



# FRIENDS OF MERRI CREEK

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Incorporated Association No. A0024645L

12 October 2009

**SUBMISSION TO LEGISLATIVE COUNCIL OUTER SUBURBAN/INTERFACE SERVICES  
AND DEVELOPMENT COMMITTEE INQUIRY INTO THE IMPACT OF STATE  
GOVERNMENT'S DECISION TO CHANGE THE URBAN GROWTH BOUNDARY**

To: [osisdc@parliament.vic.gov.au](mailto:osisdc@parliament.vic.gov.au)

The Friends of Merri Creek Incorporated offer the following comments on the impact on the environment of the State Government's decision to change the Urban Growth Boundary.

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# **Submission by Friends of Merri Creek Inc to the Inquiry into the impact of the State Government's decision to change the Urban Growth Boundary**

## **October 2009**

### **1. Introduction**

The Friends of Merri Creek Incorporated is a community group that has actively worked since 1988 to restore and protect the Merri Creek, its environs and tributaries. We aim to protect and enhance the indigenous flora and fauna communities, ecological flows and the unique biological and geological landscapes, significant Indigenous cultural sites, and historical features of the Merri Creek corridor from Wallan through northern Melbourne, for the enjoyment and benefit of current and future generations. We have over 450 members. Our activities include planting and hands-on activities, major roles on the Merri Creek Management Committee, campaigning and advocacy, community education, and water quality monitoring.

*Our focus in this submission is on the impact on the environment of the State Government's decision to change the Urban Growth Boundary.* We refer mainly to the North Investigation Area, particularly the Merri Creek catchment. The Merri catchment is significantly affected by the proposed UGB changes. Approximately 42% of the catchment is within the current UGB. The revised UGB plus the Wallan growth area will mean that almost all the catchment is designated for urban growth.

### **2. Expansion not justified and alternatives not canvassed**

The justification for moving the UGB is vague. Page 6 of the *Report for Public Consultation* states that a need has been identified to accommodate an additional 600,000 new dwellings in Melbourne over the next 20 years. Have these projections been independently reviewed? What assumptions have been made in producing these figures? (For example, that the current high immigration rates will continue?)

The report goes on to state that 284,000 dwellings will be accommodated in the growth areas, but does not specify how many of these can be accommodated in existing growth areas. We understand that the areas within the existing UGB have enough land for 19 years if the State Government's relatively low lot density target of 15 lots/ha gross is implemented, and this land supply would last longer if higher densities were achieved.

No options to the proposed Program are canvassed. An investigation of alternatives/options is required in most environmental impact assessment processes.

### **3. Population policy for Melbourne needed**

We consider that preparation of a population policy that envisages **limits to the growth of Melbourne**, and a plan for urban consolidation supported by major investment in public transport is a far more sustainable approach than the facilitation of continuing outward sprawl. Measures to redirect settlement to other selected Victorian cities and towns should be implemented. Fundamentally, the current historically high immigration rate needs to be scaled back to a level that does not have such high environmental, social and infrastructure costs.

### **4. Proposed UGB takes in too much land**

The *Delivering Melbourne's Newest Sustainable Communities* report proposes to incorporate a further 41,500 ha into Melbourne's urban growth areas, nearly twice the 22,855 ha estimated to have been needed in last December's *Melbourne @ 5 Million* report.

The State Government in announcing the UGB in 2008 stated that for the North Investigation Area of 25,385 ha, a minimum of 10,500 ha was required for urban growth. However, a high proportion of the land within the Investigation Area is proposed for inclusion within the new UGB. The only justification provided is that the UGB is “based on providing sufficient land to foster the creation of sustainable communities that are capable of being connected to a high capacity public transport system” (SIA June 2009, p70). There are no commitments to such a public transport system in the Program, nor in the *Victorian Transport Plan*. **In fact it appears that a major road (OMR) is driving the shape and extent of urban development.**

Statements on p27 of the *Report for Public Consultation* indicate that the Program incorporates enough land for broad scale employment uses for at least 35 years. A vast area is designated (blighted) for the intermodal and logistics precinct at Donnybrook/Beveridge.

More than 6000 ha within the proposed UGB are shown as ‘significantly constrained land’. It may be appropriate to retain much of this land in the Green Wedges, provided that biodiversity values can be protected.

## **5. Inadequate information on biodiversity of affected land in the north**

“Considerable effort” to collect data about listed threatened species and communities was applied to collecting data in the West Investigation Area (*Strategic Impact Assessment (SIA)* August 2009 p32), but in the North and South-East Investigation Areas, a “risk-based approach” was applied (SIA p33). The desk-top study for the North is inadequate and inaccurate. The limitations noted in the consultants’ report (SMEC 2009) are not addressed in the SIA.

It is too late in the planning process to undertake “additional detailed survey in all areas designated for urban development as part of the Precinct Structure Planning process” as stated in the SIA (p33). **On-ground surveys for native vegetation and targeted fauna are needed at the right time of year, before the UGB is re-defined.** Priority areas for these surveys are areas mapped as native vegetation in the SIA, several areas known by DSE officers to retain significant remnant native vegetation not shown on the SIA maps, and key unreserved biodiversity sites shown on the map at the end of this submission.

## **6. Inadequate assessment of State and regional environmental impacts**

During the exceedingly short timeline for planning, assessment and approval of the changes to the Urban Growth Boundary, the State Government has put some effort into a Strategic Impact Assessment of Matters of Environmental Significance under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*. However, environmental impacts on matters of State and regional significance have not received adequate, if any, attention. This includes species listed under Victoria’s *Flora and Fauna Guarantee Act*.

A significant shortcoming of the Victorian legislative framework is highlighted by the fact that the overall urban growth expansion proposals are not subject to State-level environmental assessment because the Environment Effects Act “does not make provision for projects to be assessed at a strategic level” (SIA p17). Furthermore, we understand that the Outer Metropolitan Ring project will be fast-tracked, with minimal environmental impact assessment.

## **7. Environmental impact mitigation measures are inadequate**

We are strongly of the view that proposed environmental impact mitigation measures are woefully inadequate. Prescriptions are weak and skimpy. Other specific criticisms are outlined below, along with proposals for more effective mitigation.

## 8. Critically endangered vegetation communities should not be destroyed

The changes to the UGB affect substantial areas of Natural Temperate Grassland of the Victorian Volcanic Plain, and Grassy Eucalypt Woodlands of the Victorian Volcanic Plain. Both of these EPBC-listed communities have been vastly depleted from their pre-European extent, and are listed as Critically Endangered. According to DEHWA (EPBC Act Policy Statement 3.8, 2008) and the SIA (p60), at least 95% of VVP Grassland has been cleared or severely degraded, and about 65,000 ha remain. **Up to 5,197 ha will be lost under the Program; this constitutes 8% of what remains of this critically endangered ecological community.** We certainly agree with the SIA that the actions are “likely to have significant impact” on the VVP Grassland. Further, we consider that losses of this community should be avoided if at all possible. “The listing aims to prevent any further decline.....” (DEHWA 2008, p12).

The SIA does not provide figures on the extent of loss to date of Grassy Eucalypt Woodlands of the VVP. Up to 924 ha will be cleared under the Program, mostly in the North. The SIA states (p138) that the actions are likely to result in significant impact on this community at some sites in the north. **As for the VVP Grassland, we consider that further losses of this critically endangered community should be avoided if at all possible.**

Both of these communities have very poor representation in conservation reserves.

Appendixes 3 and 4 of the Victoria’s *Native Vegetation Management Framework* state that clearing of vegetation of very high conservation significance is not permitted unless exceptional circumstances apply. We do not consider that extensive urban sprawl as proposed under this Program constitutes “exceptional circumstances” that justify the clearing of critically endangered vegetation communities. **These diverse and complex plant and animal communities cannot be re-created once destroyed.**

## 9. A conservation reserve network should be established around Melbourne

While we support the creation of two new major grassland reserves in the west, this smacks of “all your eggs in one basket”. **We still have the opportunity to establish a visionary conservation network of public and private land around Melbourne’s fringe and in adjacent green wedges. Such a network would maintain ecological connectivity and the full range of habitat types, to sustain the remarkable diversity of flora and fauna that lives in the Melbourne region.**

## 10. Important areas for biodiversity in the north need protection

There are no specific commitments to new conservation reserves in the North. **The following important biodiversity sites are designated for development, but instead should be protected in conservation reserves** (see Conservation Landscapes map at end of document):

- Camoola Swamp Biosite (State significance) (*No. 2 on map*);
- A large area of Grassland between the Hume Freeway and the Kalkallo Retarding Basin (*No. 3 on map*);
- At least half of Bald Hill Biosite (nationally significant) (*No. 4 on map*);
- Grasslands in Woodstock area (*No. 10 on map*);
- Red Gum grassy woodlands in southern Wollert area (*No. 11 on map - in Darebin Creek catchment*);
- Remnant grassland immediately to the north and contiguous with the Kalkallo Common (*No. 12 on map*);
- North-south link to the east of Merri Creek between Craigieburn East Grassland/Grassy Woodland (*No. 8 on map*), the Summerhill Rd Woodlands (*No. 6 on map*) and the Grassland/Woodland areas north of Donnybrook (*No. 4 on map*);

- An east-west link from Kalkallo Retarding basin: west to remnant vegetation on the Old Sydney Rd ridge line, and east along Kalkallo Creek to Merri Creek, and to the woodlands at Wollert (*No. 11 on map*).

For land that remain in private ownership, **a package of measures including covenanting, stewardship payments and rate/tax rebates are required to permanently protect land of high conservation value.**

## **11. Ecological connectivity must be maintained**

**The urban growth Program should include specific commitments to maintain ecological connectivity between remnant vegetation patches and along waterways and other biological movement corridors.** The North Investigation Area covers significant north-south<sup>1</sup> and east-west routes for fauna movement, both migratory and nomadic. These are likely to be severely disrupted by the extensive urban and transport infrastructure development proposals. Mitigation measures must be specified.

A possible Merri conservation corridor network is shown on the Conservation Landscapes map at the end of this submission.

Habitat links need to be wide enough and with suitable habitat to sustain the survival and movement of the species for which they are intended. For example, Growling Grass Frogs routinely travel over 200 metres from permanent water as they hunt for food. Some species are sensitive to noise or human disturbance, or other 'edge effects'. A focal species analysis by ecologists should be undertaken to determine the width required for a set of species to be sustained.

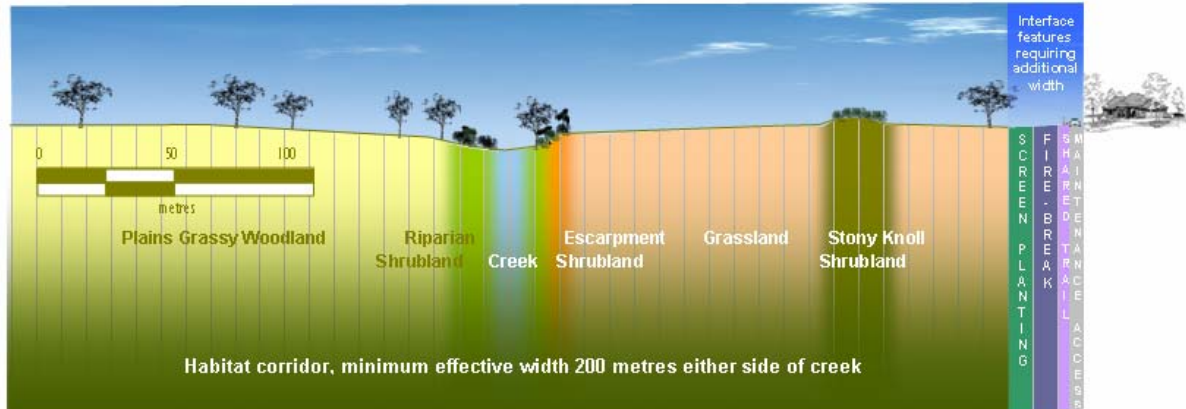
Where they will function as multi-purpose open spaces, extra width is needed for management vehicle access, recreational trails, firebreaks, utilities and screen planting. In some places, habitat will need to be re-established for connectivity. Barriers to wildlife movement such as roads and dam walls will need to be overcome through design, or passage structures (underpasses, fishways, overpasses).

## **12. Biodiversity values along waterways should be protected with adequate conservation corridors**

There should be an upfront requirement for a public land conservation reserve along the Merri Creek with a minimum width of 200 m on both sides of the creek, where it flows through urban areas. Tributaries should also have a conservation reserve, 50-100 m wide on both sides. Additional land should be set aside for recreational uses.

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<sup>1</sup> Through the Kilmore Gap in the Great Dividing Range to Port Phillip Bay and beyond. The Merri Creek valley is a particularly important movement corridor.



### **13. Any offsets for vegetation cleared in the north must be located in the north**

The SIA indicates that grassland cleared in the North Investigation Area will be offset in the two distant new reserves to the west of Melbourne. These reserves will contain a slightly different type of grassland, with lower rainfall and a different landscape context; they are not interchangeable with the grasslands of the north, even if offsets were acceptable.

For grassy woodlands, there is a vague statement about a network of small and large conservation reserves in the North Investigation Area and adjacent Green Wedge. It is unclear how these reserves will be created, managed and resourced. These provisions must be spelt out and commitments made to their implementation, as part of any approved Program.

### **14. Small/medium-sized conservation reserves can sustain biodiversity and social values**

Prescriptions that require a contiguous area of native vegetation of at least 150 ha for remnants to be retained (e.g. SIA p136) set the area threshold far too high. Scientific research and the on-ground experience of the Merri Creek Management Committee over the past 20 years demonstrate that small and medium-sized reserves (down to less than 1 ha in some situations) can sustain significant biodiversity values over the long term, given appropriate management. They can also have educational and amenity values for local communities.

### **15. Impacts of development in the catchment on in-stream biodiversity are inadequately assessed**

Impacts of urban development and infrastructure (such as sewage treatment plants) on in-stream biodiversity are not addressed. Urbanisation plus climate change will have compounding effects on stream hydrology and water quality. This is particularly relevant to EPBC-listed species such as the Growling Grass Frog.

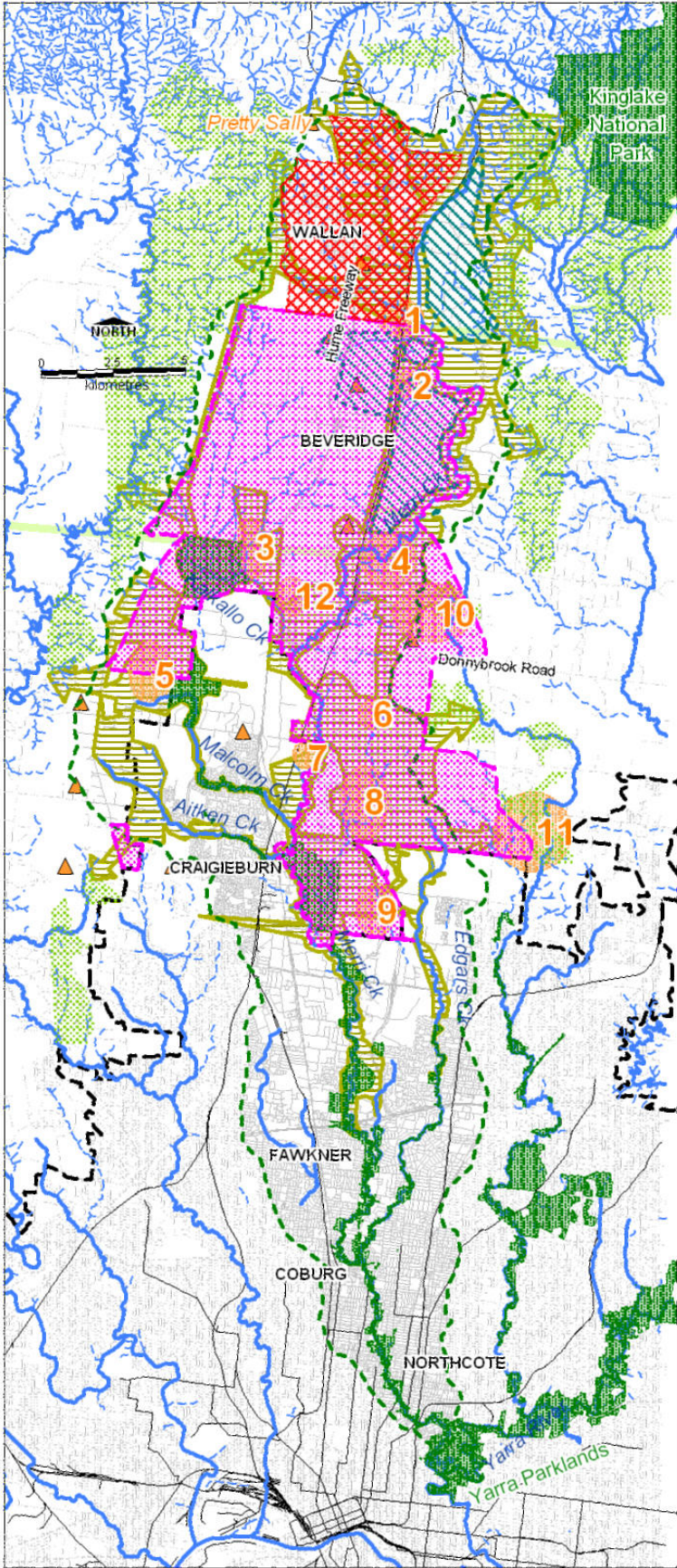
### **16. Over-reliance on Precinct Structure Planning process**

Many of the ‘details’ relating to biodiversity conservation are relegated to the Precinct Structure Planning process.






It is a cause for deep concern that the proposed Native Vegetation Precinct Plan for Truganina South (exhibited by the Growth Areas Authority in July 2009) allows the removal of all native vegetation in the precinct, subject to offsets in the grassland reserves proposed in this Program. This includes a total of 75 ha of endangered vegetation community, which we assume is Native Grassland of the VVP. If this precedent is to be established and repeated throughout the

proposed growth area precincts, it would be a disastrous outcome for the remnants of critically endangered vegetation communities.







**Much more should be done at the current strategic planning stage for proposed growth areas to lock in conservation measures that avoid clearing.** A conservation management plan should be required for all areas of native vegetation that are retained.



**Conservation Landscapes**

-  Merri Conservation Corridor Network
-  Existing Reserves
-  Biodiversity compatible farmlands
-  Biodiversity sites outside catchment area
-  Unreserved Key Biodiversity sites

1. Herne's Swamp
2. Camoola Swamp & Beveridge Rail Reserve
3. Kalkallo Grassland
4. Bald Hill Grassland
5. Mickleham Woodlands
6. Summerhill Rd Woodlands
7. Craigieburn North Grassy Woodlands
8. Craigieburn East Grasslands
9. Edgars Headwaters Woodlands
10. Woodstock Grasslands
11. Wollert Grassy Woodlands
12. Kalkallo Common Grasslands

-  **Proposed Urban Growth Boundary Extension**
-  Northern boundary of Green Wedges
-  Existing Urban Growth Boundary
-  Proposed Wallan Growth Boundary
-  Merri Catchment boundary
-  Volcanoes and eruption points