

**80A & 80B Oakwood Road Albanvale:
Public comment on Preliminary Documentation for EPBC 2018/8158 -
Summary of submissions prepared by Steve Mueck, Biosis Pty Ltd**

Seven comments were received on the documentation provided including comment from three individuals, three community organisations and the City of Brimbank. Community input into this process is encouraged and the time and effort required to provide comments are appreciated.

The first individual comment highlights the Brimbank Habitat Connectivity Plan 2018 - 2023 and the inclusion of the proposed development site as part of the St Albans Link Corridor. This corridor follows the Power-line easement from Kororoit Creek, Deer Park, firstly north east and then east to Sunshine. The corridor also includes a branch from the Brimbank Shopping Centre west to Kororoit Creek which includes the western portion of the proposed development site.

The St Albans Link Corridor is traversed by a number of roads (14) including (from east to west) Currunghi Court, Grantham Parade, Mulhall Drive, Stradbroke Drive, Debenham Drive, Thorndon Drive, St Albans Road, Gooding Street, McKechnie Street, Newhaven Way, Station Road, Neale Road, Phyllis Parade and Tamar Drive. The western two thirds of the western branch of the corridor, between Oakwood Road and Kororoit Creek, has also been largely been converted to residential development with only a narrow strip of land (ten to twelve metres wide) north of McCann Drive available as a potential grassy corridor.

The corridor is identified as important for a number of species including Growling Grass Frog *Litoria raniformis* and Striped Legless Lizard *Delma impar* and otherwise noted for supporting important remnants of native grasslands and wetland habitat.

The submission highlights the matters of national environmental significance (MNES) present and indicates that all remnants of Natural Temperate Grassland of the Victorian Volcanic Plain (NTGVVP) and populations of Striped Legless Lizard (SLL) should be protected. It is also noted that the proposed offsets would still result in a local loss of biodiversity.

The localised impact to biodiversity is acknowledge but at the national scale of assessment associated with the EPBC Act, an overall benefit to the relevant MNES remains consistent with the EPBC Act Environmental Offsets Policy (October 2012).

The overall impact to the nominated habitat corridor is difficult to substantiate given the significant number of existing issues identified for this corridor and the limited if any value of that corridor to the relevant MNES. However it is acknowledged that the corridor supports a number of grassland stepping stones, although these are unlikely to be of values for the movement of SLL or GGF.

The overall impact to the ecological values of the site will also be dealt with at the Victorian and local scale by the relevant authorities (DELWP and Brimbank Council) and responses to these issues at these scales will be dealt with in those assessments.

The second individuals comment focuses on the potential development to avoid and minimise its impact on grassland and SLL by retaining a small (less than one hectare) reserve, based around PG1 and PG2, linked to the transmission easement to protect the MNES identified. This is considered by the submitter as a 'sensible' compromise.

The community organisation's comment on the proposed development also indicates that all remnants of the critically endangered NTGVVP should be permanently protected as well as all populations of SLL. In that context it is considered that the proposed development is inappropriate and should not proceed.

The submission notes the value of the site as a stepping stone contribution to the Brimbank Habitat Connectivity Strategy.

It also notes that the EPBC Act referral process should consider the presence of the Environmental Significance Overlay (ESO) (covering about 1.2 hectares) which Brimbank Council have applied to part of the site. However, while these matters are noted during the assessment process, the focus of the EPBC Act remains MNES and assessments at the national level.

The third individual submission is a local resident. This submission indicates that all remnants of NTGVVP require permanent protection and have the ability to form part of a meta-population of grassland reserves protecting relevant MNES.

As an expert in the ecology of SLL the submitter notes that all SLL populations are considered important under the EPBC Act and have the potential to persist in good numbers for at least number of decades within suitable habitat even when isolated. These populations have shown resilience at the relatively small scale of down to one hectare of habitat.

The submission goes on to indicate that while most remnants are degraded they can be managed to provide significant improvements and provide opportunities for positive conservation outcomes.

The corridor values of the site are also noted in relation to the Brimbank Habitat Connectivity Plan 2018-2023. However it is noted that the site is most likely used as a stepping stone.

Overall the submission contends the site retains significant values for SLL and habitat should be retained and managed, at least over the area identified under the local government ESO.

Comment was also provided by the Brimbank Environment Department. They note that the proposed development has been refused by Council and is currently scheduled to be heard at VCAT.

Council indicate that good numbers of SLL have been recorded from the site and that potential habitat works would result in the species being able to persist and thrive on-site given a connection of the defined core area of habitat protected by the ESO with the power-line easement which bisects the development site.

Council indicate that not enough is known to suggest the retention of a small area of habitat is unlikely to be viable in the long-term and therefore consideration needs to be given to habitat retention.

Council also contend that surveys for other threatened species were inadequate and the potential remains for the occurrence of additional Spiny Rice-flower individuals, Matted Flax-lily *Dianella amoena*, Button Wrinklewort *Rutidosia leptorhynchoides*, Large-fruit Fireweed *Senecio macrocarpus* and Small Golden Moths *Diuris basaltica*.

Council note the local loss of these and other related grassland MNES in the local area associated with approvals under the EPBC Act and note the lack of information relating to the local viability of these matters. They also note the concurrent impact of the Melbourne Strategic Assessment and the current reluctance of DELWP to require the salvage and translocation of species such as SLL and contend this undervalues known populations subject to development approvals. They contend that the lack of known populations for SLL within the Western Grassland Reserve highlights the importance of known populations within suburban Melbourne.

Given the small scale of the site and its relatively long (more than ten years) history of a lack of ecological management is considered unlikely that species such as Small Golden Moths would be able to persist. Similarly, relatively large, perennial species such as Matted Flax-lily, Button Wrinklewort and Large-fruit Fireweed are unlikely to have been overlooked during the original biodiversity assessment and subsequent targeted flora and fauna surveys.

While there is some understanding of the ecology of SLL (i.e. limited local movement of mature individuals) Brimbank are correct in highlighting the lack of information relating to the viability of this species in what are seen as small scale reserves. However, experience suggests that maintaining the required habitat values for a variety of grassland species is problematic at small scales.

If areas of habitat are retained as a result of local decision making, it is also likely that this will not be assessed as retained at the federal level of assessment due to the likely negative impacts on this species. Development of the site with or without habitat retention would therefore still require offset of all habitat in a manner consistent with the EPBC Act Offset Policy.

The Friends of Iramoo submit objections to the proposed further removal of remnants of NTGVVP, the loss of SLL habitat and a known population of SLL. They also support the framework provided by the Brimbank Habitat Connectivity Strategy.

All of these issues are reflected in the submission provided by the Cairnlea Conservation Reserves Committee. They indicate the site is part of the natural heritage of the City of Brimbank and any retained remnants can be effectively managed to provide improvements in both diversity and quality. Concern is also expressed that the nominated offset site is relatively remote from the proposed loss, resulting in a loss of local conservation values. They also object to a scenario whereby if development is approved the SLL would just be destroyed by the development. Rather than just destroying the population if development is approved, they appear to be requesting to salvage the population, presumably for translocation to the existing reserves.

Overall the submissions raise a series of objections to the proposed development and express a desire to protect and manage MNES. No alterations or additions to the preliminary documentation are proposed as it is considered that the issues identified are all addressed, even if those assessments and outcomes are considered unsatisfactory by the submitters. The proponent has a nominated development design and this proposes development of the site with offsets provided in accordance with the EPBC Act offsets policy.