habitat surrounding Findons Creek West and East Branches. This EPBC referral has been prepared to demonstrate that potential impacts have been avoided. Native vegetation is present and a planning permit in accordance with Clause 52.17 of the Whittlesea Planning Scheme is required to remove 0.017ha of native vegetation. No scattered trees require removal.

Aboriginal heritage

A Cultural Heritage Management Plan (see attached) was submitted in July 2021. No Aboriginal heritage / cultural heritage was found during the assessments.

Non-aboriginal heritage

A Dry Stone Management Plan (see attached) has been prepared in the event that YVW's project occurs before the VSBA commences construction of the school. The Plan identifies that a wall in the north-west of 21 Craigieburn Road, Wollert requires removal.

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

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Yes

☒

No



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

☒ Yes ☐ No

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

The related action is the urban residential development occurring in the Epping North East PSP, Wollert PSP and Quarry Hills PSP. The land to the north of Craigieburn Road is within the Melbourne Strategic Assessment (MSA), and the land to the south is not. No further assessment under the EPBC Act is required where the proposed action is completed in accordance with the MSA approval. The Project is not liable for a MSA environment mitigation levy as utility installation works within private land are not a 'levy event' under the MSA Act.



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Section 2

Matters of national environmental significance

2.1 Is the proposed action likely to have any direct or indirect impact on the values of any World Heritage properties?

☐ Yes ☒ No

2.2 Is the proposed action likely to have any direct or indirect impact on the values of any National Heritage places?

☐ Yes ☒ No

2.3 Is the proposed action likely to have any direct or indirect impact on the ecological character of a Ramsar wetland?

☐ Yes ☒ No

2.4 Is the proposed action likely to have any direct or indirect impact on the members of any listed species or any threatened ecological community, or their habitat?

☒ Yes ☐ No

Species or threatened ecological community

Growling Grass Frog

Impact

The figure on page 45 of 53 of the flora and fauna assessment (refer attached report IS0803RC-EP-RP-0003-D Craigieburn Road East Flora and Fauna Assessment) shows the proposed area of works and the location of GGF habitat. As shown in the figure, the proposed works are located on the boundary of the GGF habitat. The proposed works do not encroach into the habitat and temporary fencing will be installed to manage the interface between the works and the habitat.

The design which includes avoiding the creekline vegetation and boring the pipes above the existing culvert will result in no terrestrial habitat being removed around Findons Creek west branch and the works will not reduce the area of occupancy of the population.

Direct impacts: None. By restricting the construction activity to the existing footpath and avoiding Findons Creek west branch, and employing erosion and sediment controls in accordance with EPA Victoria construction guidelines, it is not expected that works will affect the water quality in Findons Creek west branch. Drainage into the creek is currently fed by road and surface runoff from the agricultural land upstream and it appears Growling Grass Frogs are able to persist and breed in the wetland despite likely contaminants present within the waterway. Construction works adjacent to Findons Creek west branch and along the footpath above the culvert are not expected to result in any isolation or fragmentation of the population at the site. Temporary construction fencing and frog-deterrant fencing will be established adjacent to Findons Creek west branch during construction (outside of the breeding period).

Indirect impacts: None. Given the limited suitable habitat upstream, a large concrete culvert with <1 m drop north of Lehmanns Road, it is not expected that individuals will readily disperse upstream. Dispersal of individuals likely occurs downstream through the re-constructed wetlands and waterway eventually connecting to Darebin Creek. Construction works along Lehmanns Road are not expected to affect any dispersal or fragmentation of the population in Findons Creek west branch.

2.4.2 Do you consider this impact to be significant?

☐ Yes ☒ No

2.5 Is the proposed action likely to have any direct or indirect impact on the members of any listed migratory species or their habitat?

☐ Yes ☒ No

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

☐ Yes ☒ No



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2.7 Is the proposed action likely to be taken on or near Commonwealth land? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.9 Is the proposed action likely to have any direct or indirect impact on a water resource from coal seam gas or large coal mining development? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.10 Is the proposed action a nuclear action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.11 Is the proposed action to be taken by a Commonwealth agency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.12 Is the proposed action to be undertaken in a Commonwealth Heritage place overseas? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.13 Is the proposed action likely to have any direct or indirect impact on any part of the environment in the Commonwealth marine area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No



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Section 3

Description of the project area

3.1 Describe the flora and fauna relevant to the project area

The Craigieburn Road East DW and NDW Flora and Fauna Assessment (see attached report - IS0803RC-EP-RP-0003-D Craigieburn Road East Flora and Fauna Assessment, Section 3, Page 13-19) provides a description of the flora and fauna relevant to the project area.

The project area includes areas of native vegetation, exotic vegetation and unvegetated areas such as roads and driveways. Most native vegetation occurs along Findons Creek with some scattered patches of native vegetation present along the roadside of Craigieburn Road East.

Two Ecological Vegetation Classes (EVCs) Plains Grassy Woodland and Streambank Shrubland were identified within the project area consisting of two patches and one scattered tree. The scattered tree is a River Red-gums (*Eucalyptus camaldulensis*) and is considered to be a large tree.

EVC 55_61 Plains Grassy Woodland as occurs in degraded form along Craigieburn Road East, where mature Blackwood (*Acacia melanoxylon*) was present over a ground layer dominated by exotic grasses, particularly Cocksfoot (*Dactylis glomerata*), Panic Veldt-grass (*Ehrharta erecta* var. *erecta*) and Toowoomba Canary-grass (*Phalaris aquatica*). Two patches were identified in poor condition due to the lack of floristic diversity and high cover of grassy weeds.

A re-constructed wetland and planted vegetation occurs along two branches of Findons Creek that connect to large culverts underneath Craigieburn Road in the project area. This vegetation is a derived version of, and corresponds most with, EVC 851 Stream Bank Shrubland and has been classified as such for the purpose of assessment. This EVC has been planted and restored for biodiversity and habitat value to expand the native vegetation corridor along Findons Creek, and therefore under the Guidelines is classed as native vegetation. A canopy of immature trees consisting of River Red Gum (*Eucalyptus camaldulensis*), Yellow Gum (*E. leucoxylon*) and non-indigenous Smooth-barked Apple (*Angophora costata*) are planted over a dense mix of shrubs, including Hop-bush (*Goodenia ovata*), Bottlebrush (*Callistemon* spp.), Saltbush (*Atriplex* spp.) and Correa (*Correa reflexa*). Various rushes (*Juncus* spp.), Sedges (*Carex* spp.), grasses (including Common Tussock-grass – *Poa labillardierei*) and herbs (including Bidgee-widgee – *Acaena novae-zelandiae*) were present around the perimeter of the water body.

Fifteen threatened flora species and twenty-five threatened fauna species have previously been recorded within a 5 km buffer of the project area. All fifteen threatened flora species are considered to have a low likelihood of occurring after the field assessment did not identify them in the project area and considered their presence unlikely. One fauna species, the Growling Grass Frog, was confirmed to be present within the project area during targeted surveys.

Growling Grass Frog targeted surveys completed in accordance with the survey guidelines for the species in 2020 recorded two individuals and three individuals calling (one individual observed) over the two survey nights. The presence of Growling Grass Frog along Findons Creek and the suitable wetland and creekline habitat with permanent water and fringing and aquatic vegetation suggests it would be a suitable breeding site for the species. Native aquatic vegetation, including Sedges and Rushes and specifically emergent vegetation such as Water couch (*Paspalum distichum*), Swamp Crassula (*Crassula helmsii*) and Common Spike-sedge (*Eleocharis acuta*) provides important microhabitats for foraging and shelter for both frogs and tadpoles.

Targeted surveys were not undertaken for Golden Sun Moth as it was known at the time that surveys were concurrently being completed across the entire lot of land south of Craigieburn Road by Abzeco on behalf of the Victorian School Building Authority. The surveys did not record Golden Sun Moth during suitable survey conditions in accordance with the survey guidelines for the species (DEWHA 2009b).

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

Findons Creek south of Craigieburn Road was reconstructed between 2010 and 2015. The Melbourne Water 4535 - Findons Creek Development Services Scheme Infrastructure 1/1 shows Findons Creek as a constructed channel with constructed wetlands, lakes and parkland.

Water flows from farmland located to the north of the project area, passes through the concrete culverts located under Craigieburn Road and into the re-constructed creek south of Craigieburn Road. The as yet undeveloped areas to the north of Craigieburn Road are subject to flooding as Findons Creek in this area is yet to be reformed. The parklands and waterway to the south of Craigieburn Road has been designed to contain waterflows within the constructed banks, wetlands and lakes.

3.3 Describe the soil and vegetation characteristics relevant to the project area



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The underground profile encountered across the project area generally comprised topsoil, and/or fill, overlying Quaternary Age Newer Volcanics residual soils and weathered Basalt (Qvn). The subsurface layers observed generally consisted of topsoil comprising silt clay generally 50mm thick. The topsoil lay over fill material consisting of clayey gravel/gravelly clay/gravelly silt clay with depths between 0.3m and 1.3m. The fill lay over residual silty clay of high plasticity, generally stiff to very stiff encountered to depths of between 0.1m to 3.5m. The residual silty clay lay over basalt, typically slightly to moderately weathered, vesicular to slightly vesicular, generally high to very high strength, with occasional very low to low strength layers of extremely weathered to high.

The volcanic soils from the Victorian Volcanic Plain support extensive low-lying vegetation such as grasslands, grassy woodlands and wetlands. Native vegetation within the project area as described above has been heavily modified with only small remnants remaining and re-vegetation along key biodiversity corridors and amenity plantings.

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

Aerial photography shows the re-construction of Findons Creek, which commenced between 2010 and 2012 and was completed by 2015. Aerial photography shows that the creek environs and surrounds were stripped, major earthworks undertaken and the creek reformed. The road reserve along the eastern side of Epping Road is grass that is maintained by the Department of Transport and Whittlesea City Council, and reserved for a future duplicated road and intersection.

3.5 Describe the status of native vegetation relevant to the project area

Two EVCs - Plains Grassy Woodland and Streambank Shrubland - were identified within the project area consisting of two patches and one scattered tree.

EVC 55_61 Plains Grassy Woodland

Field assessments confirmed the presence of EVC 55_61 Plains Grassy Woodland as occurring in degraded form along Craigieburn Road East, where mature Blackwood (*Acacia melanoxylon*) was present over a ground layer dominated by exotic grasses, particularly Cocksfoot (*Dactylis glomerata*), Panic Veldt-grass (*Ehrharta erecta* var. *erecta*) and Toowoomba Canary-grass (*Phalaris aquatica*). The two patches are in poor condition due to the lack of floristic diversity and high cover of grassy weeds.

EVC 851 Stream Bank Shrubland

A re-constructed wetland and planted vegetation occurs along two branches of Findons Creek that connect to large culverts underneath Lehmanns Road in the project area. This vegetation is a derived version of, and corresponds most with, EVC 851 Stream Bank Shrubland and has been classified as such for the purpose of assessment. This EVC has been planted and restored for biodiversity and habitat value to expand the native vegetation corridor along Findons Creek, and therefore under the Guidelines is classed as native vegetation.

A canopy of immature trees consisting of River Red Gum (*Eucalyptus camaldulensis*), Yellow Gum (*E. leucoxylon*) and non-indigenous Smooth-barked Apple (*Angophora costata*) are planted over a dense mix of shrubs, including Hop-bush (*Goodenia ovata*), Bottlebrush (*Callistemon* spp.), Saltbush (*Atriplex* spp.) and Correa (*Correa reflexa*). Various rushes (*Juncus* spp.), Sedges (*Carex* spp.), grasses (including Common Tussock-grass – *Poa labillardierei*) and herbs (including Bidgee-widgee – *Acaena novae-zelandiae*) were present around the perimeter of the water body.

In addition, one scattered River Red-gums (*Eucalyptus camaldulensis*) was identified as occurring within the project area that will not be impacted by the project.

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

The land is flat with no significant gradient or slope occurring in the landscape of the project area.

3.7 Describe the current condition of the environment relevant to the project area

Plains Grassy Woodland:

The proposed pipeline will transect two patches, located within 50m of each other, of Plains Grassy Woodland. The two patches are located on the boundary of the Craigieburn Road reserve and the soon to be constructed P-12 school. The two patches are in poor condition due to the lack of floristic diversity and high cover of grassy weeds.

Stream Bank Shrubland:

This vegetation is a derived version of, and corresponds most with, EVC 851 Stream Bank Shrubland and has been classified as such for the purpose of assessment. The vegetation has been planted and restored for biodiversity and habitat value to expand the native vegetation corridor along Findons Creek. A canopy of immature trees are planted over a dense mix of planted shrubs.



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Scattered Tree:

One scattered tree was identified in the project area. The tree is located to the west of Epping Road, remote from the GGF habitat. The tree is on the periphery of project compound and work areas. Impacts to the tree will be avoided by establishing no-go-zone fence around the tree.

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

Heritage Inventory (HI) Number H7922-0299 applies to the land located at 1W Craigieburn Road, Wollert. The statement of significance refers to stone features, elm tree and dry stone walls. This subject land is to be developed by Whittlesea City Council as a recreation reserve. The project will not impact on the dry stone walls located within this land.

Dry stone walls also occur on land 206G Highpark Drive, Wollert and 21 Craigieburn Road, Wollert, directly west of Heritage Inventory (HI) Number H7922-0299. Whilst these walls are not listed on the heritage inventory, a planning permit from Whittlesea City Council is required to demolish, remove or alter a dry stone. The Victorian School Building Authority has an existing planning permit to remove these walls for the construction of a new school. In the event that the Victorian School Building Authority does not commence its works prior this project, then YVW would obtain its own planning permit to impact the walls.

3.9 Describe any Indigenous heritage values relevant to the project area

The project is a high impact activity located in an area of Aboriginal Cultural Heritage Sensitivity. A mandatory Aboriginal Cultural Heritage Management Plan is required and must be approved prior to the commencement of works. The Standard and Complex Assessments completed in May 2021 did not find any Aboriginal heritage / cultural heritage.

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

Land tenure of affected land is as follows:

Craigieburn Road: Road reserve managed by VicRoads / MRPV

Epping Road: Road reserve managed by VicRoads / MRPV

50 Craigieburn Road, Wollert: Freehold owned by a private developer and subject of a current subdivision

206G Highpark Drive, Wollert: Freehold owned by the Victorian School Building Authority

21 Craigieburn Road, Wollert: Freehold owned by the Victorian School Building Authority

1W Craigieburn Road, Wollert: Freehold owned by Whittlesea City Council

55W Pine Park Drive, Wollert: Reserve vested in Whittlesea City Council

Road reserves: local roads vested in Whittlesea City Council

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

Existing uses generally comprise of land used for farming and undergoing redevelopment for housing, school, public parks and roads in accordance with the Epping North East PSP, Wollert PSP, Quarry Hills PSP and associated Development Contribution Plans. The proposed pipes are required to support the provision of reticulated drinking and non-drinking water to the emerging community.

Craigieburn Road and Epping Road are the two major road arterials. These two roads will be duplicated in the near future and the intersection enlarged to support urban growth. The route for the proposed pipelines has been designed to ensure that the pipes are located outside of the carriageway to the extent possible.

The land south-west of Craigieburn Road and Epping Road will be developed by Whittlesea City Council and the Victorian School Building Authority as public open space and a school.

Findons Creek north of Craigieburn Road will be reformed in the near future, generally in accordance with Wollert PSP.



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Section 4

Measures to avoid or reduce impacts

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

It was determined during the functional design of the project, following the confirmation of Growling Grass Frog habitat along Findons Creek west branch, that construction needed to avoid impacts to creekline vegetation and reduce the potential for waterway impacts. Following a collaborative design effort, multiple design options were explored, but ultimately a design which includes avoiding the creekline vegetation and installing the pipes above the existing culvert was adopted for detailed design.

General construction measures

The following mitigation measures are recommended to minimise and avoid impacts upon the identified listed ecological values:

- No surface works are to be undertaken within close proximity to Findons Creek west and east branch.
- No stockpiling of materials within 50 m of Findons Creek west and east branch to ensure no runoff or sedimentation impacts.
- Water quality of wetlands within and adjacent to the project area and watercourses that intersect the works areas is to be maintained at pre-construction levels.
- Environmental management for erosion and sediment control, in accordance with the Environment Protection Authority (EPA) Victoria construction guidelines (Publications 1820, 1834 and 1856) will be implemented for works in the vicinity of waterways and wetlands.
- Control measures are required to ensure sediments, and other refuse associated with construction, is disposed of in an appropriate manner and should not affect the water quality of adjacent waterways or wetlands.
- The spread of noxious weeds and pest animals must be controlled in accordance with the Catchment and Land Protection Act 1994 (CaLP Act).
- Where possible, all vehicles, machinery and equipment will move along formed/designated access tracks to prevent the spread and establishment of weeds and diseases. Vehicles and machinery will access the project area through defined entry and exit points. Additional measures to prevent the spread and establishment of weeds and disease must be provided within the Construction Environmental Management Plan (CEMP).

Growling Grass Frog mitigation measures

Pre-construction phase:

Prior to the commencement of construction the following mitigation measures are to be implemented:

- Construction between Kingscote Way and 50 Lehmanns Road is to occur outside of the Growling Grass Frog breeding season (November – March).
- Temporary fencing is to be installed to define the construction footprint.
- Frog deterrent fencing is to be erected on temporary fencing between the terrestrial vegetation along Findons Creek west branch and construction footprint. An Ecologist is recommended to attend the site to assess the frog fencing before works commencing.
- A Frog Relocating Protocol is to be prepared by the project's Ecologist.

Construction phase:

Controls to protect Growling Grass Frog during construction are as follow:

- An Ecologist is to undertake a Growling Grass Frog briefing to all site personnel. This briefing must be a part of the site induction process, and staff should not be on site without having undertaken this briefing. The briefing will run through what Growling Grass Frog look like and the notification processes of the Frog Relocating Protocol (if required).

- Daily frog fencing checks.

- Open trenches are to be closed at the close of each work day to prevent fauna from becoming stuck in the trenches.

Where trenches are unable to be 'closed' for the night, open trenches are to be checked each morning for fauna presence.

If a frog is observed on site, then in accordance with the Frog Relocating Protocol, works are to stop and the project Ecologist contacted. If animals are within the trench, an ecologist/ wildlife handler must be called to remove the animal.

- Chytrid fungus hygiene controls for handling of frogs, footwear and vehicles are to be undertaken by site personnel as per the 'Hygiene protocols for the control of diseases in Australian frogs (DSEWPaC 2011).

- Standard weed control measures apply to on-site vehicles and personnel to reduce potential degradation of suitable Growling Grass Frog habitat.

- Only a qualified wildlife handler/ Ecologist with the appropriate Ethics approval and DELWP scientific permit can undertake



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the frog relocating protocol. A permit under the Wildlife Act 1975 would be obtained to handle native fauna.

Post-construction phase:

To reduce impacts to Growling Grass Frog following construction the following criteria are to be followed:

- Reinstatement of like conditions within the project area, including fill of open trenches.
- Any reporting requirements to DELWP as part of scientific permit requirements to be undertaken by the appointed Project Ecologist undertaking the Frog Relocating Protocol (if required).
- Reporting to the appropriate Animal Ethics Committee as required by the appointed Project Ecologist undertaking the Frog Relocating Protocol (if required).

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

The avoidance of terrestrial and aquatic Growling Grass Frog habitat along Findons Creek and implementation of specific Growling Grass Frog mitigation measures as described above will avoid a significant impact to the species.

Where possible the impact of construction activities will be further reduced within the assigned project area to enable the retention of native vegetation.

Measures will be undertaken to prevent the introduction, spread and establishment of declared and environmental weed and pathogen species. Ongoing weed and pathogen control and eradication procedures should be implemented following ground disturbance works.



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 5

Conclusion on the likelihood of significant impacts

5.1 You indicated the below ticked items to be of significant impact and therefore you consider the action to be a controlled action

- ☐ World Heritage properties
- ☐ National Heritage places
- ☐ Wetlands of international importance (declared Ramsar wetlands)
- ☐ Listed threatened species or any threatened ecological community
- ☐ Listed migratory species
- ☐ Marine environment outside Commonwealth marine areas
- ☐ Protection of the environment from actions involving Commonwealth land
- ☐ Great Barrier Reef Marine Park
- ☐ A water resource, in relation to coal seam gas development and large coal mining development
- ☐ Protection of the environment from nuclear actions
- ☐ Protection of the environment from Commonwealth actions
- ☐ Commonwealth Heritage places overseas
- ☐ Commonwealth marine areas

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

As described in Section 5.1 of the ecology assessment (see attached report - IS0803RC-EP-RP-0003-D Craigieburn Road East Flora and Fauna Assessment), the project will not constitute a significant impact to the Growling Grass Frog as the project avoids both terrestrial and aquatic Growling Grass Frog habitat by constructing the pipelines in the road reserve above the Findons Creek west and east branch culverts. This will be supported by specific Growling Grass Frog mitigation measures to be outlined in the project's Construction Environmental Management Plan, including construction east of Epping Road to occur outside of the Growling Grass Frog breeding season (November – March) and installation of temporary construction fencing and frog-deterrent fencing for areas adjacent to Findons Creek west branch.

Apart from Growling Grass Frog, no other threatened species are considered present based on the findings of a desktop and field assessment as summarised in the ecology assessment (see attached report - IS0803RC-EP-RP-0003-D Craigieburn Road East Flora and Fauna Assessment, Section 3, Page 13-19).



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Section 6

Environmental record of the person proposing to take the action

6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Explain in further detail

YVW has a sound environmental management record and promotes sustainable development within its projects. In the past 10 years only a few infringements notices have been issued to YVW. Considering the vast scale of YVW's services to nearly 2 million people, YVW view this as an enviable record. YVW has signed up to the United Nations Global Compact which is the world's largest corporate sustainability initiative.

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

YVW received an EPA Penalty Infringement Notice of \$7,773 for a sewage spill that occurred in Don Road, Healesville on 13 March 2017. The incident occurred due to a broken and blocked pipe which allowed an estimated 37,000 litres of sewage to spill into a local waterway. YVW undertook extensive clean-up work and water quality monitoring of the waterway and conducted CCTV inspection of the sewage pipe which confirmed the tree root intrusion and cracked piping.

YVW was prosecuted for an incident in Chirnside Park, Victoria on 4-6 July 2016. YVW implemented wet-wipe public notices and education programs and made an infringement payment of \$80,000.

YVW was prosecuted for an incident in May 2009 where 115,000 litres of sewage was accidentally discharged from a sewerage pumping station to the creek at Warrandyte South. On the day of the incident, both pumps and the emergency generator failed, causing the emergency storage to fill and overflow into the creek.

6.3 If it is a corporation undertaking the action will the action be taken in accordance with the corporation's environmental policy and framework?

☒ Yes ☐ No

6.3.1 If the person taking the action is a corporation, provide details of the corporation's environmental policy and planning framework

YVW has developed the following systems, which will apply to the project and used to ensure the site is appropriately managed:

- Environmental Management System (certified to ISO14001)
- Quality Management System (certified to ISO9001)

These systems are regularly audited to ensure operations are managed and maintained to a high standard of environmental performance.

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 ☐ No

6.4.1 EPBC Act No and/or Name of Proposal

2018/8312 Mickleham and Craigieburn Rd DW and NDW

2018/8174 YVW Corporation/Energy Generation and Supply (renewable)/Lot 1, TP125400/Victoria/Lilydale Waste to Energy facility, Lilydale, Vic

2016/7818 - YVW Corporation/Water Management and Use/Approx. 4km northwest of Crigieburn and approx. 30km from Melbourne CBD/Victoria/Aitken Blvd North Drinking Water and Non-Drinking Water Mains, Vic

2015/7528 - YVW/Waste Management (sewerage)/3km west of Epping/Victoria/Epping Branch sewer Stage 4B, Victoria

2014/7370 - YVW Corporation/Waste management (sewerage)/between Donnybrook Rd & Craigieburn Sewage Treatment Plant/VIC/Amaroo Main Sewer Project, Vic

2013/6823 - YVW/Water Management and Use/Approximately 35km north of the Melbourne CBD/Victoria/Installation of the Mt Ridley Road West Water Mains (M703 & R004) and associated infrastructure



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

2011/6190 - YVW/Water Management and Use/Approx 30km north of Melbourne/Victoria/Kalkallo Class A Recycled Water Distribution Mains

2010/5653 - YVW/Waste Management (sewerage)/Beveridge, 40km N of Melbourne & Wallan 45km N of Melbourne/Victoria/Beveridge Wallan Infrastructure Project

2008/4608 - YVW/Waste Management (sewerage)/Craigieburn, adjacent to the Craigieburn Bypass/Victoria/Pipeline to link Craigieburn Sewerage Treatment Plant to new Aurora recycled sew

2008/4597 - YVW/Waste management (sewerage)/Cooper Street, Epping/VIC/Geotechnical Drilling Research for the Sewer Alignment for the Melbourne Wholesale Fruit and Vegetable Markets

2008/4315 - YVW Ltd/Waste management (sewerage)/Horne Street Shaft site and Freeway Shaft Site Campbellfield/VIC/Sewerage Tunnel and Shafts Upgrade

2008/4042 - YVW/Water management and use/Yuroke and Greenvale, Melbourne/VIC/Water Supply Mains

2004/1505 - YVW Limited/Waste management/Craigieburn/VIC/Cessation or Reduction of Flows from Sewage Treatment Plant

2004/1503 - YVW Limited/Waste management/Craigieburn/VIC/Construction of sewerage pipeline from Craigieburn Sewage Treatment Plant to Melbourne metropolitan sewerage system

2004/1351 - YVW/Waste Management (sewerage)/Mernda/Victoria/Mernda South Sewerage Pipeline

2004/1350 - YVW Limited/Waste management/Mernda/VIC/Mernda North Sewerage Strategy, Mernda-Doreen

2002/601 - YVW Limited/Waste management/Craigieburn/VIC/Craigieburn Sewage Treatment Plant Decommission

2001/459 - YVW/Waste Management (sewerage)/Bundoora/Victoria/Bundoora Sewage Flow Control Facility



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 7
Information sources
Reference source Abzeco 2020. Biodiversity Assessment and Targeted Surveys: 21 Craigieburn Road, Wollert East, Victoria. Prepared for the Victorian School Building Authority.
Reliability Highly reliable
Uncertainties Limitations listed within report includes database records of species occurrence are opportunistic, the field survey undertaken only recorded flora species evident and identifiable at the time of assessment in mid to late spring (November).
Reference source DEWHA 2009a. Significant impacts guidelines for the vulnerable Growling Grass Frog (<i>Litoria raniformis</i>). Department of the Environment, Water, Heritage and the Arts, Government of Australia, Canberra.
Reliability Highly reliable
Uncertainties The information is the most current available and has been the subject of technical, scientific, public and peer review, as well as quality controls.
Reference source Melbourne Water 2017. 4535 - Findons Creek Development Services Scheme Infrastructure 1/1
Reliability Highly reliable
Uncertainties The information is the most current available.



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 8
Proposed alternatives
Do you have any feasible alternatives to taking the proposed action? Yes <input checked="" type="checkbox"/> No



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 9

Person proposing the action

9.1.1 Is the person proposing the action an organisation or business?

☒ Yes ☐ No

Organisation

Organisation name (as registered for ABN/ACN)	YARRA VALLEY WATER CORPORATION
Business name	YARRA VALLEY WATER
ABN	93066902501
ACN	
Business address	Private Bag 1, Mitcham, 3132, Victoria, Australia
Postal address	
Main Phone number	1300853811
Fax	
Primary email address	Gillian.Seery@yvw.com.au
Secondary email address	

9.1.2 I qualify for exemption from fees under Regulation 5.23(1)(ii) of the EPBC Regulations because I am:

☐ Small business
☒ Not applicable

9.1.2.2 I would like to apply for a waiver of full or partial fees under Regulation 5.21A of the EPBC Regulations

☐ Yes ☒ No

9.1.3 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)

First name	Gillian
Last name	Seery
Job title	Project Manager
Phone	0398721521
Mobile	
Fax	
Email	Gillian.Seery@yvw.com.au
Primary address	Private Bag 1, Mitcham, 3132, Victoria, Australia
Address	

Declaration: Person proposing the action (To be signed by the person at 9.1.3)

I, Gillian Seery, 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 or for the benefit of any other person or entity.

Signature: Seery, Gillian Date: 2021.07.30 14:47:46 +10'00'

I, _____, the person proposing the action, consent to the designation of _____ as the proponent for the purposes of the action described in this EPBC Act Referral.

Signature: _____ Date: _____



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Proposed designated proponent

9.2.1 Is the proposed designated proponent an organisation or business?

☒ Yes ☐ No

Organisation

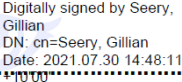
Organisation name (as registered for ABN/ACN)	YARRA VALLEY WATER CORPORATION
Business name	YARRA VALLEY WATER
ABN	93066902501
ACN	
Business address	Private Bag 1, Mitcham, 3132, Victoria, Australia
Postal address	
Main Phone number	1300853811
Fax	
Primary email address	Gillian.Seery@yvw.com.au
Secondary email address	

9.2.2 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)

First name	Gillian
Last name	Seery
Job title	Project Manager
Phone	1300853811
Mobile	
Fax	
Email	Gillian.Seery@yvw.com.au
Primary address	Private Bag 1, Mitcham, 3132, Victoria, Australia
Address	

Declaration: Proposed Designated Proponent

I, Gillian Seery, 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: Seery, Gillian  Date:

Digitally signed by Seery,
Gillian
DN: cn=Seery, Gillian
Date: 2021.07.30 14:48:11
+10'00'



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Referring party (person preparing the information)

9.3.1 Is the referring party an organisation or a business?

☒ Yes ☐ No

Organisation


Organisation name (as registered for ABN/ACN)	JACOBS GROUP (AUSTRALIA) PTY LTD
Business name	
ABN	37001024095
ACN	
Business address	452 Flinders Street, Melbourne, 3000, VIC, Australia
Postal address	
Main Phone number	03 8668 3096
Fax	
Primary email address	melbournereception@Jacobs.com
Secondary email address	

9.3.2 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)

First name	Ben
Last name	Mahon
Job title	Principal Environmental Planner
Phone	03 8668 3096
Mobile	
Fax	
Email	ben.mahon@jacobs.com
Primary address	452 Flinders Street, Melbourne, 3000, VIC, Australia
Address	

Declaration: Referring party (person preparing the information)

I, Ben Mahon, 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: 30 July 2021



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Appendix A	
Attachment	
Document Type	File Name
action_area_images	Construction footprint.pdf
govt_approval_conditions	IS0803RC-EP-RP-0010-A - CHMP.pdf
govt_approval_conditions	IS0803RC-EP-RP-0007-A - Mains Dry Stone Wall Management Plan.pdf
supporting_tech_reports	IS0803RC-EP-RP-0003-D Craigieburn Road East Flora and Fauna Assessment.pdf
corp_env_policy_docs	YVW Environmental Policy.pdf
corp_env_policy_docs	YVW Environmental Management System Manual.pdf

Appendix B
Coordinates
Area 1
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