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Sand mine adjacent to Adams Creek Nature Conservation Reserve, Western Port Woodlands, Bunurong Country  
WOODROW WILSON

**SUBMISSION TO**

# *Draft Strategic Extractive Resource Areas (SERA) planning changes*

**Victorian National Parks Association**

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## **Submission into the Draft Strategic Extractive Resource Areas (SERA) Planning Changes**

**8<sup>th</sup> November 2024**

Thank you for the opportunity to provide information and knowledge into the Draft Strategic Extractive Resource Areas (SERA) Planning Changes for Lang Lang, Baw Baw and Oaklands Junction.

The Victorian National Parks Association (VNPA) is an independent member-based organisation, working to improve protection of Victoria's biodiversity and natural areas, across land and sea. The VNPA has been actively working to protect Victoria's wildlife and biodiversity for over 70 years.

The VNPA have co-authored a *report Western Port Woodlands – wildlife corridor or sand pit?*, it can be read here <https://vnpa.org.au/publications/western-port-woodlands-wildlife-corridor-or-sand-pit/>

The VNPA submitted to the 2020 Strategic Extractive Resource Areas (SERA) Pilot Project for the Wyndham and South Gippsland pilot areas and raised concerns around the Adams Creek Nature Conservation Reserve and associated habitat and impacts on wildlife.

It remains unclear how the proposed SERA planning controls interact with the Regional Sand Extraction Strategy: Lang Lang to Grantville (Planning and Heritage, Department of Infrastructure, 1996).

Thank you for excluding the southern section of the western woodlands from the proposed SERA Changes and removing the Extractive Industry Interest Area (EIIA) from the Western port woodlands wildlife corridor.

## Key Points

- Thank you for excluding the southern section of the western woodlands from the proposed SERA Changes and removing the Extractive Industry Interest Area (EIIA) from the Western port woodlands wildlife corridor.
- There is a need to install Environmental Significance Overlays (ESOs) over the Western Port Woodlands wildlife corridor due to its significance from Nyora to Grantville
- Removal of Green Wedge Protections as well as the community's ability to contest inappropriate development in their regions cannot be supported
- Habitat fragmentation as a threatening process for fauna in Victoria is a listed Threatening process under Victorian State Law, the Flora and Fauna Guarantee Act 1988 (FFG Act).
- The welfare of the Adams Creek Nature Conservation Reserve and Southern Brown Bandicoots is of great concern to the community and needs to be recognised by the SERA process
- The proposed SERA change to the area above Jam Jurrup cannot be supported due to impact on Ramsar ecosystem Western port bay and inhibiting of adaption of wildlife to sea level rise
- The large patch of native vegetation within the Adams Creek Nature Conservation Reserve currently within Work Authority 2 (WA2) must be handed back to the public and added to the reserve

## **Reduction in Green Wedge Protections**

The Lang Lang and Oaklands Junction require reversing of green wedge protections under the planning scheme to install the proposed SERA planning changes, this will be an over all loss of green wedge protection.

Victoria's Green Wedge areas are pivotal in maintaining our ecological, heritage and agricultural values outside of the Urban Growth Boundary as Melbourne's population expands. Victoria's green wedge protections are deeply loved by the local communities that call them home and appreciate their many values.

The plan to remove Green Wedge Protections from the Lang Lang and Oaklands Junction areas as well as the communities ability to contest inappropriate development in their regions cannot be supported.

## **Threatened wildlife and biodiversity not considered**

Victoria has cleared the most habitat of any state in Australia<sup>1</sup>, this has resulted in over 2000 threatened plant and animal species being listed under state legislation as threatened with extinction<sup>2</sup>.

The Flora and Fauna Guarantee Act 1988 (FFG Act) is Victoria's is a key part of Victoria's legislative framework for the protection and management of biodiversity and threatened and endangered wildlife.

Section 4B of the Flora and Fauna Guarantee Act 1988 contains an obligation or duty on public authorities and ministers to consider potential biodiversity impacts when exercising their functions. This includes long term and term impacts, cumulative impacts and listed potentially threatening processes.

The documentation provided by the Department of Transport and Planning shows no evidence that any consideration of the FFG Act has occurred or any survey work for threatened species in the proposed SERA areas has occurred to make an informed decision about these areas.

A guidance note was published by a Department of Environment, Land, Water and Planning in 2021 about section 4B Public Authority duty of the FFG Act, that note can be found [here](#)

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<sup>1</sup> VEAC (2011) Remnant Native Vegetation Investigation. <https://www.veac.vic.gov.au/investigations/assessments/previous-investigations/investigation/remnant-native-vegetation>

<sup>2</sup> Flora and Fauna Guarantee Act 1988 Threatened List, June 2024. State of Victoria Department of Energy, Environment and Climate Action

## Lang Lang- Cardinia

The documents provided by DTP in Map 1: Draft Planning Controls: Lang Lang Strategic Extractive Resource Area lack useful detail and do not include significant, globally recognised Protected Areas including Lang Lang Bushland Reserve and Parts of the Adams Creek Natre Conservation Reserve (NCR), These omissions are highlighted in Maps 1 and 2 below.

Ecologist James Garden of Eco Logical Australia commissioned by the Planning Minister for the Bass Coast a Distinctive Area and Landscape (DAL) stated that “***Collectively the Western Port Woodlands are of national significance***”<sup>3</sup>

Planning changes recommended by Mr Gardens included<sup>4</sup>:

- Explicitly recognise the unique, significant and intrinsic biodiversity value of the Western Port Woodlands corridor **as a whole**, irrespective of land tenure, and the potential for cumulative, permanent impacts associated with extractive industries in the region.
- Acknowledge the direct conflict between current and future mining operations and the conservation of biodiversity in the region, and provide a clear strategy to address this matter. This should include development of biodiversity conservation objectives for the Western Port Woodlands corridor that are independent of land tenure or use, and consider all areas of high value habitat and critical wildlife corridors that link these areas.

A conclave of ecologists reporting to the Bass Coast a Distinctive Area and Landscape (DAL) panel unanimously supported this recommendation.

The exclusion of Westernport Woodlands area to the South of the South Gippsland Highway from the Draft Lang Lang SERA is a welcome small step forward for better protection of this globally significant woodland corridor.

The Removal of the Extractive Industry Interest Area (EIIA) must also be expanded to include the Adams Creek NCR and surrounding remnant native vegetation and the Lang Lang Bushland Reserve and critical roadside habitat for the Endangered (EPBC and FFG) Southern Brown Bandicoot. This will maintain the corridor of native vegetation vital for plants and animals to migrate and move.

Cardinia Shire Council has developed a Biolink Plan to restore connectivity for wildlife around the council area<sup>5</sup>. This biolink plan has broad support in the community and must be recognised in the proposed Lang Lang Strategic Extractive Resource Area via excluding the biolinks from the SERA overlaid area.

*Habitat fragmentation as a threatening process for fauna in Victoria* is a listed Threatening process under Victorian State Law, the Flora and Fauna Guarantee Act 1988 (FFG Act).

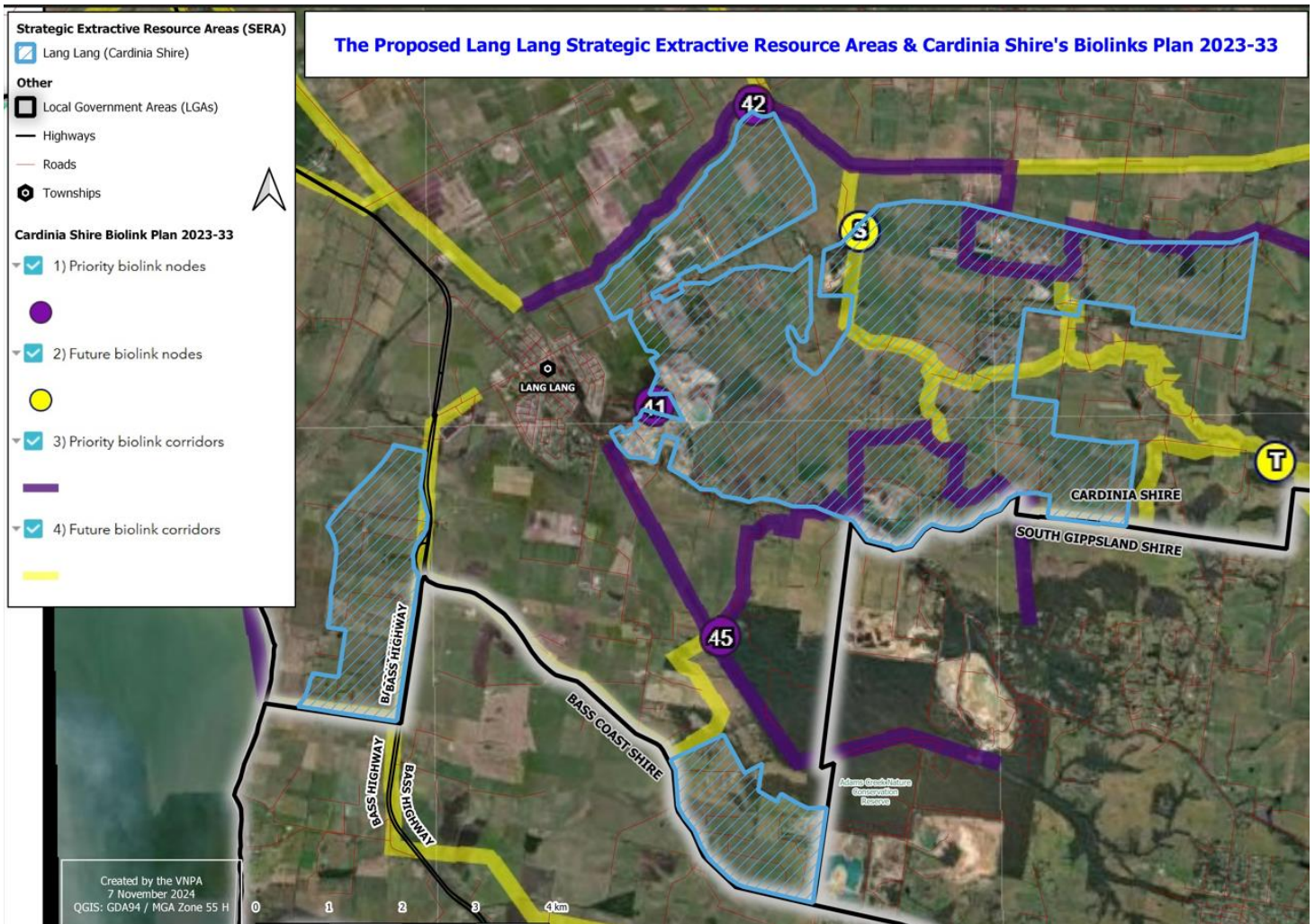
The Extractive Industry Interest Area (EIIA) must be removed from the whole of the Westernport Woodlands corridor from Nyora to Grantville.

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<sup>3</sup> A presentation to the Bass Coast Distinctive Areas and Landscapes Standing Advisory Committee, Eco-Logical Australia (17<sup>th</sup> March 2023)

<sup>4</sup> Bass Coast DAL expert witness statement, James Garden Eco Logical Australia (13 February 2023)

<sup>5</sup> Biolink Plan 2023 – 33, Cardinia Shire Council. December 2021



Map 1. Cardinia Shire Council Biolinks planned within the Lang Lang Strategic Extractive Resource Area. Purple corridors are of Priority with Yellow Corridors being future corridors.

## Neglect of Adams Creek Nature Conservation Reserve and surrounding wildlife habitat

As highlighted in the *Strategic Extractives Resource Areas Pilot Project Consultation Summary* (DELWP 2020) following 8 weeks of public and stakeholder consultation the local and general community love and want to see the Adams Creek Nature Conservation Reserve protected including the surrounding private land that contains habitat for a range of rare and threatened wildlife.

A clear and present concern from the public and stakeholders was the welfare of the Southern Brown Bandicoot (*Isoodon obesulus*) and Adams Creek Nature Conservation Reserve and surrounding habitat.

Southern Brown Bandicoot are listed as Endangered under the Commonwealth's Environment Protection and Biodiversity Conservation Act 1999 and Endangered under Victoria's Flora and Fauna Guarantee Act 1988.

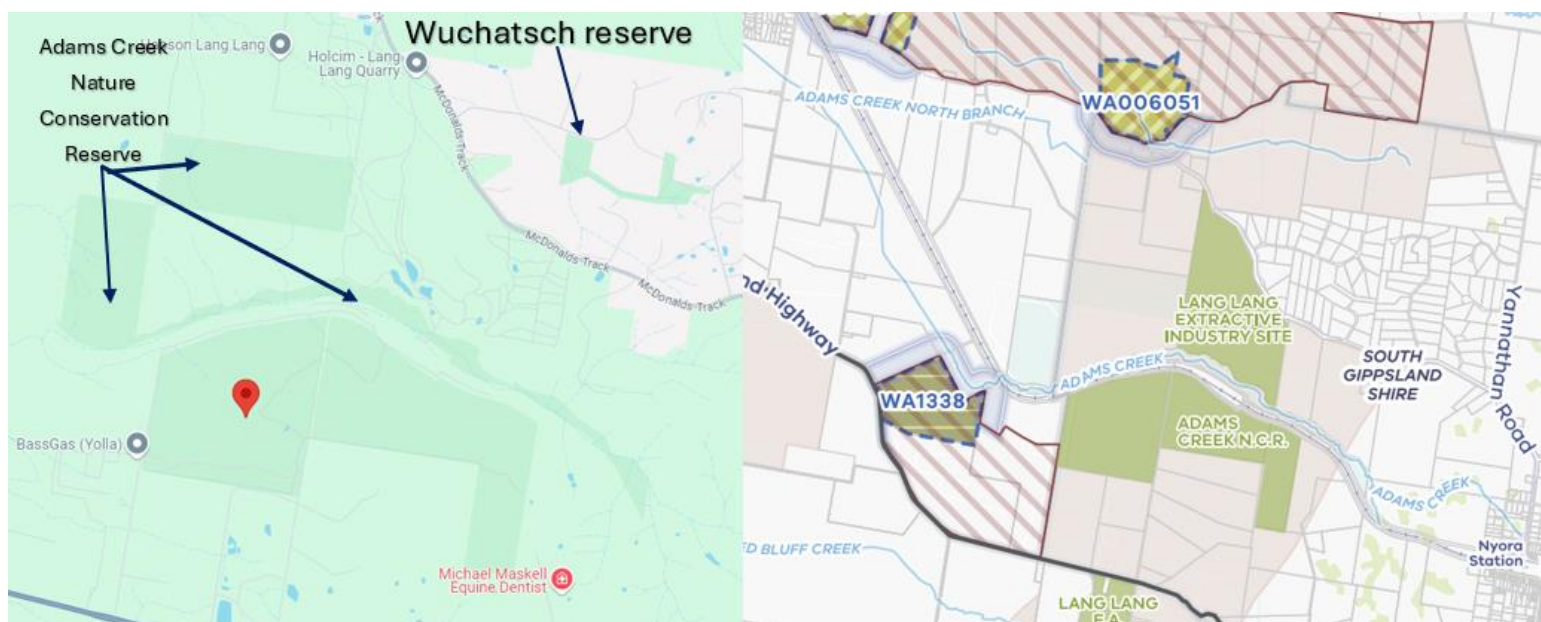
The maps provided by DTP does not contain the whole of Adams Creek NCR, with a large amount of the reserve not shown in the provided maps. As shown in Map 2 of this submission large areas of the reserve are not shown in the maps provided by DTP for the public to base their submissions off.

This missing boundaries of the whole of the Adams Creek Nature Conservation Reserve in the provided maps for this current draft planning controls in 2024 is highly concerning given the high level of concern about the reserve in the 2020 consultation process for the *Strategic Extractives Resource Areas Pilot Project*.

The Extractive Industry Interest Area (EIIA) must be removed from the whole of the Adams Creek Nature Conservation Reserve and surrounding native vegetation including the large patch of native vegetation within Adams Creek NCR currently within Work Authority 2 (WA2).



Map 2. Lang Lang Bushland Reserve that was missed in DTP documents provided



Map 3. Map on left is Boundaries of Adams Creek NCR and Wuchatsch Reserve, map on right is map provided by DTP that has missed these reserves despite their importance

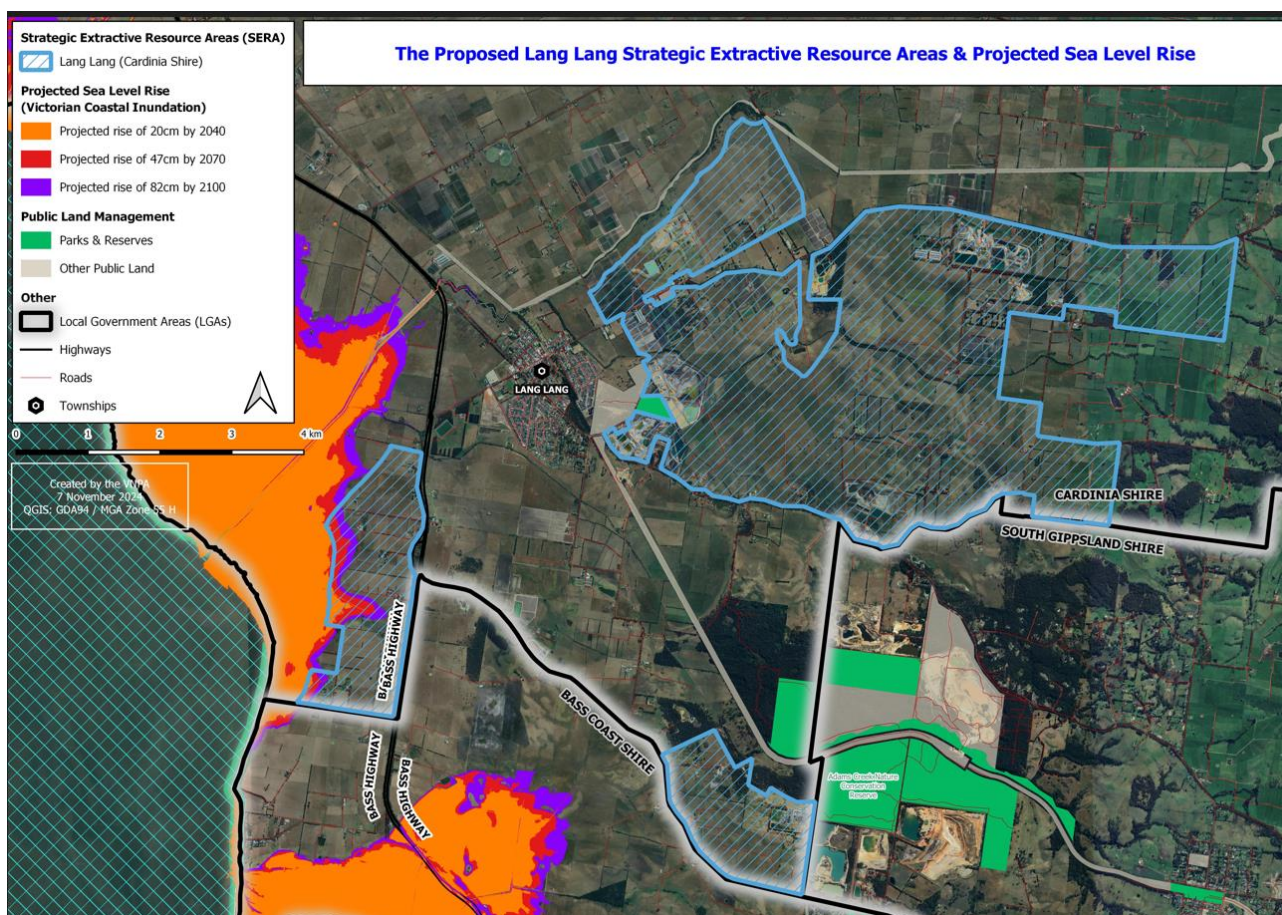
## Damage to character of Ramsar ecosystem

The proposed SERA overlay area above the town of Jam Jerrup cannot be supported due to impacts on local amenity, impact on the character of Western port bay and future sea level rise impacting adapting ecosystems and wildlife.

Western port bay was designated a Ramsar site in 1982 due to the “two sites of international, geological and geomorphological significance, and nationally important expanses of relatively undisturbed, species-rich, saltmarsh vegetation. An internationally important feeding and roosting area for numerous species of summering waders, many of which are listed under the bilateral Migratory Birds Agreements Australia has with Japan and China”<sup>6</sup>.

The proposed SERA overlay comes within half a kilometre of the bay and with projected sea level rises will become inundated as shown in Map 4. There is a need to allow plant life and animals such as shorebirds and waders to adapt to these changes as sea levels rise.

Allowing these adaptations to occur is vital to many of these ecosystems and wildlife species adapting to rising sea levels. The term “coastal squeeze”<sup>7</sup> has highlighted this conflict between sea level rises, the space needed for wildlife and ecosystems to adapt to those sea levels rising and human infrastructure.



Map 4. Projected sea level rises and the proposed Jum Jerrup SERA overlay

<sup>6</sup> Ramsar Sites Information Service, Western Port. <https://rsis.ramsar.org/ris/267>

<sup>7</sup> Krosby, M., Hasert, R., Kalafatis, S., Askerooth, R., Kuhn, K., and O. Zimmerman (2023). Rising Seas and the Coastal Squeeze: Managing Inland Migration of Coastal Habitats in Response to Sea Level Rise. Northwest Climate Adaptation Science Center, University of Washington, Seattle.



The Coastal squeeze is defined as “As climate change drives sea levels higher, coastal habitats may adapt by migrating inland. This landward shift may be challenged, however, by the presence of human-made and natural barriers, which may result in coastal habitat loss and declines in associated fish and wildlife populations”<sup>8</sup>

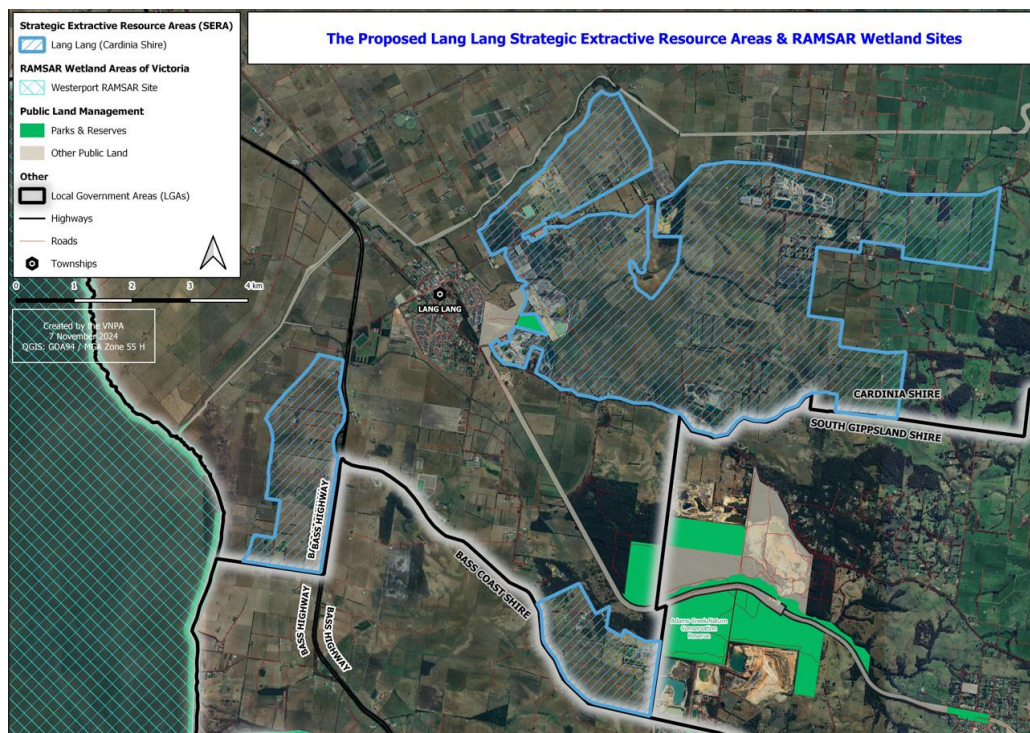
As the proposed SERA area is within an area that will be inundated there is a need to allow the site to adapt and habitat to be able to move into these areas as the sea levels rise. Particularly for species listed under bilateral Migratory Birds Agreements Australia has with Japan and China. Adaptation to sea level rise cannot occur if the area is mined.

One indicator of the character of Western Port Bay under the Ramsar criteria is its beautiful seagrass meadows, these seagrass meadows stabilise sediments, improve water quality, sequester carbon, and provide critical fish habitat<sup>9</sup>.

One of the greatest risks to seagrass meadows is sediment from erosion particularly from the Lang Lang area as highlighted in the Western Port Ramsar Site Management Plan (Department of Environment, Land, Water and Planning 2017).

Further destabilisation of sediments will result in the loss and damage to critical sea grass meadows and the character of the western port bay.

The planned mines at Jum Jerrup facilitated by the SERA overlays will see release of sediments into the bay and with future sea levels rises result in the inability of wildlife and ecosystems to adapt to these changes.



Map 5. Proximity of proposed SERA overlay and the Ramsar listed Western Port Bay

<sup>8</sup> Crosby, M., Hasert, R., Kalafatis, S., Askerooth, R., Kuhn, K., and O. Zimmerman (2023). Rising Seas and the Coastal Squeeze: Managing Inland Migration of Coastal Habitats in Response to Sea Level Rise. Northwest Climate Adaptation Science Center, University of Washington, Seattle.

<sup>9</sup> Seagrass meadows for Western Port, <https://portphillipwesternport.rcs.vic.gov.au/prospectus/seagrass-meadows-for-western-port/>

## Industry leadership to avoid wildlife deaths in the Lang Lang area

The northern section of the Westernport Woodlands and the larger extent of the woodlands are for many wildlife species severed by the South Gippsland Highway.

With the amount of traffic from industry set to increase with the proposed SERA planning changes there is a need to reduce the risk of wildlife killed by increased traffic.

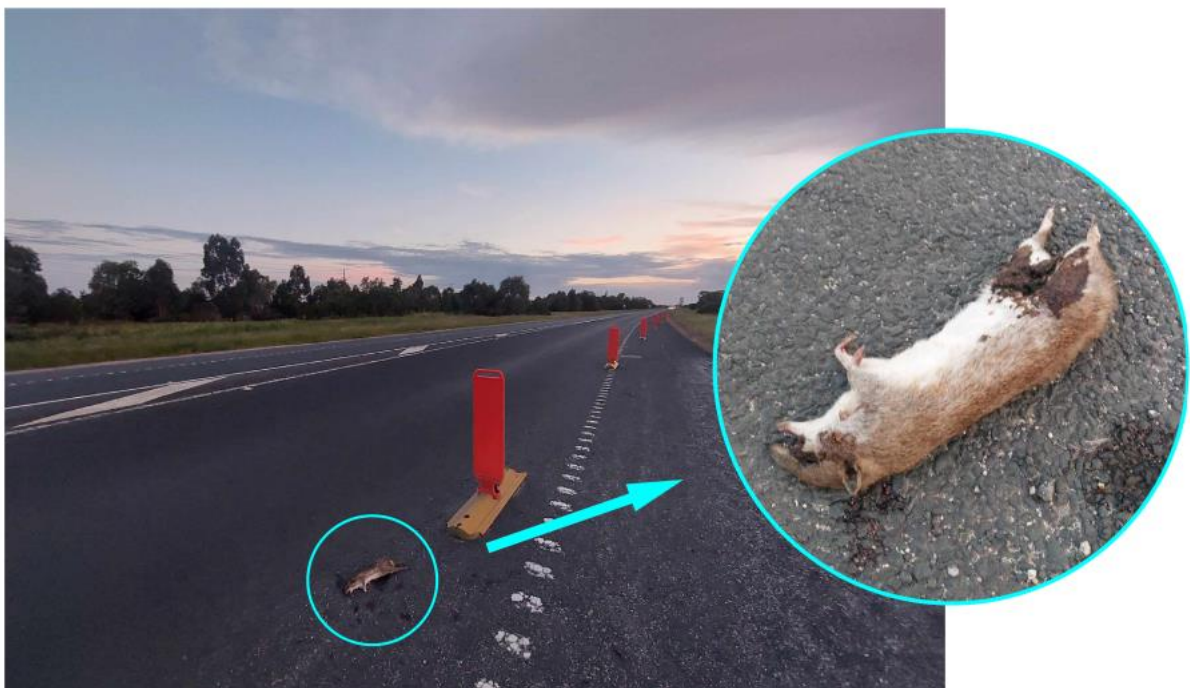
Species such as the Southern Brown Bandicoot are killed and have their range restricted by roads and increased traffic<sup>10</sup> this leads to decreased gene flow and inbreeding, or increased mortality and increased potential extinction risk in the region<sup>11</sup>

There is a need to increase connectivity for ground-based and arboreal fauna from the Adams creek area to the southern section of the Westernport woodlands, this can be facilitated by the installation of under road crossings, rope bridges and fencing that allow safe passage of wildlife under and across this increasingly busy road.

There is a need for industry and DPT to implement and advocate for increased measures to avoid the killing of wildlife by increased traffic in the region caused by increased truck movements.

This will not only prevent the unnecessary deaths of endangered wildlife but will improve the industries environmental credibility.

Methods such as fauna tunnels such as those implemented by the Royal Botanic Gardens in Cranbourne for Southern Brown Bandicoots<sup>12</sup> and rope ladders such as those shown below are required to allow wildlife to move safely through the landscape.



Picture 1. Road-killed Southern Brown Bandicoot on Koo Wee Rup bypass (2023)

<sup>10</sup> Species Profile and Threats Database, *Isodon obesulus obesulus* — Southern Brown Bandicoot (eastern), Southern Brown Bandicoot (south-eastern). Dept. Climate Change, Energy the Environment and Water

<sup>11</sup> Comparative Population Genetic Structure of the Endangered Southern Brown Bandicoot, *Isodon obesulus*, in Fragmented Landscapes of Southern Australia, Li et al (2016)

<sup>12</sup> Helping Wildlife Cross the Road, Royal Botanic Gardens

<https://www.youtube.com/watch?v=ryLhqjEVado&list=PLaHEp4kx3OeloQ83acHXFAV86TQXYzzRR>

## Trafalgar -Baw Baw

Concerns are held about the cumulative impact of increased intensive mining activity on local water ways due to the proposed SERA planning changes, the lack of acknowledgement of the La Trobe River Water Frontage and Shady Creek Water Frontage in the maps provided.

Victorian Biodiversity Atlas (VBA) holds records of freshwater dependent threatened species such as Platypus and Flinders Pygmy Perch in the area planned for zoning as a SERA.

Long term independent monitoring of water quality and conditions must be implemented within the Trafalgar SERA area to understand long term cumulative impacts of the increased intensity of mining operations on local rivers and wildlife.

The VNPA insists that the proposed SERA zoning be scaled back to south of the Old Sale Road due to the impacts on Southern Toadlet (Endangered FFG Act) and their access to the Sweetwater Creek Flora and Fauna Reserve.



Map 6. VBA records of northern border of proposed SERA area

## Oaklands Junction

The Oaklands Junction proposed SERA planning changes are for the existing Work Authority WA176.

The land on which the proposed SERA changes are proposed are part of the Victorian Volcanic Plains bioregion, one of Victoria most cleared ecological communities.

The proposed site contains remnant vegetation that consists of Endangered Plains Grassy Woodlands also listed as Grassy Eucalypt Woodland of the Victorian Volcanic Plain under commonwealth law as Critically Endangered . These areas of remnant vegetation must be excluded from the proposed SERA changes.

The site is also nearby to a known Golden Sun Moth (EPBC-Vulnerable, FFG Vulnerable) hot spot, there is a need for a independent survey of the proposed SERA site to understand of Golden Sun Moth exist on the site and if so excluded from the SERA overlay.



Picture 2. Wildlife Tunnel, Royal Botanic Gardens