

# EPBC Act referral



Australian Government

Department of Agriculture, Water and the Environment

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

<b>Title of proposal</b>	<b>2021/9129 - 18744 Redbank Southern Valley Residential Subdivision</b>
<b>Section 1</b>	
<b>Summary of your proposed action</b>	
<b>1.1 Project industry type</b>	Residential Development
<b>1.2 Provide a detailed description of the proposed action, including all proposed activities</b>	
<p>The proposed action is 37.68 ha in size and is comprised of a proposed 378 lot residential subdivision. As part of the residential subdivision, the following is proposed:</p> <ul style="list-style-type: none"><li>• subdivision works</li><li>• clearing of vegetation</li><li>• retention of approximately 0.91 ha of native vegetation</li><li>• creation of public open space and active open space</li><li>• roads</li><li>• associated infrastructure including electricity, gas and water.</li></ul> <p>To facilitate the proposed action, bulk earthworks and clearing of native vegetation would be required. The proposed action would impact 3.38 ha of native vegetation within the action area, associated with bulk earthworks, subdivision works, creation of public open space, roads and associated infrastructure and any other works required to complete the action.</p>	
<b>1.3 What is the extent and location of your proposed action?</b>	
See Appendix B	
<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)</b>	
<p>The action area is located at Central Close, off Grose Vale Road, North Richmond 2754 (Lot 1000 DP 1263276) within the Hawkesbury City Council local government area (LGA) (Appendix C, Figure 1). The action area is 2.3 km west of North Richmond and 68 km north west of the Sydney CBD (Appendix C, Figure 2).</p> <p>The action area is zoned as the following under the Hawkesbury LEP:</p> <ul style="list-style-type: none"><li>• B1: Neighbourhood Centre</li><li>• RE1: Public Recreation</li><li>• R2: Low Density Residential</li><li>• R3: Medium Density Residential.</li></ul> <p>The action area is approximately 36.79 ha in area and represents the last remaining stage of the Redbank release area and is known as "Southern Valley" (Appendix C, Figure 3). The site is steep with the highest point running adjacent to Grose Vale Road. The site then slopes down toward the large dams and gently increases in topography toward the existing subdivision to the north east. See Appendix A Section 1.5.</p>	
<b>1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)?</b>	
The action area is 37.68 ha of which 36.77 ha is proposed for disturbance and 0.91 ha is proposed to be avoided.	
<b>1.7 Proposed action location</b>	
Other - Access of Grose Vale Road	
<b>1.8 Primary jurisdiction</b>	New South Wales
<b>1.9 Has the person proposing to take the action received any Australian Government grant funding to undertake this project?</b>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>1.10 Is the proposed action subject to local government planning approval?</b>	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	



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

☐ Yes ☒ No

<b>1.11 Provide an estimated start and estimated end date for the proposed action</b>	Start Date	02/01/2023
	End Date	31/12/2025

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

Approval by Hawkesbury City Council is required under part 4 of the EP&A Act. The proposed action is also subject to the:

- State Environmental Planning Policy (Koala Habitat Protection) 2021 (Koala SEPP)
- Hawkesbury Development Control Plan (DCP) 2002
- Hawkesbury Local Environment Plan (LEP) 2012

With respect to the Koala SEPP, the Koala SEPP 2021 applies to all zones of the City of Hawkesbury LGA. No approved koala plan of management exists for land on which the action is proposed, therefore the following subclauses apply in accordance with Part 2.11 of the SEPP:

“(2) Before a council may grant consent to a development application for consent to carry out development on the land, the council must assess whether the development is likely to have any impact on koalas or koala habitat.

(3) If the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, the council may grant consent to the development application.

(4) If the council is satisfied that the development is likely to have a higher level of impact on koalas or koala habitat, the council must, in deciding whether to grant consent to the development application, take into account a koala assessment report for the development.”

Following the completion of targeted survey for the Koala where no individuals or signs of individuals were found, the proposed development is unlikely to have any impact on koalas or koala habitat. No further assessment is required with respect to the SEPP.

With respect to the DCP, Chapter 8 of the Hawkesbury DCP contains provisions relating to Redbank at North Richmond. Section 8.3.6 contains development controls relating to environmental management which must be considered as part of the proposed development. The following control is not relevant to the referral, however is relevant to the local approval:

“3. Approval must be obtained for the removal of any Endangered Ecological Communities as required by the relevant legislation including the Threatened Species Conservation Act 1995 and will need to be considered through due process (e.g. via biodiversity offsets).

i. the applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with the Threatened Biodiversity Survey and Assessment Guidelines – Guidelines for Developments and Activities Working Draft (DEC 2004)”

The Threatened Species Conservation Act 1995 (TSC Act) was repealed and replaced by the Biodiversity Conservation Act 2016 (BC Act) which requires preparation of a BDAR rather than a Flora and Fauna Assessment.

With respect to the LEP, the action area is subject to the Terrestrial Biodiversity overlay of the LEP which requires consideration of matters listed in sections 6.4(3) and (4):

“3. Before determining a development application for development on land to which this clause applies, the consent authority must consider—

(a) whether the development—

(i) is likely to have any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and

(ii) is likely to have any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and

(iii) has any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and

(iv) is likely to have any adverse impact on the habitat elements providing connectivity on the land.

(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—

(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or

(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.”

The potential and/or likely adverse impacts of the proposed development have been assessed throughout this referral and the BDAR. The BDAR outlines the impacts which would be offset through the payment of ecosystem and species credits.

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

The site sits within an area that was rezoned for residential purposes by Hawkesbury Council. Public consultation was



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undertaken during the rezoning process which commenced in 2008. A Development Control Plan was exhibited by Council in 2014 and showed the extent of the development on the site.

Indigenous stakeholders were engaged during the preparation of 'Redbank Housing Development North Richmond, NSW: Cultural Heritage Assessment Report', prepared by Kelleher Nightingale Consulting (June 2016). An AHIP was issued for the broader Redbank site on 6/10/2016 under the NSW NPWS Act 1974.

**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**

Field surveys were completed across the action area and aimed to identify any threatened ecological values present (Appendix D). Surveys were conducted consistent with the EPBC Act survey guidelines (where relevant) and the Draft Threatened Species Survey Guidelines (DECC 2004). Surveys included:

- vegetation validation including type, condition and extent (Appendix D)
- threatened species habitat assessment (Appendix D)
- targeted survey for threatened fauna (Appendix D).

The methods are described in Appendix A, Section 1.14 Page 5.

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

☒ Yes ☐ No

**1.15.1 Provide information about the larger action and details of any interdependency between the stages/components and the larger action**

Redbank Southern Valley forms part of a larger residential subdivision within North Richmond. However, the development of Southern Valley is not dependent on the delivery of the remaining stages of the subdivision.

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

☐ Yes ☒ No



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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

Chalinolobus dwyeri (Large-eared Pied Bat)

#### Impact

No. Impacts to the Large-eared Pied Bat associated with the proposed action are unlikely to constitute a significant impact (Appendix A, Table 4, Page 13). The proposed action will directly impact 3.38 ha of foraging habitat through vegetation clearing for the Large-eared Pied Bat (Appendix C, Figure 9). No caves, cliffs or karsts that would provide breeding or roosting habitat occur within the action area (Appendix C, Figure 10). The significant impact criteria was applied to Large-eared Pied Bat and concluded that the proposed action is unlikely to constitute a significant impact on this species.

### Species or threatened ecological community

Lathamus discolor (Swift Parrot)

#### Impact

The proposed action will directly impact 3.98 ha of foraging habitat through vegetation clearing for the Swift Parrot. No breeding habitat would be affected (Appendix C, Figure 11 and Figure 12, Pages 11 and 12).

The Significant Impact Criteria has been applied to the Swift Parrot and concluded that the proposed action would be unlikely to constitute a significant impact on this species. Significant Impact Criteria are applied in Appendix A, Table 5, Page 15.

### Species or threatened ecological community

Pteropus poliocephalus (Grey-headed Flying-fox)

#### Impact

About 3.98 ha of potential foraging habitat would be affected through vegetation clearing (Appendix C, Figure 13). The closest Nationally Important Grey-headed Flying-fox camp is located approximately 11 km to the south at Yarramundi (Appendix C, Figure 14). The latest camp data lists 500 – 2,499 individuals within the camp. The highest number recorded was between 2,5000 – 9,999 individuals in 2019. The camp has not seasonally held >2,500 numbers for the past 10 years and therefore is not a nationally important camp. The action area is not habitat critical to the survival of the Grey-headed Flying-fox.



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The Significant Impact Criteria were applied with respect to the Grey-headed Flying-fox and concluded that the proposed action is unlikely to constitute a significant impact to this species (Table 6).

**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

**2.7 Is the proposed action likely to be taken on or near Commonwealth land?**

☐ Yes ☒ No

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

☐ Yes ☒ 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?**

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☐ Yes ☒ No

**2.12 Is the proposed action to be undertaken in a Commonwealth Heritage place overseas?**

☐ Yes ☒ 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?**

☐ Yes ☒ 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 action area is 37.68 ha and is comprised of land previously used for agricultural purposes and remnant native vegetation. The flora within the action area is largely exotic species used for cattle grazing, such as *Cenchrus clandestinus* (Kikuyu), *Chloris gayana* (Rhodes Grass) and *Paspalum dilatatum*. The floristic composition and structure of the site is in a poor and degraded condition (Appendix D, Section 3.3, Page 11). No threatened flora species were identified or are considered likely to occur. Several fauna species were opportunistically observed in the action area during survey, including *Limnodynastes peronii* (Striped Marsh Frog), *Porphyrio porphyrio* (Purple Swamp Hen) and *Chenoneta jubata* (Australian Wood Duck) (Appendix D). One MNES was identified during targeted survey; *Chalinolobus dwyeri* (Large-eared Pied Bat). The dams and native vegetation are likely to provide foraging resources for highly mobile species such as birds and bats. The dams may also provide habitat for amphibians.

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

The action area contained several 1st and 2nd order streams. Water would flow down from the higher elevations within the action area and feed the 1st order streams and into the 2nd order stream that runs through the centre of the action area. Two large farm dams and one human made detention basin are present within the action area. The hydroline data suggests that the streams were dammed. The future riparian network has been described and assessed in a separate report (Appendix E, Sections 4.1 and 4.2, Page 11).

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

According to the Mitchell Landscape soil mapping, the action area is on the Cumberland Plain profile. The action area has largely been cleared in the past for agricultural land uses including cattle grazing. A majority of the vegetation within the action area is exotic pasture. There are some areas of remnant native vegetation which forms the BC Act listed community of Cumberland Plain Woodland. The historical disturbance of the action area has resulted in a high cover of weeds throughout the Cumberland Plain Woodland. The action area also contains a strip of planted native vegetation along a gravel road.

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

There are no natural or important features that are unique to the proposal area.

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

The action area does not contain any threatened ecological communities which met the listing criteria for a community under the EPBC Act. The action area contains Cumberland Plain Woodland which met the BC Act definition of the community. The Cumberland Plain Woodland did not meet the EPBC Act definition of the community for the reasons listed in Appendix A - Section 1.14.

The native vegetation within the action area is in poor condition due to historical agricultural practices and is concentrated in areas where native canopy are present. A majority of the action area was comprised of exotic pasture grasses that were likely cultivated following the removal of native vegetation across the action area. The pasture was dominated by exotic groundcover species which have since dominated the remnant native vegetation in the action area. Where native vegetation was present, it was in poor condition. No bushfires have recently affected the action area.

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

The site is steep with the highest point running adjacent to Grose Vale Road. The site then slopes down toward the large dams and gently increases in topography toward the existing subdivision to the north east.

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

The native vegetation within the action area is in poor condition due to historical agricultural practices and was limited to areas where native canopy was present. A majority of the action area was comprised of exotic pasture grasses that were likely cultivated following the removal of native vegetation across the action area. The pasture was dominated by exotic groundcover species which have since dominated the remnant native vegetation in the action area. Where native vegetation was present, it was in poor condition.

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

There are no Commonwealth listed heritage places within the action area. The action area is mapped on the State Heritage Register Curtilage as forming part of the Yobarnie Keyline Farm. The Yobarnie site is considered to be of significance as the site where the Yeomans' keyline agricultural system was first developed, trialled and demonstrated. Consistent with the Heritage Conservation Management Plan (Urbis 2013), the keyline dam structure must be partially



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retained and incorporated into future development. The Riparian Assessment (ELA 2021b) outlines how the proposed action is consistent with the vision of the heritage strategy for Yonarbie.

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

There are no indigenous heritage values relevant to the action area.

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

Freehold.

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

The action area is currently used for cattle grazing and contains two large farm dams which form part of the heritage listed Yonarbie Keyline Farm. These dams will be incorporated into the design of the residential subdivision through the retention of a central riparian corridor (Appendix E). As described throughout this referral, the proposed uses are for a residential subdivision.



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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

The action area forms part of Redbank at North Richmond which has been the subject of several strategic investigations over the past 10 years. A Planning Proposal was submitted in 2012 to Hawkesbury City Council, seeking to amend the Hawkesbury Local Environmental Plan 2012 to rezone Redbank from RU4 Primary Production Small Lots and RU1 Primary Production into a zoning suitable for urban residential development. The rezoning was gazetted on 11 April and amended the previous rural land use to R2 Low Density Residential and RE1 Public Recreation in the action area.

Areas of public recreation and land to be retained were assessed as part of the broader rezoning process. This strategic approach facilitated the creation of a network of RE1 Public Recreation land throughout the Redbank subdivision. The development footprint has taken into consideration the requirements of the site-specific Development Control Plan (Hawkesbury City Council 2002) and the ecological values across the action area. Areas of the development footprint are concentrated in exotic pasture where no native ecological values are present. Where ecological values are proposed for impact, the impacts are concentrated in areas where the vegetation is in poor condition. As a result, no EPBC Act listed threatened ecological communities will be affected as part of the proposed action.

Since the rezoning, the proponent has further revised the layout to retain two patches of BC Act listed Cumberland Plain Woodland in the action area which also provide foraging habitat for the Swift Parrot, Large-eared Pied Bat and the Grey-headed Flying-fox. This has reduced the impacts to Cumberland Plain Woodland containing canopy by 0.80 ha. A further 0.11 ha of Cumberland Plain Woodland in Derived Native Grassland condition and planted native vegetation will be retained across the action area.

#### 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

This referral has assessed impacts to potential foraging habitat for the following MNES (referred to collectively as the potentially affected species):

- *Chalinolobus dwyeri* (Large-eared Pied Bat) - vulnerable
- *Lathamus discolor* (Swift Parrot) – critically endangered
- *Pteropus poliocephalus* (Grey-headed Flying-fox) – vulnerable.

The proposed action will impact 3.98 ha of potential foraging habitat for the potentially affected species. No breeding habitat in the form of caves, camps or vegetation would be affected. The proposed action would retain 0.80 ha of potential foraging habitat across the action area. Impacts that cannot be avoided or minimised will be offset consistent with the Biodiversity Assessment Method. The credits required to offset impacts to the potentially affected species are addressed in the Biodiversity Development Assessment Report (ELA 2021a).





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## 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

The proposed action is considered unlikely to constitute a significant impact given that:

- No breeding habitat for the Large-eared Pied Bat in the form of caves, cliffs, karsts, disused mine shafts or tunnels will be affected
- No breeding habitat for the Grey-headed Flying-fox in the form of camps will be affected
- The Swift Parrot only breeds in Tasmania. Therefore, the proposed action will not impact any breeding habitat for the Swift Parrot
- The proposed action would remove 3.98 ha of potential foraging habitat and retain 0.8 ha of potential foraging habitat
- With respect to the Large-eared Pied Bat, foraging habitat within 2 km of a breeding site is considered important foraging habitat. The action area is not within 2 km of any known breeding sites, and the proposed action would not result in the fragmentation or isolation of foraging habitat in proximity to a breeding site.
- With respect to the Grey-headed Flying-fox, the action area is not within 20 km of a nationally important camp. The closest camp is at Yarramundi. Within the foraging range of any individuals within the Yarramundi camp, there is an abundance of potential foraging habitat present within the Blue Mountains National Park
- With respect to the Swift Parrot, the foraging habitat to be affected is not mapped as important habitat on the NSW Important Areas Habitat map
- The potentially affected species are highly mobile and likely to use the action area on an occasional basis and as part of a mosaic of foraging resources throughout the locality.



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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

Yes. Mark Regent has been project director of the Redbank development for over 10 years. During that time Redbank Communities have obtained 15 development approvals for 848 lots and a 190 home retirement village. These development approvals require the applicant to adhere to several layers of environmental management in accordance with Local Government and State Government legislation.

Examples of these measures are

- Implementation and ongoing 5-year Vegetation Management Plan for remnant Cumberland Plain Woodland
- Implementation and ongoing 5-year Vegetation Management Plan for Redbank Creek riparian corridor
- Successful retention of approved trees within designated construction zones
- Management and control of erosion and sediment during construction works and adjoining Redbank Creek
- Ongoing management and ownership of a protected aboriginal significant site in accordance with NSW Government approval.

#### 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

There are no past or present proceedings under Commonwealth, State or Territory law.

#### 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

Redbank Communities does not have a specific environmental policy. Redbank follow the approvals process as established under local, state and Commonwealth environmental and planning framework.

#### 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



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<b>Section 7</b>
<b>Information sources</b>
<b>Reference source</b>
DAWE 2021. National Recovery Plan for the Grey-headed Flying-fox <a href="https://www.awe.gov.au/sites/default/files/documents/recovery-plan-grey-headed-flying-fox.pdf">https://www.awe.gov.au/sites/default/files/documents/recovery-plan-grey-headed-flying-fox.pdf</a>
<b>Reliability</b>
High
<b>Uncertainties</b>
None
<b>Reference source</b>
Department of Agriculture, Water and the Environment (DAWE) 2009. Advice to the Minister for the Environment, Heritage and the Arts from the Threatened Species Scientific Committee (the Committee) on an Amendment to the List of Threatened Ecological Communities under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Available: <a href="http://www.environment.gov.au/biodiversity/threatened/communities/pubs/112-listing-advice.pdf">http://www.environment.gov.au/biodiversity/threatened/communities/pubs/112-listing-advice.pdf</a>
<b>Reliability</b>
High
<b>Uncertainties</b>
None
<b>Reference source</b>
Department of Agriculture, Water and the Environment (DAWE) 2021. National Flying-fox monitoring viewer. Available: <a href="http://www.environment.gov.au/biodiversity/threatened/communities/pubs/112-listing-advice.pdf">http://www.environment.gov.au/biodiversity/threatened/communities/pubs/112-listing-advice.pdf</a>
<b>Reliability</b>
High
<b>Uncertainties</b>
None
<b>Reference source</b>
Department of Environment and Resource Management (2011). National recovery plan for the large-eared pied bat <i>Chalinolobus dwyeri</i> . Report to the Department of Sustainability, Environment, Water, Population and Communities, Canberra. Available from: <a href="http://www.environment.gov.au/biodiversity/threatened/recovery-plans/national-recovery-plan-large-eared-pied-bat-chalinolobus-dwyeri">http://www.environment.gov.au/biodiversity/threatened/recovery-plans/national-recovery-plan-large-eared-pied-bat-chalinolobus-dwyeri</a> .
<b>Reliability</b>
High
<b>Uncertainties</b>
None
<b>Reference source</b>
Department of Sustainability, Environment, Water, Population and Communities (2012). Approved Conservation Advice for <i>Phascogale cinereus</i> (combined populations in Queensland, New South Wales and the Australian Capital Territory). Canberra: Department of Sustainability, Environment, Water, Population and Communities. Available from: <a href="http://www.environment.gov.au/biodiversity/threatened/species/pubs/197-conservation-advice.pdf">http://www.environment.gov.au/biodiversity/threatened/species/pubs/197-conservation-advice.pdf</a> .
<b>Reliability</b>
High
<b>Uncertainties</b>



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None

#### Reference source

Saunders, D.L. & C.L. Tzaros (2011) National Recovery Plan for the Swift Parrot (*Lathamus discolor*). Birds Australia, Melbourne. Available from: <http://www.environment.gov.au/biodiversity/threatened/recovery-plans/national-recovery-plan-swift-parrot-lathamus-dicolor>

#### Reliability

High

#### Uncertainties

None

#### Reference source

Threatened Species Scientific Committee (2016) Conservation Advice *Lathamus discolor* swift parrot. Canberra: Department of the Environment. Available from: <http://www.environment.gov.au/biodiversity/threatened/species/pubs/744-conservation-advice-05052016.pdf>.

#### Reliability

High

#### Uncertainties

None

#### Reference source

Threatened Species Scientific Committee (TSSC) (2012). Commonwealth Listing Advice on *Chalinolobus dwyeri* (Large-eared Pied Bat). Department of Sustainability, Environment, Water, Population and Communities. Canberra, ACT: Department of Sustainability, Environment, Water, Population and Communities. Available from: <http://www.environment.gov.au/biodiversity/threatened/species/pubs/183-listing-advice.pdf>.

#### Reliability

High

#### Uncertainties

None



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



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## 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)

HATT PTY LTD & MARARCH DEV (RICHMOND) PTY.  
LTD. & REDBANK UNIT TRUST & WENGOR DEV  
(RICHMOND) PTY. LTD.

Business name

ABN

15327282455

ACN

Business address

76 Arthur Phillip Dr, North Richmond, 2754, NSW, Australia

Postal address

Main Phone number

(02)4760 1400

Fax

Primary email address

markregent@redbankcommunities.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

Mark

Last name

Regent

Job title

Project Director

Phone

(02) 47601400

Mobile

0411780708

Fax

Email

markregent@redbankcommunities.com.au

Primary address

76 Arthur Phillip Dr, North Richmond, 2754, NSW, Australia

Address

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

I, MARK REGENT, 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: [Signature] Date: 22/12/21

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)

HATT PTY LTD & MARARCH DEV (RICHMOND) PTY.  
LTD. & REDBANK UNIT TRUST & WENGOR DEV  
(RICHMOND) PTY. LTD.

Business name

ABN

15327282455

ACN

Business address

76 Arthur Phillip Dr, North Richmond, 2754, NSW, Australia

Postal address

Main Phone number

(02) 4760 1501

Fax

Primary email address

markregent@redbankcommunities.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

Mark

Last name

Regent

Job title

Project Director

Phone

(02) 4760 1501

Mobile

0411 780 708

Fax

Email

markregent@redbankcommunities.com.au

Primary address

76 Arthur Phillip Dr, North Richmond, 2754, NSW, Australia

Address

### Declaration: Proposed Designated Proponent

I, MARK REGENT, 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: [Signature] Date: 22/12/21



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)

ECO LOGICAL AUSTRALIA PTY LTD

Business name

ABN

87096512088

ACN

Business address

3 / 101 Sussex Street, Sydney, 2000, NSW, Australia

Postal address

Main Phone number

92593800

Fax

Primary email address

alexg@ecoaus.com.au

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

Alex

Last name

Gorey

Job title

Senior Ecologist

Phone

02 9259 3800

Mobile

Fax

Email

alexg@ecoaus.com.au

Primary address

3/101 Sussex St, Sydney, 2000, NSW, Australia

Address

**Declaration: Referring party (person preparing the information)**

I, ALEXANDRA GOREY, 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: 4FEB2022





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

Appendix A	
Attachment	
Document Type	File Name
action_area_images	Appendix C.pdf
action_area_images	Appendix F.pdf
govt_approval_conditions	Appendix B.pdf
govt_approval_conditions	Appendix E.pdf
localgov_approval_consent	Appendix D.pdf
supporting_tech_reports	Appendix A.pdf

Appendix B
Coordinates
Area 1
-33.585508509088,150.69040639814
-33.581986953158,150.69493396696
-33.582165715805,150.69647891935
-33.58211208705,150.69761617597
-33.581879695392,150.69795949873
-33.582952267051,150.6992898744
-33.582344478081,150.70038421568
-33.582612620802,150.70083482679
-33.583506423852,150.70014818128
-33.58381031478,150.69969757017
-33.584596851036,150.69862468656
-33.585079494734,150.69832427915
-33.585115246012,150.69789512571
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-33.588493674908,150.6953631204
-33.58790380003,150.69469793256
-33.587671423971,150.69396837171
-33.587349671471,150.69287403043
-33.586920666271,150.69186551984
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