

Clearing of native vegetation for development of a cemetery

Application Number: **02923**

Commencement Date:
20/05/2025

Status: **Locked**

1. About the project

1.1 Project details

1.1.1 Project title *

Clearing of native vegetation for development of a cemetery

1.1.2 Project industry type *

Private

1.1.3 Project industry sub-type

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1.1.4 Estimated start date *

01/01/2026

1.1.4 Estimated end date *

01/01/2210

1.2 Proposed Action details

1.2.1 Provide an overview of the proposed action, including all proposed activities. *

The proposed action is the staged development of Ravenswood Cemetery at Wallacia, including burial areas, internal roads, stormwater infrastructure, ceremonial spaces, a gatehouse, administration buildings, a café, amenities, and landscaping. The development is being progressed as a State Significant Development under the Environmental Planning and Assessment Act 1979 (SSD-50748212), and aims to address critical cemetery capacity shortages in the Greater Sydney region.

The project area is 200.92 hectares. This includes:

- A disturbance footprint of approximately 17.09 hectares, which will be subject to vegetation clearing and physical works.
- An avoidance footprint of approximately 53.87 hectares of native vegetation, where development has been excluded to avoid or minimise environmental impact.
- The remaining land comprises non-native pasture, existing dams, and infrastructure corridors.

The development footprint includes impacts to two ecological communities listed under the EPBC Act:

- Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest (Critically Endangered) - approximately 17 ha of impact.
- River-flat Eucalypt Forest on Coastal Floodplains (Endangered) - 0.15 ha of impact.

One EPBC-listed threatened species, the Large-eared Pied Bat (*Chalinolobus dwyeri*), was recorded within the study area. However, while this species was recorded, there are no such potential breeding habitat present in the study area that may be utilised by this species.

The scale of clearing within the Cumberland Plain TEC is the matter for which referral is considered appropriate under the EPBC Act.

1.2.2 Is the project action part of a staged development or related to other actions or proposals in the region?

Yes

1.2.3 Is the proposed action the first stage of a staged development (or a larger project)?

No

1.2.4 Related referral(s)

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1.2.5 Provide information about the staged development (or relevant larger project).

The proposed Ravenswood Cemetery will be delivered over six stages spanning more than 180 years. The staging responds to operational requirements, anticipated burial demand, and infrastructure delivery sequencing. While development will proceed incrementally, the current application and environmental assessment (including this referral) relate to the entirety of the proposed development.

The full development footprint has been assessed in the Biodiversity Development Assessment Report (BDAR), and the total extent of clearing and ecological impact has been calculated on the basis of the full project. No additional future approvals will be sought for further stages of the same development.

1.2.6 What Commonwealth or state legislation, planning frameworks or policy documents are relevant to the proposed action, and how are they relevant? *

Commonwealth legislation

- *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)* - The action involves the clearing of vegetation identified as a Critically Endangered Ecological Community (Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest) and potential habitat for an EPBC-listed threatened species (Large-eared Pied Bat). This referral is made to determine whether the proposal is a controlled action under the Act.

State legislation

- *Environmental Planning and Assessment Act 1979 (NSW)* - The proposal is being assessed as a State Significant Development (SSD-50748212). A Biodiversity Development Assessment Report (BDAR) has been prepared in accordance with the Secretary's Environmental Assessment Requirements (SEARs) issued under this Act.
- *Biodiversity Conservation Act 2016 (NSW)* - As the proposal is SSD, it is subject to the Biodiversity Offset Scheme. The BDAR has been prepared in accordance with the Biodiversity Assessment Method (2020).
- *Fisheries Management Act 1994 (NSW)* - No aquatic species or habitats were identified, but the Act was considered during assessment.

Planning frameworks and policy documents

- *Liverpool LEP 2008 and Penrith LEP 2010* - The site is zoned RU1 Primary Production. The development is permissible with consent.
- *Cemeteries & Crematoria NSW Strategic Plan 2022-2025* - Identifies the urgent need for new burial land in areas with high population growth, including Greater Sydney. The project aligns with this plan by addressing future cemetery capacity.
- *The 11th Hour Report - Statutory Review of the Cemeteries and Crematoria Act 2013* – Identifies an acute shortage of burial space in Greater Sydney, forecasting a shortfall of 304,000 plots by 2070. The project directly responds by providing 277,300 burial plots.
- *Metropolitan Sydney Cemetery Capacity Report (CCNSW, 2017)* - Warns of cemetery capacity exhaustion before 2051, disproportionately impacting families with cultural or religious preferences for burial. The project supports the report's recommendation for urgent action by delivering long-term, at-need burial supply.

1.2.7 Describe any public consultation that has been, is being or will be undertaken regarding the project area, including with Indigenous stakeholders. Attach any completed consultation documentations, if relevant. *

Public consultation for the proposed Ravenswood Cemetery development has been undertaken in accordance with a detailed Community Engagement Plan. A series of community meetings were held at the Wallacia Progress Hall between 27 February and 25 March 2024. Meetings were advertised via flyer distribution, posts on the Ravenswood Cemetery website, and notices by the Wallacia Progress Association and local Member for Bringelly. Thirteen community members participated across multiple sessions. Feedback focused on traffic, access points, visual impacts, and the absence of crematorium facilities. Flyers were re-distributed after it was identified that some residents did not receive initial notification.

Consultation with Aboriginal stakeholders has been carried out in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW), the Code of Practice (2010), and the Burra Charter. Letters and emails were sent to 100+ Aboriginal organisations and individuals on 22 June 2023, with a public notice also published in *The Western Weekender* on 23 June 2023. Registration closed on 6 July 2023, with 23 groups registering as Registered Aboriginal Parties (RAPs). Site visits were conducted in early August 2023. A draft ACHAR was circulated for comment in August–September 2023, with multiple RAPs endorsing the findings and recommendations. Comments from RAPs are summarised in the final ACHAR.

Further public and Indigenous consultation will occur during the formal exhibition of the proposal under the State Significant Development assessment process.

1.3.1 Identity: Referring party

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1.3.1.1 Is Referring party an organisation or business? *

Yes

Referring party organisation details

ABN/ACN 83620275069
Organisation name MECONE GROUP PTY LIMITED
Organisation address Level 12 / 179 Elizabeth Street, Sydney NSW 2000

Referring party details

Name Benjamin Frasco
Job title Associate Town Planner
Phone +61457500803
Email bfrasco@mecone.com.au
Address 12 / 179 Elizabeth Street, Sydney NSW 2000, AUSTRALIA

1.3.2 Identity: Person proposing to take the action

1.3.2.1 Are the Person proposing to take the action details the same as the Referring party details? *

No

1.3.2.2 Is Person proposing to take the action an organisation or business? *

Yes

Person proposing to take the action organisation details

ABN/ACN 59008606200
Organisation name RIGENT PTY. LIMITED
Organisation address 2089 NSW

Person proposing to take the action details

Name George Simpson
Job title Principal
Phone 0420606843
Email george@woodwynd.com.au
Address c/- Level 12 / 179 Elizabeth Street, Sydney

1.3.2.14 Are you proposing the action as part of a Joint Venture? *

No

1.3.2.15 Are you proposing the action as part of a Trust? *

No

1.3.2.17 Describe the Person proposing the action's history of responsible environmental management including details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against the Person proposing to take the action. *

The applicant is Rigent Pty Ltd (ABN 59 008 606 200), a property management and consultancy company owned and operated by the Ilic family, which also owns the land subject to this application. Rigent Pty Ltd has been in operation since 1985 and acts on behalf of entities controlled by the Ilic family. Randon Ilic and Glen Ilic are directors of Rigent Pty Ltd and are also directors of the companies that own the subject land.

Rigent Pty Ltd has no history of non-compliance with any Commonwealth, State or Territory environmental laws. There are no past or ongoing proceedings against the company or its directors under any law relating to the protection of the environment or the conservation and sustainable use of natural resources.

Rigent Pty Ltd has not previously referred any actions under the EPBC Act. While the company does not have a formal corporate environmental policy, it has engaged appropriately qualified consultants to ensure that all relevant environmental legislation and policy frameworks have been addressed in the assessment of this proposal.

1.3.2.18 If the person proposing to take the action is a corporation, provide details of the corporation's environmental policy and planning framework

The person proposing to take the action is not a corporation within the meaning of a publicly listed or large proprietary company with a formal environmental policy framework. Rigent Pty Ltd is a privately owned company and does not maintain a standalone corporate environmental policy. Environmental management for this project has instead been undertaken through the engagement of appropriately qualified consultants and in accordance with applicable State and Commonwealth legislative frameworks.

1.3.3 Identity: Proposed designated proponent

1.3.3.1 Are the Proposed designated proponent details the same as the Person proposing to take the action? *

Yes

Proposed designated proponent organisation details

ABN/ACN	59008606200
Organisation name	RIGENT PTY. LIMITED
Organisation address	2089 NSW

Proposed designated proponent details

Name	George Simpson
Job title	Principal
Phone	0420606843
Email	george@woodwynd.com.au
Address	c/- Level 12 / 179 Elizabeth Street, Sydney

1.3.4 Identity: Summary of allocation

✔ Confirmed Referring party's identity

The Referring party is the person preparing the information in this referral.

ABN/ACN	83620275069
Organisation name	MECONE GROUP PTY LIMITED
Organisation address	Level 12 / 179 Elizabeth Street, Sydney NSW 2000
Representative's name	Benjamin Frasco
Representative's job title	Associate Town Planner
Phone	+61457500803
Email	bfrasco@mecone.com.au
Address	12 / 179 Elizabeth Street, Sydney NSW 2000, AUSTRALIA

✔ Confirmed Person proposing to take the action's identity

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

ABN/ACN	59008606200
Organisation name	RIGENT PTY. LIMITED
Organisation address	2089 NSW
Representative's name	George Simpson
Representative's job title	Principal
Phone	0420606843
Email	george@woodwynd.com.au
Address	c/- Level 12 / 179 Elizabeth Street, Sydney

✔ Confirmed Proposed designated proponent's identity

The Person proposing to take the action is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

1.4 Payment details: Payment exemption and fee waiver

1.4.1 Do you qualify for an exemption from fees under EPBC Regulation 5.23 (1) (a)?

Yes

1.4.2 Select reason for exemption

Small Business

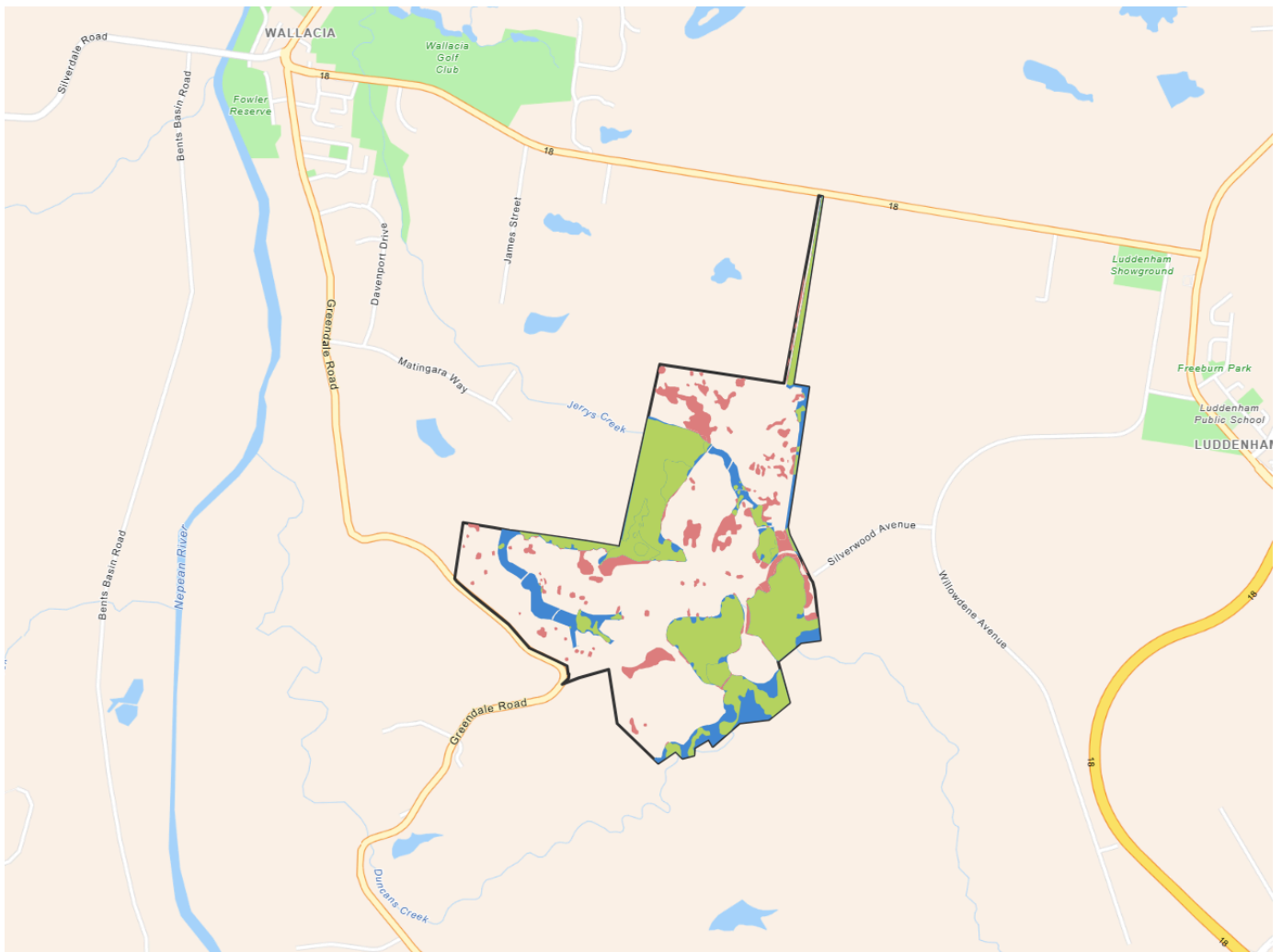
1.4 Payment details: Payment allocation

1.4.11 Who would you like to allocate as the entity responsible for payment?

Proposed designated proponent

2. Location

2.1 Project footprint



Project Area: 200.90 Ha **Disturbance Footprint:** 17.17 Ha **Avoidance Area:** 61.64 Ha **Retention Area:** 47.54 Ha

2.2 Footprint details

2.2.1 What is the address of the proposed action? *

276 Park Road, Wallacia; 723 Greendale Road, Wallacia; 727 Greendale Road, Wallacia

2.2.2 Where is the primary jurisdiction of the proposed action? *

New South Wales

2.2.3 Is there a secondary jurisdiction for this proposed action? *

No

2.2.5 What is the tenure of the action area relevant to the project area? *

The action area is held under private freehold ownership. All land within the project area is owned by entities controlled by the Ilic family, with Rigent Pty Ltd being the beneficial owner and proponent of the proposed action.

3. Existing environment

3.1 Physical description

3.1.1 Describe the current condition of the project area's environment.

The project area comprises approximately 200.92 hectares of privately owned rural land at 276 Park Road, Wallacia. The land is currently used for extensive agriculture, primarily grazing and low-intensity rural activities. This use has resulted in large areas of the site being historically cleared or modified, with significant portions maintained as non-native pasture.

Approximately 70.96 hectares of native vegetation remain on the site, primarily within riparian corridors and fragmented patches across the landscape. These include two listed ecological communities: Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest, and River-flat Eucalypt Forest on Coastal Floodplains. The condition of these areas ranges from moderate to good, although edge effects, weed invasion, and historic clearing are evident.

There have been no recent bushfires, floods or other major environmental events affecting the site. Surface drainage follows the natural topography, with minor localised wet areas but no major flood damage. The land is zoned RU1 Primary Production under both the Liverpool and Penrith Local Environmental Plans, and the current use for extensive agriculture is consistent with the zoning objectives.

3.1.2 Describe any existing or proposed uses for the project area.

The project area comprises three allotments legally described as Lot 21 DP 231698, Lot 442 DP 715218, and Lot 20 DP 231698, known as 723 and 727 Greendale Road and 276 Park Road, Wallacia, NSW. The site is irregular in shape, approximately 200.92 hectares in size, with frontages of approximately 600 metres to Greendale Road and 20 metres to Park Road. Formal vehicular access is available from Greendale Road (south) and Park Road (north) via an access handle, with an additional operational access point via Silverwood Avenue (west).

The site currently contains two dwellings, which accommodate the site manager and a tenant. Several ancillary outbuildings are also located across the site. The land has historically been used for agricultural purposes, including cropping and grazing, and remains in use for extensive agriculture.

The proposed use of the site is the staged development of a cemetery, to be known as Ravenswood Cemetery. This includes the establishment of burial areas, roads, landscaping, stormwater infrastructure, a gatehouse, administrative and amenity buildings, cafe and ancillary services. The development will be delivered in six stages over a period exceeding 180 years, with long-term cemetery operation being the primary ongoing land use. Passive recreational access for the community is also proposed, consistent with contemporary cemetery design.

3.1.3 Describe any outstanding natural features and/or any other important or unique values that applies to the project area.

The project area contains no national parks, nature reserves, or World Heritage properties. However, it includes areas of ecological significance.

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

Approximately 42.3mAHD at Duncans Creek in the south corner of the site rising to 102.9mAHD at the centre of the site.

3.2 Flora and fauna

3.2.1 Describe the flora and fauna within the affected area and attach any investigations of surveys if applicable.

The project area supports a mix of cleared agricultural land and remnant native vegetation. Based on surveys undertaken by Travers Bushfire & Ecology in 2022-2023, approximately 70.96 hectares of native vegetation remain within the site. Two threatened ecological communities listed under the EPBC Act are present within the development footprint:

- Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest (Critically Endangered)
- River-flat Eucalypt Forest on Coastal Floodplains (Endangered)

These communities correspond to Plant Community Types (PCTs) 3319 and 4025 respectively. The development will impact approximately 17.09 ha of native vegetation, including 16.94 ha of Cumberland Shale Hills Woodland and 0.15 ha of River-flat Eucalypt Forest.

One EPBC-listed threatened fauna species, the Large-eared Pied Bat (*Chalinolobus dwyeri*), was confirmed within the development footprint. Other fauna recorded include a range of bat and bird species listed under State legislation, such as the Southern Myotis, Eastern Coastal Freetail Bat, Greater Broad-nosed Bat (possible), and White-bellied Sea-Eagle. The Cumberland Plain Land Snail (*Meridolum corneovirens*), a NSW-listed threatened invertebrate, was also recorded.

Targeted surveys were carried out in accordance with the Biodiversity Assessment Method (2020). Techniques included spotlighting, microbat call analysis, infrared cameras, fauna habitat assessment, and stratified vegetation surveys. While habitat for several other threatened species was identified, only the Large-eared Pied Bat was confirmed as relevant to EPBC Act matters.

3.2.2 Describe the vegetation (including the status of native vegetation and soil) within the project area.

The project area comprises a mix of cleared agricultural land and native vegetation. Approximately 70.96 hectares of native vegetation remain across the site, corresponding to Plant Community Types (PCTs) 3319 and 4025. PCT 3319 (Cumberland Shale Hills Woodland) is consistent with the EPBC-listed *Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest* (Critically Endangered), and PCT 4025 (River Oak – Rough-barked Apple – Forest Red Gum riparian tall woodland) is consistent with *River-flat Eucalypt Forest on Coastal Floodplains* (Endangered).

Native vegetation across the site varies in condition but is generally in moderate to good condition. The soil landscape is predominantly associated with Blacktown and Luddenham soil landscapes, comprising hardsetting loam to clay loam overlying light to medium clays. These soils support the structure and floristics of the native vegetation present. The remaining areas are largely cleared and managed for agriculture, with limited regeneration observed.

3.3 Heritage

3.3.1 Describe any Commonwealth Heritage Places Overseas or other places recognised as having heritage values that apply to the project area.

There are no Commonwealth heritage places overseas or other recognised heritage places that apply to the project area.

3.3.2 Describe any Indigenous heritage values that apply to the project area.

The project area is located on Cabrogal Country of the Darug Nation, within the boundaries of the Gandangara Local Aboriginal Land Council. An *Aboriginal Cultural Heritage Assessment Report (ACHAR)* (Travers Bushfire & Ecology, December 2024, Ref: 22WWC02) identified that while no previously recorded Aboriginal objects or declared Aboriginal Places are located within the project area, the land holds cultural significance for local Aboriginal communities.

The assessment found that the project area contains landforms associated with Aboriginal occupation, including elevated ridgelines with extensive views and riparian corridors near Jerrys Creek and Duncans Creek. These features are consistent with traditional patterns of occupation and use across the Cumberland Plain, where Aboriginal groups camped, foraged, and communicated using prominent landforms.

The site is considered to have moderate archaeological potential in specific areas, particularly where there is minimal disturbance and proximity to water sources. These areas are valued for their connection to ancestral occupation and landscape use, even in the absence of physical artefacts. The high point in the centre of the site was specifically noted as having cultural value due to its prominence and landscape visibility.

The assessment of cultural values was informed by consultation with 23 Registered Aboriginal Parties representing a range of Aboriginal stakeholder groups with cultural connections to the region.

3.4 Hydrology

3.4.1 Describe the hydrology characteristics that apply to the project area and attach any hydrological investigations or surveys if applicable. *

The project area includes undulating topography that influences localised surface water flows. The land is located within the catchments of Duncans Creek and Jerrys Creek, both of which drain into the Nepean River. The site's surface water drainage is divided by a central ridgeline:

- The northern and western catchments drain toward Jerrys Creek.
- The southern and south-eastern catchments drain toward Duncans Creek, with the lowest point (42.3 mAHD) located near this creek.

Pastoral land use has resulted in some localised disturbance to natural drainage features, and several existing farm dams are located across the site. Natural riparian corridors are present along the drainage lines and contribute to regional ecological connectivity.

Flood behaviour within the project area has been informed by previous studies and local inspections. The most recent flood assessment was undertaken by WMAwater as part of the Hawkesbury-Nepean Valley Regional Study (2019). This included hydrologic modelling (RORB) and hydraulic modelling (RUBICON) of the regional system, with local site-specific flood levels adopted from the model outputs.

The flood risk is greatest in the south-east of the site where Duncans Creek crosses the boundary. Flood mechanisms affecting the site include:

- Overland flows from within the site and upstream rural catchments.
- Flood overbank flows from Duncans Creek.
- Backwater effects from high water levels in the Nepean River.

No significant groundwater interaction has been identified within the development footprint. The proposal has been designed to avoid high hazard flood areas and protect existing hydrological functions.

4. Impacts and mitigation

4.1 Impact details

Potential Matters of National Environmental Significance (MNES) relevant to your proposed action area.

EPBC Act section	Controlling provision	Impacted	Reviewed
S12	World Heritage	No	Yes
S15B	National Heritage	No	Yes
S16	Ramsar Wetland	No	Yes
S18	Threatened Species and Ecological Communities	Yes	Yes
S20	Migratory Species	No	Yes
S21	Nuclear	No	Yes
S23	Commonwealth Marine Area	No	Yes
S24B	Great Barrier Reef	No	Yes
S24D	Water resource in relation to large coal mining development or coal seam gas	No	Yes
S26	Commonwealth Land	No	Yes
S27B	Commonwealth Heritage Places Overseas	No	Yes
S28	Commonwealth or Commonwealth Agency	No	Yes

4.1.1 World Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

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4.1.1.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.1.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The proposed action is not located within or adjacent to any World Heritage property, nor does it involve activities that would physically or visually affect a World Heritage place. There are no known hydrological, air quality, or noise pathways between the project area and any listed World Heritage site. Accordingly, the action is unlikely to result in any direct or indirect impacts on a World Heritage property.

4.1.2 National Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

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4.1.2.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.2.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The proposed action is not located within or near any National Heritage place, and does not involve works, emissions, or activities that would affect the physical, cultural, or aesthetic values of any listed National Heritage site. No known visual, hydrological, or ecological connections exist between the project area and any National Heritage place. The action is therefore unlikely to have any direct or indirect impact on a National Heritage place.

4.1.3 Ramsar Wetland

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

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4.1.3.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.3.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The proposed action is not located within, adjacent to, or hydrologically connected to any Ramsar-listed wetland. There are no Ramsar wetlands in the vicinity of the project area, and the action will not result in changes to surface water or groundwater regimes that could affect any Ramsar site. The action is therefore unlikely to have any direct or indirect impact on any Ramsar wetland.

4.1.4 Threatened Species and Ecological Communities

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Threatened species

Direct impact	Indirect impact	Species	Common name
No	No	<i>Acacia bynoeana</i>	Bynoe's Wattle, Tiny Wattle
No	No	<i>Allocasuarina glareicola</i>	
No	No	<i>Anthochaera phrygia</i>	Regent Honeyeater
No	No	<i>Aphelocephala leucopsis</i>	Southern Whiteface
No	No	<i>Aprasia parapulchella</i>	Pink-tailed Worm-lizard, Pink-tailed Legless Lizard
No	No	<i>Botaurus poiciloptilus</i>	Australasian Bittern
No	No	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper
No	No	<i>Calidris ferruginea</i>	Curlew Sandpiper
No	No	<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo
No	No	<i>Calyptorhynchus lathami lathami</i>	South-eastern Glossy Black-Cockatoo
No	No	<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat, Large Pied Bat
No	No	<i>Climacteris picumnus victoriae</i>	Brown Treecreeper (south-eastern)
No	No	<i>Cynanchum elegans</i>	White-flowered Wax Plant
No	No	<i>Dasyurus maculatus maculatus</i> (SE mainland population)	Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population)
No	No	<i>Erythroriorchis radiatus</i>	Red Goshawk
No	No	<i>Eucalyptus aggregata</i>	Black Gum
No	No	<i>Eucalyptus benthamii</i>	Camden White Gum, Nepean River Gum
No	No	<i>Falco hypoleucos</i>	Grey Falcon
No	No	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe
No	No	<i>Genoplesium baueri</i>	Yellow Gnat-orchid, Bauer's Midge Orchid, Brittle Midge Orchid

Direct impact	Indirect impact	Species	Common name
No	No	<i>Grantiella picta</i>	Painted Honeyeater
No	No	<i>Haloragis exalata</i> subsp. <i>exalata</i>	Wingless Raspwort, Square Raspwort
No	No	<i>Heleioporus australiacus</i> <i>australiacus</i>	Giant Burrowing Frog, Eastern Owl Frog
No	No	<i>Hirundapus caudacutus</i>	White-throated Needletail
No	No	<i>Lathamus discolor</i>	Swift Parrot
No	No	<i>Litoria aurea</i>	Green and Golden Bell Frog
No	No	<i>Macquaria australasica</i>	Macquarie Perch
No	No	<i>Melaleuca deanei</i>	Deane's Melaleuca
No	No	<i>Melanodryas cucullata cucullata</i>	South-eastern Hooded Robin, Hooded Robin (south-eastern)
No	No	<i>Neophema chrysostoma</i>	Blue-winged Parrot
No	No	<i>Persicaria elatior</i>	Knotweed, Tall Knotweed
No	No	<i>Petauroides volans</i>	Greater Glider (southern and central)
No	No	<i>Petaurus australis australis</i>	Yellow-bellied Glider (south-eastern)
No	No	<i>Petrogale penicillata</i>	Brush-tailed Rock-wallaby
No	No	<i>Phascolarctos cinereus</i> (combined populations of Qld, NSW and the ACT)	Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)
No	No	<i>Pimelea spicata</i>	Spiked Rice-flower
No	No	<i>Pomaderris brunnea</i>	Rufous Pomaderris, Brown Pomaderris
No	No	<i>Pommerhelix duralensis</i>	Dural Land Snail
No	No	<i>Prototroctes maraena</i>	Australian Grayling
No	No	<i>Pseudomys novaehollandiae</i>	New Holland Mouse, Pookila
No	No	<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox
No	No	<i>Pterostylis saxicola</i>	Sydney Plains Greenhood
No	No	<i>Pycnoptilus floccosus</i>	Pilotbird
No	No	<i>Rhizanthella slateri</i>	Eastern Underground Orchid

Direct impact	Indirect impact	Species	Common name
No	No	Rhodamnia rubescens	Scrub Turpentine, Brown Malletwood
No	No	Rostratula australis	Australian Painted Snipe
No	No	Stagonopleura guttata	Diamond Firetail
No	No	Syzygium paniculatum	Magenta Lilly Pilly, Magenta Cherry, Daguba, Scrub Cherry, Creek Lilly Pilly, Brush Cherry
No	No	Thesium australe	Austral Toadflax, Toadflax

Ecological communities

Direct impact	Indirect impact	Ecological community
No	No	Castlereagh Scribbly Gum and Agnes Banks Woodlands of the Sydney Basin Bioregion
No	No	Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland ecological community
No	No	Cooks River/Castlereagh Ironbark Forest of the Sydney Basin Bioregion
Yes	Yes	Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest
No	No	Elderslie Banksia Scrub Forest in the Sydney Basin Bioregion
Yes	Yes	River-flat eucalypt forest on coastal floodplains of southern New South Wales and eastern Victoria
No	No	Shale Sandstone Transition Forest of the Sydney Basin Bioregion
No	No	Western Sydney Dry Rainforest and Moist Woodland on Shale

4.1.4.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.4.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest

Critically Endangered Ecological Community (PCT 3319)

Direct impacts:

- Permanent clearing of approximately 16.94 hectares of vegetation commensurate with this TEC.

Indirect impacts:

- Fragmentation of a large remnant patch and loss of ecological connectivity.
- Edge effects from exposure to altered microclimate, weed invasion, and human activity.
- Light and noise intrusion from ongoing development activities.
- Gradual degradation of adjacent retained vegetation through proximity impacts.

These impacts meet several criteria under the Significant Impact Guidelines 1.1, including the reduction in extent and quality of habitat, fragmentation, and long-term degradation. This impact is considered significant and forms the basis of the referral.

River-flat Eucalypt Forest on Coastal Floodplains of Southern NSW and Victoria

Endangered Ecological Community (PCT 4025)

Direct impacts:

- Minor clearing of approximately 0.15 hectares of this community in the southeast of the site.

Indirect impacts:

- Limited exposure to edge effects due to adjacent landform and hydrological separation.
- Low risk of habitat degradation given the patch is small, peripheral, and isolated from larger remnants.

The BDAR classifies this area as moderate condition, Class C2 (large or contiguous patch), but the area to be impacted is limited and not functionally significant. The impact is therefore considered not significant.

4.1.4.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact?

*

Yes

4.1.4.5 Describe why you consider this to be a Significant Impact. *

Yes. The clearing of approximately 16.94 hectares of Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest, a Critically Endangered Ecological Community listed under the *EPBC Act*, is considered likely to have a significant impact. This conclusion is based on an assessment against the *Significant Impact Guidelines 1.1* and is supported by the Biodiversity Development Assessment Report (Travers Bushfire & Ecology, April 2025), which specifically recommends referral to the Commonwealth on this basis.

The River-flat Eucalypt Forest, although present within the site, will be impacted to a limited extent only (approximately 0.15 hectares). This vegetation is peripheral and not part of a larger intact system. The BDAR concludes this impact is not significant given the limited scale of clearing and the absence of broader connectivity or functional degradation.

The Large-eared Pied Bat (*Chalinolobus dwyeri*), while recorded within the site, is not expected to be significantly affected. No roosting or breeding habitat was identified. The species is highly mobile and uses a wide foraging range. The BDAR confirms that habitat features critical to the species' viability are not present, and potential disturbance is negligible.

Accordingly, this referral is made only in relation to the significant impact on the Cumberland Plain Shale Woodlands.

4.1.4.7 Do you think your proposed action is a controlled action? *

Yes

4.1.4.8 Please elaborate why you think your proposed action is a controlled action. *

Yes. The proposed action is considered a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999*.

This is due to the likely significant impact on the Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest, which is listed as a Critically Endangered Ecological Community under the Act. The extent, scale and nature of the proposed clearing meet the threshold for a significant impact as defined in the Significant Impact Guidelines 1.1.

Accordingly, assessment and approval under the EPBC Act are required before the action can proceed.

4.1.4.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

Avoidance and Mitigation of Impacts to Matters of National Environmental Significance

The proposed action has been designed to avoid and minimise impacts on Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest, listed as a Critically Endangered Ecological Community under the *EPBC Act*, to the maximum extent practicable.

Avoidance Measures

The development footprint has been confined to areas with the lowest vegetation integrity, avoiding higher-quality native vegetation wherever possible.

The most intact remnants of the community located in the eastern and western portions of the site have been excluded from development and retained as conservation areas.

Internal roads and infrastructure have been located along existing cleared paths or areas already disturbed by agricultural use to minimise new clearing.

Mitigation Measures

Where impacts are unavoidable, the following measures are proposed to mitigate residual impacts:

- Preparation and implementation of a Vegetation Management Plan (VMP) for retained bushland and riparian corridors.
- Installation of conservation fencing and application of *Phytophthora* hygiene protocols during all clearing and construction activities.
- Implementation of weed management, erosion control, and sediment retention strategies consistent with *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004).
- Ongoing ecological monitoring of retained vegetation to assess and respond to weed intrusion, edge degradation or pest activity.
- Implementation of a feral animal control program targeting foxes, cats, and invasive herbivores.
- Control of lighting, noise, and human access near conservation areas to limit edge effects and faunal disturbance.

4.1.4.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

Offsetting Residual Impacts

The project will also retire biodiversity credits in accordance with the NSW *Biodiversity Offsets Scheme*. This includes:

- 478 ecosystem credits for *Cumberland Shale Hills Woodland* (PCT 3319)
- 1,013 species credits for affected habitat of listed threatened flora and fauna species

These offsets are detailed in the Biodiversity Development Assessment Report (BDAR) prepared by Travers Bushfire & Ecology (April 2025).

Together, these avoidance, mitigation and offset measures are designed to reduce and manage the project's impact on the EPBC-listed ecological community and associated biodiversity values.

4.1.5 Migratory Species

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Direct impact	Indirect impact	Species	Common name
No	No	<i>Actitis hypoleucos</i>	Common Sandpiper
No	No	<i>Apus pacificus</i>	Fork-tailed Swift
No	No	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper
No	No	<i>Calidris ferruginea</i>	Curlew Sandpiper
No	No	<i>Calidris melanotos</i>	Pectoral Sandpiper
No	No	<i>Cuculus optatus</i>	Oriental Cuckoo, Horsfield's Cuckoo
No	No	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe
No	No	<i>Hirundapus caudacutus</i>	White-throated Needletail
No	No	<i>Motacilla flava</i>	Yellow Wagtail

4.1.5.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.5.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The proposed action is unlikely to have a direct or indirect impact on any listed migratory species under the *EPBC Act*.

The Biodiversity Development Assessment Report (Travers Bushfire & Ecology, April 2025) confirms that no migratory species listed under the EPBC Act were recorded during field surveys, and the site does not support habitat features typically required by these species, such as wetlands, open water bodies, or significant roosting or foraging areas.

The site is primarily cleared agricultural land with scattered remnant vegetation and does not form part of any recognised migratory route or significant habitat area. Therefore, the action is not expected to result in the degradation, fragmentation or disruption of habitat for any listed migratory species.

Accordingly, no significant impact to migratory species is expected.

4.1.6 Nuclear

4.1.6.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.6.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The proposed action does not involve the use, storage, transport, or disposal of nuclear material, nor does it occur within proximity to any nuclear installation or site regulated under the *EPBC Act*.

There is no nuclear activity associated with the project, and the site does not contain any Commonwealth land or facility with nuclear relevance.

Accordingly, the action is unlikely to have any direct or indirect impact on matters relating to nuclear actions under the *EPBC Act*.

4.1.7 Commonwealth Marine Area

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.7.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.7.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The proposed action is located on inland land in Wallacia, New South Wales, and is situated well outside any Commonwealth Marine Area.

There are no hydrological, ecological, or operational linkages between the project area and any marine environment. The action does not involve discharge, dredging, marine transport, or any activity capable of affecting a Commonwealth Marine Area directly or indirectly.

Accordingly, the action is unlikely to have any direct or indirect impact on a Commonwealth Marine Area.

4.1.8 Great Barrier Reef

4.1.8.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.8.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The proposed action is located in Wallacia, New South Wales, which is over 1,000 kilometres south of the Great Barrier Reef World Heritage Area and Marine Park.

There are no ecological, hydrological, or atmospheric linkages between the project area and the Great Barrier Reef. The action does not involve activities such as emissions, discharges, or land use changes capable of affecting reef water quality or marine biodiversity.

Accordingly, the proposed action is unlikely to have any direct or indirect impact on the Great Barrier Reef.

4.1.9 Water resource in relation to large coal mining development or coal seam gas

4.1.9.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.9.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The proposed action is not a coal mining development or coal seam gas project, nor is it associated with any such activity.

The action involves the development of a cemetery on rural land in Wallacia, New South Wales, and does not include the extraction or subsurface alteration of groundwater or surface water systems associated with mining or gas extraction.

Accordingly, the proposed action is unlikely to have any direct or indirect impact on a water resource in relation to a large coal mining development or coal seam gas project.

4.1.10 Commonwealth Land

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.10.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.10.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The proposed action does not occur on, adjacent to, or in proximity to any Commonwealth land.

The subject site is privately owned freehold land located in Wallacia, New South Wales. The proposed action does not involve access to or use of any Commonwealth land, nor does it affect any infrastructure, assets, or values associated with such land.

Accordingly, the action is unlikely to have any direct or indirect impact on Commonwealth land.

4.1.11 Commonwealth Heritage Places Overseas

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.11.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.11.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The proposed action is located in Wallacia, New South Wales, Australia, and does not relate to any place outside Australia.

It does not involve activities that could affect any Commonwealth Heritage Place overseas, nor does it have environmental, cultural, or operational consequences beyond Australian jurisdiction.

Accordingly, the action is unlikely to have any direct or indirect impact on any Commonwealth Heritage Place located overseas.

4.1.12 Commonwealth or Commonwealth Agency

4.1.12.1 Is the proposed action to be taken by the Commonwealth or a Commonwealth Agency? *

No

4.2 Impact summary

Conclusion on the likelihood of significant impacts

You have indicated that the proposed action will likely have a significant impact on the following Matters of National Environmental Significance:

- Threatened Species and Ecological Communities (S18)

Conclusion on the likelihood of unlikely significant impacts

You have indicated that the proposed action will unlikely have a significant impact on the following Matters of National Environmental Significance:

- World Heritage (S12)
- National Heritage (S15B)
- Ramsar Wetland (S16)
- Migratory Species (S20)
- Nuclear (S21)
- Commonwealth Marine Area (S23)
- Great Barrier Reef (S24B)
- Water resource in relation to large coal mining development or coal seam gas (S24D)
- Commonwealth Land (S26)
- Commonwealth Heritage Places Overseas (S27B)
- Commonwealth or Commonwealth Agency (S28)

4.3 Alternatives

4.3.1 Do you have any possible alternatives for your proposed action to be considered as part of your referral? *

No

4.3.8 Describe why alternatives for your proposed action were not possible. *

No alternative options were considered feasible in relation to the proposed action.

An alternative timeline was not appropriate due to the scale and nature of the cemetery, which is intended to be delivered gradually over more than 180 years in response to long-term burial demand across Greater Sydney. A shorter timeframe would not be practical and would increase the rate of vegetation clearing and land disturbance, reducing opportunities for staged environmental management and regeneration.

An alternative location was not considered viable. The land is already owned by the proponent and was specifically acquired for cemetery development in an area identified as having critical need, as documented in the *Cemeteries & Crematoria NSW Strategic Plan 2022–2025* and the *11th Hour Report*. The selected layout is the product of several design iterations aimed at avoiding and minimising impact to Cumberland Plain vegetation, retaining riparian corridors, preserving existing topography, and concentrating development in previously cleared areas. The attached design report documents the alternative concepts considered and confirms that the selected design offers the most sensitive approach to vegetation retention and opportunities for regeneration.

An alternative activity was also not identified. The proposal directly addresses a well-documented shortage of burial land in Greater Sydney. Other land uses, such as intensive agriculture, would not meet this need and could result in greater environmental impacts through clearing, fertiliser use, and water extraction. Cemetery development enables low-intensity, staged land use with integrated environmental management.

5. Lodgement

5.1 Attachments

1.2.1 Overview of the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 3-BDAR.pdf.pdf Biodiversity Development Assessment Report		No	High

1.2.5 Information about the staged development

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 1-Masterplan.pdf.pdf Proposed masterplan		No	High
#2.	Document	Att 2-MasterplanDesignReport.pdf.pdf Proposed Masterplan Design Report			High

1.2.7 Public consultation regarding the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 4-ACHAR (Redacted).pdf Aboriginal Cultural Heritage Assessment Report (Sensitive Information Redacted)		No	High
#2.	Document	Att 4-ACHAR (Unredacted).pdf Aboriginal Cultural Heritage Assessment Report		Yes	High

3.3.2 Indigenous heritage values that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 4-ACHAR.pdf Aboriginal Cultural Heritage Assessment Report		No	High

4.3.8 Why alternatives for your proposed action were not possible

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 2-MasterplanDesignReport.pdf.pdf Proposed Masterplan Design Report		No	High

5.2 Declarations

Completed Referring party's declaration

The Referring party is the person preparing the information in this referral.

ABN/ACN	83620275069
Organisation name	MECONE GROUP PTY LIMITED
Organisation address	Level 12 / 179 Elizabeth Street, Sydney NSW 2000
Representative's name	Benjamin Frasco
Representative's job title	Associate Town Planner
Phone	+61457500803
Email	bfrasco@mecone.com.au
Address	12 / 179 Elizabeth Street, Sydney NSW 2000, AUSTRALIA

Check this box to indicate you have read the referral form. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

By checking this box, I, **Benjamin Frasco of MECONE GROUP PTY LIMITED**, 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. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

Completed Person proposing to take the action's declaration

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

ABN/ACN	59008606200
Organisation name	RIGENT PTY. LIMITED
Organisation address	2089 NSW
Representative's name	George Simpson

Representative's job title	Principal
Phone	0420606843
Email	george@woodwynd.com.au
Address	c/- Level 12 / 179 Elizabeth Street, Sydney

Check this box to indicate you have read the referral form. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

I, **George Simpson of RIGENT PTY. LIMITED**, 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. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

Completed Proposed designated proponent's declaration

The Proposed designated proponent is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

Check this box to indicate you have read the referral form. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

I, **George Simpson of RIGENT PTY. LIMITED**, the Proposed designated proponent, consent to the designation of myself as the Proposed designated proponent for the purposes of the action described in this EPBC Act Referral. *

I would like to receive notifications and track the referral progress through the EPBC portal. *