



SUBMISSION TO

Cairnlea Section G Mixed Use Development

EPBC 2020/8720

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Victorian National Parks Association

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1. Executive summary

1.1. Who we are

The Victorian National Parks Association (VNPA) is one of Victoria's leading nature conservation organisations. It is an independent, non-profit, membership-based group, which for 70 years has existed to protect Victoria's unique natural environment and biodiversity through the establishment and effective management of national parks, conservation reserves and other measures.

The Grassy Plains Network represents 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. We are part of the VNPA.

1.2. Key points

- The grassland at Section G should not be cleared.
- Clearing the Section G Grassland fails to avoid and minimise damage to an EPBC-listed community.
- Clearing the Section G Grassland fails to recognise viable alternatives exist.
- Clearing the Section G Grassland fails to meet Duty of Care provisions under the FFG Act.
- Alternative road access options exist that would avoid clearing the grassland.
- The Boulevard connection to within the 103 Reid Street site will impact EPBC matters and will be subject to a future referral, putting its entire purpose at risk, and could mean the clearing of grassland was undertaken for absolutely no benefit, with potential legal ramifications.
- Development at Section G has been recognised as a controlled action under the EPBC Act.
- Relying on agreements made prior to the EPBC Act as a basis for clearing Matters of National Environmental Significance is poor form and suggests an attitude from Development Victoria that the grassland presence is a mere inconvenience.
- We expect a more considered and nuanced response from the Victorian Government, especially at a time when there is national debate about how best to align the protection of environmental matters and development needs.
- The Section G grassland is contiguous with the adjacent grassland at 103 Reid Street and part of a larger Cairnlea grassland context and Jones Creek biodiversity corridor, and should be treated as such, not as an isolated 1 ha remnant.
- Clearing the grassland represents a lost opportunity to achieve urban design outcomes that benefit both the environment and the community.
- The Striped Legless Lizard population threatened with destruction should be translocated for research purposes.

- Victorian Grassland Earless Dragon surveys are inadequate.
- No efforts have been made to protect the vulnerable Tussock Skink known to inhabit the area
- The site is an important overwintering and foraging location for a known nearby population of endangered growling grass frogs. This has not been taken into consideration.

2. Discussion

2.1. Critically Endangered grassland too rare to clear and offset

The natural Temperate Grassland of the Victorian Volcanic Plain are as close to extinction as an ecosystem can get. Latest data from the Arthur Rylah Institute shows only 0.5% of the former extent still exists. Victoria's 2023 State of the Environment Report emphasises that grasslands are continuing to decline. Many of the plants and animals associated with this ecosystem are also rare or threatened.

One hectare of grassland may not seem like much, but it is. We simply do not have enough left that we can afford to lose any more of this ecosystem. Offsetting the grassland results in net loss, not net gain.

Mapping does not reflect the importance of the Section G Grassland.

Section G Grassland is part of a larger patch of grassland at 103 Reid Street adjacent to Jones Creek. It is part of a connected system supporting local biodiversity, including Striped Legless Lizard and Growling Grass Frog, several EPBC-listed plant species such as Spiny Rice-flower, as well as FFG-listed species such as Tussock Skink. Other grasslands exist directly opposite along Jones Creek. Further grasslands are present nearby. These all support each other.

To clear Section G Grassland is to have direct impacts on all these adjacent patches of biodiversity. It will reduce options for landscape-wide conservation. Overall, the long-term viability of the other remnants in Cairnlea and nearby will decline. Isolated native grasslands have less buffering capacity and resilience to environmental change relative to more connected native grasslands.

In Melbourne's West, where so little native grassland remains, further loss of remnant grassland, e.g. Section G, compromises what remains. The stepping stones across the landscape, for creatures such as pollinators, become too far apart to work. This isolates populations, leads to reduced gene flow, and compromises the long-term viability of these species, meaning that local extinction will occur. At Section G, there is an opportunity to buffer such impacts through good planning and the preserving of grassland.



Section G grassland is not an isolated fragment: it is part of the grassland at 103 Reid Street on Jones Creek.



Location of Section G grasslands and significant nearby natural assets.

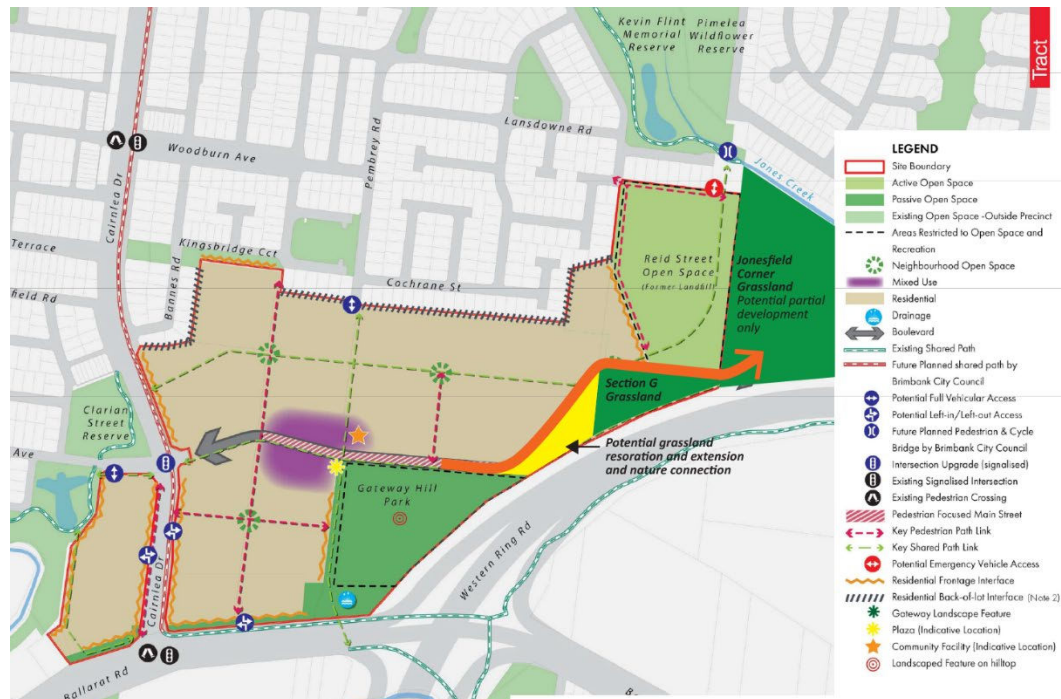
2.2. Road access and alternative road alignments

The preliminary documentation for the Section G development indicates that it is a requirement of the Brimbank Planning Scheme that road access is maintained to 103 Reid Street.

Development Victoria's road proposal may be the road most convenient from a planning perspective, but that fails to consider the Victorian Government's responsibility to avoid and minimise impacts to grassland protected under the EPBC Act, and to provide a duty of care to the environment under the FFG Act.

Alternatives to the proposed road exist.

The best solution is to move the Boulevard to the north of Section G Grassland. This solution is perfectly viable and only requires some additional engineering to respond to the conditions of the former landfill. The alternative Boulevard location shown below avoids damage to remnant Section G Grassland, creates space for an extension of the Section G grassland to that grassland's west, and continues to provide connection to 103 Reid Street



Alternative Boulevard relocation (shown in orange).

2.3. Considerable future risk associated with current boulevard proposal

It is important to note that the current proposed Boulevard is intended to provide a connection to the 103 Reid Street site. However, in its current configuration, any extension of the Boulevard into 103 Reid Street will impact the grassland present at 103 Reid Street, triggering a further EPBC referral.

That raises the considerable risk that the extension into 103 Reid Street may not be approved, undermining the original purpose of constructing the Boulevard to the property boundary.

If that were to be the case, the grassland at Section G would have been cleared and offset for no reason, the Boulevard would become an expensive white elephant, and there would be the potential for substantial legal risk

Other points of entry also exist to the property at 103 Reid Street, including a bridge connection across Jones Creek, which may have substantial connectivity benefits to the larger residential community for which Jones Creek is a considerable barrier.



Alternative points of entry to 103 Reid Street.

2.4. Reid Street Open Space

Consideration should be given to the creation of a species-rich grassland at the Reid Street open space. This would strengthen conservation outcomes.

2.5. Retaining grassland comes with social and well-being benefits: an opportunity for more thoughtful development

The grassland patches at Section G are small. It is not hard to imagine a number of scenarios that can successfully incorporate and integrate them into an urban design solution that protects remnant vegetation and provides substantial community benefit.

Doing so will benefit the larger landscape and contribute to the viability of important remnant vegetation nearby.

Retention of the Section G grasslands gives local residents the opportunity to have unique, wild, nature at their doorstep, delivering substantial ecosystem services, including well-documented human health and wellbeing benefits.

Grasslands are the iconic ecosystem of Melbourne's West. Their retention strengthens local identity.

2.6. Salvage of Striped Legless Lizard for research purposes

The proposal should not allow the destruction of critically endangered Striped Legless Lizards. It is entirely possible to translocate these creatures, and salvage and translocation is permissible for research purposes. Policy restricting salvage and location was developed because insufficient research had been done to show that translocation and salvage could be successful. There has not been a substantial body of research since to interrogate this matter. Development Victoria should fund research to better understand the potential for translocation. That way, the loss of this population can at least have good research outcomes.

Crushing protected species under a bulldozer is inappropriate, and flies in the face of community concern.

2.7. Victorian Grassland Earless Dragon surveys inadequate

The ecological consultants have erred in their consideration of what may constitute suitable habitat for the Victorian Grassland Earless Dragon. The unfortunate truth is that we only have one known population in the wild from which to draw conclusions about habitat preferences. The consultants' assumptions about appropriate levels of cover, floristics, soil cracking and rock presence will have excluded areas that may well be suitable habitat. As a consequence, areas of grassland that may have VGED present have not been surveyed. The project should not be allowed to proceed without the oversight of the VGED National Recovery Team.

2.8. Tussock Skink

Biosis surveys for VGED found multiple instances of Tussock Skink. These are listed as Vulnerable in Victoria. Efforts should be made to protect these species. Development Victoria is bound by the FFG Act, not just the EPBC Act.

2.9. Growling Grass Frog

Kororoit Creek and its tributary Jones Creek has a known metapopulation of Growling Grass Frog. Section G should be considered an important overwintering and foraging location for this species.

Appropriate surveys need to be undertaken.