



**Australian Government**  
**Department of Agriculture,  
Water and the Environment**

## Supplementary Form C

- Threatened species & Ecological Communities
- Migratory species
- Listed marine species

**(use Form A for Cetaceans)**

*Use this supplementary form if you are applying for a permit to kill, injure, take, trade, keep or move a listed species or ecological community, a listed migratory species, or a listed marine species in a Commonwealth Area. You will also need to complete "The General Permit Application Form".*

*If you are proposing to take or send specimens out of Australia it is likely that you will also need an export permit. Import permits may also be necessary for taking specimens into an overseas country. For more information on imports and exports contact the Wildlife Trade Assessments Section on 02 6274 1900 or email [wps@awe.gov.au](mailto:wps@awe.gov.au).*

*Please note that it is a requirement under subsection 200(3) of the Environment Protection and Biodiversity Conservation Act 1999 that details of this application (which may include the applicant's name) be provided to persons or bodies registered with the Department of Agriculture, Water and the Environment under section 266A of the Act, and to whom notice of applications is to be given, for the purpose of inviting submissions from those persons or bodies regarding permit applications.*

**1** Under which section(s) of the EPBC Act are you applying for this permit?

It will help you complete your application if you know which list in the EPBC Act the affected species/ecological community appears on.

Search the lists at: [www.environment.gov.au/cgi-bin/sprat/public/sprat.pl](http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl)

Please note some species appear on more than one list. For example, the Green Turtle *Chelonia mydas* is a listed threatened species, a listed migratory species, and a listed marine species.

**Select all that apply**

Section 201 — Listed threatened species and ecological communities ☐

Section 216 — Listed migratory species ☐

Section 258 — Listed marine species ☒

**2** On the next page list details of species or ecological communities that will be affected by the action.

Use the following codes to enter details in columns 3, 4 and 5.

**Column 3 Conservation status of threatened species or ecological communities under EPBC Act**

EW Extinct in the wild  
EX Extinct  
CE Critically endangered  
EN Endangered  
VU Vulnerable  
CD Conservation dependent

**Column 5 Type of effect**

DE Death  
IN Injury  
TR Trading  
TA Taking  
KE Keeping  
MO Moving

Details of species or ecological communities that will be affected by the action.

Common name of listed species/ecological communities, listed migratory species, or listed marine species.	Scientific name of species Common and scientific names are available at the Department's website: <a href="http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl">www.environment.gov.au/cgi-bin/sprat/public/sprat.pl</a>	Conservation status under EPBC Act	Estimated number that will be affected. For ecological communities, provide estimate of the affected area	Type of effect
Australasian Gannet	<a href="#"><i>Morus serrator</i></a>	Marine	100 nestling birds	MO

Where the project is of less than 1 km<sup>2</sup> in size, provide the location as a single pair of latitude and longitude references. Latitude and longitude references should be used instead of AMG and/or digital coordinates.

Locality:

Latitude:                      degrees:                      minutes:                      seconds:

Longitude:                      degrees:                      minutes                      seconds:

Where the project area is greater than 1 km<sup>2</sup>, or any dimension is greater than 1 km, provide additional coordinates to enable accurate identification of the location of the project area.

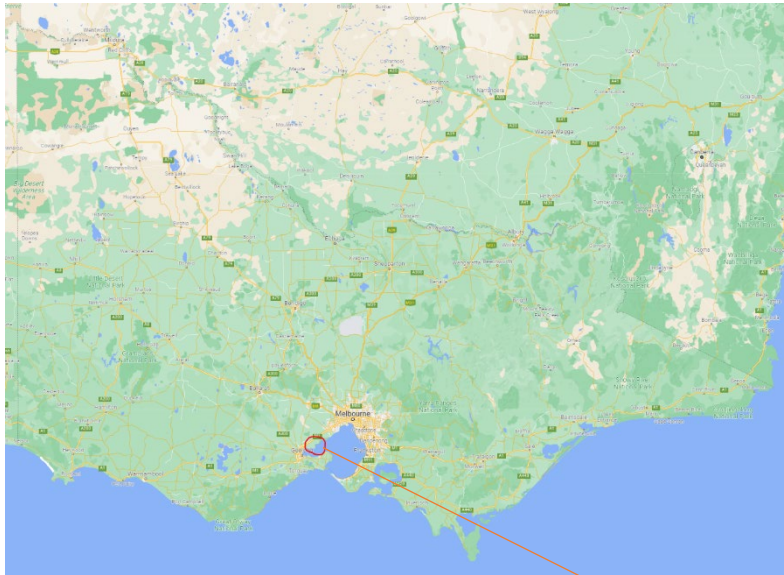
Wharf:                      38 05'45 "S   144 32'18"E

Dolphin Mooring: 38 05'45"S   144 32'21"E

Survey Island:                      38 05'43"S   144 32'05"E

Attach a map to show the boundaries of the area in which the action will be conducted.

See Powerpoint file for additional information about the project site.



3 Provide an attachment describing the action addressing the following points.

- A. The objectives and purposes of the action;
- B. The equipment and methods used;

See attachment – PDF

4 What are the likely short and long term impacts of the proposed action on the species or the ecological community?

Likely Short term impacts on the community

*The exact number of birds that require moving is unknown, as adults may have been sitting on chicks hiding them from view. In addition, some chicks are expected to have fledged by the time this permit application is reviewed. However, given the time in the season, it is not expected that new eggs will be laid. As such, the 100 birds applied for is a conservative upper limit.*

*Moderate disturbance is expected when the nestling birds are captured and handled for relocation to the nearby mooring dolphin structure. Any impact on animal health and welfare from stress will likely be short term and minimised through appropriate handling and relocation methodologies by appropriately qualified ecologists/ornithologists (as referred to in the Species Application Form).*

*Other potential impacts on the species as a result of the activity have been risk assessed and summary of 'very high' and 'high' residual risks is as follows;*

- *Bird stress during handling and bagging birds for relocation / tagging activities*
- *Bird attack during approach/handling*
- *Death of bagged bird/stress*
- *Abandonment of young bird by mother*
- *Chicks falling off new nesting site*

*Even with controls in place the residual risks remain high for many of the activities specified due to the nature of the works and element of wild birds and nature/environmental factors inherent in this task.*

*Abandonment of the nestlings is a possibility and will be closely monitored by the ecologist in the 3 days following the relocation and once a week for the next 4 weeks, and monthly thereafter until fledged. The mothers are expected to follow and continue caring for their young until fledged, however it is possible that the mother will not follow. In this scenario the chick will be captured and taken to the Werribee Zoo or local wildlife carer/vet for assessment. The preference is to hand rear any birds in this situation, but it is recognised that euthanising remains a possibility.*

*The taking and treatment of chicks in this scenario will be undertaken in accordance with Section 255(e) of the EPBC Act, and DAWE will be notified in accordance with Section 256. With all*

*actions guided by the chicks' welfare.*

Likely Long term impacts on the community

*The proposed action does not intend to kill, injure or harm any birds. As there is a relatively large, seemingly healthy population of Gannets within the local area any reduction in numbers resulting from unexpected death or last resort euthanasia as a result of this activity would not impact on the overall population of the species.*

*Gannets are widely found throughout the southern and south eastern coast of Australia to New Zealand (reference; Australian Museum website) with healthy and sizable colonies at Lawrence Rocks near Portland, and Pope's Eye and Wedge Light in Port Phillip near Melbourne. According to Wikipedia, Gannets began breeding on manmade structures in Port Phillip in 1966. ([https://en.wikipedia.org/wiki/Australasian\\_gannet](https://en.wikipedia.org/wiki/Australasian_gannet))*

*Ongoing monitoring of the Gannet has been undertaken at the Point Wilson site since 2012 and the colony has remained of a similar size over that time, despite ongoing marine construction works at the project site.*

*It is considered unlikely that the moving of the nestlings to the nearby mooring dolphin structure would cause any long term impacts on the broader community of Gannets in terms of population. It is possible that the worst case scenario of a large number of chick deaths could decrease the local (i.e. Point Wilson) population in the long-term. This is considered highly unlikely to occur. Refer to Risk Assessment in the attached PDF.*

5 Describe the steps that will be taken to minimise impacts on the listed species/ecological community, including contingency plans in the case of events that may adversely affect members of the species/ecological community.

*The removal of birds aims to minimise impact on the birds through relocating the birds to a dedicated habitat away from construction activities. The aim is to minimise stress, injury and mortality of wildlife through careful planning and handling methods during the proposed relocation of the birds. Captured animals will be handled in a manner that minimises the risk of injury or stress-induced disease.*

*This will be achieved through firm and quiet handling techniques, handling and restraint times kept to a minimum, use of competent persons to restrain animals, using techniques appropriate to the species.*

*Also, a minimal number of people will be involved to minimise any stress/disturbance to the birds.*

*The current contact details (including after-hours contact details) of a veterinarian specialising in marine birds in the local area i.e. Werribee or Melbourne Zoo will be advised and on call to assist during the relocation. Birds that have minor injuries will be assessed and taken to a*

*wildlife carer/veterinarian for treatment and further advice on releasing back into the Point Wilson colony if practicable.*

*The care and treatment of any birds removed due to illness/injury will be guided by the advice of the wildlife carer/veterinarian. All reasonable attempts will be taken to ensure the birds survive.*

*The taking and treatment of chicks in this scenario will be undertaken in accordance with Section 255(e) of the EPBC Act, and DAWE will be notified in accordance with Section 256.*

*A risk assessment has been conducted on the proposed activity to identify mitigation measures to minimise impacts on the birds during the full scope of relocation activities. Please refer attachments.*

- 6 Attach a description of any research relevant to the affected species or communities that will be carried out in the course of or in conjunction with the proposed action, including:

- A. a copy of the research proposal;
- B. the names of the researchers and institutions involved in or supporting the research; and
- C. relationship of the researchers to the permit applicant, including any funding being provided by the permit applicant.

- 7 Will the action involve invasive techniques?

No ☒ **Go to next question**

Yes ☐ If permit relates to mammals, birds, reptiles or amphibians, attach evidence that the proposed methods have been approved by an independent Animal Ethics Committee (this may include a State or Territory ethics committee, even if the action is conducted in a Commonwealth area).

**A permit can only be issued under one of the following criteria: the action**

- will contribute significantly to the conservation of a listed species/ecological community (go to Question 8); or
- will be incidental to, and not the purpose of the action (go to Question 12); or
- is of particular significance to indigenous tradition (go to Question 15); or
- is necessary to control pathogen(s) (go to Question 18).

- 8 Are you applying on the basis that the action will contribute significantly to the conservation of a listed species/ecological community?

No ☒ **Go to 12**

Yes ☐ **Go to next question**

- 9 Why do you believe that the action will contribute significantly to the conservation of listed species/ecological communities, listed migratory species or listed marine species?

N/A

- 10 Will the proposed action implement the recommendations of any recovery plan or wildlife conservation plan in force for the species or ecological community that may be affected by the action?

*Commonwealth recovery plans that are in force are available at*

*[www.environment.gov.au/biodiversity/threatened/recovery-list-common.html](http://www.environment.gov.au/biodiversity/threatened/recovery-list-common.html)*

*Commonwealth wildlife conservation plans that are in force are available at*

*[www.environment.gov.au/biodiversity/migratory/publications/shorebird-plan.html](http://www.environment.gov.au/biodiversity/migratory/publications/shorebird-plan.html)*

*State and territory recovery plans are available from state and territory environmental agencies.*

No ☒ **Go to next question**

Yes ☐ Describe how this will be implemented.

N/A

- 11 Will the proposed action respond directly or indirectly to recommendations of any national or international organisation responsible for management of the affected species?

No ☒ **Go to next question**

Yes ☐ Describe how the proposed action will respond.

N/A

- 12 Are you applying on the basis that the impact of the action will be incidental to, and not the purpose of, the action?

No ☐ **Go to 15**

Yes ☒ **Go to next question**



- 13 Why do you believe that the impact of the action will be incidental to and not the purpose of the action?

*The purpose of the project is to redevelop the wharf at Point Wilson Explosives Area. The Gannets have nested on the final section of the wharf to be demolished, despite the implementation of control measures as described in the attached PDF. The wharf requires upgrading so that it can be used by Defence for the safe transport of explosive material. The relocation of the birds is incidental to the upgrade works, and not the purpose of the project.*

*Further, it is noted that the relocation of the nestling birds to the nearby dolphin mooring structure has been designed to avoid harm from the proposed works and minimise the risk of injury and death as far as possible.*

- 14 Why do you believe that the taking of the action will not adversely affect the:

- survival or recovery in nature of the species or ecological community?
- conservation status of a listed species or ecological community?

*i) There is suitable habitat on the nearby dolphin mooring structure to support the nestling population when the older colony currently present is ready to fledge.*

*It is expected that the birds will adapt to their new location which is close to the old nesting site (50-metres). The structure is a manmade abandoned dolphin mooring which has been retained as part of the project scope for habitat purposes. It is documented that the Gannets adapt very well to and are commonly found roosting on manmade structures (ref Australia Museum website; [www.australian.museum/learn/animals/Birds/Australasian-gannet/](http://www.australian.museum/learn/animals/Birds/Australasian-gannet/)).*

*As the mothers are present to follow the nestlings, and the birds are exhibiting mother-chick bond behaviour it is not expected that they will be abandoned during relocation. Abandonment remains a high risk for the project due to its consequences. This risk is being actively managed by the project.*

*ii) The Australasian Gannet is listed as Marine under EPBC Act. As there is a relatively large, seemingly healthy population of Gannets within the local area and more broadly documented, it is considered unlikely that moving the birds would cause any long-term impacts on the community or conservation status of the Gannet.*

*An annual Gannet survey was undertaken by Cardno Ecology team at the project site on 10<sup>th</sup> Feb 2022 documenting a very healthy population of Gannets. The count was similar to previous years however did note a slightly extended breeding season. See attachments (email from Cardno) for summary results of Gannet Count 2022 and bird survey including Gannets from 2021.*

- 15 Are you applying on the basis that the action is of particular significance to indigenous tradition?

No ☒ **Go to 18**

Yes ☐ **Go to next question**

- 16 Explain why do you believe that the proposed action will be of particular significance to indigenous tradition?

N/A

- 17 Why do you believe that the proposed action will not adversely affect the:

- survival or recovery in nature of the listed species or ecological community; or
- conservation status of the listed species or ecological community.

N/A

- 18 Are you applying on the basis that the action is necessary to control a pathogen(s), and is conducted in a way that will, as far as is practicable, keep to a minimum any impact on listed species/ecological communities, listed migratory species or listed marine species?

No ☒ **Continue to Payment Section**

Yes ☐ **Go to next question**

- 19 Why do you believe that the action is necessary for the control of pathogen(s)?

N/A

20

Explain how the action will be conducted in a way to minimise impacts on the species/communities affected.

*A risk assessment has been undertaken to identify each step of the relocation and specify contingency measures to mitigate risk associated with the activity.*

*The key action is relocating the birds out of the way of construction activities to ensure the Gannet population can continue to thrive at the site.*

*The activity will be monitored for success with the aim to lose nil birds through mismanagement, relocate to a suitable nearby structure (within 50m). The treatment and care of any injured or stressed birds will be guided by wildlife carer/veterinarian advice relating to the chicks' welfare. The taking and treatment of chicks in this scenario will be undertaken in accordance with Section 255(e) of the EPBC Act, and DAWE will be notified in accordance with Section 256.*

If you have answered NO to Questions 8, 12, 15 and 18, it is unlikely that a permit can be issued under the EPBC Act.

## 21 Fees

The following fees apply:

- permits relating to listed threatened species or ecological communities - \$100
- permits relating to listed migratory species - nil
- permits relating to listed marine species - nil

Please note that exemption from fee payment may apply under circumstances as set out in EPBC Regulation 18.04.

## 22 Method of Payment

To make a payment, the department's preferred methods of payment are by credit card, bank cheque or by electronic funds transfer (EFT). A tax invoice can be arranged prior to payment, but you should allow up to five business days to process the transaction.

Please contact [EPBC.permits@awe.gov.au](mailto:EPBC.permits@awe.gov.au) if you would like to request a tax invoice.

### Credit Card

Please submit your permit application to the Department to obtain a permit reference number. This reference number will be required when you contact the Department to make the payment.

Contact the Collector of Public Money (Accounts)  
on (02) 6274 1151

### EFT Payments

EFT Payments can be made to:

BSB: 092-009

Bank Account No. 115859

Amount: See applicable fee in section 21 above.

Account Name: Department of Agriculture, Water and the Environment

Department address: GPO Box 858, Canberra ACT 2601

Bank: Reserve Bank of Australia

Bank Address: 20-22 London Circuit Canberra ACT 2601

Description: Part 13 permit application fee [Include name of project]

Reference: [include Permit reference number (if known)]

## 23 Attachments

Indicate below which documents are attached.

- Description of proposed action  
**See question 3** ☒
- Description of relevant research  
**See question 6** ☐
- Evidence of approval of invasive techniques  
**See question 7** ☐
- Details for payment of fee  
**See question 22** ☐

## 24 Declaration

I declare that the information contained in this supplementary form is correct to the best of my knowledge.

Signature of applicant

Name of person signing

Date

### Send this application and fee to:

EPBC Referrals  
Environment Approvals Division  
Department of Agriculture, Water and the Environment  
GPO Box 858  
CANBERRA ACT 2601

Email: [EPBC.Permits@awe.gov.au](mailto:EPBC.Permits@awe.gov.au)