

EPBC Act referral



Australian Government

Department of Agriculture, Water and the Environment

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

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| Title of proposal | 2021/8908 - Melton Renewable Energy Hub, Plumpton, Victoria |
| Section 1 | |
| Summary of your proposed action | |
| 1.1 Project industry type | Energy Generation and Supply (renewable) |
| 1.2 Provide a detailed description of the proposed action, including all proposed activities | |
| <p>Syncline Energy is proposing the creation of the Melton Renewable Energy Hub (MREH) located at Plumpton, Victoria. The proposed facility will include a solar farm and 800MW battery storage facility located at 77-347 Holden Road, Plumpton; 67 Victoria Road, Plumpton; and 77 Victoria Road, Plumpton (also known as 1A Holden Road). These are Lot and Plan numbers Lot 1 on TP901066H, Lot 1 on TP78358D, and Lot 1 (Part) on PS711917E. Collectively these are called the 'study area'.</p> <p>The study area is zoned Green Wedge Zone and is located within the Melton Shire Council municipality. The project is currently obtaining local and state approvals to proceed.</p> <p>The MREH will be accessed by a track created from Holden Road. It will include a solar array in the west, and battery energy storage system in the east. A control room will also be located in the east, and a powerline connection will extend further east.</p> <p>Construction of the Battery Energy Storage System (BESS) facility will involve the following activities:</p> <ul style="list-style-type: none">- Clearing of surface vegetation (mostly environmental weeds including serrated tussock and artichoke thistle); and- Completing 'cut and fill earthworks' to create benches for batteries and the associated plant; and- Creating internal access roads as shown in Attachment A Figure []; and- Building 'sound mounds' and planting of screening native vegetation; and- Laying-down of gravel mulch in the battery and electrical plant areas <p>Construction of the Battery Energy Storage System (BESS) facility will involve the following activities:</p> <ul style="list-style-type: none">- Clearing of surface vegetation (mostly environmental weeds including Serrated Tussock and Artichoke Thistle);- Completing 'cut and fill earthworks' to create benches for batteries and the associated plant;- Creating internal access roads;- Building 'sound mounds' and planting of screening native vegetation; and- Laying-down of gravel mulch in the battery and electrical plant areas <p>A total of 39.16 hectares of native vegetation qualifying as 'patches' of native vegetation under the 'Guidelines for the Removal, Destruction or Lopping of Native Vegetation' were present within the study area. These were generally able to be avoided, however, 7.497 hectares of native vegetation patches are proposed to be removed.</p> <p>Ecological surveys have informed the MREH design. Impacts to Striped Legless Lizard (<i>Delma impar</i>) habitat are proposed. Striped Legless Lizard is listed as Vulnerable under the Environment Protection and Biodiversity Conservation Act 1999 (Cth). No other Matters of National Environmental Significance have been identified within the study area, or are likely to be significantly impacted by the MREH project.</p> | |
| 1.3 What is the extent and location of your proposed action? | |
| See Appendix B | |
| 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) | |
| <p>The study area is located one kilometre north-west of the Calder Park Motorsports Complex, approximately three kilometres south of Diggers Rest, and approximately 24.5 kilometres north-west of the Melbourne Central Business District.</p> <p>The study area is located within a rural setting, in a generally flat landscape. The landscape surrounding the study area is primarily used for dryland cropping or grazing. Little remnant native vegetation persists within the local area, with Organ Pipes National Park the closest significant patch of remnant vegetation, occurring approximately two kilometres to the east.</p> | |
| 1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)? | |
| <p>The study area (i.e. the area assessed to inform the project development design) is approximately 149.9 hectares. However the development footprint (i.e. the area included within a perimeter around the MREH facility) is approximately 36.3 hectares in area.</p> | |



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There is a total of approximately 26.846 hectares of Striped Legless Lizard habitat present within the total study area, however, only 8.401 hectares of this habitat will be impacted by the proposed development.

1.7 Proposed action location

Address - 77-347 Holden Rd, Plumpton, VIC, 3335, Australia

1.8 Primary jurisdiction

Victoria

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

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| Start Date | 01/07/2021 |
| End Date | 01/07/2023 |

1.12 Provide details of the context, planning framework and state and/or local Government requirements

Environment Protection and Biodiversity Conservation Act 1999 (Cth) - EPBC Act

The EPBC Act is to provide for the conservation of 'Matters of National Environmental Significance'. The Act defines eight Matters of National Environmental Significance. The current project has identified an impact to a 'nationally listed threatened species and ecological community' - specifically Striped Legless Lizard. Under the Act, actions that are likely to have a significant impact upon Matters of National Environmental Significance require approval from the Federal Environment Minister. This approval is sought through a referral process for a particular action.

Planning and Environment Act 1987 (Vic) - P&E Act

The P&E Act governs the use, development, protection and conservation of land in Victoria. The impacts to biodiversity values will be assessed through Victorian State Government policy including the 'Guidelines for the removal, destruction or lopping of native vegetation' (the Guidelines) (Department of Environment Land Water and Planning 2017), under Clause 52.17 of planning scheme (required by the P&E Act).

These impacts will require approval from the Melton City Council and state Department of the Environment, Land, Water and Planning (DELWP). This includes the applicant having to meet the iterative three-step approach to:

- Avoid the removal, destruction or lopping of native vegetation.
- Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
- Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

The study area is zoned Green Wedge Zone within the Melton City Council municipality planning scheme. No overlays, such as Vegetation Protection Overlays, Environmental Significance Overlays, or Significant Landscape Overlays, that are relevant to this report cover the study area.

Flora and Fauna Guarantee Act 1988 (Vic) - FFG Act

The FFG Act seeks to establish a legal and administrative structure to enable and promote the conservation of native flora and fauna.

The Act declares 'critical habitat' for listed species on private land and includes establishing a permit system to undertake works on public land which might kill, injure or disturb protected native plants. DELWP administers this process. The study



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area is not 'critical habitat' for any listed species and will not impact protected flora on public land. No further consideration of this Act is required.

Environment Effects Act 1987 (Vic) - EE Act

The EE Act is an advisory act without a regulatory approval mechanism. The EE Act provides for the assessment of a proposed project (works) that is capable of having a significant effect on the environment. The Ministerial Guidelines for the Assessment of Environment Effects under the EE Act provide guidance on the types of impacts that may be considered to contribute to a significant environmental impact. Where there may be a significant impact to biodiversity values, which meet the thresholds described within the Ministerial Guidelines (Department of Sustainability and Environment 2007), the Minister for Planning is required to determine whether the project is likely to result in a significant impact on the environment and whether further environmental assessment is necessary. The current project does not meet these triggers, although the DELWP is a referral authority for the current project.

Aboriginal Heritage Act 2006 (Vic) - AH Act

The purpose of the AH Act is to provide for the protection of Aboriginal cultural heritage in Victoria. Impacts to cultural heritage values of the site will be managed through the development of a Cultural Heritage Management Plan, under the AH Act. The Project has been assessed by Unearthed Heritage Pty Ltd who, among other things, searched the Victorian Aboriginal Heritage Register (VAHR) on 7 May 2020 (Access ID 8164) for any registered Aboriginal places that occur within or near to the Project, as well as for areas of cultural heritage sensitivity (CHS). The proposed solar PV, battery storage areas and electricity transmission line have been designed to avoid intersecting with any areas of CHS (land within 50 m of a registered Aboriginal cultural heritage place). As such:

- While the proposed solar PV and battery storage areas would fulfil the definition of a high impact activity (r.46(1)(b)(xxx)) these areas do not include any areas of CHS, so do not trigger the mandatory preparation of a CHMP.
- The proposed transmission alignment avoids areas of CHS and does not fulfil the definition of a high impact activity, so does not trigger the mandatory preparation of a CHMP.

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

There is no requirement for a mandatory Cultural Heritage Management Plan. Further consultation may be undertaken with Registered Aboriginal Parties as required.

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

Ecolink Consulting Pty Ltd (2020a). 'Targeted Golden Sun Moth Surveys, 77-247 Holden Road, Plumpton.' Golden Sun Moths were not recorded within the study area.

Ecolink Consulting Pty Ltd (2020b). 'Targeted Growling Grass Frog Survey, 77-247 Holden Road, Plumpton.' Growling Grass Frogs were not recorded in the dam near the study area.

Ecolink Consulting Pty Ltd (2020c). 'Targeted Striped Legless Lizard Survey, 77-247 Holden Road, Plumpton, Victoria.' One Striped Legless Lizard was recorded under a tile on one occasion.

Ecolink Consulting Pty Ltd (2021). 'Targeted Spiny Rice-flower Survey, 77-247 Holden Road, Plumpton, Victoria.' Spiny Rice-flower was not recorded within the study area.

Ecolink Consulting Pty Ltd (2021). 'Biodiversity Assessment, 77-347 Holden Road, Plumpton, Victoria.' Summarises the ecological values and obligations under relevant legislation and policies, including the results of the above-mentioned targeted surveys.

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

☐ Yes ☒ No

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

☐ Yes ☒ No



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Section 2

Matters of national environmental significance

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☐ Yes ☒ 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 ☐ No

Species or threatened ecological community

Striped Legless Lizard (*Delma impar*)

Impact

Three tile grids were located within the study area. The grids were located in parts of the study area considered to have the highest likelihood of providing habitat for the species. Tiles were checked six times by Simon Scott, Principal Ecologist. A single Striped Legless Lizard was recorded under a tile in Tile Grid 1 during the first assessment on 22 October 2020. The presence of only one individual suggests a relatively small population given the number of trap days.

The habitat for this species within the study area was assessed to include the areas which have not been cultivated and which are not going to be cultivated by the land manager. They include a basalt rise which extends north of the study area. Approximately 26.846 hectares of habitat is present within the total study area, however, only 8.401 hectares of hectares of this habitat will be impacted by the proposed development.

The survey methodology, results of the survey, and discussions on the impacts to this species are provided in the Targeted Striped Legless Lizard Survey, 77-247 Holden Road, Plumpton, Victoria report attached as '1811a_Plumpton_SLL_Report_16122020', page 3-6. The habitats and impacts are shown on Figure 1 of the same report.

2.4.2 Do you consider this impact to be significant?

☒ Yes ☐ No

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?

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☐ Yes ☒ No



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| 2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2.9 Is the proposed action likely to have any direct or indirect impact on a water resource from coal seam gas or large coal mining development? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2.10 Is the proposed action a nuclear action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2.11 Is the proposed action to be taken by a Commonwealth agency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2.12 Is the proposed action to be undertaken in a Commonwealth Heritage place overseas? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |



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Section 3

Description of the project area

3.1 Describe the flora and fauna relevant to the project area

Flora

A total of 57 flora species, comprising 26 indigenous and 31 exotic species were recorded during the current assessment.

The overstorey and midstorey vegetation was generally absent across the study area, however there were occasional scattered Sifton Bushes (*Cassinia sifton*) and Tree Violets (*Melicytus dentatus*) that had recruited into the central region of the study area, both into the middle of paddocks and along some fence lines. There was dense cover of weed species including Serrated Tussock (*Nassella trichotoma*) and Artichoke Thistle (*Cynara cardunculus*), with concentrated infestations of Chilean Needle-grass (*Nassella neesiana*), Bathurst Burr (*Xanthium spinosum*) and African Boxthorn (*Lycium ferocissimum*) dominating parts of the study area. Some paddocks, where embedded rock was less prevalent, were sown to pasture species for grazing which included exotic Barely Grass (*Hordeum murinum*), Perennial Rye-grass (*Lolium perenne*) and Sub clover (*Trifolium subterraneum*). Despite the heavy infestation of weeds and past agricultural land use, there were still areas where indigenous understorey species persisted, including species such as Kangaroo Grass (*Themeda triandra*), Kneed Spear-grass (*Austrostipa bigeniculata*), Red-Leg Grass (*Bothriochloa macra*), Grassland Crane's-bill (*Geranium retrorsum*) and Kidney Weed (*Dichondra repens*). In some cases, indigenous grasses had re-established in recently cultivated areas, including Windmill Grass (*Chloris truncata*) and Wallaby-grass species (*Rytidosperma* sp).

The desktop assessment identified the potential for five nationally significant flora species within the study area. None of these species were recorded during targeted surveys.

Native vegetation is mapped as a 'patch' under The Guidelines where there is a perennial cover abundance of native vegetation >25%. Twenty-eight patches of native vegetation were mapped, totalling 39.16 hectares in area. However, the development has attempted to minimise impacts to this vegetation and only 7.497 hectares is proposed to be impacted. The majority of this is secondary grassland which has recolonised the study area post-cultivation.

Twenty-two fauna species were recorded within the study area during the current assessment. This included 18 bird species (15 native and three introduced), three introduced mammal species, and one native reptile. All of these species are common to the local area. Notably, Wedge-tailed Eagles (*Aquila audax*) were nesting within planted, non-indigenous trees in the eastern portion of the study area.

Native grasslands are generally present on the rocky knolls, although they were also observed in the western half of the study area as secondary grasslands, generally comprising native Windmill Grass. These areas contained a low to moderate cover abundance of native grasses. They contained areas of embedded and surface basalt rock and cracking basalt soils and much higher inter-tussock space than the degraded grasslands. These areas are likely to provide breeding, refuge and foraging opportunities (with a relatively higher abundance of prey items) for a range of ground-dwelling fauna such as snakes, lizards, as well as mammals and invertebrates.

However the study area is dominated by degraded grasslands, including those areas that have been disturbed through agricultural land uses, and are now dominated by exotic species, including environmental weeds. The vegetation in these grasslands was generally heavily grazed and was less than 10 centimetres high, with the exception of less palatable species such as Serrated Tussock and woody shrubs. This has reduced the quality of fauna habitats available to native wildlife by reducing the areas for sheltering and foraging. The degraded grasslands may provide low quality habitat for some native species, when moving between areas of higher quality habitat.

Several scattered and clustered groups of non-indigenous planted Sugar Gums (*Eucalyptus cladocalyx*) were recorded within the study area. The trees are isolated within the landscape and the lack of other vegetation strata reduces the quality of the habitat for woodland dependent species. Nonetheless, these mature trees are likely to provide habitat to a range of common bird and arboreal mammal species.

The artificial dam in the northern portion of the study area, when it holds water, may provide a water source for a range of fauna groups. Frogs use the dams as primary foraging and breeding habitat, as well as dispersal habitat to move across the landscape. Bodies of water, such as dams, can support ducks and grebes *Poliiocephalus* sp. Eastern Grey Kangaroos (*Macropus giganteus*), were observed moving through the study area across the grasslands, would drink water at the dam.

The desktop assessment identified three nationally significant species which may occur within the study area. Of these only Striped Legless Lizard occurs within the study area.

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



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The study area undulates. Water temporarily pools in low-lying areas, but generally flows to the east. Only one dam, which contains a semi-permanent water supply, is present near the northern boundary of the study area.

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

The study area is located within the Victorian Volcanic Plain bioregion of Victoria, characterised by basalt soils. Soils were observed to be loam and clay-loam soils. Some surface and embedded basalt rocks were observed. In the Western Volcanic Plains, the fertile basalt soils are prone to cracking in dry periods and being seasonally waterlogged in wet periods.

The vegetation throughout the study area is modelled by DELWP to have been Ecological Vegetation Class (EVC) 132: Plains Grassland. Remnants of this vegetation persist, although the majority of vegetation is low quality when compared to the EVC Benchmarks. The majority of the study area includes degraded grasslands now dominated by environmental weeds such as Artichoke Thistle and Serrated Tussock.

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

None observed.

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

Despite the high level of modification to the vegetation within the study area, 28 patches of native vegetation were observed in and adjacent to the study area. The total area of these remnant patches of vegetation was approximately 39.16 hectares. Vegetation quality was assessed using the state-endorsed Habitat Hectare assessment methodology. The quality of these patches was low to moderate, with Habitat Hectares scores ranging from 16 to 47 (out of 100).

The development footprint has been minimised so that only 7.497 hectares of this native vegetation will be impacted. This represents just 19.1% of the total area containing patches of native vegetation.

One patch of vegetation that is 0.44 hectares in size, was found to qualify as Natural Temperate Grassland of the Victorian Volcanic Plain, which is listed as Endangered under the EPBC Act. This EPBC Act-listed community is located outside the development footprint and is one of the patches of native vegetation which will be avoided.

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

The study area slopes gently to the east, but is generally flat.

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

The study area is grazed by cattle and arable portions of the study area are cropped. Areas not supporting native vegetation patches were observed to be dominated by exotic species, particularly including 'noxious' environmental weeds such as Artichoke Thistle, African Boxthorn, Bathurst Burr, Spear Thistle, Paterson's Curse, Serrated Tussock and Chilean Needle-grass. Of these, African Boxthorn, Serrated Tussock and Chilean Needle-grass are also listed as Weeds of National Significance.

Small remnants of native vegetation and secondary grasslands, dominated by Windmill Grass, persist elsewhere in the study area.

It is apparent that Striped Legless Lizard occurs in areas where rocky substrates, cracks and crevices occur. The structural formations are associated with a basalt knoll. The vegetation associated with this knoll is generally dominated by the above-mentioned exotic species.

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

There are no Commonwealth Heritage places or other places recognised as having heritage values relevant to the project area.

3.9 Describe any Indigenous heritage values relevant to the project area

The Project has been assessed by Unearthed Heritage Pty Ltd who, among other things, searched the Victorian Aboriginal Heritage Register (VAHR) on 7 May 2020 (Access ID 8164) for any registered Aboriginal places that occur within or near to the Project, as well as for areas of cultural heritage sensitivity (CHS). The proposed solar PV, battery storage areas and electricity transmission line have been designed to avoid intersecting with any areas of CHS (land within 50 m of a registered Aboriginal cultural heritage place). As such:

- While the proposed solar PV and battery storage areas would fulfil the definition of a high impact activity (r.46(1)(b)(xxx)) these areas do not include any areas of CHS, so do not trigger the mandatory preparation of a CHMP.
- The proposed transmission alignment avoids areas of CHS and does not fulfil the definition of a high impact activity, so



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does not trigger the mandatory preparation of a CHMP

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

Freehold land will be leased for the project.

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

The site is currently farmland. It will be converted into the Melton Renewable Energy Hub as described previously.



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Section 4

Measures to avoid or reduce impacts

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

The requirement to avoid and minimise impacts is consistent with the state 'Guidelines for the Removal, Destruction or Lopping of Native Vegetation' policy which has been applied to this project.

Syncline Energy commissioned an ecological assessment of an area substantially larger area than was required for the current project. This allowed the applicant to redesign the MREH facility to avoid and minimise impacts to biodiversity values.

The current development design has been based on avoiding larger, high quality patches of native vegetation within the study area, whilst still meeting functional requirements, including a road access track, transmission connection, battery storage facility and solar array.

The proposed development plan footprint avoids areas of the highest ecological value such as the patch of Natural Temperate Grasslands of the Victorian Volcanic Plain and several higher quality patches of EVC 132: Plains Grassland to the south and east of the proposed construction footprint. Development has been prioritised in areas of lower quality, degraded vegetation such as those recorded in patches 2, and 5 which have been previously cultivated. In addition, the farm dam recorded in the northern portion of the study area, which may provide low quality habitat for the Growling Grass Frog (in the future, as it was not recorded during the current surveys), has also been avoided. The footprint has been kept to a practical minimum. A Construction and Environment Management Plan (CEMP) will be prepared and implemented to ensure that:

- Retained vegetation is avoided during the construction and operation of the facility.
- Vehicle hygiene is maintained;
- Weeds are managed;
- Animal welfare protocols are implemented;
- Sediment and erosion controls are implemented; and
- Site remediation is undertaken, including with native vegetation where possible.

The CEMP would likely be a requirement of local and state approvals.

Despite attempts to avoid and minimise impacts to patches of native vegetation some residual impacts to biodiversity values remain. This includes the loss of habitat for Striped Legless Lizard, and the loss of some patches of native vegetation.

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

The proposed MREH development will require the removal of approximately 8.401 hectares of Striped Legless Lizard habitat. This loss is unavoidable without jeopardising the entire project.

It is anticipated that offsets will be provided for the loss of Striped Legless Lizard habitat at an off-site conservation reserve. Preliminary discussions with the owner of a suitable reserve have already commenced (details withheld). Offsets will be in accordance with the requirements of the EPBC Act Environmental Offsets Policy (October 2012). These offsets will be sourced and secured prior to any approved removal of habitat.

With regard to the local and state approvals, the applicant will be required to provide offsets in accordance with 'Guidelines for the Removal, Destruction or Lopping of Native Vegetation'. This offset has been calculated using the DELWP Native Vegetation Information Management tool. The proponent will be required to secure these offsets as a planning permit condition, prior to the development of the site. Offsets for impacts to native vegetation will be provided at a third-party reserve and include:

- 1.744 General Habitat Units;
- With a minimum Strategic Biodiversity Score of 0.293;
- Located within the Port Phillip and Westernport Catchment Management Authority area or the Melton City Council municipality.



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Section 5

Conclusion on the likelihood of significant impacts

5.1 You indicated the below ticked items to be of significant impact and therefore you consider the action to be a controlled action

- ☐ World Heritage properties
- ☐ National Heritage places
- ☐ Wetlands of international importance (declared Ramsar wetlands)
- ☒ Listed threatened species or any threatened ecological community
- ☐ Listed migratory species
- ☐ Marine environment outside Commonwealth marine areas
- ☐ Protection of the environment from actions involving Commonwealth land
- ☐ Great Barrier Reef Marine Park
- ☐ A water resource, in relation to coal seam gas development and large coal mining development
- ☐ Protection of the environment from nuclear actions
- ☐ Protection of the environment from Commonwealth actions
- ☐ Commonwealth Heritage places overseas
- ☐ Commonwealth marine areas

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

Significant matters (listed threatened species or any threatened ecological community) has been identified to be of significant impact as a result of the proposed action.



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Section 6

Environmental record of the person proposing to take the action

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

Yes, the person taking the action has a satisfactory record of responsible environmental management. For its Bannerton Solar Farm Project in 2017, Syncline undertook Native Vegetation Surveys of the project area near Robinvale, Victoria. The project resulted in the removal of 0.899 hectares of native vegetation patches. Syncline secured the required offsets for this removal and complied with all State and Local Government requirements.

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 are currently no past or present proceedings against either the person proposing the action or the person making the application.

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?

☐ Yes ☒ 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?

☐ Yes ☒ No



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Section 7

Information sources

Reference source

Please see the supporting documents attached to this referral, which lists a range of references used during the preparation of the reports that support this referral.

Reliability

All references are considered reliable. Limitations with reliance on such information is noted within the Ecolink Consulting reports.

Uncertainties

Reliance on external references and limitations with the information gathered from those sources is noted within the Ecolink Consulting reports.



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| Section 8 |
| Proposed alternatives |
| Do you have any feasible alternatives to taking the proposed action? Yes <input checked="" type="checkbox"/> No |



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Section 9

Person proposing the action

9.1.1 Is the person proposing the action an organisation or business?

☒ Yes ☐ No

Organisation

Organisation name (as registered for ABN/ACN)

SYNCLINE ENERGY PTY. LTD.

Business name

ABN

26117458803

ACN

Business address

146 Esplanade, Brighton, 3186, VIC, Australia

Postal address

Main Phone number

0413 640 120

Fax

Primary email address

phil@synclineenergy.com.au

Secondary email address

9.1.2 I qualify for exemption from fees under Regulation 5.23(1)(ii) of the EPBC Regulations because I am:

☒ Small business
☐ Not applicable

9.1.2.1 You must provide the date/income year that you became a small business entity:

07/12/2005

9.1.2.2 I would like to apply for a waiver of full or partial fees under Regulation 5.21A of the EPBC Regulations

☐ Yes ☒ No

9.1.3 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)

First name

Philip

Last name

Galloway

Job title

Managing Director

Phone

Mobile

0413 640 120

Fax

Email

phil@synclineenergy.com.au

Primary address

146 Esplanade, Brighton, 3186, VIC, Australia

Address

Declaration: Person proposing the action (To be signed by the person at 9.1.3)

I, PHILIP GALLOWAY, 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.

Signature: [Signature] Date: 11/03/2021

I, PHILIP GALLOWAY, the person proposing the action, consent to the designation of SYNCLINE ENERGY as the proponent for the purposes of the action described in this EPBC Act Referral.

Signature: [Signature] Date: 11/03/2021

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

Signature: [Signature] Date: 11/03/2021



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Proposed designated proponent

9.2.1 Is the proposed designated proponent an organisation or business?

☒ Yes ☐ No

Organisation

Organisation name (as registered for ABN/ACN)

SYNCLINE ENERGY PTY. LTD.

Business name

ABN

26117458803

ACN

Business address

146 Esplanade, Brighton, 3186, VIC, Australia

Postal address

Main Phone number

0413 640 120

Fax

Primary email address

phil@synclineenergy.com.au

Secondary email address

9.2.2 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)

First name

Philip

Last name

Galloway

Job title

Managing Director

Phone

0413 640 120

Mobile

Fax

Email

phil@synclineenergy.com.au

Primary address

146 Esplanade, Brighton, 3186, VIC, Australia

Address

Declaration: Proposed Designated Proponent

I, PHILIP GALLOWAY, 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.

Signature: Philip Galloway

Date: 11/03/2021



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Referring party (person preparing the information)

9.3.1 Is the referring party an organisation or a business?

☒ Yes ☐ No

Organisation

| | |
|---|---|
| Organisation name (as registered for ABN/ACN) | The Trustee for ECOLINK CONSULTING UNIT TRUST |
| Business name | |
| ABN | 80646930817 |
| ACN | |
| Business address | 473 High St, Northcote, 3070, VIC, Australia |
| Postal address | |
| Main Phone number | 0422623144 |
| Fax | |
| Primary email address | simon.scott@ecolinkconsulting.com.au |
| Secondary email address | |

9.3.2 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)

| | |
|-----------------|--|
| First name | Simon |
| Last name | Scott |
| Job title | Principal Ecologist |
| Phone | 0422623144 |
| Mobile | |
| Fax | |
| Email | simon.scott@ecolinkconsulting.com.au |
| Primary address | 473 High St, Northcote, 3070, VIC, Australia |
| Address | |

Declaration: Referring party (person preparing the information)

Simon Scott

10/3/21



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| Appendix A | |
|--------------------------|---|
| Attachment | |
| Document Type | File Name |
| action_area_images | 1811 Figure 1 25012021.pdf |
| action_area_images | 1811 Figure 1 10032021.pdf |
| govt_approval_conditions | 1811_Biodiversity_Asst_Holden_Rd_MREH_VerE_01022021.pdf |
| govt_approval_conditions | 1811a_Plumpton_SRF_Report_01022021.pdf |
| govt_approval_conditions | 1811a_GSM_Survey_Plumpton_16122020.pdf |
| govt_approval_conditions | 1811a_GGF_Survey_Plumpton_17122020.pdf |
| govt_approval_conditions | 1811a_Plumpton_SLL_Report_16122020.pdf |

| Appendix B |
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