Australian Government
Department of the Environment and Energy

Title of Proposal - Kembla Grange EPBC Referral

Section 1 - Summary of your proposed action

Provide a summary of your proposed action, including any consultations undertaken.

1.1 Project Industry Type

Commercial Development

1.2 Provide a detailed description of the proposed action, including all proposed activities.

A Development Application (DA) has been prepared for the proposed development of Lot 1 // DP 58522, located at Reddalls Road, Kembla Grange. The development proposal is for a car storage and vehicle processing facility (hereafter referred to as the ‘study area’). Preliminary works include land-filling and levelling. The site will then be fitted with the infrastructure required to conduct the car handling operations, including a hard-stand car storage area and processing area.

The proposed vehicle-storage facility is to be located at Reddalls Road, Kembla Grange, which is approximately 10 kilometres (km) to the southwest of the town centre of Wollongong, in the Wollongong Local Government Area (LGA). The ‘development site’ and the ‘subject site’ are synonymous for the purposes of this assessment. The term ‘study area’ is used when necessary to discuss the broader area surrounding the ‘development site’ (Figure 1).

There was a band of native vegetation along the western boundary of the study area and a number of scattered paddock trees at the western end of the site. The vegetation along the western boundary, and scattered paddock trees at the western end of the site, were considered as part of an earlier DA, and are therefore not considered as part of this referral. For the purposes of this assessment these areas are considered to be cleared, consistent with the approval granted for the removal of this vegetation. Based on the most recent google earth image (see Figure 1) it is evident that all vegetation around the subject site has now been removed and the site exists as an isolated stand of vegetation surrounded by a development area. This vegetation is being considered as part of this Referral and is hereafter referred to as the ‘subject site’ (see Figure 1).

Impacts on native vegetation have been quantified using the Biobanking Assessment Methodology 2014 (BBAM) (OEH 2014).

The subject site is currently zoned IN2 – Light Industrial. Land to the east is already developed with industry similar to what is being proposed. The current land zoning of the subject site, and the land zoning of surrounding land, means the site is unlikely to remain viable.

During the process of assessing the West Dapto Urban Release Area (WDURA) for Biocertification the subject site was considered in the landscape context and rezoned to IN2.

The Biocertification process assessed the entire WDURA as one assessment area, with conservation mechanisms such as Biobanking Agreements over larger parcels of vegetation considered to adequately offset impacts within the BCAA.

1.3 What is the extent and location of your proposed action? Use the polygon tool on the map below to mark the location of your proposed action.

Area	Point	Latitude	Longitude
Subject site	1	-34.463928699514	150.79041950409
Subject site	2	-34.463933122383	150.79040877526
Subject site	3	-34.463924276644	150.79040877526
Subject site	4	-34.463924276644	150.79040877526
Subject site	5	-34.463924276644	150.79040877526
Subject site	6	-34.463941968121	150.79048387711
Subject site	7	-34.464083499799	150.7904516906
Subject site	8	-34.464658469775	150.7903336734
Subject site	9	-34.465114020097	150.79020492737
Subject site	10	-34.46524228139	150.79006008808
Subject site	11	-34.465259972587	150.78990451996
Subject site	12	-34.46518036217	150.78973285858
Subject site	13	-34.465153825347	150.78958265488
Subject site	14	-34.465131711322	150.78943245117
Subject site	15	-34.465012295483	150.78919641678
Subject site	16	-34.464941530462	150.78890137379
Subject site	17	-34.465012295483	150.788429305
Subject site	18	-34.464676161096	150.78771583741
Subject site	19	-34.464636355618	150.78754954045
Subject site	20	-34.464530207585	150.78732959931
Subject site	21	-34.464211762675	150.78716866677
Subject site	22	-34.464198494111	150.78713648026
Subject site	23	-34.464034848312	150.78720085327
Subject site	24	-34.463809281954	150.7873564214
Subject site	25	-34.463667749811	150.78747980301
Subject site	26	-34.463557177657	150.78773729508
Subject site	27	-34.463614675196	150.78818790619
Subject site	28	-34.46370313287	150.78861705963
Subject site	29	-34.46379159045	150.78885309403
Subject site	30	-34.463685441342	150.7890247554
Subject site	31	-34.463928699514	150.79041950409

1.5 Provide a brief physical description of the property on which the proposed action will take place and the location of the proposed action (e.g. proximity to major towns, or for off-shore actions, shortest distance to mainland).

The proposed vehicle-storage facility is located at Reddalls Road, Kembla Grange, which is approximately 10 kilometres (km) to the southwest of the town centre of Wollongong, in the Wollongong Local Government Area (LGA). The study area is situated approximately 30 metres above sea level.

This subject site is entirely within the Wollongong LGA and under the Wollongong Local Environmental Plan (WLEP) 2009 is zoned a combination of IN2 (Light Industrial), with some E3 (Environmental Management) land in the broader study area (Figure 3). The subject site is located entirely in the Illawarra IBRA subregion (Version 7) and within the Sydney Basin IBRA region (Version 7).

Regional-scale soil mapping indicates that the majority of the study area is dominated by the alluvial plains, floodplains, valley flats and terraces typical of the Fairy Meadow (9029fa) residual soil landscape (Hazelton and Tille 1990).

The study area is bounded to the north, south and west by industrial land. Reddalls Road is to the east. Further east of Reddalls Road is Whytes Gully Landfill and Recycling Facility as well as several industrial lots with similar uses to the proposed landuse of the subject site. The study area gently slopes from west to east, with an elongated, water-filled depression, which runs in almost a north-south direction.

The study area consists of an isolated stand of native vegetation which is separated by cleared land, previously developed for approved car parking facilities (for a separate proposal), from native vegetation that adjoins the Illawarra escarpment (Figure 2). The subject site consists of an isolated a patch of native vegetation.

The stand of vegetation to be removed is 3.82 ha and is isolated by approximately 200 m from the closest adjacent remnant vegetation (Figure 4). The vegetation on site is characteristic of *Illawarra and south coast lowland forest and woodland* and Plant Community Type (PCT) Woollybutt - White Stringybark - Forest Red Gum grassy woodland on coastal lowlands, southern Sydney Basin Bioregion and South East Corner Bioregion (PCT 1326 / SR669).

1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)?

3.82 ha

1.7 Is the proposed action a street address or lot?

Lot

1.7.2 Describe the lot number and title. Lot 1 // DP 58522

1.8 Primary Jurisdiction.

New South Wales

1.9 Has the person proposing to take the action received any Australian Government grant funding to undertake this project?

No

1.10 Is the proposed action subject to local government planning approval?

No

1.11 Provide an estimated start and estimated end date for the proposed action.

Start date 07/2018

End date 07/2019

1.12 Provide details of the context, planning framework and State and/or Local government requirements.

The proposal is currently being assessed under the Biobanking Assessment Methodology (BBAM 2014). A Biodiversity Assessment Report (BAR) has been prepared and submitted to the Office of Environment and Heritage (OEH) for assessment. The BAR forms the basis for an application for a Biobanking Statement. It is prepared to account for impacts on native vegetation, as quantified by 'ecosystem credits' under the Biobanking Assessment Methodology (BBAM) (OEH 2014). In accordance with Section 6.5.1.3(a) of the BBAM, none of the candidate flora species identified as potentially occurring at the site were considered to be present as the habitat is either absent or substantially modified and degraded such that these species are unlikely to occur. A site audit was undertaken by OEH on 14 December 2014 with Jedda Lemmon (Conservation Planning Officer) and Daniel Robson (Conservation Planning Officer) to verify the findings of the BAR.

A draft Biobanking Statement has been provided to the proponent, and is currently being

finalised with the OEH.

The subject site is entirely within the Wollongong LGA and under the Wollongong Local Environmental Plan (WLEP) 2009 is zoned a combination of IN2 (Light Industrial), with some E3 (Environmental Management) land in the broader study area.

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

Public consultation has not been undertaken at this stage although the proponent is willing to undertake public consultation should the need be identified.

1.14 Describe any environmental impact assessments that have been or will be carried out under Commonwealth, State or Territory legislation including relevant impacts of the project.

A Biobanking Assessment Report (BAR) has been prepared under NSW legislation and has been submitted to OEH for assessment (Ecoplanning 2016a and Ecoplanning 2016b). A draft Biobanking Statement has been provided to the proponent, and is currently being finalised with the OEH.The site supports the Critically Endangered Ecological Community *Illawarra and south coast lowland forest and woodland*. The vegetation at the site would meet the condition threshold for a patch in Condition A (DotE 2016) based on the following attributes:

The patch is at least 2 ha, with 50 % of its total understorey vegetation cover comprised of native species. At least 6 native plant species are present in the ground layer per 0.5 ha

The site is also likely to provide potential habitat for the Grey-headed Flying-fox (*Pteropus poliocephalus*). This species was recorded flying over Lot 1 to the north of the site in 2014 and foraging in the woodland to the west of the site. No roosts or camps present (see Lesryk 2014 Figure 7).

A number of surveys have been undertaken across the site including (Ecoplanning 2016):

Flora surveys of study area on numerous occasions by Lucas McKinnon (Principal Ecologist) since 2013 (see ELA 2013) and Gary Leonard (Senior Arborist and Botanist) (see Leonard 2014 and DML 2014). Plot based surveys (as per BBAM 2014) were undertaken by Gary Leonard and Joel Honeysett (Ecologist) on 1 September 2015 over a period of three hours. Giving a total survey period of 6 person hours onsite. Weather conditions on the day of the flora survey were considered mild. Field survey involved traversing the subject site and recording native and exotic flora species. BioMetric plot/transect data was also collected for inclusion in Biobanking Credit Calculator. In total, four BioMetric survey plots were collected and incidental flora species noted that were not recorded in the survey plots (Figure 5). Microbat survey was conducted at the site over four nights, from 1-4 April 2016. This survey supplemented surveys of Lesryk (2014), who also surveyed microbats at the site in July 2011 and January 2014. A Songmeter (SM3BAT) recording device was used to record the ultrasonic echolocation calls of

bats as they move across the landscape and 'pass' through the zone at which the Songmeter is recording. Specialised software (AnalookW V4.1i) was then used to identify species as calls can be unique to each species. While all bats were analysed, there was specific interest in detecting *Myotis macropus* (Southern Myotis) (Fauna Sonics 2016). Targeted surveys were undertaken for ***Pterostylis gibbosa* -** Eco Logical Australia 2013, 2 person hours. The Albion Park reference site (Croome Reserve) was checked the morning of the survey on 17 October 2013 to confirm the timing for the survey was optimal. No individuals were recorded during the survey of teh subject site and habitat for this species was not considered ideal given heavy Lantana camara infestation and an understorey consisting of a mixture of native and exotic species (ELA 2013).

The Koala Habitat Assessment Tool (DotE 2014) was completed given the presence of *Eucalyptus tereticornis* (a koala feed tree species) on site and to further support the conclusion that the Koala is unlikely to occur on the site. There are no records of this species within a 5km radius of the site (OEH 2016) and they are not know from the Wollongong Local Government Area or the Illawarra Coastal Plain:

Based on the EPBC Koala Habitat Assessment Tool the site would not be considered habitat critical to the survival of the Koala given:

Koala Occurrence – Low (0): No evidence of Koalas within 5km of the site within the past 2 or 5 years

Vegetation composition – Medium (1+): Has forest or woodland with only 1 species of known koala food tree present

Habitat connectivity – Low (0): The site is not part of a contiguous landscape ? 300 ha.

Key existing threats – Medium (+1): Areas which score 0 for koala occurrence and are likely to have some degree dog or vehicle threat present.

Recovery value – Low (0): Habitat is unlikely to be important for achieving the interim recovery objectives for the relevant context, as outlined in Table 1. This site consists of a small, isolated stand of vegetation with much larger and more intact stands present to the west. Further, there are no records of this species from within a 5 km radius of the site and they are not know from the Wollongong Local Government Area or the Illawarra Coastal Plain.

TOTAL = 2

Therefore, it is unlikely that the site contains habitat critical to the survival of the Koala.

Table 1 below summarises all of the available survey information for the site and outlines the survey timing and effort.

Date

Company

Target Species

Survey type

Survey effort (person hours / hours)

Notes

17 October 2013

ELA

Pterostylis gibbosa

Targeted flora

2

Reference site checked prior to survey

13, 14, 23, 24 January 2014

Lesryk

Birds

Bird watching

3 occasions

The level of survey effort has been modified to account for survey only located on southern portion (i.e. Lot 2).

Additional survey was undertaken on northern portion (Lot 1) but has not been included here.

Floristic

Botanical

16

Birds and bats

Songmeter SM2 Bat

10 nights (26 hours)

Mammals

Infrared camera

32 nights

Microbats

Anabat

2 nights

Aquatic

Aquatic survey

5

Ground-dwelling mammals

Hair tubes

200 trap nights

Arboreal mammals

Spotlighting

2.25

Owls, Green and Golden Bell Frog and Littlejohn’s Tree Frog

Call playback

2

February 2014

ELA

Flora / vegetation / biometric plots

Systematic survey / biometric plots

8

28 & 29 July 2014

Gary Leonard

Arboreal mammals

Hollow-bearing tree mapping

NA

28 & 29 July 2014

Gary Leonard

Arboreal mammals

Stag watching – dusk and dawn

NA

August 2014

DML

Arboreal mammals

Hollow-bearing tree mapping

NA

1 September 2015

Ecoplanning

Flora / vegetation / biometric plots

Random meander

6

16 & 17 March 2016

Ecoplanning

Microbat

Anabat

2 anabat nights – set and left

1 – 4 April 2016

Ecoplanning

Microbat

Songmeter

4 survey nights

Lot 1 – immediately to the north of Lot 2*

23 June 2011 and 15 January 2012

Lesryk

Flora

Random meander / plots

5 hours / 4 plots

8, 11 & 14 July 2011

Lesryk

Microbat

Anabat (2 anabats)

36

Birds

Songmeter

12

Owls

Call playback (2 locations)

1

Arboreal mammals

Spotlighting

2

Mammals

Infrared camera (1 camera) - baited

3 days

*additional survey over Lot 1 was also undertaken during the Lesryk 2014 January survey

None of the potentially occurring threatened flora species were considered to be present as the habitat is either absent or substantially modified and degraded such that these species are unlikely to utilise the site and none were recorded during the numerous flora surveys.

There is a direct impact of 3.82 ha to an isolated stand of Illawarra Lowland Grassy Woodland and Plant Community Type (PCT) Woollybutt - White Stringybark - Forest Red Gum grassy woodland on coastal lowlands, southern Sydney Basin Bioregion and South East Corner Bioregion (PCT 1326 / SR669). The stand of vegetation to be removed is isolated by approximately 200 m from the closest adjacent remnant vegetation. This vegetation has been modified and underscrubbed and grazed for an extended period of time. The most intact vegetation across occurs to the west and northwest of the site and will not be impacted upon by this proposal.

The proposal will result in the removal 3.82 ha of potential foraging habitat for the Grey-headed Flying-fox and Satin Flycatcher. A search of the National Flying-fox monitor viewer was undertaken (DEE 2017a). Two Grey-headed Flying Fox camps occur in proximity to the site; one at West Dapto (784) approximately 1 km to the south east and one to the north at Mount Kembla (70) approximately 5 km from the site. However, surveys of the Mount Kembla site has not recorded any Grey-headed Flying-foxes (DEE 2017a). The West Dapto camp is a temporary camp with population estimates from 500-1,000 individuals when active. This camp has not been occupied since February 2017, it was not occupied during the summer months of 2017/18.

The site is likely to provide potential foraging habitat. However, this species is highly mobile, forages widely and abundant potential habitat is present for this species throughout the LGA. Further details have been provided below using the recently released Draft National Recovery Plan (DEE 2017b).

The subject site does not support any known camp sites for the Grey-headed Flying-fox and hence is not considered breeding or roosting habitat for this species. Known camps occur within 40 km of the subject site (the known extent of foraging activity from a camp (Eby 1991 as cited in DEE 2017) with the closest camp recorded at West Dapto, approximately 1 km north from the subject site which is sporadically occupied.

Eucalyptus tereticornis and *Eucalyptus pilularis* have been identified as important winter and spring habitats for Grey-headed Flying-fox (DEE 2017b). Habitat loss is listed as the key threat to Grey-headed Flying-foxes with clearing of winter flowering eucalypts of particular threat, and spring flowering eucalypts also inadequate to support critical periods in the reproductive cycle (DEE 2017b).

Although the site provides winter and spring flowering eucalypts which are important for this species, the Grey-headed Flying-fox rarely moves through this area during this period and the camp in closest proximity is not a permanent camp or a known breeding site. Further, the GHFF is highly mobile, it forages widely and extensive areas of potential foraging habitat is present to the west and north of the site. The area to be cleared is small in comparison to the extensive habitat present to the west of the site andthis species commonly feeds throughout the urban interface.

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

No

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

No

Section 2 - Matters of National Environmental Significance

Describe the affected area and the likely impacts of the proposal, emphasising the relevant matters protected by the EPBC Act. Refer to relevant maps as appropriate. The interactive map tool can help determine whether matters of national environmental significance or other matters protected by the EPBC Act are likely to occur in your area of interest. Consideration of likely impacts should include both direct and indirect impacts.

Your assessment of likely impacts should consider whether a bioregional plan is relevant to your proposal. The following resources can assist you in your assessment of likely impacts:

• Profiles of relevant species/communities (where available), that will assist in the identification of whether there is likely to be a significant impact on them if the proposal proceeds;

• Significant Impact Guidelines 1.1 – Matters of National Environmental Significance;

• Significant Impact Guideline 1.2 – Actions on, or impacting upon, Commonwealth land and Actions by Commonwealth Agencies.

2.1 Is the proposed action likely to have ANY direct or indirect impact on the values of any World Heritage properties?

No

2.2 Is the proposed action likely to have ANY direct or indirect impact on the values of any National Heritage places?

No

2.3 Is the proposed action likely to have ANY direct or indirect impact on the ecological character of a Ramsar wetland?

No

2.4 Is the proposed action likely to have ANY direct or indirect impact on the members of any listed species or any threatened ecological community, or their habitat?

Yes

2.4.1 Impact table

Species	Impact
Illawarra and south coast lowland forest and	There is a direct impact of 3.82 ha to an

Species	Impact
woodland	isolated stand of Illawarra Lowland Grassy Woodland and Plant Community Type (PCT) Woollybutt - White Stringybark - Forest Red Gum grassy woodland on coastal lowlands, southern Sydney Basin Bioregion and South East Corner Bioregion (PCT 1326 / SR669). The stand of vegetation to be removed is isolated by approximately 200 m from the closest adjacent remnant vegetation. This vegetation has been modified and through underscrubbinged and grazinged for an extended period of time, and since the removal of grazing and active management the site is heavily infested with Lantana. A large remnant patch of Illawarra and south coast lowland forest and woodland (>30ha) occurs to the south of the site which is zoned E2 – Environmental Conservation, and is currently undergoing assessment as a Biobank site under the former NSW Threatened Species Conservation Act 1995.
Grey-headed Flying-fox	The proposal will result in the removal 3.82 ha of potential foraging habitat for the Grey-headed Flying-fox and Satin Flycatcher. A search of the National Flying-fox monitor viewer was undertaken (DotE 2017a). Two temporary Grey-headed Flying Fox camps occur in proximity to the site; one at West Dapto (784) approximately 1 km to the south east and one to the north at Mount Kembla (70) approximately 5 km from the site. However, surveys of the Mount Kembla site has not recorded any Grey-headed Flying-foxes (DEE 2017a), and the West Dapto site is only used in intermittent years with no individuals recorded during 2016 or the 2017/18 summer period. The site is likely to provide potential foraging habitat. However, this species is highly mobile, forages widely and abundant potential habitat is present for this species throughout the LGA. Further details have been provided below using the recently released Draft National Recovery Plan (DEE 2017b). The subject site does not support any known camp sites for the Grey-headed Flying-fox and hence is not considered breeding or roosting habitat for this species.

Species	Impact
	Known camps occur within 40 km of the subject site (the known extent of foraging activity from a camp (Eby 1991 as cited in DEE 2017b) with the closest camp recorded at West Dapto, approximately 1 km north from the subject site. Eucalyptus tereticornis and Eucalyptus pilularis have been identified as important winter and spring habitats for Grey-headed Flying-fox (DEE 2017). Habitat loss is listed as the key threat to Grey-headed Flying-foxes with clearing of winter flowering eucalypts of particular threat, and spring flowering eucalypts also inadequate to support critical periods in the reproductive cycle (DEE 2017b). Although the site provides winter and spring flowering eucalypts which are important for this species, the Grey-headed Flying-fox is highly mobile, it forages widely and extensive areas of potential foraging habitat is present to the west and north of the site. Further, the area to be cleared is small in comparison to the extensive habitat present to the west of the site.

2.4.2 Do you consider this impact to be significant?

Yes

2.5 Is the proposed action likely to have ANY direct or indirect impact on the members of any listed migratory species, or their habitat?

No

2.6 Is the proposed action to be undertaken in a marine environment (outside Commonwealth marine areas)?

No

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

No

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

No

2.9 Is the proposed action likely to have ANY direct or indirect impact on a water resource related to coal/gas/mining?

No

2.10 Is the proposed action a nuclear action?

No

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

No

2.12 Is the proposed action to be undertaken in a Commonwealth Heritage Place Overseas?

No

2.13 Is the proposed action likely to have ANY direct or indirect impact on any part of the environment in the Commonwealth marine area?

No

Section 3 - Description of the project area

Provide a description of the project area and the affected area, including information about the following features (where relevant to the project area and/or affected area, and to the extent not otherwise addressed in Section 2).

3.1 Describe the flora and fauna relevant to the project area.

The subject site consists of a 3.82 ha patch of *Illawarra and south coast lowland forest and woodland* situated amongst a surrounding construction area. This vegetation is characteristic of Condition A vegetation in accordance with the EPBC thresholds for this community. A native indigenous over-storey is present with projected foliage cover typical of woodland vegetation (i.e. 10-30%) (Specht et al 1974). However, the native mid-storey is absent following management through slashing and/or grazing. Partial regeneration is occurring in some areas and self-recruitment of exotic weed species, in particular with heavy Lantana infestations.

No threatened flora were recorded at the site and it was considered unlikely that any would occur.

Habitat features for fauna include one hollow-bearing tree (see DML 2014), 16 nest boxes (see Lesryk 2015), winter flowering eucalypts and woodland. Based on the list of EPBC Act species identified as potentially occurring on the site from the NSW Bionet Atlas Search and Protected Matters Search Tool and results of previous survey, the only EPBC listed threatened species likely to sue the site was considered to be the Grey-headed Flying-fox.

A number of state listed species have been recorded at the site including:

Little Eagle (*Hieraaetus morphnoides*), Masked Owl (*Tyto novaehollandiae*), Eastern False Pipistrelle (*Falsistrellus tasmaniensis*) and Eastern Freetail-bat (*Mormopterus norfolkensis*)

And the following are considered to have the potential to occur:

Powerful Owl (*Ninox strenua*), Greater Broad-nosed Bat (*Scoteanax rueppellii*) and Yellow-bellied Sheathtail-bat (*Saccolaimus flaviventris*)

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

The study area gently slopes from west to east, with an elongated, water-filled depression, which runs in almost a north-south direction present to the east of the site. The depression is

mapped as an artificial wetland by NPWS (2002). A first order ephemeral drainage line, which is a tributary to Dapto Creek, runs along the southern boundary of subject site but is outside the site boundary.

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

Regional-scale soil mapping indicates that the majority of the study area is dominated by the alluvial plains, floodplains, valley flats and terraces typical of the Fairy Meadow (9029fa) residual soil landscape (Hazelton and Tille 1990).

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

NA

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

The site supports the Critically Endangered Ecological Community *Illawarra and south coast lowland forest and woodland*. The vegetation at the site would meet the condition threshold for a patch in Condition A (DotE 2016) based on the following attributes:

The patch is at least 2 ha50 % of its total understorey vegetation cover is comprised of native speciesAt least 6 native plant species are present in the ground layer per 0.5 ha

The subject site consists of a 3.82 ha patch of *Illawarra and south coast lowland forest and woodland* situated amongst a surrounding construction area (see Figure 3). A native indigenous over-storey is present with projected foliage cover typical of woodland vegetation (i.e. 10-30%) (Specht et al 1974). However, the native mid-storey is absent following management through slashing and/or grazing. Partial regeneration is occurring in some areas and self-recruitment of exotic weed species. The site which has been grazed and selectively logged over time, and has been impacted by the exotic shrub, *Lantana camara.*

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

Regional-scale soil mapping indicates that the majority of the study area is dominated by the alluvial plains, floodplains, valley flats and terraces typical of the Fairy Meadow (9029fa) residual soil landscape (Hazelton and Tille 1990). The study area gently slopes from west to east, with an elongated, water-filled depression, which runs in almost a north-south direction to the east of the site. The depression is mapped as an artificial wetland by NPWS (2002). A first order ephemeral drainage line, which is a tributary to Dapto Creek, runs along the southern boundary of subject site but is not within the site boundary.

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

The subject site consists of a 3.82 ha patch of *Illawarra and south coast lowland forest and woodland* situated amongst a surrounding construction area (see Figure 3). A native indigenous over-storey is present with projected foliage cover typical of woodland vegetation (i.e. 10-30%) (Specht et al 1974). However, the native mid-storey is absent following management through slashing and/or grazing. Partial regeneration is occurring in some areas and self-recruitment of exotic weed species, in particualr with heavy infestations of Lantana. The site which has been grazed and selectively logged over time, and has been impacted by the exotic shrub, *Lantana camara.*

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

NA

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

NA

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

The site is currently rural land owned by Prix Cars and zoned for industrial development.

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

A previous DA has been approved and clearing has commenced for the establishment of a processing and transport facility (see Figure 2 - surrounding landuse)

Section 4 - Measures to avoid or reduce impacts

Provide a description of measures that will be implemented to avoid, reduce, manage or offset any relevant impacts of the action. Include, if appropriate, any relevant reports or technical advice relating to the feasibility and effectiveness of the proposed measures.

Examples of relevant measures to avoid or reduce impacts may include the timing of works, avoidance of important habitat, specific design measures, or adoption of specific work practices.

4.1 Describe the measures you will undertake to avoid or reduce impact from your proposed action.

Avoidance of impacts is not possible given the already small size and isolated nature of the site. It is surrounded by a hard surfaced and fenced off car storage facility. Offsetting in accordance with the NSW Biobanking Methodology will be undertaken. The Draft Biobanking Statement has conditioned the following mitigation measures in accordance with the recommendations so the Biodiversity Assessment Report (Ecoplanning 2015):

Prescriptions for mitigation of potential impacts of construction activities on retained native vegetation and habitat are to be addressed in a site-specific Construction Environmental Management Plan (CEMP). The CEMP must be submitted to the consent authority prior to the issuing of the construction certificate. Physical development works must not commence until the consent authority has approved the CEMP. The CEMP must be prepared taking account of conditions 1.2 to 1.9 below. Construction impacts must be restricted within the identified development site and must not encroach into areas of retained native vegetation. All material stockpiles, vehicle parking and machinery storage should be located within the areas proposed for clearing. At no time are materials to be stored in areas of retained native vegetation. The CEMP must identify and map areas of retained native vegetation, and any construction areas where there is some potential for accidental encroachment, as 'No Go Zones' where applicable. These areas are to be fenced on-site with appropriate exclusion fencing. Fencing is to include appropriate signage such as 'No Go Zone' or 'Environmental Protection Area'. All retained vegetation must be fenced within an Environmental Protection Area to prevent encroachment from the construction works. An Ecological Management Plan (EMP) is to be prepared and included in the CEMP. The EMP must outline measures for the staged removal of vegetation from the development site to mitigate impacts on fauna. Staged removal is to include clearing of understorey vegetation and non-hollow-bearing trees in Stage 1 and removal of hollow-bearing trees in Stage 2. There is to be a minimum of 24 to 48 hours between Stage 1 and Stage 2. Tree felling is to be attended by a suitably equipped and experienced ecologist to catch and release displaced fauna. The ecologist will work in conjunction with the machinery operator to identify the most benign method of dislodging fauna and for felling trees. Any fauna rescued during vegetation clearance is to be assessed for injuries and, if unharmed, subsequently released into suitable nearby habitat. This may require holding fauna until dusk for release in accordance with relevant animal ethics licensing and standards. If any fauna are injured during

vegetation clearing they are to be taken promptly for treatment to a nearby veterinarian or wildlife carer. Hollows (all sizes) and large branches (>30cm diameter) removed from trees are to be placed in areas of retained vegetation for reuse as either hollows attached to trees or logs to be placed on the ground as habitat for ground-dwelling fauna. Native vegetation cleared from the development area is to be mulched for re-use on the site to stabilise bare ground. Sediment and erosion control measures should be implemented prior to works commencing within the development site (e.g. silt fences, sediment traps), to protect terrestrial and aquatic habitats downstream. These should conform to relevant guidelines, be maintained throughout the construction period and be carefully removed following the completion of works. The construction site must be regularly wet down whilst works are ongoing to minimise dust generation.

Appropriate hygiene protocols, including cleaning down work boots, machinery and equipment must be implemented prior to entering the site, and before being transferred to another site, to minimise the risk of transferring soil-borne pathogens and fungi.

4.2 For matters protected by the EPBC Act that may be affected by the proposed action, describe the proposed environmental outcomes to be achieved.

As the subject site is also seeking a Biobanking Statement for state approvals, an offset is proposed for the impact through the Biobanking Scheme. Any offset requirement required under the EPBC Act will, ideally, be collocated with the state based offsets.

All direct and indirect impacts are being offset following BBAM with 189 credits required.

Offset calculations were undertaken using the NSW Biobanking Assessment Methodology. The Credit Report is attached.

The results of the EPBC offset assessment revealed that an offset of approximately 19 ha would offset approximately 101.08 % of the requirements of the EPBC Act environmental offsets policy. As the State based offset is likely to be a payment into the NSW Biodiversity Conservation Fund, the offsets will satisfy EPBC offsets for the proposed action for *Illawarra and south coast lowland forest and woodland.*

The site also provides potential habitat for the Grey-headed Flying-fox. The same amount of offset (19 ha) is likely to be required to meet impacts to habitat for this species.

Biobanking sites have detailed management plans associated with them that would ensure the vegetation being used to offset the current proposal will be adequately protected and managed from a variety of impacts including edge effects, rubbish dumping and any run-off from adjoining

areas. The exact location of the offset site is yet to be determined although options include establishing a Biobank site supporting the relevant vegetation type or purchasing credits under the Biobanking Scheme.

Section 5 – Conclusion on the likelihood of significant impacts

A checkbox tick identifies each of the matters of National Environmental Significance you identified in section 2 of this application as likely to be a significant impact.

Review the matters you have identified below. If a matter ticked below has been incorrectly identified you will need to return to Section 2 to edit.

5.1.1 World Heritage Properties

No

5.1.2 National Heritage Places

No

5.1.3 Wetlands of International Importance (declared Ramsar Wetlands)

No

5.1.4 Listed threatened species or any threatened ecological community

Listed threatened species and communities - Yes

5.1.5 Listed migratory species

No

5.1.6 Commonwealth marine environment

No

5.1.7 Protection of the environment from actions involving Commonwealth land

No

5.1.8 Great Barrier Reef Marine Park

No

5.1.9 A water resource, in relation to coal/gas/mining

No

5.1.10 Protection of the environment from nuclear actions

No

5.1.11 Protection of the environment from Commonwealth actions

No

5.1.12 Commonwealth Heritage places overseas

No

5.2 If no significant matters are identified, provide the key reasons why you think the proposed action is not likely to have a significant impact on a matter protected under the EPBC Act and therefore not a controlled action.

NA

Section 6 – Environmental record of the person proposing to take the action

Provide details of any proceedings under Commonwealth, State or Territory law against the person proposing to take the action that pertain to the protection of the environment or the conservation and sustainable use of natural resources.

6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Please explain in further detail.

Yes

6.2 Provide details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against either (a) the person proposing to take the action or, (b) if a permit has been applied for in relation to the action – the person making the application.

There have never been any proceedings against the person proposing to take the action and environmental controls are proposed to be put in place during construction such as sediment and erosion controls.

6.3 If it is a corporation undertaking the action will the action be taken in accordance with the corporation's environmental policy and framework?

No

6.4 Has the person taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?

No

Section 7 – Information sources

You are required to provide the references used in preparing the referral including the reliability of the source.

7.1 List references used in preparing the referral (please provide the reference source reliability and any uncertainties of source).

Reference Source	Reliability	Uncertainties
Department of the Environment (DotE) (2014). EPBC Act Referral Guidelines for the vulnerable koala (combined populations of Queensland, New South Wales and the Australian Capital Territory), Commonwealth of Australia, 2014. Available at: http://www.environment.gov.au/system/files/resources/dc2ae592-ff25-4e2c-ada3-843e4dea1dae/files/koala-referral-guidelines.pdf. Accessed 20 July 2017	Reliable	Nil
Department of the Environment (DotE) (2016). Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) (s266B). Approved conservation advice (incorporating listing advice) for the Illawarra and south coast lowland forest and woodland ecological community. Available at http://www.environment.gov.au/biodiversity/threatened/communities/pubs/144-conservation-advice.pdf. Effective 16 September 2016. Accessed 20 July 2017	Reliable	Nil
Department of the Environment (DEE) (2017a). National Flying-fox monitor viewer. Available at: http://www.environment.gov.au/webgis-framework/apps/ffc-	Reliable	Nil

Reference Source	Reliability	Uncertainties
wide/ffc-wide.jsf. Accessed 20 July 2017		
Department of the Environment (DEE) (2017b) Draft Recovery Plan for the Grey-headed Flying-fox (Pteropus policephalus). Available at: http://www.environment.gov.au/biodiversity/threatened/recovery-plans/comment/draft-recovery-plan-grey-headed-flying-fox. Accessed 20 July 2017.	Reliable	Nil
Develop My Land (DML) (2014). Tree Hollow Survey – Prixcar Processing Storage & Transport Facility. Lot 2 DP561484 & Lot 1 DP 58522 Reddalls Road, Kembla Grange.	Reliable	Nil
Eco Logical Australia (2013). Illawarra Greenhood Orchid (Pterostylis gibbosa) survey – October 2013. Prepared for Prixcar Services Pty Ltd.	Reliable	Nil
Eco Logical Australia (2014). Biobank Feasibility Information – BlueScope Lands, Kembla Grange. Prepared for Cardno and BlueScope, Wollongong.	Reliable	Nil
Ecoplanning (2016a). Biobanking Assessment Report – Development Site. Lot 1 // DP 58522, Kembla Grange. Proposed car storage and vehicle processing facility. Prepared for Develop My Land.	Reliable	Nil
Ecoplanning (2016b). Biobanking Credit Report. Development Site. Lot 1 // DP 58522, Kembla Grange. Proposed car storage and vehicle processing facility. Prepared for Develop My Land.	Reliable	Nil
Fauna Sonics (2016). Microbat Call Identification Report – Kembla Grange. Prepared for	Reliable	Nil

Reference Source	Reliability	Uncertainties
Ecoplanning.		
Gary Leonard (2014). Survey of Hollow-bearing Trees. Proposed Prixcar Processing and Storage Transport Facility Reddalls Road, Kembla Grange, Wollongong LGA.	Reliable	Nil
Hazelton P.A. and Tille P.J. (1990). Soil Landscapes of the Wollongong-Port Hacking 1:100,000 Sheet map and report, Soil Conservation Service of NSW, Sydney.	Reliable	Nil
Lesryk Environmental Consultants (2011). Flora and Fauna Assessment. Lot 2, DP 561484, Reddalls Road, Dapto, NSW.	Reliable	Nil
Lesryk Environmental Consultants (2014). Flora and Fauna Assessment of Prixcar Processing, Storage and Transport Facility Reddall's Road. Kembla Range, NSW.	Reliable	Nil
National Parks and Wildlife Service (NPWS) (2002). Native Vegetation of the Illawarra Escarpment and Coastal Plain. Central Conservation Programs and Planning Division NSW National Parks and Wildlife Service August 2002.	Reliable	Nil
NSW Office of Environment and Heritage (OEH) (2014). Biobanking Assessment Methodology (BBAM) 2014. Published by the Office of Environment and Heritage for the NSW Government.	Reliable	Nil
NSW Office of Environment and Heritage (OEH) (2016). NSW Wildlife Atlas - Database Search	Reliable	Nil
Specht, R.L., Roe, E.M. and Boughton, V.H. (1974). Conservation of major plant	Reliable	Nil

Reference Source	Reliability	Uncertainties
communities in Australia and Papua New Guinea. Australian Journal of Botany 7, pp. 1–647.		

Section 8 – Proposed alternatives

You are required to complete this section if you have any feasible alternatives to taking the proposed action (including not taking the action) that were considered but not proposed.

8.0 Provide a description of the feasible alternative?

There are no feasible alternatives for this proposal.

8.1 Select the relevant alternatives related to your proposed action.

8.27 Do you have another alternative?

No

Section 9 – Contacts, signatures and declarations

Where applicable, you must provide the contact details of each of the following entities: Person Proposing the Action; Proposed Designated Proponent and; Person Preparing the Referral. You will also be required to provide signed declarations from each of the identified entities.

9.0 Is the person proposing to take the action an Organisation or an Individual?

Organisation

9.2 Organisation

9.2.1 Job Title

General Manager

9.2.2 First Name

Darren

9.2.3 Last Name

Bowler

9.2.4 E-mail

darren.bowler@prixcar.com.au

9.2.5 Postal Address

7-20 Horsburgh Drive
Altona North VIC 3025
Australia

9.2.6 ABN/ACN

ABN

42007063505 - PRIXCAR SERVICES PTY. LTD.

9.2.7 Organisation Telephone

03 92842768

9.2.8 Organisation E-mail

CSC@prixcar.com.au

9.2.9 I qualify for exemption from fees under section 520(4C)(e)(v) of the EPBC Act because I am:

Not applicable

Small Business Declaration

I have read the Department of the Environment and Energy's guidance in the online form concerning the definition of a small a business entity and confirm that I qualify for a small business exemption.

Signature:..... Date: .....

9.2.9.2 I would like to apply for a waiver of full or partial fees under Schedule 1, 5.21A of the EPBC Regulations

No

9.2.9.3 Under sub regulation 5.21A(5), you must include information about the applicant (if not you) the grounds on which the waiver is sought and the reasons why it should be made

Person proposing the action - Declaration

I, DARREN BOWLER, 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 of or for the benefit of any other person or entity.

Signature:..... Date: 16/5/18

I, DARREN BOWLER, the person proposing the action, consent to the designation of MYSELF as the proponent of the purposes of the action describe in this EPBC Act Referral.

Signature:..... Date: 16/5/18

9.3 Is the Proposed Designated Proponent an Organisation or Individual?

Organisation

9.5 Organisation

9.5.1 Job Title

General Manager

9.5.2 First Name

Darren

9.5.3 Last Name

Bowler

9.5.4 E-mail

darren.bowler@prixcar.com.au

9.5.5 Postal Address

7-20 Horsburgh Drive
Altona North VIC 3025
Australia

9.5.6 ABN/ACN

ABN

42007063505 - PRIXCAR SERVICES PTY. LTD.

9.5.7 Organisation Telephone

03 92842768

9.5.8 Organisation E-mail

CSC@prixcar.com.au

Proposed designated proponent - Declaration

I, Darren Bowler, the proposed designated proponent, consent to the designation of myself as the proponent for the purposes of the action described in this EPBC Act Referral.

Australian Government
Department of the Environment and Energy

Signature: ..... Date: 16/5/18

9.6 Is the Referring Party an Organisation or Individual?

Organisation

9.8 Organisation

9.8.1 Job Title

Director

9.8.2 First Name

Lucas

9.8.3 Last Name

McKinnon

9.8.4 E-mail

lucas.mckinnon@ecoplanning.com.au

9.8.5 Postal Address

74 Hutton Avenue
Bulli NSW 2516
Australia

9.8.6 ABN/ACN

ABN

48602713691 - ECOPLANNING PTY. LTD.

9.8.7 Organisation Telephone

0421603549

9.8.8 Organisation E-mail

info@ecoplanning.com.au

Referring Party - Declaration

Australian Government
Department of the Environment and Energy

I, Lucas McKinnon, I declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence.

Signature: L J McKinnon Date: 16/05/2018

Appendix A - Attachments

The following attachments have been supplied with this EPBC Act Referral:

1. dml_2014_tree_hollow_survey_a3.pdf
2. ecoplanning_2016_bar_-_final_20160630_compressed.pdf
3. ela_2011_pterostylis_gibbosa_v01_prepared_by_eco_logical_21_11_13.pdf
4. ela_2014_biobank_feasibility_study-kembla_grange_-_bluescope_lands_v1.pdf
5. fauna_sonics_2016_kembla_grange_microbat_call_analysis_report.pdf
6. figure1.jpg
7. figure2.jpg
8. figure3.jpg
9. figure4.jpg
10. figure_4.pdf
11. leonard_2014_prixcar_-_hollowbearingtrees.pdf
12. lesryk_2011_reddalls_road_ecological_report_-_final_5811.pdf
13. lesryk_2014_reddalls_road_ecological_report_final_2014.pdf
14. offset-assessment-guide_20180417.pdf