

Submission No. 01.2

(Quarantine Facility)

Date: 27/03/13



Australian Government  
Department of Agriculture,  
Fisheries and Forestry



Australian Government  
Department of Finance and Deregulation

**A Joint Submission for a  
Post Entry Quarantine Facility  
at  
MICKLEHAM, VICTORIA  
Supplementary Submission  
to the  
Parliamentary Standing Committee  
on Public Works**

Melbourne, Victoria

27 March 2013

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## **SUPPLEMENTARY SUBMISSION**

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## **SUPPLEMENTARY SUBMISSION TO THE STATEMENT OF EVIDENCE**

### **Update to the Statement of Evidence**

1. I wish to update the Statement of Evidence provided to the Committee in relation to referral of the project under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). On 31 January 2013 we received advice from the Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) that the proposed action is not a controlled action provided that it is taken in accordance with the manner described in the decision document. The Department of Finance and Deregulation (Finance) and the Department of Agriculture Fisheries and Forestry (DAFF) have confirmed that the action will be taken in accordance with the manner described. The described manner relates to the protection of Natural Temperate Grassland which exists on the site and the management of noise which may be created by the activities of the facility.
2. A copy of the SEWPaC Letter of Decision dated 31 January 2013 is provided at Appendix A. A copy of the SEWPaC Notification of Referral Decision dated 31 January 2013 is provided at Appendix B.

### **Appendices:**

1. Letter of Decision dated 31 January 2013
2. Notification of Referral Decision dated 31 January 2013



Ms Tooley Elliot  
Assistant Secretary, Project Delivery  
Department of Finance and Deregulation  
Treasury Building, Parkes Place  
PARKES ACT 2600

Dear Ms Elliot

**Decision on referral  
Post-Entry Quarantine Facilities Project, Victoria (EPBC 2012/6586)**

Thank you for submitting a referral under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This is to advise you of my decision about the proposed action to construct and operate a Post-Entry Quarantine Facility in Mickleham, Victoria.

**As a delegate of the Minister for Sustainability, Environment, Water, Population and Communities, I have decided that the proposed action is not a controlled action, provided it is taken in accordance with the manner described in the enclosed decision document. This means that, provided that the action is undertaken in that way, it does not require further assessment and approval under the EPBC Act before it can proceed.**

A copy of the document recording this decision is enclosed. This document will be published on the department's website.

Please note that this decision relates only to the specific matters protected under Chapter 2 of the EPBC Act.

This decision does not affect any requirement for separate state or local government environment assessment and approvals of the proposed action.

Please notify this department immediately if you are unable to undertake the proposed action in accordance with the measures described. Penalty provisions may apply if the referred action is undertaken in a different way to the manner specified.

Otherwise we would appreciate receiving your written advice:

- within two weeks of the date of this letter - confirming that the action will be undertaken in the manner set out in the enclosed decision, and
- within three months of the date of this letter - reporting on your progress in implementing the measures.

The department has an active audit program for proposals that have been referred under the EPBC Act. The audit program aims to ensure that there is a high degree of compliance with decisions made in relation to those proposals. Please note that your project may be selected for audit by the department at any time and all related records and documents may be subject to scrutiny. Information about the department's compliance monitoring and auditing program is enclosed.

I have written separately to the co-proponent, Mr Peter Moore from the Department of Agriculture, Fisheries and Forestry advising them of this decision.

If you have any questions about the referral process or this decision, please contact the project manager, Alison O'Reilly, by email to [alison.oreilly@environment.gov.au](mailto:alison.oreilly@environment.gov.au), or telephone (02) 6274 1656 and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Tessa Bird  
Acting Assistant Secretary  
South-Eastern Australia Environment Assessments Branch  
31 / 1 / 2013



Australian Government

Department of Sustainability, Environment, Water, Population and Communities

**Notification of  
REFERRAL DECISION – not controlled action if undertaken in a particular manner**

**Post-Entry Quarantine Facilities Project, Victoria (EPBC 2012/6586)**

This decision is made under sections 75 and 77A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

**Proposed action**

<b>person named in the referral</b>	Department of Finance and Deregulation ABN: 61 970 632 495  Department of Agriculture, Fisheries and Forestry ABN: 24 113 085 695
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<b>proposed action</b>	To construct and operate a Post-Entry Quarantine Facility at 135 Donnybrook Road, Mickleham, approximately 31 kilometres north of Melbourne, Victoria [See EPBC Act referral 2012/6586].
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**Referral decision: Not a controlled action if undertaken in a particular manner**

<b>status of proposed action</b>	The proposed action is not a controlled action provided it is undertaken in the manner set out in this decision.
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**Person authorised to make decision**

<b>Name and position</b>	Tessa Bird Acting Assistant Secretary South-Eastern Australia Environment Assessments Branch
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**signature**

<b>date of decision</b>	31 / 1 / 2013
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<b>manner in which proposed action must be taken</b>	The following measures must be taken to avoid significant impacts on: <ul style="list-style-type: none"> <li>Listed threatened species and communities (sections 18 &amp; 18A), specifically <b>Natural Temperate Grassland of the Victorian Volcanic Plain</b>; and</li> <li>Commonwealth actions (section 28), specifically an action by the Department of Finance and Deregulation and the Department of</li> </ul>
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1. The person taking the action must not remove or reduce the extent of the 1.43 hectare area of **Natural Temperate Grassland of the Victorian Volcanic Plain** identified as NTGVVP in Attachment 2.
2. Prior to the commencement of **works**, the person taking the action must create a **conservation area**, by installing **permanent fencing** around the **Natural Temperate Grassland of the Victorian Volcanic Plain** and the **Creekline Tussock Grassland**, identified as NTGVVP and **Creekline Tussock Grassland** patch A in Attachment 2. The **conservation area** must incorporate, at a minimum, a 25 metre buffer zone around the **Natural Temperate Grassland of the Victorian Volcanic Plain** and **Creekline Tussock Grassland** patch A, except along the eastern boundary of **Creekline Tussock Grassland** patch A which must be a 5 metre buffer zone. The **permanent fencing** must be maintained for the duration of **works**.
3. To minimise impacts to **Natural Temperate Grassland of the Victorian Volcanic Plain** and **Creekline Tussock Grassland**, the person taking the action must implement the following measures:
  - a. Prior to commencement of **works**, install signage on the **permanent fencing** enclosing the **conservation area** and maintain the signage for the duration of **works**;
  - b. Prior to the commencement of **works**, advise all contractors of the **conservation area**;
  - c. All personnel footwear must be **clean** prior to entering the **conservation area** to minimise the spread of weeds;
  - d. Undertake an ecological disturbance regime within the **conservation area** as approved by a **qualified ecologist** for the duration of **works**; and
  - e. Undertake **weed control** within the **conservation area** in a manner approved by a **qualified ecologist** for the duration of **works**.
4. To minimise noise impacts on **existing and future receivers** the person taking the action must:
  - a. Undertake **works** in compliance with the intent of the Victorian State Government Noise Control Guidelines (Publication 1254) (EPA, October 2008) and the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1; and
  - b. Before any dog is housed at the facility, the person taking the action must construct an **impervious noise barrier** along the eastern side of the **Project Site Boundary** adjacent to Building 9 Dog Compound, as identified in Attachment 2, to reduce noise impacts on **existing and future receivers** below the noise limits outlined in the guidelines in 4.a.



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**Definitions:**

**Clean** means free from dirt, mud, seeds and other vegetative material.

**Conservation area** means the area labelled as grassland buffer zone and protection fence in Attachment 2.

**Creekline Tussock Grassland** means the Victorian Ecological Vegetation Class 654.

**Existing and future receivers** means the residential properties to the south of the **Project Site Boundary**, and the potential landholdings to the east of the **Project Site Boundary**.

**Impervious noise barrier** means a structure constructed to reduce noise impacts.

**Natural Temperate Grassland of the Victorian Volcanic Plain** means the ecological community listed as critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999*.

**Permanent fencing** means stock proof fencing.

**Project Site Boundary** means the area identified in red at Attachment 1.

**Qualified ecologist** means a grassland ecologist with tertiary studies in ecology.

**Weed control** means selective spot spraying of weeds.


**Works** means construction and operation activities associated with the **Post-Entry Quarantine Facilities Project**, but excluding **permanent fencing**.

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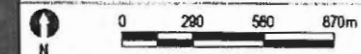


**Legend**

 PROJECT SITE BOUNDARY

**Figure. Annex A**  
**Project Site Location Plan**

Client:	RPL Consulting		
Project:	AQIS - Future Post Entry Quarantine Facility		
Drawing No:	0119434_G001_R1_Annex A		
Date:	12/10/2012	Drawing Size:	A4
Drawn By:	JC	Reviewed By:	CA
Projection:	WGS 1984 Web Mercator Auxiliary		
Scale:	Refer to scale bar		

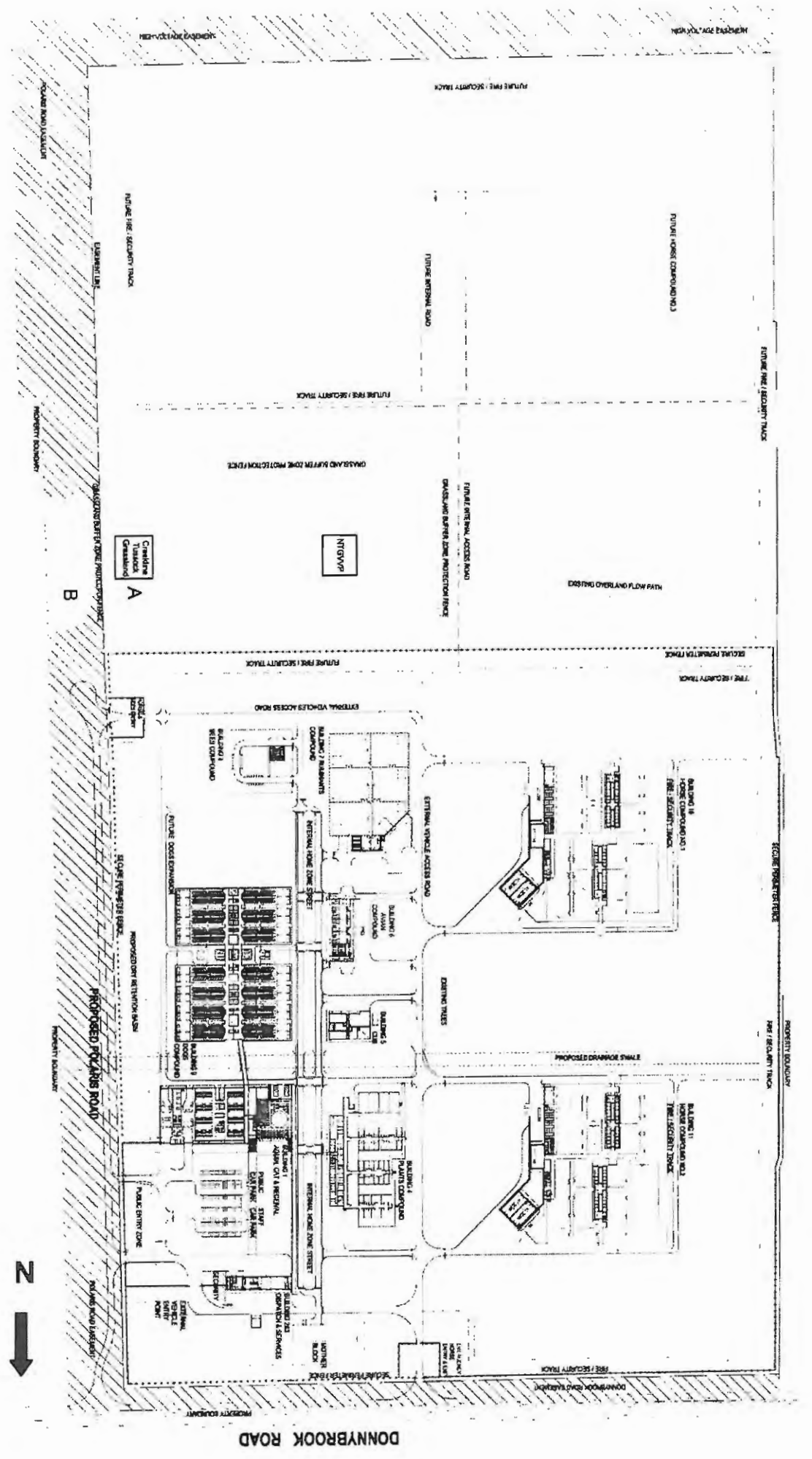


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Environmental Resources Management Australia Pty Ltd

Adelaide, Brisbane, Canberra, Hunter Valley, Melbourne, Perth, Port Macquarie, Sydney





DONNYBROOK ROAD

