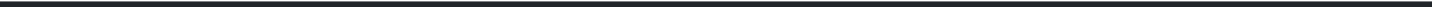


Commercial and Industrial Development (Stage 3), Deer Park, Victoria

Application Number: **02575**

Commencement Date:
30/08/2024

Status: **Locked**



1. About the project

1.1 Project details

1.1.1 Project title *

Commercial and Industrial Development (Stage 3), Deer Park, Victoria

1.1.2 Project industry type *

Commercial Development

1.1.3 Project industry sub-type

—

1.1.4 Estimated start date *

01/04/2025

1.1.4 Estimated end date *

01/01/2027

1.2 Proposed Action details

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

HB&B Property is seeking to construct a staged commercial development on behalf of GPT Platform Pty Ltd (ACN 164 839 061) as trustee of the Deer Park Industrial Trust (Att 1 – Trust Deed). This will occur within an approximately 75-hectare area of land at 179 Tilburn Road, Deer Park, Victoria (Att 10 – Flora and Fauna Report, Figure 1). The proposal will involve filling the land and the construction of roads, stormwater treatment basins, warehouses, data centres, restricted retail outlets, offices, ancillary food and beverage tenancies

Access to the site and existing roads are shown in the staged development footprint in the MNES attachment (Att 3 Development footprint and Att 10 Flora and Fauna Report (Figure 2)).

The project is proposed to be completed in three stages (Stage 1,2, and 3). The referral was split based on advice from DCCEEW following a pre-referral meeting in which the impacts to MNES and timing of the proposed development was discussed.. This referral specifically relates to Stage 3 of the proposed action which is proposed for the south of the project area covers 11.4 hectares (Att 10 Flora and Fauna Report Figure 2). Stage 1 and 2 referral (application number 02494) commenced on 05/07/2024 as part the split referral.

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

Yes

1.2.3 Is the proposed action the first stage of a staged development (or a larger project)?

No

1.2.4 Related referral(s)

EPBC Number	Project Title
2024/09979	Commercial and Industrial Development, Deer Park, Victoria (Stage 1 and 2)

1.2.5 Provide information about the staged development (or relevant larger project).

Stages 1 & 2 are submitted in referral and Preliminary Documentation (EPBC 2024/09979) submitted to DCCEEW.

Stage 1 and 2 are located in the north and centre of the study area and include access roads in the south. Stage 3 (this referral) is located in the south of the larger project area. The overall proposed project is for an industrial and commercial development including cafes, warehouses, landscaping, roads.

The shape files uploaded show the Stage 3 development footprint) within the larger Project boundary (Study area).

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

The Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) is relevant to the proposed action, as EPBC-listed matters are likely to be significantly impacted by the proposed action.

According to the Significant Impact Guidelines 1.1 (Department of Environment 2013), the Critically Endangered ecological community Natural Temperate Grassland of the Victorian Volcanic Plain - NTGVVP is considered to be significantly impacted (Att. 4 – MNES Report (Stage 3), Section 5. 4, pp. 34) by a reduction of extent, adversely affecting habitat critical to the survival of an ecological community, and interference with the recovery of an ecological community. 0.291 hectares of NTGVVP is located within the study area and all will be impacted by the proposed development as part of the proposed Stage 3 works (Att 4 – MNES Report Section 5.4 page 324 and Att 10 – Flora and Fauna Report).

Because of the potentially significant impacts on NTGVVP, the EPBC Act is relevant to the proposed action, which is why it is being submitted for referral.

The Flora and Fauna Guarantee Act 1988 is not relevant to the proposed action, as there is no public land within the area of the proposed action (Stage 3).

Clause 52.17 of the Brimbank Planning Scheme is relevant to the proposed action as a planning permit will be required for the removal of any native vegetation from the area of the proposed action. The implications of native vegetation removal are outlined in Att 10 – Flora and Fauna Report.

The proposed action is unlikely to require a referral to the Victorian State Minister for Planning under the Environmental Effects Act 1978, which is therefore not relevant to the proposed action.

The Catchment and Land Protection Act 1994 is relevant to the proposed action, as noxious weed species including Blackberry and Serrated Tussock, which must be controlled under this Act were found in the area of the proposed action. The implications of the proposed development under the CaLP Act are outlined in Att 10 – Flora and Fauna Report.

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 Development Plan was on public advertisement by Brimbank City Council ending on 17th July 2024.

A Cultural Heritage Management Plan for the site (Att 6 - Cultural Heritage Management Plan) was prepared in 2010. HB&B Property arranged the required archaeological salvage as outlined in the CHMP and in consultation with the Registered Aboriginal Party - the Wurundjeri-Woi Wurrung Cultural Heritage Corporation (WWWCHAC). Cultural Heritage salvage works were completed in 2024 and a summary by EMM is attached in Att 7 - Cultural Heritage Salvage Letter Report.

1.3.1 Identity: Referring party

Privacy Notice:

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

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

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

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

See our Privacy Policy to learn more about accessing or correcting personal information or making a complaint.

Alternatively, email us at privacy@awe.gov.au.

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

1.3.1.1 Is Referring party an organisation or business? *

Yes

Referring party organisation details

ABN/ACN	12095541334
Organisation name	NATURE ADVISORY PTY LTD
Organisation address	3123 VIC

Referring party details

Name	Alan Brennan
Job title	Director
Phone	0439910326
Email	info@natureadvisory.com.au
Address	5/61-63 Camberwell Road, Hawthorn East VIC 3123

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	164839061
Organisation name	GPT PLATFORM PTY LIMITED
Organisation address	2000 NSW

Person proposing to take the action details

Name	Will Grice
Job title	Fund Manager
Phone	0412 948 684
Email	will.grice@gpt.com.au
Address	Level 51, 25 Martin Place, Sydney NSW 2000

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? *

Yes

1.3.2.16 Describe the nature of the trust arrangement in relation to the proposed action. *

GPT Platform Pty Ltd to act as trustee of Deer Park Industrial Trust (Att 1 - Trust Deed - Confidential).

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. *

GPT Platform has a satisfactory record of responsible environment management.

GPT Platform, acting as trustee for the Deer Park Industrial Trust, has no history of proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources .

GPT's environmental policy and planning framework can be found on their website at
<https://sustainability.gpt.com.au/environment/#environment-biodiversity>.

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

Please see a copy of GPT's Environmental Policy attached (Att 5 - GPT Environmental Policies).

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? *

No

1.3.3.2 Is Proposed designated proponent an organisation or business? *

Yes

Proposed designated proponent organisation details

ABN/ACN	84604992458
Organisation name	HB & B PROPERTY PTY LTD
Organisation address	2008 NSW

Proposed designated proponent details

Name	Luke Wilson
Job title	State Development Manager
Phone	0400 506 926
Email	lwilson@hbbproperty.com.au
Address	Suite 14.03, Level 14, 530 Collins St, Melbourne VIC 3000

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	12095541334
Organisation name	NATURE ADVISORY PTY LTD
Organisation address	3123 VIC
Representative's name	Alan Brennan
Representative's job title	Director
Phone	0439910326
Email	info@natureadvisory.com.au
Address	5/61-63 Camberwell Road, Hawthorn East VIC 3123

✔ 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	164839061
Organisation name	GPT PLATFORM PTY LIMITED
Organisation address	2000 NSW
Representative's name	Will Grice
Representative's job title	Fund Manager
Phone	0412 948 684
Email	will.grice@gpt.com.au
Address	Level 51, 25 Martin Place, Sydney NSW 2000

✔ 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.

ABN/ACN	84604992458
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Organisation name	HB & B PROPERTY PTY LTD
Organisation address	2008 NSW
Representative's name	Luke Wilson
Representative's job title	State Development Manager
Phone	0400 506 926
Email	lwilson@hbbproperty.com.au
Address	Suite 14.03, Level 14, 530 Collins St, Melbourne VIC 3000

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? *

Yes

1.4.10 Enter purchase order number *

HBB24B

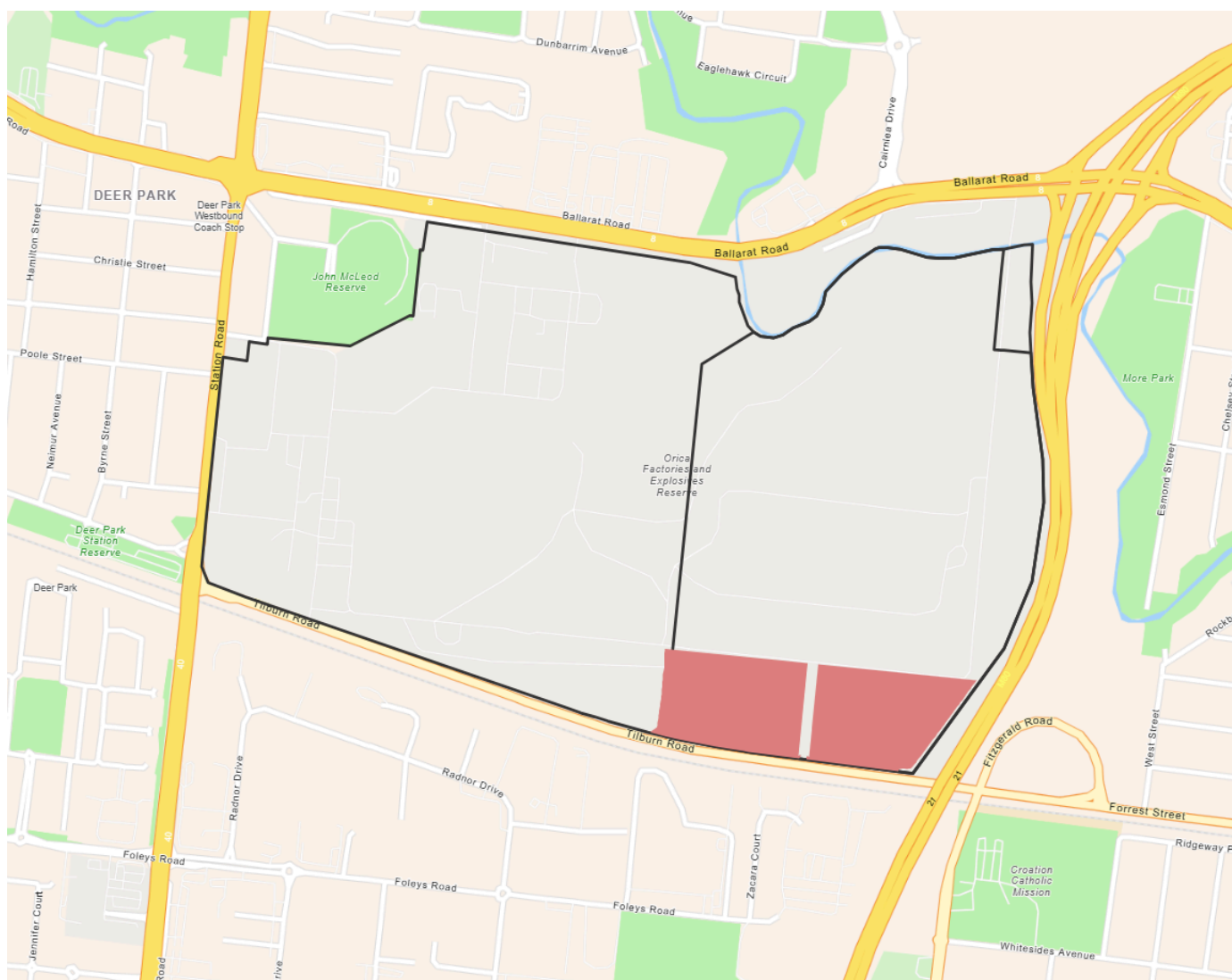
1.4 Payment details: Payment allocation

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: 211.92 Ha **Disturbance Footprint:** 11.08 Ha

2.2 Footprint details

2.2.1 What is the address of the proposed action? *

179 Tilburn Road, Deer Park

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? *

The project area is privately owned freehold land (Attn. 4 – MNES Report, Section 4.1., pp, 9).

The project land has a history of use and disturbance and is continuing to be used (Att 11 – Contaminated Land WSP Letter and Att 12 – WSP Letter).

3. Existing environment

3.1 Physical description

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

The property is approximately 75 hectares of private freehold land located at Deer Park, 16 kilometres west-northwest of Melbourne CBD. The property is bordered by Tilburn Road to the south, Metropolitan Ring Road (a freeway) to the east, Ballarat Road to the North and a chemicals facility to the west. The Kororoit Creek runs along the northern boundary of the project area (Attn. 4 – MNES Report, Section 4.1., pp, 9 (Stage 1)). The project area encompasses the extent of Stage 1, 2 and 3 of the proposed development, equating to approximately 75 hectares (Attn. 3 – Development Plan). The specific area for this referral is Stage 3 which comprises of 11.4 hectares in the south of the larger study area (Att 10 – Flora and Fauna Report, Figure 2).

The project area is in the Brimbank City Council area and is zoned Commercial 2 Zone (C2Z) (Attn. 2 - PPR, pp. 2).

The project area supports multiple small patches of native vegetation in the form of Plains Grassland EVC which has a conservation status of Endangered in the Victorian Volcanic Plains bioregion (DELWP 2022) (Att 10 – Flora and Fauna Report).

The project area is subject to a Development Contributions Plan Overlay (DCPO), Development Plan Overlay (DPO) and Environmental Audit Overlay (EAO) (Attn. 2 - PPR, pp. 3-4). The Development Plan was endorsed by Council in September 2024 (Att 3 – Development Plan).

The project area contains an Area of Aboriginal Cultural Heritage Sensitivity (Attn. 3 - Development Plan, pp. 8). A Cultural Heritage Management Plan was prepared for the study area (Att 6 – Cultural Heritage Management Plan). The salvage of Cultural Heritage has been outlined in the attached Att 7 - Cultural Heritage Salvage Letter.

Internal roads will be constructed within the project area, access to Stage 3 will be along Tilburn Road in the south. There are currently multiple dirt road access tracks in the western boundary. The location of the proposed roads are shown in Att 3 - Development Plan and Att 10 – Flora and Fauna Report (Figure 2).

The project area is currently within the Orica Deer Park site and was historically used for manufacturing and storage of explosive materials (Att 11 – Contaminated Land WSP Letter and Att 12 – WSP Letter) . It is currently undergoing remediation works by previous owner Orica as these uses are being largely decommissioned. As such this land is now subject to ongoing soil management and water contamination monitoring. The vast majority of the project area contains earthworks and fill (Attn. 4 – MNES Report, Section 4.1., pp, 9). The site is proposed to be filled to mitigate risk of exposure to potential residual contamination and is also beneficial for stormwater management. EPA Victoria is supportive of the fill strategy.

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

The project area was previously an industrial area used primarily for storage and manufacturing of explosive materials and so contains chemical residues that require management to prevent exposure to these chemical contaminants (Att. 4 MNES Report, (Stage 3) Section 4.1. pp, 9).

The project area has had some remediation works and requires further remediated works.

The project area is proposed to undergo substantial earthworks including the laying of suitable fill material as defined by EPA Victoria, the construction of roads, stormwater basins, service reticulation, warehousing, data centers, restricted retail, office, ancillary food and beverage tenancies (Att. 3 -Development Plan).

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

The Kororoit Creek runs along the northern boundary of the property. The Kororoit Creek provides connectivity and important habitat between patches across Melbourne. The Stage 1&2 referral considers the Kororoit Creek and potential impacts of the proposed development on the creek. No impacts of the proposed development as part of the Stage 3 works will impact a waterway.

The project area also supports one EPBC Act-listed community - Natural Temperate Grassland of the Victorian Volcanic Plain (NTGVVP), listed as critically endangered under the EPBC Act. A total of 0.291 hectares of this community was recorded in the far south of the project area (Att 10 – Flora and Fauna Report, Section 5.6, pp. 61-63).

The broader area also contains the Maribyrnong River approximately six kilometres to the northeast, and multiple reserves including at the Cairnlea Estate approximately one kilometre to the west and Mt Derrimut Grasslands two kilometres to the southwest (Protected Matters Search Tool 2023).

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

Elevation within the project area ranges from 50 metres above sea level in the centre, with a mild slope in the southeast corner dropping to 48 metres. The northern boundary slopes into the Kororoit Creek, dropping from 50 metres to 43 metres at the lowest section at the project area. Att 10 – Flora and Fauna Report outlines the details of the project areas environment.

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.

Grassland areas in the project area were dominated by indigenous Spear Grass, Wallaby Grass, Windmill Grass and Kangaroo Grass with scattered indigenous herbs and shrubs. Weed cover was variable across these patches and all contained the high-threat weed Serrated Tussock.

Wetland/Creekline vegetation was dominated by Common Spike-sedge, Common Blown-grass and Poison Lobelia. Riparian Woodland was dominated by Common Reed with scattered trees including Lightwood, Black Wattle and immature River Red-gum. The ground layer had moderate cover of weeds and was dominated by the high-threat weeds Toowoomba Canary-grass and Kikuyu (Attn. 4 – MNES Report, Section 4.1., pp, 9).

The project area supported four fauna habitat types, comprising open grassland habitat, tree and shrub vegetation, aquatic habitat, and rocky habitat (Attn. 4 – MNES Report, Section 4.2.2., pp, 16-18). Habitat quality was poor throughout the area but likely to support a range of common and invasive fauna taxon. Three EPBC-listed fauna species including, Growling Grass Frog, Golden Sun Moth and Striped Legless Lizard have been surveyed for previously but not detected in the property (Attn. 4 – MNES Report, Section 3.4.1., pp, 8). A habitat assessment was also completed for the Victorian Grassland Earless Dragon for the Project Area, and it was concluded that the species was unlikely to occur due to unsuitable habitat (Att 13 - VGED Habitat Assessment). This assessment was then reviewed by DEECA and the VGED Recovery Team (Att 15 VGED Habitat Assessment Report - DEECA Comments).

Att 10 – Flora and Fauna Report outlines the Flora and Fauna that is located within the Project Area. An independent consultant has peer reviewed the Flora and Fauna Assessment (Att 14- Ecology Review).

DEECA has reviewed the proposed development and the previous assessments undertaken and provided their feedback (Att 16 - DEECA Response).

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

Vegetation in the project area consisted of predominantly non-indigenous grasses and weeds as well as planted non-indigenous Eucalypts. Native vegetation was limited to small patches of Plains Grassland and Plains Grassy Wetland in the project area associated with Stage 3 (Attn. 4 – MNES Report, Section 4.1., pp, 9).

The project area supported clay soil on a flat landscape with some artificial mounds and depressions. Kororoit Creek runs along the northern boundary of the property.

The project area supported the following Ecological Vegetation Classes:

- Plains Grassland (EVC 132)
- Plains Grassy Wetland (EVC 125)

EPBC Act-listed community Natural Temperate Grassland of the Victorian Volcanic Plain (NTGVVP) occurred within the project area (Attn. 4 – MNES Report, Section 4.5.2., pp, 28-29). 0.291 hectares of NTGVVP occurs within the study area within Stage 3 footprint (Att 10 – Flora and Fauna Report).

3.3 Heritage

3.3.1 Describe any Commonwealth Heritage Places Overseas or other places recognised as having heritage values that apply to the project area.

No Commonwealth heritage places occur in the project area (Att 8 – Figure of the Project area and Commonwealth Land).

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

The project area lies on Bunurong Land within the Kulin Nation.

A Cultural heritage management plan has been prepared for the site. Indigenous heritage values such as artifacts are likely to be closely associated with the Kororoit Creek (Att 6 – Cultural Heritage Management Plan). A culturally sensitive area was identified on the site and an archaeological salvage exercise was conducted.

Salvage works by EMM Consulting (heritage consultants) with Registered Aboriginal Party (RAP) involvement recently occurred within the Stage 3 area in May 2024 (Att 7 – Cultural Heritage Salvage Letter).

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. *

A Hydrology report has been prepared by Arcadis (Attn. 9 – Stormwater Management Strategy).

The project area lies within the Melbourne Water catchment management area (Attn. 4 – MNES Report, Section 4.1., pp, 9).

Surface water within the broader region of the project includes the Kororoit Creek which borders the northern boundary of the property and the Maribyrnong River, situated 6 kilometres northeast of the project area.

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. *

No World Heritage Sites or areas fall within the project area. The only World Heritage Site in the Melbourne region is the Royal Exhibition Building, and this is extremely unlikely to be impacted either directly or indirectly (e.g., by downstream or facilitated effects) by the proposed action. Therefore, the proposed action is unlikely to have a direct or indirect impact on any World Heritage Sites or areas

4.1.2 National Heritage

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

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

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

—

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

No

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

No areas of National Heritage occur within the project area. Therefore, the proposed action will not directly impact any areas of National Heritage. The nature of the proposed action also mean it will not lead to indirect impacts (e.g., downstream or facilitated impacts) on any areas of National Heritage either.

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. *

No Ramsar wetlands occur within the project area. Therefore, the proposed action will not directly impact any Ramsar wetlands. Two Ramsar wetlands occur very far downstream of the project area, within Port Phillip Bay - the Edithvale-Seafood Wetlands, and the Port Phillip Bay (Western Shoreline) and Bellarine Peninsula sites. However, the long distance between these sites and the project area, as well as the planned implementation of appropriate construction mitigation measures (especially sediment and pollution controls) mean the proposed action is unlikely to indirectly impact these wetlands.

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	<i>Amphibromus fluitans</i>	River Swamp Wallaby-grass, Floating Swamp Wallaby-grass
No	No	<i>Anthochaera phrygia</i>	Regent Honeyeater
No	No	<i>Aphelocephala leucopsis</i>	Southern Whiteface
No	No	<i>Aprasia parapulchella</i>	Pink-tailed Worm-lizard, Pink-tailed Legless Lizard
No	No	<i>Botaurus poiciloptilus</i>	Australasian Bittern
No	No	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper
No	No	<i>Calidris canutus</i>	Red Knot, Knot
No	No	<i>Calidris ferruginea</i>	Curlew Sandpiper
No	No	<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo
No	No	<i>Climacteris picumnus victoriae</i>	Brown Treecreeper (south-eastern)
No	No	<i>Dasyurus maculatus maculatus</i> (SE mainland population)	Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population)
No	No	<i>Delma impar</i>	Striped Legless Lizard, Striped Snake-lizard
No	No	<i>Dianella amoena</i>	Matted Flax-lily
No	No	<i>Diuris basaltica</i>	Small Golden Moths Orchid, Early Golden Moths
No	No	<i>Diuris fragrantissima</i>	Sunshine Diuris, Fragrant Doubletail, White Diuris
No	No	<i>Dodonaea procumbens</i>	Trailing Hop-bush
No	No	<i>Falco hypoleucos</i>	Grey Falcon
No	No	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe
No	No	<i>Glycine latrobeana</i>	Clover Glycine, Purple Clover
No	No	<i>Grantiella picta</i>	Painted Honeyeater

Direct impact	Indirect impact	Species	Common name
No	No	<i>Hirundapus caudacutus</i>	White-throated Needletail
No	No	<i>Lathamus discolor</i>	Swift Parrot
No	No	<i>Lepidium aschersonii</i>	Spiny Peppercress
No	No	<i>Lepidium hyssopifolium</i>	Basalt Pepper-cress, Peppercress, Rubble Pepper-cress, Pepperweed
No	No	<i>Leucochrysum albicans</i> subsp. <i>tricolor</i>	Hoary Sunray, Grassland Paper-daisy
No	No	<i>Lissolepis coventryi</i>	Swamp Skink, Eastern Mourning Skink
No	No	<i>Litoria raniformis</i>	Southern Bell Frog,, Growling Grass Frog, Green and Golden Frog, Warty Swamp Frog, Golden Bell Frog
No	No	<i>Melanodryas cucullata cucullata</i>	South-eastern Hooded Robin, Hooded Robin (south-eastern)
No	No	<i>Nannoperca obscura</i>	Yarra Pygmy Perch
No	No	<i>Neophema chrysostoma</i>	Blue-winged Parrot
No	No	<i>Numenius madagascariensis</i>	Eastern Curlew, Far Eastern Curlew
No	No	<i>Pedionomus torquatus</i>	Plains-wanderer
No	No	<i>Pimelea spinescens</i> subsp. <i>spinescens</i>	Plains Rice-flower, Spiny Rice-flower, Prickly Pimelea
No	No	<i>Prasophyllum suaveolens</i>	Fragrant Leek-orchid
No	No	<i>Prototroctes maraena</i>	Australian Grayling
No	No	<i>Pseudomys novaehollandiae</i>	New Holland Mouse, Pookila
No	No	<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox
No	No	<i>Pterostylis cucullata</i>	Leafy Greenhood
No	No	<i>Rostratula australis</i>	Australian Painted Snipe
No	No	<i>Rutidosis leptorhynchoides</i>	Button Wrinklewort
No	No	<i>Senecio macrocarpus</i>	Large-fruit Fireweed, Large-fruit Groundsel
No	No	<i>Stagonopleura guttata</i>	Diamond Firetail
No	No	<i>Sternula nereis nereis</i>	Australian Fairy Tern
No	No	<i>Synemon plana</i>	Golden Sun Moth

Direct impact	Indirect impact	Species	Common name
No	No	Thelymitra orientalis	Hoary Sun-orchid
No	No	Tringa nebularia	Common Greenshank, Greenshank
No	No	Tympanocryptis pinguicolla	Victorian Grassland Earless Dragon

Ecological communities

Direct impact	Indirect impact	Ecological community
No	No	Grassy Eucalypt Woodland of the Victorian Volcanic Plain
No	No	Grey Box (Eucalyptus microcarpa) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia
Yes	Yes	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. *

0.291 hectares of NTGVVP will be removed by the proposed development.

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

Yes

4.1.4.5 Describe why you consider this to be a Significant Impact. *

Natural Temperate Grassland of the Victorian Volcanic Plain (NTGVVP)

Impacts to this protected matter are likely to be significant according to the relevant criteria within the Significant Impact Guidelines 1.1 (Department of the Environment 2013), because:

- The proposed action will result in reduction in the extent of this ecological community within the project area by 0.291 ha (Attn. 4 – MNES Report, Section 5.3.1, pp. 33).
- The proposed action will adversely affect habitat critical to the survival of this ecological community, as the habitat for NTGVVP within the project area will be almost entirely removed (Attn. 4 – MNES Report, Section 5.3.1, pp. 33).
- The proposed action will cause a substantial change in the species composition of an occurrence of an ecological community, as all of the existing NTGVVP will be removed from the project area (Attn. 4 – MNES Report, Section 5.3.1, pp. 34). Continued invasion by Serrated Tussock threatens the NTGVVP community within the project area. Nature Advisory mapped NTGVVP extent in 2023 and again in late 2024 and the extent had reduced from 0.445 hectares to 0.291 hectares in that time. NTGVVP was mapped by Ecology and Heritage Partners in 2012 as occurring over most of south of the project area (Att 10 – Flora and Fauna Report, photo 30, page 108). This documented decline in extent has been peer reviewed and confirmed by an independent consultancy (Att - 14Biosis 2024).
- The proposed action will cause a substantial reduction in the quality and integrity of the ecological community, with no NTGVVP remaining onsite (Attn. 4 – MNES Report, Section 5.3.1, pp 34).

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

Yes

4.1.4.8 Please elaborate why you think your proposed action is a controlled action. *

The proposed action should be considered a controlled action because it will have Significant Impacts on a Matter of National Environmental Significance (MNES) — NTGVVP —, as defined by the Significant Impact Guidelines 1.1 (Department of the Environment 2013). The exact significant impacts were summarized in the response to 4.1.5. and are elaborated on in the attached MNES Impact Assessment document (Attn. 4 – MNES Report, Section 5, pp. 31 - 35). The fact that the proposed action will have Significant Impacts on MNES means it should require approval under the EPBC Act and will need to go through the EPBC assessment process.

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. *

All of the NTGVVP (0.291 hectares) within the project area is to be removed, with no opportunity to retain anymore without undermining key objectives of the development proposal (Attn. 4 – MNES Report, Section 5.4., pp. 32). However, indirect impacts to areas of native vegetation to be retained will be achieved using appropriate construction mitigation measures, including practicing good hygiene (e.g. cleaning footwear, vehicles and equipment from soil, mud, or plants using a dilute bleach solution) to prevent the spread of weeds.

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

The State offset requirements (under the Victorian Planning & Environment Act) for the proposed removal of native vegetation are outlined in Att 10 – Flora and Fauna Report.

The Offsets for NTGVVP (Commonwealth) for the removal of 0.291 hectares will be secured through a offset broker. These offset arrangements are currently being formalised with Vegetation Link. NTGVVP offsets are difficult to secure (limited availability). Nature Advisory have assessed a site and are making the required arrangements. The NTGVVP offset site would have an Offset Management Plan prepared for it and would be managed by the landholder and an agreement with Trust for Nature. Further details will be provided of the offset site when they are available.

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	<i>Actitis hypoleucos</i>	Common Sandpiper
No	No	<i>Apus pacificus</i>	Fork-tailed Swift
No	No	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper
No	No	<i>Calidris canutus</i>	Red Knot, Knot
No	No	<i>Calidris ferruginea</i>	Curlew Sandpiper
No	No	<i>Calidris melanotos</i>	Pectoral Sandpiper
No	No	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe
No	No	<i>Hirundapus caudacutus</i>	White-throated Needletail
No	No	<i>Motacilla flava</i>	Yellow Wagtail
No	No	<i>Myiagra cyanoleuca</i>	Satin Flycatcher
No	No	<i>Numenius madagascariensis</i>	Eastern Curlew, Far Eastern Curlew
No	No	<i>Rhipidura rufifrons</i>	Rufous Fantail
No	No	<i>Tringa nebularia</i>	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 habitat within the project area is not suitable for any EPBC-listed migratory species. Therefore, the proposed action is highly unlikely to be used by and directly or indirectly impact any migratory 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. *

The proposed action is not a nuclear action. Therefore, it will not have any direct or indirect nuclear impact on the environment.

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. *

The proposed action is terrestrial in nature, and therefore will not directly impact any Commonwealth Marine Areas. It is also very far upstream from any such areas, and appropriate construction mitigation measures (e.g. sediment fences) are to be used to avoid sedimentation or pollution of downstream areas. Therefore, the proposed action is unlikely to have an indirect impact on Commonwealth Marine Areas either.

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

No

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

The proposed action will not have any direct impacts on the Great Barrier Reef Marine Park and is highly unlikely to indirectly impact it, as it is extremely distant from it and is a terrestrial action.

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

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

No

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

The proposed action does not relate to large coal mining development or coal seam gas. Therefore, it cannot have any impact on a water resource in relation to large coal mining development or coal seam gas.

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.

Direct impact	Indirect impact	Commonwealth land area
Yes	Yes	Commonwealth Land -

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

No

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

The proposed action will not directly impact Commonwealth land, as none occurs in the project area. Provided appropriate construction mitigation measures are implemented, the proposed action should not have indirect impacts outside the project area and therefore will not indirectly impact Commonwealth land either.

The location of nearby Commonwealth land, north of the broader project area is shown in the MNES report (Att 8 – Figure of Project area and Commonwealth Land).

4.1.11 Commonwealth Heritage Places Overseas

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

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

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

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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. *

The proposed action will occur within Australia. Therefore, it cannot have direct or indirect impacts on any Commonwealth heritage places overseas.

4.1.12 Commonwealth or Commonwealth Agency

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

No

4.2 Impact summary

Conclusion on the likelihood of significant impacts

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

- Threatened Species and Ecological Communities (S18)

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)
- 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. *

It is not possible to avoid environmental impacts of the project beyond what has already been accounted for in the project design, without undermining key objectives of the project (Attn. 4 – MNES Report, Section 5.4., pp. 32). The project aims to construct an Industrial development at 179 Tilburn Road, Deer Park VIC (Attn. 4 – MNES Report (Stage 3), Section 1, pp. 1) in accordance with the zoning of the land. Aiming to avoid or further minimize impacts on MNES (NTGVVP), as well as maintaining connectivity between these habitats and other habitats in the broader landscape, would result in a very large loss of useable land in the design layout and severely curtail the use of the area as an industrial estate (Attn. 3 – Development Plan). Furthermore, the project area is on land zoned as Commercial, so the project is an appropriate use of the land (Attn. 3 – Development Plan).

The Development Plan (Att 3 - Development Plan) for the proposed project was approved by Brimbank City Council at the Council Meeting on 20 Aug 2024.

5. Lodgement

5.1 Attachments

1.2.1 Overview of the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 1 - Trust Deed - Confidential.pdf Trust Deed - Confidential	26/01/2023	Yes	High
#2.	Document	Att 10 - Flora and Fauna Report.pdf Nature Advisory Flora and Fauna Assessment of relevant site	30/11/2024	No	High
#3.	Document	Att 3 - Development Plan.pdf Development Plan	01/10/2023	No	Medium

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	Att 4 - MNES Report (Stage 3).pdf Matters of National Environmental Significance Assessment for Stage 3	31/01/2025	No	High

1.2.7 Public consultation regarding the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 6 - Cultural Heritage Management Plan.pdf Management plan for indigenous heritage values	08/03/2010	Yes	High
#2.	Document	Att 7 - Cultural Heritage Salvage Letter.pdf Salvage excavation summary	12/07/2024	Yes	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	Att 5 - GPT Environmental Policies.pdf GPT Environmental Policy	31/10/2020	No	Medium

2.2.5 Tenure of the action area relevant to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 11 - Contaminated Land WSP Letter.pdf Letter summarizing historic site activities and conditions	24/10/2024	No	High
#2.	Document	Att 12 - WSP letter.pdf Summary of contaminated land issues	06/08/2024	No	High

3.1.1 Current condition of the project area's environment

Type	Name	Date	Sensitivity	Confidence
#1.	Document Att 2 - PPR.pdf Planning Property Report, generated by VicPlan	06/07/2022	No	High

3.2.1 Flora and fauna within the affected area

Type	Name	Date	Sensitivity	Confidence
#1.	Document Att 13 - VGED Habitat Assessment.pdf Nature Advisory Grassland Earless Dragon habitat assessment	30/11/2024	No	High
#2.	Document Att 14 - Ecology.Review.pdf Peer review of Nature Advisory Flora and Fauna Assessment, conducted by Biosis.	11/12/2024	No	High
#3.	Document Att 15- VGED Habitat Assessment Report - DEECA Comments.pdf DEECA review of Nature Advisory Grassland Earless Dragon habitat assessment	09/02/2025	No	High
#4.	Document Att 16- DEECA Response.pdf DEECA review of proposed development and past assessments	05/02/2025	No	High

3.4.1 Hydrology characteristics that apply to the project area

Type	Name	Date	Sensitivity	Confidence
#1.	Document Att 9- Stormwater Management Strategy.pdf Report detailing existing drainage conditions and stormwater management	25/06/2024	No	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 Att 8 - Figure of Project area and Commonwealth Land.pdf Figure showing location of Commonwealth land relative to the project area.	13/09/2024	No	High

5.2 Declarations

✔ Completed Referring party's declaration

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

ABN/ACN	12095541334
Organisation name	NATURE ADVISORY PTY LTD
Organisation address	3123 VIC
Representative's name	Alan Brennan
Representative's job title	Director
Phone	0439910326
Email	info@natureadvisory.com.au
Address	5/61-63 Camberwell Road, Hawthorn East VIC 3123

☒ 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, **Alan Brennan of NATURE ADVISORY PTY LTD**, declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. *

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

*

✔ Completed Person proposing to take the action's declaration

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

ABN/ACN	164839061
Organisation name	GPT PLATFORM PTY LIMITED
Organisation address	2000 NSW
Representative's name	Will Grice
Representative's job title	Fund Manager

Phone 0412 948 684

Email will.grice@gpt.com.au

Address Level 51, 25 Martin Place, Sydney NSW 2000

- ☒ 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, **Will Grice of GPT PLATFORM PTY LIMITED**, 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, **Will Grice of GPT PLATFORM PTY LIMITED**, the Person proposing the action, consent to the designation of **Luke Wilson of HB & B PROPERTY PTY LTD** 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.
- *

✔ 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.

ABN/ACN 84604992458

Organisation name HB & B PROPERTY PTY LTD

Organisation address 2008 NSW

Representative's name Luke Wilson

Representative's job title State Development Manager

Phone 0400 506 926

Email lwilson@hbbproperty.com.au

Address Suite 14.03, Level 14, 530 Collins St, Melbourne VIC 3000

- ☒ 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, **Luke Wilson of HB & B PROPERTY PTY LTD**, the Proposed designated proponent, consent to the designation of myself as the Proposed designated proponent for the purposes of the action described in this EPBC Act Referral. *

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

*