



13 October 2022

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## **Due diligence ecological assessment for a proposed battery storage facility at 438 Lobbs Road, Glenbrae**

### **Introduction**

Okologie Consulting Pty Ltd was engaged by Acenergy Pty Ltd to undertake a due diligence ecological assessment for the property at 438 Lobbs Road, Glenbrae.

The property has been identified for a battery energy storage systems project. The due diligence ecological assessment was undertaken to gain an understanding of the presence/absence of ecological values, potential site constraints and inform legislative and planning requirements associated with future development of the site.

### **Site Description**

The site comprises a 10.5-hectare parcel of land within the property at 438 Lobbs Road, Glenbrae (Allot. 1 Sec. 21 Parish of Ercildoun) (Figure 1). It is bounded by Forest Road to the north, private property to the east and south and Lobbs Road to the west. The assessment also included the road reserve approximately 100 metres either side of site access along Forest Road.

The topography comprises low undulating slopes towards the southwest. The site was highly modified from agricultural use (cropping and grazing), with planted trees to the east and west. A farm dam is located in the northwestern corner. The surrounding land use is predominantly agricultural.



The site occurs within the Victorian Volcanic Plain bioregion, the confluence of the North Central Catchment Management Authority and the Glenelg Hopkins Catchment Management Authority boundaries and the Pyrenees Shire Council municipality (DELWP 2022a). The Native Vegetation Location mapping shows the site occurs within Location 1 and 2 (DELWP 2022b). The site is zoned Farming Zone (FZ) and is subject to Environmental Significance Overlay – Schedule 1 (ESO1) under the Pyrenees Planning Scheme (DELWP 2022c).

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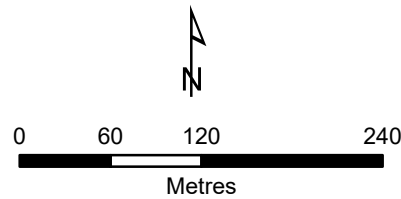


**Figure 1**  
*Site Location*  
438 Lobbs Rd, Glenbrae

**Legend**

-  Property Boundary
-  Subject Site

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Coordinate System: GDA 1994 MGA Zone 55  
Map Scale when printed @ A4 1:5,000



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## Methodology

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### *Desktop Assessment*

A desktop assessment was undertaken of relevant databases and other resources, including:

- NatureKit 2.0 for modelled biodiversity data (DELWP 2022a).
- Native Vegetation Information Management system tool for native vegetation information (DELWP 2022b).
- Planning Schemes Online for planning information (DELWP 2022c).
- The VBA for threatened flora and fauna species records (DELWP 2022d).
- The Protected Matters Search Tool (PMST) for information relating to Matters of National Environmental Significance (MNES) (listed species and communities) under the EPBC Act (DCCEE 2022).
- Relevant environmental legislation, policies and strategies.

### *Field Assessment*

The field assessment was undertaken on 22 September 2022. The site was traversed on foot to determine the extent of native vegetation. The extent of native vegetation was mapped using a Trimble Catalyst DA1 differential GPS (sub-metre accuracy post-processing), recorded to MGA 94 Zone 55 coordinate system. Ecological Vegetation Class (EVC) were determined by reference to the relevant bioregion pre-1750 and extant EVC mapping and benchmarks descriptions, and review of remnant vegetation in the local area.

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### **Assessment Guidelines**

The Guidelines (DELWP 2017) has been incorporated into the Victoria Planning Provisions and all planning schemes in Victoria. The purpose of the Guidelines is to set out and describe the application of Victoria's statewide policy in relation to assessing and compensating for the removal of native vegetation in response to permit applications under Clause 52.17.

Native vegetation is defined in Clause 72 of the Victoria Planning Provisions as *plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses*. Plants from other states or overseas are not native and the permitted clearing regulations do not apply if they are being removed (DELWP 2017).

The Guidelines considers the biodiversity value of native vegetation by measuring the following two components:

- Site-based information that can be measured or observed at a site.
- Landscape scale information that cannot be measured or observed at the site and is included in maps and models (DELWP 2017).



Under the Guidelines native vegetation is classified as a *patch* or *scattered tree*.  
A patch of native vegetation is:

- An area of vegetation where at least 25 per cent of the total perennial understorey plant cover is native<sup>1</sup>; or
- Any area with three or more native canopy trees<sup>2</sup> where the drip line<sup>3</sup> of each tree touches the drip line of at least one other tree, forming a continuous canopy; or
- Any mapped wetland included in the Current wetlands map.

A scattered tree is:

- A native canopy tree that does not form part of a patch (DELWP 2017).

The assessment pathway for an application to remove native vegetation reflects its potential impact on biodiversity and is determined from the location and extent of the native vegetation to be removed. The three assessment pathways are:

- Basic – limited impacts on biodiversity.
- Intermediate – could impact on large trees, endangered EVCs, and sensitive wetlands and coastal areas.
- Detailed – could impact on large trees, endangered EVCs, sensitive wetlands and coastal areas, and could significantly impact on habitat for rare or threatened species.

The assessment pathway of an application is determined in accordance with the requirements in Table 1.

**Table 1: Assessment pathways**

Extent of native vegetation	Location Category		
	Location 1	Location 2	Location 3
Less than 0.5 hectares and not including any large trees	Basic	Intermediate	Detailed
Less than 0.5 hectares and including one or more large trees	Intermediate	Intermediate	Detailed
0.5 hectares or more	Detailed	Detailed	Detailed

Source: DELWP (2017).

<sup>1</sup> Plant cover is the proportion of the ground that is shaded by vegetation foliage when lit from directly above. Areas that include non-vascular vegetation (such as mosses and lichens) but otherwise support no native vascular vegetation are not considered to be a patch for the purposes of the Guidelines. However, when non-vascular vegetation is present with vascular vegetation, it does contribute to cover when determining the percentage of perennial understorey plant cover.

<sup>2</sup> A native canopy tree is a mature tree (i.e. it is able to flower) that is greater than 3 metres in height and is normally found in the upper layer of the relevant vegetation type.

<sup>3</sup> The drip line is the outermost boundary of a tree canopy (leaves and/or branches) where the water drips on to the ground (DELWP 2017).



## Limitations

The preferred survey period for undertaking vegetation assessments in Victoria is spring, which maximises the likelihood of detecting all flora species within a site. Flora surveys provide a valuable 'snapshot' of vegetation at a point in time; however, the limitations of seasonal influence on the presence/absence of flora species (particularly annuals or cryptic species) must be considered. The short duration of the assessment limited the opportunity to observe migratory, transitory or uncommon fauna species.

The field survey was limited to the development footprint and did not include assessment of the entire property, as this was beyond the scope of works. The information outlined in this report relies on the accuracy of ecological database information, GIS layers and spatial imagery. To minimise potential errors, the most current available data was obtained from relevant sources.

The DELWP bioregion and EVC mapping are subject to inherently broad environmental and ecological parameters used in the mapping process. Where the observed EVC was not reflective of what would be expected from EVC mapping and classification, it was attributed to the most appropriate EVC based on combination of its floristic, life form and ecological characteristics, and particular environmental conditions.

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## Results

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### *Ecological Vegetation Classes*

NatureKit modelling identifies the pre-1750 EVC mapping for the site would have predominantly comprised of Plains Grassland (EVC 132). Extant (2005) mapping shows a sparse cover of Plains Grassland (DELWP 2022a).

No remnant native vegetation was recorded within the site during the assessment. Native vegetation along Forest Road and Lobbs Road reserves was attributed to Plains Grassy Woodland (EVC 55) based on floristic, life form and ecological characteristics.

### *Vegetation Assessment*

The site was highly modified and is currently used for agriculture (grazing), comprising improved exotic pasture, with plantations of native trees around sections of the property. No remnant native vegetation was recorded on the site. A modified cover of Plains Grassy Woodland occurs along Forest Road and Lobbs Road reserves (Figure 2).

Exotic dominated grassland (mapped as predominantly introduced vegetation) consisted of Perennial Ryegrass *Lolium perenne*, Brown-top bent *Agrostis capillaris*, Sweet Vernal-grass *Anthoxanthum odoratum*, Bearded Oat *Avena barbata*, Onion Grass *Romulea rosea*, Cocksfoot *Dactylis glomerata*, Barley grass *Critiesion murinum*, Soft Brome *Bromus hordeaceus*, Yorkshire Fog-grass *Holcus lanatus*, Flat Weed *Hypochoeris radicata*, Ribwort *Plantago lanceolata*, Blunt Medic *Medicago polymorpha*, Sheep Sorrel *Acetosella vulgaris* Cape Weed *Arctotheca glandula*, Rough Sow-thistle *Sochus asper*, Wild Radish *Raphanus raphanistrum* and White Clover *Trifolium repens* (Plates 1 to 6).

Plantations of native trees included River Red-gum *Eucalyptus camaldulensis*, Manna Gum *Eucalyptus viminalis* and Sugar Gum *Eucalyptus cladocalyx* (Plates 7 and 8).

Plains Grassy Woodland was present along sections of Forest Road and Lobbs Road reserves comprised a modified cover of Blackwood *Acacia melanoxylon* and Black Wattle *Acacia mearnsii* shrubs, in patches and as scattered individuals. The ground layer was dominated by exotic Toowoomba Canary Grass *Phalaris aquatica*, Kikuyu *Cenchrus clandestinus*, Great Brome *Bromus diandrus*, Squirrel-tail Fescue *Vulpia bromoides*, Paspalum *Paspalum dilatatum*, Rough Dogs-tail *Cynosurus echinatus*, Bearded Oat, Cocksfoot, Yorkshire Fog-grass, Black Nightshade *Solanum nigrum*, Aster Weed *Aster subulatus*, Spear Thistle *Cirsium vulgare* and Sow Thistle *Sonchus oleraceus* (Plates 9 to 12).

### *Threatened Flora Species*

No listed threatened flora species were recorded during the field assessment. The VBA (DELWP 2022d) contains records of two listed threatened flora species in local area (within a five-kilometre radius of the site). The PMST (DCCEEW 2022) identified 20 EPBC Act listed flora species or species habitats as likely to occur within the local area.



There is a low likelihood of occurrence for any listed threatened flora species due to the absence of suitable habitat. The site has been extensively modified from agricultural use (grazing) which reduces or eliminates the habitat potential for many species.

### ***Threatened Fauna Species***

No listed threatened fauna species were recorded during the field assessment. The VBA (DELWP 2022d) contains records of eight listed threatened fauna species in the local area. The PMST (DCCEEW 2022) identified 25 EPBC Act listed fauna species or species habitats (terrestrial) as likely to occur within the local area.

There is a low likelihood of occurrence for any listed threatened fauna species due to the absence of suitable habitat. The site has been extensively modified from agricultural use, which limits habitat availability to generalist species adapted to modified habitats.

### ***Threatened Ecological Communities***

Review of the PMST (DCCEEW 2022) identified five EPBC Act listed ecological communities may or are known to occur within the local area:

- *Grassy Eucalypt Woodland of the Victorian Volcanic Plain* (Critically Endangered).
- *Natural Temperate Grassland of the Victorian Volcanic Plain* (Critically Endangered).
- *Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plains* (Critically Endangered).
- *White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland* (Critically Endangered).
- *Grey Box (Eucalyptus microcarpa) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia* (Endangered).

The project area does not support any EPBC Act listed ecological communities.

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Plate 1: Exotic dominated pasture within the site



Plate 2: Exotic dominated pasture within the site



Plate 3: Exotic dominated pasture within the site



Plate 4: Exotic dominated pasture within the site

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Plate 5: Exotic dominated pasture within the site



Plate 6: Exotic dominated pasture within the site

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Plate 7: Planted native trees and exotic dominated pasture



Plate 8: Planted native trees and exotic dominated pasture





Plate 9: Modified Plains Grassy Woodland - Forest Road reserve



Plate 11: Modified Plains Grassy Woodland - Lobbs Road reserve

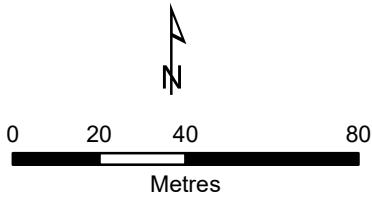
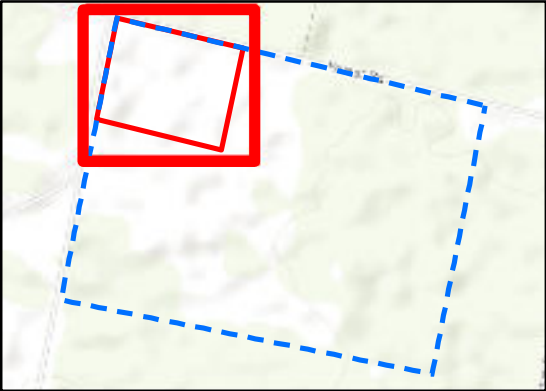
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**Figure 2**  
*Ecological Features*  
438 Lobbs Rd, Glenbrae

- Legend**
- Property Boundary
  - Subject Site
  - Proposed Area of Disturbance
  - Grassy Woodland
  - Predominantly Introduced Vegetation
  - Small Scattered Shrub

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Coordinate System: GDA 1994 MGA Zone 54  
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## Environmental Legislation and Policy Implications

### *Environment Protection and Biodiversity Conservation Act 1999*

The EPBC Act provides a process for assessment of proposed actions that may have a significant impact on a MNES, which includes EPBC Act listed flora, fauna and ecological communities (DoE 2013).

The EPBC Act affects any group or individual (including companies) whose actions (i.e. proposal or project) are assessed for environmental impacts under the EPBC Act. An action requires approval from the Commonwealth Environment Minister if it is considered likely to have a significant impact on a MNES (DoE 2013).

No EPBC Act listed threatened ecological communities or flora, or fauna species were recorded within the site, and none are considered likely to occur due to the absence of suitable habitat. An EPBC Act referral to the Commonwealth Environment Minister will not be required as no MNES are present or likely to be significantly impacted by future works within the site.

### *Flora and Fauna Guarantee Act 1988*

The FFG Act is the key Victorian legislation for the conservation of threatened species and communities and for the management of potentially threatening processes.

A permit is required from DELWP to 'take' (kill, injure, disturb or collect) listed flora species, flora species that are members of listed threatened communities or protected flora from public land. Protected flora species includes all members of the following plant families Asteraceae (Daisies), Epacridaceae (Heaths) and Orchidaceae (Orchids), all clubmosses, ferns and fern allies (excluding *Pteridium esculentum*). All species of the following genera are also protected: *Acacia* (excluding *Acacia dealbata*, *Acacia decurrens*, *Acacia implexa*, *Acacia melanoxylon* and *Acacia paradoxa*), *Baeckea*, *Calytrix*, *Correa*, *Darwinia*, *Eremophila*, *Eriostemon*, *Gompholobium*, *Grevillea*, *Prostanthera*, *Sphagnum*, *Thryptomene*, *Thysanotus* and *Xanthorrhoea* (DELWP 2022e).

No listed threatened flora species or floristic communities were recorded on the site. One listed protected flora species (Black Wattle) occurs along Forest Road and Lobbs Road reserves. An FFG Act permit will be required from DELWP to remove any individual Black Wattle shrubs from road reserves (public land). An FFG Act permit is generally not required for removal of protected flora species on private land.

### *Planning and Environment Act 1987*

The purpose of the *Planning and Environment Act 1987* is to establish a framework for planning the use, development and protection of land in Victoria. Native vegetation clearance is managed under the Act and through municipal planning schemes (DELWP 2022c).





A permit is required under Clause 52.17 (Native Vegetation) to remove, destroy or lop native vegetation, including dead vegetation, unless the action is exempt. To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation, the following three step approach is applied in accordance with the Guidelines:

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

If native vegetation removal is required, a permit application must be categorised as a basic, intermediate or detailed assessment pathway as specified in the Guidelines (DELWP 2017). Each assessment pathway has specific application requirements and decision guidelines that must be considered by the responsible authority.

Clause 66 (Referral and Notice Provisions) requires that the following applications to remove native vegetation be referred to the Secretary to DELWP:

- To remove, destroy or lop native vegetation in the Detailed Assessment Pathway
- To remove, destroy or lop native vegetation if a Property Vegetation Plan applies to the site.
- To remove, destroy or lop native vegetation on Crown land, which is occupied or managed by the responsible authority (DELWP 2022c).

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#### ***Clause 52.17 – Native Vegetation***

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The site was highly modified and is currently used for agriculture, comprising exotic dominated pasture, with plantations of native trees along sections of the property. No remnant native vegetation was recorded on the site. A modified cover of Plains Grassy Woodland occurs along Forest Road and Lobbs Road reserves.

The vegetation assessment was undertaken to inform the development plan. It is recommended that the proponent applies the principles of avoid and minimise during the design process to ensure the final project design avoids impacts to existing biodiversity values as much as practicable.

The proposed removal of any native vegetation (Plains Grassy Woodland) from Forest Road or Lobbs Road reserves will require a permit under Clause 52.17 of the Pyrenees Planning Scheme. A basic, intermediate or detailed assessment pathway application will also be required in accordance with the Guidelines, depending on the extent and location of native vegetation removal.

The *Planted Vegetation* exemption under Clause 52.17-7 states: *Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding. This exemption does not apply to native vegetation planted or managed*



*with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding (DELWP 2022c).*

Planted native trees within the site were not planted for conservation purposes using public funding. If required, the future removal of any planted vegetation is considered to meet this exemption.

A permit is not required under Clause 52.17 for removal of exotic vegetation on the site.

### ***Environmental Significance Overlay – Schedule 1***

The southern section of the site is subject to Environmental Significance Overlay – Schedule 1 (ESO1) (Designated Water Supply Areas) under the Pyrenees Planning Scheme (DELWP 2022c). The provision to ESO1 specifies that *a permit is not required to remove, destroy or lop any vegetation except where:*

- *Vegetation is within 30m of a waterway, waterbody or water supply channel.*
- *The application proposes the mass clearance of more than 1 hectare of land.*

A requirement for a permit to remove exotic pasture on the site under ESO1 is exempt, as the list of exemptions under Clause 42.01 (ESO) specifies that a permit is not required to remove planted vegetation (sown improved pasture).

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## Conclusion

The site was highly modified and is currently used for agriculture, comprising exotic dominated pasture, with plantations of native trees also present. No remnant native vegetation was recorded on the site. A modified cover of Plains Grassy Woodland occurs along Forest Road and Lobbs Road reserves.

No listed threatened ecological communities, flora or fauna species or associated habitats were recorded within the site, and none are considered likely to occur due to the absence of suitable habitat. An EPBC Act referral to the Commonwealth Environment Minister is not required as no MNES are present or likely to be significantly impacted by future works on the site.

No FFG Act listed threatened or protected flora species were recorded on the site. One FFG Act listed protected flora species (Black Wattle) occurs along Forest Road and Lobbs Road reserves. A permit will be required from DELWP to remove any individual Black Wattle shrubs from road reserves.

The proposed removal of any native vegetation (Plains Grassy Woodland) along Forest Road or Lobbs Road reserves will require a permit under Clause 52.17 of the Pyrenees Planning Scheme. A basic, intermediate or detailed assessment pathway application will also be required in accordance with the Guidelines, depending on the extent and location of vegetation removal.

If required for removal for future development, planted native vegetation is considered to meet the permit exemption under Clause 52.17-7 *Planted Vegetation*. A permit is not required for removal of exotic vegetation under Clause 52.17.

Please contact me on 0419 786 533 if you require any further information.

Yours sincerely,

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## Appendix 1

**Table 1: Flora species recorded**

Scientific Name	Common Name
<i>Acacia mearnsii</i>	Black Wattle
<i>Acacia melanoxylon</i>	Blackwood
<i>Agrostis capillaris</i>	Brown-top Bent*
<i>Arctotheca calendula</i>	Cape Weed*
<i>Avena fatua</i>	Wild Oat*
<i>Brassica fruticulosa</i>	Twiggy Turnip*
<i>Bromus catharticus</i>	Prairie Grass*
<i>Cirsium arvense</i>	Perennial Thistle**
<i>Cirsium vulgare</i>	Spear Thistle**
<i>Dactylis glomerata</i>	Cocksfoot*
<i>Ehrharta erecta</i> var. <i>erecta</i>	Panic Veldt-grass*
<i>Ehrharta longiflora</i>	Annual Veldt-grass*
<i>Eucalyptus camaldulensis</i>	River Red-gum#
<i>Eucalyptus cladocalyx</i>	Sugar Gum#
<i>Eucalyptus viminalis</i>	Manna Gum#
<i>Helminthotheca echioides</i>	Stinkwood
<i>Holcus lanatus</i>	Yorkshire Fog
<i>Hordeum murinum</i>	Barley-grass
<i>Hypochaeris radicata</i>	Flatweed*
<i>Lolium perenne</i>	Perennial-grass*
<i>Malva nicaeensis</i>	Mallow of Nice*
<i>Medicago polymorpha</i>	Burr Medic*
<i>Paspalum dilatatum</i>	Paspalum*
<i>Phalaris aquatica</i>	Toowoomba Canary-grass*
<i>Plantago coronopus</i>	Buck's-horn Plantain*
<i>Plantago lanceolata</i>	Ribwort*
<i>Romulea rosea</i>	Onion Grass*
<i>Rumex crispus</i>	Curled Dock*
<i>Solanum nigrum</i>	Black Nightshade*
<i>Sonchus asper</i> s.l.	Rough Sow-thistle*
<i>Sonchus oleraceus</i>	Common Sow-thistle*
<i>Sporobolus africanus</i>	Rat-tail Grass*
<i>Trifolium angustifolium</i> var. <i>angustifolium</i>	Narrow-leaf Clover*
<i>Trifolium fragiferum</i> var. <i>fragiferum</i>	Strawberry Clover*
<i>Trifolium subterraneum</i>	Subterranean Clover*
<i>Vulpia myuros</i>	Rat's-tail Fescue*

**Notes:** \*Exotic species; \*\*Listed noxious weed; #Planted

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