Table 1 National Intermodal response to received comments

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wallan wallan Regional Parkland proposal	Recommendation 1. MCMC strongly supports the implementation of the proposed wallan wallan Regional Park which aims to see as much natural function restored to the greater Herne Swamp as possible. The Camoola Property (Study Area) has the potential to greatly contribute to this restoration project. Any development that has the potential to impact on the Greater Herne Swamp wetland and the upper Merri Creek catchment should seek to avoid and minimise its impact as much as possible and seek to align with the restoration objectives of these areas instead.	FoMC are very keen to see proactive conservation management of wide buffer areas to the Merri Creek and to Hernes Swamp. For example, the 200 m assessment buffer for Hernes Swamp should be actively managed for conservation, as part of the BIFT project commitments. Likewise a minimum 200 m wide buffer along Merri Creek and its associated wetlands should be managed for conservation, including the designated the GGF Conservation Area along Merri Creek.	The State Government has completed a feasibility study for the proposed wallan wallan Regional Park, which aims to restore ecological function to the greater Herne Swamp. BIFT should seek to align with the restoration objectives of the Regional Park. Preliminary provisions for the regional park are being integrated into Victorian strategic planning processes. It will be necessary to include buffer areas around the Greater Herne Swamp and along waterways to provide for ecological values plus future recreational requirements.	The wallan wallan Regional Park is still in the feasibility phase, and not yet formalised. The Preliminary Documentation (PD) has been updated to reference the proposed park. Further to this the project has sought to avoid and minimise impacts as much as feasible while still achieving the project outcomes - as discussed in Section 6.1 of PD. No-go zones and buffers are integrated in the AMP to avoid works outside of the rail alignment footprint in the Herne Swamp area.	Update to Section 4.2 and 8.2 of PD.
Alternate footprint	Recommendation 2. We are not satisfied that the proposal has adequately addressed the requirements for demonstrating avoidance of Matters of National Environmental Significance, in this case the Greater Herne Swamp of which this property includes an important portion. An alternative siting of the rail offtake structure outside the portion of Herne Swamp located within the Study Area would achieve this.	The best way to protect the MNES, consistent with the DCCEEW EPBC guidance to eliminate and reduce significant impacts, is to avoid the need for a rail connection to be built within the footprint of the Greater Hernes Swamp. This could be achieved if the rail connection were made south of Hernes Swamp and Beveridge Road on the 'Mossrock" parcel of land, also owned by National Intermodal. This is our preferred option and should be fully investigated including compulsory acquisition of the freehold land between the two intermodal properties. As indicated earlier, in section 2. FoMC are not satisfied that all options have been properly investigated to avoid impacts on the MSA excluded area. We understand the Merri Creek Management Committee's (MCMC) comments address this more fully and we support their recommendations.	Alternative options not assessed. No assessment of alternative options that may minimise environmental impacts has been provided. It is our understanding that several alternative layout options have been provided to the proponent. In the development of most large-scale infrastructure projects, the balance between cost saving and the protection of conservation assets is generally skewed towards cost saving. Engineering and logistics approaches rarely embrace the environmental issues. Deliberate and focussed environmental advocacy and oversight within government at the earliest stages of the project are essential for good environmentally sensitive infrastructure design.	Section 6 of the PD discusses the alignment selection options that were considered and discounted due to increased impacts to MNES and Herne Swamp. The permanent infrastructure to be delivered by Stage 1A has been designed and sited to accommodate prescribed engineering requirements within National Intermodal's land holding, in particular around rail design standards.	No change
Incorporation of a viaduct	Recommendation 3. Should the proposal for the rail offtake structure across the wetland be approved, at a minimum a raised, viaduct-type structure on piers with a minimum impact footprint across the wetland should be utilised. This would better demonstrate an attempt to minimise the impact of the proposed development upon site values.	If it can be adequately justified that the BIFT cannot be redesigned so that trains enter the site from the south, the northern connection outlined in the EPBC referral must be via an open viaduct structure, not an earth and embankment structure (i.e. an elevated bridge not a dam). If National Intermodal were to utilise an open viaduct structure and avoid widening and deepening of the east-west drain, the FoMC would see this as NIM acting as a good environmental steward that listens to community concerns.	Any rail offtake structure must be a raised viaduct structure to minimise its impacts on hydrology, not an embankment structure. BIFT is going to save the Victorian and Federal governments billions of dollars in the long term through its efficiencies. To scrimp on environmental safeguards at this point will squander those benefits. We need a strong commitment to best practice here.	Following stakeholder feedback the embankment and culvert design has been replaced by an approximately 700m long double track viaduct over the Herne Swamp area to maintain natural flood passage and to maintain ecological function.	Updates to Section 4.3 and 6.2 of PD. Updates to Section 1.2.2 of Surface Water report

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	Recommendation 4. Similar to our response to the lack of demonstrated minimisation of impacts especially associated with the rail offtake structure, an elevated viaduct-type structure on small piers would greatly reduce impacts on the natural hydrological function of the wetland and a greater analysis of local groundwater systems to better inform the design of the infrastructure would assist to ensure that important local recharge areas are not impacted (such as in the vicinity of Camoola Swamp).	As well as impacts on surface flows, FoMC are concerned about impacts of the BIFT development on local groundwater and nearby groundwater dependent ecosystems. This is a complex area but suffice to say that parts of the site are likely to be important for local groundwater recharge, particularly the stony rises. We understand the Merri Creek Management Committee (MCMC) has addressed this issue in their comments and we support their perspective.	Deepening the drain through the south-east corner of Herne Swamp and putting in an embankment structure with a few culverts is the exact opposite of what we should be doing.	See above, further to this the design has changed and there is no longer any need to impact upon the farm drain through further design development.	Update to Section 4.3 and 6.2 of PD. Updates to Section 1.2.2of Surface Water report.
Farm drain works	Recommendation 5. we strongly oppose the proposal to deepen and widen the constructed drain and recommend the proponent identify an alternative solution to this proposed task.	A further aspect of the BIFT development that threatens the potential for restoration of the Greater Hernes Swamp is the proposal to widen and deepen the agricultural drain that runs east-west through the northern part of the BIFT site (see Aurecon report to NIM). The FoMC opposes this proposal and recommends that alternative approaches be taken to deal with hydrological changes resulting from development on the site. An earth and embankment structure and a deepening and widening of the drain will change the hydrology in Greater Hernes Swamp irreversibly impacting the SHWTLP and other MNES. It will also be almost impossible to reverse and will thus seriously compromise restoration of the Greater Hernes Swamp, the promised centrepiece of the wallan wallan Regional Park. For this reason FoMC vigorously opposes the embankment and drain widening approach. If National Intermodal were to utilise an open viaduct structure and avoid widening and deepening of the east-west drain, the FoMC would see this as NIM acting as a good environmental steward that listens to community concerns	Deepening the drain through the south-east corner of Herne Swamp and putting in an embankment structure with a few culverts is the exact opposite of what we should be doing. 90% of wetlands within the Merri Creek catchment have already been cleared. Rather than further impacting the Greater Herne Swamp, we should be encouraging improved wetland function along with active restoration. Deepening artificial drainage structures through the Greater Herne Swamp, as proposed, is a step in the wrong direction.	Further design development has been undertaken removing the need to deepen or widen the farm drain. The preliminary documentation has been updated to reflect this change.	Update to the impact areas under Section 5.2.2 of the PD. This has reduced the impact to 0.03 ha of SHWTLP. This update is also reflected in supporting technical documents.

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Extent of Herne Swamp	Recommendation 6. On the basis that the extent of SHWTLP shown in Biosis' assessment is likely undermapped, especially in the context of future management scenarios, we recommend that this assessment consider the DEECA current wetland layer as the possible extent of SHWTLP meaning that the direct impact of construction will affect a larger area of SHWTLP. Even if the impact to mapped SHWTLP is minimal, likely alterations of hydrology stemming from this action may have a limiting effect on future positive actions to restore this community elsewhere in the swamp. It is critically important to the hydrology of Hearnes Swamp and the persistence of SHWTLP that water movement to/from and through the swamp is not impeded in any way. If the project cannot be redesigned so that trains enter the site from the south, the northern connection outlined in the EPBC referral must be via an open viaduct structure and not an earth and embankment structure (i.e. an elevated bridge not a dam), or the project abandoned altogether.	1. Hernes Swamp is larger than acknowledged - proponents and their consultants using the term "Hernes Swamp" to describe what is only a tiny fragment of the original in-stream major wetland feature of Merri Creek, the wider original wetland basin – the true Hernes Swamp, a landscape feature that still exists – has been overlooked. It cannot be if impacts of the BIP are to be prevented and/or mitigated and the potential to restore Greater Hernes Swamp retained.	Project conceptualisation flawed The entire project fails to take into account the original extent of the Herne Swamp floodplain and the impacts that settlement has had through drainage, channelisation and land use. In addition, the impacts of future climate change are poorly understood and subject to considerable error. If these were better articulated and integrated, it would allow the project to be reframed as one which: • Shows the environmental leadership we desperately need from Commonwealth entities • Sets the framework and benchmarks for best practice regional development • Restores ecological function • Creates a genuine nature-positive win–win urban design solution to the need for this vital urban infrastructure.	Noted. Ability for National Intermodal to restore Herne Swamp is limited to their landholding. However, the PD has been updated to acknowledge the original extent of the swamp. Updated design to incorporate a viaduct and several ongoing environmental management measures demonstrate National Intermodal's commitment to restoration where feasible.	Section 5.2.1 of the PD has been updated Surface Water report updated consistent with the PD updates.
			Incorrect characterisation of wetland extent The wetland and/or vegetation mapping on the bulk of Herne Swamp was never completed for the MSA, because the old urban growth zone boundary cut off the rest of the wetland north of the BIFT northern boundary. That line is shown on the map below. In addition, ARI's mapping of SWH in the MSA area, which led to the excision of a portion of Herne Swamp from the MSA, was flawed. For expediency, it only considered SWH greater than 3 ha in size. As a result, the current mapping gives the impression that the only portions of Greater Herne Swamp that are of any current biodiversity value are those in the southern part of the wetland, south of the old urban growth zone boundary. DEECA have not updated the wetland or vegetation layer across any of the rest of Herne Swamp, despite Melbourne Water commissioning work in 2020 to assess vegetation in a wet spring across the northern-eastern portion of greater Herne Swamp (the area immediately north of the BIFT site, east of the railway line). See Alluvium (2021). Wallan Beveridge Pre-planning Waterways Assessment 2020 (Stage 1 to 4 – Desktop, field and modelling assessments). Report Prepared for Melbourne Water. As a consequence, the proponent can use a technicality in the mapping layer to claim	Noted. Any issues with the DEECA mapped wetland extent are beyond National Intermodal's remit.	No change

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			that rail spur from the main line isn't passing through "the mapped wetland", just an area "prone to flooding". The "mapped wetland" doesn't gel with the hydrological reality, nor the true wetland extent. The map below from the Alluvium report helps to better illustrate this.		
			It is likely that Seasonal Herbaceous Wetland is present across a larger area than evidenced from the project documentation and in the broader area. Seasonal Herbaceous Wetland is an ecosystem that is notoriously hard to map, changing – not surprisingly – seasonally. In fact, Biosis admits that "There are several other Plains Grassy Wetland patches within the study area that may also correspond to this community and would require further survey for confirmation". Biosis goes on to claim that "These areas are outside of the impact footprint and will not be impacted by development of the Beveridge Intermodal Precinct. We disagree. It is highly likely that these areas will be impacted, especially if the proponent maintains their low-bar approach to the ecological values of the region. Because of all this uncertainty, as a precaution the DELWP current wetland layer should be considered the extent of the Seasonal Herbaceous Wetland present. As a consequence, more Seasonal herbaceous Wetland is likely to be impacted than is indicted in the proposal	Biosis outlines that the areas outside of the impact footprint will not be directly impacted. Indirect impacts will be avoided on the basis that the hydrological conditions of the site are not altered and the design update to include the viaduct will assist in this.	The Surface Water Report has been updated to include Figure 2.3 to represent the previous extent of Herne Swamp as illustrated in the Alluvium 2021 report.
Flora species	Recommendation 7. We are confident that Swamp Everlasting and Swamp Fireweed, still persist along the western margin of the Herne Swamp excised area and the railway line and that any work in this vicinity should constitute a 'significant impact' to each of these species.		In terms of terrestrial vegetation, a few days survey of the whole site, accompanied by a desktop assessment, is completely inadequate to identify flora present in the impact area south of Herne Swamp.	The area to which this EPBC approval applies was subject to detailed survey across multiple site visits, in particular targeted survey for Swamp Everlasting, Swamp Fireweed and River swamp wallaby-grass were completed for all areas of disturbance within the accepted survey window. This included targeted survey of the area of works within the rail corridor. The area to the south was subject to previous survey by EHP and is outside of the scope of the current EPBC decision for threatened species, therefore no further survey was warranted.	No change. The targeted survey effort is already documented in the PD and Flora and Fauna Assessment Report.

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Growling Grass Frog	Recommendation 8. The entirety of the MSA excised land associated with Herne Swamp is highly likely to support GGF, including the 'assessment buffer'. This includes not only the wetland itself, but importantly the terrestrial areas up to at least 200m inland where the species is known to forage and overwinter. On this basis, impacts to Herne Swamp including at least a 200m terrestrial buffer should be avoided.		Growling Grass Frog is likely present across the study site, including the MSA-excised area, as part of the foraging and overwintering activities of the metapopulation for which the MSA Conservation Area 34 was set up. Appropriate buffers, design standards and supplementary habitat features should be provided.	Conservation Area 34 is located approximately 300 metres east of the impact area and as such a sufficient terrestrial buffer to both CA34 and Merri Creek exists. It is further noted that the nearest recent Growling Grass Frog (GGF) record is located approximately 5km south of Herne Swamp on Merri Creek. Targeted survey was completed for the study area in 2020, no GGF were recorded at this time. Regardless Biosis acknowledged the potential for the project area to provide foraging and overwintering habitat and has provided several avoidance and mitigation measures into the design to minimise impacts while still delivering the project. Additional measures have been integrated to the AMP to minimise impacts during construction and operation.	Figure 2-1 of the Action Management Plan (AMP) has been updated to illustrate conservation area 34.
CMP and buffer zones	Recommendation 9. A Conservation Management Plan is required to be prepared for the property, including but not limited to the GGF Corridor along the Merri Creek (Conservation Area 34); the portion of Herne Swamp on the property, in context with its role as only a portion of the Greater Herne Swamp, plus a buffer of at least 200m. To this we would also add the Camoola Swamp area plus a 200m buffer.			National Intermodal has committed to preparing a Conservation Management Plan that will detail further enhancement of Herne Swamp and other ecological values. Multiple ecological assessments and surveys have not identified values associated with Camoola Wetland. Impacts to the DEECA mapped wetland are unavoidable while also avoiding a significant amount of Herne Swamp at the northern end.	No change
Fauna design considerations	Recommendation 10. Any infrastructure that is to be created within GGF habitat is also required to meet the requirements of the relevant GGF Habitat Standard, i.e. GGF Habitat Standard (DELWP 2017a) or the GGF fauna crossing habitat standard (DELWP 2017b).		In general, mitigation of impacts to fauna should involve more than restricting light spill. Fauna are impacted by sound and vibration, air- and water-borne pollution, changes to water quality, vehicle–fauna interactions, impediments to movement such as fence lines or drainage channels. Road design should ensure under-road crossings promote fauna movement, and soundwalls minimise the impact of sound. Fencing options should be carefully considered to control movement. Planting schedules should ensure control of exotics and the protection and establishment of indigenous species. The project should embrace its wetland environment are foreground on-site water treatment throughout. In general, all roads, hardstands and other constructions should be constructed in a manner that would minimise alterations to waterflow, both above ground and below.	The project design and mitigation measures have been developed to minimise impacts to GGF and in consideration of relevant guidelines including the GGF Crossing Design Standard. The incorporation of the viaduct to the project design has significantly reduced barriers to movement and direct impacts to any potential habitat. Several further mitigation and management measures are incorporated into the AMP for the project to minimise impacts to fauna.	This is noted throughout the Preliminary Documentation, including Section 6.2 and Table 5-3 of the Action Management Plan.
	Recommendation 11. Measures to avoid impacts on Herne's Swamp and the Merri Creek and also to implement plans for restoration of these environments will assist in ensuring that habitat for the above listed fauna species as well as State-listed fauna and non-listed fauna are also provided for.			Additionally, significant work has gone towards minimising impacts on water quality and maintenance of hydrological regimes. Planting lists for the project have been completed in consultation with project ecologists. Following construction completion, ongoing conservation management of Herne Swamp will be informed by the proposed CMP as per commitment in the AMP.	No change

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VGED	Recommendation 12. On the basis that the 'referred action' occurs within the mapped extent for the Victorian Grassland Earless Dragon and in a location where grasslands occur within or adjacent to the impact footprint of the proposed activity, we request that at a minimum, a known, documented 'species expert' as per the 'Other sources cited section' of the Conservation Advice for the species is involved in undertaking an independent habitat assessment, at an appropriate time of year, and that their advice is then followed. However, our strong preference is for a targeted survey to be conducted. This targeted survey work should be undertaken in summer or at least prior to Autumn rains. Additionally, we propose that this survey work be undertaken across the entire footprint for Stage 1A (and 1B), rather than only the non-MSA, Herne Swamp area. Recommendation 13. In the case of this current proposal, in recognition that a new listing has occurred and in lieu of any adequate new prescriptions for the species, a targeted survey for VGED is required to be undertaken across the entirety of the site, including the MSA area.	MCMC strongly argues for the need to more fully consider the Victorian Grassland Earless Dragon. The FoMC support the approach that MCMC recommends.	We have to ask why the consultant suggests that the lack of soil cracking is evidence supporting the unsuitability of the site as VGED habitat when the site inspection is taking place in the middle of winter? It is this sort of unconsidered lack of professionalism that can call into question a consultant's reliability as an independent consultant. Such misrepresentations are sadly too common when consultants strive to present the sort of 'evidence' that suits their client's interests, not the good of the environment. The one known VGED site is very rocky, is significantly disturbed from grazing, and has rabbits. And being the only known VGED population, it by definition exists as a relatively small, isolated population. The fact that no burrowing invertebrates were found at in the Herne Swamp area suggests a lack of survey effort rather than an absence of such invertebrates, which after all are quite common. We suggest that a substantial effort to identify VGED presence in the broader environment would go a long way to supporting the assumption that VGED is not present. VGED was observed only 4km away, an observation that should not be lightly dismissed. We also suggest that the stony knolls be set aside as important features of the landscape, to be preserved and restored, while complimenting and supporting Herne Swamp conservation values.	National Intermodal understands that the site is located within the DEECA habitat distribution model and the DCCEEW modelled distribution for the species. In response to this, Biosis were engaged to conduct a habitat assessment to confirm areas of suitable habitat within the site. As noted on the DEECA information page, the HDM is only one of several factors to be considered in determining likelihood of the species being present. Habitat survey across the entire site (including 1B footprint) and desktop review of species records and habitat features confirmed a low likelihood of occurrence of the species (as outlined in Appendix 9 of FFA). Biosis is a leading expert in GED habitat and targeted survey assessments, having undertaken several surveys since the rediscovery and providing contributions and guidance in the development of the recently released survey guidelines. Additionally, during completion of this assessment Senior Biosis Zoologists consulted with Victorian grassland reptile expert [redacted]. Further consultation with [redacted] was undertaken in completing the pre-clearance survey protocol to address any residual risk. National Intermodal have undertaken ongoing consultation with DCCEEW, as the regulator responsible for the EPBC Act. DCCEEW have confirmed that, on the basis of the results of the habitat assessment, targeted surveys are not required for the species. To address any residual risk and potential for seasonal variation, National Intermodal have committed to completing pre-clearance surveys for VGED in the identified area of low-suitability VGED habitat. On the above basis, it is considered that the species has been given full consideration in accordance with the Conservation Advice and current best practice.	No change

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			Note that a single day's fauna survey in the middle of winter (23 July) is completely unreliable. No detail is provided for the methodology used for the targeted surveys for Growling Grass Frog and Golden Sun Moth. The survey may well not meet approved standards.	This statement is not accurate to the survey effort undertaken, the FFA has been informed by several surveys across a number of consultants. EHP targeted survey methodology is outlined below for reference: Growling Grass Frog Targeted Survey Nocturnal targeted surveys for Growling Grass Frog were completed during warm (over 15°C) conditions on three separate occasions (8, 9 and 17 December 2019) within the study area by ecologists experienced in amphibian surveys. Targeted surveys included quiet listening for 15 minutes prior to undertaking call-playback and active searching. Active searching focused on the margins of the waterbody and nearby drainage lines and areas providing potential habitat in the form of terrestrial, aquatic and refuge habitat(s). The targeted surveys for Growling Grass Frog surveys were undertaken in accordance with the methods outlined in the Significant Impact Guidelines for the Vulnerable Growling Grass Frog. Golden Sun Moth Targeted Survey Targeted Golden Sun Moth surveys were undertaken on five separate occasions (20 and 27 November, 9, 17 and December 2019, and 9 January 2020) during optimal conditions suitable for detecting species. The male generally flies on calm, warm (over 20°C), sunny days, throughout the warmest part of the day between 10am and 3pm, with the species emerging between October and December. Areas of potentially suitable habitat were traversed by ecologists experienced in the detection and identification of the species. Surveys were conducted in accordance with approved methodology identified within the Biodiversity Precinct Planning Kit (DSE 2010) and the Commonwealth's Significant Impact Guidelines (DSEWPC 2013a) for the species.	No change
Contractor qualifications and methodology	Recommendation 14. The proponent is required to engage appropriate contractors to prepare a series of appropriate plans. Each contractor must have proven expertise in the area for which they are preparing the plan. For example, a Conservation Management Plan should be prepared by an ecological expert. If it is species specific, an appropriate species			Noted and agreed.	No change

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	expert should conduct the works. Similarly, a stormwater management plan should be prepared by a stormwater management expert.				
Independent auditing	Recommendation 15. The proponent must hold overall responsibility for the quality and adequacy of the resultant plans with relevant levels of independent audit and oversight applied ideally via a local authority.			Noted. National Intermodal will have responsibility and oversight of management plans developed, further to this an Independent Environmental Auditor will review, approve and audit these management plans.	No change
Conservation Area Areas	Recommendation 16. The provisions relating to Conservation Area 34 should be acknowledged in the AMP, and any subsequent management plans and in diagrams throughout documents produced by NIC.	FoMC note with concern that the documents on the Action Management Plan do not provide specific information for the MSA-designated Conservation Area 34 – Growling Grass Frog Corridor along Merri Creek through the site, nor do they clearly identify this area. This must be rectified.	The 36 Conservation Areas declared as part of the joint Commonwealth–state Melbourne Strategic Assessment are generally regarded as being in substantial decline. Failure to adequately address floodplain issues and impacts to Groundwater Dependent Ecosystems will result in further stress on the already mismanaged Conservation Area 34, as well as associated Conservation Areas such as Conservation Area 22	AMP will be updated to address Conservation Area 34. It wasn't included in the plan as it is outside the impact area.	Figure 2-1 of the AMP has been updated to illustrate conservation area 34
Cultural Heritage	Recommendation 17. We recommend that recognition of Traditional Owner Cultural Heritage and Values with regard to protection of 'national heritage' under the EPBC Act, 1999, be duly considered by the Minister.		Project design must be informed by an appropriate CHMP. The results of the CHMP may have significant implications for project design, and EPBC approval should not be granted until the CHMP has been released. The Minister should consider recognising the Wurundjeri cultural heritage values under the 'national heritage' provisions of the EPBC Act	CHMP development is currently underway and National Intermodal are working closely with WWCHAC. The EPBC Act approval is separate to the CHMP assessment, noting the project has considered impacts under both Significant Impact Guidelines 1.1 and 1.2.	No change
	Recommendation 18. MCMC strongly support the that the development design must be informed by the CHMP and by any other identified Cultural Values that are identified by the Wurundjeri Woi-wurrung and that avoidance and minimisation of impacts to Indigenous Cultural Heritage is prioritised. Approval of any development plans or an EPBC approval prior to an endorsed CHMP is not supported.			CHMP development is currently underway and National Intermodal are working closely with WWCHAC. The EPBC Act approval is separate to the CHMP assessment, noting the project has considered impacts under both Significant Impact Guidelines 1.1 and 1.2.	No change

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Camoola Swamp	Recommendation 19. All options for the retention and restoration of Camoola Swamp, Camoola Creek and the surrounding landscape should be fully explored.	The BIFT development will significantly impact the Camoola wetland which sits at the northern end of a Merri Creek tributary referred to as Camoola Creek. FoMC was easily able to identify the general Camoola wetland area during a site visit with MCMC in September 2024 and also noted the stony rise areas to the north of this feature. The MCMC response lists the common species of wetland vegetation that were visible at this time. FoMC recognises that the MSA removed the requirement for this wetland and the creek to be assessed any further. Nevertheless their value in this landscape should be recognised. Impacts on Camoola Swamp, Camoola Creek and associated stony rises should be avoided, rather than locating rail infrastructure on top of these features.	In addition, the proponent should ensure that Camoola Swamp, Camoola Creek and the surrounding landscape be protected to the greatest extent they can.	Multiple ecological assessments and surveys have not identified values associated with Camoola Wetland. Impacts to the DEECA mapped wetland are unavoidable whilst also a avoiding a significant amount of Herne Swamp at the northern end.	No change
Sodic soils	Recommendation 20. Consideration of the potential impact of sodic soils needs to be demonstrated and mitigation elements, including minimising soil disturbance (such as deepening the constructed drainage line) must be clearly documented. Recommendation 21. Adequate measures to manage sodic soils onsite and outside the Study Area if required need to be documented via a suitable Construction or Site Environmental Management Plan and Stormwater and Soil Management Plan that will include consideration of scenarios that may result in offsite impacts.			Noted - this is addressed through the Environmental Management Framework	No change
Wetland and wetland conservation areas	Recommendation 22. Early consideration of sufficient provision for wetland and waterway conservation areas via the Action Management Plan and the documents that it recommends should be initiated as a priority.			Noted	No change this will be addressed in the CMP

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Future stages	The EPBC process currently applies only to Stage 1A of the proposed works. In our opinion, this approach precludes some whole-of-site values from being adequately considered in their entirety. For example, the extensive warehouse coverage of Stage 1B will significantly affect the area in the vicinity of Camoola Swamp, mapped grassland areas (and unmapped areas viewed during a site visit in September 2024) and possibly an important area for groundwater recharge. In our 2024 submission in response to the referral process MCMC advocated for the entire planned process, i.e. Stages 1A and 1B to be assessed together in order to best assess the entirety of the ecological, hydrological and cultural values for the property. Our position remains unchanged	Visualisations of Stage 2 of the BIFT show a vast area of warehouses and tarmac. These hard surfaces will create huge amounts of polluted stormwater runoff. Current mandated standards are insufficient to properly protect receiving waters, i.e. wetlands and Merri Creek. FoMC expects NIM to achieve better than current best practice (as mandated in planning scheme) in its management of stormwater quality and quantity from the BIFT site. It is essential that the 'flashiness' of stormwater runoff from hard surfaces is mitigated such that low to moderate rainfall events are fully contained within the site and as much as possible of this flow is available groundwater recharge. The visualisations and project fact sheets suggest that there will be large areas of solar panels on the roofs but these will not prevent runoff. A promising new technology used extensively in Europe is biosolar green roofs that combine vegetated roofs with solar panels. Local research has shown that 10 cm deep green roofs will reduce annual stormwater runoff in Melbourne by approximately 80%. They will also help with thermal regulation of the warehouses. Similarly, treatment of stormwater quality needs to achieve significantly better objectives than current best practice which does not achieve treatment to current rural background levels.	The Preliminary Documentation fails to provide sufficient information to allay concerns regarding potential substantial impacts to federally listed critically endangered ecosystems, the MSA Growling Grass Frog Conservation Area, and the broader environmental regional context. The primary consideration must be the impact of the project on the Greater Herne Swamp floodplain. Within the narrowest conception of the scope of this referral, that equates to the impact of the rail offtake structure on the Seasonal Herbaceous Wetlands at the north of Stage 1A of the BIFT. However, we urge a broader consideration that recognises the cumulative impacts of all stages of the BIFT, as well as the future urban development consequences stemming from this massive infrastructure build. 'Commercial in confidence' an excuse for lack of public accountability The withholding of Attachment 3 Masterplan showing indicative stages of development means concerned public and conservation organisations cannot assess the larger risks associated with this development. That this is 'commercial in confidence' is just a legal means of concealing likely naturenegative design propositions and obscuring possibly future impacts that should be considered as part of the cumulative impacts being initiated by this stage of the overall development	Future stages of the Beveridge Intermodal Precinct have yet to be fully designed, and significant work is still required to ensure impacts are minimised. Nevertheless, National Intermodal confirms that future stages will not have any direct impact to the Herne Swamp and Seasonal Herbaceous Wetland. Detailed hydrology, surface water and groundwater assessments will be undertaken for future stages to ensure that development run-off is appropriately managed. Stage 1A is designed to operate as a standalone rail connection and marshalling yard and future stages will consider cumulative impacts of the precinct.	No change

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			ESD goals, cumulative impacts and the need for nature-positive design As Stage 1A of a much larger project, it is important that this proposal lays strong foundations for nature-positive design. Mistakes made at this stage have the potential to seriously constrain benefits later. The cumulative impacts of the development of the Beveridge Intermodal Precinct are considerable and include the impacts of the future outer ring road (E6) and the industrial and commercial development of the surrounding precincts. It is imperative, therefore, that the best options for sustainable design be prioritised over commercial interests. As the Victorian government's 2023 State of the Environment Report states: 'protecting the state's biodiversity, habitats and public lands estate will require biodiversity conservation being given greater consideration in decisions involving competing public land uses'. The Seasonal Herbaceous Wetland at Herne Swamp has the potential to be improved and expanded through positive actions. It is important to not limit future nature-positive actions by restrictive project design at this early stage, e.g. by implementing large crossing structures on embankments.		

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EPBC process	The Study Area assessed for the Proposed Action was an approximately 915-hectare area within the part of the land acquired by National Intermodal located to the North of Beveridge Road [Camoola Property] and adjacent rail and road reserves (Study Area). The total Proposed Action Area comprises approximately 70.7 hectares (67 hectares contained in the Beveridge Intermodal Precinct Site, plus an additional 3.7 hectares in the adjacent road and rail reserves) contained within the Study Area (Proposed Action Area). The majority of the Proposed Action Area is located within the Melbourne Strategic Assessment (MSA) Area previously approved for specified protected matters under Part 10 of the Environment Protection and Biodiversity Conservation Act 1999. The MSA approval explicitly excluded "…development in the Northern growth corridor within the boundary of Hearnes Swamp" (also known as Herne Swamp). The area of the Proposed Action to be undertaken within the MSA approval area has been previously assessed for potential impacts to: • World heritage properties (sections 12 and 15A), • National heritage places (sections 15B and 15C), • Wetlands of international importance (sections 16 and 17B, • Listed threatened species and communities (sections 18 and 18A), • Listed migratory species (sections 20 and 20A). However, as the Proposed Acton is being undertaken by a Commonwealth Agency (for the purposes of the EPBC Act), impacts under Section 28 of the EPBC Act will be assessed for the entire Proposed Action Area. Assessment of impacts under sections 18 and 18A are limited to the area excluded from the MSA'		A broader question of EPBC process To some extent this is a product of the process to date, where the standard EPBC impact assessment pathway seems to be asking the wrong questions at historically modified sites, where existing conditions are not necessary desirable and should be improved. Biodiversity values have persisted in portions of Herne Swamp, despite everything that has been thrown at the wetland. The proponent and their consultants need to focus not just on fragments of better quality residual habitat and the normal 'avoid, reduce, mitigate, offset' pathway, but on the opportunity to 'improve, enhance, expand and restore' wetland habitat. This should be the preferred pathway for protection of the identified EPBC values.	It is outside of National Intermodal's remit to comment on EPBC Act process	No change