## Industrial Estate Development Project

Application Number: 01422 Commencement Date: Status: Locked

16/09/2022

### 1. About the project

### 1.1 Project details

| 1.1.1 Project title *                 |
|---------------------------------------|
| Industrial Estate Development Project |
| 1.1.2 Project industry type *         |
| Commercial Development                |
| 1.1.3 Project industry sub-type       |
|                                       |
| 1.1.4 Estimated start date *          |
| 01/06/2023                            |
| 1.1.4 Estimated end date *            |
| 30/06/2025                            |

### 1.2 Proposed Action details

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

The proposed action is the construction of an industrial estate at 485 Cooper St, Epping VIC 3076. It will involve the construction of internal roads, buildings (warehouses) and parking lots, as well as the in-situ construction of stormwater treatment facilities that will incorporate Growling Grass Frog habitat features. These design elements plus a 7.9-hectare area of open space are shown in Attachment 6 (Development

Footprint Master Plan). Construction activities would include standard onsite development activities like earthworks and other ground disturbance, vegetation clearing, installing of utilities, concrete and building works.

The project area is 37.13 hectares including the disturbance footprint of 28.30 hectares, retention area of 2.93 hectares and avoidance area of 0.02 hectares (as shown in the project footprint map provided in Section 2).

The project will involve the clearing of 3.891 hectares of native vegetation in the area, including patches of EPBC-listed ecological communities (1.143 ha of Native Temperate Grassland of the Victorian Volcanic Plain and 1.021 ha of Grassy Eucalypt Woodland of the Victorian Volcanic Plain).

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

No

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

The Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) is relevant to the proposed action, as EPBC-listed matters are likely to be significantly impacted by the proposed action.

According to the Significant Impact Guidelines 1.1 (Dept. of Environment 2013), the following impacts to Critically Endangered ecological communities (in this case, Native Temperate Grassland of the Victorian Volcanic Plain, and Native Eucalypt Woodland of the Victorian Volcanic Plain) are considered significant, and have been identified as potential impacts of the proposed action (Att. 1 Report 22076.04 (1.1) MNES, Section 5.3, pp. 28-30): reduction of extent of an ecological community, adversely affect habitat critical to the survival of an ecological community, and interference with the recovery of an ecological community.

Because of the potentially significant impacts on matters of national environmental significance previously identified, the EPBC Act is relevant to the proposed action, which is why it is being submitted for referral.

The *Flora and Fauna Guarantee Act 1988* is not relevant to the proposed action, as there is no public land within the area of the proposed action (Att. 2, Section 7.4, pp. 36).

The *Melbourne Strategic Assessment* (MSA) is not relevant to the proposed action as the area of the proposed action falls outside the MSA area.

Clause 52.17 of the Whittlesea Planning Scheme is relevant to the proposed action as a planning permit will be required for the removal of any native vegetation from the area of the proposed action (Att. 2, Section 7.1, pp. 34).

Clause 22.10 of the Whittlesea Planning Scheme (The River Red Gum Protection Policy) is relevant to the proposed action as the area of the proposed action contains one or more River Red Gums (Att. 2, Section 7.1, pp. 34). An arborist's report will be required with the planning proposal for development, and the majority of River Red Gums proposed for retention are encouraged to be sited in public open space reserves and/or road reserves (Att. 2, Section 7.1, pp. 34).

The area of the proposed action is subject to the Environmental Significance Overlay 3 (ESO3) of the Whittlesea City Council Planning Scheme. A permit would be required under ESO3 for any proposed works in the Merri Creek corridor (including works associated with any wetland) (Att. 2, Section 7.1, pp. 34).

The 2017 *Guidelines for the removal, destruction or lopping of native vegetation* (the Guidelines) published by the Department of Environment, Land, Water and Planning (DELWP), Victoria is relevant to the proposed action because the proposed action is likely to require a referral to DELWP for assessment under the "Detailed assessment" pathway (Att. 2, Section 7.2, pp. 34). Furthermore, it will require a suitable offset to be secured - this will be done via a third-party offset, which is currently available and will be secured once the application to remove native vegetation under the Guidelines is approved (Att. 2, Sections 7.2.3 and 7.2.4, pp. 35).

The proposed action is unlikely to require a referral to the Victorian State Minister for Planning under the *Environmental Effects Act 1978*, which is therefore not relevant to the proposed action (Att. 2, Section 7.5, pp. 36).

The Catchment and Land Protection Act 1994 is relevant to the proposed action, as noxious weed species which must be controlled under this Act were found in the area of the proposed action (Att. 2, Section 7.6, pp. 36).

# 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. \*

| The development plan application is currently with Whittlesea City Council for assessment. As part of this  |
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| process referrals have been issued to DEECA and Melbourne Water. Following comments from the referral       |
| parties the development plan will be updated and submitted for public exhibition by council. In addition to |
| the statutory planning process the proponent has also met with traditional owners to provide them with      |
| background on the project. A follow up meeting on site is planned for April 2023.                           |

### 1.3.1 Identity: Referring party

#### **Privacy Notice:**

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

By completing and submitting this form, you consent to the collection of all personal information contained in this form. If you are providing the personal information of other individuals in this form, please ensure you have their consent before doing so.

The Department of Climate Change, Energy, the Environment and Water (the department) collects your personal information (as defined by the Privacy Act 1988) through this platform for the purposes of enabling the department to consider your submission and contact you in relation to your submission. If you fail to provide

some or all of the personal information requested on this platform (name and email address), the department will be unable to contact you to seek further information (if required) and subsequently may impact the consideration given to your submission.

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See our Privacy Policy to learn more about accessing or correcting personal information or making a complaint. Alternatively, email us at privacy@awe.gov.au.

Confirm that you have read and understand this Privacy Notice \*

#### 1.3.1.1 Is Referring party an organisation or business? \*

Yes

Referring party organisation details

**ABN/ACN** 164839061

Organisation name GPT PLATFORM PTY LIMITED

Organisation address 2000 NSW

Referring party details

Name Matt Apostola

Job title Development Manager

Phone +61 3 9319 3341

Email Matt.Apostola@gpt.com.au

Address Level 10 Melbourne Central Tower, 360 Elizabeth Street, Melbourne VIC

3000

### 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? \*

Yes

Person proposing to take the action organisation details

**ABN/ACN** 164839061

Organisation name GPT PLATFORM PTY LIMITED

Organisation address 2000 NSW

Person proposing to take the action details

Name Matt Apostola

Job title Development Manager

Phone +61 3 9319 3341

Email Matt.Apostola@gpt.com.au

Address Level 10 Melbourne Central Tower, 360 Elizabeth Street, Melbourne VIC

3000

#### 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? \*

Yes

#### 1.3.2.16 Describe the nature of the trust arrangement in relation to the proposed action. \*

The land is owned by the GPT QuadReal Logistics Trust ABN 70 890 724 696. GPT PLATFORM PTY LTD ACN 164 839 061 is the trustee who is managing the development. The constitution for the GPT QuadReal Logistics Trust outlines the relationship between the parties (Att. 3, Section 2.3, pp. 8).

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. \*

| GPT PLATFORM PTY LTD ACN 164 839 061 has a satisfactory record of responsible environment management. GPT discloses penalties in their corporate reporting suite annually - see attached extract from 2021 annual report (Att. 4, pp. 1). |
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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

| GPT's environmental policy and planning framework documentation can be found attached (Att. 5) |
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- 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** 164839061

Organisation name GPT PLATFORM PTY LIMITED

Organisation address 2000 NSW

Proposed designated proponent details

Name Matt Apostola

Job title Development Manager

**Phone** +61 3 9319 3341

Email Matt.Apostola@gpt.com.au

Address Level 10 Melbourne Central Tower, 360 Elizabeth Street, Melbourne VIC

3000

### 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 164839061

Organisation name GPT PLATFORM PTY LIMITED

Organisation address 2000 NSW

Representative's name Matt Apostola

Representative's job title Development Manager

Phone +61 3 9319 3341

Email Matt.Apostola@gpt.com.au

Address

Level 10 Melbourne Central Tower, 360 Elizabeth Street, Melbourne VIC 3000

### 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.

Same as Referring party information.

### 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)? \*

No

1.4.3 Have you applied for or been granted a waiver for full or partial fees under Regulation 5.21A? \*

No

1.4.5 Are you going to apply for a waiver of full or partial fees under EPBC Regulation 5.21A?

No

1.4.7 Has the department issued you with a credit note? \*

No

1.4.9 Would you like to add a purchase order number to your invoice? \*

No

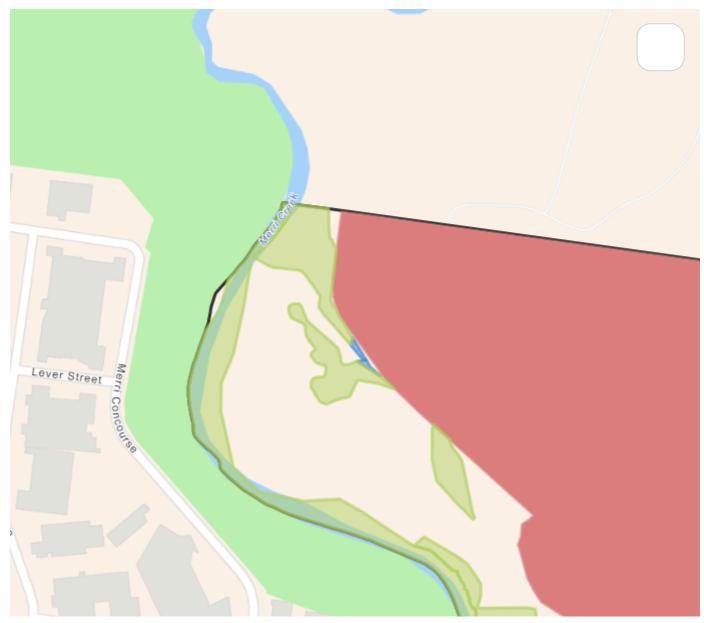
### 1.4 Payment details: Payment allocation

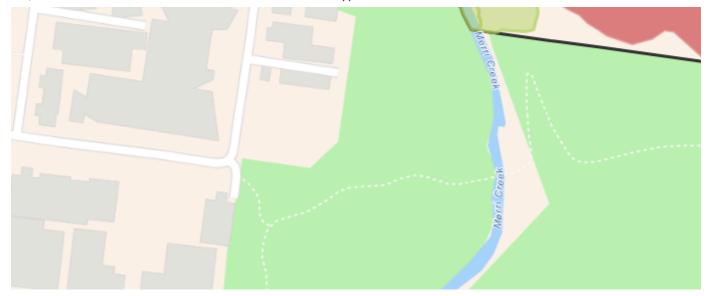
1.4.11 Who would you like to allocate as the entity responsible for payment? \*

Person proposing to take the action

### 2. Location

### 2.1 Project footprint





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Powered By Esri - Sources: Esri, TomTom, Garmin, F...

Project Area: 37.13 Ha Disturbance Footprint: 28.30 Ha Avoidance Area: 0.02 Ha Retension Area: 2.92 Ha

### 2.2 Footprint details

#### 2.2.1 What is the address of the proposed action? \*

485 Cooper St, Epping VIC 3076

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

Victoria

#### 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 project area is privately owned land (Att. 2, Section 5.1, pp. 13).

## 3. Existing environment

### 3.1 Physical description

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

The project area is 16 km north of the Melbourne CBD and is located in the Whittlesea local government area

The project area is on an undulating landscape and the western third of the site slopes downward to Merri Creek, which is western boundary of the property. A large quarry void is situated in the northern section and another smaller one in the north-western section. It is understood that the project area was formerly part of a golf course but has not been managed ever since, apart from wildfire mitigation slashing in some areas. In summary, the majority of the study area is treeless open grassland, heavily dominated by introduced pasture grasses and broad-leaf weeds. There are various-sized patches of native grassland vegetation, the highest quality being in the south-eastern section. Other native vegetation included scattered patches of degraded escarpment shrubland associated with the walls of the two quarry voids. (Further details are in Att. 2, section 5).

The project area land is zoned as an Industrial 1 Zone (IN1Z) and Urban Floodway Zone (UFZ) in the Whittlesea Planning Scheme (Att. 2, Section 3.1, pp. 5). There will be no changes to zoning for this activity.

The project area is in a Designated Bushfire Prone Area and Area of Aboriginal Cultural Heritage Sensitivity (Att. 2, Section 3.2, pp. 7).

The project area is subject to a Development Plan Overlay (DPO) and Schedule 33 to the DPO (Att. 2, Section 3.2, pp. 6). It is also subject to an Environmental Significance Overlay (ESO) and Schedule 3 to the ESO (Att. 2, Section 3.2, pp. 6).

The land immediately west of the project area is Merri Creek (Att. 2, Section 5.1, pp. 13). Immediately east of the project area is the Hume Freeway (Att. 2, Section 5.1, pp. 13). To the north and south of the project area is a mix of agricultural and quarrying land (Att. 2, Section 5.1, pp. 13).

Internal roads will be constructed within the project area (Att. 6). Access to the project area will be from the north, where more roads are planned for construction (Att. 6). There currently exists a dirt access track to the north end of the project area, but larger permanent roads are to be built for northern access to the project area (Att. 6). These permanent roads will be built off Quarry Access Road. There will be no access to the project area apart from northern access (Att. 6).

The project area is a former golf course and quarry (Att. 2, Section 5.1, pp. 13). However, it has been long-disused and has not been managed other than for wildfire mitigation slashing in areas (Att. 2, Section 5.1, pp. 13).

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

| industrial estate, consisting of warehouses, offices, roads, parking, and a wetland (Att. 6).  |
|--|
| Historically, it is understood that the project area was formerly part of a golf course but has not been managed ever since, apart from wildfire mitigation slashing in some areas. Further, a large quarry void is situated in the northern section and another smaller one in the north-western section. |
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## 3.1.3 Describe any outstanding natural features and/or any other important or unique values that applies to the project area.

The Cooper Street Grassland Nature Reserve is located northeast of the project area, across Merri Creek (Att. 2, Section 5.1, pp. 13). There is also an unnamed reserve to the west of the project area across Merri Creek, as well as the Whittlesea Public Gardens to the southeast of the project area across the Hume Freeway. The Merri Creek Parklands and Craigieburn Grassland Nature Reserve are located in the broader landscape to the south and north of the project area respectively (Att. 2, Section 5.1, pp. 13).

The most notable natural value in the project area is Merri Creek, which is a green corridor providing connectivity across many habitat patches in Melbourne. It is also inhabited by a meta-population of Growling Grass Frogs that have been identified as important in the approved species recovery plan (Clemann and Gillespie 2012).

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

Elevation within the project area ranges from around 110m above sea level in the southwest corner of the project area, to around 130m along the northern border. Generally there is a roughly 10m increase in elevation from the southern to the northern border, and from the western to the eastern border. Within the project area there is heterogeneity in elevation between the extremes previously identified, with sharp 6-7m drops along the edges of the old quarries in the northern parts of the project area.

#### 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.

Based on recent surveys and analysis of existing data from Nature Advisory's assessments of the project area, the project area may support a range of flora and fauna (Att. 2, Appendix 3, pp. 48-51 and Att. 2, Appendix 4, pp. 53-57). Most of the project is covered in grassland, as a result of its previous use as a golf course (Att. 2, Section 5.1, pp. 13). In the old quarries there are steep areas of rocky escarpment, and there are a few patches of eucalypt woodland in the project area as well (Att. 2, Section 5.1, pp. 13 and Section 5.4, pp. 23). The most significant vegetation exists along Merri Creek, where there is a corridor of riparian woodland (Att. 2, Fig. 1, pp. 17). There are a few isolated permanent and ephemeral wetlands in the project area as well (Att. 2, Fig. 1, pp. 17). The project area houses a variety of flora and fauna species adapted to these respective habitats, including a range of birds and possibly a limited number of mammal species commonly found in urban and agricultural areas, wetland birds (particularly along Merri Creek), as well as a few frog and reptile species typical of suburban and outer northern Melbourne (e.g. southern brown tree frog, little whip snake) (Att. 2, Appendix 4, pp. 53-57).

Particularly noteworthy values include:

1. Threated ecological communities, including Native Temperate Grassland of the Victorian Volcanic Plain as well as Grassy Eucalypt Woodland of the Victorian Volcanic Plain as previously described.

#### It should be noted that:

- 1. Patches of potentially suitable Golden Sun Moth habitat are scattered across the project area, including areas of Native Temperate Grassland of the Victorian Volcanic Plain in the southeast quarter of the project area (Att. 2, Section 5.5.2). However, targeted surveys did **not** record any individuals and therefore this species is considered unlikely to occur.
- 2. Small patches of potential off-stream breeding habitat for the Growling Grass Frog are located at the bottom of an old quarry in the northeast of the project area and in a narrow pond in the center of the project area (Att. 2, Section 5.5.2). However, targeted surveys did **not** record any individuals and therefore this species is considered unlikely to occur.
- 3. Patches of potentially suitable Matted Flax-Lily habitat are scattered across the project area, including areas of Native Temperate Grassland of the Victorian Volcanic Plain in the southeast quarter of the project area and areas of Grassy Eucalypt Woodland of the Victorian Volcanic Plain in the north of the project area (Att. 2, Fig. 1). However, targeted surveys did **not** record any individuals and therefore this species is considered unlikely to occur.

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

The project area is located on a plain that slopes down towards Merri Creek, with a southerly aspect, approximately 125m above sea level. The project area supports heavy basaltic soils and the Geomorphology of Victoria map indicates the locality of Epping is mapped as volcanic derived stony rises

(Victorian Resources Online). The geology of the site comprises Newer Volcanics Group (Qvn) comprising of Olivine basalt, minor limburgite, trachy-andesite, scoria, thin interbedded sand, clay and tuff, underlain by Dargile Formation (Sud) comprising interbedded shale, mudstone and greywacke.

There are various patches of native vegetation present, but they do not cover the majority of the project area (Att. 2, Fig. 1, pp. 17). The site appears to be mainly covered with introduced species.

The most significant block of native vegetation is the Riparian Woodland immediately east of Merri Creek (Att. 2, Fig. 1, pp. 17). However, there are also areas of Plains Grassland scattered across the site, and some patches of Plains Grassland in the southeast quarter of the site qualify as Native Temperate Grassland of the Victorian Volcanic Plain (NTGVVP) (Att. 2, Fig. 1, pp. 17). There are also patches of eucalypt woodland on site, with most of it occurring in one large block at the northern extremity of the site, which qualifies as Grassy Eucalypt Woodland of the Victorian Volcanic Plain (GEWVVP) (Att. 2, Fig. 1, pp. 17). There are several old quarries in the north of the project area, and the bottoms of these quarries have small patches of either ephemeral wetlands (Plains Grassy Wetland), or permanent wetlands (Tall Marsh) (Att. 1, Fig. 1, pp. 17). There is another patch of Tall Marsh near the center of the project area (Att. 1, Fig. 1, pp. 17). On the steep rocky terrain associated with these quarries and the slope down to the Merri Creek, there are patches of Escarpment Shrubland (Att. 1, Fig. 1, pp. 17). However, all these patches of native vegetation occur in a larger matrix of habitats dominated by introduced species, which covers the majority of the project area.

The proposed action area supports all the NTGVVP, GEWVVP, Tall Marsh, Plains Grassy Wetland and Plains Grassy Woodland in the project area (Att. 1, Fig. 1, pp. 17). It also supports some areas of Plains Grassland and Escarpment Shrubland (Att. 1, Fig. 1, pp. 17). However, it does not contain any of the Riparian Woodland in the project area and is mostly covered by introduced species rather than native vegetation (Att. 1, Fig. 1, pp. 17).

### 3.3 Heritage

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## 3.3.1 Describe any Commonwealth heritage places overseas or other places recognised as having heritage values that apply to the project area.

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

The project area is located on Wurundjeri Willum and Tangurung country (City of Whittlesea 2022). The specific indigenous heritage values relevant to this region include roughly 70 sacred sites where cultural ceremonies and business and trade negotiations were conducted, as well as many sacred "scarred" trees (City of Whittlesea 2022). Note that this information is taken from the publicly available Whittlesea Council website (refer to Att 8 for reference). This information is already publicly available elsewhere.

A Cultural Heritage Management Plan for the project area is being prepared. However, it will not be completed until March 2023.

### 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 attached report described the groundwater characteristics of the project area, and details any related investigations and surveys that have been undertaken (Att. 7).

The project area lies within the Port Phillip and Western Port catchment (i.e. Melbourne Water CMA region) (Att. 2, Section 5.1, pp. 13).

Surface water within the project area includes Merri Creek, which runs along its western border, a small permanent farm dam filled with Tall Marsh in the middle of the project area, and 3 areas of surface water associated with quarries in the northern half of the project area (Att. 2, Fig. 1, pp. 17). Of the two quarry-associated surface water bodies in the northeast of the study area, one is a permanent water body covered in Tall Marsh, and the other an ephemeral water body consisting of Plains Grassy Wetland (Att. 2, Fig. 1, pp. 17). The quarry-associated surface water in the northwest of the project area did not qualify as wetland habitat due to a lack of aquatic vegetation (Att. 2, Fig. 1, pp. 17).

## 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      |
| S20              | Migratory Species  | No       | Yes      |
| S21              | Nuclear  |          | Yes      |
| S23              | Commonwealth Marine Area   |          | Yes      |
| S24B             | Great Barrier Reef   |          | Yes      |
| S24D             | Water resource in relation to large coal mining development or coal seam gas |          | Yes      |
| S26              | Commonwealth Land  | No       | Yes      |
| S27B             | Commonwealth heritage places overseas  |          | Yes      |
| S28              | Commonwealth or Commonwealth Agency  |          | 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.

## 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.

\*

No World Heritage Sites or areas fall within the project area. The only World Heritage Site in the Melbourne region is the Royal Exhibition Building, and this is extremely unlikely to be impacted either directly or indirectly (e.g., by downstream or facilitated effects) by the proposed action. Therefore, the proposed action is unlikely to have a direct or indirect impact on any World Heritage Sites or areas.

#### 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.

\*

| No areas of National Heritage occur within the project area. Therefore, the proposed action will not directly |
|---|
| impact any areas of National Heritage. The nature of the proposed action also mean it will not lead to        |
| indirect impacts (e.g., downstream or facilitated impacts) on any areas of National Heritage either.          |

#### 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.

\*

No Ramsar wetlands occur within the project area. Therefore, the proposed action will not directly impact any Ramsar wetlands. Two Ramsar wetlands occur very far downstream of the project area, within Port Phillip Bay - the Edithvale-Seaford Wetlands, and the Port Phillip Bay (Western Shoreline) and Bellarine Peninsula sites. However, the long distance between these sites and the project area, as well as the planned implementation of appropriate construction mitigation measures (especially sediment and pollution controls) mean the proposed action is unlikely to indirectly impact these wetlands.

#### 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   |
|---------------|-----------------|---|
| No            | No              | Amphibromus fluitans                                  |
| No            | No              | Anthochaera phrygia                                   |
| No            | No              | Botaurus poiciloptilus                                |
| No            | No              | Calidris ferruginea                                   |
| No            | No              | Callocephalon fimbriatum                              |
| No            | No              | Dasyurus maculatus maculatus (SE mainland population) |
| No            | No              | Delma impar   |
| Yes           | Yes             | Dianella amoena                                       |

| Direct impact | Indirect impact | Species                               |
|---------------|-----------------|---------------------------------------|
| No            | No              | Diuris fragrantissima                 |
| No            | No              | Dodonaea procumbens                   |
| No            | No              | Falco hypoleucos                      |
| No            | No              | Galaxiella pusilla                    |
| No            | No              | Glycine latrobeana                    |
| No            | No              | Grantiella picta                      |
| No            | No              | Hirundapus caudacutus                 |
| No            | No              | Lachnagrostis adamsonii               |
| No            | No              | Lathamus discolor                     |
| No            | No              | Lepidium aschersonii                  |
| No            | No              | Lepidium hyssopifolium                |
| No            | No              | Leucochrysum albicans subsp. tricolor |
| Yes           | Yes             | Litoria raniformis                    |
| No            | No              | Maccullochella peelii                 |
| No            | No              | Nannoperca obscura                    |
| No            | No              | Numenius madagascariensis             |
| No            | No              | Pedionomus torquatus                  |
| No            | No              | Petaurus australis                    |
| No            | No              | Pimelea spinescens subsp. spinescens  |
| No            | No              | Prototroctes maraena                  |
| No            | No              | Pteropus poliocephalus                |
| No            | No              | Pterostylis chlorogramma              |
| No            | No              | Pterostylis cucullata                 |
| No            | No              | Rostratula australis                  |
| No            | No              | Rutidosis leptorhynchoides            |
| No            | No              | Senecio macrocarpus                   |
| No            | No              | Senecio psilocarpus                   |

| Direct impact | Indirect impact | Species                    |
|---------------|-----------------|----------------------------|
| Yes           | Yes             | Synemon plana              |
| No            | No              | Tympanocryptis pinguicolla |
| No            | No              | Xerochrysum palustre       |

#### **Ecological communities**

| Direct<br>impact | Indirect<br>impact | Ecological community   |
|------------------|--------------------|--|
| Yes              | No                 | Grassy Eucalypt Woodland of the Victorian Volcanic Plain   |
| No               | No                 | Grey Box (Eucalyptus microcarpa) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia |
| Yes              | Yes                | Natural Temperate Grassland of the Victorian Volcanic Plain  |
| No               | No                 | White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland                        |

## 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. \*

Matted Flax-Lily (*Dianella amoena*): permanent clearing of 3.202 ha of habitat; potential introduction of weeds or pests; disruption of breeding cycle (Att. 1, Section 5.1.1, pp. 20-21).

Golden Sun Moth (*Synemon plana*): permanent clearing of 1.783 ha of habitat; potential introduction of weeds or pests; increased interaction with human activity (Att. 1, Section 5.2.1, pp. 21-23).

Growling Grass Frog (*Litoria raniformis*): permanent clearing of 0.107 ha of breeding habitat; potential introduction of weeds or pests; disruption of breeding cycle; potential introduction of disease; increased interaction with human activity, noise or light pollution (Att. 1, Section 5.2.2, pp. 24-28).

Native Temperate Grassland of the Victorian Volcanic Plain: clearing of 1.144 ha of the ecological community (Att. 1, Section 5.3.1, pp. 28).

Grassy Eucalypt Woodland of the Victorian Volcanic Plain: clearing of 1.021 ha of the ecological community (Att. 1, Section 5.3.2, pp. 30).

All impacts are anticipated to operate only at a local scale, and some of them may not necessarily occur. However, all certain and potential impacts are anticipated to be permanent.

Please refer to attached MNES significant impact assessment undertaken by Nature Advisory in 2022 for further information (Att. 1, Section 5, pp. 20-31). This includes an outline of each impact on each listed matter within individual impact tables for each listed matter.

#### 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. \*

#### **Matted Flax-Lily**

Impacts to this protected matter are likely to be significant according to the relevant criteria within the Significant Impact Guidelines 1.1 (Department of the Environment 2013), because:

- The proposed action will result in a 3.202 had ecrease in area of occupancy (85% decrease) of the species in the project area (Att. 1, Section 5.1.1, pp. 20).
- The proposed action may disrupt the breeding cycle of this species as it may be present in the proposed action area (Att. 1, Section 5.1.1, pp. 20).
- The proposed action will remove the availability of habitat for this species within the project area to the extent that a local decline is likely (Att. 1, Section 5.1.1, pp. 21).
- The proposed action could result in the introduction and spread of weeds in the project area if appropriate construction mitigation measures are not implemented (Att. 1, Section 5.1.1, pp. 21).

#### **Golden Sun Moth**

Impacts to this protected matter are likely to be significant according to the relevant criteria within the Significant Impact Guidelines 1.1 (Department of the Environment 2013), because:

- The proposed action will adversely affect habitat critical to the survival of the species, as defined in the approved conservation advice for the species (Att. 1, Section 5.2.1, pp. 22) (not habitat listed in the Register of Critical Habitat or defined as Critical Habitat under section 207A of the EPBC Act). This is because the conservation advice considers all grassland and grassy woodland habitats occupied by the species to be habitat critical for the survival of the species, and the species is presumed present within all Plains Grassland in the project area as no targeted surveys for the species have been conducted (Att. 1, Section 5.2.1, pp. 22). This habitat will be adversely affected because 1.783 ha of it, 75% of its extent in the project area, will be removed by the proposed action (Att. 1, Section 5.2.1, pp. 22).
- The proposed action will remove the availability of habitat for this species by 1.783 ha (75%) within the project area, so a local decline is likely (Att. 1, Section 5.2.1, pp. 23).
- The proposed action could result in the introduction and spread of weeds in the project area if appropriate construction mitigation measures are not implemented (Att. 1, Section 5.2.1, pp. 23).
- The proposed action will interfere substantially with the recovery of the species, as the approved conservation advice for the species states that all occupied habitat is important for the recovery of the species, the species is presumed present in suitable habitat in the project area as no targeted surveys have been undertaken, and 1.783 ha (75%) of suitable habitat in the project area will be removed by the proposed action (Att. 1, Section 5.2.1, pp. 23).

#### **Growling Grass Frog**

Impacts to this protected matter are likely to be significant according to the relevant criteria within the Significant Impact Guidelines 1.1 (Department of the Environment 2013), because:

• The proposed action may result in a small long-term decrease in the size of an important population of the species (Att. 1, Section 5.2.2, pp. 24). The Significant Impact Guidelines define an important population of a species to be, among other definitions, those defined as such within approved

species recovery plans (Department of the Environment 2013). The approved species recovery plan for the Growling Grass Frog defines the Merri Creek meta-population of the species to be important (Clemann and Gillespie 2012), and this population is presumed present in the project area as no targeted surveys have been undertaken (Att. 1, Section 5.2.2, pp. 24). Furthermore, 0.107 ha of off-stream Tall Marsh wetlands in the project area will be removed by the proposed action, resulting in a 7% decrease in suitable breeding habitat in the project area (Att. 1, Section 5.2.2, pp. 24). Additionally, potential terrestrial foraging habitat adjacent to these wetlands will be removed (Att. 6). This habitat removal may result in a small long-term decrease in the species population in the project area (Att. 1, Section 5.2.2, pp. 24).

- The proposed action may result in a small decrease in the area of occupancy of an important population of the species (Att. 1, Section 5.2.2, pp. 24-25). 0.107 ha of off-stream Tall Marsh wetlands in the project area will be removed by the proposed action, resulting in a 7% decrease in suitable breeding habitat in the project area (Att. 1, Section 5.2.2, pp. 24). Additionally, potential terrestrial foraging habitat adjacent to these wetlands will be removed. This habitat removal will result in a small decrease in the species area of occupancy in the project area (Att. 1, Section 5.2.2, pp. 24-25).
- The proposed action will adversely affect habitat critical to the survival of the species, as defined in the approved species recovery plan for the species (Att. 1, Section 5.2.2, pp. 25-26) (not habitat listed in the Register of Critical Habitat or defined as Critical Habitat under section 207A of the EPBC Act). This is because the Tall Marsh wetlands in the project area largely corresponded to the description of habitat critical to the survival of the species in the species recovery plan (e.g. permanent still water with a large amount of aquatic vegetation, with ground debris and open grassy areas nearby for shelter and foraging) (Att. 1, Section 5.2.2, pp. 25). This will be adversely affected because 0.107 ha of it, 100% of its extent in the project area, will be removed by the proposed action (Att. 1, Section 5.2.2, pp. 25) (however, it should be noted that this is only 7% of the total breeding habitat of the species in the project area the rest occurs as Riparian Woodland along Merri Creek and will not be impacted by the proposed action) (Att. 2, Fig. 2, pp. 33 and Att. 1, Section 5.2.2, pp. 26).
- The proposed action may result in a disruption to the breeding cycle of an important population of the species. 0.107 ha of off-stream Tall Marsh wetlands in the project area will be removed by the proposed action, resulting in a 7% decrease in suitable breeding habitat in the project area (Att. 1, Section 5.2.2, pp. 26). This habitat removal will disrupt the breeding cycle of the portion the local population using these habitats to breed (Att. 1, Section 5.2.2, pp. 26).
- The proposed action will result in the removal of available habitat for the species from the project area to the extent the species may experience a small decrease in the local population (Att. 1, Section 5.2.2, pp. 26-27). 0.107 ha of off-stream Tall Marsh wetlands will be removed, decreasing available breeding habitat by 7% (Att. 1, Section 5.2.2, pp. 26). Furthermore, suitable foraging habitats near these wetlands will also be removed. This loss of habitat may result in a small local decrease in the species but is unlikely to translate into an ongoing trend of decline (Att. 1, Section 5.2.2, pp. 27).
- The proposed action could result in the introduction and spread of weeds in the project area if appropriate construction mitigation measures are not implemented (Att. 1, Section 5.2.2, pp. 27).
- The proposed action could result in the introduction and spread of the fungal disease chytridiomycosis, which is a key threatening process for this species, if appropriate construction mitigation and hygiene measures are not implemented (e.g. cleaning all equipment, footwear and vehicles from mud and soil using a dilute bleach solution prior to site entry) (Att. 1, Section 5.2.2, pp. 27-28).

#### Native Temperate Grassland of the Victorian Volcanic Plain (NTGVVP)

Impacts to this protected matter are likely to be significant according to the relevant criteria within the Significant Impact Guidelines 1.1 (Department of the Environment 2013), because:

- The proposed action will result in reduction in the extent of this ecological community within the project area by 1.144 ha, which is 100% of that recorded from the project area (Att. 1, Section 5.3.1, pp. 28).
- The proposed action will adversely affect habitat critical to the survival of this ecological community, as the habitat for NTGVVP within the project area will be removed entirely (Att. 1, Section 5.3.1, pp. 28).
- The proposed action could result in modification of abiotic factors necessary for the survival of this ecological community, if appropriate construction mitigation measures are not implemented (Att. 1, Section 5.3.1, pp. 29).
- The proposed action will interfere substantially with the recovery of this ecological community, as 100% of it will be removed from the project area, which will interfere with its recovery in the remaining areas of Plains Grassland (Att. 1, Section 5.3.1, pp. 29).

#### Grassy Eucalypt Woodland of the Victorian Volcanic Plain (GEWVVP)

Impacts to this protected matter are likely to be significant according to the relevant criteria within the Significant Impact Guidelines, because:

- The proposed action will result in reduction in the extent of this ecological community within the project area by 1.021 ha, which is 100% of that recorded from the project area (Att. 1, Section 5.3.2, pp. 30).
- The proposed action will adversely affect habitat critical to the survival of this ecological community, as the habitat for GEWVVP within the project area will be removed entirely (Att. 1, Section 5.3.2, pp. 30).
- The proposed action could result in modification of abiotic factors necessary for the survival of this ecological community, if appropriate construction mitigation measures are not implemented (Att. 1, Section 5.3.2, pp. 30).
- The proposed action will interfere substantially with the recovery of this ecological community, as 100% of both it and Plains Grassy Woodland will be removed from the project area, which will make recovery of this community in the project area unlikely (Att. 1, Section 5.3.2, pp. 30).

#### 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. \*

The proposed action should be considered a controlled action, because it will have Significant Impacts on multiple Matters of National Environmental Significance (MNES), as defined by the Significant Impact Guidelines 1.1 (Department of the Environment 2013). The exact significant impacts were summarized in the response to 4.1.4.6, and are elaborated on in the attached MNES Impact Assessment document (Att. 1, Section 5, pp. 20-31). The fact that the proposed action will have Significant Impacts on MNES means it should require approval under the EPBC Act and will need to go through the EPBC assessment process.

## 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. \*

The proposed action avoids removing habitat from the western third of the project area, along Merri Creek (Att. 2, Fig. 2, pp. 33). This allows for the retention of the following values:

- 100% of all Riparian Woodland in the project area.
- Preservation of a major habitat corridor for Growling Grass Frogs to use to move along and breed in Merri Creek.
- The majority of Escarpment Shrubland in the project area.
- 25% of Plains Grassland in the project area.

Furthermore, an artificial wetland will be constructed in the southwest corner of the development footprint, as a replacement off-stream breeding and foraging habitat for the local Growling Grass Frog population (Att. 1, Section 5.2.2, pp. 24 and Att. 6). This wetland will be constructed specifically with habitat features for Growling Grass Frogs as outlined in the Melbourne Strategic Assessment Habitat Design Standards for the species and will be much larger (1.1 ha) than the wetlands that will be removed (0.107 ha), although it will also be designed to process stormwater (Att. 1, Section 5.2.2, pp. 24 and Att. 6).

All native vegetation in the eastern two-thirds of the project area is to be removed, with no opportunity to retain any of it without undermining key objectives of the development proposal (Att. 2, Section 7.2.1, pp. 34). However, indirect impacts to areas of native vegetation to be retained will be achieved using appropriate construction mitigation measures, including practicing good hygiene (e.g. cleaning footwear, vehicles and equipment from soil, mud, or plants using a dilute bleach solution) to prevent the spread of weeds and chytrid fungus (Att. 1, Section 5.2.2, pp. 27), and the use of sediment fencing to avoid sedimentation in Merri Creek and injury to Growling Grass Frogs during construction. Fauna salvage and translocation targeting Growling Grass Frogs will also be implemented (Att. 2, Section 7.8, pp. 37).

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

Under the Victorian *Guidelines for the removal, destruction or lopping of native vegetation*, offsets required to compensate for the removal of native vegetation in the project area are 1.288 general habitat units with a minimum strategic biodiversity value of 0.447 (Att. 2, Section 7.2.3, pp. 35). The offsets must occur within the Port Phillip and Westernport Catchment Management Authority or in the Whittlesea municipal district (Att. 2, Section 7.2.3, pp. 35). These offsets must be obtained prior to the clearing of any native vegetation (Att. 2, Section 7.2.3, pp. 35).

This offset target will be obtained via a third-party offset (Att. 2, Section 7.2.4, pp. 35). An online search of the Native Vegetation Credit Register has shown this required offset is currently available for purchase from a native vegetation credit owner (Att. 2, Section 7.2.4, pp. 35). Evidence this offset is available is provided in Appendix 8 of the attached Flora and Fauna Assessment Report (Att. 2, Appendix 8, pp. 75-78). The required offset would be obtained after acquiring approval of the application to remove native vegetation (Att. 2, Section 7.2.4, pp. 35).

Additionally, a 1.1 ha wetland is to be constructed within the proposed action area, in the southwestern corner (Att. 1, Section 5.2.2, pp. 24). This wetland will be designed using habitat features for Growling Grass Frogs as outlined in the Melbourne Strategic Assessment Habitat Design Standards for the species and should function as a replacement breeding habitat for the species in the project area ((Att. 2, Section 7.2.3, pp. 35). However, this wetland will also be designed to process stormwater (Att. 6).

#### 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                   |
|---------------|-----------------|---------------------------|
| No            | No              | Actitis hypoleucos        |
| No            | No              | Apus pacificus            |
| No            | No              | Calidris acuminata        |
| No            | No              | Calidris ferruginea       |
| No            | No              | Calidris melanotos        |
| No            | No              | Gallinago hardwickii      |
| No            | No              | Hirundapus caudacutus     |
| No            | No              | Monarcha melanopsis       |
| No            | No              | Motacilla flava           |
| No            | No              | Myiagra cyanoleuca        |
| No            | No              | Numenius madagascariensis |
| No            | No              | Rhipidura rufifrons       |
| No            | No              | Tringa nebularia          |

## 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 EPBC-listed migratory species. This is because no suitable habitat for any of these species exists within the project area, with the possible exception of Latham's Snipe (*Gallinago hardwickii*) and White-throated Needletail (*Hirundapus caudacutus*) (Att. 1, Section 4.2.1 and Table 5, pp. 14-17). Therefore, the project area is unlikely to be used by any of these species (except Latham's Snipe and White-throated Needletail) or function as an important resting point for them along a flyway.

In the case of Latham's Snipe, no Important Habitat for the species (as defined in the *Industry guidelines for avoiding, assessing, and mitigating impacts on EPBC Act listed migratory shorebird species* (Commonwealth of Australia 2017)) is likely to exist within the area impacted by the proposed action - only a few small wetlands were present, and these are unlikely to be sufficient to support the threshold 18 individuals required to be considered an Important Habitat. Therefore, the proposed action cannot substantially modify, destroy or isolate any area of Important Habitat for this species, or result in an invasive species harmful to them becoming established in an area of Important Habitat for this species. The proposed action is also unlikely to seriously disrupt the lifecycle of an ecologically significant proportion of the population for this species, because the species does not breed in Australia (Commonwealth of Australia 2017), and it is unlikely to use the very small areas of habitat within the area impacted by the proposed action for migration or a significant amount of feeding or resting (Att. 2, Section 5.5.3, pp. 28).

In the case of White-throated Needletail, the species would practically occur in the project area only as a flyover - the species does use dense forest and woodland for roosting, but there is no such habitat within the area impacted by the proposed action (Att. 2, Section 5.5.3, pp. 28). This species is unlikely to be very reliant on any resources within the project area due to its extreme mobility, allowing it to find any resources it could use from the project area elsewhere with relative ease (Att. 2, Section 5.5.3, pp. 28). Furthermore, the species is unlikely to be impacted by development within the area impacted by the proposed action due to direct mortality, as it is unlikely to interact with development in the area - it would fly above without being significantly affected (Att. 1, Section 4.2.2, pp. 18).

#### 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 is | not a nuclear action | . Therefore, it w | ill not have a dire | ct or indirect nuc | lear impact on |
|------------------------|----------------------|-------------------|---------------------|--------------------|----------------|
| the environment.       |                      |                   |                     |                    |                |

#### 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 terrestrial in nature, and therefore will not directly impact any Commonwealth   |
|---|
| Marine Areas. It is also very far upstream from any such areas, and appropriate construction mitigation |
| measures (e.g. sediment fences) are to be used to avoid sedimentation or pollution of downstream areas. |
| Therefore, the proposed action is unlikely to have an indirect impact on Commonwealth Marine Areas      |
| either.   |

#### 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 will not have any direct impacts on the Great Barrier Reef Marine Park and is highly unlikely to indirectly impact it, as it is extremely distant from it and is a terrestrial action.

| 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

.

| The proposed action does not relate to large coal mining development or coal seam gas. The | erefore, it |
|--|-------------|
| cannot have any impact on a water resource in relation to large coal mining development or | coal seam   |
| gas.   |             |
|  |             |
|  |             |

#### 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 will not directly impact Commonwealth land, as none occurs in the project area. Provided appropriate construction mitigation measures are implemented, the proposed action should not have indirect impacts outside the project area and therefore will not indirectly impact Commonwealth land either. |
|---|
| 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 will occur within Australia. Therefore, it cannot have direct or indirect impacts on any Commonwealth heritage places 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. \*

It is not possible to avoid environmental impacts of the project beyond what has already been accounted for in the project design, without undermining key objectives of the project (Att. 2, Section 7.2.1, pp. 34). The project aims to build a commercial/industrial estate at 485 Cooper St, Epping VIC (Att. 2, Section 1.1, pp. 1) in accordance with the zoning of the land. Aiming to further avoid or further minimize impacts on MNES (such as avoiding NTGVVP and GEWVVP) would result in a very large loss of useable land in the design layout and severely curtail the use of the area as an industrial/commercial estate (Att. 2, Figure 2, pp. 33 and Att. 6). Furthermore, the project area is on land zoned as Industrial, so the project is an appropriate use of the land (Att. 2, Section 3.1, pp. 5).

## 5. Lodgement

#### 5.1 Attachments

1.2.6 Commonwealth or state legislation, planning frameworks or policy documents that are relevant to the proposed action

|     | Туре  | Name  | Date | Sensiti | vi <b>6</b> jonfidenc |
|-----|-------|---|------|---------|-----------------------|
| #1. | Docum | enAtt 1 - MNES Assessment 2023  This document provides the significant impact assessment for Matters of National Environmental Significance under the EPBC Act. |      | No      | High                  |
| #2. | Docum | enAtt 2 - Flora and Fauna Assessment 2023 This document contains the flora and fauna assessment undertaken for the project area.                                |      | No      | High                  |

1.3.2.16 (Person proposing to take the action) Nature of the trust arrangement in relation to the proposed action

|     | Type Name                 | Date | Sensitivi <b>©</b> onfiden | сe |
|-----|---------------------------|------|----------------------------|----|
| #1. | DocumenAtt 3 - Trust Deed |      | No                         |    |

1.3.2.17 (Person proposing to take the action) Proposer's history of responsible environmental management

|     | Туре  | Name  | Date | Sensit | ivi <b>6</b> jonfidend |
|-----|-------|---|------|--------|------------------------|
| #1. | Docum | enAtt 4 - Extract of 2021 Directors Annual Report GPT |      | No     | High                   |
|     |       | Relevant extract from the GPT 2021 Director's Annual  |      |        |                        |
|     |       | Report.   |      |        |                        |

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

|     | Type  | Name  | Date | Sensit | tivi <b>©</b> onfidence |
|-----|-------|---|------|--------|-------------------------|
| #1. | Docun | nen <b>A</b> tt 5 - GPT Environmental Policies and Planning<br>Framework                |      | No     | High                    |
|     |       | This document contains the relevant environmental policies and frameworks of GPT Group. |      |        |                         |

#### 3.1.1 Current condition of the project area's environment

|     | Type  | Name  | Date | Sensitivi <b>©</b> onfidence |
|-----|-------|---|------|------------------------------|
| #1. | Docum | erAtt 6 - Development Footprint Master Plan This document consists of a page-big figure detailing the internal layout and master plan for the industrial/commercial development at 485 Cooper St, |      | High                         |
|     |       | Epping VIC.   |      |                              |

#### 3.3.2 Indigenous heritage values that apply to the project area

| Type Name                         |  |  | Sensitivi <b>©</b> onfiden |      |
|-----------------------------------|--|--|----------------------------|------|
| #1. DocumerAtt 8 - Reference List |  |  | No                         | High |
|                                   | List of references relevant to this section. |  |                            |      |

#### 3.4.1 Hydrology characteristics that apply to the project area

|     | Type Name  #1. DocumerAtt 7 - Groundwater Report 2022 |   |  | Sensit | ivi <b>6</b> onfidence |
|-----|---|---|--|--------|------------------------|
| #1. |   |   |  | No     | High                   |
|     |   | Groundwater report for the project area, including data |  |        |                        |
|     |   | sources.  |  |        |                        |

#### 5.2 Declarations

### Completed Referring party's declaration

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

ABN/ACN 164839061

Organisation name GPT PLATFORM PTY LIMITED

Organisation address 2000 NSW

Representative's name Matt Apostola

Representative's job title Development Manager

Phone +61 3 9319 3341

Email Matt.Apostola@gpt.com.au

Address Level 10 Melbourne Central Tower, 360 Elizabeth Street, Melbourne

**VIC 3000** 

|  | <b>/</b> | Check this | box to | indicate | you have | read the | referral form. | 4 |
|--|----------|------------|--------|----------|----------|----------|----------------|---|
|--|----------|------------|--------|----------|----------|----------|----------------|---|

- I would like to receive notifications and track the referral progress through the EPBC portal. \*
- By checking this box, I, **Matt Apostola of GPT PLATFORM 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.

Same as Referring party 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, Matt Apostola of GPT PLATFORM 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, Matt Apostola of GPT PLATFORM 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. \*