

Biodiversity Assessment at 489-555 Robinsons Road, Truganina, Victoria

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1 Introduction

Ecology and Heritage Partners Pty Ltd was commissioned by The Agar Family to conduct a biodiversity assessment at 489 - 555 Robinsons Road, Truganina, Victoria (Figure 1).

It is understood that the land parcel ('study area') is being considered for potential subdivision into four lots (Lot #'s 1 - 4) and a road comprising a total of approximately 15.29 hectares, with the balance of the study area noted as Lot A comprising 59.73 hectares (Reeds Consulting Pty Ltd 2015). Lots 1 - 4 are also proposed for industrial development under the current application (Figure 2).

The study area and surrounds have previously been subject to a strategic landscape planning assessment to inform the preparation of the Robinsons Road Employment Area South Precinct Structure Plan (PSP) and the accompanying Robinsons Road Employment Area South Native Vegetation Precinct Plan (NVPP). The Robinsons Road Employment Area South PSP and Robinsons Road Employment Area South NVPP were incorporated into the Melton Shire Planning Scheme as part of Amendment C65 on 24 March 2011. The NVPP is listed in the schedule to Clause 52.16 of the local planning scheme.

A portion of the Robinsons Road Employment Area South precinct is subject to the Outer Metropolitan Ring / E6 Transport Corridor (OMR). A Public Acquisition Overlay has been applied to this land designated for the OMR (DTPLI 2015).

The purpose of this report is to identify the ecological values known to, or likely to occur within the study area, and assess the potential implications associated with any proposed impacts to native vegetation. The following sections describe our assessment methodology and provide information on the potential regulatory and legislative implications associated with the proposed action.

2 Study Area

The study area is located at 489 - 555 Robinsons Road, Truganina, Victoria, approximately 22 kilometres west of Melbourne's CBD (Figure 1). The site covers approximately 74.6 hectares and is bound by Middle Road to the north, Robinsons Road to the east and undeveloped agricultural land to the west and south.

According to the Victorian Department of Environment, Land, Water and Planning (DELWP) Biodiversity Interactive Map (DELWP 2015a), the study area occurs within the Victorian Volcanic Plain Bioregion. It is located within the jurisdiction of the Port Phillip and Westernport Catchment Management Authority (CMA) and the Melton Shire Council municipality.

3 Methods

3.1 Desktop Assessment

Relevant literature, online-resources and numerous databases were reviewed to provide an assessment of flora and fauna values associated with the study area. The following information sources were reviewed:

- The DELWP Biodiversity Interactive Map (DELWP 2015a) for the extent of historic and current EVCs;
- The Native Vegetation Information Management (NVIM) Tool (DELWP 2015b) for modelled biodiversity data;
- The Victorian Department of Transport, Planning and Linear Infrastructure's (DTPLI) Planning Maps Online to ascertain current zoning and environmental overlays (DTPLI 2015);
- Robinsons Road Employment Area South Native Vegetation Precinct Plan, February 2011 (Shire of Melton 2011);
- Aerial photography of the study area; and,
- Relevant environmental legislation and policies.

3.2 Site Inspection

A field assessment of the study area was undertaken by a qualified ecologist on 30 July 2015. The inspection sought primarily to provide ground-truthing of information provided by the desktop assessment, particularly in relation to the following:

- Extent and type of native vegetation as identified in the NVPP; and,
- Potential habitat for species and ecological communities listed under the EPBC Act and FFG Act.

3.3 Limitations

The field assessment was undertaken during a sub-optimal season for the identification of flora and fauna species (mid-winter). The short duration and sub-optimal timing of the survey meant that migratory, transitory or uncommon fauna species may have been absent from typically occupied habitats at the time of the field assessment. In addition, annual or cryptic flora species such as those that persist via underground tubers may also be absent. Targeted flora or fauna surveys were not undertaken, as this was beyond the preliminary scope. A habitat hectare assessment was deemed unnecessary as the extent and quality of native vegetation is already noted in the NVPP. Nevertheless, the terrestrial flora and fauna data collected during the field assessment and information obtained from relevant desktop sources is considered adequate to provide an accurate and indicative assessment of the ecological values present within the study area.

4 Results

4.1 Vegetation

4.1.1 Remnant Patches

Vegetation within the study area is dominated by grassland, located throughout the property. Based on the site assessment, native grassland within the study area is consistent with Plains Grassland Ecological Vegetation Class (EVC). This is broadly consistent with extant DELWP mapping which shows the study area and surrounds containing scattered occurrences of Plains Grassland (DELWP 2015b).

Vegetation within the study area comprises a mixture of exotic pasture (wheat) and native grassland of poor to moderate quality (Plate 1; Plate 2). Native grasses are present throughout areas not affected by agricultural activities and include Kangaroo Grass *Themeda triandra*, Common Wallaby-grass *Rytidosperma caespitosa* and Kneed Spear-grass *Austrostipa bigeniculata* (Plate 1-3). A number of herbs are also present such as Sheeps Burr *Acaena echinata*, Common Woodruff *Asperula conferta* and Grassy Bindweed *Convolvulus remotus*. The State-significant Arching Flax-lily *Dianella* sp. aff. *longifolia* (Benambra) (listed as Vulnerable [DEPI 2014]) was also recorded in the west of the study area (Plate 4).

Introduced species were relatively common, with African Box-thorn *Lycium ferocissimum*, Serrated Tussock *Nassella trichotoma* and Artichoke Thistle *Cynara cardunculus* present throughout the native grassland (Plate 3).

4.1.2 Scattered Trees

No scattered trees were recorded within the study area, or are proposed to be impacted by the development.



Plate 1. Remnant grassland in Lot A (Plains Grassland EVC)



Plate 2. Remnant grassland and exotic pasture in Lot A (EVC)

4.2 Fauna Habitat

Native grassland within the study area provides low to moderate quality habitat for native fauna. Native birds and any larger mammals are unlikely to rely on these grasslands for refuge, roosting, nesting and foraging purposes. Large numbers of White-plumed Honeyeater *Lichenostomus penicillatus* and Red Wattlebird *Anthochaera carunculata* were observed near the study area during the assessment, with smaller native mammals and reptile species likely to use the native grassland vegetation for refuge and foraging purposes.

Due to the highly disturbed condition of the areas comprised of exotic pasture, it is not considered that these areas provide important habitat for any significant fauna.



Plate 3. Low quality Plains Grassland



Plate 4. State significant Arching Flax-lily

4.3 Robinsons Road Employment Area South NVPP

The Robinsons Road Employment Area South NVPP summarises the native vegetation approved for retention and removal within the Robinsons Road Employment Area South PSP. Where vegetation is permitted to be removed, a permit is not required provided the conditions and requirements specified in the NVPP are met. All vegetation losses must be offset in accordance with Table 2 of the Robinsons Road Employment Area South NVPP, or via any proposed variation to the offset strategy to the satisfaction of DELWP.

In accordance with Table 2 and Map 2 of the NVPP (Figure 2), all native vegetation within the Robinsons Road Employment Area South PSP is permitted to be removed, destroyed or lopped, subject to the requirements and conditions specified in the NVPP. There are no patches of native vegetation or scattered trees specified to be retained and protected.

4.3.1 Vegetation Impacts and Offset Obligations

All native vegetation identified in the NVPP is situated in Lot A of the plan of subdivision (Figure 2b), with no development of this lot proposed under the current planning application.

Although Lots 1 - 4 are proposed to be developed, these lots are situated wholly within areas comprised of exotic pasture. As such, no native vegetation as identified in the Robinsons Road Employment Area South

NVPP is proposed to be impacted as part of the current application for subdivision and development, and no offset obligations are triggered.

Any future development of Lot A that proposes to impact native vegetation will be required to address the permit and offset conditions, and requirements detailed in the NVPP.

5 Legislative and Policy Implications

5.1 Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) establishes a Commonwealth process for the assessment of proposed actions (i.e. project, development, undertaking, activity, or series of activities) likely to have a significant impact on matters of National Environment Significance (NES), or those that are undertaken on Commonwealth Land.

The Robinsons Road Employment Area South PSP (PSP 29) is outside the Program area subject to the existing bilateral approval between the Commonwealth and the State of Victoria relating to the Melbourne Strategic Assessment (DSE 2009). As such, there is no pre-existing approval addressing impacts to matters of National Environmental Significance (NES) under the EPBC Act.

Due to the eastern half of the study area being wholly comprised of exotic pasture, the current application is unlikely to have a significant impact on any matter of NES. As such, a referral to the Commonwealth Environment Minister is not required regarding matters listed under the EPBC Act.

Any future development of Lot A should address potential impacts to matters of NES (particularly the nationally significant fauna Striped Legless Lizard *Delma impar* and Golden Sun Moth *Synemon plana*, the nationally significant flora Spiny Rice-flower *Pimelea spinescens* subsp. *spinescens*, and the nationally significant community Natural Temperate Grassland of the Victorian Volcanic Plain).

If the future development of Lot A is likely to impact upon any matters of NES, the activity should be referred to the Commonwealth Environment Minister for consideration.

5.2 Flora and Fauna Guarantee Act 1988

The FFG Act is the primary legislation dealing with biodiversity conservation and sustainable use of native flora and fauna in Victoria. Proponents are required to apply for an FFG Act Permit to 'take' listed and/or protected¹ flora species, listed vegetation communities and listed fish species in areas of public land (i.e. within road reserves, drainage lines and public reserves). An FFG Act permit is generally not required for removal of species or communities on private land, or for the removal of habitat for a listed terrestrial fauna species.

There is suitable habitat within the study area for several species listed or protected under the FFG Act. However the study area is privately owned, as such a permit under the FFG Act is not required.

¹ In addition to 'listed' flora species, the FFG Act identifies 'protected' flora species. This includes any of the Asteraceae (Daisies), all orchids, ferns (excluding *Pteridium esculentum*) and Acacia species (excluding *Acacia dealbata*, *Acacia decurrens*, *Acacia implexa*, *Acacia melanoxylon* and *Acacia paradoxa*), as well as any taxa that may be a component of a listed ecological community. A species may be both listed and protected.

5.3 Planning and Environment Act 1987

The *Planning and Environment Act 1987* outlines the legislative framework for planning in Victoria and for the development and administration of planning schemes. All planning schemes contain native vegetation provisions at Clause 52.17, which require a planning permit from the relevant local Council to remove, destroy or lop native vegetation on a site of more than 0.4 hectares, unless an exemption under clause 52.17-7 of the Victorian Planning Schemes applies or a subdivision is proposed with lots less than 0.4 hectares².

5.3.1 Local Planning Schemes

The study area is located within the Melton Shire Council municipality. A Planning Permit from Melton Shire Council is not required to remove or disturb any native vegetation within the precinct provided impacts are in accordance with the Robinsons Road Employment Area South NVPP.

5.4 Robinsons Road Employment Area South NVPP

The Robinsons Road Employment Area South NVPP summarises the native vegetation approved for retention and removal within the Robinsons Road Employment Area South PSP. Where vegetation is permitted to be removed, a permit is not required provided the conditions and requirements specified in the NVPP are met.

No native vegetation is proposed to be impacted under the current application.

5.5 Catchment and Land Protection Act 1994

The *Catchment and Land Protection Act 1994* (CaLP Act) contains provisions relating to catchment planning, land management, noxious weeds and pest animals. Landowners are responsible for the control of any infestation of noxious weeds and pest fauna species to minimise their spread and impact on ecological values.

A number of weeds listed as noxious under the CaLP Act were recorded during the assessment (Artichoke Thistle, African Box-thorn, and Serrated Tussock), predominantly within Lot A. Similarly, there is evidence that the study area is currently occupied by several pest fauna species listed under the CaLP Act (European Rabbit). A Weed Management Plan and a pest fauna eradication plan may be required.

² In accordance with the Victorian Civil and Administrative Tribunal's (VCAT) decision *Villawood v Greater Bendigo CC* (2005) VCAT 2703 (20 December 2005) all native vegetation is considered lost where proposed lots are less than 0.4 hectares in area and must be offset at the time of subdivision.