



Department of Energy, Environment and Climate Action

Planning and Environment Assessment
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Dr Linda Parker
Snr Ecologist & Project Manager
Nature Advisory

Ref: 00007537

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Dear Dr Parker,

**PROPOSAL: VICTORIAN GRASSLAND EARLESS DRAGON (VGED) HABITAT
ASSESSMENT REPORT**
ADDRESS: 179 TILBURN ROAD, DEER PARK

Thank you for your correspondence received 19 December 2024 referring the above matter to the Department of Energy, Environment and Climate Action (DEECA). Apologies for the delay in the response.

As you are aware, Brimbank City Council considered Application P392/2023 for the approval of a Development Plan under Development Plan Overlay Schedule 16 for the site at 179 Tilburn Road, Deer Park and surrounding land at the Council Meeting on 20 August 2024. It was determined to approve the Development Plan subject to the incorporation of the changes specified in Attachment 7 to the Council report. Addition 10 (Biodiversity Protection), dot point two, requires the following to be added to the Deer Park Estate Design Guidelines:

Prior to works commencing on site a report must be prepared to the satisfaction of DEECA providing consideration/ potential impacts on Victorian Grassland Earless Dragons and consider opportunities to avoid existing habitat or enhance habitat on site where applicable. All future development and works must be in accordance with any recommendations outlined in the report.

DEECA Comments

It should be noted that DEECA did not request the above prerequisite which requires a site report providing consideration/ potential impacts on VGED to DEECA's satisfaction. Despite this, DEECA has reviewed the Victorian Grassland Earless Dragon (VGED) *Habitat Assessment Report* (Nature Advisory, 2024) (the Assessment) as part of its recent referral response for planning permit application: P0366/2024 for the site (attached), and reiterates the following comments:

The survey effort described in the Assessment does not align with the *Survey Guidelines for four Grassland Earless Dragons (Tympanocryptis spp.)* of Southeast Australia (DCCEEW 2024), and therefore cannot conclude that VGED is absent. However, based on the level of historical disturbance and the assessment of habitat characteristics, DEECA is satisfied that there is a low likelihood of presence.

It is recommended that Council, as the responsible authority, satisfy itself that the Assessment is adequate and to its satisfaction prior to incorporating into the Deer Park Estate Design Guidelines.

If you have any queries regarding this matter, please contact me at pe.assessment@deeca.vic.gov.au.

Yours sincerely



TODD PRYSE

Senior Planning Officer, Planning Services (Central-East)

10 February 2025