

# EPBC Act referral



Australian Government  
Department of Agriculture, Water and the Environment

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

<b>Title of proposal</b>	<b>2021/8934 - Industrial Facility - 276 Rex Road, Campbellfield</b>	
<b>Section 1</b>		
<b>Summary of your proposed action</b>		
<b>1.1 Project industry type</b>	Commercial Development	
<b>1.2 Provide a detailed description of the proposed action, including all proposed activities</b>		
Details of the development proposal (a commercial complex) for the study area have not yet been finalised, although it is understood that once developed the proposal would entail complete removal of native vegetation and threatened species habitat.		
<b>1.3 What is the extent and location of your proposed action?</b>		
See Appendix B		
<b>1.5 Provide a brief physical description of the property on which the proposed action will take place and the location of the proposed action (e.g. proximity to major towns, or for off-shore actions, shortest distance to mainland)</b>		
The project area is approximately three hectares of private and public (adjoining reserve of Rex Road) land located at Campbellfield, a northern suburb of Melbourne. It is bordered by Rex Road in the west, an undeveloped parcel in the east and well-established industrial facilities in the north and south. The site lies within the Victorian Volcanic Plain bioregion and falls within the Port Phillip and Westernport catchment management area.		
<b>1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)?</b>		
The development footprint is approximately 29,218 sqm (subject to final survey).		
<b>1.7 Proposed action location</b>		
Lot - Lot 278 LP99927 272-276 Rex Road Campbellfield 3061		
<b>1.8 Primary jurisdiction</b>	Victoria	
<b>1.9 Has the person proposing to take the action received any Australian Government grant funding to undertake this project?</b>		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>1.10 Is the proposed action subject to local government planning approval?</b>		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>1.10.1 Is there a local government area and council contact for the proposal?</b>		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>1.10.1.0 Council contact officer details</b>		
1.10.1.1 Name of relevant council contact officer	City of Hume Building and Planning	
1.10.1.2 E-mail	contactus@hume.vic.gov.au	
1.10.1.3 Telephone Number	03 9205 2200	
<b>1.11 Provide an estimated start and estimated end date for the proposed action</b>		
	Start Date	01/09/2021
	End Date	01/12/2023
<b>1.12 Provide details of the context, planning framework and state and/or local Government requirements</b>		
Aboriginal Heritage Act 2006 The development site does not impede on any cultural or historical heritage sites. Planning and Environment Act 1987 – Hume Planning Scheme The proposed action will be assessed against the Hume Planning Scheme. Approvals under the Planning and Environment		



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Act 1987 that are required for the proposed action will be obtained. Native vegetation offsets under State planning laws for the purposes of the proposed action will be secured.  
Flora and Fauna Guarantee Act 1988  
As no FFG Act-listed matters were recorded in the public land component (Rex Road reserve) of the study and nor are any expected to occur there due to a lack of suitable habitat, there are no implications for development of the study area under the FFG Act.  
Environment Protection and Biodiversity Conservation Act 1999 (Cmwth)  
Assessments of impacts on EPBC Act-listed flora, fauna and ecological communities within the Development Site have been undertaken by Nature Advisory as part of the broader investigations of potential impacts on native vegetation and associated biodiversity across the Property.

**1.13 Describe any public consultation that has been, is being or will be undertaken, including with Indigenous stakeholders**

No public consultation has been undertaken at this stage.

**1.14 Describe any environmental impact assessments that have been or will be carried out under Commonwealth, State or Territory legislation including relevant impacts of the project**

Detailed flora and fauna assessment was undertaken, as well as, targeted surveys for Striped Legless Lizard and Golden Sun Moth (See Nature Advisory 'Report 20045 1.3 Flora and Fauna')

**1.15 Is this action part of a staged development (or a component of a larger project)?**

Yes       No

**1.16 Is the proposed action related to other actions or proposals in the region?**

Yes       No



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## Section 2

### Matters of national environmental significance

2.1 Is the proposed action likely to have any direct or indirect impact on the values of any World Heritage properties?

Yes  No

2.2 Is the proposed action likely to have any direct or indirect impact on the values of any National Heritage places?

Yes  No

2.3 Is the proposed action likely to have any direct or indirect impact on the ecological character of a Ramsar wetland?

Yes  No

2.4 Is the proposed action likely to have any direct or indirect impact on the members of any listed species or any threatened ecological community, or their habitat?

Yes  No

### Species or threatened ecological community

Matted Flax-lily

### Impact

Loss of 40 plants  
Please refer to Report 20045 1.3 Flora and Fauna, Section 8, page 29.

### Species or threatened ecological community

Golden Sun Moth

### Impact

Known to occur on site. Loss of 2.296 hectares of habitat  
Please refer to Report 20045 1.3 Flora and Fauna, Section 8, page 29.

2.4.2 Do you consider this impact to be significant?

Yes  No

2.5 Is the proposed action likely to have any direct or indirect impact on the members of any listed migratory species or their habitat?

Yes  No

2.6 Is the proposed action to be undertaken in a marine environment (outside Commonwealth marine areas)?

Yes  No

2.7 Is the proposed action likely to be taken on or near Commonwealth land?

Yes  No



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<b>2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>2.9 Is the proposed action likely to have any direct or indirect impact on a water resource from coal seam gas or large coal mining development?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>2.10 Is the proposed action a nuclear action?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>2.11 Is the proposed action to be taken by a Commonwealth agency?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>2.12 Is the proposed action to be undertaken in a Commonwealth Heritage place overseas?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>2.13 Is the proposed action likely to have any direct or indirect impact on any part of the environment in the Commonwealth marine area?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No



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## Section 3

### Description of the project area

#### 3.1 Describe the flora and fauna relevant to the project area

During the field assessment 39 plant species were recorded. Of these, 23 (59%) were indigenous and 16 (41%) were introduced or non-indigenous native in origin. A total of 40 Matted Flax-lily were recorded during field surveys.

A total of 12 Golden Sun Moth were found on site. Striped Legless Lizard were not found during targeted surveys. Other than that, only common bird species were found during field surveys.

#### 3.2 Describe the hydrology relevant to the project area (including water flows)

No hydrology issues are relevant to the site.

#### 3.3 Describe the soil and vegetation characteristics relevant to the project area

The study area supported heavy soils of volcanic origin on a flat to gently undulating landscape with a moderate level of outcropping basalt rock, typical of the region. There were no watercourses or wetlands of any kind in the study area and it was readily evident that there had been very recent soil disturbance (scraping) and stockpiling of soil and gravel in the west and older soil stockpiling in the east of the study area.

Vegetation in the study area consisted of a relatively degraded, now treeless, example of River Red-gum dominated Plains Grassy Woodland (Ecological Vegetation Class (EVC) 55\_61), which occupied approximately half of the study area. This vegetation was dominated by a grassy ground cover of native Kangaroo Grass and Weeping Grass, with a large proportion of the introduced high-threat weed Chilean Needle-grass. Interspersed throughout this vegetation were a mixture of indigenous and introduced shrubs and River Red-gum saplings and recent recruits, which were quite dense in places. There was a moderately high diversity of indigenous grasses and forbs present, although the percentage cover of forbs was very low.

#### 3.4 Describe any outstanding natural features and/or any other important or unique values relevant to the project area

Cooper Street Grassland Nature Conservation Reserve, which is a moderate-sized area of remnant native vegetation, located some 400 metres to the east of the study area and managed for biodiversity conservation purposes.

#### 3.5 Describe the status of native vegetation relevant to the project area

Pre-European EVC mapping (DELWP 2020a) indicated that the study area and surrounds would have supported Plains Grassy Woodland (EVC 55), Plains Grassland (EVC 132), Creekline Grassy Woodland (EVC 68) and Escarpment Shrubland (EVC 895) prior to European settlement based on modelling of factors including rainfall, aspect, soils and remaining vegetation.

Evidence on site, including floristic composition and soil characteristics, suggested that Plains Grassy Woodland (EVC 55\_61) was present over approximately half of the study area.

This totalled an area of 1.03 hectares of native vegetation in a patch.

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

N/A

#### 3.7 Describe the current condition of the environment relevant to the project area

The study area is situated within a well-established industrial precinct, where native vegetation has long been cleared.

#### 3.8 Describe any Commonwealth Heritage places or other places recognised as having heritage values relevant to the project

There are no Commonwealth Heritage places recognized as having heritage values relevant to the project area.

#### 3.9 Describe any Indigenous heritage values relevant to the project area

There are no Indigenous Heritage places recognized as having heritage values relevant to the project area.

#### 3.10 Describe the tenure of the action area (e.g. freehold, leasehold) relevant to the project area

Private freehold land owned by East Rex Road Pty Ltd

#### 3.11 Describe any existing or any proposed uses relevant to the project area

The project area currently not in use, it is proposed for industrial use, namely an industrial facility.



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## Section 4

### Measures to avoid or reduce impacts

#### 4.1 Describe the measures you will undertake to avoid or reduce impact from your proposed action

Efforts to avoid and minimise impacts to native vegetation in the current application are presented as follows:

Strategic level planning – The parcel of land located at 272-276 Rex Road, Campbellfield is one of the only remaining sites within the Hume City Council LGA which is appropriately zoned with close access and connectivity to the freeway making this parcel of land highly desirable from logistics and similar use industrial tenants.

Site level planning – Given the location of existing native vegetation on site and the required infrastructure to service each of the proposed lots, it is deemed very difficult to avoid or minimise any impact to the native vegetation. Any industrial use on the site, for which the property is zoned, typically requires c. 40 to 60% site coverage to make it feasible from an operational perspective, and due to the dimensions of the site and location of the vegetation it would not be possible to utilise the property for industrial purposes whilst retaining vegetation on site.

Furthermore, the estimated cost of the development is \$6,800,000 and 120-130 jobs are anticipated on site once the works are completed. East Rex Road Pty Ltd C/- EMKC are committed to managing the risks on MNES through significant commitments to adequately offsetting impacts. No feasible opportunities exist to avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal.

See Report 20045 1.3 Flora and Fauna, Section 9.2.1., page 31.

#### 4.2 For matters protected by the EPBC Act that may be affected by the proposed action, describe the proposed environmental outcomes to be achieved

The offset target for the current proposal will be achieved via a third-party offset. An online search of the Native Vegetation Credit Register (NVCR) has shown that the required offset is currently available for purchase from a native vegetation credit owner (DELWP 2020e).

A translocation plan will be created for the Matted Flax-lily present on site.

See Report 20045 1.3 Flora and Fauna, Section 9, pages 31-33.



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## Section 5

### Conclusion on the likelihood of significant impacts

#### 5.1 You indicated the below ticked items to be of significant impact and therefore you consider the action to be a controlled action

- World Heritage properties
- National Heritage places
- Wetlands of international importance (declared Ramsar wetlands)
- Listed threatened species or any threatened ecological community
- Listed migratory species
- Marine environment outside Commonwealth marine areas
- Protection of the environment from actions involving Commonwealth land
- Great Barrier Reef Marine Park
- A water resource, in relation to coal seam gas development and large coal mining development
- Protection of the environment from nuclear actions
- Protection of the environment from Commonwealth actions
- Commonwealth Heritage places overseas
- Commonwealth marine areas

#### 5.2 If no significant matters are identified, provide the key reasons why you think the proposed action is not likely to have a significant impact on a matter protected under the EPBC Act and therefore not a controlled action

The project is expected to be a controlled action.



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## Section 6

### Environmental record of the person proposing to take the action

**6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Explain in further detail**

Yes, the Valecave group is a responsible and well-informed entity that invest heavily into corporate and ecological governance.

Valecave employ subject matter experts, including Nature Advisory, to advise on ecological matters and ensure compliance.

**6.2 Provide details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against either (a) the person proposing to take the action or, (b) if a permit has been applied for in relation to the action – the person making the application**

None to report.

**6.3 If it is a corporation undertaking the action will the action be taken in accordance with the corporation's environmental policy and framework?**

Yes  No

**6.4 Has the person taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?**

Yes  No



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## Section 7

### Information sources

#### Reference source

Nature Advisory 2021. Report 20045 (1.3) Flora and Fauna. Prepared for East Rex Road Pty Ltd. Nature Advisory Pty Ltd, Hawthorn East.

#### Reliability

This source is considered reliable as it was prepared by experienced and reputable ecology consultants well known to the Commonwealth and State regulator. The surveys undertaken followed the required Commonwealth EPBC Act and Victorian survey standards for seasonality, technique, habitat coverage, duration and replicates.

#### Uncertainties

None



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## Section 8

### Proposed alternatives

Do you have any feasible alternatives to taking the proposed action?

Yes



No



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**Section 9**

**Person proposing the action**

9.1.1 Is the person proposing the action an organisation or business?

Yes  No

**Organisation**

Organisation name (as registered for ABN/ACN) VALECAVE PTY. LIMITED  
 Business name  
 ABN 13081192172  
 ACN  
 Business address 19 Fuller Rd, Deer Park, 3023, VIC, Australia  
 Postal address  
 Main Phone number (03) 9361 1311  
 Fax  
 Primary email address ray.dimech@economix.com.au  
 Secondary email address

9.1.2 I qualify for exemption from fees under Regulation 5.23(1)(ii) of the EPBC Regulations because I am:

Small business  
 Not applicable

9.1.2.2 I would like to apply for a waiver of full or partial fees under Regulation 5.21A of the EPBC Regulations

Yes  No

9.1.3 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)

First name Ray  
 Last name Dimech  
 Job title N/A  
 Phone  
 Mobile  
 Fax  
 Email ray.dimech@economix.com.au  
 Primary address 19 Fuller Rd, Deer Park, 3023, VIC, Australia  
 Address

Declaration: Person proposing the action (To be signed by the person at 9.1.3)

I, RAY DIMECH, 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.

Signature: [Signature] Date: 18 May 21

I, RAY DIMECH, the person proposing the action, consent to the designation of \_\_\_\_\_ as the proponent for the purposes of the action described in this EPBC Act Referral.

Signature: [Signature] Date: 1 of May 21



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**Proposed designated proponent**

9.2.1 Is the proposed designated proponent an organisation or business?  
 Yes       No

**Organisation**  
 Organisation name (as registered for ABN/ACN) VALECAVE PTY. LIMITED  
 Business name  
 ABN 13081192174  
 ACN  
 Business address 19 Fuller Rd, Deer Park, 3023, VIC, Australia  
 Postal address  
 Main Phone number (03) 9361 1311  
 Fax  
 Primary email address ray.dimech@economix.com.au  
 Secondary email address

9.2.2 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)

First name Ray  
 Last name Dimech  
 Job title N/A  
 Phone  
 Mobile  
 Fax  
 Email ray.dimech@economix.com.au  
 Primary address 19 Fuller Rd, Deer Park, 3023, VIC, Australia  
 Address

Declaration: Proposed Designated Proponent  
 I, RAY DIMECH, the  
 proposed designated proponent, consent to the designation of  
 myself as the proponent for the purposes of the action described in this EPBC Act Referral.  
 Signature: [Signature] Date: 18 May 21



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**Referring party (person preparing the information)**

9.3.1 Is the referring party an organisation or a business?

Yes  No

**Organisation**

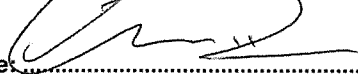
Organisation name (as registered for ABN/ACN)	NATURE ADVISORY PTY LTD
Business name	NATURE ADVISORY
ABN	12095541334
ACN	
Business address	61-63 Camberwell Rd, Suite 5, Hawthorn East, 3123, VIC, Australia
Postal address	
Main Phone number	0398152111
Fax	
Primary email address	chrisd@natureadvisory.com.au
Secondary email address	

9.3.2 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)

First name	Chris
Last name	Dunk
Job title	Senior Ecologist and Project Manager
Phone	0998152111
Mobile	
Fax	
Email	chrisd@natureadvisory.com.au
Primary address	61-63 Camberwell Rd, Suite 5, Hawthorn East, 3123, VIC, Australia
Address	

**Declaration: Referring party (person preparing the information)**

I, CHRIS DUNK, 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.

Signature:  Date: 18/05/21



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<b>Appendix A</b>	
<b>Attachment</b>	
<b>Document Type</b>	<b>File Name</b>
public_consultation_reports	Report 20045 1.3 Flora and Fauna.pdf
flora_fauna_investigation	Att 1-Flora and Fauna Assessment_2021 .pdf
trust-deed	<b>Not Published</b> - Att 2-signed Section 9.1-9.3.pdf

<b>Appendix B</b>
<b>Coordinates</b>
Area 1
-37.647244679651,144.96324157119
-37.647048367865,144.9632098853
-37.646955697911,144.96319493443
-37.646566447653,144.9631368345
-37.646671727343,144.96408363789
-37.646694388783,144.96428744754
-37.646900787788,144.96614388537
-37.646961008229,144.96668557433
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-37.647829558306,144.96689312464
-37.647749068979,144.96617083614
-37.647672798672,144.96548637678
-37.647602298385,144.96485379768
-37.647560018463,144.96447441759
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