

# Victorian National Parks Association Inc.

Level 3, 60 Leicester Street Carlton Vic 3053,  
Tel: (03) 9347 5188, Fax: (03) 9347 5199  
Email: [vnpa@vnpa.org.au](mailto:vnpa@vnpa.org.au) website: [www.vnpa.org.au](http://www.vnpa.org.au)



## **Submission on the Ouyen Mineral Sands Project – Murray Basin Stage 2 Environment Effects Statement**

Prepared by Jenny Barnett

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### **Summary**

The proposed mine encompasses a mixture of cleared land and fragmented native vegetation. The latter contains a number of threatened species including four birds listed under the Environment protection and Biodiversity Conservation (EPBC) Act and six fauna species listed under the Flora and Flora Guarantee (FFG) Act. The most potentially affected species are predicted to be the Malleefowl and Regent Parrot (both EPBC listed) and two FFG listed butterflies (Amethyst Hair streak and Bitter-bush Blue). From the data presented, two patches of vegetation appear particularly important for these species and also for a number of other rare species found in the area. These are the F1 – McBains Bushland reserve and surrounding bushland on the WRRP strandlines and the strip of private bushland towards the south end of the same strandlines. By avoiding mining these two areas, the impact of the proposal could be significantly reduced.

The rapid revegetation of mined areas and creation and securing of all the offsets as outlined in the EES is essential. The regeneration program should be commenced immediately for the Regent Parrot roadside corridors that are outside of the mining areas. Overall the revegetation proposals are ambitious and must be adequately resourced in order to realize the 'net gain' promised. Monitoring of success of regeneration is essential.

### **Impacts of the proposal**

Although much of the proposed mining is in cleared land, some significant vegetation remnants comprising 256 ha and 2603 large old trees are also in the path of the mine. Because of the largely cleared nature of the surrounding region, these fragments are important for the continued existence of some biota. They contain a number of significant fauna species at the state and national level as well as many regionally important species including Malleefowl, Regent Parrot, Crested Bellbird, Hooded Robin, Major Mitchell Cockatoo, Ground Cuckoo Shrike, Little Pied Bat, Common Dunnart, Amethyst Hair streak Butterfly and Bitter-bush Blue Butterfly. There are also a number of state and regionally significant plants and an impressive list of plants and animals for the area generally.

As acknowledged by the EES the proposal includes:

- Clearing of total 256 Ha of native vegetation
- Removal of up to 2,603 large old trees, including isolated trees within paddocks and trees within native vegetation patches, thus reducing habitat for hollow dependant fauna.
- Removal of 29 Ha of mallee vegetation that provides habitat for 2-5 pairs of Malleefowl.
- Removal of feeding habitat and fragmentation of seven east-west and north-south linkages known to be used by regent parrot.
- Potential increase in weeds and impact on integrity of native vegetation.
- Possible increase in predation from foxes and cats due to loss of refuges.

The Malleefowl and Regent Parrot (both EPBC listed) and two FFG listed butterflies (Amethyst Hair streak and Bitter-bush Blue) are identified by the EES as the species potentially the most affected by the proposal. However there are also many other rare plants and animals that will lose parts of their populations or habitat

The Malleefowl is recognised as a species currently in decline, particularly in Victoria. We note with concern that the EES reports that a considerable amount of habitat for this (and other) species has been cleared in this area in the last 10-15 years (and which appears evident from the aerial photos. This says little about the operation of the vegetation retention controls in this region and the policing of these. The loss or disruption/fragmentation of further habitat here is therefore of great concern and could seriously affect the viability of the population to the east of Bronzewing Flora and Fauna Reserve and add to the loss of connectivity to Bronzewing (see Appendix D, p 131).

From the mapped information in Appendix D, (Figs 8-02, 8-03) it is clear that the strip of private bushland towards the south end of the WRRP strandlines, and to a lesser extent the F1-Mc Bains Bushland reserve area, a kilometre to the north of this, and adjacent bushland, are the most important parts in the affected area for Malleefowl. The F1 area contains the two listed FFG listed butterfly populations (appendix E, Fig 1) which were detected nowhere else in the study area. In the case of the Amethyst Hair streak, this is the only known inland form of this species in Victoria (p5, Appendix E). These two areas also contain many of the records of Regent Parrot (Fig 8-05) and the majority of the Crested Bellbird sightings (Fig 8-13). The map which shows the combined threatened vertebrate fauna records (Fig 8-15) shows clearly a concentration of records here.

Thus these appear to be the most important areas proposed to be disturbed. The outcome in these areas will greatly affect the overall impact of the proposal.

### **Reducing the Impact**

Not mining the strip of private bushland towards the south end of the WRRP strandlines, and the F1-Mc Bains Bushland reserve area and adjacent bushland would considerably reduce the impact on threatened species including the Malleefowl. It would also reduce the very high number of large old trees proposed to be cleared and save habitat for a large number of species that are so far surviving in this fairly fragmented area.

We therefore strongly urge that alternatives 10 or 11 and 15 are chosen for this proposal. We point out that it is considered appropriate to stop and start mining either side of the Calder and Mallee Highways. Our threatened flora and fauna is worth more than these. The overall mining project is projected to be highly profitable and is likely still to be so without these two areas.

We also strongly support the decision that the 'Rainlover deposit' not be mined where this crosses native vegetation. This would have been particularly damaging through the McBains Bushland Reserve and surrounding bushland. This should be written into the conditions for the proposal so that this is not changed in future under different economic circumstances.

Another important aspect for reducing the impact is the rapid revegetation of disturbed areas, and the regeneration of new areas and securing of mature vegetation as offsets. These are recognized in the EES, however it must be realized that reestablishment of vegetation to a state that will be used by migrating Malleefowl and Regent Parrots will take at least 15 years. This is

a reason for both avoiding mining the 2 important areas outlined above, and for commencing all revegetation as soon as possible including starting the proposed new corridors for Regent Parrot immediately, as is recommended in Appendix D (p 174). We would also like to see more of the corridors recommended in Appendix D for revegetation tackled than is proposed. Sufficient areas must also be secured for the areas required for improved management of existing vegetation as part of the offsets as required by the Native Vegetation Framework policy. These would be best purchased and placed in public ownership but with sufficient funding supplied to ensure their proper management and ecological improvement for some decades.

In addition, the revegetation proposed is very ambitious involving 100,000 seedlings over a large area. In this difficult climate much watering and replacement of failed regeneration will be required. Considerable resources will be required for this and a substantial bond is required.

Monitoring of the success of the regeneration and amelioration where required is also essential and should continue for several decades, given climate change and prolonged drought, not merely for a few years.

As stated in the EES, *“Further monitoring surveys are considered essential to examine the impacts of the mine, and the success of any rehabilitation and conservation offset measures adopted to aid these two nationally threatened birds. The monitoring of these bird taxa should be undertaken pre-mining and whilst mining is occurring, as well as for a period to be determined by the regulatory authority once mining ceases and the land has been rehabilitated ... Ongoing flora and fauna surveys and monitoring are considered essential to establish the effectiveness of the proposed mitigation and conservation offset measures adopted. An auditing process must be implemented to ensure that the mine rehabilitation, revegetation and conservation management actions are successful according to rigorous completion criteria”* (Executive Summary, Appendix D).

## **Conclusion**

The proposal could go ahead but only if two important areas are not mined. In addition there must be a commitment, including a very substantial bond, to supply extensive resources towards revegetation and monitoring for several decades.