

Victorian National Parks Association

Planning for Nature Conservation in Melbourne's Newest Sustainable Communities - Submission, July 2009



VNPA Final Submission to the:

- Urban Growth Boundary / Protected Areas
- Outer Metropolitan Ring / E6 Transport Corridor
- Western Grasslands Reserves
- Biodiversity Impact Assessment Report Environment Protection and Biodiversity Conservation Act, 1999.



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The Victorian National Parks Association is dedicated to the protection of Victoria's unique natural environment and its biodiversity. For more information contact,
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Table of Contents

Title Page

1.0.0 Overview/ Summary	p4
1.1.0 Structure of this submission	
1.2.0 Overview	
1.3.0 Summary of General Recommendations	
2.0.0 Strategic Assessment Process and institutional issues	p8
2.1.0 EPBC Strategic Assessment Process and timing	
2.1.1 The Melbourne Strategic Impact Assessment is rushed	
2.1.2 There is no further opportunity to comment	
2.1.3 Delays in receiving the background information	
2.1.4 The need for more biodiversity surveys and information collection in spring	
2.1.5 Limitations of the studies informing the Strategic Impact Assessment	
2.1.6 No field assessment of E6 Transport Corridor	
2.1.7 Targeted flora and fauna surveys required for critical species	
2.2.0 Strategic Assessment Mitigation Strategy	p 13
2.3.0 Institutional arrangements for new grassland reserves and offsets	p14
2.3.1 Permanency and security of offsets	
2.4.0 Proposed prescriptions for grasslands within the Urban Growth Areas	p16
2.4.1 Creating an urban conservation network	
2.4.2 Habitat links and utility reserves	
2.4.3 Design principles for urban grassland reserves	
2.4.4 Limitations of precinct planning – Truganina South case study	
3.0 Conservation priorities in growth areas	p23
3.1.0 Wyndham Growth Area	p24
3.1.1 Introduction	
3.1.2 Issues	
3.1.3 Areas that must be protected	
3.2.0 Melton-Caroline Springs Growth Area	p 27
3.2.1 Introduction	
3.2.2 Issues	
3.3.3 Areas that must be protected	
3.3.0 Sunbury Growth Area	p30
3.3.1 Introduction	
3.3.2 Issues	
3.3.3 Specific Sites in Sunbury Growth Area which require protection	
3.3.4 General Issues for Sunbury Growth Area	
3.4.0 Whittlesea/Hume & Merri Creek Corridor	p40
3.4.1 Introduction	
3.4.2 Issues	

3.4.3 Areas that must be protected

3.5.0 South East Growth Area

p44

3.5.1 Introduction

3.5.2 Issues

3.5.3 Areas that must be protected

3.6.0 E6 Transport corridor and revised grassland reserve design

p47

3.6.1 E6 Corridor Alignment

3.6.2 Western Grassland Reserves

3.6.2.1 Ideas for Reserve management structures

4.0 Recommendations for Ecological communities & species p50

4.1.0 Introduction

4.1.2 Significant impact criteria

4.1.3 Issues & Recommendations

References

List of Figures

Figure 1.0- Design of proposed buffer for residential or commercial development adjacent to native grasslands (from Williams et al 2005)

Figure 2 Area of grassland to be cleared in Truganina South

Figure 3- Priority Areas for Protection and Important Habitat Links Wyndham, Growth Area

Figure 4.0 Priority areas for protection Melton – Caroline Springs Growth Areas

Figure 5.0 SMEC Base Maps of Sunbury

Figure 6.0 Themeda-dominated grassland missed in UGB report. (Photo taken 28 June 2009)

Figure 7.0 Map of Plains Grassy Wetlands in Sunbury

Figure 8.0 Endangered EVCs in Sunbury Area

Figure 9.0 Picture of grassland adjacent to Holden Flora and Fauna Reserve

Figure 10 Picture Shepherds Lane/Redstone Hill area

Figure 11 Site 13 Palmers Lane links and grasslands.

Figure 12 Sunbury Priority areas for protection and habitat links

Figure 13 Priority areas for protection in Merri Creek Corridor

Figure 14 Upper Merri Biodiversity Network Plan and proposed UGB.

Figure 15 Areas that must be protected and actively managed in South East

Figure 16 Western Wetland to be destroyed by current E6 corridor alignment

Figure 17 Recommended improvements to Western Grasslands Reserve design.

List of Tables

Table 1: Patches of native vegetation to be removed — Truganina South

Table 2.0 Areas that must be protected – Wyndham Growth Area

Table 5.0 Discrepancies between DSE and SMEC data

Table 6.0 Priority Areas for Protection in Sunbury

Table 7 Threatened fauna species listed under the EPBC Act identified as potentially occurring within the study area & Recommendations

1.0.0 Overview/ Summary

1.1.0 Structure of this submission

Our submission is structured around four key chapters:

1.0 Overview /Summary

2.0 Strategic Assessment Process and institutional issues

3.0 Conservation priorities in Growth Areas (includes Reserve Design & E6)

4.0 Recommendations for communities and species

Much of the site-specific information was collected with the help of local conservation groups, experts and other interested people. The growth area summaries should be read in conjunction with local community and regional group submissions and specific sites should be considered as recommendations. General recommendations are listed in each section and summarised at the end of this section.

1.2.0 Overview

With almost 8,000 hectares of critically endangered native grassland and grassy woodland proposed to be cleared under this urban expansion, the conservation stakes are very high.

We welcome the government's commitment to 15,000 ha of new grassland reserves and support the idea of a strategic approach, but we have a range of issues concerning proposed areas to be cleared, the process undertaken, and the prescriptions and plans proposed for the protection of threatened species.

The Victorian National Parks Association has four key areas of concern:

1. **A rushed process sets a poor precedent for Federal assessment**
2. **New reserves plan needs clarity**
3. **Better protection of high value sites needed within new growth areas**
4. **E6 Transport Corridor needs to be re-aligned.**

Detailed comment is also included on proposed prescriptions, and recommendations for additional national prescriptions on significant species and communities.

1) **A rushed process sets a poor precedent for Federal assessment**

In theory there is value in a Strategic Impact Assessment approach. However, this is undermined by a rushed process, with only 30 days allowed to comment, and gaps in the underlying ecological information. Decisions made as a result of this process will stand for decades and affect future generations.

Environment groups have written to the Federal Minister Peter Garrett and State Ministers Gavin Jennings and Justin Madden, requesting a significant extension to the process and highlighting four areas of concern:

- There is no further opportunity for community comment.
- Delays in receiving background information have undermined the process.
- The assessment is based on poor data. There is an urgent need for further ecological surveys in spring and summer.

The nature of the process set a poor precedent for the use of Federal Strategic Assessments under the Environmental Protection and Biodiversity Conservation (EPBC) Act. This is by far the largest and most complex strategic assessment undertaken to date in Australia, and it will test the credibility of the Federal government's key piece of environment legislation. See chapter 2.0 for more detail.

2) New reserves plan needs clarity

The proposal for 15,000 ha of new grassland reserves (on private land) west of Melbourne is great news and shows some foresight on behalf of the government. It will, however, be challenging to deliver over 10-20 years and numerous election cycles. There is also concern that the offsets or trade-offs between what is to be lost and what is to be protected do not add up in line with existing State Government offset policies. The reserve plan needs greater detail, particularly in relation to governance, purchasing and management, to ensure that a permanent and satisfactory outcome can be delivered. Issues and constraints include:

- Reserves need to be delivered within five years (one election cycle).
- Reserves need to be purchased upfront and established before clearing within the growth areas commences.
- Money (estimated \$200 - \$300 million +) needs to be raised with a mix of government money, developer levies and offset payments for clearing from developers.
- The proposed reserves need a high level of protection, with core areas reserved as national park and other areas as part of the protected areas network (which can include private land). Wider landscape protection needs addressing via funding for conservation covenants (delivered through market-based tools such as BushBroker) across the Volcanic Plains, and as a potential transitional measure for private landholders unwilling to sell in the short term to the proposed grassland reserve areas.
- There should be some key additions to proposed park area to connect and link the parks and add further high value areas. (See Wyndham Growth Area section and section 3.6.2)
- E6 Transport corridor needs slight re-alignment to allow better reserve design (see section 3.6.1)
- Funding needs to be managed via an independent trust at arm's length from government to ensure that the significant funds required are used for conservation and not re-directed at a later date if there is a change of government.

3) Better protection for high values sites within new growth areas

There are five growth areas, each with some high-value grassland and biodiversity sites which require better protection and recognition in the plan. Forty-two sites and key habitat links which need protection have been identified within the proposed urban growth areas.

The following is a summary of the key growth areas:

- **Whittlesea (Upper Merri) Growth Area.** – At least nine key areas have been identified as needing greater protection. There are no commitments for new reserves proposed in the north, which has more grassy woodland than the west. Underlying ecological information is poor and needs to be redone with targeted surveys over the coming spring. Up to 40-50% of high-value remnant areas could be destroyed, based on criteria in the Impact Assessment Report. (See Whittlesea (Upper Merri) brief for more detail)
- **Melton-Caroline Springs growth areas** – Seven areas of conservation significance, including the Boral Quarry site, have been identified as needing additional protection through inclusion in a Kororoit Creek Regional Park and realignment of the E6 transport corridor (see Melton-Caroline Spring section for more detail).
- **Wyndham Growth Area** – Seven key areas have been identified, including three high priority sites and three habitat links, as well as a realignment of the E6 Transport corridor (Outer Metropolitan ring road) to allow for the inclusion of high conservation significance sites to be avoided (see Wyndham section for more detail).
- **Sunbury Growth Area** – Twelve significant areas have been identified, with five high-value sites, including a significant expansion of the existing Holden Flora and Fauna Reserve and

seven habitat links to allow species to move when pressured with urban development (see Sunbury section for more detail).

- **South East Growth Area** – Seven areas including two key high conservation areas, and five habitat corridors, have been identified as requiring recognition and protection to safeguard the endangered Southern Brown Bandicoot and vulnerable Growling Grass Frog (see South East section for more detail).

4) E6 Transport Corridor (Outer Metro Ring Road) & revised grassland reserve design

The proposed alignment of the transport corridor cuts through a number of sites of high conservation significance. There has been no detailed on-ground assessment of the alignment. If it was moved slightly to the east, it would avoid these high conservation areas and allow for a greater consolidation of the remnant grassland areas in the proposed parks system (for more information see section 3.6.0).

1.3.0 Summary of General Recommendations

Recommendation:

- a) *That the period for consultation for the Strategic Impact Assessment be **significantly extended**. The extended timeline should:*
 - a. *Facilitate the detailed field assessment of ecological values, much of which would need to occur in spring and early summer.*
 - b. *Allow for additional studies required to address ecological communities listed for nomination under the EPBC Act 1999.*
 - c. *Allow for adequate time for the community and experts to comment on any new data, as well as existing data.*
- b) *That the Memorandum of Understanding between the State and Commonwealth be **altered** to include further opportunities for consultation with the community.*

Recommendation: *That a transparent and detailed reserve design plan be developed which demonstrates in detail the gains to be achieved in any of the offsets and includes a detailed implementation timetable developed to ensure that biodiversity protection gains are in place before any clearing occurs.*

Recommendation: *The detailed reserve design and implementation plan should include the following elements:*

- *Priority criteria and prescriptive formula for every hectare of habitat cleared;*
- *No clearing should be allowed until new reserves are in place.*
- *National parks status*
- *Lines on maps are not enough, upfront funding is required.*
- *New parks should be delivered within five years.*
- *Upfront Funding.*

Recommendation: *If market based instruments or stewardship schemes (such as Bush Broker) are used to offset grassland loss they should require legally binding permanent protection agreements, instead of short term contracts.*

Recommendations:

a) *High conservation value sites should be retained within the UGB, particularly if they have multiple values and can be logically managed as part of the urban conservation network. Key criteria for retention of sites include:*

- *species richness*
- *intactness/condition*
- *landscape context and connectivity, as part of a habitat corridor*

- extent of occurrence of key species, e.g Nationally and State significant species
- irreplaceability
- reserve design and management opportunities.
-

b) The proposed prescriptions for grasslands and key species are not in line with current science or policy for the protection of biodiversity and national threatened species and communities, and need to be revised to allow key high-value sites within the urban growth boundary to be retained as part of the 'urban conservation network'.

c) With additional surveys, high priority sites should be incorporated into a enforceable 'ecological' structure plan which outlines an urban conservation network for the growth areas.

Recommendation: Enforceable management guidelines and management plans should be developed for all statutory authorities, local government and other utility operators with responsibility for significant grassland remnant patches in line with relevant EPBC Policy and Recovery Plans.

Recommendation: Grassland protection design guidelines should be developed for developers and responsible authorities for managing urban and peri-urban grassland remnant patches, in line with relevant EPBC Policy and Recovery Plans. These should be supported by initial seed funding by government, to enhance implementation and assist in long-term management of remnant sites.

Recommendation: That precinct planning and the Biodiversity Precinct Planning Kit, be reviewed and modified to incorporate grassland protection guidelines and design principles to allow the retention of high conservation patches of grassland and associated ecosystems as part of the public open space network.

Recommendation: Forty-two high conservation values sites and key habitat links across the five growth areas have been identified which need additional survey in spring and summer to allow retention and protection as part of urban conservation network (see Section 3.0 for detail)

Recommendation: That the Outer Metropolitan Ring Road be realigned to avoid high conservation significance grassland, wetlands and associated ecosystems and a detailed on-ground fauna and flora assessment be undertaken before any final alignment is decided.

Recommendation: The proposed Western Grassland reserves should be reconfigured to include:

- Addition of blocks south of Greigs Road to Grassland reserve
- Link the two reserves along Werribee River via Cobbledicks Road Block
- New alignment of E6 to protect important blocks to the west of Sewells Road, and to the east and west of Mt Atkins Road.
- The large wetland to the east of the proposed current areas has been overgrazed but would recover well with limited management. This should be added to the reserve.
- A significant block containing good quality grassland and a variety of important habitats, between the current proposed reserve and Geelong Road, should be added to the reserve.

Recommendation: That all high conservation significant priority locations be retained and that there be specific prescriptions developed for all ecosystems and species of national significance in line with Significant Impact Guidelines and best available ecological advice where guidelines do not exist, including, but not limited to:

- Protecting all waterways with a minimum of 200m buffers on each side of waterways
- Protecting all wetlands with minimum buffers as prescribed by Birds Australia (2009)
- Protecting all grassy woodland remnants; allow 100m buffers and optimise links.

Recommendation: That a more detailed 'ecological structure plan' be developed based on detailed on-ground surveys to proceed and inform any precinct structure plans