

A People's Audit *of the 36 MSA Conservation Areas*



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A People's Audit of the 36 MSA Conservation Areas

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Cover image: Asbestos contamination at Conservation Area 9. *Credit: Adrian Marshall*

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VICTORIAN
NATIONAL PARKS
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The [Victorian National Parks Association](https://vnpa.org.au) is an effective and influential nature conservation organisation. We've led the creation, oversight and defence of Victoria's natural estate for over 70 years.

We work with local communities, government and scientists to advocate for evidence-based policy to safeguard wildlife, habitat and protected areas. We inspire connections with nature through citizen science, activities, action and education for all Victorians.

We are an independent, non-profit, non-government, and membership-based charity. We're an incorporated association with membership open to all like-minded people.

Our Vision: Victoria is a place with a diverse and healthy natural environment protected, respected and enjoyed by all.

Grassy Plains Network

The [Grassy Plains Network](https://grassyplains.org.au) is an independent organisation representing land management professionals, academics, ecologists and community members concerned about the ongoing decline of grassy ecosystems across Melbourne and its surrounds. We advocate for improved grassland protection and management.

VNPA acknowledges the many First Peoples of the area now known as Victoria, honours their continuing connection to, and caring for, Country, and supports Traditional Owner joint-management of parks and public land and waters for conservation of natural and cultural heritage. The 36 Conservation Areas are located on traditional lands of the Wurundjeri, Bunurong and Wadawurrung people. We offer our respect to Elders past, present and future.

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1 Preface

1.1 Failure to protect these Conservation Areas

This document makes for depressing reading. Most Conservation Areas are in decline, the majority had had their extents reduced, many have suffered from illegal actions. The upside is that hopefully the next time we do this audit – and there will be a next time – we will see and report on positive change.

The 36 Conservation Areas represent the best biodiversity hotspots in Melbourne's growth corridors. Shamefully, they have received little care or attention in the 11 years since they were mandated in the 2013 *Biodiversity Conservation Strategy*.

The Grassy Plains Network has been calling for a summary of their condition for over two years, but nothing has been forthcoming. We have written to state and federal Environment Ministers but have received no commitments.

The only data publicly available on the 36 Conservation Areas on the MSA website are contained in a single page, which includes outdated data.

The Commonwealth and Victorian governments, and in particular the Melbourne Strategic Assessment team within DEECA, have been failing to protect these vital conservation assets.

We know these precious areas are in decline. They are getting choked with weeds, being overgrazed, and many have been damaged by illegal activities such as construction, dumping, have had endangered species crushed by contractors ignorant of their presence, been driven over by heavy vehicles, and in the most egregious case, have been buried under literally tens of thousands of cubic metres of asbestos-contaminated fill.

If such abuse weren't enough, many have had their size reduced, the consequence of state and federal Environment Departments unwilling to stand up to developers and to protect the environment.

This People's Audit is a consequence of a lack of information, the failure of the MSA team to get its house in order, responsible authorities' regular failure to halt breaches of compliance by landholders and land managers, and the dire decline in the conservation values of land promised to be protected.

We should not have to produce this document.

2 Executive summary

2.1 What we did

We assessed the protection status, condition and trend in condition of the 36 MSA Conservation Areas, and assigned a confidence rating to assessments of condition and trend. We also calculated any change in the area of each Conservation Area between 2013 and 2022, and sought information on any potential compliance breaches that may have occurred.

Data came from discussions with land managers, conservation organisations, grassland experts, and on-ground assessments. Other data sources included the 2013 Biodiversity Conservation Strategy, publicly available GIS data, the results of a Freedom of Information Request (Hume City Council, others still in progress), and extensive internet searches.

2.2 Key findings

- **Lack of acquisition and protection:** Only 7 of the 36 are protected, more than a decade after they were promised.
- **Sizes cut:** More than half (20 out of 36) have had their size cut. Overall, 425 ha (7.4%) has been cut from the original 5735 ha of Conservation Areas. If we exclude the Growling Grass Frog corridors, which contain large areas of space not primarily for conservation, the reductions represent a loss in total area of 15.9% (449 ha from an original 2367 ha).
- **Overall decline in conservation value:** Few (3) Conservation Areas are known to be in good ecological condition, with the condition of many unknown (21) due to lack of survey data (either current or 2013) and lack of access.
- **Decline ongoing:** Only one Conservation Area is likely to be improving in condition. Many (at least 15) have been and continue to be declining in condition. The figure for declining trend is probably greater than indicated, with many apparently unmanaged or heavily grazed, but erring on the side of caution, we assessed 17 as trend unknown.
- **Many severe compliance issues:** Almost half (15) of the Conservation Areas have had compliance issues, 8 of which we regard as severe. We take severe to mean clearing of native vegetation, filling-in of known Growling Grass Frog habitat, or to be the compounding of multiple minor infractions. In the most egregious case, Conservation Area 9 was completely destroyed by being buried under asbestos-contaminated fill.
- **No compensation for loss.** Most importantly, no actions have taken place regarding compensation for the significant loss in the quality of the Conservation Areas, or for the loss in the extent of the Conservation Areas.
- **First Nations involvement:** The Wurundjeri are actively involved in the management of several of the Conservation Areas in the northern Growth Areas, which is welcomed.
- **Other issues:** Lack of oversight, little in the way of interim management programs, potential conflicts between public open space use and management for conservation, and poor consideration of the impacts of adjacent development.




- **Recommendations:** Finally, we make 20 recommendations about 8 issues. We hope that the implementation of these can lead to a significant positive change in the long-term prospects for the 36 Conservation Areas.

2.3 Protection Status

Acquisition, and hence protection, is very slow. In many cases this is because no trigger for acquisition has been reached. Developer legal action has in some cases slowed acquisition.





However, until recently the MSA has not evidenced any appetite for accelerating acquisition, focusing acquisition efforts on the Western Grassland Reserve to the detriment of the Conservation areas.

We understand that good work has been undertaken to remove administrative roadblocks to acquisition. That is welcome. More needs to be done.

Protected	Partially protected	Unprotected
		
7	11	18

2.1 Condition

Most Conservation Areas are probably not in good condition, due to weed invasion and lack of biomass control, over-grazing, lack of feral animal control, clearing of native vegetation and dumping.






Good	Fair	Poor	Unknown
			
3	8	4	21

2.1 Trend

Most Conservation Areas have probably suffered decline in their conservation values since 2013. Some are now stable, and recently acquired Conservation Areas are generally improving after years of neglect.




Overall, we are at a low point here, and can reasonably expect some improvement in the coming years.

Improving	Stable	Declining	Variable	Unknown
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1	1	15	2	17

2.1 Confidence





Our confidence in our assessments of condition and trend is generally not high, hampered by lack of survey data from 2013 and from the present day. Lack of access to private property prevented close visual inspection for many Conservation Areas.

High	Moderate	Poor
		
6	8	22

2.1 Compliance issues

There is likely to be more to be learnt here, with local and state government very reluctant to share any information regarding potential breaches of compliance.

Reporting of compliance issues between local, state and federal governments appears to have been poor. Incredibly, it appears the Grassy Plains Network was the first to report the complete destruction of Conservation Area 9 to federal authorities.

None	Minor	Severe	Unknown
			
0	7	8	21



2.1 2013 extents preserved

The cuts to size made to more than half of the Conservation Areas is perhaps the most surprising finding of this Audit.











































These cuts have been made well away from the public's attention. Documentation on them is hard to find. The number of these cuts gives the impression of state and federal authorities acquiescing to developers' demands rather than pushing back to protect areas of good conservation value.

No Conservation Area has been increased in size except for Werribee Regional Park (Conservation Area 14), which includes large areas of land not intended to be managed primarily for conservation.

Further details on Conservation Area extent are included in Appendix 1.

Yes	No
	
16	20

2.2 Traffic light summary

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
CA 1: Sinclairs Road, Kororoit Creek North Herb-rich Grasslands, Plumpton					
					
CA 2: Kororoit Creek North Herb-rich Grasslands, Ravenhall					
					
CA 3: Kororoit Regional Park, including Clarkes Road Grassland					
					
CA 4: Greigs Road Grassland, Rockbank					
					
CA 5: Ravenhall North					
					
CA 6: Deer Park Quarry Grassland, Ravenhall					
					
CA 7: Mount Atkinson Grassland					
					

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
CA 8: Middle Road (North), Mount Cottrell					
CA 9: Middle Road (South), Mount Cottrell					
CA 10 : Old Truganina Cemetery					
CA 11: Woods Road, Truganina					
CA 12: Sewells Road Reserve, Truganina					
CA 13: Ballan Road, Wyndham Vale					
CA 14: Growling Grass Frog Corridors (south)					
CA 15: Growling Grass Frog corridors (north)					
CA 16: Grassy Eucalypt Woodland Sites, Sunbury					
CA 17: Grassy Eucalypt Woodland Sites, Sunbury					

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
CA 18: Lancefield Road, Sunbury					
CA 19: Grassy Eucalypt Woodland Sites, Sunbury					
CA 20: Racecourse Road, Sunbury					
CA 21: Growling Grass Frog corridors					
CA 22: Bald Hill, Donnybrook					
CA 23: Hume Freeway, Kalkallo					
CA 24: Kalkallo Common Grassland and Cemetery, Kalkallo					
CA 25: Grassy Eucalypt Woodland Site, Donnybrook					
CA 26: Mt Ridley West, Mickleham					
CA 27: Summerhill Road (West), Wollert					

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
CA 28: Summerhill Road (East), Wollert					
CA 29: Mickleham Road, Mickleham					
CA 30: Austral Bricks Site, Wollert					
CA 31: Craigieburn Road (East), Wollert					
CA 32: Craigieburn Road (West), Wollert					
CA 33: O'Hearns Rd, Epping					
CA 34: Growling Grass Frog Corridors					
CA 35: Clyde-Tooradin Rail Reserve, Clyde					
CA 36: Growling Grass Frog Corridors					

3 Introduction

3.1 Background: The Melbourne Strategic Assessment

The Melbourne Strategic Assessment is a 2010 joint Commonwealth-State agreement under part 10 of the federal Environmental Protection and Biodiversity Conservation Act (EPBC Act) to ensure protection of Matters of National Environment Significance (MNES) that are impacted by the expansion of Melbourne's Urban Growth Boundary (UGB).

As part of that agreement, 15,000 ha of land outside the Urban Growth Boundary was to be purchased and set aside for conservation as the Western Grassland Reserve. In addition, as set-out in the 2013 Biodiversity Conservation strategy, 36 Conservation Areas were to be established within the Urban Growth Boundary to protect the best of the biodiversity in the new urban growth corridors.

The Melbourne Strategic Assessment was the first strategic assessment to be undertaken under part 10 of the EPBC Act. Its implementation was hampered by its novelty, the huge scale of the program, and a very rushed process. It outraged conservation groups and community members across Melbourne. In the end, the environment wore the bulk of the program's risk and the environment has done very poorly out of the process, while developers have received certainty and profited.

In June 2020 the Victorian Auditor-General's Office (VAGO) released a report on the Melbourne Strategic Assessment, *Protecting Critically Endangered Grasslands*. That report was extremely critical of the delivery of the Melbourne Strategic Assessment, which was failing to meet many of its conservation commitments. The VAGO report made a number of recommendations, which were accepted by the Victorian government.

As a consequence, the Victorian government legislated the Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020. That Act made important improvements to the MSA. In particular, it:

- Allows the amount of the Levy that funds the MSA to be adjusted to account for changing management and acquisition costs associated with the MSA. The Levy rate is currently under review by the MSA.
- Amended the Commissioner for Environmental Sustainability Act 2003, requiring the Commissioner for Environmental Sustainability (CES) to report on the MSA conservation outcomes once every 2 years, as recommended by the Victorian Auditor-General.

As required by legislation, the Commissioner for Environmental Sustainability delivered its first *Strategic Audit of the Implementation of Melbourne Strategic Assessment Conservation Outcomes 2022 Report* (the Audit), to the Environment Minister in October 2022. The Audit was tabled in Parliament on 16 May 2023 after a lengthy delay caused in part by the Victorian election.

It has been more than a year since the 2022 CES Audit was tabled. The Minister for the Environment has now failed to meet the one-year deadline for a formal public response to the CES Audit.

3.2 Data collection

Data has been compiled by the Grassy Plains Network, VNPA and Merri Creek Management Committee with the help of many land managers, ecologists, policy makers, community activists and conservation groups. It is necessarily subjective in scope, but we have taken every effort to source and compile information to ensure it is factually correct.

Protected status: This data is sourced from the MSA website. Land is considered protected when it is Crown Land, held by an LGA, or is the subject of a covenant or similar on-title protection such as a Section 63 Agreement.

Condition: Refers to ecological condition. Floristic richness, extent of weed cover, lack of biomass management, and degree of grazing all input into this measure.

Trend: Refers to the change in condition since 2013, but is weighted to changes in more recent years, i.e. if recent management is improving a grassland, but it is still not in as good condition as it was in 2013, we have marked this as a positive trend. The Variable measure reflects the fact some portions of a Conservation Area can be well-managed and improving, while other portions can be declining from mismanagement.

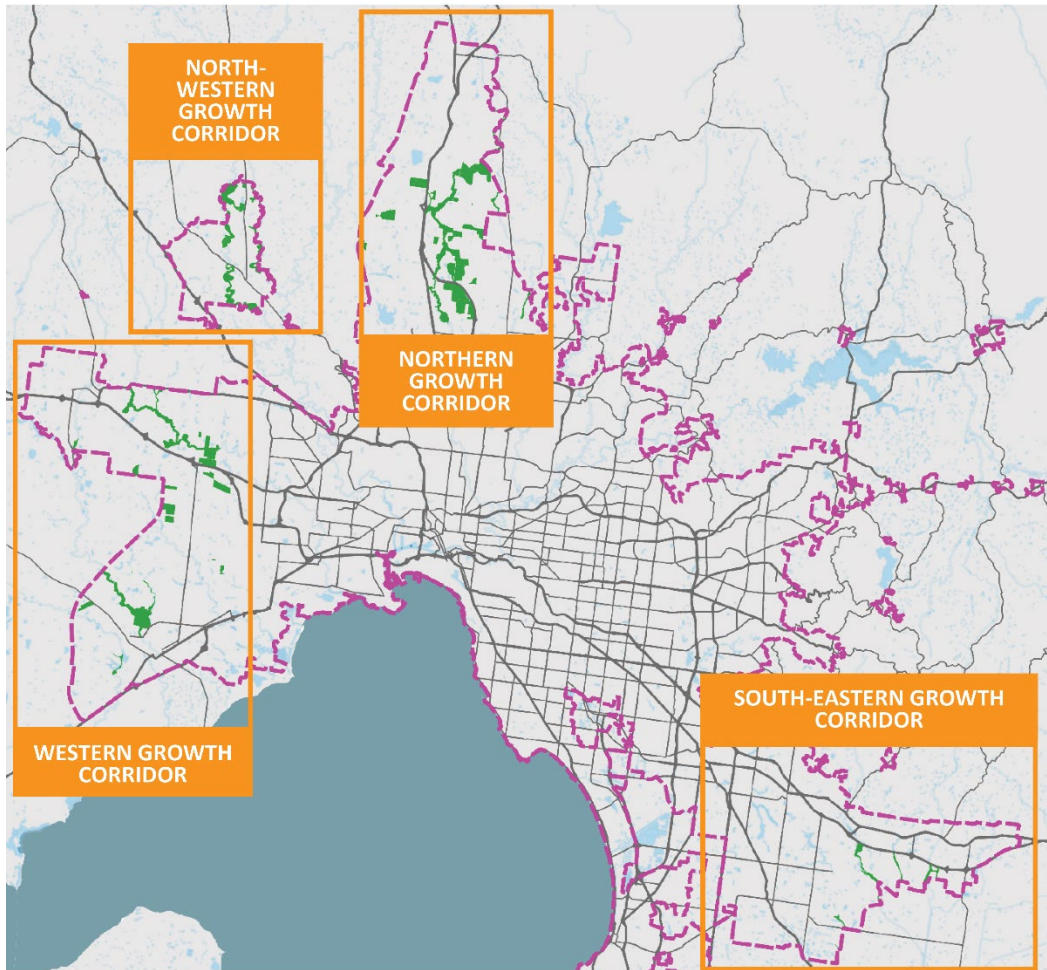
Confidence: Refers to how sure we are of our overall assessments. This is usually a reflection of our data sources, with inputs from multiple experts giving added confidence, and with lack of information engendering lack of confidence.

Compliance: Potential breaches of the law. These can be minor, as in the case of infestations of particularly worrisome weed species; or severe, in the case of multiple breaches at the one Conservation Area, or the loss of substantial areas of an ecological community.

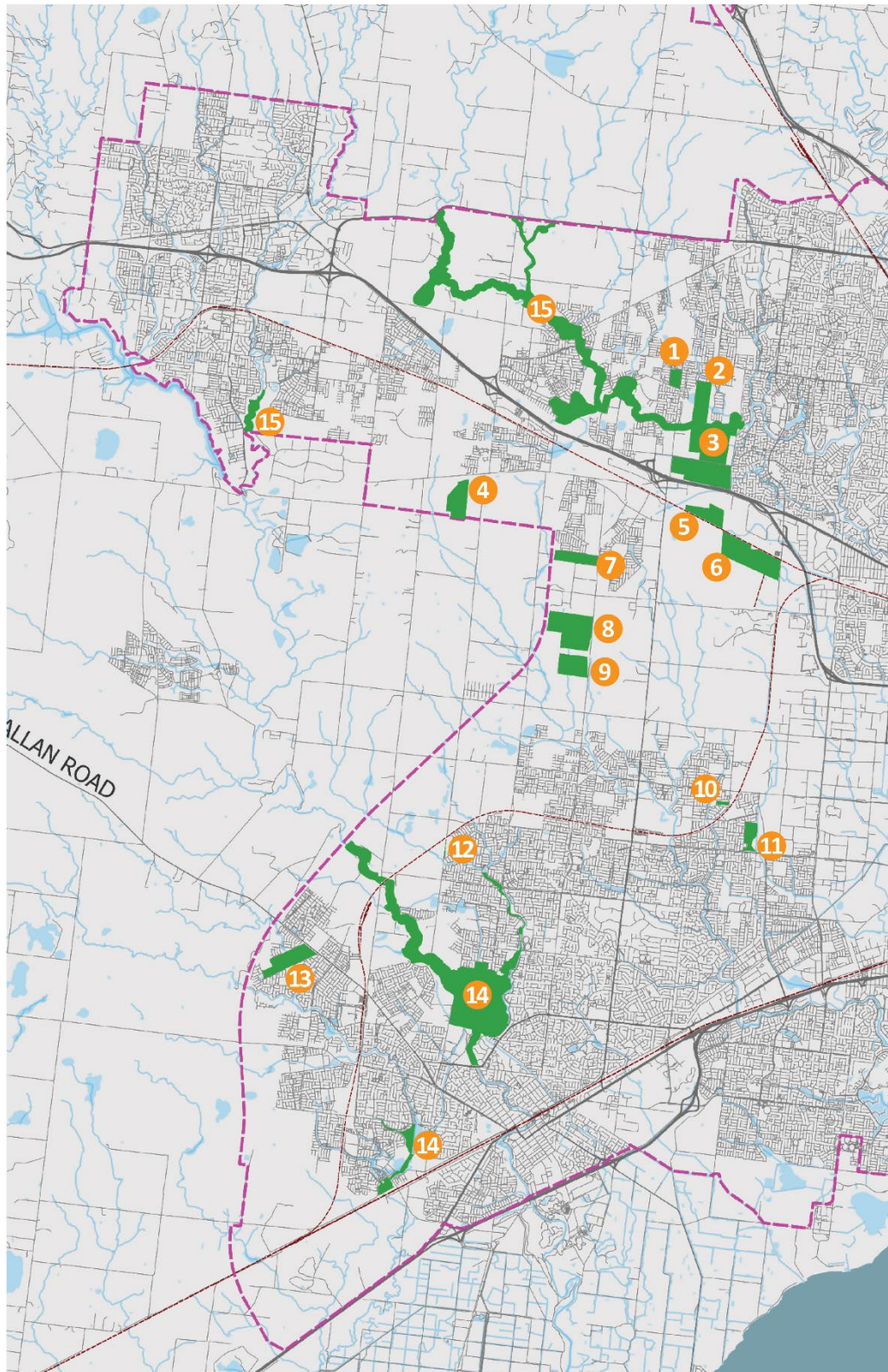
Extents preserved: Refers to the lack of any change in boundaries, and hence reduction in extent, of a Conservation Area between that specified in the 2013 Biodiversity Conservation Strategy and the MSA_BCS_CONS_AREA spatial data publicly available from DataVic (last updated 15 June 2022). Some small changes in area may be the result of mapping errors, most likely in the 2013 Biodiversity Conservation Strategy, rather than the result of legal action.

3.3 Maps

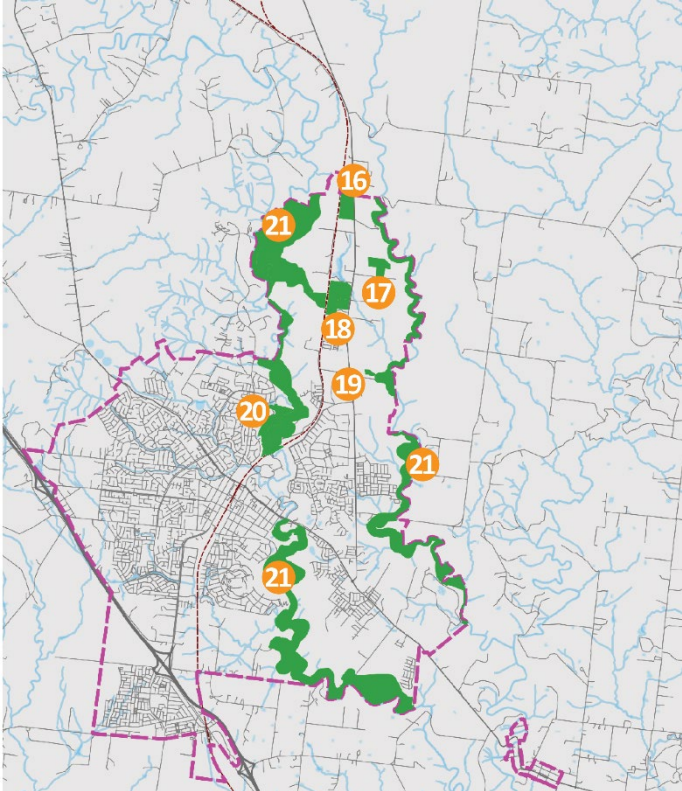
Overview: The 36 Conservation areas and their growth corridors



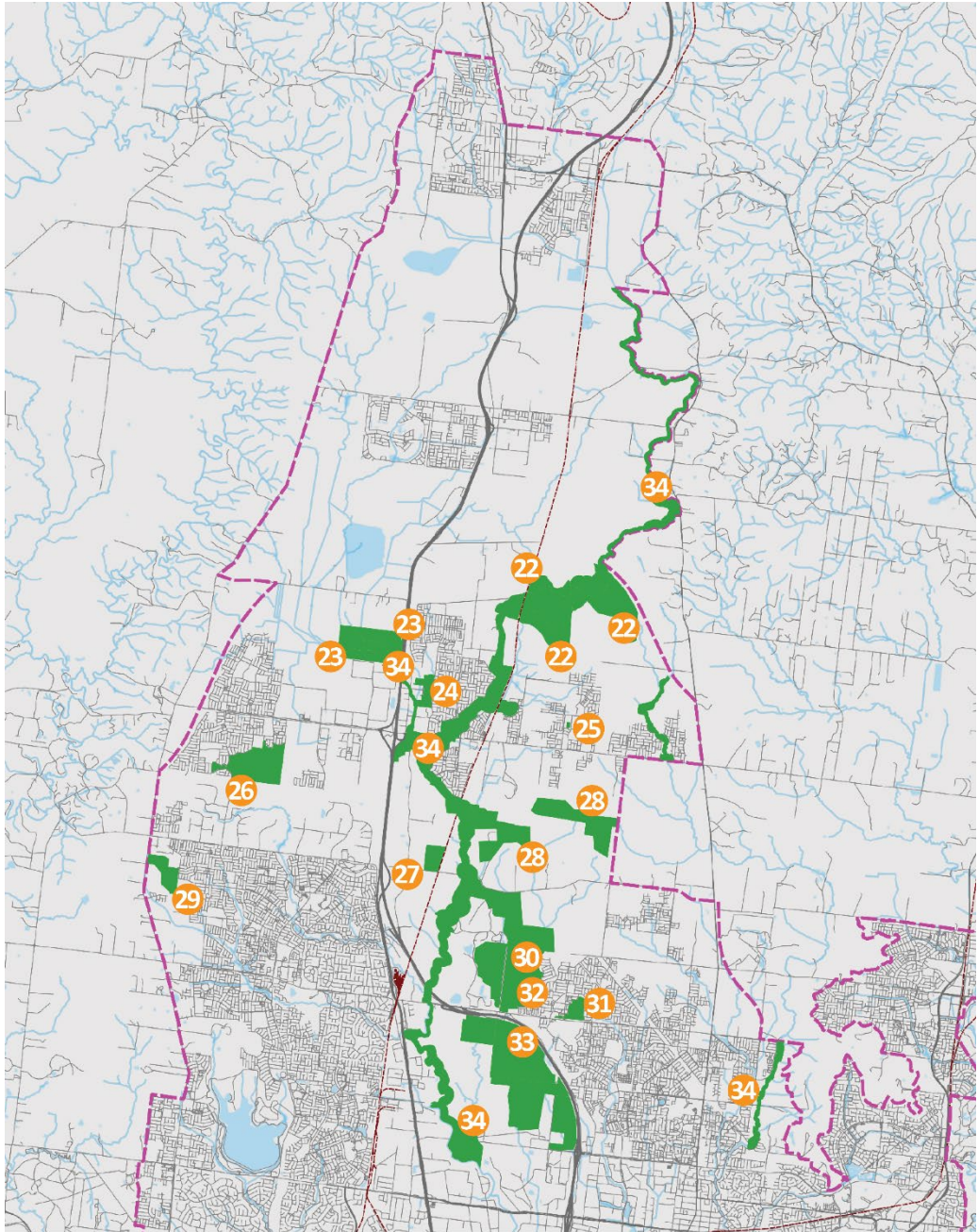
The Western Growth Corridor



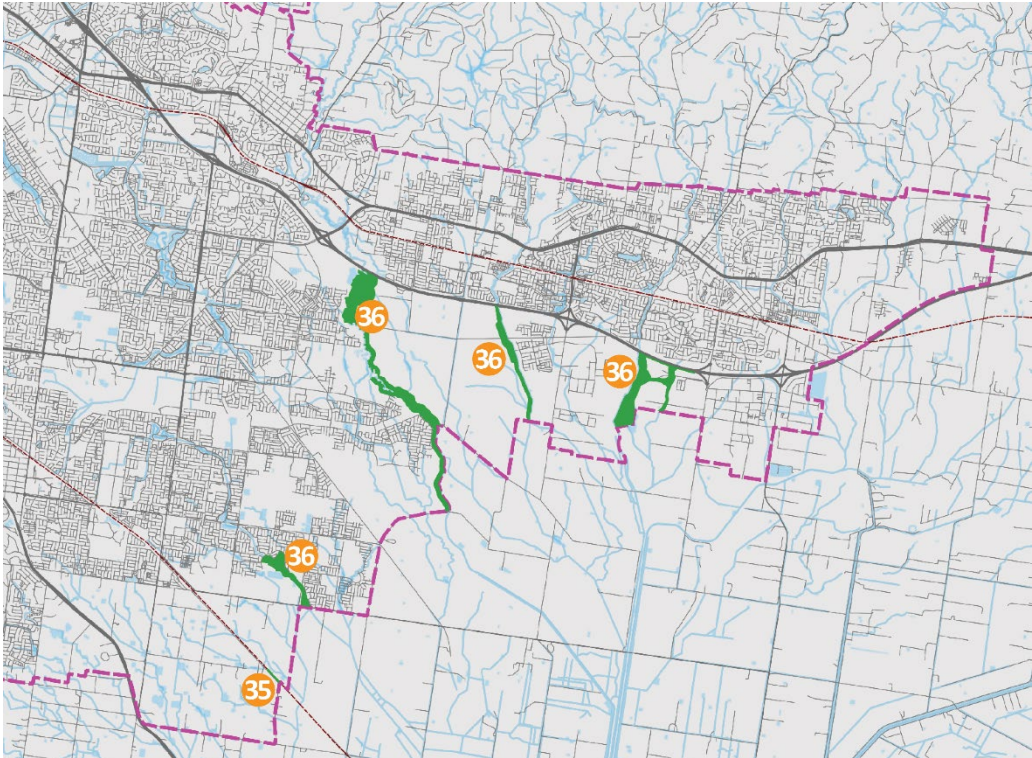
The North-west Growth Corridor



The Northern Growth Corridor



The South-eastern Growth Corridor







4 The Audit

4.1 Key to symbols

Protected status

Protected	Partially protected	Unprotected
		




Condition

Good	Fair	Poor	Unknown
			





Trend

Improving	Stable	Declining	Variable	Unknown
				

Confidence

High	Moderate	Poor
		

Compliance issues

None	Minor	Severe	Unknown
			

2013 extents preserved

Yes	No
	

4.2 The 36 Conservation Areas

CA 1 Sinclairs Road, Kororoit Creek North Herb-rich Grasslands, Plumpton

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
13.4	Melton	Wurundjeri	Council		



This Conservation Area was high-quality herb-rich Natural Temperate Grassland with a large population of Spiny Rice-flower, now high weed cover. Typical oversight failure by MSA and Council, with little effective action to ensure good management by developer, and no management until the last couple of years before 2024 handover to Council. We hope to see an improvement in condition following the recent handover to council.

An accidental fire started by a tradesman in 2021 revealed that none of the three adjacent developers believed management of the Conservation Area was their responsibility.

Pictured, strong edge treatments featuring native species and tree setbacks.

CA 2 Kororoit Creek North Herb-rich Grasslands, Ravenhall

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
41.5	Melton	Wurundjeri	Parks Victoria		



Was high-quality herb-rich Natural Temperate Grassland with a large population of Spiny Rice-flower, other rare species, and seasonal herbaceous wetland. Now high weed cover. The Conservation Area has had its size cut by 8%.

Contractors encroached on grassland despite clear fencing and signage, destroying 1 ha approximately 2 years ago. Some species lost were sufficiently rare to have no offsets available. Developer was required to undertake more robust management for a four-year period. Site currently landlocked by development, making access for oversight difficult.

Little or no management over most of site for many years.

Pictured, grazed Seasonal herbaceous Wetland. Photo: MSA.

CA 3 Kororoit Regional Park, including Clarkes Road Grassland

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
175.8	Melton	Wurundjeri	Parks Victoria, private		



Most of Kororoit regional Park now acquired, with Parks Victoria as manager. Many years of little management has led to significant loss of conservation values across much of the Conservation Area. The Conservation Area has had its size cut by a third (59 ha), with developers profiting. Much of the Regional Park will not be managed for conservation. No management plan yet.

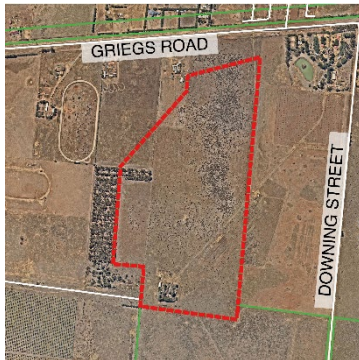
Clarkes Road Grassland, in the southeast corner of the Conservation Area, contains the last known population of Small Golden Moths Orchid (*Diuris basaltica*). Despite this, it remains in private hands, with an illegal bike track cutting through it, illegal firebreaks constructed, and no management at all. An informal survey in 2023 found no Small Golden Moths Orchids. This highlights the lack of triaging of critical habitat for a species in this critically endangered ecosystem which required immediate action to ensure its future. It also highlights the inadequacy of the MSA set-up, in which vital orchid habitat was not prioritised for purchase while thousands of hectares of weeds in the Western Grassland Reserve continues to be compulsorily acquired.

Unpermitted works for a sewerage main to Deanside caused further damage to Clarkes Road Grassland in 2022, with offset and revegetation required.

Pictured, Clarkes Road Grassland's weedy edge and evidence of historic derocking.

CA 4 Greigs Road Grassland, Rockbank

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
46.3	Melton	Wurundjeri	Private		

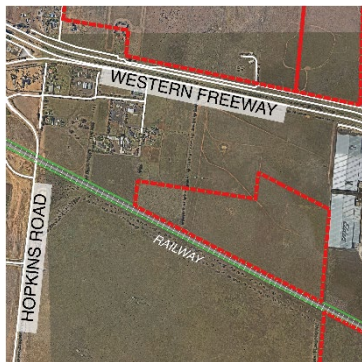


Privately owned site of the former, heritage-listed Australian Beam Wireless Receiving Station. No information is available on the current conservation values. The site was high-quality, herb-rich native grassland that contained a significant population of Spiny Rice-flower.

Pictured, track to Wireless Station. Photo: Heritage Council Victoria.

CA 5 Ravenhall North





Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
35.3	Melton	Wurundjeri	Private		



Privately owned. No information on current conservation values available. Appears to have been derocked, and have a substantial weed presence. Was high-quality native grassland that contained significant populations of Large-fruit Groundsel and Spiny Rice-flower.

Pictured, weeds invading, evidence of historic derocking. Photo: Dee Smith.

CA 6 Deer Park Quarry Grassland, Ravenhall

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
94.3	Melton	Wurundjeri	Boral		



Under active management as an offset site for the last 20 years. Current (original) management plan was reviewed by DEECA in 2023. Site is being used for Spiny Rice-flower translocation. Well informed, respectful management. A management plan exists, but is confidential because the site is an offset, so no public oversight is possible. The Conservation Area has had its size cut by 15% (17 ha).

Note: The grassland was already protected prior to MSA.

Pictured, paddocks of varying condition. Photo: Dee Smith.

CA 7 Mount Atkinson Grassland

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
31.8	Melton	Wurundjeri	Private		



No information is available on this privately owned site. No survey has ever been conducted to establish the conservation values that may be present, or that may be declining. The site is presumed to be high-quality grassland. Major infrastructure appears to be planned to run through site. Piles of rock show the site has been derocked in the past. Fencing excludes adjacent development.

Pictured, Conservation Area 7 is a narrow strip that runs left–right immediately in from of the warehouse and to just before the earthworks. Photo: Dee Smith.

CA 8 Middle Road (North), Mount Cottrell

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
94.8	Melton	Wurundjeri	Private		



Significant encroachment appears to be happening on this site, with Council apparently unaware prior to GPN notification. The development to the north has an agreement to put stockpiles on portions of the site. Council is aware of other compliance issues, including, possibly, an illegal haul road. The Conservation Area has had its size cut by 16% (18 ha).

Pictured, an abandoned truck, a weedy edge, and looking across the Conservation Area to new development in the Mount Atkinson Precinct. Photo: Dee Smith.

CA 9 Middle Road (South), Mount Cottrell

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
43.4	Melton	Wurundjeri	Private		



Completely destroyed by being covered in asbestos-contaminated fill around December 2021. GPN first to notify federal Department of the Environment despite Council and DEECA knowing for several months. Melton currently in court with developer, with EPA and federal authorities to follow. No on-ground survey ever undertaken, so we have no idea the extent of the real loss.

Pictured, destroyed grassland.

CA 10 Old Truganina Cemetery

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
3.3	Wyndham	Wurundjeri	ARI		



One of the most significant remnant grasslands in Melbourne and the most important site for endangered Button Wrinklewort in Australia. In 2023 arborists crushed vegetation and cut down trees across site, severely impacting the Button Wrinklewort population by making it vulnerable to grass invasion. Land managers need rigorous internal processes that can ensure such travesties don't happen. Authorities, such as DEECA, need to require and review such processes. Subsequent investigation by GPN revealed similar arborist actions had been undertaken in 2021, with no oversight at the time identifying the compliance issue.





Current management is failing to adequately address rabbit population. Promised fencing and signage yet to be delivered.

The 2013 proposed broad buffer to the cemetery has been cut down to a bare 20 m on two of the three non-roadsides, with a more substantial buffer yet to be provided on the western edge. Overall, this represents a significant loss of buffer area.

Note: Extents preserved has been marked as Red = 'No' because of the reduction in size of the buffer around the Conservation Area. The actual area of the cemetery grassland has not been altered.

Pictured, 2023 arborist damage. The loss of trees will allow grass species to invade where Button Wrinklewort currently grow.

CA 11 Woods Road, Truganina

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
21.1	Wyndham	Wurundjeri	Private		

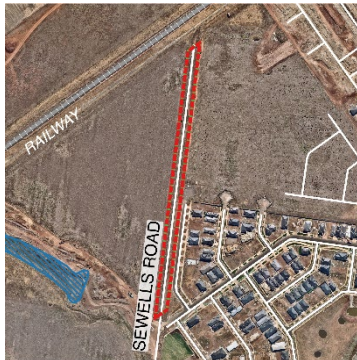


This was high-quality grassland with a population of Spiny Rice-flower and Arching Flax-lily (*Dianella longifolia* var. *grandis*), but it is now estimated to have 80% weed cover, including the severe presence of Cane and Texas Needle Grass. Woods Road is a typical example of oversight failure by the MSA and Council, with little effective action taken to ensure good management by the developer despite conservation groups repeatedly asking for action. The Conservation Area is still in private hands, but now some minimal management is occurring. The site is notable for the amount of building rubbish constantly accumulating at its edges.

Pictured, dumped rubbish.

CA 12 Sewells Road Reserve, Truganina

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
1.0	Wyndham	Wurundjeri	Council		







Significant damage to a large population of Spiny Rice-flower by ill-informed fencing contractors was avoided only by luck and the passing presence of a knowledgeable Council officer. Compensation has been agreed for minimal damage that occurred. Construction has now blocked access, making inspection difficult. The Conservation Area has had its size cut by a third (0.5 ha).

Note: This grassland was already protected prior to MSA.

Pictured, dumped rubbish.

CA 13 Ballan Road, Wyndham Vale

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
51.7	Wyndham	Wurundjeri	Private		

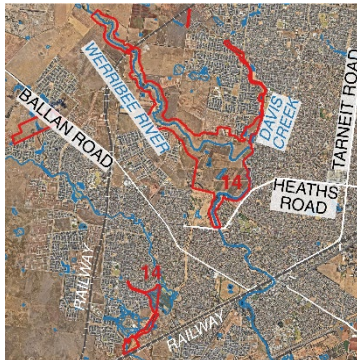


The site's small private landholder has had to incur costs of removing dumped rubbish from site, and has done very little on-ground management. The current conservation condition is considered to be poor, with one observer describing it as a 'weed fiesta'. The site has never been surveyed, though it was assumed to have high-quality grassland present. The Conservation Area has had its size cut by a 13% (7.7 ha).

Pictured, view from Ballan Road. Photo: Allison Wall.

CA 14 Growling Grass Frog Corridors (south)

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
496.8	Wyndham	Wurundjeri	Parks Victoria, Private		



This Conservation Area is mostly now the new Werribee Township Regional Park. Incredibly, the Conservation Area has had its size increased by a third (33.5 ha), although much of the Regional Park will not be managed primarily for conservation. No management plan yet.

Pictured, former agricultural land of the Conservation Area, with the tree-line of the Werribee River in the background.

CA 15 Growling Grass Frog corridors (north)


Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
518.3	Melton	Wurundjeri	Various		

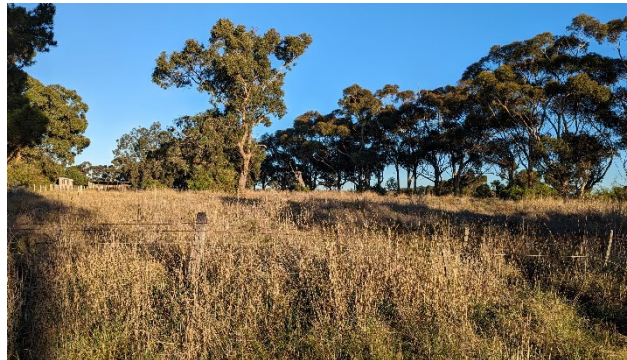
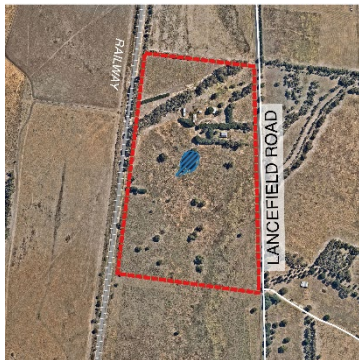


In part, this creek corridor contributes to Kororoit Regional Park (see Conservation Area 3). Much of its area will be open space not managed primarily for conservation.

Photo: MSA.


CA 16 Grassy Eucalypt Woodland Sites, Sunbury

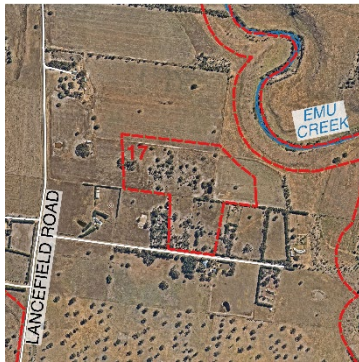
Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
18.3	Hume	Wurundjeri	Private		



Beyond being assessed as Grassy Eucalypt Woodland, biodiversity values are unknown. Privately owned.



CA 17 Grassy Eucalypt Woodland Sites, Sunbury

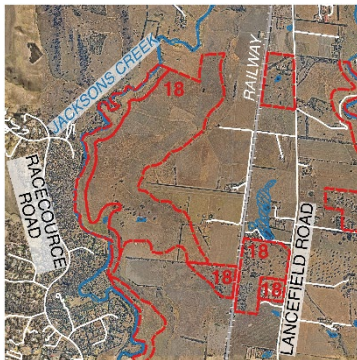
Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
14.4	Hume	Wurundjeri	Private		



Beyond being assessed as Grassy Eucalypt Woodland, biodiversity values are unknown. Privately owned.

CA 18 Lancefield Road, Sunbury

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
203.0	Hume	Wurundjeri	Private		



Grassy Eucalypt Woodland, privately owned. Most of site will be open space not managed primarily for conservation. Currently the site is the subject of compliance action by Hume, the nature of which is unknown. The Conservation Area has had its size cut by 20% (19.7 ha).

CA 19 Grassy Eucalypt Woodland Sites, Sunbury

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
2.4	Hume	Wurundjeri	Private		



Beyond being assessed as Grassy Eucalypt Woodland, biodiversity values are unknown. Privately owned. No photo possible.



CA 20 Racecourse Road, Sunbury

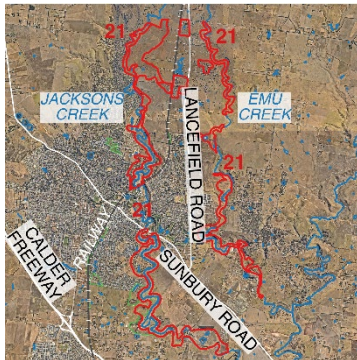
Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
26.1	Hume	Wurundjeri	Private		



Beyond being assessed as Grassy Eucalypt Woodland, biodiversity values are unknown. Privately owned. No survey has ever been undertaken. The Conservation Area has had its size cut by more than a third (15.9 ha). Grassland areas have been subject to recent fire.

CA 21 Growling Grass Frog corridors







Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
666.9	Hume	Wurundjeri	Private		

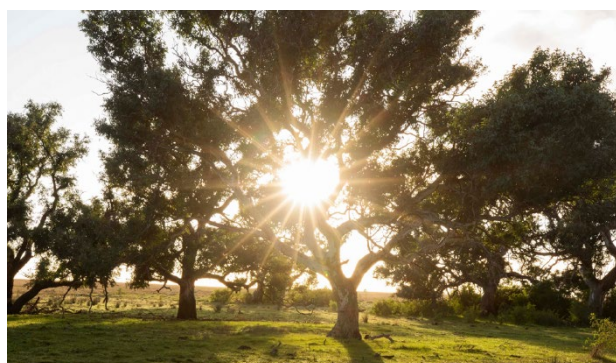
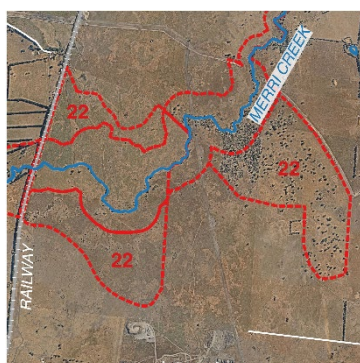


Much of this Conservation Area will be open space not managed primarily for conservation.

Pictured, Friends group plantings at Holden Flora and Fauna Reserve, an existing reserve incorporated into the Conservation Area. Photo: Friends of Holden Flora and Fauna Reserve.

CA 22 Bald Hill, Donnybrook

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
182.5	Whittlesea	Wurundjeri	Private		






Much of this privately owned Conservation Area's eastern portion will be open space not managed primarily for conservation. The site was high-quality grassland and Grassy Eucalypt Woodland, with populations of Growling Frogs to be protected and connected to other populations. Curly Sedge also to be protected.

No recent surveys have been undertaken. Lobed Needle Grass infesting some parcels. Heavy grazing is known to have impacted conservation values on at least some of the parcels. No known management plans. Not known if monitoring occurring. The Conservation Area has had its size cut by 12% (25 ha).

The Victorian Grassland Earless Dragon was observed at Bald Hill by Cam Bearsell in 1988.

Photo: MSA.

CA 23 Hume Freeway, Kalkallo







Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
108.9	Hume	Wurundjeri	Private		



This privately owned Conservation Area was high-quality Natural Temperate Grassland, with Golden Sun Moth, Matted Flax-lily and Growling Grass Frog populations. Beyond protecting those values, it is intended to contribute to a network of wetland areas managed for migratory species. Its management history is unknown. Nor is it known if a management plan exists. GIS data suggests the Conservation Area has had its size increased by 5% (5.2 ha), but this is probably an error. The Conservation Area is likely to be impacted by the future alignment of Aitken Boulevard, which will cut through the site, reducing its area.

Pictured, looking north along Kalkallo Creek from the southern boundary of the Conservation Area. Photo: Michael Longmore.

CA 24 Kalkallo Common Grassland and Cemetery, Kalkallo

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
25.0	Hume	Wurundjeri	Hume + private		



The Conservation Area, which combines Kalkallo Common, Donnybrook Cemetery and Kalkallo South, is intended to protect grassland and Matted Flax-lily.

Kalkallo Common has been well-managed by Hume City Council operating as the Committee of Management since the late 2000s, with frequent burning and regular weed control. It is a high-quality grassland and has had no compliance issues. It has a management plan. RAP undertook burns and Plains Yam Daisy study in 2010s in partnership with MCMC.

Donnybrook Cemetery was high-quality grassland, but much is being lost to weeds and lack of biomass control. It is poorly managed by its new owners Remembrance Parks Central Victoria, with cars allowed to park on the grassland, turning circles cut into the grassland, signage in disrepair, and very little active management. A small area was destroyed in 2023 by contractors dumping fill from graves. It has only received infrequent burns.




Kalkallo South is immediately to the south of Donnybrook Cemetery and has a management plan. Hume City Council operates as the Committee of Management.

Note: Compliance has been marked as Red = Severe because of numerous small failures.

Note: Kalkallo Common and Kalkallo South were already protected prior to the MSA. Note also: Donnybrook Cemetery is managed by the Victorian Department of Health.

Pictured, damage to grassland by contractors moving grave fill, new development in the background.

CA 25 Grassy Eucalypt Woodland Site, Donnybrook

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
13.4	Hume	Wurundjeri	Private		



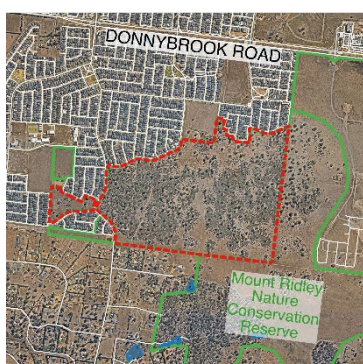
This is a small area of unsurveyed, possibly privately owned Grassy Eucalypt Woodland. Gorse is taking over to the detriment of the ground storey. Other significant weeds also have strong presence. Biomass too high. No evidence of maintenance. Fencing is insecure, allowing access.

Note: MSA website says this Conservation Area is permanently protected. But state government's MapShare does not show it as Crown land. Possibly privately owned with a section 69 agreement in place?

Pictured, pasture grasses and gorse spreading over the stony rise.

CA 26 Mt Ridley West, Mickleham

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
110.1	Hume	Wurundjeri	Council, Wurundjeri, Private		



This Conservation Area is intended to protect Grassy Eucalypt Woodland and grassland with Golden Sun Moth population and Matted Flax-lily, and to contribute to a network of wetlands that supports migratory species. Some parcels contain ephemeral gilgai wetlands with herb-rich vegetation, which may meet the criteria for Seasonal Herbaceous Wetlands.

It is mostly privately owned and has a history of cattle grazing. Removal of cattle has resulted in mass recruitment of eucalypts which threatened ground-storey vegetation.

Part of the Conservation Area is managed by Hume City Council, and a management plan is currently being drafted for that land. It is unknown if a management plan exists for the remainder of the Conservation Area, known as Mount Ridley West.





The Wurundjeri have been contracted by Hume to manage the 4.8 ha 'Banda Bail' reserve at 177 Forest Red Gum Drive. Wurundjeri recently burnt another 11.4 ha parcel at 152 Forest Red Gum Drive with support from FFMV. It is unclear if Wurundjeri is involved in other aspects of management of the 11.4 ha parcel or if it is being managed by Parks Victoria (which manages the adjoining Mt Ridley NCR).

14% of the Conservation Area has been acquired. Two parcels have been transferred to the Crown: 4.8 ha at 177 Forest Red Gum Drive, Mickleham and 11.4 ha at 152 Forest Red Gum Drive, Mickleham. Acquisition dates for the remaining 95.8 ha are unknown.

ARI is monitoring flora and fauna on the two acquired parcels, and on a 52 ha parcel at 355Q Donnybrook Rd, Mickleham which has not been transferred to the Crown.

Pictured, Banda Bail.

CA 27 Summerhill Road (West), Wollert

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
26.5	Whittlesea	Wurundjeri	Private		









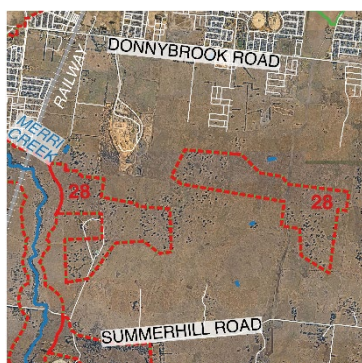
This conservation Area is intended to protect Grassy Eucalypt Woodland and grassland with Golden Sun Moth population and Growling Grass Frog. It is also intended to form part of a network of wetlands that support migratory species. Its management history is unknown and there is apparently no management plan.

1 ha (4%) was destroyed in 2022 and is now being used to store heavy machinery (pictured).

Photo: Jessica Slade.

CA 28 Summerhill Road (East), Wollert

Protection Status	Condition	Trend	Confidence	Compliance issues	Boundary preserved
					
Area (ha)	Council	RAP	Manager		
189.9	Whittlesea	Wurundjeri	Private		



This privately owned Conservation Area is intended to protect Grassy Eucalypt Woodland and grassland, ensure sustainable populations of Growling Grass Frog and connectivity between populations, and to contribute to a network of wetland areas managed for migratory species. It was likely to have been grazed by cattle in the past. It is unknown if a management plan exists. Vegetation removal has occurred, but the extent of that removal is unknown.

The Conservation Area has had its size reduced by 43% (141.3 ha). If its original extents had been preserved, as specified in the 2013 Biodiversity Conservation Strategy, the Conservation Area would have provided a vital east-west habitat link between the marram baba Merri Creek Regional Parklands, the Grassy Eucalypt Woodland Investigation Area and the Darebin Creek and Plenty River catchments.

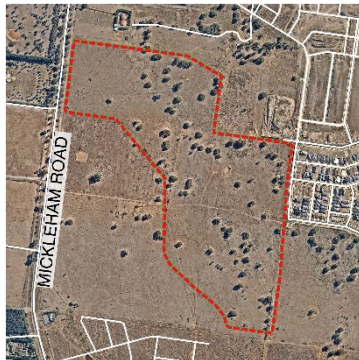
Instead, subsequent changes to the boundary have effectively severed this link, creating a 300m-wide gap between the two blocks, which is to be occupied by a haul road servicing a future quarry.

Land in its southern portion is zoned SUZ (extractive industry) so further impacts and reduction in area are possible.

Photo: MSA.

CA 29 Mickleham Road, Mickleham







Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
37.7	Hume	Wurundjeri	Private		



Grassy Eucalypt Woodland and grassland, with Golden Sun Moth. Its management history is unknown. It is also unknown if it has a management plan. Land sales signage (for Stockland's Highlands development) has been construction on concrete foundations within the Conservation Area, possibly a compliance breach.

Pictured, temporary fencing, grazed land and Grassy Eucalypt Woodland.

CA 30 Austral Bricks Site, Wollert







Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
215.9	Whittlesea	Wurundjeri	Private		



The Grassy Eucalypt Woodland and the grassland present in 2013 were very high-quality, with Curly Sedge, Matted Flax-lily, Striped Legless Lizard and Growling Grass Frog present. The site has pre-existing obligations under the Work Plan for Extractive Industry Work Authorities WA110 and WA117. Its 2016 Vegetation Management Plan is being implemented, but, remarkably, that management plan took 23 years to be drafted. The site has ESO 3 and 4 within 150m of Merri Creek only, with the majority of the site lacking planning controls. The site is owned by Austral Bricks. ABZECO is its current or former contractor.

Pictured, Grassy Eucalypt Woodland. Photo: MSA.

CA 31 Craigieburn Road (East), Wollert




Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
21.0	Whittlesea	Wurundjeri	State, private		

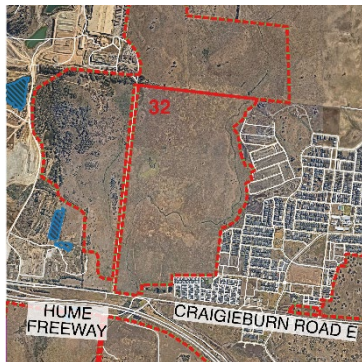


Grassy Eucalypt Woodland. The Conservation Area has had its size reduced by 30% (8.8 ha). 1.2 ha has been transferred to the Crown, with the other 95% still privately owned. Some areas are heavily grazed, impacting conservation values. The management history is unknown, and it is unknown if a management plan exists. Wurundjeri recently burnt the 1.2 ha Crown parcel with support from FFMV. Unclear if the Wurundjeri is involved in other aspects of management.

Pictured, Grassy Eucalypt Woodland. Photo: MSA.

CA 32 Craigieburn Road (West), Wollert






Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
123.4	Whittlesea	Wurundjeri	Wurundjeri, private		

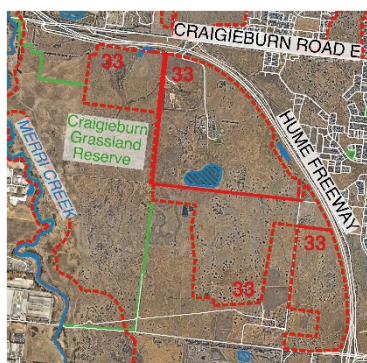


Grassland with Curly Sedge. The Conservation Area has had its size reduced by 20% (31.2 ha). The majority (90%) of the Conservation Area has been recently acquired, transferred to the Crown in 2023. The private owners have done a good management job. Now the Wurundjeri are the land managers and Committee of Management. The site has a large infestation of State Prohibited weed Lobed Needle Grass. It has a history of cattle grazing. Other management history is unknown. No known management plan. The vegetation is being monitored.

Pictured, Curly Sedge Creek. Photo: Victorian Creeks and Rivers; Friends of Deep Creek.

CA 33 O'Hearns Rd, Epping

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
404.8	Whittlesea	Wurundjeri	Various		



Grassy Eucalypt Woodland and Grassland with Golden Sun Moth, Striped Legless Lizard, Matted Flax-lily and Curly Sedge. It provides a strategic habitat link between the Merri Creek and the proposed Grassy Eucalypt Woodland reserve to the east of Melbourne, but much of the Conservation Area will be open space not managed primarily for conservation. The Conservation Area has had its size reduced by 14% (63.5 ha). Part of the Conservation Area is an offset site.

Overall, it is owned by Yarra Valley Water, Austral Bricks and other private owners.

Part of the Conservation Area (210 Vearings Rd Epping) is an offset site for the neighbouring Aurora development. Part of the Conservation Area (461 - 521 Craigieburn Rd, Wollert) is owned by Yarra Valley Water and contains a sewer treatment plant, a recycled water treatment plant and associated offset sites. Part of the Conservation Area ('Curly Sedge Swamp', 605 Craigieburn Rd, Wollert) is on land owned by Austral Bricks and subject to the conditions in a work plan for extractive industry Work Authority WA110.

Severe infestations of CaLP Act weeds present on Austral Bricks land, other parcels unknown.

Most parcels recently or currently grazed by cattle. Offset sites have been managed by various contractors, including Wurundjeri Narrap team on Yarra Valley Water's property. Austral Bricks' property ('Curly Sedge Swamp') grazed by sheep until the early 2000s, now severely weed infested. MCMC undertook constrained weed control within Curly Sedge Swamp in 2012 under contract with DSE, and undertook further weed control within the Swamp in 2022 under a Biodiversity On-ground Action grant from DELWP. However, these works barely put a dint in the vast infestations.

Offset Management Plans exist for the offsets at 210 Vearings Rd and presumably exist for the offsets at the Yarra Valley Water site. A vegetation management plan was written in 2016 for the wider Austral Bricks holdings at Wollert, but the plan has not been implemented on the property at 605 Craigieburn Rd.

The Wurundjeri is involved in management of offsets on the Yarra Valley Water property.

The Austral Bricks land at 605 Craigieburn Rd was once covered by a management agreement between Austral Bricks and Parks Victoria. The agreement made Parks Victoria responsible for the management of this parcel. However, Parks Victoria was not provided with any funding to undertake this management, and the agreement was eventually removed.




Austral Bricks' property at 605 Craigieburn Rd contains the largest population of Curly Sedge within 200km of Melbourne. This population is declining due to pressure from severe infestations of Spiny Rush and Artichoke Thistle.

All parcels under ESOs 2, 4 or 6 (Whittlesea Planning Scheme)

Note: The offset area was already protected prior to the MSA.

Pictured, Artichoke Thistle and Spiny Rush choking 'Curly Sedge Swamp', Wollert. Photo: Michael Longmore.

CA 34 Growling Grass Frog Corridors

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
1009.7	Hume, Whittlesea	Wurundjeri	Various		



This Conservation Area is intended to protect Growling Grass Frog populations and the floodplain. Much of the Conservation Area will be open space not managed primarily for conservation. The Conservation Area has had its area reduced by 2% (19 ha). Growling Grass Frog are monitored at key locations. Some Wurundjeri involvement has occurred to date. Generally, management plans are not known to exist.

The Conservation Area is comprised of many parcels with varied management, ownership and compliance issues, including the destruction of a water body known to have a population of Growling Grass Frog.

The planned Beveridge Intermodal Freight Terminal (BIFT) is likely to have significant impacts on conservation values, and is currently under EPBC referral.

80A English St and 750 Donnybrook Rd at the confluence of Kalkallo and Merri Creeks are now protected. Both sides of the Merri Creek corridor north of Donnybrook Rd, as far as current development front, have been transferred to the Crown and are being managed by Melbourne Water, with more to come as subdivision proceeds upstream.

Approximately 40 ha of the corridor at 605 O'Herns Rd, Epping, was transferred to the Crown in 2023 and will be managed by Melbourne Water. This land contains severe infestations of woody weeds and needle grasses but also contains Seasonal Herbaceous Wetland and a Growling Grass Frog population.

Approximately 4.5 km of the corridor on the eastern side of Merri Creek is in an existing Nature Conservation Reserve managed by Parks Victoria (galgi ngarrk (Craigieburn Grasslands) NCR). Most of this area is severely infested with Gorse, but Melbourne

Water have recently begun to remove these infestations from the areas managed by Parks Victoria.

Approximately 500 m of the corridor (34 Patullos Lane, Craigieburn) is an existing Golden Sun Moth EPBC offset site managed by Hume City Council. Dense woody weed infestations are gradually being removed from this frontage.

Approximately 34 ha of the corridor is owned by Yarra Valley Water and is partially covered by the built environment of the Craigieburn Sewer Treatment Plant (420 Hume Hwy Craigieburn).

Approximately 3.7 km of the corridor on the western side of Merri Creek is severely infested with Gorse (Hume Fwy to Summerhill Rd, Craigieburn). The private owners do not appear to be maintaining the land. This land is zoned Urban Growth Zone. On the eastern side, the land is owned by Austral Bricks and is covered by a mineral extraction Work Authority. Weed infestations on this side are less severe and some treatment has occurred. Parts of this side are zoned Rural Conservation Zone and the rest is Special Use Zone. At least 15 ha of the corridor is inside the active quarry.

Approximately 2 km of corridor on the western side of Merri Creek (between Melbourne-Sydney Rail Line and the Kalkallo Creek confluence) is existing Crown land managed by Hume City Council as a conservation reserve. Some sections contain very high-quality herb-rich grassland, including populations of Matted Flax-lily and Golden Sun Moth and several FFG-listed or regionally significant species. These values extend well into adjoining private land, which is also within the corridor. However, when the Conservation Area is eventually established these areas will no longer be managed for their general grassland values but for Growling Grass Frog alone.







Adjacent to the future Bald Hill Conservation Area 22, the corridor is privately owned. The section at 1515-1555 Merriang Rd, Beveridge, is in extremely good condition, and has been managed by a sympathetic landowner for decades. However, management of the properties further downstream has been less sympathetic. For example, the property at 200A Donovans Lane, Beveridge, contained a wetland that supported Growling Grass Frog until at least 2016. Aerial photos show that this wetland was bulldozed in late 2019.

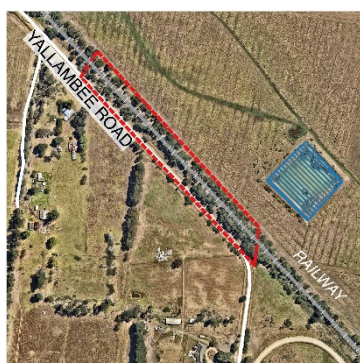
All parcels are under ESO2, 3, 4, 6 or 10 (Hume and Whittlesea Planning Schemes). IPOs have also been applied to parcels within completed PSPs.

Note: Condition has been marked as yellow = 'Fair' because the site condition is extremely variable.

Pictured, high quality Growling Grass Frog habitat, upstream of Bald Hill. Photo: Michael Longmore.

CA 35 Clyde-Tooradin Rail Reserve, Clyde

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
2.2	Casey	Bunurong	VicTrack		









This is high-quality grassland containing Maroon Leek-orchid. The rail reserve land adjacent contains Swamp Everlasting. The Conservation Area only includes land within the Urban Growth Boundary and so excludes the rail reserve land of high biodiversity value that adjoins the Conservation Area to the south-east. The Conservation Area also excludes the actual rail formation (including embankments, ballast and track), but includes the swales at the base of the embankment to the outer extent of the rail reserve (fence). The site is therefore vulnerable to being used as a functioning rail corridor.

VicTrack is not undertaking any active management.

Pictured, Maroon Leek Orchid in rail reserve. Photo: Michael Longmore.

CA 36 Growling Grass Frog Corridors

Protection Status	Condition	Trend	Confidence	Compliance issues	Extents preserved
					
Area (ha)	Council	RAP	Manager		
329.8	Casey	Bunurong	Private, unknown		



NOTE PIC NEEDS TO BE REPLACED

This is reserved in part to protect Growling Grass Frog, as well as Australian Grayling at Cardinia Creek and Dwarf Galaxias at Cardinia and Clyde Creeks. Much of the Conservation Area will be open space not managed primarily for conservation. It is mostly non-remnant, ex-agricultural land. Melbourne Water is likely to be the future land manager. The Conservation Area has had its size reduced by 18% (60.3 ha).

Pictured, Growling Grass Frog habitat along a typical Casey waterway. Photo: City of Casey.

5 Discussion

5.1 Decline

Most, if not all, Conservation Areas have probably suffered decline in their conservation values since 2013. Some are now stable, and recently acquired Conservation Areas are generally improving after years of neglect.

In most cases, decline is primarily due to weed invasion and lack of biomass control, but other factors include over-grazing, lack of feral animal control, clearing of native vegetation and dumping.

5.2 Reductions in area

More than half of the Conservation areas (20 out of 36) have had their 2013 boundaries reduced. These reductions have primarily been driven by developer legal action, which until recently the Victorian government has been reluctant to put much effort into opposing. In some cases it has been the Victorian government, though DEECA and the Victorian Planning Authority (VPA), that has pushed for changes in Conservation Area boundaries. The federal government approved all changes.

Some small changes in area may be the result of mapping errors, most likely in the 2013 Biodiversity Conservation Strategy, rather than the result of legal action. We have not sighted all documentation regarding boundary changes, e.g. those title “Approved-boundary-change-for-Biodiversity-conservation-area-28” or similar.

Boundaries have in general been reduced because the argument has been successfully made that the area being cut was of insufficient conservation value to be worth keeping as part of a Conservation Area. At the time of reduction, many of these Conservation Areas have been mismanaged, with consequent reduction in conservation value. Approving boundary changes rewarded developers for the destruction of habitat through mismanagement.

Such decisions prevented restoration of the land to better conservation values and that lower conservation value land can work to support nearby higher conservation value land.

Overall, 425 ha has been cut from the Conservation Areas.

If we exclude the Growling Grass Frog corridors, reductions represent a loss in total area of 15.9%.

With the exception of Werribee Township Regional Park, which is part of the Wyndham Growling Grass Frog corridor, no Conservation Area has been expanded in size. This is despite, in many cases, substantial adjacent good quality habitat being present. The argument put forward by the MSA in resisting the expansion of Conservation Areas is that developers need certainty, the deal has been done. That argument is only ever made by the MSA in one direction though: the need for certainty is ignored if it applies to conservation outcomes.

One example is of a block of reportedly exceptional conservation value that exists beside Conservation Area 23. The MSA has stated that it has no intention of acquiring it.

If we accept that there is no going back on what areas within the MSA extent are to be reserved for conservation, and that it is too difficult to extend existing Conservation Area boundaries, then effort should be made to acquire additional assets outside the current MSA extent as compensation for the loss of Conservation Area land. Indeed, Victorian legislation and regulations require such compensation for loss of land and its conservation values.

5.3 Oversight

Oversight of the Conservation Areas has, overall, been very poor.

The destruction of Conservation Area 9 is an instructive example. Forty hectares of high-quality grassland were able to be covered in perhaps 40,000 cubic metres of fill – that’s 500 B-double trucks’ worth – without anyone noticing during an operation that spanned weeks.

Astoundingly, it was a community organisation (GPN) that was the first to notify the Commonwealth of this destruction, months after local and state authorities had known.

In many less dramatic cases, mismanagement persists with everyone’s knowledge. Donnybrook Cemetery, part of Conservation Area 24, has been mismanaged for years, with cars parking on the grassland and turning circles cut into the grassland, roses spreading into the grassland, little biomass control, rusting signage and no fencing.

Lack of oversight occurs at all levels of government. Historically, part of the problem has been a confusion about whose job it is, state or local. Additionally, local government has the excuse of being under-resourced. The federal government appears to be missing in action here, a silent partner in the deal, doing nothing to encourage better governance by the Victorian government.

The 2021–22 destruction of Conservation Area 9 was a wake-up call, but compliance breaches persist. The systems of oversight are still manifestly inadequate to the task of protecting these important conservation assets.

5.4 Compliance

The Commonwealth appears to have very little capacity to require the Victorian government to comply with the MSA agreement. The only “stick” they have is to halt the agreement, which they will never do.

The Victorian government also appears to have no compliance powers, with DEECA’s MSA team putting responsibility onto LGAs.

LGAs in these growth areas are decidedly under-resourced. Compliance actions can take a substantial portion of a compliance officer’s time, meaning there is a reluctance to undertake compliance actions against wrongdoers except in the most egregious cases.

The MSA should fund LGAs to undertake appropriate compliance actions. Discussions are currently underway with one council to do this.

Surprisingly, the MSA appears to have been unaware of some of the compliance breaches being investigated by LGAs. This suggests poor lines of communication.

Many compliance breaches are the result of poor communication, e.g. subcontractors not informed of conservation values on or adjacent to the land on which they are

working. In those cases, internal communication protocols should be put in place and rigorously applied, and MSA/LGA inspections should be undertaken to ensure these mistakes cannot continue to happen.

In some cases, compliance breaches are wilful. In those case, maximum penalties should be applied to discourage others. Until real penalties are applied, these types of breach will continue.

The following are known compliance breaches:

- CA2: 1 ha contractor damage. Offsets as compensation unable to be sourced for some species impacted, indicating the severity of the impact and the rarity of the species.
- CA3: Clarkes Road Grassland damaged by construction of sewer main for Deanside Village. Offset required in compensation.
- CA8: Significant damage clearly visible on Nearmap. Details of breach unclear.
- CA9: Destroyed.
- CA10: Contractor damage creates severe impact to the most significant population of Button Wrinklewort in Australia.
- CA11: Lack of management means a large proportion of grassland lost to weeds, with weed cover now 80% and Needle Grasses (particularly Cane Needle Grass) increasing in abundance. Spiny Rice-flower recorded as present unable to be located.
- CA12: Fencing contractors on adjacent development begin work within Conservation Area unaware of its conservation values. Serious damage only avoided by luck, with a passing Council Officer seeing what was going on.
- CA18: Damage (unknown extent) currently being investigated by City of Hume.
- CA22: Large infestation of State Prohibited weed Lobed Needle Grass.
- CA24: Cemetery contractors dump grave fill on grassland. Management of grassland extremely poor, cars parking on grassland, litter, high biomass.
- CA27: 1 ha cleared in 2022 and is now being used to store heavy machinery.
- CA28: Vegetation removal has occurred, but the extent of that removal is unknown.
- CA32: Large infestation of State Prohibited weed Lobed Needle Grass.
- CA33: Severe infestations of Catchment and Land Protection Act (CaLP Act) weeds present on Austral Bricks land.
- CA34: Destruction of a water body with a known population of Growling Grass Frog.

In addition to the above known matters, an FOI request to City of Hume has revealed five Conservation Area compliance actions are currently underway, bringing the total instances of known compliance breaches to 14 out of 36 Conservation Areas – almost 40%.

5.5 Lack of acquisition

Acquisition is very slow.

In many cases this is because no trigger for acquisition has been reached, i.e. the site is not yet part of a commenced Precinct Structure Plan (PSP). Acquisition can only happen once development of the area has begun.

The MSA has not evidenced any appetite for accelerated acquisition, focusing their acquisition efforts on the Western Grassland Reserve to the detriment of the Conservation areas.

For many years, the MSA was comfortable with developers being the ultimate landholder of Conservation Areas. Thankfully that mindset has now changed.

We understand that good work has been undertaken to remove administrative roadblocks to acquisition. That is welcome. More needs to be done.

Developer legal action continues to slow progress.

Clarks Road Grassland, part of Conservation Area 3, requires urgent action in the form of a public acquisition overlay and immediate compulsory purchase. It is the only extant remnant site for Small Golden Moths Orchid, its conservation value cannot be overestimated, the owners refuse to sell or even manage the land.

5.6 Lack of survey

In many cases, accurate benchmarks of 2013 conservation value are lacking, making it difficult to know the timestamped quality that a Conservation Area should have at the point of acquisition or handover.

Original surveys were in many cases nothing more than “over-the-fence” observations, or assumptions based on modelling undertaken with insufficient or inaccurate data.

LGAs and the MSA often know very little about conservation values on private land.

In many cases only minimal surveys have been undertaken post-acquisition.

5.7 Lack of compensation

No compensation has occurred for either the reduction in extent of Conservation Areas, or for the loss of conservation value from lack of management. This is contrary to Victorian government regulations and legislation regarding clearance of native vegetation.

When compliance breaches have occurred, compensation has often been minimal, with the MSA perhaps too keen to move on from the mistake, and thus maintain good relations with developers and landholders rather than take a punitive approach.

There are several high-quality grassland sites within non-MSA Melbourne that would make good purchases as compensation. They include Ajax Road, Ajax Road North and Burns Road Grasslands in Hobsons Bay, and Solomon Heights, River View and Broadcast Australia Grasslands in Brimbank.

That said, we note that court actions regarding the destruction of Conservation Area 9 are underway, though as yet no rulings have been made.

We also note that in some instances offsets have been obtained for vegetation clearing that has occurred. However, the details of those offsets are unknown, and should be made public.

5.8 Conflict between conservation and amenity

Many of the Conservation Areas are defined in the Biodiversity Conservation Strategy as being for public open space as well as for conservation. However, the respective boundaries of these areas are not specified.

In these cases, areas of high conservation value have probably shrunk and degraded from mismanagement. However, this should not be taken as a reason to expand public open space areas. Rather, it should be an argument for restoration back to high conservation value.

It is important to recognise that the areas of public open space in these Conservation Areas are often also of conservation value.

It is inevitable that visitation to public open space will put pressure on areas of high conservation value. Kororoit Regional Park is a case in point, with most of the park once grassland but now degraded from lack of management, yet Parks Victoria estimates the park will receive up to a million visitors per year.

5.9 Lack of interim management

Very little effort has been made to encourage interim management prior to acquisition. In general, the MSA has provided no funding towards LGA programs to improve management of private Conservation Area land.

One exception is the funding of an Environmental Land Planner position at Wyndham, a role primarily focussed on the Western Grassland Reserve not the Conservation Areas.

Another exception is the program to protect Grassy Eucalypt Woodland being run through Trust for Nature. The Grassy Eucalypt Woodland investigation area includes some Conservation Areas in Melbourne's north. The program aims to promote covenanting or acquisition of land parcels. However, there appears to be no public reporting on the progress of this program.

5.10 Lack of Management Plans

It is unclear how many Conservation Areas have management plans or even weed management plans. It is likely that no LGA enforces any developer management plans. Management plans, if they exist, should be publicly available. No Conservation Area management plan is publicly available.

5.11 First Nations involvement

The Wurundjeri are actively involved in the management of several of the Conservation Areas, which is welcomed. We understand that the MSA is beginning to fund positions with the Wurundjeri, Bunurong and Wadawurrung to increase First Nations involvement, and this also is welcomed.

5.12 Lack of communication with landholders

Basic communication with landholders regarding their responsibilities and the legal context has been lacking.

The destruction of Conservation Area 9 may well have been avoided if the landholder had been informed of their responsibilities at the time of their purchase of the land.

5.13 Common issues across councils

All the councils within the MSA extent share common problems imposed on them by the Melbourne Strategic Assessment. These include management, compliance and community engagement issues that should be dealt with collectively. The MSA has failed to provide any broad council direction or support.

5.14 Seasonal Herbaceous Wetlands

Seasonal Herbaceous Wetlands were excluded from the scope of the MSA, despite being federally listed. Some belated attempts have been made to acquire or protect important wetlands within the MSA extent, but this is a matter of 'too little too late'.

5.15 No community engagement

There has been very little community engagement undertaken around the Conservation Areas.

This is a huge, missed opportunity to engage residents as they are starting to build new communities.

5.16 Lack of clear measurable targets

The Conservation Areas suffer from a lack of clear conservation targets.

Without these, it is difficult to enforce outcomes. The Commonwealth cannot hold the Victorian government to account. The state cannot hold LGAs to account. Developers do a bit of weed management after years of neglect, and that is deemed sufficient.

Without clear targets, how will compensation be calculated for the loss of extent and quality that has occurred across the 36 Conservation Areas?

Overall, a lack of accountability shows how poorly the MSA was set up. But historical naivety and incompetence should not be any excuse for ongoing failure of governance.

At a very minimum, the Conservation Areas should be returned to the time-stamped condition they were in when they were defined by the 2013 Biodiversity Conservation Strategy.

Restoration, not just stabilising habitat beset by weeds and excess biomass, needs to be built-in to the conservation targets.

5.17 Conservation Areas include land unsuitable for conservation

Some Conservation Areas include land that is unsuitable for conservation, e.g. dwellings, or areas of heavily cropped land. It is unclear what the future use of such areas of land should be.

5.18 Conservation Areas include land not managed primarily for conservation

Significant risks arise when a Conservation area includes open space not managed primarily for conservation. Strict guidelines and enforcement are required, lest conservation values are eroded over time. For instance, there is a real danger of 'horticultural encroachment', whereby natural habitat is destroyed incrementally by mowing, inappropriate spraying, fertilising, planting ornamentals etc. Conservation Area 3 is a good example of the dangers native vegetation may face. It is mostly

grassland, though much is significantly degraded due to poor management. These lower-quality areas are intended as public open space for passive recreation. The Conservation Area is a regional park that may ultimately receive one million visitors per year. How will the lower-quality grassland survive such visitation levels? What hope is there for an improvement in condition? It is important to recognise that 'poor-quality' vegetation does have good conservation value, especially if it is managed with an end goal of improving its condition.

5.19 Growling Grass Frog Corridors

We note the MSA has said there's a need to expand the area of land set aside as Growling Grass Frog corridors because parts of those corridors are unsuitable for conservation, e.g. are driveways.

5.20 Poor adjacencies

It is important to limit the land uses adjacent to Conservation Areas to maximise the effectiveness of those Conservation Areas. Light spill, shading impacts from structures and vegetation, pollutants of all types, noise, vehicle–animal interactions, traffic calming, visibility of built form, fencing, habitat elements, fire management, shared paths, hydrology, location of infrastructure, as well as planting palettes, are among the many interface issues that can impact conservation efforts. Intensities and risk types associated with various land uses should also be considered. While 'buffers' (e.g. 25 m) are a common move to minimise such impacts, this simplistic one-solution-fits-all approach misses the opportunity for a more effective approach to planning and does not articulate individual management needs.

In some cases, efforts have been made to integrate Conservation Areas into their context, e.g. Conservation Areas 1 and 2, which have indigenous plantings around them, widened footpaths adjacent, attractive fencing, and street trees kept to the opposite side of the road.

6 Recommendations

6.1 Compensation

1. **Additional grasslands must be purchased as compensation.** The compensation is for losses from mismanagement that the MSA has not seen fit to prevent, and also from the reductions in extent of the Conservation Areas. There are several high-quality grassland sites within non-MSA Melbourne that would make good purchases as compensation. They include Ajax Road, Ajax Road North and Burns Road Grasslands in Hobsons Bay, and Solomon Heights, River View and Broadcast Australia Grasslands in Brimbank. Note that the Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020 clearly states in Section 11 (1) that:
 - The Secretary, by instrument, may declare an area of land within the urban growth area that is not the levy area to be a conservation area for the purposes of this Act.

6.2 Oversight and support

2. **The MSA should fund LGA compliance officers and their actions when such actions are relevant to MSA assets.** This should include all LGAs within the MSA extent and should include the enforcement of interim management, the CaLP Act, and the encouragement of interim management through local government subsidies, rebates and other such programs. On-ground inspections of Conservation Areas should be regularly and frequently undertaken. Regular reviews should be conducted to ensure developers have rigorous protocols to ensure subcontractors understand the conservation values present.
3. **The MSA should fund and facilitate the establishment of an MSA-wide, cross-council effort.** This will be to coordinate around MSA issues, including compliance, engagement and management.
4. **The MSA should undertake automated satellite surveillance of Conservation Areas (and other MSA assets).** This should be done with a view to documenting changes in condition arising from compliance breaches and weed spread.
5. **The Commonwealth should require regular, frequent, detailed and measured reporting** on the state of the 36 Conservation Areas.
6. **The Commonwealth should develop an MSA compliance framework.** Such a framework should include clearly defined and genuine costs to Victoria for failure to comply with the joint Commonwealth–Victoria MSA agreement.

6.3 Acquisition, handover, management

7. **Compulsory acquisition of Clarkes Road Grassland.** This grassland is of extremely high conservation value, being the last remnant site for the Small Golden Moths Orchid, and the landholder is failing to manage it appropriately. Its acquisition is urgently required. Informal surveys in 2023 found no evidence of the orchid's presence.

8. **The acquisition of all Conservation Areas should be expedited.** All conservation areas not yet acquired are almost certainly declining in conservation value. Steps must be urgently taken to remove administrative roadblocks to acquisition, and the funds made available to acquire the land. It is important to note that the conservation values of the 36 Conservation Areas are generally higher than those of the Western Grassland Reserve, and hence acquisition of the Conservation Areas should be prioritised over acquisition of Western Grassland Reserve parcels.
9. **No Conservation Area should be left in the hands of developers.** It is not appropriate for developers to have tenure over Conservation Areas. Developers cannot be trusted with significant conservation assets.
10. **All Conservation Areas should be required to be returned to timestamped quality prior to handover.** It is unconscionable for private landholders to get away with mismanagement, with only a gesture towards appropriate management in the final months prior to handover. We note that in some cases no survey exists to reliably timestamp Conservation Area quality. In such cases, the MSA should define minimum standards for handover including time since fire, percent weed cover, presence of feral species, and appropriate attractive and high-quality fencing.
11. **Management plans should be in place for all acquired Conservation Areas.** These should include measurable, site-specific conservation targets that promote improvement in conservation value. Compliance with these targets and management plans should be reported on annually to federal authorities. Failure to comply should result in genuine punitive actions by the Commonwealth against the Victorian government.
12. **Interim management plans should be in place for all privately held Conservation Areas.** Compliance with these should be reported on annually to state authorities. Failure to comply should result in genuine punitive actions by the Victorian government against the landholder. Private landholders may need financial and other assistance in managing these areas primarily for their conservation values.
13. **Clear conservation targets need to be set.** Many Conservation Areas are set-up with presumed populations of species such as Striped Legless Lizards or Golden Sun Moth. The presence or absence of such populations should be determined. The extent of known conservation assets should be clearly benchmarked against 2013 where possible.
14. **Accurate surveys for all accessible land undertaken.** Many Conservation Areas have never been accurately surveyed, and many that have been acquired have not been accurately surveyed since acquisition. Survey data must be made public.
15. **Clear rules should be established for the management of land with conservation value that is designated public open space.** It is not appropriate for medium or low-quality habitat to be significantly adversely affected by Conservation Area visitation for amenity.

6.4 Enforced management

16. **The government should legislate to ensure good management of privately privately owned Conservation Areas.** The legislation should permit the MSA and

other accredited private organizations to manage privately owned property for the purposes of protecting of conservation values.

6.1 Controls over adjacent land use

17. **The MSA should develop a set of guidelines to control aspects of adjacent land use.** These guidelines should be developed in conjunction with the Victorian Planning Authority and conservation groups, and possibly take the form of a Practice Note. They would be intended to assist responsible authorities with the provision of permit conditions on adjacent developments for the purpose of improving conservation outcomes within the Conservation Areas.

6.2 Transparency

18. **The MSA should be far more transparent in its provision of information.** That includes management plans, reporting, survey data, compliance breaches and achievement of conservation targets.

6.3 Community engagement

19. **Community engagement programs should be established in conjunction with LGAs.** These should be well-funded. Residents should be targeted when they move into the area and the local community begins to establish. Active attempts to set-up Friends groups should be facilitated. Outreach to Culturally and Linguistically Diverse (CaLD) communities is important. Engagement activities should be conducted through a overarching research framework in a manner that allows their efficacy to be measured, so that engagement methods and outcomes can be improved over time. Bureaucratic roadblocks to engagement should be removed by agreement, e.g. some access to Conservation Areas is required for public engagement.

6.4 A VEAC assessment

20. **A VEAC investigation should be implemented to facilitate the act of compensation.** The Minister for the Environment should direct the Victorian Environmental Assessment Council (VEAC) to undertake an investigation to determine potential additional conservation assets that could be acquired to make up for shortfalls in conservation targets and past poor management.

7 Appendix 1: Current and 2013 Conservation Area extents

CA	Name	2013 extents preserved	Area 2013 (ha)	Area 2022 (ha)	Diff. in area (ha)	Diff in area (%)	Notes
1	Kororoit Creek North Herb-rich Grasslands, Plumpton	YES	13.3	13.4	-0.1	-0.8	A
2	Kororoit Creek North Herb-rich Grasslands, Ravenhall	NO	45.0	41.5	3.5	7.8	
3	Kororoit regional Park	NO	235.0	175.8	59.3	25.2	
4	Greigs Road Grassland, Rockbank	YES	46.3	46.3	0.0	0.0	
5	Ravenhall North Grassland	YES	35.3	35.4	-0.1	-0.3	A
6	Deer Park Quarry Grassland, Ravenhall	NO	110.9	94.3	16.6	15.0	
7	Mount Atkinson Grassland	YES	31.6	31.8	-0.2	-0.6	A
8	Middle Road (North), Mount Cottrell	NO	112.6	94.8	17.8	15.8	
9	Middle Road (South), Mount Cottrell	YES	43.3	43.4	0.0	0.0	
10	Old Truganina Cemetery	NO	15.1	3.3	11.8	78.0	
11	Woods Road, Truganina	NO	22.0	21.1	0.8	3.6	
12	Sewells Road Reserve, Truganina	NO	1.5	1.0	0.5	32.9	
13	Ballan Road, Wyndham Vale	NO	59.4	51.7	7.7	13.0	
14	Growling Grass Frog Corridors (south)	NO	372.0	496.8	-124.8	-33.5	
15	Growling Grass Frog corridors (north)	NO	539.7	518.3	21.3	3.9	
16	Grassy Eucalypt Woodland Sites, Sunbury	YES	18.2	18.3	-0.1	-0.5	A
17	Grassy Eucalypt Woodland Sites, Sunbury	YES	14.5	14.4	0.1	0.7	A
18	Lancefield Road, Sunbury	NO	252.9	203.0	49.9	19.7	
19	Grassy Eucalypt Woodland Sites, Sunbury	YES	2.4	2.4	0.0	0.0	
20	Racecourse Road, Sunbury	NO	42.1	26.1	15.9	37.8	
21	Growling Grass Frog Corridors	YES	666.8	666.9	-0.1	0.0	
22	Bald Hill, Donnybrook	NO	207.2	182.5	24.6	11.9	
23	Hume Freeway, Kalkallo	YES	103.7	108.9	-5.2	-5.0	B
24	Kalkallo Common Grassland and Donnybrook Cemetery	YES	25.0	25.0	-0.1	-0.4	A
25	Grassy Eucalypt Woodland Site, Donnybrook	YES	1.4	1.4	0.0	0.0	

CA	Name	2013 extents preserved	Area 2013 (ha)	Area 2022 (ha)	Diff. in area (ha)	Diff in area (%)	Notes
26	Mt Ridley West, Mickleham	NO	111.8	110.1	1.7	1.5	
27	Summerhill Road (West), Wollert	YES	26.5	26.5	0.0	0.0	
28	Summerhill Road (East), Wollert	NO	331.1	189.9	141.3	42.7	
29	Mickleham Road, Mickleham	YES	37.7	37.7	0.0	0.0	
30	Austral Bricks Site, Wollert	YES	215.9	215.9	0.0	0.0	
31	Craigieburn Road (East), Wollert	NO	29.8	21.0	8.8	29.6	
32	Craigieburn Road (West), Wollert	NO	154.6	123.4	31.2	20.2	
33	O'Hearns Rd, Epping	NO	468.3	404.8	63.5	13.6	
34	Growling Grass Frog Corridors	NO	1009.7	990.4	19.4	1.9	
35	Clyde-Tooradin Rail Reserve, Clyde	YES	2.2	2.2	0.0	0.0	
36	Growling Grass Frog Corridors	NO	329.8	269.5	60.3	18.3	
	TOTAL AREA		5734.7	5303.3	425.3	7.4	
	TOTAL AREA EXCLUDING GROWLING GRASS FROG CORRIDORS		2816.7	2367.4	449.2	15.9	

Notes:

A: Small change only

B: Assumed to be a mapping or digitisation error