

180 FITZGERALD ROAD, LAVERTON

EPBC ACT REFERRAL

Goodman Property Services (Aust) Pty Ltd



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Referral of proposed action

Project title: 180 Fitzgerald Road, Laverton North

1 Summary of proposed action

1.1 Short description

The proposed action will involve the development of 4.5 hectares of land in Laverton North, Melbourne (*Attachment 1: Location of proposed action*). The development will involve construction of three warehouses and associated infrastructure.

The proposed development would result in the loss of 0.997 hectares of *Natural Temperate Grassland of the Victorian Volcanic Plain* (NTGVVP).

1.2 Latitude and longitude

Location Point	Latitude Decimal degrees	Longitude Decimal degrees
Centre point	-37.81744	144.79158

1.3 Locality and property description

The impact site where the action is proposed is located within a 15-hectare property at 180 Fitzgerald Road, Laverton North, Victoria – 15 kilometres west of Melbourne's CBD. The location of the action is a 4.5-hectare undeveloped area of land in the eastern section of this freehold land. The land in question is surrounded by industrial warehouses that front Boundary Road (to the north), Gilbertson Road (to the south) Cambridge Street (to the east) and Fitzgerald Road (to the west). It is located at the approximate centre-point between the aforementioned roads, with access from the western end of Oxford Road.

The property is located in the Victorian Volcanic Plain IBRA bioregion. It supports heavy Quaternary deep-cracking basalt clay soils on a flat to gently undulating landscape. Outcropping basalt rock occurs sporadically throughout the property. Large sections of the land in question have been modified historically.

The property is currently zoned for industrial land use in the City of Wyndham's planning scheme.

The majority of the impact site has been heavily invaded by high-threat weeds, such as Serrated Tussock, (*Nassella trichatoma*), Chilean Needle-grass (*Nassella neesiana*) and Artichoke Thistle (*Cynara cardunculus*). The property supports four patches of remnant native grassland totalling 1.020 hectares, 0.997 hectares of which constitutes the ecological community *Natural Temperate Grassland of the Victorian Volcanic Plain* (NTGVVP). NTGVVP is listed as critically endangered under the EPBC Act. Attachment 3 provides a detailed report for this ecological community on the impact site.

1.4	Size of the development footprint or work area (hectares)	4.5 hectares
1.5	Street address of the site	180 Fitzgerald Road, Laverton North Victoria 3026
1.6	Lot description	Lot 1 TP712726
1.7	Local Government Area and Council contact (if known)	
	Wyndham City Council	
1.8	Time frame	
	It is anticipated that construction would commence in October 2017.	
1.9	Alternatives to proposed action	✓ No
		Yes, you must also complete section 2.2
1.10	Alternative time frames etc	✓ No
		Yes, you must also complete Section 2.3. For each alternative, location, time frame, or activity identified, you must also complete details in Sections 1.2-1.9, 2.4-2.7 and 3.3 (where relevant).

1.11	State assessment	<input checked="" type="checkbox"/>	No
		<input type="checkbox"/>	Yes, you must also complete Section 2.5
1.12	Component of larger action	<input checked="" type="checkbox"/>	No
		<input type="checkbox"/>	Yes, you must also complete Section 2.7
1.13	Related actions/proposals	<input checked="" type="checkbox"/>	No
		<input type="checkbox"/>	Yes, provide details:
1.14	Australian Government funding	<input checked="" type="checkbox"/>	No
		<input type="checkbox"/>	Yes, provide details:
1.15	Great Barrier Reef Marine Park	<input checked="" type="checkbox"/>	No
		<input type="checkbox"/>	Yes, you must also complete Section 3.1 (h), 3.2 (e)

2 Detailed description of proposed action

2.1 Description of proposed action

The proposed action involves the clearing and levelling of the majority of the 4.5 hectares for:

- The construction of three industrial warehouses; and
- Works including the installation of basic services infrastructure, parking, footpaths and a road for access to the proposed lots.

2.2 Alternatives to taking the proposed action

No alternative options are available to the proponent in that the land is located in an Industrial 2 zone that seeks to provide for industrial development to occur. The only feasible alternative to not taking the action would be to not develop the site any further and leave the site as an undeveloped parcel of land. The site is too small to allow for it to be developed in part while still leaving a viable amount of habitat on the site without this habitat being degraded over time as a result of the encroachment of industrial uses.

2.3 Alternative locations, time frames or activities that form part of the referred action

Alternative locations and timeframes are not available to the proponent and therefore not considered.

2.4 Context, planning framework and state/local government requirements

The site is zoned Industrial 2 Zone in the Wyndham Planning Scheme. The purpose of the zone is to “provide for manufacturing industry, the storage and distribution of goods and associated facilities in a manner which does not affect the safety and amenity of local communities”, “To keep the core of the zone free of uses which are suitable for location elsewhere so as to be available for manufacturing industries and storage facilities that require a substantial threshold distance as the need for these arises”, and “To promote manufacturing industries and storage facilities that require a substantial threshold distance within the core of the zone”.

The proposed development is consistent with the State and Local Planning Policy Frameworks detailed in the Wyndham Planning Scheme. The policy directions outlined in the scheme encourage the utilisation of existing appropriately zoned industrial land for new industry/warehouse developments, to keep the core of the zone free of uses which are suitable for location elsewhere, and to limit the risk to safety and amenity of local communities from industry.

2.5 Environmental impact assessments under Commonwealth, state or territory legislation

n/a

2.6 Public consultation (including with Indigenous stakeholders)

Public consultation will be required for this Referral (10 days) and for the planning permit application (30 days). Consultation with indigenous stakeholders has not occurred. Indigenous stakeholders are not expected to be affected by the current proposal. The site is not in an area of Aboriginal Cultural Heritage Sensitivity under the Aboriginal Heritage Act 2006.

2.7 A staged development or component of a larger project

The proposed action does not form a component of a larger action.

3 Description of environment & likely impacts

3.1 Matters of national environmental significance

3.1 (a) World Heritage Properties

Description

The proposed action will not take place in, or near a World Heritage property.

Nature and extent of likely impact

There is expected to be no direct impact on any World Heritage property.

3.1 (b) National Heritage Places

Description

The proposed action will not take place in, or near a National Heritage Place.

Nature and extent of likely impact

There is expected to be no direct impact on any National Heritage Place.

3.1 (c) Wetlands of International Importance (declared Ramsar wetlands)

Description

The proposed action will not take place in, or upstream of, or near a listed Ramsar Wetland of International Importance.

Nature and extent of likely impact

There is expected to be no direct impact on any listed Ramsar Wetland.

3.1 (d) Listed threatened species and ecological communities

A flora and fauna assessment of the property has been undertaken to identify possible impacts on native vegetation and fauna (see Attachment 3). This report provides an assessment of impacts under Commonwealth, Victorian and local legislation and policies.

Targeted surveys were undertaken in suitable potential habitat for the Striped Legless Lizard and Golden Sun Moth (see Attachment 4) as well as Spiny Rice-flower and Matted Flax-lily (see Attachment 3), consistent with the required survey effort. No Golden Sun Moth, Striped Legless Lizard, Spiny Rice-flower or Matted Flax-lily was recorded.

Attachment 3 formed part of the planning permit application to Wyndham City Council under the Victorian *Planning and Environment Act 1987*.

A summary of the findings of these assessments as they relate to Matters of National Environmental Significance is provided below.

Listed Communities

Description

One threatened ecological community listed under the EPBC Act — Natural Temperate Grasslands of the Victorian Volcanic Plain (critically endangered) occurs in the study area. The flora and fauna assessment provided in Attachment 3 found that 0.976 hectares of the 0.997 hectares of the NTGVVP on the Property would be cleared by undertaking the proposed action (Attachment 1). However, it is considered for the purpose of this referral that the retained 5-metre wide buffer would not constitute retention of this area of the community; therefore, it is considered that 0.997 hectares of NTGVVP would be impacted.

The NTGVVP vegetation is generally in poor condition, with habitat hectare scores of 28 and 27 across two distinct patches of the community. This is due to the moderate cover of invasive species, the absence or modification of many of the life forms that constitute this community, and small size the isolation of the patches from other areas of native vegetation.

The vegetation was dominated by Kangaroo Grass (*Themeda triandra*) in the larger of two patches of this community (0.892 hectares) and wallaby grasses (*Rytidosperma* spp.) in the smaller patch (0.105 hectares). A low diversity of indigenous tufted graminoid species and few scattered indigenous forbs were present.

The native vegetation in the study area appeared to have undergone a long history of overgrazing, probably from past stock grazing and more recent (and current) rabbit infestations. The vegetation was found on deep-cracking basalt clay soils on a slightly undulating landscape with a few small rocky outcrops

The portion of the study area which was dominated by wallaby grasses occurred on a soil scrape. After the soil has been disturbed, wallaby grasses have recolonised the area. This area has very poor diversity and is subject to ongoing degradation from encroaching weed species on all sides.

Nature and extent of likely impact

The proposed development will involve the loss of 0.997 hectares of NTGVVP of low to moderate quality.

Listed Flora Species

Description

The likelihood of occurrence of listed flora species based on habitat suitability and the results of targeted surveys is presented in the table below. Information used for this assessment includes Victorian Biodiversity Atlas records (VBA 2013) and the EPBC Act Protected Matters Search Tool (Department of the Environment 2013). A review of these data indicated that within the 10km search region there were records of, or there occurred potential suitable habitat for, 12 species listed under the Commonwealth EPBC Act (see table below).

The results of the field survey indicated that suitable habitat occurred on site for:

- Matted Flax-lily (listed as endangered under the EPBC Act); and
- Spiny Rice-flower (listed as critically endangered under the EPBC Act).

A targeted survey for the Spiny Rice-flower was undertaken on 9th May 2014; and for Matted Flax-lily on the 29th November 2014 (Attachment 3). During this assessment, all areas of native vegetation supporting suitable habitat for the species (Attachment 1) were inspected thoroughly, along transects spaced less than five metres apart. Given the condition of the vegetation and the surveys being undertaken during the flowering period of the targeted species, this spacing was considered appropriate for detecting all targeted species.

No Matted Flax-lily, Spiny Rice-flower, or other listed flora species were detected during the targeted flora surveys.

Nature and extent of likely impact

According to the significant impact guidelines for Spiny Rice-flower and Matted Flax-lily, the current proposal is unlikely to have a significant impact on these species as no individuals were recorded. Therefore, with regards to Spiny Rice-flower and Matted Flax-lily, it is considered that the provisions of this Act do not apply to the current proposal.

Common Name	Scientific name	EPBC Act Status	Habitat	Likelihood of occurrence
Austral Toad-flax	<i>Thesium australe</i>	VU	Occurs on grasslands, grassy woodlands or sub-alpine grassy heathlands. Usually associated with Kangaroo Grass and Tussock Grass species. However it will grow with other hosts, at least in the glasshouse (Scarlett et al 2003).	Habitat has had a long history of heavy grazing, leaving very few forbs or other grazing-sensitive species – Unlikely to occur
Clover Glycine	<i>Glycine latrobeana</i>	VU	In Victoria, occurs mainly in grasslands and grassy woodlands on basalt soils dominated by Kangaroo Grass. It is also found rarely in heathland (Carter & Sutter 2010).	Habitat has had a long history of heavy grazing, leaving very few forbs or other grazing-sensitive species – Unlikely to occur
Curly Sedge	<i>Carex tasmanica</i>	VU	Occurs in seasonally wet, fertile, heavy basalt clay soils, usually around the margins of slightly saline drainage lines or freshwater swamps. The dominant vegetation type varies, but is often grassy/sedgy and generally lacks trees (Carter 2010a).	No habitat present – Unlikely to occur
Large-headed Fireweed	<i>Senecio macrocarpus</i>	VU	Occurs in a variety of habitats, including grasslands, sedgeland, shrublands and woodlands, generally on sparsely vegetated sites on sandy loam to heavy clay soils, often in depressions that are waterlogged in winter (Sinclair 2010).	Habitat has had a long history of heavy grazing, leaving very few forbs or other grazing-sensitive species – Unlikely to occur
River Swamp Wallaby-grass	<i>Amphibromus fluitans</i>	VU	Inhabits both natural and man-made water-bodies, including swamps, lagoons, billabongs and dams, and in roadside ditches, predominantly in the north-central area along the Murray River between Wodonga and Echuca (Walsh 1994).	No habitat present; drainage channel in southern part of study area is not considered suitable to the species as it is not connected to any natural waterbodies and is much degraded – Unlikely to occur
Button Wrinklewort	<i>Rutidosis leptorhynchoides</i>	EN	Basaltic grasslands between Rokewood and Melbourne (Jeanes 1999).	Habitat has had a long history of heavy grazing, leaving very few forbs or other grazing-sensitive species – Unlikely to occur
Fragrant Leek-orchid	<i>Prasophyllum suaveolens</i>	EN	Occurs in open, species rich native grassland dominated by Kangaroo Grass with perennial herbs and lilies on poorly drained red-brown soil derived from basalt (DSE 2003).	Habitat has had a long history of heavy grazing, leaving very few forbs or other grazing-sensitive species – Unlikely to occur
Maroon Leek-orchid	<i>Prasophyllum frenchii</i>	EN	Favouring heathland and Grassland on black clays (Bates 1994).	No habitat present – Unlikely to occur
Matted Flax-lily	<i>Dianella amoena</i>	EN	Lowland grassland and grassy woodlands on well-drained to seasonally waterlogged fertile sandy loams to heavy cracking soils derived from sedimentary or volcanic Geology. It is widely distributed from eastern to south-western Victoria (Carter 2010b).	Habitat present within areas of mapped native vegetation and within other areas mapped as potentially supporting threatened species - Not recorded during targeted survey
Small Golden Moths	<i>Diuris basaltica</i>	EN	Confined to the basalt plains of south-western Victoria, growing in native grassland and grassy woodland.	Habitat has had a long history of heavy grazing, leaving very few forbs or other grazing-sensitive species – Unlikely to occur
Sunshine Diuris	<i>Diuris fragrantissima</i>	EN	Native grasslands dominated by Kangaroo Grass, on heavy basalt soils, often with embedded basalt boulders. The sole remaining natural population at Sunshine occurs in a small (0.1 ha) remnant of Western (Basalt) Plains Grassland (Murphy et al 2008).	Habitat has had a long history of heavy grazing, leaving very few forbs or other grazing-sensitive species – Unlikely to occur
Spiny Rice-flower	<i>Pimelea spinescens subsp. spinescens</i>	CE	Grasslands or open shrublands on basalt derived soils (Entwisle 1996). Prefers shallow depressions and drainage lines with moderate soil moisture (D. Coppolino pers. obs.).	Habitat present within areas of mapped native vegetation and within other areas mapped as potentially supporting threatened species; species has been recorded nearby - Not recorded during targeted survey

Listed Fauna Species

Description

The likelihood of occurrence of listed flora species based on habitat suitability and the results of targeted surveys is presented in the table below. Information used for this assessment includes Victorian Biodiversity Atlas records (VBA 2013) and the EPBC Act Protected Matters Search Tool (Department of the Environment 2013). The review of existing information indicated that 17 fauna species (11 birds, two mammals, two reptiles, one frog and one invertebrate) listed under the Commonwealth EPBC Act have previously been recorded within the search region or for which potential habitat occurs according to the EPBC Act Protected Matters Search Tool. The potential occurrence of these species in the study area was assessed during the initial field assessment and the results are presented in the table below. In this table, species considered 'likely to occur' are shaded. The initial field assessment indicated the presence of suitable habitat on site for two of these species: Striped Legless Lizard and Golden Sun Moth.

Targeted surveys for Striped Legless Lizard and Golden Sun Moth were completed in accordance with the required survey method outlined in Attachment 4.

The targeted survey for Striped Legless Lizard was undertaken during September to December 2014. No individuals were recorded. Based on the results of the targeted survey and the isolated, low quality habitat, it is considered that the Striped Legless Lizard does not occur in the study area and no impacts on the species from the proposed development are expected.

Targeted survey for the Golden Sun Moth was undertaken from November 2014 to January 2015. No individuals were recorded and it is considered unlikely that a viable population exists in the study area.

Nature and extent of likely impact

According to the significant impact guidelines for Striped Legless Lizard and Golden Sun Moth, the current proposal is unlikely to have a significant impact on these species as no individuals were recorded. Therefore, with regards to Striped Legless Lizard and Golden Sun Moth, the provisions of this Act would not apply to the current proposal.

Common Name	Scientific name	EPBC Act Status	Habitat	Number of records	Date of last record	Likelihood of occurrence
Australasian Bittern	<i>Botaurus poiciloptilus</i>	EN	Terrestrial wetlands, including a range of wetland types but prefers permanent water bodies with tall dense vegetation, particularly those dominated by sedges, rush, reeds or cutting grass (Marchant and Higgins 1990).	10	7/12/2005	No suitable habitat – unlikely to occur
Swift Parrot	<i>Lathamus discolor</i>	EN	Prefers a narrow range of eucalypts in Victoria, including White Box, Red Ironbark and Yellow Gum as well as River Red Gum when this species supports abundant 'lerp' (Emison et al. 1987; Higgins 1999; Kennedy and Tzaros 2005).	10	22/06/2008	No suitable habitat – unlikely to occur
Australian Painted Snipe	<i>Rostratula benghalensis australis</i>	EN, M (CAMBA)	Lowlands on shallow freshwater swamps with emergent vegetation and flooded saltmarshes (Marchant and Higgins 1993).	2	13/01/1985	No wetland habitats – unlikely to occur
Regent Honeyeater	<i>Anthochaera phrygia</i>	EN, M (JAMBA)	Inhabits dry box-ironbark eucalypt forests near rivers and creeks on inland slopes of the Great Dividing Range. It could also occur in small remnant patches or in mature trees in farmland or partly cleared agricultural land (Higgins et al. 2001).	0	0	No suitable habitat – unlikely to occur
Rufous Fantail	<i>Rhipidura rufifrons</i>	M (Bonn Convention (A2H))	Primarily found in dense, moist habitats. Less often present in dry sclerophyll forests and woodlands (Higgins et al. 2006).	0	0	No suitable habitat – unlikely to occur
Satin Flycatcher	<i>Myiagra cyanoleuca</i>	M (Bonn Convention (A2H))	Tall forests and woodlands in wetter habitats but not in rainforest (Higgins et al. 2006)	0	0	No suitable habitat – unlikely to occur
Rainbow Bee-eater	<i>Merops ornatus</i>	M (JAMBA)	Usually in open or lightly timbered areas, often near water. Occur in partly cleared land such as farmland and in sand-dunes, both coastal and inland (Higgins 1999).	3	21/01/1988	No suitable habitat – unlikely to occur
White-throated Needletail	<i>Hirundapus caudacutus</i>	M (JAMBA, CAMBA, ROKAMBA)	Aerial, over all habitats, but probably more over wooded areas, including open forest and rainforest. Often over heathland and less often above treeless areas such as grassland and swamps or farmland (Higgins 1999).	0	0	No suitable habitat – unlikely to occur
Grey-headed Flying-fox	<i>Pteropus poliocephalus</i>	VU	Roosts in riverine habitat in Melbourne and forages widely in flowering eucalypts and fruit trees (Menkhorst 1995).	3	11/02/2010	No suitable habitat – unlikely to occur
New Holland Mouse	<i>Pseudomys novaehollandiae</i>	VU	Coastal heath and scrub, heathy woodland, open forest and vegetated sand-dunes (Menkhorst 1995).	0	0	No suitable habitat – unlikely to occur
Grassland Earless Dragon	<i>Tympanocryptis pinguicolla</i>	EN	The species is confined to native tussock grassland on basalt plains north and west of Melbourne, has not been confirmed in Victoria since the 1960's (Robertson and Cooper 2000).	0	0	No suitable habitat – unlikely to occur

Common Name	Scientific name	EPBC Act Status	Habitat	Number of records	Date of last record	Likelihood of occurrence
Striped Legless Lizard	<i>Delma impar</i>	VU	Tussock grasslands on the volcanic plains often associated with scattered rocks and cracked soils (Cogger 2000).	400	23/01/2012	Not recorded during targeted surveys of suitable habitat – therefore considered unlikely to occur
Growling Grass Frog	<i>Litoria raniformis</i>	VU	Permanent, still or slow flowing water with fringing and emergent vegetation in streams, swamps, lagoons and artificial wetlands such as farm dams and abandoned quarries (Clemann and Gillespie 2004).	142	30/11/2012	No wetland habitats – unlikely to occur
Golden Sun Moth	<i>Synemon plana</i>	CE	Areas that are, or have been native grasslands or grassy woodlands. It is known to inhabit grasslands dominated by Wallaby Grass or sometimes degraded grasslands with introduced grasses being dominant, (DEWHA 2009).	89	14/12/2010	Not recorded during targeted surveys of suitable habitat – therefore considered unlikely to occur

3.1 (e) Listed migratory species

Description

According to the EPBC protected matters search tool, 6 migratory bird species were considered to potentially occur within the 10-kilometre search region:

- Australian Painted Snipe
- Rainbow Bee-eater
- Regent Honeyeater
- Rufous Fantail
- Satin Flycatcher
- White-throated Needletail

No listed terrestrial migratory bird species (excluding oceanic species and shorebirds) have the potential to occur in the study area based on the absence of suitable habitat.

Nature and extent of likely impact

The proposed development would not result in a significant impact on any listed migratory species.

3.1 (f) Commonwealth marine area

Description

This is not applicable. The proposed action will not have any impact on Commonwealth marine areas.

Nature and extent of likely impact

Not applicable. The proposed action will not have any impact on Commonwealth marine areas.

3.1 (g) Commonwealth land

Description

Not applicable. The proposed action will not have any impact on Commonwealth land.

Nature and extent of likely impact

Not applicable. The proposed action will not have any impact on Commonwealth land.

3.1 (h) The Great Barrier Reef Marine Park

Description

Not applicable. The proposed action will not take place within the Great Barrier Reef Marine Park

Nature and extent of likely impact

Not applicable. The proposed action will not take place within the Great Barrier Reef Marine Park.

3.1 (i) A water resource, in relation to coal seam gas development and large coal mining development

Description

Not applicable. The proposed action is not related to coal seam gas or coal mining development.

Nature and extent of likely impact

Not applicable. The proposed action is not related to coal seam gas or coal mining development.

3.2 Nuclear actions, actions taken by the Commonwealth (or Commonwealth agency), actions taken in a Commonwealth marine area, actions taken on Commonwealth land, or actions taken in the Great Barrier Reef Marine Park

3.2 (a)	Is the proposed action a nuclear action?	✓	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment

3.2 (b)	Is the proposed action to be taken by the Commonwealth or a Commonwealth agency?	✓	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment

3.2 (c)	Is the proposed action to be taken in a Commonwealth marine area?	✓	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(f))

3.2 (d)	Is the proposed action to be taken on Commonwealth land?	✓	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(g))

3.2 (e)	Is the proposed action to be taken in the Great Barrier Reef Marine Park?	✓	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(h))

3.3 Other important features of the environment

3.3 (a) Flora and fauna

The field assessment recorded 46 plant species. Of these, 18 (39%) were indigenous and 28 (61%) were introduced or non-indigenous native in origin (Attachment 3).

During the field assessment 15 fauna species were recorded. This included 11 bird (six introduced), two mammal (all introduced) and two reptile species (Attachment 3).

No rare or threatened listed flora or fauna species were recorded during the targeted surveys (Attachments 3 and 4).

3.3 (b) Hydrology, including water flows

Andersons swamp lies 250 metres to the north of the impact site across Boundary Road (a 4-lane bitumen road). Cherry Creek runs south-north 250-300 metres to the east of the impact site and is connected to the swamp.

3.3 (c) Soil and Vegetation characteristics

The study area supported deep-cracking basalt clay soils of Quaternary origin, on a slightly undulating landscape with a few small rocky outcrops.

3.3 (d) Outstanding natural features

The study site does not support any outstanding natural features.

3.3 (e) Remnant native vegetation

Areas of much degraded remnant grassland vegetation occur across the property. This comprised areas dominated by Kangaroo grasses, Wallaby grasses, with low diversity of other indigenous graminoids and herbs. Many weed species were interspersed through the native vegetation. During the field assessment 18 (39%) indigenous plant species and 28 (61%) introduced or non-indigenous native species were observed.

1.02 hectares (0.284 habitat hectares) of high conservation significance *Heavier-soils* Plains Grassland (EVC 132_61) was recorded as remnant vegetation on the site as defined in Victoria. 0.997 hectares (96%) of this grassland includes the NTGVVP of importance for this referral.

Native vegetation on the Property is described in detail in Attachment 3.

3.3 (f) Gradient (or depth range if action is to be taken in a marine area)

The site is predominantly flat with some low-lying rocky outcrops.

3.3 (g) Current state of the environment

The site is approximately 4.5 hectares of undeveloped land, surrounded on all sides by industrial land uses. 1.020 hectares (23%) of the site supports more than 20% cover of native vegetation. The native vegetation in the study area appeared to have undergone a long history of overgrazing, probably from past stock grazing and more recently rabbit infestations. Rabbits were observed during field surveys, and there was evidence of ongoing considerable rabbit infestation.

The remaining 3.48 hectares (77%) is dominated by weed species, such as Kikuyu, Chilean Needle-grass, Artichoke Thistle and African Box-thorn.

3.3 (h) Commonwealth Heritage Places or other places recognised as having heritage values

No Commonwealth Heritage Places or other places recognised as having heritage values are relevant to the area affected by the proposed action.

3.3 (i) Indigenous heritage values

The site is not in an area of Aboriginal Cultural Heritage Sensitivity under the Aboriginal Heritage Act 2006 and as such is not likely to provide for any significant Indigenous heritage values. Any planning permit that was to issue would contain conditions relating to steps that are required to be taken in the event of any Indigenous cultural material being discovered on the land.

3.3 (j) Other important or unique values of the environment

None.

3.3 (k) Tenure of the action area (eg freehold, leasehold)

The land is freehold land.

3.3 (l) Existing land/marine uses of area

The property has been used for stock grazing and other ancillary purposes.

3.3 (m) Any proposed land/marine uses of area

It is proposed that the land at 180 Fitzgerald Road be developed for use as an industrial zone, with construction of three warehouses and associated infrastructure.

4 Measures to avoid or reduce impacts

During construction all erosion and sedimentation will be mitigated through the implementation of mitigation measures to Australian standards. All drainage post construction will be diverted into the man-made drainage line in the southern part of the site, preventing any sedimentation and runoff impacts on Cherry Creek and Andersons Swamp.

5 Conclusion on the likelihood of significant impacts

5.1 Do you THINK your proposed action is a controlled action?

<input checked="" type="checkbox"/>	No, complete section 5.2
<input type="checkbox"/>	Yes, complete section 5.3

5.2 Proposed action IS NOT a controlled action.

It is considered that the proposed action is NOT a controlled action based an analysis of impacts on *Natural Temperate Grassland of the Victorian Volcanic Plain* provided in the table below, taken from *Matters of National Environmental Significance Significant Impact Guidelines 1.1 (EPBC Act)*.

No other MNES are considered likely to be impacted in any way by the action.

An action is likely to have a significant impact on a critically endangered or endangered ecological community if there is a real chance or possibility that it will:	
EPBC Act Significance Criteria	180 Fitzgerald Road, Laverton North
Reduce the extent of an ecological community	The proposed development will result in the loss of a small (0.997 ha) isolated patch of NTGVVP surrounded by industrial land uses that exhibits no connectivity with significant remnant of the community occurring in the region. It is therefore not considered that this impact would result in a reduction of overall extent of the community.
Fragment or increase fragmentation of an ecological community for example by clearing vegetation for roads and transmission lines	The small patch of NTGVVP is already isolated from other patches of NTGVVP. Therefore the loss of grassland in the project site would not increase fragmentation of the community overall.
Adversely affect habitat critical to the survival of an ecological community.	It is not considered that the loss of the NTGVVP would affect habitat critical to the survival of the ecological community because the remnant vegetation is already isolated from other remnant patches of the community.
Modify or destroy abiotic (non-living) factors (such as water, nutrients or soil) necessary for an ecological community's survival, including reduction of groundwater levels, or substantial alteration of surface water drainage patterns	The impacts of the action will be confined to the site and will not result in any off-site impacts that will affect more extensive remaining occurrences of this community elsewhere in its range.
Result in invasive species that are harmful to the critically endangered or endangered community becoming established in an occurrence of the community	The small patch of NTGVVP is isolated from other patches of NTGVVP and is proposed to be removed to facilitate the use of the land for industrial purposes, in keeping with the surrounding land uses. Therefore, any introduction of invasive species – which is to be mitigated during works – will not impact on this community in the wider region.
Interfere with the recovery of an ecological community	In this case recovery of the NTGVVP community is not contingent on the ongoing preservation of the grassland on the impact site. The site does not contain any key elements that cannot be found elsewhere in the VVP and the patch is isolated from other patches of NTGVVP.

5.3 Proposed action IS a controlled action

Matters likely to be impacted

<input type="checkbox"/>	World Heritage values (sections 12 and 15A)
<input type="checkbox"/>	National Heritage places (sections 15B and 15C)
<input type="checkbox"/>	Wetlands of international importance (sections 16 and 17B)
<input type="checkbox"/>	Listed threatened species and communities (sections 18 and 18A)
<input type="checkbox"/>	Listed migratory species (sections 20 and 20A)
<input type="checkbox"/>	Protection of the environment from nuclear actions (sections 21 and 22A)
<input type="checkbox"/>	Commonwealth marine environment (sections 23 and 24A)
<input type="checkbox"/>	Great Barrier Reef Marine Park (sections 24B and 24C)
<input type="checkbox"/>	A water resource, in relation to coal seam gas development and large coal mining development (sections 24D and 24E)
<input type="checkbox"/>	Protection of the environment from actions involving Commonwealth land (sections 26 and 27A)
<input type="checkbox"/>	Protection of the environment from Commonwealth actions (section 28)
<input type="checkbox"/>	Commonwealth Heritage places overseas (sections 27B and 27C)

6 Environmental record of the responsible party

	Yes	No
<p>6.1 Does the party taking the action have a satisfactory record of responsible environmental management?</p> <p>Provide details The party proposing to take the action is a trust of Goodman Limited and does not as yet have a track record in relation to environmental management. (Please see Goodman Group's <i>Corporate Responsibility & Sustainability</i> report extract below.)</p>		✓
<p>6.2 Has either (a) the party proposing to take the action, or (b) if a permit has been applied for in relation to the action, the person making the application - ever been subject to any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources?</p>		✓
<p>6.3 If the party taking the action is a corporation, will the action be taken in accordance with the corporation's environmental policy and planning framework?</p> <p>If yes, provide details of environmental policy and planning framework From Goodman Group's 2015 <i>Corporate Responsibility & Sustainability</i> report: <i>Managing our environmental compliance obligations across the Group remains a high priority for Goodman. This extends not only to our regulatory obligations in relation to contamination, pollution and remediation, but also meeting our commitments to environmental stewardship and enhancing the local amenity of our assets.</i> http://2015ar.goodman.com/corporate-sustainability-and-responsibility.html</p>	✓	
<p>6.4 Has the party taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?</p>		✓

7 Information sources and attachments

7.1 References

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7.2 Reliability and date of information

The information in Section 3 was taken from:

- EPBC Protected Matters Search Tool, dated 31st February 2014
- Victorian Biodiversity Atlas using records dated 1980 to 2014
- Field surveys for flora and fauna conducted in 2014 and BL&A reports written in the same year, and subsequent years 2015 and 2013 for targeted surveys.
- The reliability of the information is expected to be high and was tested against the compiler's sound knowledge of the flora and fauna of the area of concern (Melbourne, Victoria)
- Habitat suitability for threatened species other than Striped Legless Lizard and Golden Sun Moth was considered low, based on the habitat descriptions.

7.3 Attachments

		✓ attached	Title of attachment(s)
You must attach	figures, maps or aerial photographs showing the project locality (section 1)	✓	Attachment 1: Location of proposed action
	GIS file delineating the boundary of the referral area (section 1)		
	figures, maps or aerial photographs showing the location of the project in respect to any matters of national environmental significance or important features of the environments (section 3)	✓	Attachment 2: Impact site and Matters of National Environmental Significance
If relevant, attach	copies of any state or local government approvals and consent conditions (section 2.5)		
	copies of any completed assessments to meet state or local government approvals and outcomes of public consultations, if available (section 2.6)		
	copies of any flora and fauna investigations and surveys (section 3)	✓	Attachment 3: 180 Fitzgerald Road, Laverton – Flora and Fauna Assessment (BL&A Report 14010 (1.3)); Attachment 4: 180 Fitzgerald Road, Laverton – Targeted Fauna Assessment (BL&A Report 14010 (2.0))
	technical reports relevant to the assessment of impacts on protected matters that support the arguments and conclusions in the referral (section 3 and 4)		
	report(s) on any public consultations undertaken, including with Indigenous stakeholders (section 3)		

8 Contacts, signatures and declarations

Project title: 180 Fitzgerald Road, Laverton North

8.1 Person proposing to take action

1. Name and Title: Damien Cullen
2. Organisation: Goodman Property Services (Aust) Pty Ltd
3. EPBC Referral Number: n/a
- 4: ACN / ABN: ACN 088 981 793
5. Postal address Level 17, 60 Castlereagh Street, Sydney, NSW 2000
6. Telephone: (02) 9230 7400
7. Email: damien.cullen@goodman.com
8. Name of designated proponent (if not the same person at item 1 above): n/a
9. ACN/ABN of designated proponent (if not the same person named at item 1 above): n/a
- Declaration I declare that to the best of my knowledge the information I have given on, or attached to this form is complete, current and correct.
I understand that giving false or misleading information is a serious offence.
I agree to be the proponent for this action.
I declare that I am not taking the action on behalf of or for the benefit of any other person or entity.

Signature



Date: **26 April 2016**

8.2 Person preparing the referral information (if different from 8.1)

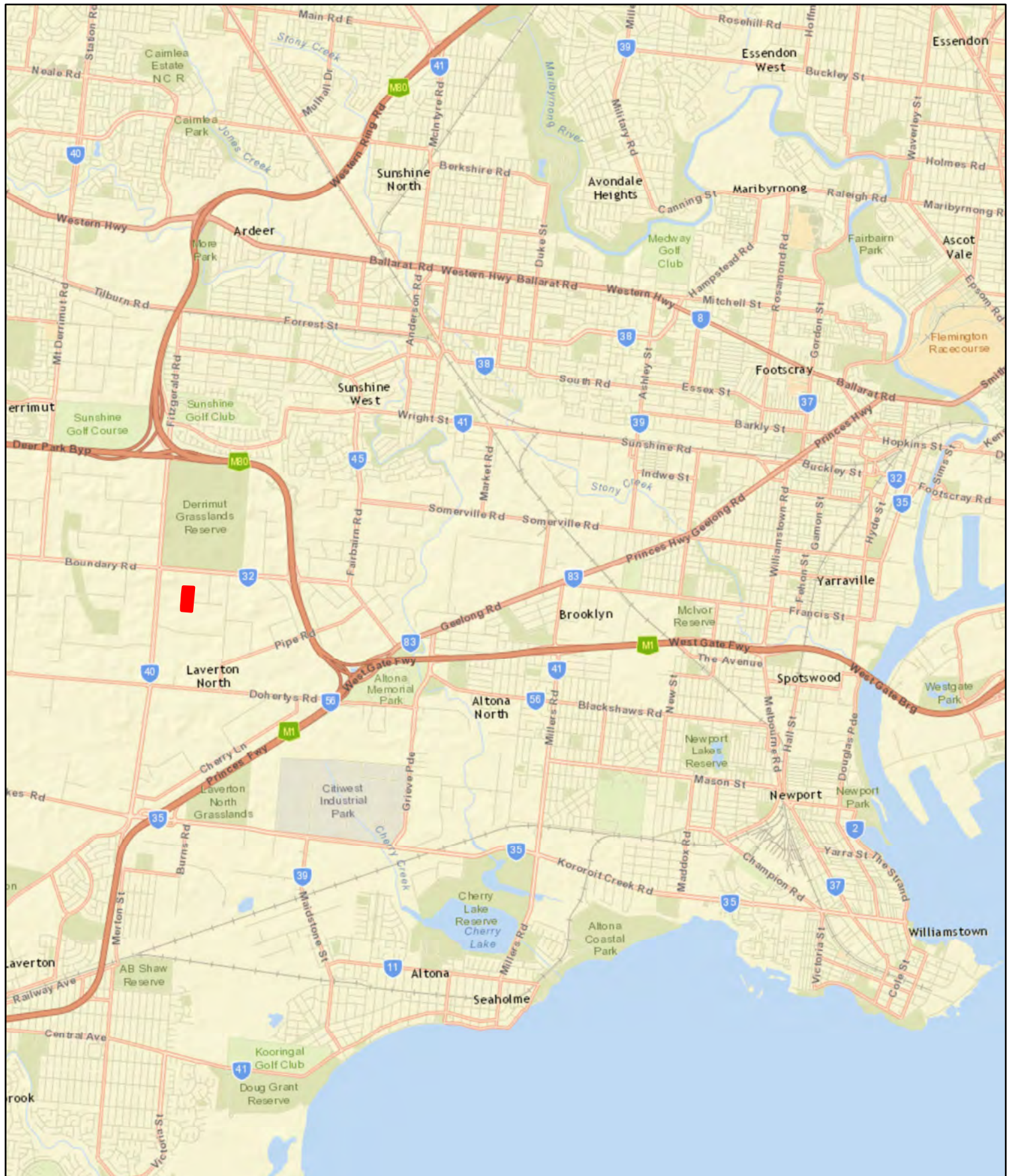
- Name Mal Wright
- Title Senior Ecologist & Project Manager
- Organisation Brett Lane & Associates Pty Ltd
- ACN / ABN (if applicable) ABN 12 095 541 334
- Postal address PO Box 337 Camberwell VIC 3124
- Telephone 03 9815 2111
- Email mwright@ecologicalresearch.com.au
- Declaration I declare that to the best of my knowledge the information I have given on, or attached to this form is complete, current and correct.
I understand that giving false or misleading information is a serious offence.

Signature



Date: **26 April 2016**

Attachment 1: Location of proposed action



Legend

■ Impact Site

0 1,000 2,000 4,000 Metres

Attachment 1: Location of proposed action

Project: 180 Fitzgerald Road, Laverton

Client: Collie Pty Ltd

Project No.: 14010

Date: 13/04/2015

Created By: M. Ghasemi / D. Coppolino

BLA

Brett Lane & Associates Pty Ltd.
Ecological Research & Management

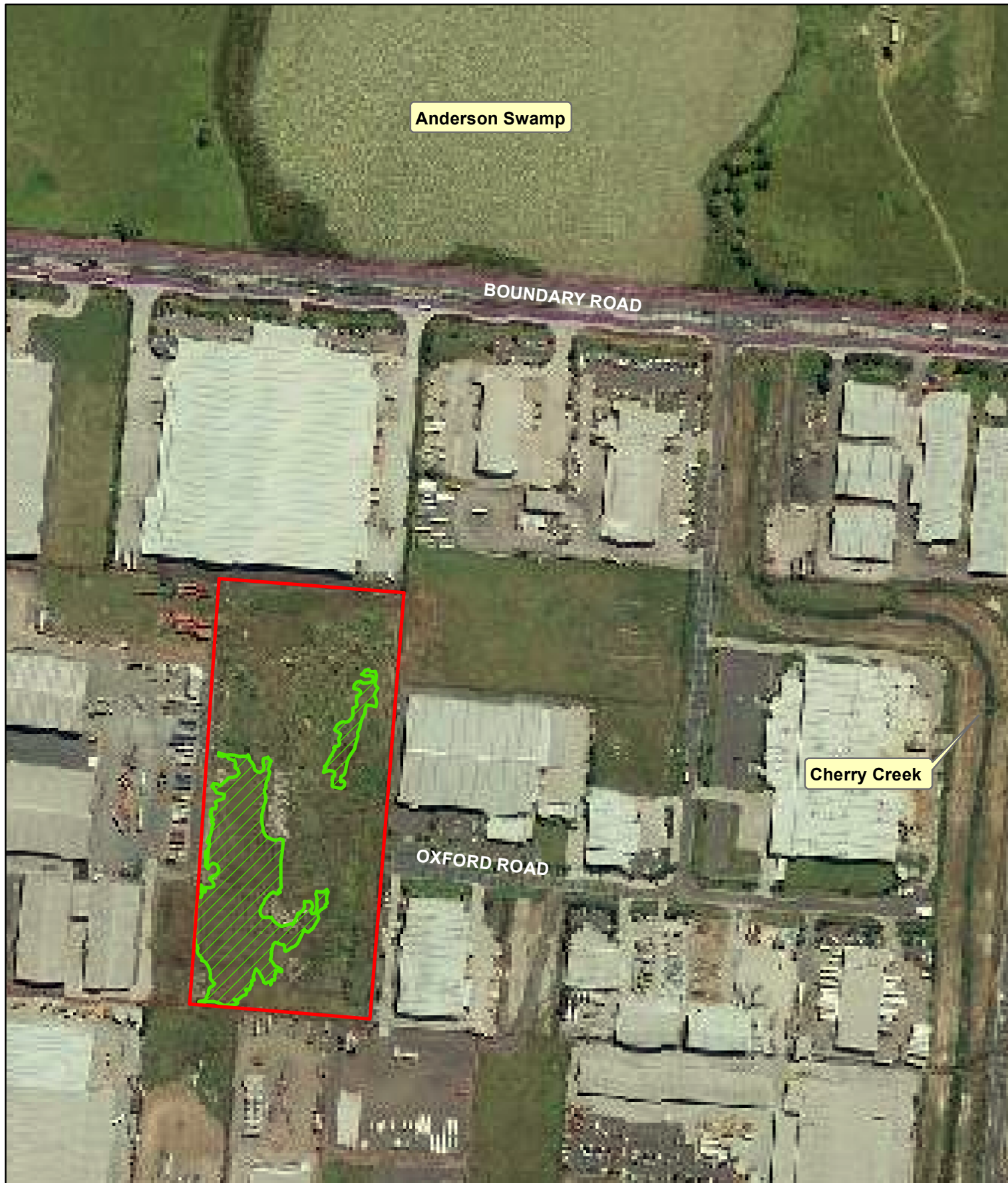
- Experience
- Knowledge
- Solutions

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www.ecologicalresearch.com.au



Attachment 2: Impact site and Matters of National Environmental Significance



Legend

- Impact Site
- Natural Temperate Grassland of the Victorian Volcanic Plain

0 50 100 200 Metres

Attachment 2: Impact site and MNES

Project: 180 Fitzgerald Road, Laverton

Client: Collie Pty Ltd

Project No.: 14010

Date: 13/04/2015

Created By: M. Ghasemi / D. Coppolino



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Attachment 3: 180 Fitzgerald Road, Laverton – Flora and Fauna Assessment (BL&A Report 14010 (1.3))

Attachment 4: 180 Fitzgerald Road, Laverton – Targeted Fauna Assessment (BL&A Report 14010 (2.0))