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1	Mapping does not reflect the importance of the Section G Grassland. Section G Grassland is part of a larger patch of grassland at 103 Reid Street adjacent to Jones Creek. It is part of a connected system supporting local biodiversity, including Striped Legless Lizard and Growling Grass Frog, several EPBC-listed plant species such as Spiny Rice-flower, as well as FFG-listed species such as Tussock Skink. Other grasslands exist directly opposite along Jones Creek. Further grasslands are present nearby. These all support each other. To clear Section G Grassland is to have direct impacts on all these adjacent patches of biodiversity. It will reduce options for landscape-wide conservation. Overall, the long-term viability of the other remnants in Cairnlea and nearby will decline. Isolated native grasslands have less buffering capacity and resilience to environmental change relative to more connected native grasslands. In Melbourne's West, where so little native grassland remains, further loss of remnant grassland, e.g. Section G, compromises what remains. The stepping stones across the landscape, for creatures such as pollinators, become too far apart to work. This isolates populations, leads to reduced gene flow, and compromises the long-term viability of these species, meaning that local extinction will occur. At Section G, there is an opportunity to buffer such impacts through good planning and the preserving of grassland.	In recognition of the importance of the Grassland Habitats in Victoria, during masterplan development for the Cairnlea Estate, the Albion Grassland Reserves (totalling over 40 hectares in size), as well as retained vegetation along Kororoit Creek, were set aside, focussing on areas of higher conservation significance. The three reserves are subject to long term protection and management. Development Victoria are required by Council to provide a Boulevard connection through the Section G site to the Jonesfield Corner site to the east, while Development Victoria has investigated alternative alignments of this road this is not achievable without intersecting with the capped landfill to the north. If located within the capped landfill, the road, associated pedestrian paths, and street lighting however it is designed, is at risk of failing prematurely due to ongoing settlement of the landfill refuse. Various minimisation options have been explored with multiple stakeholders and the impacts to biodiversity have been considered against economic and social outcomes. Avoidance is not feasible within the project constraints.	NA
1	The preliminary documentation for the Section G development indicates that it is a requirement of the Brimbank Planning Scheme that road access is maintained to 103 Reid Street. Development Victoria's road proposal may be the road most convenient from a planning perspective, but that fails to consider the Victorian Government's responsibility to avoid and minimise impacts to grassland protected under the EPBC Act, and to provide a duty of care to the environment under the FFG Act.	Please see above response.	NA

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	Alternatives to the proposed road exist. The best solution is to move the Boulevard to the north of Section G Grassland. This solution is perfectly viable and only requires some additional engineering to respond to the conditions of the former landfill. The alternative Boulevard location shown below avoids damage to remnant Section G Grassland, creates space for an extension of the Section G grassland to that grassland's west, and continues to provide connection to 103 Reid Street		
1	It is important to note that the current proposed Boulevard is intended to provide a connection to the 103 Reid Street site. However, in its current configuration, any extension of the Boulevard into 103 Reid Street will impact the grassland present at 103 Reid Street, triggering a further EPBC referral. That raises the considerable risk that the extension into 103 Reid Street may not be approved, undermining the original purpose of constructing the Boulevard to the property boundary. If that were to be the case, the grassland at Section G would have been cleared and offset for no reason, the Boulevard would become an expensive white elephant, and there would be the potential for substantial legal risk Other points of entry also exist to the property at 103 Reid Street, including a bridge connection across Jones Creek, which may have substantial connectivity benefits to the larger residential community for which Jones Creek is a considerable barrier.	103 Reid Street is not in Development Victoria ownership, as outlined above, the Boulevard Road is a requirement of Brimbank City Council and beyond Development Victoria control. The site is already under assessment by DCCEEW (EPBC ref: 2014/7358).	NA
1	Consideration should be given to the creation of a species-rich grassland at the Reid Street open space. This would strengthen conservation outcomes.	Please see above response.	NA
1	The grassland patches at Section G are small. It is not hard to imagine a number of scenarios that can successfully incorporate and integrate them into an urban design solution that protects remnant vegetation and provides substantial community benefit.	The single NTGVVP patch is approximately 0.798 hectares, and avoidance is not possible due to the project requirements imposed for a Boulevard Road as outlined above.	NA

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	Doing so will benefit the larger landscape and contribute to the viability of important remnant vegetation nearby. Retention of the Section G grasslands gives local residents the opportunity to have unique, wild, nature at their doorstep, delivering substantial ecosystem services, including well-documented human health and wellbeing benefits. Grasslands are the iconic ecosystem of Melbourne's West. Their retention strengthens local identity.		
1	The proposal should not allow the destruction of critically endangered Striped Legless Lizards. It is entirely possible to translocate these creatures, and salvage and translocation is permissible for research purposes. Policy restricting salvage and location was developed because insufficient research had been done to show that translocation and salvage could be successful. There has not been a substantial body of research since to interrogate this matter. Development Victoria should fund research to better understand the potential for translocation. That way, the loss of this population can at least have good research outcomes. Crushing protected species under a bulldozer is inappropriate, and flies in the face of community concern.	The National Recovery Plan (Smith. W and Robertson. P, 2021) determines that responsibility for further investigation into the potential for translocation of SLL lies with the National Recovery team, Development Victoria are not in a position to advance this investigation, and the current proposed methodology is in accordance with current accepted practice.	NA
1	The ecological consultants have erred in their consideration of what may constitute suitable habitat for the Victorian Grassland Earless Dragon. The unfortunate truth is that we only have one known population in the wild from which to draw conclusions about habitat preferences. The consultants' assumptions about appropriate levels of cover, floristics, soil cracking and rock presence will have excluded areas that may well be suitable habitat. As a consequence, areas of grassland that may have VGED present have not been surveyed. The project should not be allowed to proceed without the oversight of	The entire site was subject to targeted VGED through a combination of: • Artificial burrows • Pitfall traps • Tiles • Active Search It is anticipated that DCCEEW will consult with the appropriate species experts during their assessment of the project, this is not	NA

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	the VGED National Recovery Team.	within Development Victorias remit.	
1	Biosis surveys for VGED found multiple instances of Tussock Skink. These are listed as Vulnerable in Victoria. Efforts should be made to protect these species. Development Victoria is bound by the FFG Act, not just the EPBC Act.	Consideration of the FFG Act is not relevant to this assessment. Development Victoria is committed to complying with all environmental legislative requirements and all duties and permits will be addressed as outlined in Section 8.3.	NA
1	Kororoit Creek and its tributary Jones Creek has a known metapopulation of Growling Grass Frog. Section G should be considered an important overwintering and foraging location for this species. Appropriate surveys need to be undertaken.	The FFA (2020) completed for the site concluded that there is a low likelihood of GGF occurring within the site due to a lack of suitable habitat. There are no records of GGF in Jones Creek, the nearest record is a historical record within Kororoit Creek approximately 5km downstream. Kororoit creek is separated from Jones Creek by approximately 2 kilometres of channelised creek that is unlikely to provide a suitable movement corridor for GGF. Dispersal overland from Kororoit Creek is unlikely as the PAA is separated by approximately 1km which has been subject to substantial disturbance from soil/land remediation.	NA
2	<u>Expired ESP Act Agreement and outstanding Biodiversity Works</u> The statement provided in Section 9.3.3 of the referral biodiversity report is undated, however as the former DELWP (Department of Environment, Land, Water and Planning) changed names to DEECA (Department of Energy, Environment and Climate Action) changed names on the 1st January 2023, it is evident that the opinion provided is at least 1.75 years out of date, and potentially attributable to an officer who may no longer work for DEECA. There is NO reference made in the referral biodiversity assessment to the outcomes from the salvage and translocation conditions for the Striped Legless lizard (SLL), or any information provided on what proposed actions the project proponent will provide in lieu of meeting the previously agreed conditions. These previously agreed conditions retained some local biodiversity and threatened fauna species within the municipality- albeit in a different location, but at least the translocation sites were still local. There is NO discussion provided in the referral biodiversity	This assessment does not aim to address Victorian Legislation. All proposed works will be subject to approval under the Planning and Environment Act (and Brimbank Planning Scheme), appropriate consultation will be addressed through this process. Development Victoria is committed to complying with all environmental legislative requirements and all duties and permits will be addressed as outlined in section 8.3. While concerns regarding translocation options are noted, both DEECA (previously DELWP) and the DCCEEW current advice for the species confirms that translocation is not a recommended outcome for SLL.	NA

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	assessment of the results of the translocation programs, and no reference to where information on the results of these programs can be located. There is just a small statement (in Section 9.3.3) that further salvage and translocation of the remaining SLL population is not supported by DELWP's policy team, unless it is for research purposes. It appears some of the originally negotiated and agreed upon biodiversity outcomes for the remaining section of the site (section G) are being disregarded with no information WHY and with no other proposed actions listed that the project proponent will provide in lieu of meeting these previously agreed conditions.		
2	<u>Brimbank Biodiversity Loss</u> One of the referral documents is the Biodiversity Offset Report (EPBC 2020/8720 Natural Temperate Grassland of the Victorian Volcanic Plain and Striped Legless Lizard Delmar impar Offset Plan Addendum to Offset Management Plan, Victoria; Biodiversity Offsets Victoria Pty Ltd; April 2025). This report provides little comfort - it is a report with lots of redacted information, and it appears that biodiversity will be lost from the Brimbank area and offset elsewhere.	Details of the offset site location are redacted to protect the privacy of the land owner and in line with the Sensitive Ecological Data— Access and Management Policy V1.0 (ERIN, 2016). The site is located within Rokewood, Victoria and will be managed in accordance with the Offset Management Plan and EPBC Act approval conditions, which require public display of all condition compliance that will be available on an annual basis for the life of the approval. The offset site will be secured in perpetuity in accordance with DCCEEW offset policy. While the intention of the EPBC Act is to manage impacts across the species distribution, which includes the entire Victorian Volcanic Plain. Establishment of the Albion Grassland Reserves ensures protection of species habitat within the Brimbank Council area in addition to the Rokewood offset site.	NA
2	<u>Connectivity of the patches to existing native grassland and SLL habitat</u> Whilst the current referral biodiversity assessment briefly outlines the three patches connectivity to existing adjacent grassland patches and SLL habitat, the mapping provided does not depict this connectivity. The three patches are connected to a grassland and SLL habitat corridor that exists to the west, east, north and south of the site and	The proponent is not in a position to accurately map native vegetation or habitat external to their Project Area, however connectivity of the site is discussed in Section 4.2 of the document and reflected in the site context score of 2/2 discussed in Section 7.2.2.	NA

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	that is located along the Kororoit and Jones Creeks corridors. The three patches in Section G are highly connected in the local landscape via a network of conservation reserves and vacant land parcels. All of which provides a significant contribution to Brimbank's local biodiversity. The biodiversity significance of the site and its connectivity is not recognised or depicted in the referral biodiversity assessment.		
2	The has proposed alternative potential biodiversity outcomes, that will provide better local biodiversity outcomes than those provided in the current referral biodiversity assessment: • Option 1: Retention of all grassland and habitat • Option 2: Retention of a small portion of the habitat and an additional conservation area of recreated grassland within the capped landfill area. Option 3: Agreement under the ESP Act (no longer in force) and translocation of SLL.	As discussed above, retention of the 0.798 hectare patch of NTGVVP is not practical whilst achieving the required Boulevard Road. Additionally, agreement under the ESP Act, is not practical under the current legislative environment and salvage and translocation of SLL is not supported by DEECA or DCCEEW in Victoria.	NA
2	Victorian Grassland Earless Dragon (VGED) surveys Whilst the ecological consultants have undertaken VGED surveys, there is no discussion on the limitations of these surveys. Victorian ecologists are undertaking numerous VGED surveys, despite most of them never having sighted a VGED or seen the one site (for habitat conditions and seasonal habitat changes) in which they are known to occur. Despite this, most ecologists are stating VGEDs are not present in a site after undertaking one round of surveys; and they are not providing the significant limitations to these statements: • So little is known of the species and their habitat requirements. o This includes seasonal changes, and La Nina and El Nino habitat conditions. • So little is known of their survey rate of detectability (the data from the recovery site, which is approx. two years old) indicates they have	The entire site was subject to targeted VGED through a combination of: • Artificial burrows • Pitfall traps • Tiles • Active Search This is in line with the current survey guidelines prepared by the Recovery Team. It is anticipated that DCCEEW will consult with the appropriate species experts during their assessment of the project, this is not within Development Victorias remit.	NA

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	a detectability rate of less than 1%. There is no mention in the referral biodiversity assessment whether the ecologists have liaised with the VGED National Recovery Team.		
2	Tussock Skink The current referral biodiversity assessment also mentions that Tussock Skinks have been observed many times during the site survey efforts. There is no discussion on the proposed protection of these species and their habitat, despite Tussock Skinks being listed as a threatened species under the Victorian Flora and Fauna Guarantee Act.	Consideration of the FFG Act is not relevant to this assessment. Development Victoria is committed to complying with all environmental legislative requirements and all duties and permits will be addressed as outlined in section 8.3.	NA
2	Growling Grass Frog The site boundary shows the proposed development footprint abuts Kororoit Creek and associated wetlands, where there are records of Growling Grass Frog. The areas adjacent to the creek should be considered overwintering habitat and effort should be made to minimise disturbance (open space infrastructure included) to potential habitat areas. Appropriate setbacks should be made from the Kororoit Creek corridor consistent with current knowledge of the requirements for this species. Jones Creek corridor is approximately 60m from the north-eastern site boundary and the area has good habitat cover which should be investigated as overwintering habitat. No effort has been made to determine if Jones Creek has breeding populations of Growling Grass Frog despite its uninterrupted connection to the subject site, and that the Jones Creek corridor contains numerous wetlands and suitable habitat. The current referral biodiversity assessment does not consider that Section G connects the Jones Creek and Kororoit Creek corridors (albeit straddling Cairnlea Drive). With one waterway supporting a known Growling Grass Frog population, and the other waterway which could support a population. The development in its current form potentially prevents movement between populations and	The FFA (2020) completed for the site concluded that there is a low likelihood of GGF occurring within the site due to a lack of suitable habitat. There are no records of GGF in Jones Creek, the nearest record is a historical record within Kororoit Creek approximately 5km down stream. Kororoit creek is separated from Jones Creek by approximately 2 kilometres of channelised creek that is unlikely to provide a suitable movement corridor for GGF. Dispersal overland from Kororoit Creek is unlikely as the PAA is separated by approximately 1km which has been subject to substantial disturbance from soil/land remediation.	NA

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	breeding sites of a threatened fauna species, which is not discussed in the biodiversity assessment.		
3	The respondent refers to P38, 9.1 as follows: 'This represents a significant investment in the local area, which will deliver a new community, associated community facilities and new public open space assets.' What does the above actually mean in terms of the Plans for the Estate? Could this please be expanded to provide details of what is envisaged for the Estate? What in particular are the proposed 'community facilities' stated?	Land use detail within the development is currently being finalised and does not materially impact the results of the assessment.	NA
3	Under 9.2 the following statement says; 'Development of a truly 20-minute neighbourhood where people can meet most of their daily needs within a 20-minute walk of their homes.' What are the 'daily needs' referred to in the above, and how will this be achieved, particularly in regard to the lack of indoor courts, community centre, and sports facilities in near proximity that cater for the WHOLE population?	Land use detail within the development is currently being finalised and does not materially impact the results of the assessment.	NA
3	Further to this, under 9.2; 'Networks of interlinked open spaces of diverse size and character, capable of accommodating significant canopy tree coverage,' What is the percentage regarded as being 'significant tree canopy coverage?' How will this be achieved given the plans to bulldoze most of the adult sugar gum trees across the site? In the hearings before Planning Panels Victoria, even Development	This assessment only considered potential impacts to MNES. Use of the existing planted trees on site is limited to opportunistic foraging habitat for listed species and has been considered through completion of the FFA, EPBC referral and this PD. Whilst opportunities for practical retention within open spaces will be considered where possible, this will be determined during development design phases.	NA

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	Victoria's own experts in this field acknowledged that it would take 20-30 years to achieve the same tree canopy cover as currently exists after the mature trees are bulldozed. On this basis, it would take a mass planting of well over 10,000 trees and shrubs, across the Estate, together with their ongoing maintenance and replacement, to achieve such a goal. Anything less than an absolute minimum of 10,000 trees and shrubs planted, AND maintained, would be an abject failure of due care by Development Victoria, particularly in light of the very poor tree canopy cover across southern Brimbank in particular. What are the numbers and species of trees and shrubs that Development Victoria intend to plant across the site? Given their previous undertaking for only 3100 trees and shrubs across 41 Ha, there is no possible way this could be described as a 'significant tree canopy coverage!'		
4	Environmental and Open Space Impacts - The proposal results in the loss of established green space and tree canopy, contrary to Clause 12.01-1S (Protection of Biodiversity) and Clause 15.01-2S (Building Design), which require development to integrate with natural systems. -The reduction of permeable surfaces will exacerbate the urban heat island effect, undermining Council's climate resilience objectives.	This assessment does not aim to address Victorian Legislation, all proposed works will be subject to approval under the Planning and Environment Act (and Brimbank Planning Scheme), and assessment against the Planning Scheme will be undertaken through this process. Development Victoria is committed to complying with all environmental legislative requirements and all duties and permits will be addressed as outlined in section 8.3.	NA
4	Traffic and Transport - The proposed density will generate significant additional vehicle movements, worsening congestion on Station Road and Ballarat Road. - The development is inconsistent with Clause 18.02-4S (Car Parking)	This assessment does not aim to address Victorian Legislation, all proposed works will be subject to approval under the Planning and Environment Act (and Brimbank Planning Scheme), and assessment against the Planning Scheme will be undertaken through this process. Development Victoria is committed to	NA

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	and Clause 18.02-1S (Sustainable Transport), as it fails to adequately integrate public transport, cycling, and pedestrian networks.	complying with all environmental legislative requirements and all duties and permits will be addressed as outlined in section 8.3.	
4	Community Infrastructure Deficit - Brimbank already faces shortages in schools, health services, and recreation facilities. The proposal does not demonstrate how these will be addressed. - Without proportional investment, the development risks creating a population centre without the facilities required to support community wellbeing.	Land use detail within the development is currently being finalised and does not materially impact the results of the assessment.	NA
4	Need for Sporting Infrastructure and an Aquatic Centre - National data shows that 24% of Australians live more than 10 minutes from a public pool, a figure projected to rise to 29% by 2032. - Aquatic centres deliver an average of $6.1 million per year in social, health, and economic benefits (Royal Life Saving Australia, 2025). - Brimbank Council's own strategies identify a shortfall in indoor courts and aquatic facilities. With Cairnlea's projected population growth, this development is an opportunity to address that gap. - An aquatic centre and expanded sporting infrastructure would: o Support community health and wellbeing through accessible, inclusive recreation. o Provide youth engagement opportunities, reducing risks of disengagement. o Align with Plan Melbourne's 20-minute neighbourhood principle and Brimbank Community Vision 2040, which emphasise access to local recreation and healthier communities.	Land use detail within the development is currently being finalised and does not materially impact the results of the assessment.	NA

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4	Neighbourhood Character and Amenity - The proposed building heights and densities are inconsistent with the established low-rise character of Cairnlea, contrary to Clause 15.01-5S (Neighbourhood Character). - The development will cause an unreasonable loss of amenity through increased traffic, reduced open space, and diminished access to community facilities.	This assessment does not aim to address Victorian Legislation, all proposed works will be subject to approval under the Planning and Environment Act (and Brimbank Planning Scheme), and assessment against the Planning Scheme will be undertaken through this process. Development Victoria is committed to complying with all environmental legislative requirements and all duties and permits will be addressed as outlined in section 8.3.	NA