

# Residential Development, 60 Avonlea Road

Application Number: **01070**Commencement Date: **13/04/2022**Status: **Locked**

## 1. About the project

### 1.1 Project details

#### 1.1.1 Project title \*

Residential Development, 60 Avonlea Road

#### 1.1.2 Project industry type \*

Residential Development

#### 1.1.3 Project industry sub-type

—

#### 1.1.4 Estimated start date \*

1/01/2024

#### 1.1.4 Estimated end date \*

1/01/2034

## 1.2 Proposed Action details

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

The proposed action is the subdivision and development of a new residential area and associated infrastructure located approximately 6 km north-west of the Geelong city centre, Victoria. The proposed development footprint measures 37.9 ha, with a disturbance footprint of 37.9 ha. It is currently proposed to comprise;

- Community facilities (~1.5 ha)
- Open space (~1.76 ha)
- Integrated residential area (~4.7 ha)
- Standard residential area (~21.8 ha)
- A Clever and Creative Corridor including a transit stop (~1 ha)
- Drainage channels/depressions along the tributary south of Cowies Creek (~7 ha)

The final layout will be dependent upon the future urban structure approved under state processes. The proposed action does not include the maintenance of infrastructure once developed. All infrastructure that is developed as part of the proposed action will be handed over to the City once completed for ongoing management and maintenance.

The proposed action has the potential to impact on the environment as a result of vegetation clearing and ground disturbance to enable the construction of residential areas and associated infrastructure including roads. The clearance of vegetation and replacement with hard surfaces will result in altered stormwater flows within the catchment. Construction activities have the potential to result in a range of impacts to the environment as a result of dust emissions, weed spread and noise. These impacts will be managed in accordance with the requirements of state legislation.

It is part of the Creamery Road precinct, which has a total area of approximately 340 ha. The precinct forms part of the Western Geelong Growth Area (WGGA) and is the first precinct proposed to be developed within the WGGA. The precinct is anticipated to comprise approximately 3,000 dwellings with an expected population of approximately 8,000. It is bordered to the west by Geelong-Ballan Road, to the north by the Geelong-Ballarat Railway line, to the south by Midland Highway and to the east by the Geelong Ring Road.

A Precinct Structure Plan (PSP) for the Creamery Road precinct is currently being developed by the City of Greater Geelong (the City) in consultation with landowners and relevant agencies. Once finalised, the draft PSP will be subject to formal statutory consultation with relevant agencies and the community in accordance with Victorian Planning law.

While the development of the Creamery Road Precinct will be managed under a PSP, the development of each property within the precinct will be undertaken by a different person supported by individual funding sources and under individual local government permits. The proposed action is therefore not part of a larger action or a staged development.

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

No

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

Development in Victoria is regulated under the *Planning and Environment Act 1987* (Planning Act) which establishes a framework for planning the use, development, and protection of land. The Planning Act provides for the establishment of planning schemes which are statutory documents that set out the objectives, policies and provisions relating to the use, development, protection and conservation of land in the area to which the scheme applies.

The land subject to the proposed action is zoned as Urban Growth Zone under the planning scheme for Greater Geelong and is incorporated within the WGGA and identified in Northern and Western Geelong Growth Areas Framework Plan (the Framework Plan).

In Victoria, growth areas are managed under the Growth Area Planning process which establishes a Regional Growth Plan to guide high level land use and development. The G21 Regional Growth Plan is the relevant Regional Growth Plan for the broader Geelong region. The G21 Regional Growth Plan identifies regional infrastructure needs and assesses the region's potential for growth, employment, housing and land supply.

Under the Regional Growth Plan, Growth Area Framework Plans are developed to provide a broad strategy for the future vision of the area which supports sustainable growth and development. The Framework Plan also defines key projects and infrastructure requirements to enable the development of PSPs.

The PSPs outline the detail around housing yields, transport networks, activity centres and more. Within a designated urban growth area, PSP's, such as the Creamery Road PSP, are developed to guide the layout of a new suburb.

Once the PSP has been finalised, Planning permits are required prior to development which delineate the precise road layout, non-residential land uses and location of infrastructure such as cycling and walking paths.

The City of Greater Geelong engaged Ecology and Heritage Partners Pty Ltd (EHP) to prepare detailed ecological investigations, including targeted surveys for MNES, within the Northern and Western Geelong Growth Areas (NWGGA). This report incorporates comment from the City and includes an assessment, including targeted surveys for MNES, of individual properties within the Creamery Road Precinct. The subsequent report (Attachment 1.1-1.3) also lists previous ecological assessments completed within the WGGA.

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

As part of the Victorian planning process to establish the Growth Areas there have been several opportunities for public consultation and engagement. This includes through the development of the Framework Plan which included a series of community information sessions and a community consultation period on a draft future urban structure plan which ran from 9 May to 22 June 2018.

Since being finalised, the Framework Plan has been incorporated into the Victorian Planning Scheme (C395ggee), which includes additional requirements for formal statutory consultation. The amendment was approved by the Victorian Planning Minister and gazetted on the 6 May 2021.

As part of the PSP process, targeted consultation and key stakeholder consultation (e.g., the Victorian Department of Environment, Land, Water and Planning) will occur on the proposed PSP once a draft has been agreed. The Creamery Road PSP will then be provided for public comment, which is likely to be completed in 2022.

No additional public consultation has been undertaken specifically for the proposed development outside of the Victorian planning processes.

## 1.3.1 Identity: Referring party

**Privacy Notice:**

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

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

The Department of Climate Change, Energy, the Environment and Water (the department) collects your personal information (as defined by the Privacy Act 1988) through this platform for the purposes of enabling the department to consider your submission and contact you in relation to your submission. If you fail to provide some or all of the personal information requested on this platform (name and email address), the department will be unable to contact you to seek further information (if required) and subsequently may impact the consideration given to your submission.

Personal information may be disclosed to other Australian government agencies, persons or organisations where necessary for the above purposes, provided the disclosure is consistent with relevant laws, in particular the Privacy Act 1988 (Privacy Act). Your personal information will be used and stored in accordance with the Australian Privacy Principles.

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

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

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

Yes

Referring party organisation details	
<b>ABN</b>	31649738278
<b>Organisation name</b>	AESTRA PTY LTD
<b>Organisation address</b>	92 Cooper Street, Cootamundra NSW 9590
Referring party details	
<b>Name</b>	Naomi Maxwell
<b>Job title</b>	Director
<b>Phone</b>	0406686084
<b>Email</b>	admin@aestra.com.au
<b>Address</b>	92 Cooper Street, Cootamundra NSW 9590

**1.3.2 Identity: Person proposing to take the action****1.3.2.1 Are the Person proposing to take the action details the same as the Referring party details? \***

No

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

Yes

## Person proposing to take the action organisation details

**ABN** 656 012 609

**Organisation name** Avonlea Bell Pty Ltd

**Organisation address** PO Box 522, South Yarra 3141

## Person proposing to take the action details

**Name** Samantha Ramsey

**Job title** Project Manager

**Phone** 0413 940 871

**Email** samantha@ramseypg.com.au

**Address** PO Box 522, South Yarra 3141

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

No

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

No

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

While the person proposing to take the action has no history of environmental management, the person intends to comply with all requirements under state, local and federal environment law. Corporate policies will be developed as required to ensure that appropriate environmental management occurs.

## 1.3.3 Identity: Proposed designated proponent

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

Yes

## Proposed designated proponent organisation details

<b>ABN</b>	656 012 609
<b>Organisation name</b>	Avonlea Bell Pty Ltd
<b>Organisation address</b>	PO Box 522, South Yarra 3141

## Proposed designated proponent details

<b>Name</b>	Samantha Ramsey
<b>Job title</b>	Project Manager
<b>Phone</b>	0413 940 871
<b>Email</b>	samantha@ramseypg.com.au
<b>Address</b>	PO Box 522, South Yarra 3141

## 1.3.4 Identity: Summary of allocation

### ✔ Confirmed Referring party's identity

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

ABN	31649738278
Organisation name	AESTRA PTY LTD
Organisation address	92 Cooper Street, Cootamundra NSW 9590
Representative's name	Naomi Maxwell
Representative's job title	Director
Phone	0406686084
Email	admin@aeetra.com.au
Address	92 Cooper Street, Cootamundra NSW 9590

### ✔ Confirmed Person proposing to take the action's identity

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

ABN	656 012 609
Organisation name	Avonlea Bell Pty Ltd
Organisation address	PO Box 522, South Yarra 3141
Representative's name	Samantha Ramsey
Representative's job title	Project Manager
Phone	0413 940 871

Email

samantha@ramseypg.com.au

Address

PO Box 522, South Yarra 3141

---

**☑ Confirmed Proposed designated proponent's identity**

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

---

Same as Person proposing to take the action information.

## 1.4 Payment details: Payment exemption and fee waiver

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

Yes

### 1.4.2 Select reason for exemption \*

Small Business

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

No

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

No

### 1.4.7 Are you going to apply for a waiver of full or partial fees under EPBC Regulation 5.21A? \*

No

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

No

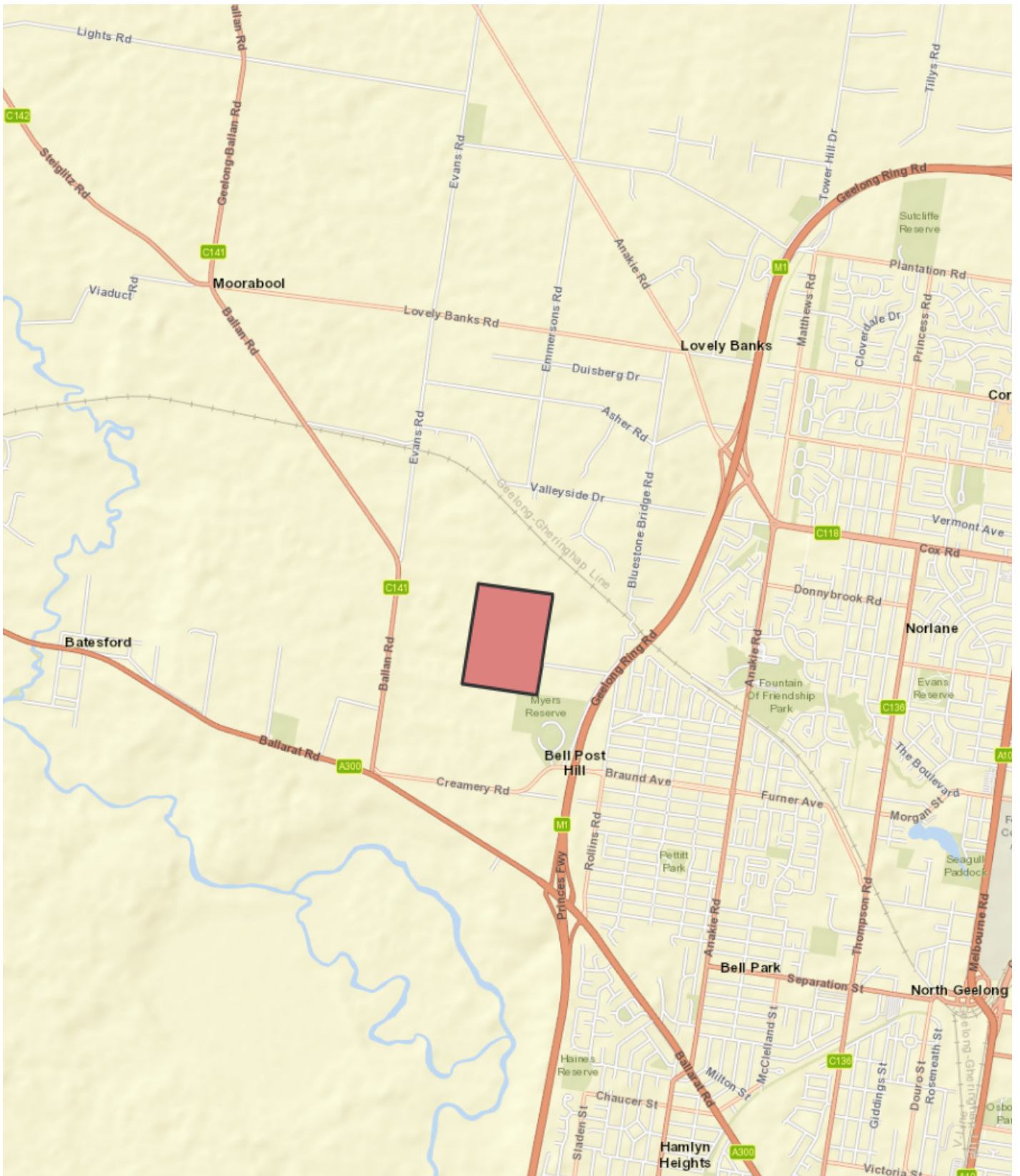
## 1.4 Payment details: Payment allocation

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

Person proposing to take the action

## 2. Location

### 2.1 Project footprint



## 2.2 Footprint details

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

60 Avonlea Road, Bell Post Hill, VIC, 3215, Australia

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

Victoria

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

No

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

Freehold

## 3. Existing environment

### 3.1 Physical description

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

The current condition of the environment within the Creamery Road precinct reflects its history as an agricultural area with only small areas of remaining native vegetation. Most of the WGGA (including the project area) is highly modified and dominated by non-native pasture grasses and weeds. A total of 16.2 ha of Plains Grassland (EVC 132) across seven patches occurs within the area of the proposed action (Attachment 1.2, Figures 3e and 3f, pp 15-16). It is currently used for dryland agriculture and grazing and, consequently, generally lacks structure and exhibits a low diversity of native species.

60 Avonlea Rd will be developed as part of the broader Creamery Road Precinct in accordance with a Precinct Structure Plan (PSP) developed under state planning law. The PSP (which will determine the placement of roads and other core infrastructure) has not yet been finalised.

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

The land within the Creamery Road precinct is largely used as agricultural land with scattered rural homesteads. It is proposed to be developed as a new urban growth area for Geelong, including the lands subject to this referral. It is within an Urban Growth Zone (UGZ).

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

The landscape across the precinct has largely been managed as agricultural land and as a result many of the natural values have become degraded over time. Cowies Creek, located 150 m to the north at its closest point, supports an important population of the vulnerable Growling Grass Frog. This is probably the most notable feature of the Creamery Road precinct. A total of 16.2 ha of native vegetation exists in seven patches across the property (Attachment 1.2, Figures 3e and 3f, pp 15-16). All vegetation is degraded due to historic and current agricultural practices.

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

The property slopes towards the tributary at a gradient of up to 5% from both the north and south boundaries of the property.

## 3.2 Flora and fauna

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

Most (600 ha / 90%) of the assessed area (670 ha) within the Western Geelong Growth Area does not contain native vegetation and is primarily comprised of cropped or grazed land and dominated by pasture grasses and weeds (Att. 1.1, Part 1, Section 6.1, pp 108). Noxious weeds include Chilean Needle-grass, Serrated Tussock and African Boxthorn.

Approximately 16.2 ha (43%) of (degraded) native grassland (Ecological Vegetation Class 132) occurs across seven patches within the area of the proposed action. Riparian native vegetation occurs the Cowies Creek tributary, which transects the property, and along Cowies Creek, which is located approximately 150 m to the north at its closest point. Cowies Creek is an intermittent stream within a narrow treeless riparian corridor. It supports a population of the nationally significant Growling Grass Frog.

Grasses within patches of native vegetation include *Rytidosperma carphoides* (Short Wallaby Grass), *Rytidosperma racemosum* var. *racemosum* (Striped Wallaby-grass) and *Austrostipa rudis* subsp. *Rudis* (Veined Speargrass).

Ecological surveys conducted by Ecology and Heritage Partners (EHP) in 2019 and 2020 recorded 61 native fauna species and 13 introduced fauna species within the WGGA (Att. 1.1, Part 1, Section 6.2, pp 108). This includes aquatic or semi-aquatic species along Cowies Creek such as the Growling Grass Frog (listed under the EPBC Act), Eastern Long-necked Turtle (*Chelodina longicollis*; regionally significant in that part of Victoria), Common Yabby (*Cherax destructor*), Short-finned Eel (*Anguilla australis*), Australian Smelt (*Retropinna semoni*), Flat-headed Gudgeon (*Philypnodon grandiceps*) and the exotic Mosquito Fish (*Gambusia holbrooki*).

Within the Western Geelong Growth Area, targeted surveys were conducted for two threatened flora and five threatened fauna species. Neither of the threatened flora species and only one of the threatened fauna (Growling Grass Frog) was detected. Historic records of one of the threatened flora species (Adamson's Blown-grass) exist in the WGGA and this species is assumed to remain within the WGGA (even though it was not detected). Potential habitat for the Spiny Rice-flower occurs in the form of native grassland, which is present within the area of the proposed action. It was not detected and concluded as having a low likelihood of occurrence. Potentially suitable habitat for the

Golden Sun Moth and Striped Legless Lizard occurs within the area of the proposed action, however both species were concluded as being unlikely to occur within the precinct. Potentially suitable habitat for the Australian Grayling and Little Galaxias was identified in Cowies Creek, though neither species was detected.

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

Soils across the Creamery Road precinct are chromosols and brown or black vertosols which are cracking clay soils. Most of the precinct has previously been cleared or ploughed. The soil structure and vegetation characteristics reflect this, except for those areas immediately adjacent to Cowies Creek or which contain areas of embedded rock. Those areas which have retained embedded rock have a greater diversity of native species and are typically degraded grassland communities.

Native vegetation exists across only approximately 70 ha (10%) of the assessed parts of the WGGA (670 ha), including 16.2 ha of Plains Grassland (EVC 132) across seven patches within the project area. The EVC 132 is endangered under state legislation. Further description of EVCs is provided in the ecological assessment report (Att. 1.1, Part 1, Section 2.3.1, pp 25). A total of 104 large trees were identified during the 2019/2020 surveys in the WGGA, mostly in patches along the Moorabool River. None were identified in the area of the proposed action.

## **3.3 Heritage**

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

No Commonwealth heritage values protected under the EPBC Act occur within the Creamery Road precinct or project area.

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

There are no Native Title claims extending over the Creamery Road PSP, or Indigenous heritage values protected under the EPBC Act present within the project area.

## 3.4 Hydrology

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

Most (>90%) of the Creamery Road catchment lies within the Cowies Creek catchment, with the remainder (which is at the southern edge of the precinct) flowing into the Moorabool River catchment. Cowies Creek flows directly into Port Phillip Bay, located approximately 4 km to the east, whereas the Moorabool River flows southwards into the Barwon River which in turn flows into Lake Connewarre (part of the Port Phillip Bay (Western Shoreline) and Bellarine Peninsula Ramsar site). The Lake Connewarre complex is recognised for its saltmarshes, though also contains areas of freshwater vegetation. The Lake Connewarre complex is threatened by stormwater discharges which have the potential to alter flow regimes and water quality.

Ecology and Heritage Partners, who conducted the ecological investigations into the Northern and Western Geelong Growth Areas, highlight that altered stormwater flows as a result of the WGGGA development within the Moorabool River catchment may impact the Lake Connewarre complex (Attachment 1.1, Section 3.2.5, pp 82-83). The area of the proposed action falls within the Cowies Creek catchment (not the Moorabool River catchment).

Groundwater beneath the proposed action also falls within the Western Port Phillip Bay groundwater catchment area. The catchment is comprised of several aquifers with variable yield and salinity. Groundwater is intercepted at depths ranging from <5 to 50 m across the precinct.

Stormwater modelling by Rain Consulting (refer to Att 2, Section 5, pp 27) determined that the proposed action would result in an approximate 5% increase in average daily flow volume in Cowies Creek. Average daily total suspended solids loads and average daily total phosphorus and nitrogen in the creek are expected to increase by 3%.

## 4. Impacts and mitigation

### 4.1 Impact details

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

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

#### 4.1.1 World Heritage

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

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

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

—

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

No

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

There are no World Heritage sites on or near the project area.

**4.1.2 National Heritage**

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

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

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

—

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

No

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

There are no National Heritage sites on or near the project area.

**4.1.3 Ramsar Wetland**

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

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

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

Direct Impact	Indirect Impact	Ramsar wetland
No	No	Port Phillip Bay (Western Shoreline) and Bellarine Peninsula

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

No

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

<p>The proposed action is located within the catchment area for Cowies Creek, which drains into Corio Bay along the urban interface with Geelong. The area of Corio Bay into which Cowies Creek discharges is not a component of the Port Phillip Bay (Western Shoreline) and Bellarine Peninsula Ramsar Wetland. Following development, it is expected that stormwater flows within Cowies Creek will increase marginally, which would likely translate to a marginal increase in stormwater entering Corio Bay. A small increase in stormwater flows entering Corio Bay from Cowies Creek is unlikely to affect the lifecycle of native species that depend on the Ramsar wetland given the distance from the discharge point to listed Ramsar areas and the volume of the water body into which the discharge is occurring. The proposed action will not result in any areas of the Port Phillip Bay (Western Shoreline) and Bellarine Peninsula Ramsar Wetland being destroyed or modified.</p> <p>Flows into Corio Bay from Cowies Creek are occurring from an urbanised catchment. The proposed action is considered unlikely to result in a substantial change in the water quality or hydrological regime of flows into Corio Bay which could alter the hydrological regime of the Ramsar wetland or result in invasive species being established, which could threaten the ecological character of the wetland.</p> <p>On the basis of the above, it is considered <b>unlikely</b> that the proposed action would result in a significant impact to the ecological character of the Port Phillip (Western Shoreline) and Bellarine Peninsula Ramsar Site.</p>
--

#### 4.1.4 Threatened Species and Ecological Communities

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

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

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

##### Threatened species

Direct impact	Indirect impact	Species
No	No	Amphibromus fluitans
No	No	Antechinus minimus maritimus
No	No	Anthochaera phrygia
No	No	Botaurus poiciloptilus
No	No	Caladenia pumila
No	No	Calidris canutus
No	No	Calidris ferruginea
No	No	Callocephalon fimbriatum
No	No	Dasyurus maculatus maculatus (SE mainland population)
No	No	Delma impar
No	No	Dianella amoena
No	No	Dodonaea procumbens
No	No	Falco hypoleucos
No	No	Galaxiella pusilla
No	No	Glycine latrobeana

Direct impact	Indirect impact	Species
No	No	Grantiella picta
No	No	Hirundapus caudacutus
No	Yes	Lachnagrostis adamsonii
No	No	Lathamus discolor
No	No	Lepidium aschersonii
No	No	Lepidium hyssopifolium
No	No	Leucochrysum albicans subsp. tricolor
No	Yes	Litoria raniformis
No	No	Nannoperca obscura
No	No	Numenius madagascariensis
No	No	Pedionomus torquatus
No	No	Pimelea spinescens subsp. spinescens
No	No	Prototroctes maraena
No	No	Pteropus poliocephalus
No	No	Pterostylis chlorogramma
No	No	Pterostylis cucullata
No	No	Rostratula australis
No	No	Rutidosia leptorhynchoides
No	No	Senecio macrocarpus
No	No	Sternula nereis nereis
No	No	Synemon plana
No	No	Thelymitra epipactoides
No	No	Tympanocryptis pinguicollis

#### Ecological communities

Direct impact	Indirect impact	Ecological community
No	No	Grassy Eucalypt Woodland of the Victorian Volcanic Plain
No	No	Natural Temperate Grassland of the Victorian Volcanic Plain
No	No	White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland

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

Yes

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

Adamson's Blown-grass (*Lachnagrostis adamsonii*):

Adamson's Blown-grass (Att 3, Section 2.1.1a, pp 3) is known from 68 locations between Geelong and Coleraine in the central west of Victoria. Within the Creamery Road precinct, the species has been recorded in one location - adjacent to Cowies Creek in the north-west corner of the precinct, in 1995. The area which supported this individual has since been cropped.

Whilst no habitat occurs within the area of the proposed action, there is potential for the development to impact potential habitat along Cowies Creek by:

- Increasing recreational use of the Cowies Creek corridor resulting in degradation (e.g., trampling, rubbish) of potential habitat.
- Increasing erosion, sedimentation and a change in local hydrology as a result of stormwater flows which may alter habitat characteristics for the species.
- Introducing new weeds into potential habitat areas (along Cowies Creek).
- Accidental hydrocarbon or chemical spills into local drainage channels or soils during construction.
- Increasing dust emissions from the clearing of vegetation resulting in smothering or reduced air quality.

**Spiny Rice-flower (*Pimelea spinescens* subsp. *spinescens*):**

The Spiny Rice-flower (Att 3, Section 2.1.1b, pp 5) occurs in the central west of Victoria. The species is known from native grasslands and areas supporting embedded rock. Such habitats occur within 16.2 ha of the project area across seven patches, with all patches identified as plains grassland (ecological vegetation class 132).

**Growling Grass Frog (*Litoria raniformis*):**

Targeted threatened species surveys undertaken in 2019 and 2020 (refer to Attachment 1) recorded approximately 50 Growling Grass Frogs (Att 3, Section 2.1.1c, pp 5) along Cowies Creek, which is located approximately 400 m north of the proposed action area. The surveys along Cowies Creek also identified several key habitat features including a high cover of sedges and grasses. The individuals were determined to be part of an 'important' population within 'important' habitat, as defined in the EPBC Act Significant Impact Guidelines for the species. The entire extent of Cowie's Creek constitutes habitat for the species. Much of the remainder of the precinct area, including the proposed action area, is substantially degraded and dominated by exotic perennial grass species. The area of the proposed action is currently used for dryland agriculture.

Whilst there will be no direct loss of habitat for the Growling Grass Frog within the development footprint, it has the potential to impact the population of frogs along Cowies Creek and its tributary by:

- Increasing recreational use of the Cowies Creek corridor potentially resulting in degradation (e.g., trampling, rubbish) of known habitat.
- Altering local hydrology as a result of stormwater flows which may adversely affect habitat characteristics for the species.
- Contributing to an increase in sedimentation of Cowies Creek resulting in reduced water and habitat quality.
- Increasing levels of waste (e.g., construction or residential rubbish) in known habitats along Cowies Creek, reducing habitat quality.
- Introducing weeds.

**Striped Legless Lizard (*Delma impar*):**

Within the Creamery Road precinct, potential habitat for the Striped Legless Lizard (Att 3, Section 2.1.1d, pp 7) occurs as areas of degraded native grassland dominated by Wallaby Grass (*Rytidosperma* spp.) or spear grass.

**Golden Sun Moth (*Synemon plana*):**

Within the precinct, potential habitat for the species (Att 3, Section 2.1.1e, pp 8) occurs as areas of degraded native grassland dominated by Wallaby Grasses and spear grass.

**Australian Grayling (*Prototroctes maraena*) and Little Galaxias (*Galaxiella pusilla*):**

Targeted surveys for both species (Att 3, Section 2.1.1f, pp 8) were conducted within Cowies Creek in 2019 and 2020. Neither species was detected, though potentially suitable habitat was confirmed (however, the habitat within Cowies Creek is poor and lacks many suitable habitat attributes). Potential impacts to the species from the proposed action include habitat loss and/or degradation, increased sedimentation, reduced water quality, changes to water flows and introduced fish.

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

No

**4.1.4.6 Describe why you do not consider this to be a Significant Impact. \***

**Adamson's Blown-grass (*Lachnagrostis adamsonii*)**

While the species has been recorded in the broader precinct, no individuals have been detected within the area of the proposed action. The general vicinity has been subjected to agricultural activities which are likely to have diminished habitat values. As a result, given that the closest known population of Adamson's Blown Grass is located at Warners Road north (and upstream) of the Creamery Road precinct, which is over 1 km away, the proposed action is unlikely to lead to a long-term decrease in the size of a population, reduce the area of

occupancy of the species, or fragment an existing population. It will also not adversely affect habitat critical to the survival of a species or disrupt its breeding cycle, and is unlikely to result in an invasive species or disease becoming established that could cause the species to decline.

#### **Spiny Rice-flower (*Pimelea spinescens subsp. spinescens*)**

All patches of suitable habitat within the proposed action area were surveyed for Spiny Rice-flower, and no individuals were detected. Consequently, it was concluded that there is a low likelihood that the site contains any individuals of the species.

#### **Growling Grass Frog (*Litoria raniformis*)**

The Growling Grass Frog population along Cowies Creek has persisted to date despite extensive agriculture in the catchment area. The species is also known to persist in more urbanised catchments including in more urbanised areas of Geelong with the implementation of appropriate land management practices.

The potential changes to hydrology as a result of the proposed action are expected to be minimal and are unlikely to decrease the availability or quality of Growling Grass Frog habitat in the area or disrupt the breeding cycle of the population such that the species would decline. Given that there will be no direct impact to habitat for the species and any indirect impacts associated with stormwater runoff are expected to be minor and will be managed in accordance with best practice under state legislation, the proposed action is unlikely to lead to a long-term decrease in the size of the population, or otherwise significantly impact the Growling Grass Frog.

#### **Striped Legless Lizard (*Delma impar*)**

Given the degraded and fragmented nature of the development area, and that the species was not detected during surveys, it is considered highly unlikely that the Creamery Road precinct contains an important population of Striped Legless Lizard.

#### **Golden Sun Moth (*Synemon plana*)**

No Golden Sun Moth individuals were detected within the Creamery Road precinct or the broader WGGA. Using the impact thresholds contained in these guidelines, no known habitat will be lost, degraded or fragmented. The project area does not support an important population of the species.

#### **Australian Grayling (*Prototroctes maraena*) and Little Galaxias (*Galaxiella pusilla*)**

Given that neither species are known to occur in Cowies Creek, and the habitat is in poor condition, it is considered unlikely that the proposed action would modify, destroy, fragment, or interfere with habitat for the species such that an important population of the species would decline.

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

No

#### **4.1.4.9 Please elaborate why you do not think your proposed action is a controlled action. \***

The proposed action is unlikely to have a significant impact on a matter protected under the EPBC Act and is not considered to be a controlled action because:

- No threatened species protected under the EPBC Act were detected within the property and no direct impact to their habitat will occur as a result of the proposed action.
- Indirect impacts to surrounding biodiversity values are expected to be minor only and will be managed appropriately through stormwater design and the implementation of appropriate environmental management plans under the state framework.

**The proposed action is therefore not considered to be a controlled action. For further information, see Att 3, pp 9.**

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

Specific Environment Management Plans will be developed to meet the requirements of state legislation. It is anticipated that these management plans will address any indirect impacts to habitat for listed threatened species that occur within the precinct. At this stage in the process, the exact management plans have not been confirmed, but are likely to include:

- Construction management plan
- Erosion and sedimentation control plan
- Weed management plan
- Waste management plan

- Emergency spills procedures

The Creamery Road Precinct Structure Plan identifies a conservation corridor along Cowies Creek which will be managed for its conservation values. This will aid in protecting and enhancing conservation, aesthetic and recreational values along Cowies Creek. The conservation commitments for Cowies Creek do not form part of this referral as they do not relate to land owned by the person proposing the action.

Through the incorporation of the Cowies Creek corridor into the PSP design, it is expected that all direct and indirect impacts to the Growling Grass Frog and Adamson's Blown-grass will be minimised to a level that is unlikely to compromise the viability of either species in the local area. Further, the proposed restoration and enhancement of natural features within the Cowies Creek corridor has the potential to improve the broader ecological function of Cowies Creek which may benefit a range of native species including those listed under the EPBC Act.

For further information, please see Att 3, pp 9.

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

No offsets are proposed for this action, as avoidance and mitigation measures are expected to adequately reduce the risk of significant impacts.

#### 4.1.5 Migratory Species

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

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

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

Direct impact	Indirect impact	Species
No	No	Actitis hypoleucos
No	No	Apus pacificus
No	No	Calidris acuminata
No	No	Calidris canutus
No	No	Calidris ferruginea
No	No	Calidris melanotos
No	No	Gallinago hardwickii
No	No	Hirundapus caudacutus
No	No	Motacilla flava
No	No	Myiagra cyanoleuca
No	No	Numenius madagascariensis
No	No	Rhipidura rufifrons

Direct impact	Indirect impact	Species
No	No	Tringa nebularia

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

No

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

No migratory species were recorded in the project area during ecological surveys by EHP (Att. 1.1, Section 3.2.4, pp. 82).

**4.1.6 Nuclear**

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

No

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

The proposed action does not involve nuclear activity.

**4.1.7 Commonwealth Marine Area**

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

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

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

—

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

No

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

The project area is not on or near a Commonwealth marine area.

#### 4.1.8 Great Barrier Reef

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

No

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

The project area is not in or near the Great Barrier Reef.

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

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

No

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

The proposed action does not involve mining activity.

#### 4.1.10 Commonwealth Land

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

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

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

—

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

No

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

The project area is not within or near Commonwealth land.

**4.1.11 Commonwealth heritage places overseas**

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

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

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

—

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

No

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

The proposed action has no relevance to Commonwealth heritage places overseas.

**4.1.12 Commonwealth or Commonwealth Agency**

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

No

## 4.2 Impact summary

### Conclusion on the likelihood of significant impacts

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

*None*

### Conclusion on the likelihood of unlikely significant impacts

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

- World Heritage (S12)
- National Heritage (S15B)
- Ramsar Wetland (S16)
- Threatened Species and Ecological Communities (S18)
- Migratory Species (S20)
- Nuclear (S21)
- Commonwealth Marine Area (S23)
- Great Barrier Reef (S24B)
- Water resource in relation to large coal mining development or coal seam gas (S24D)
- Commonwealth Land (S26)
- Commonwealth heritage places overseas (S27B)
- Commonwealth or Commonwealth Agency (S28)

## 4.3 Alternatives

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

No

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

Alternatives were considered as part of the preparation of the Framework Plan. Under the Framework Plan, it was determined that the WGGGA should be zoned for residential development and will provide access to critical housing opportunities for the Geelong area. No alternatives to the proposed action were considered as part of this referral.

## 5. Lodgement

### 5.1 Attachments

## 3.2.1 Flora and fauna within the affected area

#1.	Attachment 1: Existing Ecological Conditions: Northern and Western Geelong Growth Areas_EHP, 2021	Document	Detailed ecological investigations of the Western Geelong Growth Area (WGGA) and Northern Geelong Growth Area (NGGA)
-----	---	----------	--

## 3.4.1 Hydrology characteristics that apply to the project area

#1.	Attachment 2: 60 Avonlea Road, Bell Post Hill: Cowies Creek Stormwater Impacts	Document	Stormwater modelling and hydrology report pertaining to 60 Avonlea Road, Bell Post Hill
-----	--	----------	---

## 4.1.4.2 (Threatened Species and Ecological Communities) Why your action has a direct and/or indirect impact on the identified protected matters

#1.	Attachment 3: Summary of Impact Assessment 60 Avonlea Rd	Document	Summary of supplementary impact assessment information 60 Avonlea Road
-----	--	----------	--

## 5.2 Declarations

### Completed Referring party's declaration

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

ABN	31649738278
Organisation name	AESTRA PTY LTD
Organisation address	92 Cooper Street, Cootamundra NSW 9590
Representative's name	Naomi Maxwell
Representative's job title	Director
Phone	0406686084
Email	admin@aeetra.com.au
Address	92 Cooper Street, Cootamundra NSW 9590

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

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

By checking this box, I, **Naomi Maxwell of AESTRA PTY LTD**, declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. \*

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

**✔ Completed Person proposing to take the action's declaration**

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

---

ABN	656 012 609
Organisation name	Avonlea Bell Pty Ltd
Organisation address	PO Box 522, South Yarra 3141
Representative's name	Samantha Ramsey
Representative's job title	Project Manager
Phone	0413 940 871
Email	samantha@ramseypg.com.au
Address	PO Box 522, South Yarra 3141

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

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

I, **Samantha Ramsey of Avonlea Bell Pty Ltd**, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf or for the benefit of any other person or entity. \*

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

---

**✔ Completed Proposed designated proponent's declaration**

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

---

Same as Person proposing to take the action information.

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

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

I, **Samantha Ramsey of Avonlea Bell Pty Ltd**, the Proposed designated proponent, consent to the designation of myself as the Proposed designated proponent for the purposes of the action described in this EPBC Act Referral. \*

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