Wattle Hill Creek, Bridge Replacement Project, Henty Highway, Portland

Application Number: **02508** Commencement Date: **16/07/2024** Status: **Locked**

1. About the project

1.1 Project details

1.1.1 Project title *

Wattle Hill Creek, Bridge Replacement Project, Henty Highway, Portland

1.1.2 Project industry type *

Transport - Land

1.1.3 Project industry sub-type

Road

1.1.4 Estimated start date *

01/06/2025

1.1.4 Estimated end date *

30/09/2026

1.2 Proposed Action details

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

Action Purpose & Description

The action is the replacement of the exisiting two lane Wattle Hill Creek bridge located on the Henty Highway, Road No. 2620, SRRS 2736, Portland, Glenelg Shire (Att #3, Henty_Highway_Wattle_Hill_Creek_19-10-24.pdf).

The bridge is deteriorating with structural movement observed under load, resulting in some instances, in spillage of carted material. A preliminary check by the Department of Transport and Planning's (DTP) – Bridge Assessment Team (BAT) indicated that the bridge structure was inadequate to take the suite of High Productivity Freight Vehicle's (HPFV) expected to require access to the Port in the future.

DTP is in the final stages of project planning, the design is finalised (Att #3, Henty_Highway_Wattle_Hill_Creek_19-10-24.pdf), soon to tender for a contractor, works expected to commence in September 2025, to occur over 12 months, with completion expected in September 2026.

The disturbance footprint is not yet fully delineated, but will include the creek channel, banks and bed, likely extending for approximately 10 metres up and downstream of the outside edge of the length of the exisiting bridge.

Activities and Staging

The following is a summary of the likely activities and staging of the project that may disturb or impact the environment:

- Stage 1 - Site pre/establishment:
    - Vegetation clearing of the works footprint (i.e. within 10m up and downstream of the exisiting bridge length)
    - Establishment of perimeter/exclusion fencing and sediment controls to protect unimpacted areas and the waterway
    - Primary impacts to the vegetation (i.e removal) of the main creek channel
    - Expected short-term loss of habitat for duration of works.
    - Potential secondary impacts to the creek's water quality (though will be managed)
- Stage 2 - Demolition of existing piles
    - Earthworks, excavation, removal of materials, machinery/plant.
    - Primary risk of impact is to water quality (sedimentation) and aquatic biota (managed through appropriate controls such as fencing, bunding, waterway diversion, salvage/relocation, etc.)
- Stage 3 - Pile/bridge construction:
    - Earthworks, excavation, import of materials, machinery/plant.
    - Primary risk of impact is to water quality (sedimentation/pollution) and aquatic biota (managed through appropriate controls such as exclusion fencing, bunding, waterway diversion, salvage/relocation, etc.)
- NOTE: Stage 2 demolition and Stage 3 construction will occur in two stages—first on the west side of the bridge and then on the east side—to avoid a full road closure during construction. Consequently, the creek diversion (see below point) will remain in place for most of the project duration, except during the breeding season of the pygmy perch, as specified in the PPCMP (Att #4, 000409_DTP_Wattle Hill Crk_YPPCMP_10032025.pdf, Section 5.2.2).
- Stage 4 - Post works site reinstatement
    - Landscaping and revegetation works
    - habitat reinstatement
    - Minor risk of impacts to water quality
- Other
    - Creek diversion:
        - The creek will be temporarily diverted during the demolition of existing piles and the construction of new piles and the deck.

        - The diversion will be an open channel amenable to fish/fauns passage (no pipes or pumps) as detailed in the YPPCMP (Att #4, 000409_DTP_Wattle Hill Crk_YPPCMP_10032025.pdf, Section 5.2.2).
    - Water main relocation
        - There is an existing water main going across the creek. DTP will be replacing the old water main and scour pit on the road reserve and within the exisiting bridge replacement project impact footprint .
        - Earthworks, excavation
        - No additional timeline, footprint, risk of impact in addition to that already identified for the bridge replacement.

Environmental (Ecology) Studies to Date

A Vegetation Assessment (encompassing flora and fauna) was undertaken for the project (Att #1, M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf). The assessment concluded:

1. "*No listed threatened flora or fauna (terrestrial) or associated habitats were recorded within the project area, and none are considered likely to occur due to the highly modified condition of the habitat.*
2. *Native vegagtion within the project area does not meet the criteria for any EPBC Act listed ecological communities.*
3. *An EBPC Act referral is unlikely to be required, however, it is recommended that an aquatic ecologist review the likelihood of occurrence for threatened aquatic species within Wattle Hill Creek*."

A detailed aquatic biodiversity assessment was subsequently undertaken (Att #2, 000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf). The assessment concluded:

1. The desktop portion of the assessment identified "*ten state and/or commonwealth protected species of which four were assessed as 'possibly' present within Wattle Hill Creek including little galaxias (Galaxiella toourtkoourt), Yarra pygmy perch (Nannoperca obscura), hairy burring crayfish (Engaeus sericatus) and Portland burring crayfish (E. strictirfons)*". Noting only Yarra pygmy perch is EPBC Act protected and relevant to this referral.
2. "*A site inspection and targeted species survey found the creek modified and in overall moderate condition, but supporting a diverse native fish and aquatic invertebrate community"*…. including a new record the EPBC Act protected Yarra pygmy perch, the subject of this referral.
3. An EPBC Act significant impact assent for Yarra pygmy perch found "*the project may result in a significant impact to Yarra pygmy perch. This finding is based on the need for significant in stream works diversion of the waterway through the project area, that the project area likely contains habitat that is critical to the local population and that the works will be occurring for up to two years. It is therefore likely that a referral under the EPBC Act will be required*".

A pre-referral meeting was held with DCCEW on in which DTP committed to submitting this referral as "*not a controlled action*", detailing how Yarra pygmy perch and their habitat would be managed and protected in a project specific Yarra Pygmy Perch Conservation Management Plan (Att #4, 000409_DTP_Wattle Hill Crk_YPPCMP_10032025.pdf).

It is important to note that combined, the terrestrial and aquatic ecology assessments (Att #1, M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf and Att #4, 000409_DTP_Wattle Hill Crk_YPPCMP_10032025.pdf) have found no other MNES of concern or at risk of impact, with the exception of Yarra pygmy perch. Accordingly, this referral is based principally upon assessing the action relative to potential impacts to Yarra pygmy perch only.

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? *

This project is part of the Green Triangle Program (#6 Link, Green triangle), funded by both state and federal governments.

Relevant legislation includes the following:

Commonwealth

- EPBC Act - DTP determined this referral was required as action had the 'potential' (unmitigated) to cause a significant impact to one MNES (Yarra Pygmy Perch, YPP, *Nannoperca obscura*). However, mitigated as detailed in the project's YPPCMP (Att #4, 000409_DTP_Wattle Hill Crk_YPPCMP_16072024.pdf, Section 5) the project is 'unlikely' to result in a significant impact under the EPBC Act.

State (Victorian)

- FFG Act - Permit required in the instance that YPP are interacted with/require handling during works.
- Wildlife Act 1975 - Permit required in the instance that wildlife are interacted with/require handling during works.
- Fisheries Act 1995 - Works not to impede fish passage, permit required in the instance that fish are interacted with/require handling during works.
- CaLP Act 1994 - Measures in place to prevent passage of weeds/pathogens.
- EP Act 1970 - Measures in place to prevent discharges of contaminated water to the creek.
- Water Act 1989 - Works on Waterways permit (WoWP) required and obtained (Att #3, Attachment E - GHCMA-W-2022-00444 Wattle Hill Creek.pdf).

See also policy and legislation detailed in WoWP and in both the vegetation/terrestrial (Att #4, M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf, p12-14) and aquatic ecology (Att #5, 000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf, Section 8) assessment reports.

Any YPP handling required for the project will be undertaken in accordance with relevant approvals and permits (e.g. FFG and Fisheries Act) held by Aquatica Environmental.

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

The DTP has conducted stakeholder consultations for the project.

Stakeholders have included:

- DEECA (Att #2, DEECA Notification and Endorsement_23032023.docx)
- Moyne Shire Council (Att #3. Comms 3 - Email to Council.pdf)
- Wannon Water (Att #6. Comms 4 - Emails to local Water Authority Wannon Water.pdf)
- the Port of Portland
- a wind turbine component transportation company (Hi-Haul, Att #5. Comms 2 - email to HI-HAUL Transport pty ltd.pdf)
- relevant service providers (water and gas authorities)
- Glenelg Hopkins Catchment Management Authority (GHCMA), who has issued a Works on Waterways licence fo the project (Att #1. Attachment E - GHCMA-W-2022-00444 Wattle Hill Creek.pdf) and has been communicated (Att #4. Comms 1 - Emails to CMA.pdf)
- the nearby property owner at 20 Anmore Avenue, Portland.

Initial meetings with the council were held via Microsoft Teams as part of the Green Triangle Freight Action Plan, with regular project updates provided via email. The DTP project delivery team has also met with all service providers on-site for joint inspections and is working closely with them to finalise service relocation plans.

Additionally, the DTP team has engaged with nearby property owners to inform them about the project. The DTP Communications and Engagement team is currently preparing a community engagement plan specifically for this project, which will be ready prior to the contract advertisement (but not currently available).

During these stakeholder meetings, DTP discussed the project scope, its potential impacts on the local community during construction (including detours), and the long-term benefits to both the community and stakeholders, how to mitigate impacts to the community/environment during construction, etc. DTP also gathered feedback to inform the design analysis.

1.3.1 Identity: Referring party

Privacy Notice:

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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.

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1.3.1.1 Is Referring party an organisation or business? *

Yes

Referring party organisation details

ABN/ACN	83572211867
Organisation name	The Trustee for Aquatica Trust, trading as Aquatica Environmental
Organisation address	220 Old Eltham Road, Lower Plenty VIC 3093

Referring party details

Name	Aaron Jenkin
Job title	Director and Principal Ecologist
Phone	0413 935 497
Email	aaron@aquaticaenvironmental.com.au
Address	220 Old Eltham Road, 220 Old Eltham Rd

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/ACN	69981208782
Organisation name	DEPARTMENT OF TRANSPORT AND PLANNING
Organisation address	3000 VIC

Person proposing to take the action details

Name	Dulitha Abeysekara
Job title	Project Lead
Phone	0439665601
Email	dulitha.abeysekarawadon@transport.vic.gov.au
Address	29 Jamieson Street WARRNAMBOOL 3280

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. *

The DTP has a long and satisfactory record of responsible environmental management. There have been no past or present proceedings, or threatening of proceedings, under any Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against DTP.

DTP regularly undertakes large scale road-side projects, including bridge projects, and has strong commitments to making the transport system more sustainable and environmentally conscious. DTP has a long-established history of positive environmental management, as evidenced through its annual reporting. The most recent annual report was released for 2022-2023 (#4 Link, DEPARTMENT OF TRANSPORT AND PLANNING Annual Report 2022-23).

DTP has initiated and completed a significant number of minor to major road projects across Victoria, all of which have the potential for environmental impact. DTP has completed all projects successfully without any major incidents.

DTP, previously known as VicRoads, has been the proponent of many successful EPBC referrals, and has maintained all commitments of these referrals during and post-construction. All previous EPBC Act referrals of which DTP (or VicRoads) is the proponent, can be found on the DTP website (#5 Link, EPBC commitments). All previous offset monitoring reports, annual compliance reports and annual audit reports that DTP are required to report on to comply with the conditions set out by the Commonwealth for the protection of MNES can also be found on the website.

Previous examples of major road projects demonstrating DTP's responsible environmental management under the EPBC Act include:

- EPBC 2014/7203 - Main Road St Albans Level Crossing Removal Project
- EPBC 2016/7809 - Pyrenees Highway (Sec 2) Ch10.9 - 15.0km Safer Roads Infrastructure Project
- EPBC 2017/8018 - Geelong Bacchus Marsh Road – Between Lara and Maddingley Safer Roads Infrastructure Project, Geelong, Victoria
- EPBC 2020/8820 – Healesville – Koo Wee Rup Upgrade, Vic
- EPBC 2021/8874 – Beaufort Bypass, Vic
- EPBC 2021/8943 – Pakenham level crossing removal, Vic
- EPBC 2021/0101 – Suburban Rail Loop East, Cheltenham to Box Hill, Vic

DTP has been responsible for successfully complying with all approval conditions and maintaining annual compliance reporting for these EPBC projects.

The proposed Wattle Hill Creek project will be undertaken in accordance with DTP's Environmental Management (Major) standard contract specification, which includes minimum environmental management obligations for the following environmental aspects:

- Environmental management
- Water quality
- Air quality
- Erosion and sediment control
- Contaminated soils and materials
- Waste and resource use
- Fuels and chemicals
- Noise
- Flora and fauna
- Cultural heritage
- Reporting

The conditions in the Environmental Management (Major) standard contract specification outlines the requirements that contractors must follow to ensure that DTP complies with all state and federal legislation. The document clearly outlines how the contractor will undertake the construction of the roundabout in

accordance with all controls and conditions outlined in the attached ecological documents and will include site specific requirements to protect native vegetation during works.

Please refer to attached document for Environmental Management (Major) standard contract specification.

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

The Department of Transport and Planning (DTP) is committed to complying with all Commonwealth and State environmental legislation during the planning and delivery of all projects, and going beyond environmental compliance where practicable. Most notably, DTP works under a whole-of-department Environmental Management System (EMS) which aims to continuously improve the department's environmental performance and reduce environmental risks (Att #1, Sec176.docx, Standard Section 176 Environmental Management). The EMS is aligned with the Australian and New Zealand Standard (AS/NZS ISO 14001:2016). The EMS

DTP has a range of policies and processes that document their commitment to environmental sustainability broadly and to managing this roundabout project in a manner that meets all environmental legislative requirements and minimises environmental impacts:

- The DTP Strategic plan 2024-28 (#2 Link). "Enhancing Environmental Sustainability" is one of six key pillars of the plan.
- The DTP Annual Report 2022-23 (#3 Link), includes reporting of DTP's environmental compliance.
- The DTP works under an overarching Environmental Sustainability Policy (2024).
- The DTP Risk Management Framework (2023) ensures a risk-based approach to the planning and delivery of all road improvement projects.
- Surveillance audits of contractor works during construction based on a risk-based approach, and to ensure compliance with all legislation and conditions.
- Training for all internal staff on Site Environmental Management and environmental impacts of project construction. Training is part of the nationally accredited ACH16 training package.
- All contractors delivering construction projects must complete the ACH16 training package.
- DTP will work under the conditions of the Environmental Management (Major) standard contract specification for this project.
- DTP will prepare a Construction Environmental Management Plan and Fauna Management Plan to ensure compliance with all Commonwealth and State legislation and to minimise any harm to the environment. The information in the Detailed Aquatic Report for the Southern Pygmy Perch.

1.3.3 Identity: Proposed designated proponent

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

Yes

Proposed designated proponent organisation details

ABN/ACN	69981208782
Organisation name	DEPARTMENT OF TRANSPORT AND PLANNING
Organisation address	3000 VIC

Proposed designated proponent details

Name	Dulitha Abeysekara
Job title	Project Lead
Phone	0439665601
Email	dulitha.abeysekarawadon@transport.vic.gov.au
Address	29 Jamieson Street WARRNAMBOOL 3280

1.3.4 Identity: Summary of allocation

Confirmed Referring party's identity

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

ABN/ACN	83572211867
Organisation name	The Trustee for Aquatica Trust, trading as Aquatica Environmental
Organisation address	220 Old Eltham Road, Lower Plenty VIC 3093
Representative's name	Aaron Jenkin
Representative's job title	Director and Principal Ecologist
Phone	0413 935 497
Email	aaron@aquaticaenvironmental.com.au
Address	220 Old Eltham Road, 220 Old Eltham Rd

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/ACN	69981208782
Organisation name	DEPARTMENT OF TRANSPORT AND PLANNING
Organisation address	3000 VIC
Representative's name	Dulitha Abeysekara
Representative's job title	Project Lead
Phone	0439665601
Email	dulitha.abeysekarawadon@transport.vic.gov.au
Address	29 Jamieson Street WARRNAMBOOL 3280

Confirmed Proposed designated proponent's identity

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

Same as Person proposing to take the action information.

1.4 Payment details: Payment exemption and fee waiver

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

No

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

No

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

No

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

No

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

No

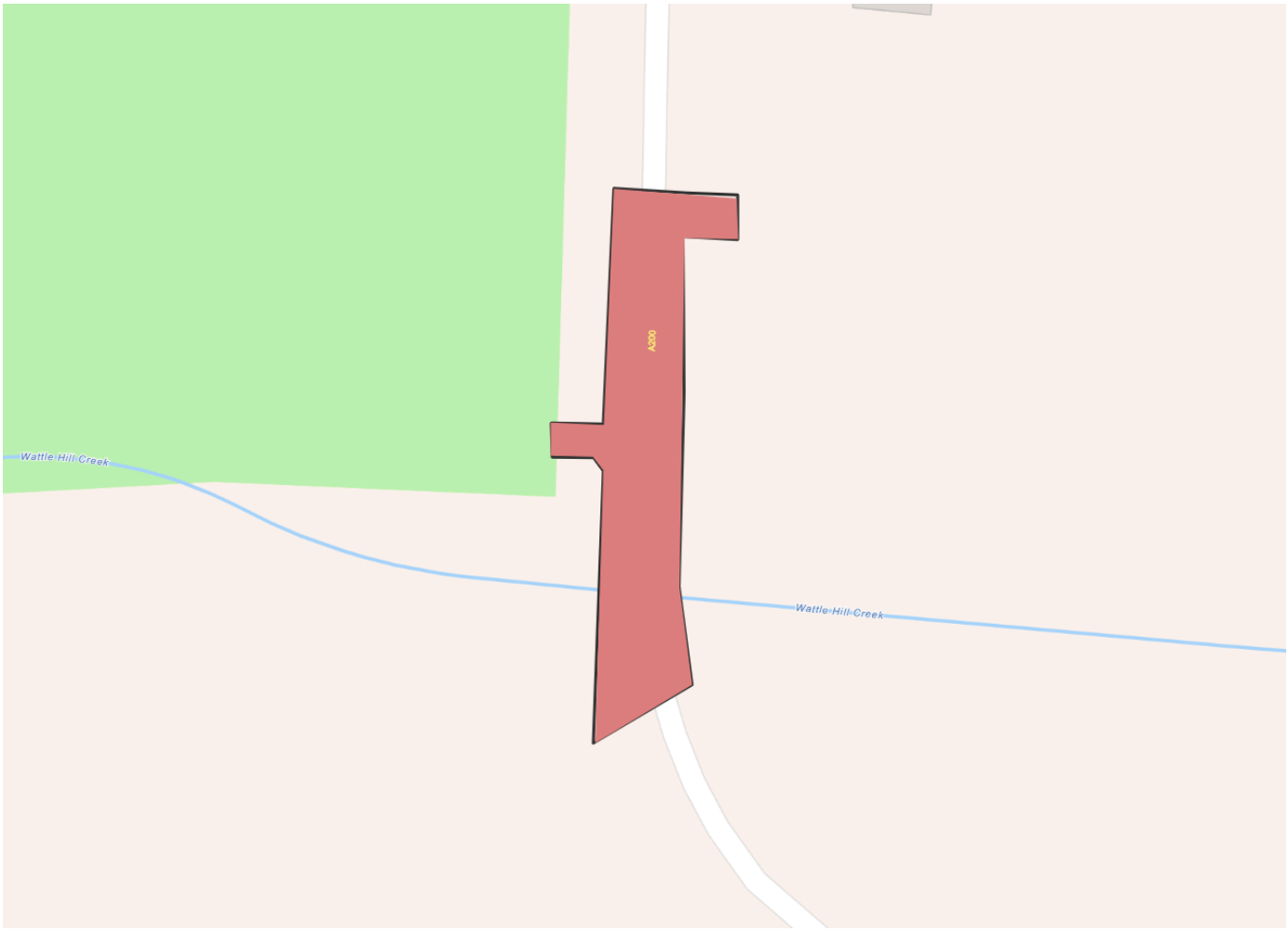
1.4 Payment details: Payment allocation

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

Person proposing to take the action

2. Location

2.1 Project footprint



Project Area: 0.43 Ha **Disturbance Footprint:** 0.42 Ha

2.2 Footprint details

2.2.1 What is the address of the proposed action? *

Ch.2.780km Wattle Hill Creek, Henty Highway, Portland Vic 3305

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? *

Project area is within the Transport Zone TRZ22 36.04 Principal Road Network.

Majority of the project will be contained in the TRZ and Wattle Hill Creek (Crown Land) Wattle Hill Creek is Crown Land.

Project area is surround by Urban Floodway zone (UFZ) east side of Henty Hwy , Rural Conservation Zone (RCZ) on the south west side corner of Henty Hwy (likely to be Crown status) and Public Parks and Recreation zone (PPRZ) on the north east side corner of Henty Hwy, (also Crown Land Status).

3. Existing environment

3.1 Physical description

3.1.1 Describe the current condition of the project area’s environment.

As detailed in the terrestrial ecology assessment (Att #1, M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf, p6-10):

- "*The project area was characterised by modified cover of Swamp Scrub and Damp sands Herb-rich woodland interspersed with exotic dominated vegetation.*
- *Sections of the road reserve and creek embankment comprised of modified land form and substrate from previous infrastructure works.*
- *No list of threatened flora or fauna species (terrestrial) or associated habitats were recorded within the project area, and none are considered likely to occur due to the highly modified condition of habitat.*
- *Native vegetation within the project area does not meet the criteria for any EPBC Act listed ecological communities.*"

As detailed in the aquatic ecology assessment (Att #2, 000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf, Sections 5.2 and 9):

- "… *the site inspection found the creek highly modified and in overall moderate condition. However, aquatic habitat in the reach of the creek near the bridge was amenable to a range of aquatic fauna likely providing both residence and disbursal/migration habitat. There is also likely better habitat upstream and downstream of the project area*."
- "*Overall the desktop review, site inspection and targeted survey found the reach of Wattle Hill Creek in proximity to the bridge to be in overall modified and moderate condition, and likely ephemeral at times. However, despite the condition assessment and a paucity of aquatic fauna records, the survey was able to show the creek supports a relatively diverse native fish and aquatic invertebrate community, including a newly found population of the EPBC Act and FFG Act protected Yarra pygmy perch*."

A Coastal Acid Sulfate soil assessment undertaken in 2024 identified acid sulfate soil in one of four test locations in the project footprint (Att #3, M22247_002_RPT_ASSCMP_Rev0.pdf, Sec 1.1), stating:

- "*GroundScience Pty Ltd (GroundScience) completed a limited scope preliminary acid sulfate soil sampling program involving four soil sample collection from four locations north and south of the proposed bridge constructions. One of the four samples indicated that there were potential acid sulfate soils onsite.*"

The bridge and project area is located approximately:

- 2.3km upstream of where Wattle Hill Creek discharges into Bass Strait at the port of Portland.
- 1.8km west of the Portland down centre.
- 65km east southeast of the SA/Vic boarder.
- 300km west of Melbourne.

As detailed in Section 2.2.5:

- Project area is within the TRZ22 36.04
- Wattle Hill Creek is Crown Land.
- Project area is surround by Urban Floodway zone (UFZ) east side of Henty Hwy , Rural Conservation Zone (RCZ) on the south west side corner of Henty Hwy (likely to be Crown status) and Public Parks and Recreation zone (PPRZ) on the north east side corner of Henty Hwy, (also Crown Land Status).
- Surrounding the project area is farm land.

Exact details of how the project area will be accessed are yet to be determined. However, access will have to be via the exisiting Henty Hwy roadside reserve.

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

Existing (previous) land use of the project area are:

- The entire project area is road reserve zoned as Transport Road Zone (TRZ)
- Wannon Water have a water main and scour pit within the project area
- Council undertake grass/veg maintenance of the road reserve
- There is evidence of occasion recreational fishing at the bridge.

Following completion of the project there will be no change to the zoning or use/s of the project area.

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

As noted throughout the assessments Wattle Hill Creek and its associated riparian zone we considered to be in moderate condition, with limited flora and fauna values. The aquatic assessment found (Att #1, 000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf, Sections 5.1.1, 5.1.2, 5.3):

- Records of previous surveys in Wattle Hill Creek found:
    - February 2010 – Two sites in the lower and upper reaches of the creek, both recorded as "creek dry" at the time.
    - October 2005 – Three sites in the lower reaches, creek was again noted as "dry" at the survey sites.
    - September 1990 – One site and recorded common galaxias (*Galaxias maculatus*), southern pygmy perch (*Nannoperca australis*), redfin perch (*Perca fluviatilis*) and tupong (*Pseudaphritis urvilli*i).
- 2010 Index of Stream Condition (ISC) report assessed two reached of Wattle Creek as being in 'poor' condition.
- Downstream of the project area lies Fawthrop Lagoon, an estuarine lagoon, whicht has been extensively modified as a storm water retardation basin. The lagoon is an important location for water birds, believed to support up to 150 species including some rare and threatened species.
- 2019 Index of Estuary Condition report assessed Wattle Hill Creek estuary (i.e. downstream of Fawthrop Lagoon) as being in overall 'moderate' condition.
- 2008/09 National Waterbug Blitz surveys included two sites in Wattle Hill Creek including one just upstream of the bridge a Bridgewater Road. A 2009 survey recorded 14 aquatic invertebrate taxa in the creek, obtaining a SIGNAL score of 2.9 (very low score with 5.0 the maximum).
- Victorian Fisheries Authority makes no mention of Wattle Hill Creek as a recreational fishing location, however, during the site inspection there was evidence of fishing occurring with 'pipi' shells (a type of bait) found on the left bank under the bridge
- A range of common aquatic fauna species were recorded during a survey including: southern pygmy perch, burrowing crayfish (*Engaeus* sp.), common galaxias, freshwater shrimp (*Paratya* sp.), freshwater crayfish (*Geocharax* sp.), freshwater / estuarine crab, southern short-finned eel (*Anguilla australis*), spotted / trout galaxias (*Galaxias truttaceus*), striped marsh frog (*Limnodynastes peroni*), tupong and unidentified tadpoles.

Central to this referral, the aquatic assessment found a new record for Yarra pygmy perch (Att #1, 000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf).

The species had not been detected during several previous surveys in the decades prior, in which it was noted that the creek was either dry or had an extremely depauperate fish community.

The targeted survey not only found that the creek supports a Yarra pygmy perch population, but I relatively diverse range of other native fish species, including the related southern pygmy perch (*nannoperca australis*)(Att #1, 000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf). This indicated that the despite the overall moderate condition the creek clearly has habitat and water quality values that are able to support this diverse fish community.

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 project area lies broadly at about 3m above sea level, noting it is very close to the coast and the landscape is undulating.

In the project area the main creek channel is approximately 35m wide and 3.5m deep (top of bank to invert) (Att #1, Photo - WHC channel looking downstream.jpeg).

Outside of higher flow events, the base flow channel is on average approximately 3m wide and 1m deep.

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.

As detailed in the terrestrial ecology assessment (Att #1, M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf):

Flora

- The project area was characterised by predominantly introduced and/or planted vegagtion.
- A moderate cover of Swamp Scrub in Wattle Hill Creek and Damp Sands Herb-rich Woodland along the road reserves, interspersed with planted vegetation an exotic dominated grasslands. A detailed description of the flora spaces recorded within the project area is included in the vegetation assessment results commencing on page 6 of the Okologie report.

Fauna (terrestrial)

- Okologie noted that no listed threatened or other fauna species were observed during the field assessment and there was a low likelihood of occurrence of any listed threatened fauna species due to the absence of suitable habitat.

As detailed in the aquatic ecology assessment (Att #2, 000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf):

Flora (aquatic)

- "*There was some marginal macrophyte vegetation including Persicaria, Common Weed (Phragmites australis) and Rushes. Riparian vegetation was dense both upstream and downstream, but variable. Upstream was dominated by a tall shading overstory of exotic trees and Eucalypt, with an understory of grasses and weeds. Downstream was more open, dominated by dense Blackberry and grass, with occasional Acacia.*"

Fauna (aquatic)

- At the bridge there was evidence of recreational fishing, which based on the desktop review results at the time suggested the following species were possibly present: brown trout (*Salmo trutta*), European carp (*Cyprinus carpio*), redfin perch (*Perca fluviatilis*), river blackfish (*Gadopsis marmoratus*), southern shortfin eel (*Anguilla australis*), etc.
- Although there appeared to be some fish movement at the water surface during the site inspection, no aquatic fauna was actually identified.
- The targeted survey identified a range of native aquatic fauna including: Yarra pygmy perch, southern pygmy perch (*Nannoperca australia*), southern short finned eel (*Anguilla australis*), Tupong (*Pseudaphritis urvillii*), common galaxias (*Galaxias maculatus*), spotted galaxias (*G. truttaceus*), bush yabby (*Geochrax* sp.), freshwater crab (*Amarinus* sp.) and borrowing crayfish (*Engaeus* sp.).

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

As detailed in terrestrial ecology assessment (Att #1, M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf) vegetation within the project area was characterised by:

- A moderate cover of Swamp Scrub (EVC 53) in Wattle Hill Creek and
- Damp Sands Herb-rich Woodland (EVC 3) along the road reserves, interspersed with planted vegetation an exotic dominated grasslands.

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.

None identified in the PMST search (Att #1, PMST 10km Search_30102024.xlsx) or by DTP.

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

DTP has conducted an internal cultural heritage assessment, and the recommendations from DTP's internal Heritage Advisor are as follows (Att #1.Cultural Heritage Due Diligence.pdf and Att #2. Heritage Advice Wattle Hill Creek.pdf):

1. The works, as described, can proceed as planned and without the need for any further formal Aboriginal heritage authorisations. To ensure any potential threat to heritage values remains as low as possible, recommendations 3 (below) should be incorporated into the project planning and implementation.
2. The works, as described, can proceed as planned and without the need for any further formal European heritage authorisations. To ensure any potential threat to heritage values remains as low as possible, recommendations 3 (below) should be incorporated into the project planning and implementation.
3. All works should be undertaken with reference to the attached working conditions and standard contingency arrangements for managing the unexpected discovery of heritage materials.

Main reason for the above conclusion is that the proposed works are within the existing footprint of the current road, bridge and culverts and the project area has a long history of significant disturbance.

DTP also adhears to its DTP Heritage General Conditions and Contingencies (Att #3. General Conditions and Contingencies_Heritage.pdf).

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. *

There are no specifically unique hydrological characteristics of the project area.

As described in Section 3.1 the creek channel flowing through the project area has a primary channel with a smaller baseline flow channel at its invert.

There is evidence from historical aquatic fauna surveys undertaken, that sections of the creek certainly dry at times and therefore the creek is a ephemeral. However, the aquatic ecology assessment felt that the deeper pools located within the project area may be permanent (Att #1, 000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf, Appendix C).

Approximately 300m downstream of the project area lies Fawthrop Lagoon. The lagoon is saline/estuarine influenced and likely represents the downstream limit for Yarra pygmy perch distribution (they're not salt tolerant). The lagoon has been extensively modified as a storm water retardation basin.

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 within 10km of the project area (Attachment: PMST 10km Search_30102024.xlsx).

4.1.2 National Heritage

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

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

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

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

No

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

There are no National Heritage sites within 10km of the project area (Attachment: PMST 10km Search_30102024.xlsx).

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.

—

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. *

The Glenelg Estuary Ramsar site is listed as occurring within 10km of the project area (Attachment: PMST 10km Search_30102024.xlsx).

However, this is incorrect as the estuary is actually >50km north west in a straight line, and well outside any potential impact from the project.

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	Common name
No	No	Amphibromus fluitans	River Swamp Wallaby-grass, Floating Swamp Wallaby-grass
No	No	Antechinus minimus maritimus	Swamp Antechinus (mainland)
No	No	Botaurus poiciloptilus	Australasian Bittern
No	No	Caladenia hastata	Melblom's Spider-orchid
No	No	Calidris acuminata	Sharp-tailed Sandpiper
No	No	Calidris canutus	Red Knot, Knot
No	No	Calidris ferruginea	Curlew Sandpiper
No	No	Callocephalon fimbriatum	Gang-gang Cockatoo
No	No	Dasyurus maculatus maculatus (SE mainland population)	Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population)
No	No	Euastacus bispinosus	Glenelg Spiny Freshwater Crayfish, Pricklyback
No	No	Falco hypoleucos	Grey Falcon
No	No	Gallinago hardwickii	Latham's Snipe, Japanese Snipe
No	No	Glycine latrobeana	Clover Glycine, Purple Clover
No	No	Grantiella picta	Painted Honeyeater
No	No	Hirundapus caudacutus	White-throated Needletail
No	No	Isoodon obesulus obesulus	Southern Brown Bandicoot (eastern), Southern Brown Bandicoot (south-eastern)
No	No	Ixodia achillaeoides subsp. arenicola	Sand Ixodia, Ixodia
No	No	Lathamus discolor	Swift Parrot
No	No	Lepidium aschersonii	Spiny Peppercress

Direct impact	Indirect impact	Species	Common name
No	No	Limosa lapponica baueri	Nunivak Bar-tailed Godwit, Western Alaskan Bar-tailed Godwit
No	No	Lissolepis coventryi	Swamp Skink, Eastern Mourning Skink
No	No	Litoria raniformis	Southern Bell Frog,, Growling Grass Frog, Green and Golden Frog, Warty Swamp Frog, Golden Bell Frog
No	No	Miniopterus orianae bassanii	Southern Bent-wing Bat
Yes	No	Nannoperca obscura	Yarra Pygmy Perch
No	No	Neophema chrysogaster	Orange-bellied Parrot
No	No	Neophema chrysostoma	Blue-winged Parrot
No	No	Numenius madagascariensis	Eastern Curlew, Far Eastern Curlew
No	No	Petaurus australis australis	Yellow-bellied Glider (south-eastern)
No	No	Potorous tridactylus trisulcatus	Long-nosed Potoroo (southern mainland)
No	No	Prasophyllum litorale	Coastal Leek Orchid
No	No	Prasophyllum spicatum	Dense Leek-orchid
No	No	Prasophyllum suaveolens	Fragrant Leek-orchid
No	No	Prototroctes maraena	Australian Grayling
No	No	Pseudomys shortridgei	Heath Mouse, Dayang, Heath Rat
No	No	Pteropus poliocephalus	Grey-headed Flying-fox
No	No	Pterostylis chlorogramma	Green-striped Greenhood
No	No	Pterostylis cucullata	Leafy Greenhood
No	No	Rostratula australis	Australian Painted Snipe
No	No	Senecio psilocarpus	Swamp Fireweed, Smooth-fruited Groundsel
No	No	Stagonopleura guttata	Diamond Firetail
No	No	Sternula nereis nereis	Australian Fairy Tern
No	No	Thelymitra orientalis	Hoary Sun-orchid
No	No	Tringa nebularia	Common Greenshank, Greenshank
No	No	Xerochrysum palustre	Swamp Everlasting, Swamp Paper Daisy

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

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. *

The only MNES assessed as being potentially impacted by the action, and the basis of this referral, is Yarra Pygmy Perch.

As detailed in the aquatic biodiversity assessment report (Attachment: 000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf) a targeted survey of Wattle Hill Creek identified a resident population of Yarra pygmy perch. The survey identified only 2 individuals (1 in the project area and 1 over 1km upstream). However, given the species is known to be relatively fragile and a wide range of cohabiting common native fish species were also identified, is reasonable to conclude that there is an established population more widely within the creek and that there is likely other areas that provide habitat.

Although the action is temporary in nature, there will be a requirement for construction works to occur within the creek channel and for a period of up to 12 months. Accordingly, it was identified that direct temporary impacts to the species or its habitat may be through the construction works themselves, the potential requirement to divert a section of the creek through the project area to enable works (this is actually potentially a key mitigation measure to protect the species and its habitat), and that works will likely need to occur within the creek channel and/or the creek may need diverting through the project area during the species breeding season.

Potential impacts were identified in the following project documents:

- Vegetation assessment (Attachment: M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf, page 15)
- Aquatic biodiversity assessment (Attachment: 000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf, Section 6)
- YPPCMP (Attachment: 000409_DTP_Wattle Hill Crk_YPPCMP_100302025.pdf, Section 4).

They are broadly surmised as:

- Loss of Habitat
- Sedimentation and erosion from creek channel/stream during construction and post works
- Unmanaged disturbance to creek banks and channel
- Contamination of waterway
- Reduced water quality
- Incursion by weeds
- Alteration to natural / existing flow/hydrological regime
- Interfere with aquatic fauna breeding and migrations
- Injury / mortality to aquatic fauna
- Incursion by Predatory/Competitor Fish

A significant impact assessment was undertaken as part of the aquatic assessment which found the following potential impacts and therefore criteria relevant to the decision to refer the project:

- **POSSIBLE** - *lead to a long-term decrease in the size of an important population of a species*. It is plausible that if the action was not appropriately managed and mitigated that it could in fact lead to a long term decrease in the size of an important population. Noting that as this was the first time the species had been recorded in the waterway and the evidence seems to indicate that the population is in relatively low abundance, it was Aquatica Environmental's opinion that it would constitute an important population.
- **LIKELY** - r*educe the area of occupancy of an important population*. The project will result in a short term temporary reduction in the area of occupancy of a population. If not appropriately managed and mitigated disposable that this could become a long term impact. However the proposed management and mitigation measures are more than adequate to ensure that this impact is temporary only and that the creek an aquatic habitat will be reinstated to equal or better condition upon completion of the project.

- **POSSIBLE** - *adversely affect habitat critical to the survival of a species*. Although this was identified in the aquatic assessment, even if an impact was imparted to the habitat in Marshall hill Creek the impact and project is not of a scale that it would likely be deemed critical to the survival of the species. It would only be critical to the survival of this particular population. Accordingly, this criteria would be assessed as unlikely.
- **POSSIBLE** - *disrupt the breeding cycle of an important population*. Given the proposed duration of in channel works for the action it is probable that these works will overlap with the species core breeding period. Given at the time of preparing the aquatic assessment and this referral the understanding of the spaces is based on a single survey, it is possible that the habitat provided within the project area may represent a key breeding location within the Creek.

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. *

This referral was deemed required by DTP as the action had the 'potential' (unmitigated) to cause a significant impact to one MNES (Yarra Pygmy Perch, YPP, *Nannoperca obscura*). However, mitigated as detailed in the project's YPPCMP (Att #4, 000409_DTP_Wattle Hill Crk_YPPCMP_10032025.pdf, Section 5) the project is 'unlikely' to result in a significant impact under the EPBC Act.

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. *

As noted in Section 4.1.4.6, the project is temporary in nature, has a small project footprint/reach along the creek (<50m), the temporary impacts are readily managed and mitigated, and the creek and its habitat will be reinstated to equal or better condition, as has been committed to by DTP.

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. *

Full mitigation measures to avoid significant impacts have been detailed in the following:

- Vegetation assessment (Attachment: M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf, page 15)
- Aquatic biodiversity assessment (Attachment: 000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf, Section 7)
- YPPCMP (Attachment: 000409_DTP_Wattle Hill Crk_YPPCMP_100320254.pdf, Section 5 and 6).
- The project's' works on waterways permit (Attachment: Attachment E - GHCMA-W-2022-00444 Wattle Hill Creek.pdf).

It has also been recommended across all of the assessments that identified the MNES, potential impacts and mitigation measures should be fully adopted and incorporated into the project's construction environmental management plan (CEMP). The CEMP will be prepared upon award to a contractor, but it is expected to at least meet all mitigation and environmental management measures in DTP's EMPS, specifically SECTION 177 - ENVIRONMENTAL MANAGEMENT (Major) (Link #5, Sec177.docx).

Core recommended mitigation measures are those that are common to bridge construction projects on or near waterways more broadly. These include measures such as:

- Minimising the project footprint and duration that the project will require to be undertaken.
- Identifying the project footprint and installing exclusion fencing to protect areas from impact.
- Installing sedimentation controls to minimise impact to the waterway.
- Ensuring all project personnel are appropriately inducted informed of the ecological values at risk.
- Optimising the timing of construction works nearest the waterway to occur outside of the typically higher rainfall time of year.

Mitigation measures more specific to protecting Yarra pygmy perch and their habitat are detailed in the YPPCMP (Attachment: 000409_DTP_Wattle Hill Crk_YPPCMP_10032025.pdf, Section 5 and 6), such as:

- **Existing Habitat Protection and Buffer Zones** – Existing habitat and vegetated buffer zones should be maintained and protected at the upstream and downstream extents of the works area. Effectively these should be delineated by the upstream and downstream extent of the project footprint. Measures are to be put in place to protect these areas from direct or indirect project impact.
- **Revegetation Program** – Upon completion of works the project footprint is to be revegetated with and appropriate plant pellet taken from the relevant EVCs identified in the vegetation assessment (Okologie 2022; e.g. Swamp Scrub). Revegetation should also consider the inclusion of macrophytes such as ribbon weed (*Triglochin* spp.) And knotweed (*Persicaria* spp.), which provide essential cover and spawning habitat. In particular, riparian vegetation reinstatement of the project area should also take into consideration reintroducing shading in the riparian zone and of the YPP habitat in the creek.
- **Hydrology and Flows** – Impacts to the hydrology and flows of Wattle Hill Creek should be avoided or minimised and water sensitive urban (bridge) design is to be used.
- **Aquatic Fauna Passage** – evidence to date indicates that YPP are present and potentially breeding within the project footprint it will be essential to ensure that any instream works are appropriately isolated from the wetted portion during the period of the works, and that YPP and other aquatic fauna passage is retained. If any reach of the Creek needs to be diverted or isolated from construction for any reason the YPPCMP outline specific requirements for how any diversion should be designed and constructed In a naturalistic manner (i.e. No pipes, culverts or bare channels) to ensure that Yarra pygmy perch and other aquatic fauna can still passage and even potentially utilised the reach.
- **Water Quality** – water quality with steam bottle hill Creek is not to be impacted and a water quality monitoring programme has been included in the YPPCMP which details the parameters and frequency of sampling. Monitoring is to occur pre construction, to develop a baseline understanding of the water quality, during all construction and in unison with Yarra pygmy perch population monitoring.

- **Sedimentation and Erosion Controls** - Sedimentation and erosion controls will be developed in accordance with the VicRoads Sec177 Part D (VicRoads 2016). Control measures will be clearly outlined in the project's CEMP.
- The YPPCMP we also details a range of **monitoring requirements** that will form part of the mitigation measures an informed the project of the success or otherwise of the mitigation measures themselves. Monitoring will be undertaken for the Yarra pygmy perch population, re vegetation and weeds and water quality. Monitoring also includes reporting requirements of which the recipients of the monitoring reports expected to also include DCCEEW and DEECA.

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

Given the project is temporary in nature and the creek and its habitat reinstated to equal or better condition upon completion of work, there are no offsets required or proposed for this project.

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	Common name
No	No	Actitis hypoleucos	Common Sandpiper
No	No	Apus pacificus	Fork-tailed Swift
No	No	Calidris acuminata	Sharp-tailed Sandpiper
No	No	Calidris canutus	Red Knot, Knot
No	No	Calidris ferruginea	Curlew Sandpiper
No	No	Calidris melanotos	Pectoral Sandpiper
No	No	Gallinago hardwickii	Latham's Snipe, Japanese Snipe
No	No	Hirundapus caudacutus	White-throated Needletail
No	No	Limosa lapponica	Bar-tailed Godwit
No	No	Motacilla flava	Yellow Wagtail
No	No	Myiagra cyanoleuca	Satin Flycatcher
No	No	Numenius madagascariensis	Eastern Curlew, Far Eastern Curlew
No	No	Rhipidura rufifrons	Rufous Fantail
No	No	Tringa nebularia	Common Greenshank, Greenshank

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

No

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

The project area and its immediate surrounds do not provide habitat that is likely to support any of these species.

The Okoligie (2022) vegetation and terrestrial ecology assessment concluded that (Attachment: M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf) "*No EPBC Act listed threatened flora or fauna species (terrestrial) were recorded within the project area and none are considered likely to occur due to the absence of suitable habitat*"

That proposed action is unlikely to result in an indirect impact to downstream receiving waterways to an extent that could be reasonably expected to result in an impact to any of these species.

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. *

There are no nuclear sites within 10km of the project area (Attachment: PMST 10km Search_30102024.xlsx).

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.

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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. *

PMST search indicated project area is "*Commonwealth Marine Areas (EPBC Act) - In buffer area only*" (Attachment: PMST 10km Search_30102024.xlsx), so no reasonable exceptions of a potential impact.

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. *

No impact as the project is based in Victoria, whereas the GBRMP is in Qld.

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. *

No large coal mining development or coal seam gas identified within any reasonable range of potential impact.

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.

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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. *

PMSt identified project are is within “Defence - Training Depot, Darts RD 3305 Portland - buffer area only” (Attachment: PMST 10km Search_30102024.xlsx). No potential impact.

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.

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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. *

No Commonwealth Heritage Places Overseas within 10km (Attachment: PMST 10km Search_30102024.xlsx).

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. *

As noted in Section 1, the action is the required replacement of the exisiting Wattle Hill Creek bridge due to deterioration and its inadequacy to take the suite of High Productivity Freight Vehicle's (HPFV) expected to require access to the Port in the future. Replacement of the bridge in its current location is least environmentally impactful scenario (i.e. replace in the same location and footprint).

5. Lodgement

5.1 Attachments

1.2.1 Overview of the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf Aquatic biodiversity assessment reprot	29/03/2023	No	High
#2.	Document	000409_DTP_Wattle Hill Crk_YPPCMP_10032025.pdf Yarra Pygmy Perch Conservation Management Plan	16/07/2024	No	High
#3.	Document	Henty_Highway_Wattle_Hill_Creek_19-10-24.pdf Replacement bridge design	19/10/2024	No	High
#4.	Document	M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf Vegetation & terrestrial ecology assessment	27/10/2022	No	High

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

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf Aquatic biodiversity assessment reprot	28/03/2023		High
#2.	Document	000409_DTP_Wattle Hill Crk_YPPCMP_10032025.pdf Yarra Pygmy Perch Conservation Management Plan	10/03/2025	No	High
#3.	Document	Attachment E - GHCMA-W-2022-00444 Wattle Hill Creek.pdf Works on Waterways Permit	12/08/2022	Yes	High
#4.	Document	Attachment E - GHCMA-W-2022-00444 Wattle Hill Creek.pdf Works on Waterways Permit	11/08/2022		High
#5.	Document	Attachment E - GHCMA-W-2022-00444 Wattle Hill Creek-REDACTED.pdf REDACTED version of Attachment E - Works on Waterway Licence	31/08/2022	No	High
#6.	Document	M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf Vegetation & terrestrial ecology assessment	26/10/2022		High
#7.	Link	Green triangle https://investment.infrastructure.gov.au/project..			High

1.2.7 Public consultation regarding the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment E - GHCMA-W-2022-00444 Wattle Hill Creek.pdf Works on Waterways Permit	11/08/2022	No	High
#2.	Document	Comms 1 - Emails to CMA.pdf Email comms with GHCMA	08/10/2024	Yes	High
#3.	Document	Comms 1 - Emails to CMA-REDACTED.pdf REDACTED version of Emails to CMA	08/10/2024	No	High
#4.	Document	Comms 2 - email to HI-HAUL Transport pty ltd.pdf Email comms with turbine transport company HiHaul Pty Ltd	13/06/2023	Yes	High
#5.	Document	Comms 2 - email to HI-HAUL Transport pty ltd-REDACTED.pdf REDACTED version of email to HI-HAUL Transport	13/06/2023	No	High
#6.	Document	Comms 3 - Email to Council.pdf Emal comms with Council	27/09/2024	Yes	High
#7.	Document	Comms 3 - Email to Council-REDACTED.pdf REDACTED version of Email to Council	27/09/2024	No	High
#8.	Document	Comms 4 - Emails to local Water Authority Wannon Water.pdf Email comms with Wannon Water	23/09/2024	Yes	High
#9.	Document	Comms 4 - Emails to local Water Authority Wannon Water-REDACTED.pdf REDACTED version of Email to Wannon Water	23/09/2024	No	High
#10.	Document	DEECA Notification and Endorsement_23032023.docx Project notification to DEECA	23/03/2023	Yes	High
#11.	Document	DEECA Notification and Endorsement_23032023-REDACTED.pdf REDACTED version of DEECA Notification and Endorsement	23/03/2023	No	High

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

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf Aquatic biodiversity assessment report	28/03/2023	No	High

#2.	Document	Attachment E - GHCMA-W-2022-00444 Wattle Hill Creek.pdf Works on Waterways Permit	11/08/2022	No	High
#3.	Document	M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf Vegetation & terrestrial ecology assessment report	26/10/2022	No	High
#4.	Link	DEPARTMENT OF TRANSPORT AND PLANNING Annual Report 2022-23 https://www.vic.gov.au/sites/default/files/2023-..			High
#5.	Link	EPBC commitments https://www.vic.gov.au/epbc-commitments			High

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

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Sec176.docx Standard Section 176 Environmental Management (minor)	12/07/2024	No	High
#2.	Link	2022-23 Annual report https://www.vic.gov.au/sites/default/files/2023-..			High
#3.	Link	Department of Transport and Planning STRATEGIC PLAN 2024-28 https://www.vic.gov.au/sites/default/files/2024-..			High

3.1.1 Current condition of the project area's environment

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf Aquatic biodiversity assessment reprot	28/03/2023	No	High
#2.	Document	M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf Vegetation & terrestrial ecology assessment	26/10/2022	No	High
#3.	Document	M22247_002_RPT_ASSCMP_Rev0.pdf Coastal Acid Sulfate Management Plan	26/02/2025	No	High

3.1.3 Natural features, important or unique values that applies to the project area

Type	Name	Date	Sensitivity	Confidence
#1.	Document 000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf Aquatic biodiversity assessment report	28/03/2023		High

3.1.4 Gradient relevant to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Photo - WHC channel looking downstream.jpeg Photo of creek channel	18/10/2022	No	High

3.2.1 Flora and fauna within the affected area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf Aquatic biodiversity assessment reprot	28/03/2023	No	High
#2.	Document	M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf Vegetation & terrestrial ecology assessment	26/10/2022	No	High

3.2.2 Vegetation within the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf Vegetation & terrestrial ecology assessment	26/10/2022	No	High

3.3.1 Commonwealth heritage places overseas or other places that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	PMST 10km Search_30102024.xlsx Protected Matters Search Tool 10km search buffer on project area, completed 30 oct 2024.	29/10/2024	No	High

3.3.2 Indigenous heritage values that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Cultural Heritage Due Diligence.pdf Internal emails re heritage due diligence assessment	05/02/2025	Yes	High
#2.	Document	Cultural Heritage Due Diligence-REDACTED.pdf	05/02/2025	No	High

		REDACTED version of Cultural Due Diligence			
#3.	Document	General Conditions and Contingencies_Heritage.pdf DTP Heritage General Conditions and Contingencies	20/06/2022	Yes	High
#4.	Document	General Conditions and Contingencies_Heritage-REDACTED.pdf REDACTED version of General Conditions and Contingencies_Heritage	20/06/2022	No	High
#5.	Document	Heritage Advice Wattle Hill Creek.pdf Email comms re cultural heritage advice	12/02/2023	Yes	High
#6.	Document	Heritage Advice Wattle Hill Creek-REDACTED.pdf REDACTED version of Heritage Advice	12/02/2023	No	High

3.4.1 Hydrology characteristics that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf Aquatic biodiversity assessment reprot	28/03/2023	No	High

4.1.1.3 (World Heritage) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	PMST 10km Search_30102024.xlsx Protected Matters Search Tool 10km search buffer on project area, completed 30 oct 2024.	30/10/2024	No	High

4.1.2.3 (National Heritage) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	PMST 10km Search_30102024.xlsx Protected Matters Search Tool 10km search buffer on project area, completed 30 oct 2024.	29/10/2024	No	High

4.1.3.3 (Ramsar Wetland) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	PMST 10km Search_30102024.xlsx Protected Matters Search Tool 10km	29/10/2024	No	High

search buffer on project area,
completed 30 oct 2024.

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

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf Aquatic biodiversity assessment reprot	28/03/2023		High
#2.	Document	000409_DTP_Wattle Hill Crk_YPPCMP_10032025.pdf Yarra Pygmy Perch Conservation Management Plan	15/07/2024	No	High
#3.	Document	M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf Vegetation & terrestrial ecology assessment	26/10/2022	No	High

4.1.4.6 (Threatened Species and Ecological Communities) Why you do not consider the direct and/or indirect impact to be a Significant Impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf Aquatic biodiversity assessment reprot	28/03/2023	No	High
#2.	Document	000409_DTP_Wattle Hill Crk_YPPCMP_16072024.pdf Yarra Pygmy Perch Conservation Management Plan	15/07/2024		High

4.1.4.10 (Threatened Species and Ecological Communities) Avoidance or mitigation measures proposed for this action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	000409_DoT_Wattle Hill Crk Aquatic Assessment_29032023.pdf Aquatic biodiversity assessment reprot	28/03/2023		High
#2.	Document	000409_DTP_Wattle Hill Crk_YPPCMP_16072024.pdf Yarra Pygmy Perch Conservation Management Plan	15/07/2024		High
#3.	Document	Attachment E - GHCMA-W-2022-00444 Wattle Hill Creek.pdf Works on Waterways Permit	11/08/2022		High
#4.	Document	M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1.pdf Vegetation & terrestrial ecology assessment	26/10/2022		High

#5.	Link	Sec177.docx https://webapps.vicroads.vic.gov.au/VRNE/csdspec..	High

4.1.5.3 (Migratory Species) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	M1010_WattleHillBridge_Vegetation_Assessment_Report_27102022_V1_hpdf Vegetation & terrestrial ecology assessment	26/10/2022		High

4.1.6.3 (Nuclear) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	PMST 10km Search_30102024.xlsx Protected Matters Search Tool 10km search buffer on project area, completed 30 oct 2024.	29/10/2024	No	High

4.1.7.3 (Commonwealth Marine Area) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	PMST 10km Search_30102024.xlsx Protected Matters Search Tool 10km search buffer on project area, completed 30 oct 2024.	29/10/2024		High

4.1.10.3 (Commonwealth Land) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	PMST 10km Search_30102024.xlsx Protected Matters Search Tool 10km search buffer on project area, completed 30 oct 2024.	29/10/2024	No	High

4.1.11.3 (Commonwealth heritage places overseas) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	PMST 10km Search_30102024.xlsx Protected Matters Search Tool 10km search buffer on project area, completed 30 oct 2024.	29/10/2024	No	High

5.2 Declarations

Completed Referring party's declaration

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

ABN/ACN	83572211867
Organisation name	The Trustee for Aquatica Trust, trading as Aquatica Environmental
Organisation address	220 Old Eltham Road, Lower Plenty VIC 3093
Representative's name	Aaron Jenkin
Representative's job title	Director and Principal Ecologist
Phone	0413 935 497
Email	aaron@aquaticaenvironmental.com.au
Address	220 Old Eltham Road, 220 Old Eltham Rd

☑ 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, **Aaron Jenkin of The Trustee for Aquatica Trust, trading as Aquatica Environmental**, 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/ACN	69981208782
Organisation name	DEPARTMENT OF TRANSPORT AND PLANNING
Organisation address	3000 VIC
Representative's name	Dulitha Abeysekara

Representative's job title	Project Lead
Phone	0439665601
Email	dulitha.abeysekarawadon@transport.vic.gov.au
Address	29 Jamieson Street WARRNAMBOOL 3280

☑ 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, **Dulitha Abeysekara of DEPARTMENT OF TRANSPORT AND PLANNING**, 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, **Dulitha Abeysekara of DEPARTMENT OF TRANSPORT AND PLANNING**, 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. *