



8 July 2009

Luisa Macmillan
 Manager
 Merri Creek Management Committee
 2 Lee Street
 East Brunswick 3057

Dear Luisa

Re: Analysis of Biodiversity Constraints within the Investigation Areas in the Growth Areas of Melbourne. SMEC (2009)

Following our meeting last week, I've briefly reviewed the above report. My comments focus on the main elements: objectives, methodology, technical content etc. rather than specifics.

Overall, the report does nothing to advance our knowledge of the areas under investigation, is technically flawed and falls well short of the stated objectives.

Background

SMEC fail to provide a context for the main biodiversity issues in the investigations area. These are well known by experienced biologists and their failure to do so is indicative of the technical flaws which follow. At a minimum the report requires a statement of the key issues [grasslands and grassy woodland (and component EVCs), other endangered EVCs, SLL, GSM, GGF, etc., etc.] and their relationship to the main legislative (EPBC, FFG) and policy (Net Gain) drivers.

Methodology

The methodology is seriously limited. There is a fundamental disconnect between the objectives and the methods employed. The report does not explain how a very basic desktop review can:

'.....determine any land, to be retained because of biodiversity significance' (Objective 1)

or

'.....inform the Governments impact report of possible change to the UGB and UGZ under the terms of the Commonwealth EPBC Act 1999 ...' (Objective 2)

SMEC's API methodology adds little to the existing information. Indeed by erecting highly questionable vegetation categories, the authors merely add a layer of confusion to the existing data. The 'rapid' field assessment to undertake some '.... on ground composition assessment ...' and '.....qualitative vegetation assessment' has no explanation as to what this means in terms of accepted practice.

Further, SMEC's treatment of the 'likelihood of Threatened Species' is at best preliminary:

Flora and Fauna Consultants

88 B Station Street, Fairfield 3078 Tel: (03) 9489 4191 Fax: (03) 9481 7679

Email: admin@ecologyaustralia.com.au

A.B.N. 83 006 757 142

- The 'Habitat preference' information (Appendix E) for flora and fauna is taken only from mainstream texts, suggesting a very limited understanding of the taxa involved and the prevailing conditions in study areas.
- The likelihood categories are poorly conceived and articulated.
- There is no discussion of the relative importance of the various species to decision making.

The footnote states that the 'likelihood' section is a guide only, which further questions whether this adds anything to our current knowledge.

Limitations (page 19)

This section openly reinforces the above comments. The methods are simply inadequate for the study's objectives.

Investigation Areas

This section covers the nine areas under investigation. The information provided is a direct result of the limited and technically questionable methodology. The information is general, list-orientated, and provides no prioritisation of issues nor their relationship to the major legislative and policy drivers.

Discussion and Recommendations

Identifying Key Constraints

SMEC base this section on their vegetation categories, likelihood of threatened species and other area attributes. Considering the technical problems with the first two categories, the basis of constraints should default to the existing data bases. The information provided is overly speculative as SMEC weight their (flawed) vegetation categories, provide scant treatment of key values nor provide recommendations for further work (although this is ultimately covered in the GAP Analysis).

The report further states that '.... SMEC recommends offsetting any further loss with appropriate revegetation work and habitat improvement works and/or the creation of biodiversity links and corridors ...' The offset policy and requirements will be set by the states' Vegetation Framework (Net Gain) and DEWRA (EPBC) – these major determinants of if, when and how offsets can proceed are simply not mentioned!

Planning Ecological Resilient Landscapes

The report outlines some of the ecological principles which need to be considered, but at a very introductory level. The relevance to the investigation area of such a generalised treatment is limited, and the authors fail to comprehend that the EPBC, FFG, the capacity to offset losses (EPBC and Net Gain), and regional strategies and other interests will play a major role in influencing the outcome.

GAP Analysis

This section covers the inadequacies of the balance of the report. It appears to have been written or substantially compiled by a third party. The language and technical content are at odds with the preceding chapters. It clearly articulates the issues and what is required.

The report's Executive Summary makes no mention of the GAP Analysis.

Overall, the SMEC report is completely inadequate for its intended purpose. It is essentially a desktop review of readily available data sets, confused by technically flawed categories and classifications developed by the authors. It adds little to our knowledge and lacks any analysis of the pre-eminent biological issues and the main legislative and policy drivers.

On other matters, the proposed grassland reserve to the west of Melbourne would not adequately represent the values in the Merri Creek catchment, nor satisfactorily meet EPBC and Net Gain offsets on a like-for-like basis. While this needs more careful thought the issues that come to mind include:

- Representativeness – the 'R' in the CAR reserve system, applied widely across the state as part of the RFA process. Simply, does the western grassland reserve Adequately ('A') represent the values in the northern extension encompassing the Merri Creek catchment?
- The biophysical differences: rainfall, geology, topography, etc.;
- EVCs or Floristic Communities common in the north but absent/very restricted in the west, e.g.:
 - Grassy Woodland (of the Volcanic Plain) – now EPBC listed as critically endangered;
 - Common Tussock-grass (*Poa labillardieri*) Floristic Community of the EPBC-listed Natural Temperate Grasslands and FFG-listed Plains Grassland;
 - Presence/absence or substantial differences in abundance of EPBC, FFG or Advisory list taxa, e.g. *Dianella amoena*;
 - Fauna assemblages – including the influence of the foothill habitats in the headwaters of Merri Creek.

Overall, there will be a number of biodiversity items that are well represented in the proposed Merri Creek UGB extension that are either not present or poorly represented in the west.

I hope this adds to the dialogue.

Regards



Andrew McMahon
Director and Principal Ecologist