

DELIVERING MELBOURNE'S NEWEST SUSTAINABLE COMMUNITIES



PROGRAM REPORT

DECEMBER 2009



DISCLAIMER

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PART 1: PROGRAM OVERVIEW

1. INTRODUCTION

The Victorian Government has entered into an agreement with the Commonwealth Government, under section 146 of the *Environment Protection and Biodiversity Conservation Act 1999*, to conduct a strategic assessment of the potential impact of the Program ‘*Delivering Melbourne’s newest sustainable communities*’ on matters of national environmental significance.

Matters of national environmental significance are identified under the *Environment Protection and Biodiversity Conservation Act 1999*, including threatened species and ecological communities, migratory species, world and national heritage properties and Ramsar wetlands. The undertaking of any action that could have an impact on a matter of national environmental significance requires approval from the Commonwealth Minister for the Environment, Heritage and the Arts.

The Program seeks to expand Melbourne’s Urban Growth Boundary to develop residential and employment areas and related infrastructure (including transport, utility and social infrastructure, commercial and industrial activities, quarrying and related land use and development) within the growth areas and to construct the Regional Rail Link (west of Werribee to Deer Park) and Outer Metropolitan Ring/E6 Transport Corridor.

In addition to the strategic assessment process, the Program will be subject to assessment and approvals processes under Victorian legislation.

1.1 PURPOSE OF THIS DOCUMENT

The purpose of this report is to specify the Program and to identify the processes and mitigation measures that the Victorian Government will use to implement the Program.

The Victorian Government aims to provide certainty to the Commonwealth Government that the likely impacts of implementing the Program on matters of national environmental significance will be managed through the process of urban and infrastructure development and proposed mitigation measures.

References to legislation in this document are provided generally for background information and contextual purposes. Any amendment to this legislation not affecting conservation activities or any other measures required by this document does not interfere with the applicability or requirements of the Program.

Similarly, references to the names of Commonwealth and Victorian Government Departments and portfolio agencies are correct as at the time of publication. Any change in the names of these entities will not, of itself, interfere with the applicability or requirements of the Program.

1.2 DEFINITION OF THE PROGRAM

The Program means the Urban Growth Boundary Review for Melbourne being undertaken by the State of Victoria and announced on 2 December 2008, for the development of land, including transport infrastructure, within:

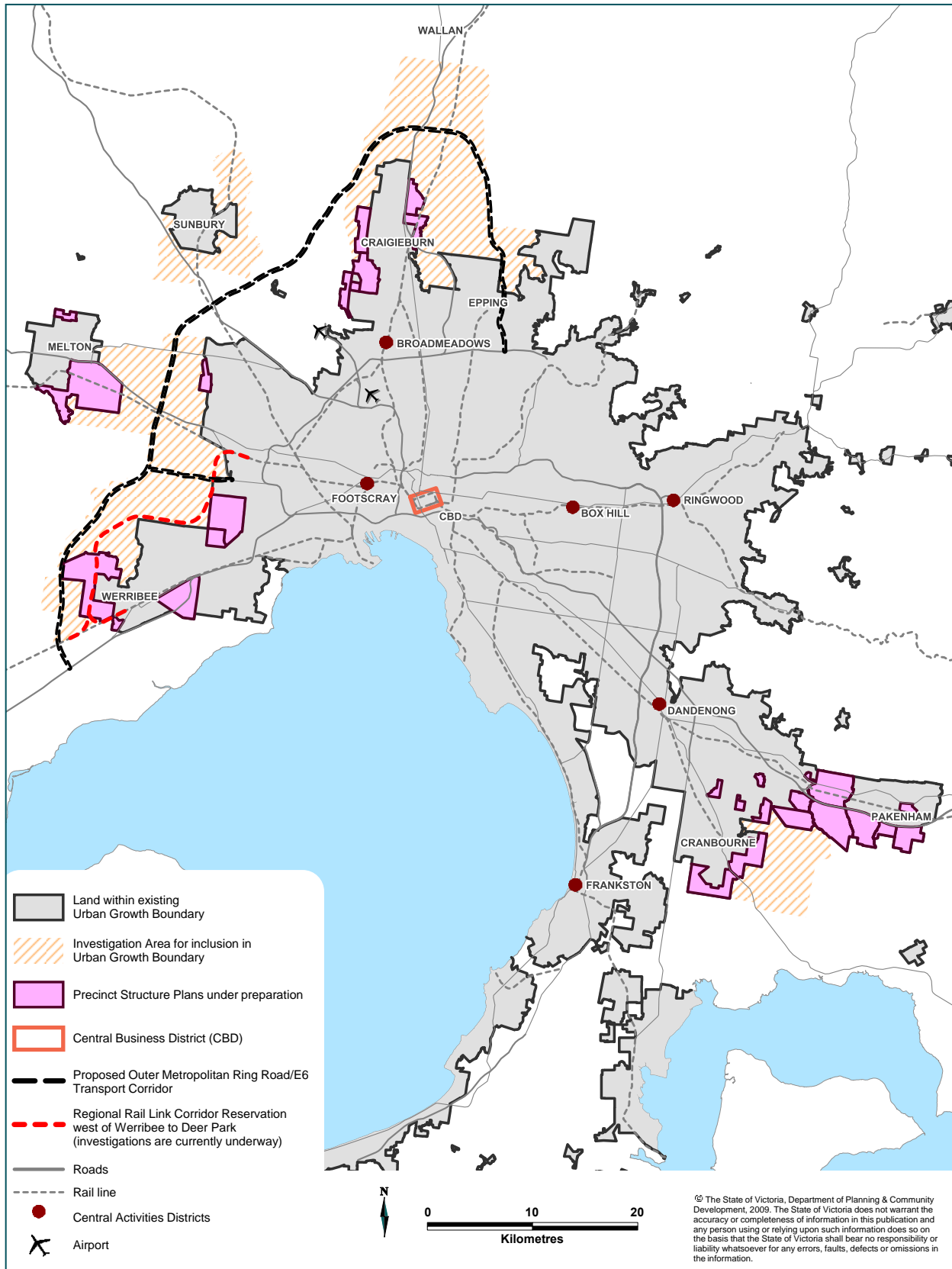
- i. the investigation areas shown in the *Melbourne 2030: a planning update, Melbourne @ 5 million Report* (published by the State of Victoria in December 2008) including the subsequent extension to these areas as shown on Map 1;
- ii. areas inside the existing Urban Growth Boundary for which a planning scheme amendment to introduce a Precinct Structure Plan has not commenced to be exhibited or does not remain on exhibition under sections 17-19 of *The Planning and Environment Act 1987 (Vic)* as at 26 May 2009, as shown on Map 1;
- iii. areas in the Outer Metropolitan Ring Transport Corridor, the E6 Transport Corridor and the Regional Rail Link Corridor between west of Werribee and Deer Park as discussed in *The Victorian Transport Plan* (published by the State of Victoria on 8 December 2008) as shown on Map 1.

This Program Report (this document) provides for the development and implementation of a number of individual plans and policies that will be relevant in the implementation of the wider Program. Where a plan, policy or other document is expressed in this Program Report (this document) as requiring the approval of the Commonwealth Minister, the Victorian Government will provide that policy or plan to the Commonwealth Minister in draft form before it is finalised and implemented. The Commonwealth Minister may approve the plan or policy, or require modifications to the plan or policy before deciding whether to approve it.

Any plan or policy referred to in this document that requires approval by the Commonwealth Minister will form part of the Program once it is approved by the Commonwealth Minister. Where a plan or policy is finalised and implemented without the prior approval of the Commonwealth Minister according to the process outlined above, it will not form part of the Program. Any subsequent variation to a plan or policy proposed by the Victorian Government will require the approval of the Commonwealth Minister before it forms part of the Program.

Within this broad definition, aspects of the Program may be defined more precisely in subsequent updates provided to the Commonwealth.

MAP 1: DEFINITION OF THE PROGRAM



1.3 PLANNING CONTEXT

The Victorian Government anticipates that an additional 600,000 new dwellings will need to be accommodated in Melbourne over the next 20 years of which 316,000 new dwellings will be located in the established areas and 284,000 will be located in the growth areas.

In order for Melbourne's outward growth to occur in a sustainable way, it is important that sufficient land is allocated for housing, retail, local employment, open space, recreational facilities, schools and other community infrastructure; and for major infrastructure corridors and regional employment areas.

The Program is driven by the Victorian Government's land use planning and transport policies (refer to Figure 1).

Melbourne 2030 – planning for sustainable growth (2002) is the Victorian Government's long-term plan to manage Melbourne's growing population over the next 25 years.

In *Melbourne 2030: a planning update – Melbourne @ 5 million (2008)*, the Victorian Government identified the need to review Melbourne's Urban Growth Boundary around the growth areas of Melbourne in response to population projections set out in *Victoria in Future 2008* showing Melbourne will reach five million people faster than anticipated.

The Victorian Government has also identified two major transport initiatives to facilitate Melbourne's growth: the Regional Rail Link and the Outer Metropolitan Ring / E6 Transport Corridor. These policy initiatives are set out in *The Victorian Transport Plan (2008)* and *Freight Futures: Victorian Freight Network Strategy (2008)*.

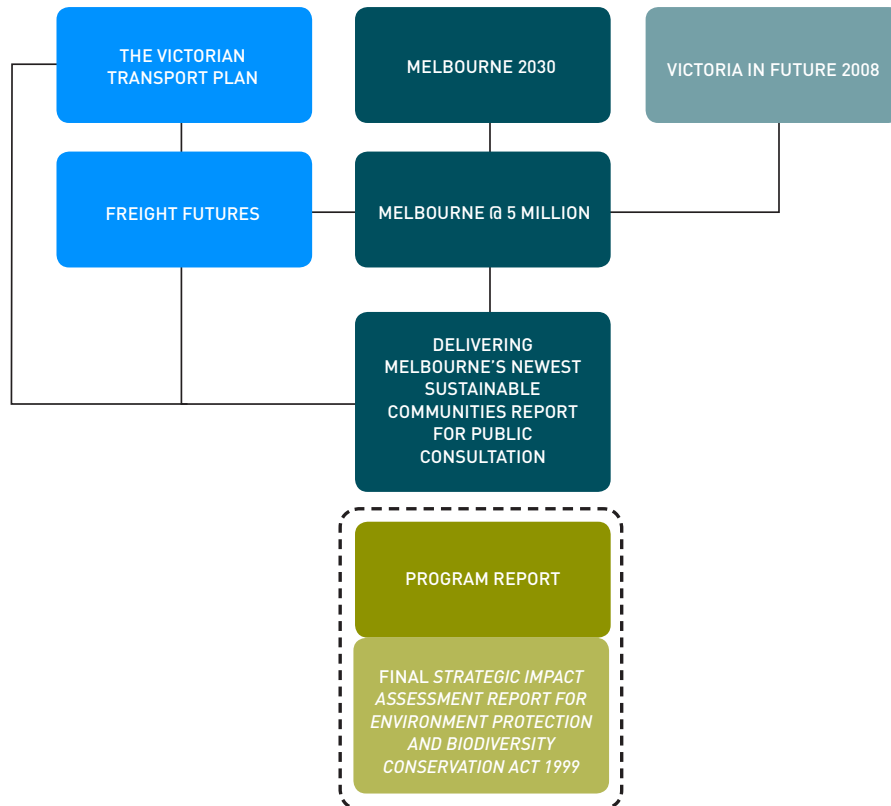
Delivering Melbourne's Newest Sustainable Communities Report for Public Consultation was provided for public comment in June 2009. Information was provided about the Program including the rationale and proposed location of:

- > Melbourne's revised Urban Growth Boundary and land for development;
- > The alignment of the Regional Rail Link (west of Werribee to Deer Park) and the Outer Metropolitan Ring / E6 Transport Corridor; and
- > Grassland reserves in Melbourne's west.

A draft *Strategic Impact Assessment Report for Environment Protection and Biodiversity Conservation Act 1999* was provided for public comment at the same time. This report outlined the strategic impact of the Program on matters of national environmental significance. The Victorian Government has considered all public comments received and has finalised this report.

The final *Strategic Impact Assessment Report for Environment Protection and Biodiversity Conservation Act 1999* report provides the basis for outlining how the potential impacts of the Program on matters of national environmental significance will be managed.

FIGURE 1: INTERACTION OF THIS PROGRAM REPORT WITH GOVERNMENT POLICY



1.4 STRUCTURE OF THIS REPORT

This report is structured as follows:

The remainder of **Part One** describes the Program.

Part Two explains the legislative and policy framework for implementing the Program, including the activity stages required, anticipated timeframes and roles of Victorian Government agencies.

Part Three sets out the Victorian Government’s management measures for addressing the impacts of the Program on matters of national environmental significance. It confirms the outcomes to be achieved for each matter and details the Victorian Government’s commitments to undertake specific mitigation activities, by indicating responsibilities, timeframes, resourcing and monitoring measures.

Part Four outlines the monitoring processes that will be effective during the development period and the commitments to evaluating the implementation of the Program. It also describes the adaptive management procedures for responding to new information and changing circumstances that may be introduced, reassessed and accounted for in implementing the Program.

2. PROGRAM DESCRIPTION

2.1 DESIGNATION OF AREAS FOR FUTURE URBAN DEVELOPMENT WITHIN AN EXPANDED URBAN GROWTH BOUNDARY

The detailed components of the Program, including the methodology for determining the expanded Urban Growth Boundary and land that will be protected for conservation within the expanded Urban Growth Boundary are set out in *Delivering Melbourne's Newest Sustainable Communities Report for Public Consultation* and the *Strategic Impact Assessment Report for Environment Protection and Biodiversity Conservation Act 1999*.

The expanded Urban Growth Boundary will extend the existing designated growth areas of Casey-Cardinia; Hume; Melton-Caroline Springs; Whittlesea and Wyndham (Refer to Maps 2 to 6). It will require Sunbury to be designated

a growth area. While Sunbury is located within the City of Hume, which is a growth area council, it is not within the designated Hume Growth Area.

Table 1 shows the amount of land that is considered to be suitable for urban development within the expanded Urban Growth Boundary.

TABLE 1: LAND SUITABLE FOR URBAN DEVELOPMENT WITHIN PROPOSED GROWTH AREAS

Growth area extension	Total land inside expanded Urban Growth Boundary (ha)	Total land suitable for development (ha)
Melbourne West (Melton-Caroline Springs and Wyndham growth areas)	17,480	10,710
Melbourne North (Whittlesea, Hume, Mitchell and part Melton growth areas)	21,235	10,135
Melbourne South-East	4,930	3,770

The remaining land is significantly constrained and not suitable for urban development due to a range of reasons including:

- > Land that is flood prone, including major drainage lines;
- > Land that is of high biodiversity and landscape value, such as volcanic cones;
- > Easements or sites for major public infrastructure such as electricity, gas, sewerage treatment, and major transport corridors; and
- > Buffers around industries (with adverse amenity potential) and quarries.

The following sites will be excluded from urban development due to their biodiversity values:

- > Ravenhall grassland – protected by the re-alignment of the Regional Rail Link.
- > Clarke Road grassland – one of two remaining sites of Small Golden Moth orchid in the world.
- > An additional 1200 hectares of Natural Temperate Grassland is excluded from urban development in the western and northern growth area.

- > 300 hectares of Grassy Eucalypt Woodland near Epping North is excluded from Urban Growth Boundary completely and is designated for protection.
- > An additional 650 hectares of Grassy Eucalypt Woodland in the north – part of a network of retained woodland, Natural Temperate Grassland, wetland and riparian habitat along Merri Creek and environs.
- > Truganina Cemetery grassland – one of a handful of sites for Button Wrinklewort, Matted Flax-lilly, Spiny Rice-flower and Large-fruit Groundsel.
- > Sections of the rail corridor in the Clyde area – which is one of the very few sites remaining of Maroon Leek-orchid.
- > Habitat for the Southern Brown Bandicoot near Cranbourne and in the south-west sector of the south-eastern growth area.
- > Three additional areas of grassland totalling approximately 300 hectares known to be some of the most important sites inside the Urban Growth Boundary for the Golden Sun Moth, located just south and north of Wyndham Vale and just north of Boundary Road.
- > Various conservation reserves with a range of national, state and local values including:
 - > Holden Flora and Fauna Reserve near Sunbury;
 - > Mt Ridley woodland near Craigieburn; and
 - > Craigieburn grassland reserve.
- > Waterways across Melbourne that protect riparian habitat and its use by threatened species such as Growling Grass Frog and Australian Grayling – including Kororoit Creek, Werribee River, Jackson's Creek, Emu Creek, Darebin Creek, Cardinia Creek; and Clyde Creek environs.

These areas are excluded from development in addition to the 15,000 hectares of grassland reserves to be established west and north of Werribee.

2.2 OUTER METROPOLITAN RING / E6 TRANSPORT CORRIDOR

The Outer Metropolitan Ring Transport Corridor is 70 kilometres long and it links Werribee, Melton, Tullamarine and Craigieburn/Mickleham and connects to the E6 Transport Corridor, which links Donnybrook to the Metropolitan Ring Road at Thomastown.

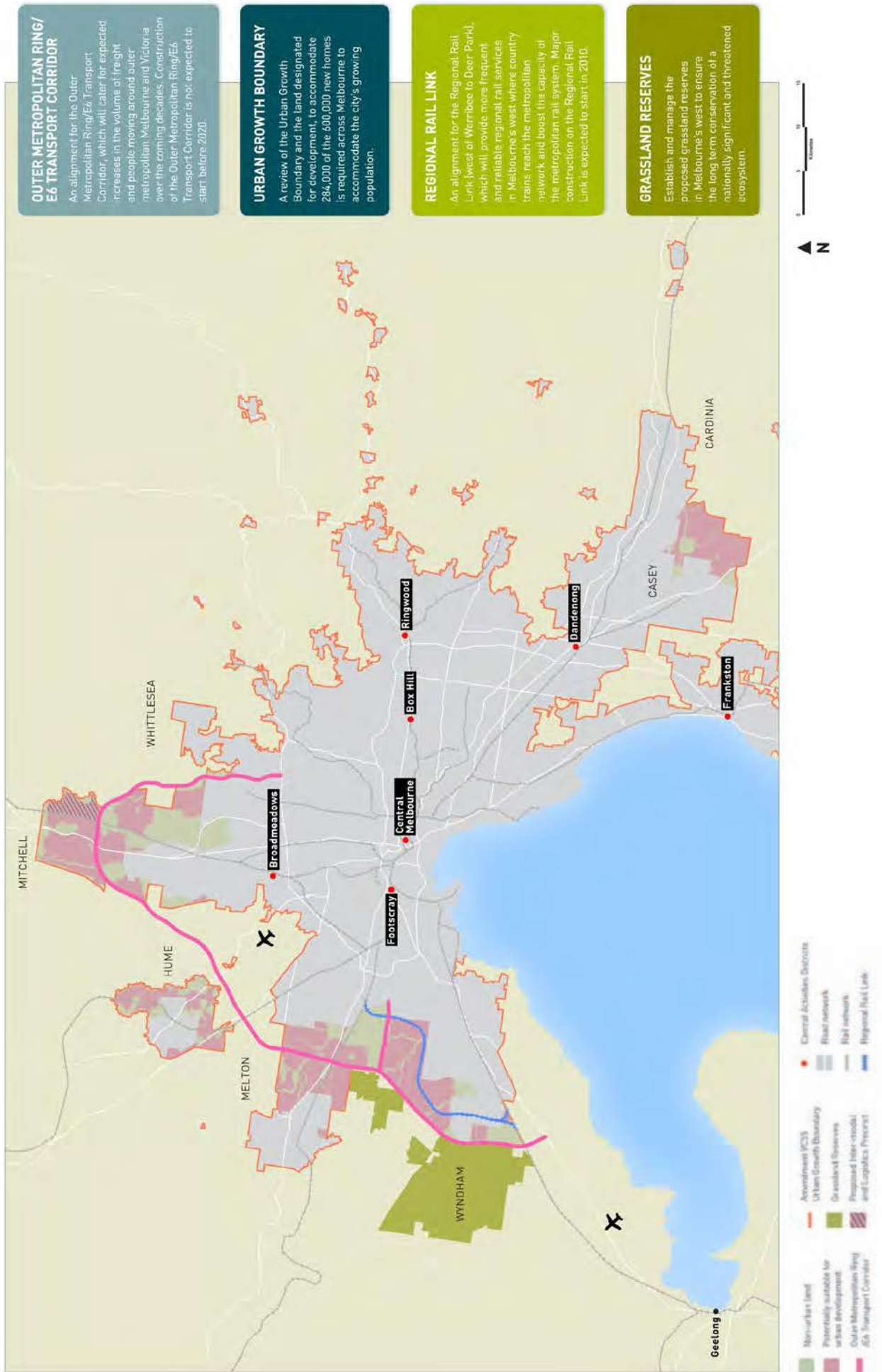
The final *Strategic Impact Assessment Report for Environment Protection and Biodiversity Conservation Act 1999* assesses the potential impacts of this final corridor on matters of national environmental significance.

2.3 REGIONAL RAIL LINK CORRIDOR (WEST OF WERRIBEE TO DEER PARK)

The Regional Rail Link is a 50 kilometre railway connection from west of Werribee to Southern Cross Station via the Melbourne-Ballarat railway, connecting at Deer Park. The Program is concerned with the west of Werribee to Deer Park section of the Regional Rail Link, which is approximately 30 kilometres long.

The final *Strategic Impact Assessment Report for Environment Protection and Biodiversity Conservation Act 1999* assesses the potential impacts of this final alignment on matters of national environmental significance.

MAP 2: DELIVERING MELBOURNE'S NEWEST SUSTAINABLE COMMUNITIES - PRINCIPAL INITIATIVES



OUTER METROPOLITAN RING/E6 TRANSPORT CORRIDOR
An alignment for the Outer Metropolitan Ring/E6 Transport Corridor, which will cater for expected increases in the volume of freight and people moving around outer metropolitan Melbourne and Victoria over the coming decades. Construction of the Outer Metropolitan Ring/E6 Transport Corridor is not expected to start before 2020.

URBAN GROWTH BOUNDARY
A review of the Urban Growth Boundary and the land designated for development, to accommodate 284,000 of the 500,000 new homes is required across Melbourne to accommodate the city's growing population.

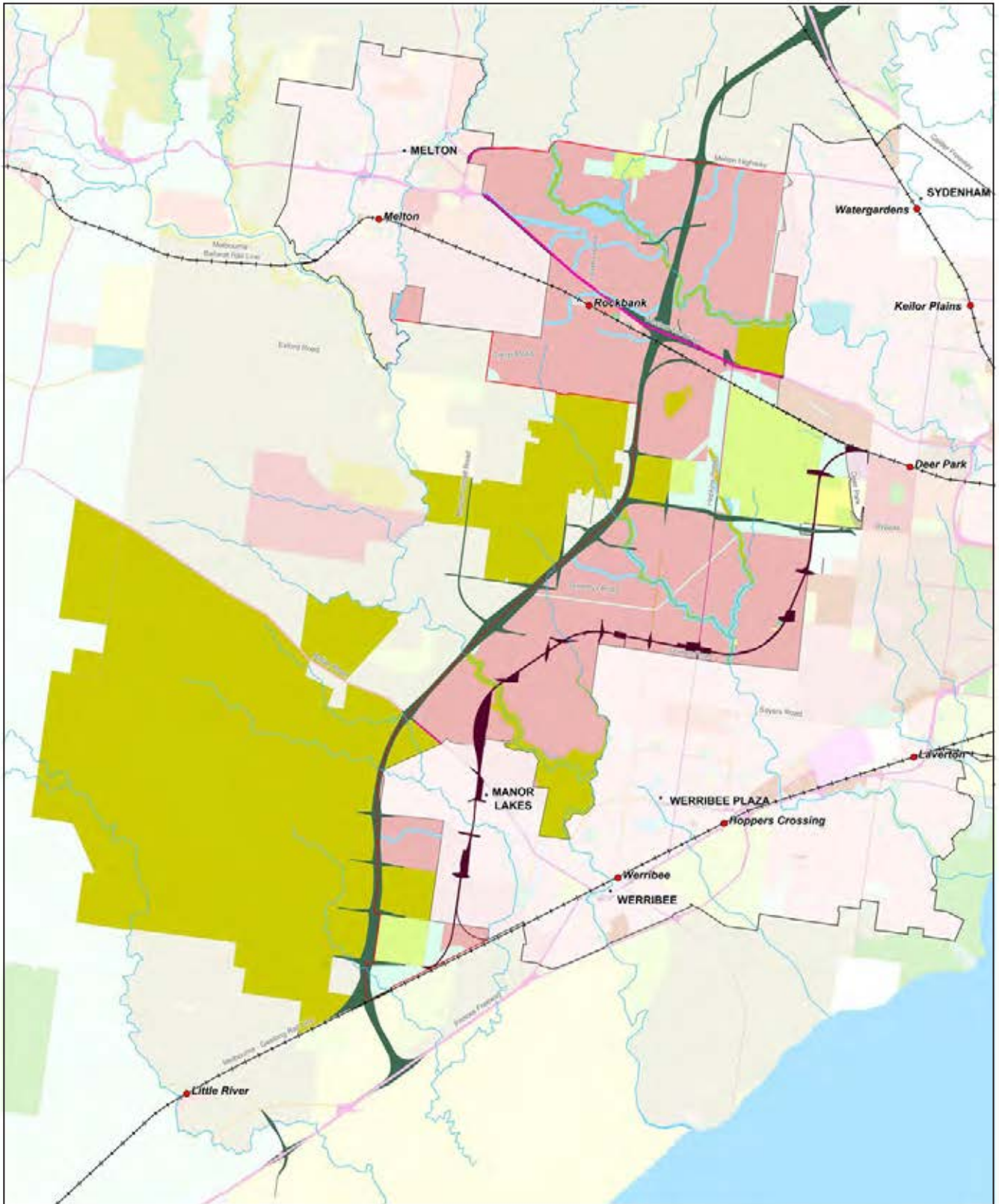
REGIONAL RAIL LINK
An alignment for the Regional Rail Link (west of Werribee to Deer Park), which will provide more frequent and reliable regional rail services in Melbourne's west where country trains reach the metropolitan network and boost the capacity of the metropolitan rail system. Major construction on the Regional Rail Link is expected to start in 2010.

GRASSLAND RESERVES
Establish and manage the proposed grassland reserves in Melbourne's west to ensure the long term conservation of a nationally significant and threatened ecosystem.

This map represents the information contained in Amendment VC56 as approved by the Minister for Planning, which is still subject to ratification by Parliament before the Amendment comes into operation. The boundaries of land suitable for urban development will be refined by Precinct Structure Plans.
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MAP 3: MELBOURNE'S WEST - ZONING MAP

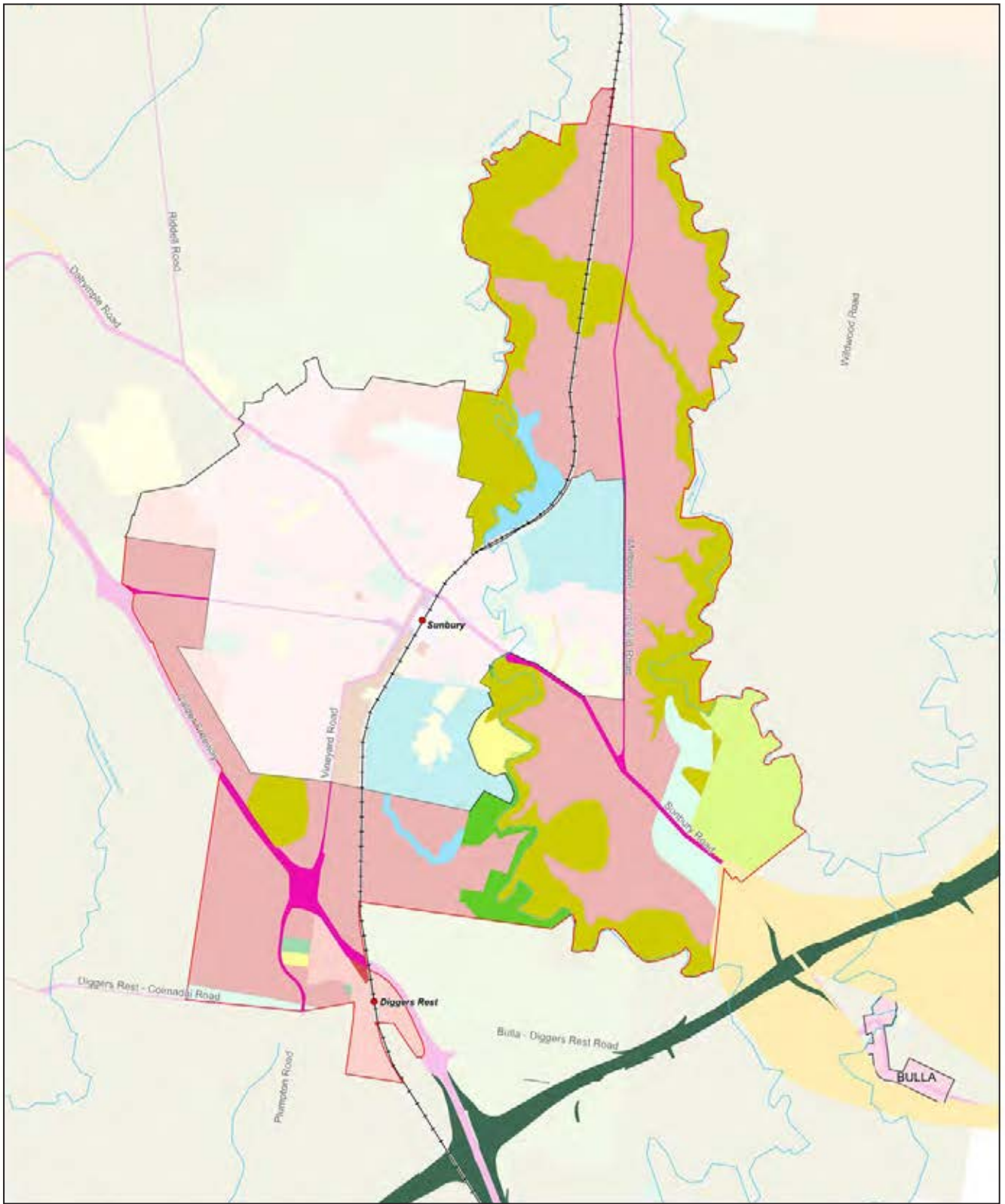


<ul style="list-style-type: none"> — Land within existing Urban Growth Boundary — Amendment VC55 Urban Growth Boundary — Regional Rail Link — Outer Metropolitan Ring/88 Transport Corridor (For contextual purposes the OAR/88 Transport Corridor and the RRL have been highlighted; the map does not show the zones underneath) 	<ul style="list-style-type: none"> ● Rail Line and Stations — Roads — Rivers / Creeks ● Locality 	<p>Planning Zones</p> <ul style="list-style-type: none"> Essential 1 Zone Essential 2 Zone Essential 3 Zone Low Density Residential Zone Mixed Use Zone Neighbourhood Zone Industrial 1 Zone Industrial 2 Zone Business 1 Zone Business 2 Zone Business 3 Zone Business 4 Zone Business 5 Zone Rural Living Zone Green Wedge Zone Open Space & Zone Rural Conservation Zone Farming Zone Special Activity Zone Public Use Zone (other than transport) Public Use Zone (transport) Public Park and Recreation Zone Public Conservation & Reserve Zone Road Zone - Category 1 Road Zone - Category 2 Special use Zone Comprehensive Development Zone Urban Fringe Zone Capital City Zone Darklands Zone Priority Development Zone Urban Growth Zone Activity Centre Zone 	<ul style="list-style-type: none"> □ Commonwealth Land (not to scale)
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MAP 4: SUNBURY – ZONING MAP



Legend

- Land with existing Urban Growth Boundary
- Amendment VC55 Urban Growth Boundary
- Investigation Area: Outer Metropolitan Ring/E5 Transport Corridor Link Road to Airport
- Outer Metropolitan Ring/E5 Transport Corridor
- For contextual purposes, the OMR has been highlighted, the map does not show the zones underneath
- Rail Line and Stations
- Roads
- Rivers / Creeks
- Locality

Planning Zones

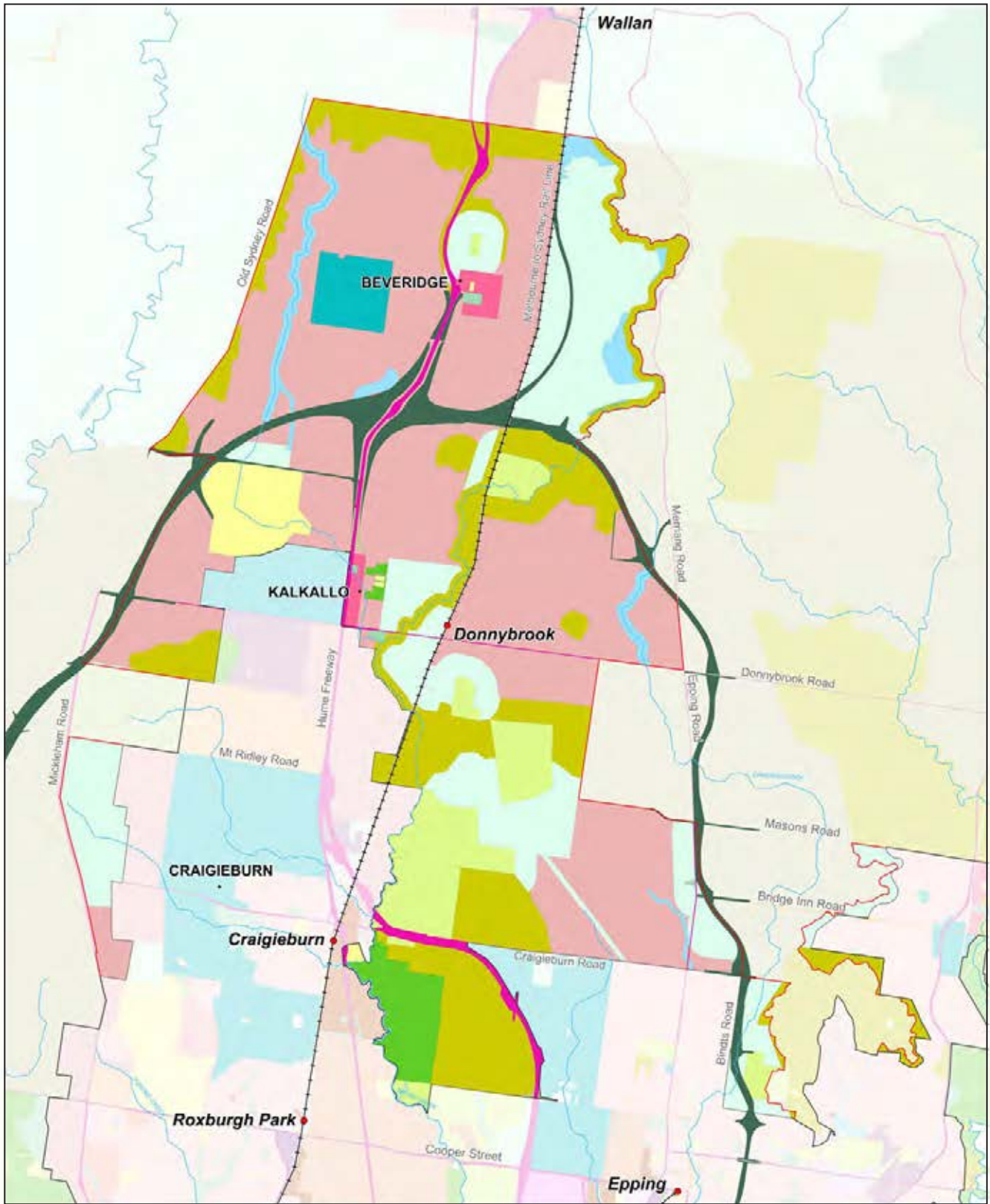
Residential 1 Zone	Industrial 1 Zone	Rural Living Zone	Public Use Zone other than transport	Special Use Zone
Residential 2 Zone	Industrial 2 Zone	Green Wedge A Zone	Public Use Zone (transport)	Compressed Development Zone
Residential 3 Zone	Industrial 3 Zone	Green Wedge B Zone	Public Park and Recreation Zone	Urban Floodway Zone
Low Density Residential Zone	Mixed Use Zone	Rural Conservation Zone	Public Conservation & Resource Zone	Capital City Zone
Mixed Use Zone	Township Zone	Farming Zone	Road Zone - Category 1	Documba Zone
Business 1 Zone	Business 2 Zone	Rural Activity Zone	Road Zone - Category 2	Priority Development Zone
Business 3 Zone	Business 4 Zone			Urban Growth Zone
Business 5 Zone				Activity Centre Zone

Continuously Land (not to be used)



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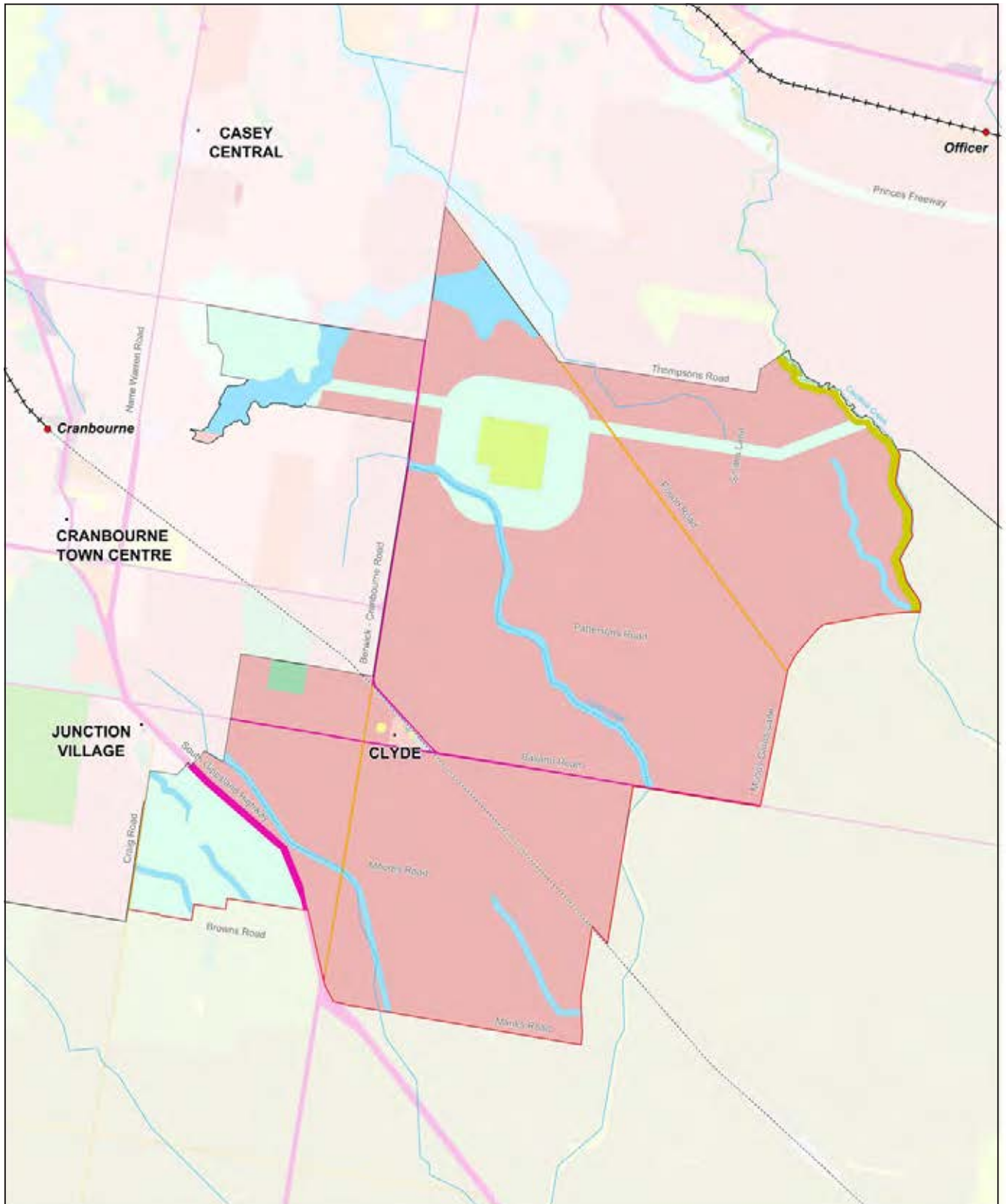
MAP 5: MELBOURNE'S NORTH - ZONING MAP



<ul style="list-style-type: none"> Land within existing Urban Growth Boundary Amendment VC55 Urban Growth Boundary Outer Metropolitan Ring Road Transport Corridor (For cartographic purposes the DMRRE Transport Corridor has been highlighted. This map does not show the zones underneath) 	<ul style="list-style-type: none"> Fast Line and Stations Roads Rivers / Creeks Locality 	<p>Planning Zones</p> <ul style="list-style-type: none"> Residential 1 Zone Residential 2 Zone Residential 3 Zone Low Density Residential Zone Mixed Use Zone Township Zone Industrial 1 Zone Industrial 2 Zone Industrial 3 Zone Business 1 Zone Business 2 Zone Business 3 Zone Business 4 Zone Business 5 Zone Rural Living Zone Green Wedge Zone Green Wedge A Zone Rural Conservation Zone Farming Zone Rural Activity Zone Public Use Zone (other than transport) Public Use Zone (transport) Public Park and Recreation Zone Public Conservation & Resource Zone Road Zone: Category 1 Road Zone: Category 2 Special use Zone Comprehensive Development Zone Urban Floodway Zone Capital City Zone Coastlands Zone Priority Development Zone Urban Growth Zone Activity Centre Zone Commonwealth Land (see in schedule)
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MAP 6: MELBOURNE'S SOUTH EAST – ZONING MAP



<ul style="list-style-type: none"> Land within existing Urban Growth Boundary Amendment VC55 Urban Growth Boundary Rail Line and Stations Rail Line - disused 	<ul style="list-style-type: none"> Roads Rivers / Creeks Locality 	<p>Planning Zones</p> <ul style="list-style-type: none"> Residential 1 Zone Residential 2 Zone Residential 3 Zone Low Density Residential Zone Mixed Use Zone Transit Zone Industrial 1 Zone Industrial 2 Zone Industrial 3 Zone Business 1 Zone Business 2 Zone Business 3 Zone Business 4 Zone Business 5 Zone Rural Living Zone Green Wedge Zone Green Wedge A Zone Rural Conservation Zone Farming Zone Rural Activity Zone Public Use Zone (other than transport) Public Use Zone (transport) Public Park and Recreation Zone Public Conservation & Resource Zone Road Zone - Category 1 Road Zone - Category 2 Special use Zone Competitive Development Zone Urban Freeway Zone Capital City Zone Doonlands Zone Priority Development Zone Urban Growth Zone Activity Centre Zone 	<ul style="list-style-type: none"> Commonwealth Land (not in schedule)
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2.4 GRASSLAND RESERVES

The Victorian Government has committed to establish two grassland reserves in Melbourne's west to offset the impact of development occurring within the expanded growth areas on the Natural Temperate Grasslands, as well as from constructing the Regional Rail Link (west of Werribee to Deer Park) and Outer Metropolitan Ring / E6 Transport Corridor.

While these grasslands have not been identified for possible development in the way the above areas have, they nevertheless do form an important part of the Program as they represent a substantial mitigation and offset measure for potential impacts on matters of national environmental significance.

The grassland reserves will be created through progressive acquisition by the State of Victoria of freehold land within the target areas and reservation for conservation purposes under the *Crown Land Reserves Act 1978*. This process will commence with the application of a Public Acquisition Overlay over the proposed grassland reserves. The Department of Sustainability and Environment will be the acquiring authority and will acquire all freehold land (excluding quarries) and reserve it by 2020. Land will be progressively handed over to Parks Victoria as land manager. The legal mechanisms and responsibility for establishing the grassland reserves are set out in Table 5.

The increased legal protection and improved management of grasslands within the reserves will create gains in native vegetation quality and extent. These gains will be made available (as native vegetation credits) for purchase by developers requiring offsets for permitted clearing in accordance with the Program. The calculation of native vegetation losses and gains (in habitat hectares), and like for like criteria for offsets will be in accordance with Victoria's Native Vegetation Management: A Framework for Action and related implementation tools. In some cases, where specified by prescriptions, offsets for threatened species in addition to native vegetation offsets in the Native Vegetation Framework may be required. The grassland reserves will also provide a source of these threatened species offsets where relevant.

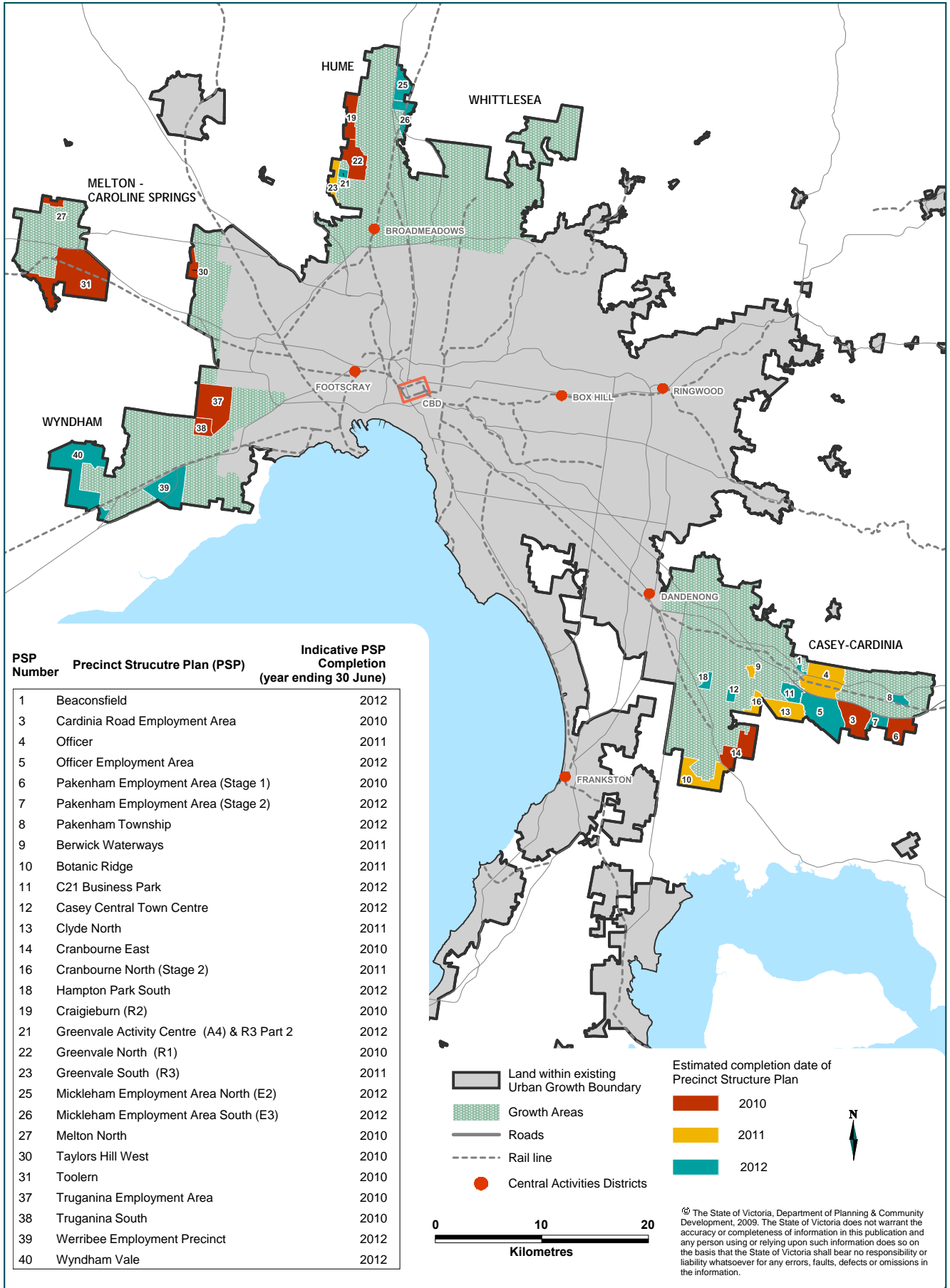
The process of creating, advertising and selling native vegetation credits will utilise the well established BushBroker® program. It is expected that developers requiring offsets for clearing native grasslands in accordance with the Program will purchase credits generated from the western grassland reserves, given the readily available source of offsets this process will provide.

Victoria will finalise a complete dataset of native vegetation type, extent and habitat score in 2010 for the Program Area, following further survey and consultation with stakeholders. The habitat scores determined and published as a result of this process will be used to calculate losses and offset liabilities for all future clearing in accordance with the Program. That is, the offset required for the removal of native vegetation will be calculated using these 2010 condition scores regardless of the condition of the vegetation at the time it is removed.

2.5 PRECINCTS WITHIN THE EXISTING URBAN GROWTH BOUNDARY

Map 7 (see next page) shows the location of precincts within Melbourne's five existing growth areas of Casey-Cardinia, Melton-Caroline Springs, Hume, Whittlesea and Wyndham that form part of the Program.

MAP 7: PRECINCT STRUCTURE PLANNING PROGRAM FOR PRECINCTS WITHIN THE EXISTING URBAN GROWTH BOUNDARY



2.6 SUMMARY OF ACTIVITIES UNDER THE PROGRAM

The relevant actions under the *Environment Protection and Biodiversity Conservation Act 1999* that are proposed to be implemented on the basis of the urban development Program are:

- 1) Clearing of a large proportion of remaining native vegetation within the expanded Urban Growth Boundary, subject to:
 - The completion of the precinct structure planning process in accordance with the Precinct Structure Planning Guidelines and associated Biodiversity Precinct Planning Kit.
 - The preparation and approval of Native Vegetation Precinct Plans, Biodiversity Plans and Conservation Management Plans (where required) as part of the amendment of relevant planning schemes.
 - Compliance with vegetation offset requirements established in accordance with the Native Vegetation Management Framework (2002).
 - Application of the prescriptions approved by the Commonwealth Minister for the Environment for management of Matters of National Environmental Significance for any activity undertaken as part of the Program of urban development.
- 2) Development of urban activities, including transport, utility and social infrastructure, residential, commercial and industrial activities, quarrying and related land use and development within the expanded Urban Growth Boundary, subject to:
 - Growth Area Framework Plans to be developed and approved in accordance with the *Planning and Environment Act 1987* and relevant planning policy.
 - The completion of the precinct structure planning process in accordance with the Precinct Structure Planning Guidelines.
 - Management of stormwater run-off from new urban areas consistent with best practice.
 - Compliance with vegetation offset requirements established in accordance with the Native Vegetation Management Framework (2002).
- 3) Application of prescriptions approved by the Commonwealth Minister for the Environment, Heritage and the Arts for management of matters of national environmental significance Development of the Regional Rail Link and the Outer Metropolitan Ring / E6 Transport Corridor infrastructure generally along alignments assessed in this strategic assessment, including the removal of habitats of listed species and communities, subject to:
 - Any requirements for further environmental assessment that may be required under the *Environment Effects Act 1978* or other applicable Victorian legislation (and conducted in consultation with the Department of Environment, Water, Heritage to inform final decisions on the alignments, design and environmental management of this infrastructure.
 - Compliance with vegetation offset requirements established in accordance with the Native Vegetation Management Framework (2002).
 - Application of prescriptions approved by the Commonwealth Minister for the Environment, Heritage and the Arts for the management of matters of national environmental significance.
 - Management of stormwater run-off from the Regional Rail Link and Outer Metropolitan Ring / E6 Transport Corridor consistent with best practice.

PART 2: PROGRAM IMPLEMENTATION

3. PROGRAM STAGES

The implementation of the Program is made up of four key stages as shown in Figure 2. These stages will occur in sequence, however there will be overlaps given the breadth of the Program.

FIGURE 2: STAGES OF PROGRAM IMPLEMENTATION



Stage 1 involves gaining Government approval of the Program. It is expected that specific conditions for implementation will be applied at this stage by the Commonwealth Government and Victorian Government.

Stage 2 will establish the planning mechanisms for implementing the various parts of the Program. This includes the preparation of urban planning frameworks (i.e. Growth Area Framework Plans and Precinct Structure Plans) and reservation of land for the transport corridors and grassland reserves. This stage also involves completing any land acquisition processes and the environmental assessment of any project works (such as the transport corridors) that could have significant environmental effects under Victorian law.

Stage 3 is when construction and works will occur in accordance with relevant frameworks and controls established at stage 2.

Stage 4 entails the ‘operation’ or use of the areas developed in accordance with the Program. This stage will include urban activity, use of transport infrastructure and ongoing management and use of the grassland reserves in accordance with approved plans.

PROGRAM EVALUATION

An evaluation of the Program will occur at all stages of implementing the Program. Monitoring and reporting processes are in place to ensure that the Program is implemented in accordance with the approvals by the Commonwealth Government and Victorian Government.

Compliance mechanisms are in place to ensure that, in the event the Program is not implemented in accordance with the approvals, appropriate action can be taken.

Adaptive management mechanisms are identified to ensure that as the context changes and new information emerges, matters of national environmental significance will be accounted for as part of implementing the Program.

Refer to Part 4 for further information about Program Evaluation.

4. LEGISLATION AND POLICY

Commonwealth Government and Victorian Government legislation, policy, strategies and plans that will inform processes and guide decision-making as the Program is implemented, are shown in Table 2.

The primary legislation that will apply at each stage of implementing the Program is shown in Table 3. Other legislation (not listed) may be triggered, depending on the nature of land use activity occurring (e.g. extractive industry and utilities).

The Planning and Environment Act 1987 is the primary legislation for regulating the Program. It provides for the preparation of a comprehensive set of provisions and policies for planning schemes, which regulate the use, development and conservation of land in Victoria.

The relevant planning policy mechanisms triggered by the legislation are detailed in the Implementation Framework.

TABLE 2: LEGISLATION AND POLICY RELEVANT TO THE PROGRAM

Category	Legislation	Policy & Strategy	Guidelines & Plans
Land Use and Development	<i>Planning and Environment Act 1987</i> <i>Extractive Industries Development Act 1995</i> <i>Pipelines Act 2005</i> <i>Transport Act 1983</i> <i>Mineral Resources (Sustainable Development) Act 1990</i> <i>Land Acquisition and Compensation Act 1986</i>	<i>Melbourne 2030 - planning for sustainable growth (2002)</i> <i>Melbourne 2030: a planning update - Melbourne @ 5 million (2008)</i> <i>The Victorian Transport Plan (2008)</i> <i>Freight Futures – Victorian Freight Network Strategy for a more prosperous and liveable Victoria (2008)</i> <i>Victoria in Future (2008)</i> <i>Planning for all of Melbourne (2008)</i> <i>A plan for Melbourne’s Growth Areas (2005)</i> <i>Relevant Council Planning Schemes</i> <i>A Fairer Victoria 2008: Strong People, Strong Communities (2008)</i> <i>Linking People and Spaces: A Strategy for Melbourne’s Open Space Network (2002)</i> <i>VicRoads Access Management Policies (2006)</i>	<i>Growth Area Framework Plans (2006)</i> <i>Precinct Structure Planning Guidelines (2009)</i> <i>A Strategic Framework for Creating Liveable New Communities (2008)</i> <i>Public Transport Guidelines for Land Use Development (2008)</i> <i>Activity Centre Design Guidelines (2005)</i> <i>Guidelines for Higher Density Residential Development (2004)</i> <i>Interim Design Guidelines for Large Format Retail Premises (2007)</i> <i>Safer Design Guidelines for Victoria (2005)</i> <i>Austroads Guides to Traffic Management</i> <i>Native vegetation management guide for the earth resources industries (2009)</i>
Ecologically Sustainable Development	<i>Environment Protection and Biodiversity Conservation Act 1999</i> <i>Environment Effects Act 1978</i>	<i>National Strategy for Ecologically Sustainable Development (1992)</i>	<i>Victoria’s Environmental Sustainability Framework (2005)</i> <i>Ministerial Guidelines for Environmental Assessment under the Environment Effects Act 1978</i>
Environmental Impact Assessment	<i>Environment Protection and Biodiversity Conservation Act 1999</i> <i>Environment Effects Act 1978</i>		<i>Ministerial Guidelines for Environmental Assessment under the Environment Effects Act 1978</i>

Category	Legislation	Policy & Strategy	Guidelines & Plans
Conservation of Biodiversity	<p><i>Environment Protection and Biodiversity Conservation Act 1999</i></p> <p><i>Flora and Fauna Guarantee Act 1998</i></p> <p><i>Wildlife Act 1975</i></p> <p><i>National Parks Act 1975</i></p> <p><i>Parks Victoria Act 1998</i></p> <p><i>Conservation Forests and Lands Act 1987</i></p> <p><i>Victorian Conservation Trust Act 1972</i></p> <p><i>Crown Land Reserves Act 1978</i></p>	<p><i>National Biodiversity Strategy (1996)</i></p> <p><i>Australian National Strategy for the Conservation of Australian Species and Communities Threatened with Extinction (1992)</i></p> <p><i>National Strategy for the Conservation of Australia's Biological Diversity (1996)</i></p> <p><i>Wetlands policy of the Commonwealth Government (1997)</i></p> <p><i>Ramsar Convention on Wetlands (1971)</i></p> <p><i>Victoria's Biodiversity Strategy (1997)</i></p> <p><i>Draft Ecological Character Description for Western Port and Port Phillip Ramsar sites</i></p> <p><i>Victoria's Native Vegetation Management: A Framework for Action (2002)</i></p>	<p><i>Western Port Ramsar Site Strategic Management Plan (2003)</i></p> <p><i>Victoria's Native Vegetation Management: A Framework for Action (2002)</i></p> <p><i>Action statements prepared under the Flora and Fauna Guarantee Act 1998</i></p> <p><i>Vegetation Quality assessment manual – Guidelines for applying the habitat hectares scoring method (2004)</i></p> <p><i>Native Vegetation: Guide for assessment of referred planning permit applications (2007)</i></p> <p><i>Native Vegetation: Vegetation Gain Approach (2006)</i></p> <p><i>Native vegetation: Revegetation planting standards (2006)</i></p> <p><i>Victoria Planning Provisions Practice Notes: Biodiversity (2002), Assessing applications involving native vegetation removal (2006)</i></p> <p><i>Port Phillip and Westernport Regional Native Vegetation Plan (2006)</i></p> <p><i>Biodiversity Precinct Structure Planning Kit (2009)</i></p>
Protection of Cultural Heritage	<p><i>Aboriginal Heritage Act 2006</i></p> <p><i>Aboriginal Heritage Regulations 2007</i></p> <p><i>Environment Protection and Biodiversity Conservation Act 1999</i></p> <p><i>Planning and Environment Act 1987</i></p> <p><i>Heritage Act 1995</i></p>	<p><i>Victorian Heritage Strategy: Strengthening our Communities (2006)</i></p>	<p><i>Guide to Preparing Aboriginal Heritage Management Plans (2008)</i></p> <p><i>Guidelines for Conducting Historical Archaeological Surveys (2008)</i></p>
Water Resources	<p><i>Water Act 1989</i></p> <p><i>Safe Drinking Water Act 2003</i></p> <p><i>Safe Drinking Water Regulations 2005</i></p>	<p><i>National Water Initiative Our Water our Future The White Paper (2004)</i></p> <p><i>Our Water, Our Future – The next stage of the Government's Water Plan (June 2007)</i></p> <p><i>National Water Quality Management Strategy (1992)</i></p> <p><i>Victorian River Health Strategy (2002)</i></p> <p><i>Central Region Sustainable Water Strategy (2004)</i></p> <p><i>Port Phillip and Westernport Regional Catchment Strategy (1997)</i></p> <p><i>Water Quality Improvement Plan for Port Phillip and Western Port</i></p>	<p><i>2004 Australian Drinking Water Guidelines</i></p> <p><i>ANZECC Guidelines 2000</i></p> <p><i>Australian Guidelines for Water Quality Monitoring & Reporting 2000</i></p> <p><i>Victorian River Health Program</i></p> <p><i>Waterway Management Guidelines</i></p>
Greenhouse Gas and Energy Efficiency	<p><i>Victorian Renewable Energy Act 2006</i></p> <p><i>Environment Protection and Biodiversity Conservation Act 1999</i></p> <p><i>Environment Protection (Environment & Resource Efficiency Plans) Regulations 2007</i></p> <p><i>Renewable Energy (Electricity Regulations) 2001</i></p> <p><i>National Greenhouse and Energy Reporting Act 2007</i></p> <p><i>National Greenhouse and Energy Reporting Regulations 2008</i></p>	<p><i>SEPP (Air Quality Management) 2001 (No.5.440)</i></p> <p><i>Victorian Greenhouse Strategy and Action Plan (Update 2005)</i></p> <p><i>Our Environment, Our Future – Sustainability Action Statement (2006)</i></p>	<p><i>Victorian Renewable Energy target Scheme Rules (2007)</i></p> <p><i>Protocol for Environmental Management: Greenhouse Gas Emissions and Energy Efficiency in Industry and associated toolkit (2002)</i></p> <p><i>Renewable Energy Action Plan (2006)</i></p> <p><i>Energy Efficiency for Victoria Action Plan (2006)</i></p>

Category	Legislation	Policy & Strategy	Guidelines & Plans
Environmental Protection and Management	<i>Environment Protection and Biodiversity Conservation Act 1999</i>	<i>SEPP (Air Quality Management) 2001 (No.S.240)</i>	<i>Environmental Guidelines for Major Construction Sites – EPA Publication 480 (1996)</i>
	<i>Environment Protection Act 1970</i>	<i>SEPP (Control of Noise from Commerce, Industry and Trade) No. N1 (1989)</i>	<i>Construction Techniques for Sediment Pollution Control -EPA Publication 275 (1991)</i>
	<i>Catchment and Land Protection Act 1994</i>	<i>SEPP (Ambient Air Quality) (1999)</i>	<i>Industrial Waste Management Policy (National Pollutant Inventory) (1998)</i>
	<i>Commissioner for Environmental Sustainability Act 2003</i>	<i>SEPP (Prevention & Management of Contaminated Land) No. S95 (2002)</i>	<i>Noise Control Guidelines – EPA Publication TG302/92 (1992)</i>
	<i>Ramsar Convention on Wetlands</i>	<i>SEPP (Groundwaters of Victoria) No. G12 (2002)</i>	<i>Classification of Wastes – EPA Publication 448 (2007)</i>
	<i>Environment Protection (Environment & Resource Efficiency Plans) Regulations 2007</i>	<i>Industrial Waste Management Policy (Acid Sulfate Soils) (1999)</i>	
	<i>Environment Protection (Prescribed Waste) Regulations 1998</i>	<i>PEM- Greenhouse Gas Emissions & Energy Efficiency in Industry (2002)</i>	
	<i>Environment Protection (Scheduled Premises and Exemptions) Regulations 2007</i>	<i>Industrial Waste Management Policy (Prescribed Industrial Waste) (2000)</i>	
		<i>Australian Standard AS 1940 Storage & Handling of Flammable & Combustible Liquids</i>	
		<i>Bunding Guidelines – EPA Publication 347 (1992)</i>	
	<i>SEPP (Waters of Victoria) (1988)</i>		
	<i>SEPP (Waters of Victoria) Schedule F8 Waters of Western Port and Catchment (2001)</i>		

TABLE 3: PRIMARY LEGISLATION APPLICABLE TO EACH STAGE OF PROGRAM IMPLEMENTATION

Legislation	Stage 1	Stage 2	Stage 3	Stage 4
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	●	●	●	●
<i>Planning and Environment Act 1987</i>	●	●	●	●
<i>Flora and Fauna Guarantee Act 1988</i>		●	●	●
<i>Wildlife Act 1975</i>		●	●	●
<i>Environment Effects Act 1978</i>		●	●	●
<i>Land Acquisition and Compensation Act 1986</i>		●		
<i>Aboriginal Heritage Act 2006</i>		●	●	
<i>Victorian Heritage Act 1995</i>		●	●	
<i>Crown Land Reserves Act 1978</i>		●	●	
<i>National Parks Act 1975</i>		●	●	
<i>Parks Victoria Act 1998</i>		●	●	●
<i>Environment Protection Act 1970</i>		●	●	●
<i>Catchment and Land Protection Act 1994</i>		●	●	●
<i>Conservation Forests and Lands Act 1987</i>		●	●	
<i>Victorian Conservation Trust Act 1972</i>		●		

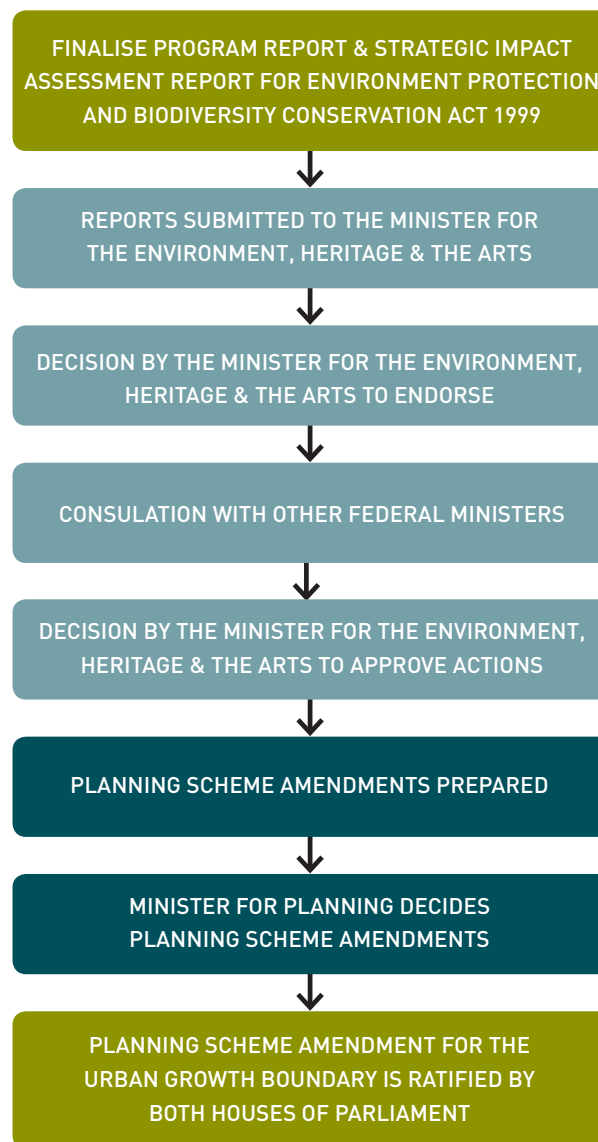
5. IMPLEMENTATION FRAMEWORK

This section outlines the decision-making processes and the planning and management mechanisms relevant to each implementation stage.

5.1 STAGE 1: PROGRAM APPROVAL

The main steps involved in the Program Approval stage are shown in Figure 3. The key legislation and mechanisms for enabling the Program to be approved are set out in Table 4.

FIGURE 3: PROCESS FOR STAGE 1 - APPROVAL



APPROVAL BY THE COMMONWEALTH GOVERNMENT

The Program requires endorsement by the Commonwealth Government, represented by the Minister for the Environment, Heritage and the Arts. Under section 146(2)(f) of the *Environment Protection and Biodiversity Conservation Act 1999*, the Minister may endorse the Program once he is satisfied that the implementation of the Program (as described in this Program Report and explained in the final *Strategic Impact Assessment Report for Environment Protection and Biodiversity Conservation Act 1999*) will appropriately minimise impacts on matters of national environmental significance.

Following the endorsement of the Program, the Commonwealth Minister for the Environment, Heritage and the Arts will consider whether to approve any actions or classes of actions that may result from implementing the Program in accordance with section 146B of the *Environment Protection and Biodiversity Conservation Act 1999*.

PLANNING SCHEME AMENDMENT

A key step in the approval process is an amendment to all Victorian planning schemes to give effect to the planning requirements for the Program under the *Planning and Environment Act 1987*.

The amendment will change the State Planning Policy Framework, Local Planning Policy Framework, and statutory planning tools (zones and overlays) of relevant planning schemes.

Land that is suitable for development and brought into the expanded growth areas is likely to be designated Urban Growth Zone, consistent with the intent of growth area planning.

Appropriate planning controls will be given to land designated for the transport corridors, grassland reserves and land identified as unsuitable for urban development within the expanded Urban Growth Boundary.

Other planning scheme amendments will be required to implement the Program in Stage 2, including the incorporation of Precinct Structure Plans and Native Vegetation Precinct Plans into relevant local planning schemes.

RATIFICATION BY PARLIAMENT

Under section 46AG of the *Planning and Environment Act 1987* any amendment to a metropolitan fringe planning scheme that amends or inserts an Urban Growth Boundary that has been approved by the Victorian Minister for Planning under section 35 must be ratified by both houses of Parliament.

TABLE 4: STAGE 1 – APPROVAL MECHANISMS

Ref	Legislation	Mechanism	Purpose	Responsibility	Timing*
S1.1	<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Program Report supported by <i>Strategic Impact Assessment Report for Environment Protection and Biodiversity Conservation Act 1999</i>	To enable endorsement of the Program. To enable approval of any actions or classes of actions resulting from the implementation of the Program	Commonwealth Minister for the Environment, Heritage and the Arts <i>Assisted by:</i> Department of the Environment, Water, Heritage and the Arts	Short term
S1.2	<i>Planning and Environment Act 1987</i>	Planning scheme amendments	To introduce the revised Urban Growth Boundary (ratification required by both Houses of Parliament) To rezone land within the Urban Growth Boundary for urban development (Urban Growth Zone) and to protect constrained areas (through applying other zoning) To apply the Public Acquisition Overlay to land identified for the transport corridors and grassland reserves	Victorian Minister for Planning <i>Assisted by:</i> Department of Planning and Community Development	Short term

* Notes to Timing:

Short term means the activity is expected to occur within the period 2010 to 2013.

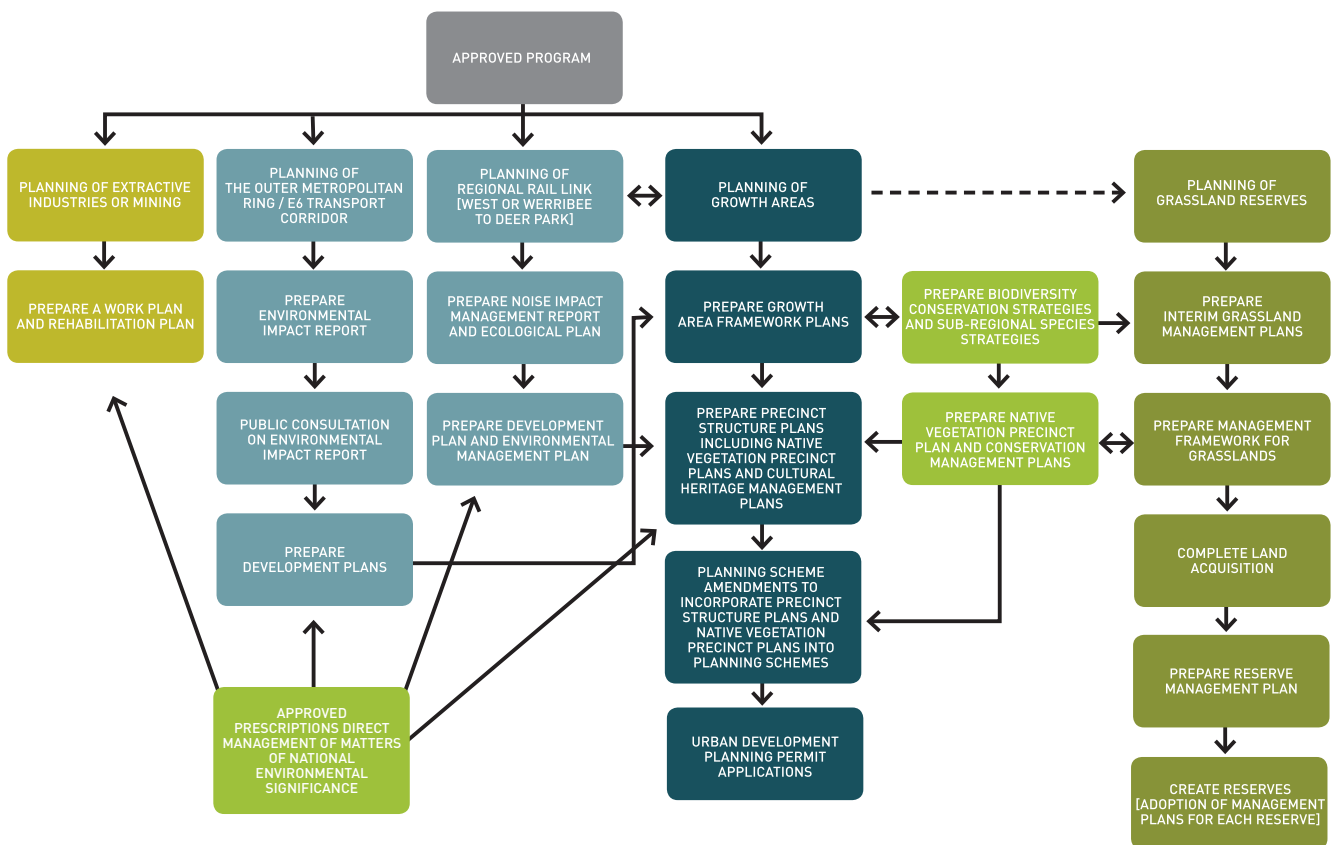
Medium term means the activity is expected to occur within the period 2014 to 2019.

Long term means the activity is expected to occur beyond 2020.

5.2 STAGE 2: PROCESS IMPLEMENTATION

The implementation process for each aspect of the Program is shown in Figure 4 and explained in Table 5.

FIGURE 4: PROCESS FOR STAGE 2 – IMPLEMENTATION



5.2.1 PLANNING OF GROWTH AREAS

Growth Area Framework Plans

Growth Area Framework Plans will be put in place to guide the creation of new communities within the growth areas. Growth Area Framework Plans set the regional framework for planning precincts within the growth areas based on the strategic directions of Melbourne 2030. They show broad land use patterns (including the location of principal and major activity centres) committed and proposed transport networks, regional open space, important direct waterways and areas of environmental sensitivity.

Growth Area Framework Plans are already in place for the existing growth areas of Casey-Cardinia, Hume, Melton-Caroline Springs, Wyndham and Whittlesea. These plans will be amended to cover the extended growth areas.

These amendments to the Growth Area Framework Plans will be developed following the finalisation of the Biodiversity Conservation Strategy prepared for each Growth Area, and the Sub-Regional Species Strategies, where relevant. Growth Area Framework Plans will be developed in a manner that is consistent with these Biodiversity Conservation Strategies and Sub-Regional Species Strategies, as approved by the Commonwealth Minister for the Environment, Heritage and the Arts.

The process will be led by the Growth Areas Authority in conjunction with the Department of Planning and Community Development and with involvement by Victorian Government departments and agencies and growth area councils. There will be an opportunity for the public to comment on the draft plans, which will also be submitted to the Department of Environment, Water, Heritage and the Arts for comment before finalisation.

Growth Area Framework Plans will be prepared once the new Urban Growth Boundary has been confirmed. The plans will be submitted to the Minister for Planning for approval and incorporated into relevant planning schemes.

Biodiversity Conservation Strategies

An overarching Biodiversity Conservation Strategy will be prepared for each of the expanded growth areas. These Strategies will inform the preparation of Growth Area Framework Plans and ensure high level guidance. They will outline how the areas of biodiversity value (state and commonwealth) within the growth areas will be managed and will spatially identify how outcomes for matters of national environmental significance will be delivered within the Growth Area. Each Biodiversity Conservation Strategy must be approved by the Commonwealth Government prior to the finalisation of Growth Area Framework Plans.

Sub-Regional Species Strategies

Sub-Regional Strategies will be prepared for some specific matters of national environmental significance such as the Growling Grass Frog; Southern Brown Bandicoot, and Golden Sun Moth.

These strategies will inform the preparation of Biodiversity Conservation Strategies by identifying important populations, areas to be retained (where known) as required by prescriptions and habitat links. They will influence negotiations and the design of precincts that will occur during the preparation of Precinct Structure Plans, as required by relevant prescriptions. Each Sub-Regional Strategy must be approved by the Commonwealth Government prior to the finalisation of Biodiversity Conservation Strategy.

Precinct Structure Plans

Approval of development within the growth areas is subject to the Victorian Government's precinct structure planning process.

A Precinct Structure Plan sets the future structure of the suburb, detailing the location of housing, activity centres, community facilities, local transport networks and open space. It also identifies biodiversity sites and

heritage places listed on the Commonwealth and National Heritage Lists and the Victorian Heritage Register (subject to the requirements of the *Victorian Heritage Act 1995*).

These plans will be prepared in accordance with the Growth Area Framework Plans by the Growth Areas Authority, a growth area council or developer/land owner, or a combination of these. The preparation of Precinct Structure Plans will be carried out in accordance with *The Precinct Structure Planning Guidelines* and will involve government and non-government service providers, developers, land-owners and other community representatives. Precinct Structure Plans will also be prepared in accordance with the prescriptions approved by the Commonwealth Minister for the Environment, Heritage and the Arts.

The Precinct Structure Planning Guidelines apply to the preparation of Precinct Structure Plans for new residential communities and new major employment areas. The document provides detailed guidance on the process that must be followed in assessing, protecting and managing biodiversity values in planning precincts. It also identifies the outputs that must be produced in accordance with Victorian and Commonwealth Government legislation, including a Native Vegetation Precinct Plan and Conservation Management Plan. The Guidelines incorporate the Biodiversity Precinct Planning Kit, which specifies standards for pre-planning surveys for biodiversity, biodiversity data inputs and templates to be used in preparing biodiversity plans. The Victoria Government will provide the Commonwealth Government with an opportunity to comment on changes to the Precinct Structure Planning Guidelines including the Precinct Structure Planning Notes and Biodiversity Precinct Structure Planning Kit.

The precinct structure planning process applies to all land within the Urban Growth Zone. Precinct Structure Plans can also be applied to localities where the Urban Growth Zone does not apply, although the requirement for planning controls will vary.

Application of the Urban Growth Zone requires that a Precinct Structure Plan be approved by the Minister for Planning and incorporated into the local planning scheme at Clause 81 before urban development can proceed (note: some exemptions apply). Planning controls must also be included in the schedule at Clause 37.07 to guide land use and development decisions.

Once a Precinct Structure Plan has been incorporated into the local planning scheme by a planning scheme amendment, planning permits can be granted by the relevant authority (usually the local council) for urban development activity as set out in the Urban Growth Zone. These permits can usually be issued without further advertising provided the proposal is generally in accordance with the approved Precinct Structure Plan.

Quarries and mines

Native vegetation removal associated with the Earth Resources Industry (Quarries and Mines) is exempt from the requirements of the *Planning and Environment Act 1987* and the planning scheme. The exploration, licensing and development of the Earth resources industries is regulated under the *Extractive Industries Development Act 1995* and the *Mineral Resources (Sustainable Development) Act 1990*.

A Memorandum of Understanding between the Department of Sustainability and Environment and the Department of Primary Industries was signed in 2003. The purpose of the Memorandum of Understanding is to endorse the Mining and Extractive Industries Work Approvals process.

The Memorandum of Understanding recognises that the Department of Primary Industries is responsible for the regulation and administration of mining and Extractive Industries. It also recognises that all relevant land use issues, which are the responsibility of Department of Sustainability and Environment, must be integrated into the approvals process. Approval conditions, including compliance with the Native Vegetation Management Framework and mitigation measures are contained in work plan approvals.

The detailed planning of future quarries within the Urban Growth Boundary will be undertaken in accordance with relevant prescriptions approved by the Commonwealth Minister for the Environment, Heritage and the Arts. This will be affected by amending the *Memorandum of Understanding* to require that the prescriptions approved by the Commonwealth Minister for the Environment, Heritage and the Arts will be applied to all future quarries.

Cultural Heritage Management Plans

A Cultural Heritage Management Plan will be prepared for each precinct in accordance with the *Aboriginal Heritage Act 2006*. These plans provide for the management of known Aboriginal cultural heritage values and those that may be discovered during works.

Cultural Heritage Management Plans are required for any listed high impact activity (including greenfield residential subdivision and construction of major transport infrastructure) and for any activity in an area of cultural heritage sensitivity which has not been subject to major ground disturbance. Areas of cultural heritage sensitivity are defined by the *Aboriginal Heritage Regulations 2007*.

The Growth Areas Authority is working with Aboriginal Affairs Victoria to identify areas of Aboriginal heritage significance on a regional scale. This forms the first step in the production of Cultural Heritage Management Plans.

Native Vegetation Precinct Plans

A Native Vegetation Precinct Plan will be prepared for each precinct in accordance with clause 52.16 of local planning schemes.

Victoria's Native Vegetation Management – A Framework for Action establishes the strategic direction for the protection, enhancement and revegetation of native vegetation across Victoria. Its goal is: a reversal, across the entire landscape, of the long term decline in the extent and quality of native vegetation, leading to a net gain.

The Native Vegetation Precinct Plan will set out the requirements for the protection and removal of native vegetation for a defined area or precinct. It will be incorporated into the relevant local planning scheme. The Native Vegetation Precinct Plan must be consistent with relevant prescriptions approved by the Commonwealth Minister for the Environment, Heritage and the Arts.

Conservation Management Plans

A Conservation Management Plan will be prepared for areas where there are important populations of species that require particular management (e.g. Growling Grass Frog, Southern Brown Bandicoot, Golden Sun Moth, Matted Flax Lily etc). The Conservation Management Plan will outline how matters of national environmental significance will be protected and managed. It will reflect the negotiations undertaken as part of the precinct structure planning process.

The Plan will show on a map the areas that are being retained for particular species and the areas that are being removed. It will outline how the areas that are being retained in the precinct for a species will be managed (e.g. for Growling Grass Frog: where road underpasses will be located, species planting for wetlands, treatment of mosquito fish infestation, subsequent monitoring etc).

A Conservation Management Plan will be prepared alongside or be part of the Precinct Structure Plan. The Conservation Management Plan will form part of the planning scheme amendment to incorporate the Precinct Structure Plan. The Conservation Management Plan must be consistent with relevant prescriptions approved by the Commonwealth Minister for the Environment, Heritage and the Arts.

Planning Permits

The planning permit must be issued generally in accordance with the Precinct Structure Plan and include any implementation provisions outlined in the Precinct Structure Plan.

Development cannot proceed unless requirements (as set out in the Cultural Heritage Management Plan, Native Vegetation Precinct Plan and Conservation Management Plan) are met.

Prescriptions

Prescriptions have been drafted for most matters of national environmental significance. All prescriptions require approval by the Minister for the Environment, Heritage and the Arts and direct the management of matters of national environmental significance. In the event that a prescription has not been developed and approved, the Department of Sustainability and Environment will consult with the Commonwealth Government on the development of one prior to submitting it for approval. No impacts are permitted on a matter of national environmental significance under this Program unless an approved prescription is in place.

These prescriptions contain actions that must be undertaken, such as the translocation of individual animals if encountered to areas of secure and suitable habitat.

If additional relevant recovery plans are developed and legislated in the future, or particular species become a matter of national environmental significance, prescriptions will be developed. Furthermore if new information becomes available that affect the implementation of actions required by the prescriptions, they will be revised by the Department of Sustainability and Environment and re-submitted to the Commonwealth Government for approval.

The specific triggers for reviewing the currency and applicability of the current prescriptions are:

- > The publication of any new recovery plan or policy statement relevant to any matter of national environmental significance subject to a prescription,
- > Any new substantial scientific information on the status of a relevant matter of national environmental significance brought up by either party and as agreed; and
- > Any indication that relevant conservation outcomes described in the program, conservation strategies or sub-species strategy are or may become unachievable or that there may be better ways to achieve the stated outcomes.

If both parties agree that revision to a prescription is required, following its review, a process and timeframe will be established by agreement between the parties. The existing prescription will remain in operation for four months from the date that the need to revise the prescription is agreed. After this time the existing prescription will lapse and, with the exception of:

- > Precinct Structure Plans for which a planning scheme amendment to introduce the Precinct Structure Plan has commenced to be exhibited under sections 17-19 of the *Planning and Environment Act 1987* (Vic);
- > The Regional Rail Link (west of Werribee to Deer Park) where the Ecological Impact Management Plan has been approved by the Victorian Minister for Environment and Climate Change;
- > The Outer Metro Ring / E6 Transport Corridor where the Environmental Impact Report has been approved by the Department of Planning and Community Development; and
- > Extractive Industries for which a work plan has been approved under the *Extractive Industries Development Act 1995*;

no impacts on the relevant matter of national environmental significance will be legally authorised under this Program or any subsequent approval until such time as the revised prescription has been approved by the relevant Victorian and Commonwealth Government Ministers.

Planning of Grassland Reserves

Management plans will be prepared for the grassland reserves.

Interim Management Plans

Interim Management Plans will be prepared for private property that has been earmarked to form part of the grassland reserves, although is yet to be acquired for that purpose.

These plans will be prepared under the *Catchment and Land Protection Act 1994*. The purpose of the Interim Management Plan is to introduce a management regime to ensure grassland areas are not degraded in the period prior to formal acquisition of the land for the grassland reserves. The IMPs will also outline how acquired land will be managed prior to the formal reservation of this land.

National Park or Reserve Management Plans

National Park or Reserve Management Plans will be developed to reserve land for conservation or recreational purposes under the *Crown Land Reserves Act 1978* or *National Parks Act 1975* depending on the final decisions regarding the tenure of the land. These plans are part of the formal requirements of these processes of reserving the land.

Offsets

Offsets are any works, or other actions to make reparation for the loss of native vegetation arising from its removal or destruction.

These works or actions can include protecting and managing existing native vegetation, protecting and revegetating an area or setting aside an area for regeneration or restoration.

To ensure that any losses associated with clearing are mitigated by the appropriate gains, there are specific offset criteria that are graded according to conservation significance of the vegetation being removed – there are more specific requirements for higher conservation significance vegetation and increased flexibility for lower conservation significance vegetation.

Grassland offsets will be contained in the proposed Grassland Reserve unless the Victorian Government and Commonwealth Government agree otherwise (for example supply of offsets in the Grassland reserve is exhausted); however areas of grassland retained within the Urban Growth Boundary that meet prescription requirements (for example for Golden Sun Moth) may also be available as potential offsets for that matter of national environmental significance.

The Grassland Reserve will be established by government acquisition. The acquisition process will be given effect by amending the Victoria Planning Provisions so that properties within the proposed grassland reserves will be identified by a Public Acquisition Overlay.

From the time that a Public Acquisition Overlay is in place the Government has first right of purchase. The Government may also approach individual land holders directly to negotiate a voluntary sale. The Government will acquire all of the areas required for the grassland reserves within 10 years of the Public Acquisition Overlay being put in place.

The process for compulsory acquisition, the measure (i.e. amount) of compensation and the process for disputing the amount of compensation are outlined in the *Land Acquisition and Compensation Act 1986*.

Grassy Eucalypt Woodland offsets will be contained within a reserve to be established for the conservation of Grassy Eucalypt Woodland, south-west of Whittlesea. Areas of Grassy Eucalypt Woodland retained within the Urban Growth Boundary may also be available as potential offsets.

Appropriate offsets that comply with relevant prescriptions must be approved and secured prior to the commencement of the associated clearing of native vegetation or habitat. For proposed public land reserves,

offsets will be secured by reservation under the *Crown Land Reserves Act 1978* or *National Parks Act 1975*. For private land, offsets will be secured using an on-title legal agreement under s69 of the *Victorian Conservation Forests and Lands Act 1987* or s173 of the *Victorian Planning and Environment Act 1987* or an on-title conservation covenant under the *Victorian Conservation Trust Act 1972*, or a mechanism of equivalent security if that mechanism is approved for the purposes of this Program in advance by the Commonwealth Government.

Once an offset is secured, no further credit can be generated from that offset site (i.e. it cannot be used again for any additional matter of national environmental significance offset requirement).

TABLE 5: STAGE 2 – PROCESS IMPLEMENTATION

Ref	Legislation	Mechanism	Purpose	Responsibility	Timing*
S2.1	<i>Planning and Environment Act 1987</i>	Growth Area Framework Plans	To define the regional framework for preparing Precinct Structure Plans.	Victorian Minister for Planning <i>Assisted by:</i> Growth Areas Authority Department of Planning and Community Development	Short term
S2.2	<i>Planning and Environment Act 1987</i>	Biodiversity Conservation Strategies	To define how the protected areas designated within the growth areas will be managed.	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment	Short term
S2.3	<i>Planning and Environment Act 1987</i>	Sub Regional Species Strategies	To define how particular species (i.e. the Growling Grass Frog and Southern Brown Bandicoot) will be protected and managed.	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment	Short term
S2.4	<i>Planning and Environment Act 1987</i>	Precinct Structure Plans	To define the location of land uses and the conditions for development to enable planning permits to be issued.	Victorian Minister for Planning <i>Assisted by:</i> Planning Authority (Growth Areas Authority or growth area council)	Short to Medium term
S2.5	<i>Planning and Environment Act 1987</i>	Native Vegetation Precinct Plans	To define native vegetation to be retained and removed as a result of the Precinct Structure Plan, including mechanisms for offsetting any losses.	Victorian Minister for Planning and Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment Planning Authority (Growth Areas Authority or growth area council)	Short to Medium term

Ref	Legislation	Mechanism	Purpose	Responsibility	Timing*
S2.6	<i>Planning and Environment Act 1987</i>	Conservation Management Plans	To identify any conditions for managing the impact of development on matters of national environmental significance.	Victorian Minister for Planning and Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment Planning Authority (Growth Areas Authority or growth area council)	Short to Medium term
S2.7	<i>Planning and Environment Act 1987</i>	Planning permits	To specify any conditions for applications to subdivide or develop land.	Responsible Authority (Victorian Minister for Planning or growth area council)	Ongoing
S2.8	<i>Aboriginal Heritage Act 2006</i>	Cultural Heritage Management Plans	To identify any conditions for protecting sites of Aboriginal cultural heritage through the development of precincts.	Victorian Minister for Planning and Victorian Minister for Aboriginal Affairs <i>Assisted by:</i> Department of Planning and Community Development (Aboriginal Affairs Victoria) Planning Authority (Growth Areas Authority or growth area council)	Short to Medium term
S2.9	<i>Victorian Heritage Act 1995</i>	Archaeological approvals	To identify any registered heritage sites.	Victorian Minister for Planning <i>Assisted by:</i> Department of Planning and Community Development (Heritage Victoria)	Short to Medium term
S2.10	<i>Catchment and Land Protection Act 1994</i>	Interim Management Plan	To ensure private land earmarked for grassland reserves are not degraded prior to acquisition.	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment	Short term

Ref	Legislation	Mechanism	Purpose	Responsibility	Timing*
S2.11	<i>Catchment and Land Protection Act 1994</i>	Amendment to the <i>Catchment and Land Protection Act 1994</i>	To amend the <i>Catchment and Land Protection Act 1994</i> to include major weeds of Volcanic Plains grasslands.	Victorian Minister for Environment and Climate Change Department of Sustainability and Environment	Short term
S2.12	<i>Environment Effects Act 1978</i> and <i>Planning and Environment Act 1987</i>	Referral decisions under the <i>Environment Effects Act 1978</i>	Regional Rail Link Preparation of an Ecological Impact Management Plan to inform the Development Plans and Environmental Management for the Project. Outer Metropolitan Ring/E6 Transport Corridor Preparation of an Environment Impact Report to inform decision making on the development plans and environmental protection strategy.	Victorian Minister for Planning <i>Assisted by:</i> Department of Planning and Community Development	Short to Medium term.
S2.13	<i>Land Acquisition and Compensation Act 1986</i>	Notice of intention to acquire Notice of acquisition	To acquire land for the grassland reserves and transport corridors	Secretary of the Department of Sustainability and Environment Secretary of the Department of Transport Chief Executive of VicRoads	Ongoing
S2.14	<i>Conservation Forests and Lands Act 1987</i>	Section 69 agreements	To enter into binding legal agreement with landowners in relation to management of biodiversity on their properties.	Secretary of the Department of Sustainability and Environment	Short to Medium term
S2.15	<i>Crown Land Reserves Act 1978</i>	National Park Management Plans Reserve Management Plans	To reserve land for conservation, recreational, or other public purposes. To enable the creation of management plans.	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment	Short to Medium term

Ref	Legislation	Mechanism	Purpose	Responsibility	Timing*
S2.16	<i>Victorian Conservation Trust Act 1972</i>	Conservation Covenants	To enable the protection of specified areas of high biodiversity value by a legal covenant on land title.	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment	Short to Medium term
S2.17	<i>Planning and Environment Act 1987</i>	Section 173 agreements	To enter into an agreement with an owner of land to set out the conditions or restrictions on the use or development of the land.	Victorian Minister for Planning <i>Assisted by:</i> Department of Planning and Community Development Growth area councils	Ongoing
S2.18	<i>Conservation Forests and Lands Act 1987</i>	Public Authority Management Agreements	To enter into binding legal agreement with a public authority in relation to management of biodiversity on land they legally manage.	Victorian Minister for Environment and Climate Change Department of Sustainability and Environment	Short to Medium term
S2.19	<i>Extractive Industries Development Act 1995 and the Mineral Resources (Sustainable Development) Act 1990</i>	Memorandum of Understanding between the Department of Sustainability and Environment and the Department of Primary Industries	To ensure that mining and extractive industries are planned and managed in accordance with the Department of Sustainability and Environment policy interests and prescriptions approved by the Commonwealth Minister for the Environment, Heritage, and the Arts.	Victorian Minister for Energy and Resources <i>Assisted by:</i> Department of Primary Industries Department of Sustainability and Environment	Short term
S2.20	<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Prescriptions developed under Strategic Assessment	To provide for the protection of matters of national environmental significance	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment	Ongoing

* Notes to Timing:

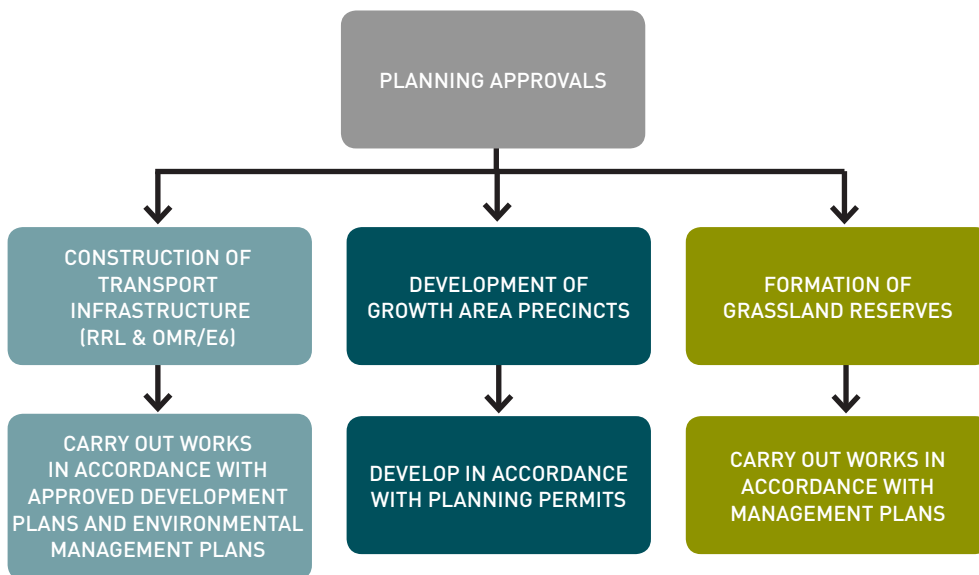
Short term means the activity is expected to occur within the period 2010 to 2013.

Medium term means the activity is expected to occur within the period 2014 to 2019.

Long term means the activity is expected to occur beyond 2020.

5.3 STAGE 3: CONSTRUCTION AND WORKS

FIGURE 5: PROCESS FOR STAGE 3 – CONSTRUCTION AND WORKS



Stage 3 encompasses the physical activities that will occur to implement the Program, such as the construction of urban areas and transport infrastructure (refer Figure 5). It is at this stage that impacts on matters of national environmental significance may occur. Any works or construction activities that occur at this stage will need to be undertaken in accordance with the frameworks and approvals established in stage 2. The legislative mechanisms for implementing the construction and works associated with the Program are set out in Table 6.

Construction and works will be undertaken by various parties, including private developers, statutory bodies, government agencies and land managers in the following way:

- > For urban development, works and construction will generally be undertaken by private developers. The staging of works and rate at which they will occur will be governed by the sequencing of Precinct Structure Plans and granting of relevant planning permits.
- > For major transport infrastructure, works will be undertaken by, or on behalf of a statutory agency in accordance with any approved development plans and Environmental Management Plans or strategies.

Within the Urban Growth Boundary there will also be other ‘non-urban’ works undertaken to implement the Program. This includes establishing conservation areas within the urban areas, including the protection of riparian vegetation. Any works which are required to enable the active management and protection of these areas, in accordance with management plans prepared in stage 2, will generally be undertaken by, or on behalf of the public land manager. In some cases however these works may also be undertaken by a private developer.

It is also envisaged that works will occur in establishing the large grassland reserves. The active management and protection of these areas is an important consideration and must be undertaken in accordance with any management plans. Initially it is envisaged that interim works may occur in order to protect grasslands within private ownership; however following the formal reservation of the grassland reserves it is likely that the public land manager will undertake the works.

TABLE 6: STAGE 3 – CONSTRUCTION AND WORKS

Ref	Legislation	Mechanism	Purpose	Responsibility	Timing*
S3.1	<i>Planning and Environment Act 1987</i>	Planning permits	To specify the conditions for carrying out any works associated with the subdivision or development of land	Victorian Minister for Planning <i>Assisted by:</i> Responsible Authority (i.e. Minister for Planning; growth area council)	Ongoing
S3.2	<i>Aboriginal Cultural Heritage Act 2006</i>	Cultural Heritage Management Plan	To specify management procedures in accordance with the Cultural Heritage Management Plan	Victorian Minister for Aboriginal Affairs <i>Assisted by:</i> Department of Planning and Community Development (Aboriginal Affairs Victoria)	Ongoing
S3.3	<i>Environment Protection Act 1970</i>	State environmental planning policies	To regulate emissions during the construction/ works phase of development (including issuing penalties)	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Environment Protection Authority	Ongoing
S3.4	<i>Catchment and Land Protection Act 1994</i>	Interim Management Plans for grassland reserves to the west of Melbourne	To monitor any management activities to ensure that protection works occur in accordance with approved plans	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment Department of Primary Industries Parks Victoria Local Government	Short term
S3.5	<i>Crown Land Reserves Act 1978</i>	Reserve Management Plan	To ensure works are undertaken in accordance with the adopted management plan	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment Parks Victoria	Medium to Long term
S3.6	<i>Conservation Forests and Lands Act 1987</i>	Public Authority Management Agreements	To ensure works are undertaken and monitoring occurs in accordance with Public Authority Management Agreements	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment	Medium to Long term

Ref	Legislation	Mechanism	Purpose	Responsibility	Timing*
S3.7	<i>Planning and Environment Act 1987</i>	Environmental Management and Development Plan approvals	To ensure works for the transport projects (Regional Rail Link (west of Werribee to Deer Park and Outer Metropolitan/E6 Transport corridor) are undertaken in accordance with approved development plans and Environmental Management Plans	Department of Transport VicRoads	Short to Medium term
S3.8	<i>Victorian Heritage Act 1995</i>	Archaeological approvals	To check compliance of activities with archaeological approvals	Victorian Minister for Planning <i>Assisted by:</i> Department of Planning and Community Development (Heritage Victoria)	Ongoing
S3.9	<i>Extractive Industries Development Act 1995 and the Mineral Resources (Sustainable Development) Act 1990</i>	Work authorities and work plans	To ensure that mining and extractive works are undertaken in accordance with approved work authorities and work plans.	Victorian Minister for Energy and Resources <i>Assisted by:</i> Department of Primary Industries Development of Sustainability and Environment	Ongoing

* Notes to Timing:

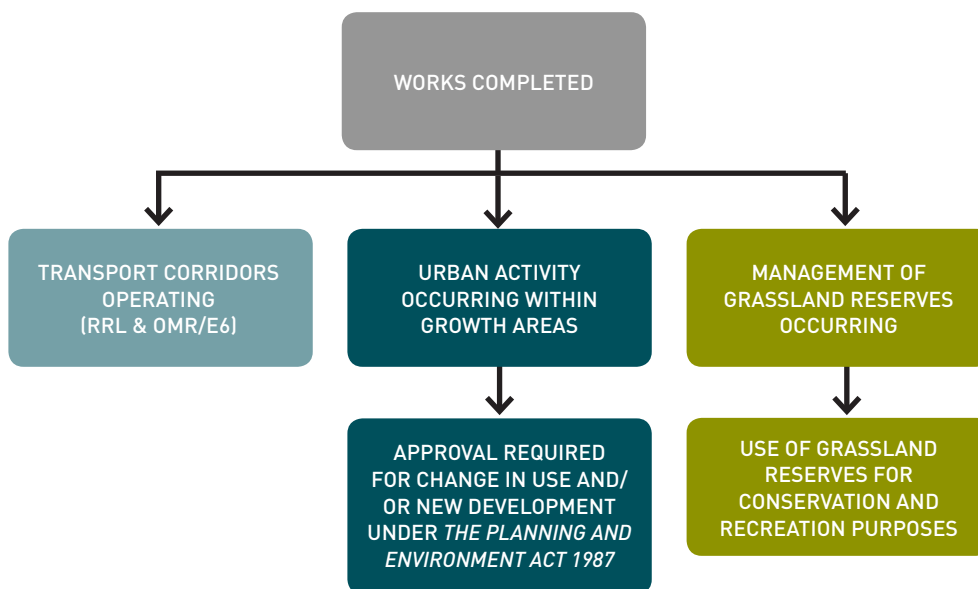
Short term means the activity is expected to occur within the period 2010 to 2013.

Medium term means the activity is expected to occur within the period 2014 to 2019.

Long term means the activity is expected to occur beyond 2020.

5.4 STAGE 4: OPERATIONAL

FIGURE 6: PROCESS FOR STAGE 4 – OPERATIONAL



This is the final and ongoing stage in implementing the Program. It relates to the use of the land, once it has been developed in accordance with the frameworks and controls, approved in stage 2 and constructed in stage 3 (refer to Figure 6 and Table 7).

Within the urban areas, the operation will include urban activities, such as residential, recreational and employment uses as well as infrastructure development, quarrying and related activities. The use of these areas will include the management of residual impacts or urban activity; such as the management of stormwater run-off and/or collection of waste.

The transport corridors will be used for a variety of transport modes, such as public transport, private motor vehicle transport, and freight (both road and rail). This stage will include the ongoing management of the use of these transport corridors.

The grassland reserves (and smaller reserves and linear linkages within the Urban Growth Boundary) will be used for recreational and conservation purposes. The specific type of use will be governed by the management plans and parameters that are established in stage 2. Stage 4 will also comprise the ongoing management of these areas by the relevant public land managers to ensure they are used and maintained in accordance with the approved management plans.

It is within this stage that there will be ongoing changes in the use of the land. Land uses must accord with the planning controls established in stage 2, however if amendments to the underlying planning controls are sought; the proponent (private or public) will be required to return to the processes established at stage 2.

TABLE 7: STAGE 4 – OPERATIONAL

Ref	Legislation	Mechanism	Purpose	Responsibility	Timing*
S4.1	<i>Planning and Environment Act 1987</i>	Planning enforcement	To enforce any non-compliance with planning approvals and/or environmental management plans	Victorian Minister for Planning <i>Assisted by:</i> Responsible Authority (Growth area council)	Ongoing
S4.2	<i>Planning and Environment Act 1987</i>	Planning permit process	To trigger permits for any new use and development or vegetation removal	Victorian Minister for Planning <i>Assisted by:</i> Responsible Authority (Growth area council)	Ongoing (for future projects)
S4.3	<i>Environment Effects Act 1978</i>	Referral/ Environment Effects Statement	To identify new works that may result in environment effects To assess the potential effects of a project, and to identify the optimum option and any specific mitigation	Victorian Minister for Planning <i>Assisted by:</i> Department of Planning and Community Development	Ongoing (for future projects)
S4.5	<i>Crown Land Reserves Act 1978</i>	Reserve Management Plan	To update the adopted management plan to reflect adaptive management requirements	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment Parks Victoria	Ongoing
S4.6	<i>Environment Protection Act 1970</i>	State Environment Planning Policies	To regulate emissions	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment	Ongoing
S4.7	<i>Extractive Industries Development Act 1995 and the Mineral Resources (Sustainable Development) Act 1990</i>	Work plans	To ensure that mining and extractive works are undertaken in accordance with approved work plans, including rehabilitation plans.	Victorian Minister for Energy and Resources <i>Assisted by:</i> Department of Primary Industries	Ongoing

* Notes to Timing:

Short term means the activity is expected to occur within the period 2010 to 2013.

Medium term means the activity is expected to occur within the period 2014 to 2019.

Long term means the activity is expected to occur beyond 2020.

6. ROLE OF THE VICTORIAN GOVERNMENT

A whole of Government approach will be required to implement the Program.

The Victorian Government will work with councils, government and non-government service providers, developers, land-owners and other community representatives in effectively delivering the Program and will report periodically to the Commonwealth Government on the progress being achieved.

The responsibility for implementing the Program lies with the Minister for Planning, Minister for Environment and Climate Change, Minister for Public Transport and Minister for Roads and Ports.

The role of other Ministers and key departments and agencies in implementing the Program is set out in Table 8.

TABLE 8: ROLE OF THE VICTORIAN GOVERNMENT IN IMPLEMENTING THE PROGRAM

Government Body	Relevant Minister	Stage 1	Stage 2	Stage 3	Stage 4
Department of Planning and Community Development	Minister for Planning Minister for Aboriginal Affairs	●	●	●	●
Growth Areas Authority	Minister for Planning		●		
Department of Sustainability and Environment	Minister for Environment and Climate Change Minister for Water	●	●	●	●
Department of Transport	Minister for Roads and Ports Minister for Public Transport	●	●	●	●
VicRoads (or delegated authority)	Minister for Roads and Ports	●	●	●	●
Parks Victoria	Minister for Environment and Climate Change			●	●
Melbourne Water	Minister for Water		●	●	●
Environment Protection Authority	Minister for Environment and Climate Change			●	●
Port Phillip and Westernport Catchment Management Authority	Minister Environment and Climate Change Minister for Water		●	●	●
Local Government	Minister for Planning Minister for Local Government		●	●	●

7. ROLE OF THE COMMONWEALTH GOVERNMENT

The Commonwealth Government has overall responsibility for ensuring that only actions that have been approved by the Commonwealth Minister for the Environment, Heritage and the Arts are undertaken under the Program, and that all actions are consistent with the Program.

The Commonwealth Government, represented by the Minister for the Environment, Heritage and the Arts, has an approval role at various stages of the Program, as described below.

Stage 1

The Program requires endorsement by the Commonwealth Government, represented by the Minister for the Environment, Heritage and the Arts.

Following the endorsement of the Program, Victoria will provide prescriptions for managing Matters of National Environmental Significance likely to be impacted as a result of the Program for the Commonwealth Minister's approval.

In addition the Commonwealth Minister will consider whether to approve actions or classes of actions that may result from implementing the Program.

Within twelve months of approval, the Commonwealth will be asked to approve a Reporting and Monitoring Framework for the Program submitted by Victoria.

Stage 2

During Stage 2 the Commonwealth will receive reports from an Independent party appointed consistent with the approved Reporting and Monitoring Framework and covering all projects under the Program.

The Commonwealth will be provided with Sub-Regional Strategies (for Golden Sun Moth, Growling Grass Frog and Southern Brown Bandicoot) and Biodiversity Conservation Strategies (for Growth Areas), for approval between 2010 and 2011.

The Victorian Minister for Environment and Climate Change will consult with the Commonwealth Minister for the Environment, Heritage and the Arts to ensure matters of national environmental significance are appropriately considered and addressed in the Ecological Impact Management Plan submitted by the proponent for the Regional Rail Link project.

Interim management reports on the Western Grassland Reserves will be provided to Department of the Environment, Water, Heritage and the Arts every six months in 2010-2011 then annually until the land is acquired.

A standard monitoring protocol for detecting changes in vegetation quality and extent, species populations, water quality and heritage sites (where relevant) arising from site-based interventions will be developed and provided to the Department of Environment, Water, Heritage and the Arts for approval in 2011. This will include specific monitoring requirements for the Western grassland reserves.

Stage 3

During the Construction and Works Stage of the Program the Commonwealth Government will continue to receive Program monitoring reports consistent with the approved Reporting and Monitoring Framework.

Stage 4

During the Operational Stage of the Program the Commonwealth Government will have a limited role, unless a particular process in this Program triggers consultation or additional approval, and implementation and monitoring will be undertaken by the Victorian Government according to the legislative processes described in the Program and as otherwise agreed in the Monitoring and Reporting Framework.

8. REASONABLE ASSURANCE

Victoria has a comprehensive legislative and policy framework to manage land use and environmental impacts within Victoria. Part 2 of this Program Report has outlined how the legislative processes, policies and guidance will be used to implement the Program; and how these processes will be used to ensure that actions affecting matters of national environmental significance that result from the Program will be managed through these processes. The Victorian Government is committed to implementing this Program to achieve positive outcomes for biodiversity and heritage.

PART 3: CONSERVATION ACTIVITIES

9. GREATER MELBOURNE REGION

The biodiversity of the Greater Melbourne region including urban and rural areas is steadily declining. This Program Report sets in train a process of identifying, permanently protecting and managing biodiversity assets that are important to the Greater Melbourne region, on a scale never before contemplated.

The focus will be on securing and progressively linking larger representative areas of native vegetation and habitat that are more likely to sustain its values over the long-term (with active management) in the context of a large metropolis. Given the metropolitan context this approach provides the best opportunity to:

- > reverse the long-term decline in the extent and quality of native vegetation;
- > maintain and restore ecological processes and the biodiversity dependent on them;
- > increase the potential for threatened species and ecological communities to persist in sustainable populations, and
- > buffer against and adapt to the impacts of climate change.

The Program will protect the largest consolidated areas of remaining of Natural Temperate Grasslands of the Victorian Volcanic Plain by establishing grassland reserves totalling 15,000 hectares. This will increase the amount of this native grassland community contained within conservation reserves within Victoria from two per cent to 20 per cent.

Eighty per cent of all Grassy Eucalypt Woodland within the Program area will be retained and managed in secure conservation reserves, and an additional large reserve will be established outside the urban area.

The Program establishes clear protection targets for the most threatened species in the region. Eighty per cent of highest priority habitats (confirmed sites contributing most to species persistence) will be permanently protected and managed for Spiny Rice-flower, Matted Flax-lily and Golden Sun Moth. A high level of protection will be provided for endangered and critically endangered orchids within the Program area. There is also a large investment in collection of new information on species distribution within and outside the Program area - detailed surveys will occur over the coming spring and autumn covering 25,000 ha and additional areas will be surveyed in future years. An adaptive management response to any species not specifically addressed in the Program will be developed if and when required in consultation with the Commonwealth Government.

Where clearing is permitted, the Program requires that offsets must be provided consistent with the requirements of *Victoria's Native Vegetation Management – A Framework for Action*. Where it is appropriate many of these offsets will be consolidated into the Western Grassland Reserves in order to maximise the biodiversity benefits available from this approach. Other offsets will be consolidated around other vegetation types such as Grassy Eucalypt Woodland.

In addition to the strategic protection of the Natural Temperate Grasslands of the Victorian Volcanic Plain and Grassy Eucalypt Woodland, the Program proposes the re-establishment of a large (approximately 300 hectare) area of former wetland adjacent to the south-east edge of the Program area. This wetland would be designed to restore important wetland habitats and assist water quality objectives for waterways and the Western Port Ramsar site.

10. MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE

The implementation of the Program will involve carrying out several activities to mitigate the potential impacts of urban development on matters of national environmental significance.

The following sections specify the outcomes intended to be achieved for each matter of national environmental significance that is relevant to the Program (refer to the final *Strategic Impact Assessment for Environment Protection and Biodiversity Conservation Act 1999*). Conservation activities for addressing these matters are summarised in tables 9 to 20 which indicate the mechanism for delivery; responsibilities of Government agencies, councils and the private sector; timeframes; resourcing and performance measures. These tables should be read in conjunction with Part 2 and Part 4. The Conservation Activities listed below represent the currently proposed approach to achieving these outcomes. In the event that the outcomes are not achieved or are unlikely to be achieved, as indicated in adaptive management reporting of program monitoring, the Victorian Government will work with the Commonwealth to either:

- > revise or enhance the conservation activities to better achieve the outcomes, or
- > if the outcomes are agreed to be technically improbable, to revise the outcomes accordingly.

10.1 NATURAL TEMPERATE GRASSLANDS

10.1.1 CONSERVATION OUTCOMES TO BE ACHIEVED

The conservation activities below have been designed to deliver the following outcomes:

- > The creation of large (at least 15,000 hectares) consolidated areas of permanently protected native grasslands outside the Urban Growth Boundary in Melbourne's west, managed to improve their quality and offset losses from clearing associated with urban development and transport Infrastructure.
- > A number of smaller reserves within the Urban Growth Boundary at Clarkes Road, Truganina Cemetery, Craigieburn and associated with Merri Creek in the north, some within the urban context, providing additional protection for key sites and connectivity between related habitat types, particularly grassy woodlands, stony knolls and floodplain grasslands.
- > The long term sustainability and persistence of the Natural Temperate Grasslands of the Victorian Volcanic Plain ecological community through permanent protection and enhancement of the ecological functions and values of the largest consolidated remaining area of grasslands.

10.1.2 ACTIVITIES TO ACHIEVE CONSERVATION OUTCOMES

TABLE 9: CONSERVATION ACTIVITIES FOR NATURAL TEMPERATE GRASSLANDS

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To establish a reservation for 15,000 hectare grasslands (nature conservation reserve or National Park) outside of the Urban Growth Boundary in Melbourne's west.	Prepare amendment to relevant planning schemes to apply a Public Acquisition Overlay to land within the western grassland reserves.	S1.2	Department of Planning and Community Development	Short term	Covered under existing allocations	Public Acquisition Overlay in planning scheme by June 2010
	Publicly acquire land (10 year acquisition program by the State Government)	S2.13	Department of Sustainability and Environment	Short to medium term	Required resources have been committed by the Victorian Government	Acquisition schedule provided to Department of the Environment, Water, Heritage and the Arts by December 2010, following the Victorian Government's gazettal of the planning scheme amendment Purchase and reservation under <i>Crown Land Reserves Act 1978</i> completed by 2020 (excluding quarries) (end stage 2)
To provide interim management of the western grassland reserves before they are acquired, achieved by assisting landholders to manage threats and strengthening regulation to prevent degradation.	Amend local planning schemes to apply an Environmental Significance Overlay to the western grassland reserves.	S1.2	Department of Planning and Community Development	Short term	Covered under existing allocations	Environmental Significance Overlay in relevant local planning schemes by June 2010
	Amend or make declarations under the <i>Catchment and Land Protection Act 1994</i> to legally protect grasslands on the Volcanic Plains grasslands from environmental weeds	S2.11	Department of Primary Industries	Short term	Covered under existing allocations	Declarations to lists or areas under the <i>Catchment and Land Protection Act 1994</i> gazetted by December 2010
	Prepare Interim Management Plan	S2.10	Department of Sustainability and Environment	Short term	Covered under existing allocations	Interim Management Plan provided to the Department of the Environment, Water, Heritage and the Arts by December 2010
	Undertake urgent works from December 2009 (weed control), then in accordance with the Interim Management Plan schedule with landholders and relevant local councils. Conduct on ground surveillance and enforcement.	S3.4	Department of Sustainability and Environment	Short term	Required resources have been committed by the Victorian Government	Monitor and report on implementation of the Interim Management Plan in accordance with the reporting schedule Reports provided to Department of the Environment, Water, Heritage and the Arts every 6 months in 2010-2011 then annually until land acquired

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To manage the western grasslands as conservation reserve or National Park for a range of particular vegetation and species requirements.	Establish expert advisory group and define performance standards for best practice adaptive management of native grassland and threatened species	S2.15	Department of Sustainability and Environment	Short term	Covered under existing allocations	Performance standards for management, and monitoring methodology provided to DEWHA by June 2011
	Progressively survey and assess flora and fauna values on acquired parcels	S2.15	Department of Sustainability and Environment	Short to medium term	Covered under offset arrangements (underwritten by Victorian Government)	Flora and fauna survey undertaken on each newly acquired land parcel with report prepared for the Department of Sustainability and Environment on values and management issues.
	Prepare National Park or Reserve Management Plan that incorporates best practice adaptive management for the western grassland reserves	S2.15	Parks Victoria	Medium term	Covered under existing allocations	Prepare National Park or Reserve Management Plan by December 2012 following community consultation Management Plan revised and updated by 2022
	Undertake works, manage and monitor park activities in accordance with the National Park or Reserve Management Plan and best practice performance standards. This includes undertaking detailed flora and fauna surveys for the Striped Legless Lizard, Plains Wanderer, Grassland Earless Dragon, Spiny Rice-flower, Large-fruit groundsel and other nationally listed species across whole reserve area.	S3.5 S2.E3 S3.E5 S4.E4	Parks Victoria	Short to long Term	Required resources have been committed by the Victorian Government	Each land parcel managed by Parks Victoria according to best practice standards and management practices and procedures within 6 months of acquisition Annual reports from Parks Victoria provided to the Department of Sustainability and Environment including results of threatened species surveys and monitoring

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To identify and protect other grassland remnants on the Werribee Plains	Amend local planning schemes to apply appropriate statutory planning controls to remnant grasslands identified by Department of Sustainability and Environment mapping outside the Urban Growth Boundary and to relevant non-urban land within the Urban Growth Boundary.	S1.2	Department of Planning and Community Development	Short term	Covered under existing allocations	Environmental Significance Overlays in relevant local planning scheme by June 2010
	New mapping program undertaken on private land to inform improved or expanded Environmental Significance Overlays	S1.2	Port Phillip and Westernport Catchment Management Authority	Short term	Subject to funding	Results of mapping provided to Department of the Environment, Water, Heritage and the Arts by June 2013
	Revise Environmental Significance Overlays as a result of new data.	Planning scheme amendments as required to implement the Program	Department of Planning and Community Development	Medium term	Subject to funding	Revised statutory planning controls in local planning schemes by 2015
To implement the prescription approved by the Commonwealth Minister for the Environment, Heritage and the Arts for managing impacts on Natural Temperate Grasslands	Prepare Native Vegetation Precinct Plans and Conservation Management Plans as part of the precinct structure planning process following the methodology of the Biodiversity Precinct Planning Kit and detailed guidance.	S2.5 S2.6	Growth Areas Authority Growth area councils Department of Sustainability and Environment	Short term	Covered under existing allocations	Surveys undertaken according to Biodiversity Precinct Planning Kit methodology
	Monitor planning permits and enforce illegal clearing that is not in accordance with the requirements of the Native Vegetation Precinct Plan or Conservation Management Plan, or relevant approval document for transport infrastructure or other land use.	S2.5 S2.6 S2.7 S2.19 S3.5 S3.7 S3.9	Growth area councils Department of Primary Industries	Ongoing	Covered under existing allocations	Offsetting according to Native Vegetation Management Framework. Grassland offsets located within proposed grassland reserves. Breaches reported to Department of the Environment, Water, Heritage and the Arts as agreed

* Notes to Timing:

Short term means the activity is expected to occur within the period 2010 to 2013.

Medium term means the activity is expected to occur within the period 2014 to 2019.

Long term means the activity is expected to occur beyond 2020.

10.2 GRASSY EUCALYPT WOODLANDS

10.2.1 CONSERVATION OUTCOMES TO BE ACHIEVED

The conservation activities below have been designed to deliver the following outcomes:

- > A large conservation reserve outside the urban Growth Boundary south-west of Whittlesea of at least 1200ha in size.
- > Eighty per cent of all Grassy Eucalypt Woodland within the Urban Growth Boundary retained and managed in secure conservation reserves.
- > Improved quality of retained areas of vegetation including supplementary planting to improve structure.
- > A network of small and medium sized conservation reserves and permanently protected private land habitat in the Hume-Whittlesea Growth Area associated with Merri Creek and Darebin Creek floodplains. These will consolidate and connect key areas of Grassy Eucalypt Woodland and associated habitats (stony knolls, plains grassland, floodplain grasslands and riparian areas).
- > A network of small connected conservation reserves in the Sunbury area to protect Grassy Eucalypt Woodland and associated habitats.

10.2.2 ACTIVITIES TO ACHIEVE CONSERVATION OUTCOMES

TABLE 10: CONSERVATION ACTIVITIES FOR GRASSY EUCALYPT WOODLANDS

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To progressively secure the long-term protection of retained areas of Grassy Eucalypt Woodlands on private land within the Hume-Whittlesea and Sunbury Growth Areas through implementation of the prescription approved by the Commonwealth Minister for the Environment, Heritage and the Arts, for managing impacts on Grassy Eucalypt Woodlands and other strategic planning mechanisms	Amend Hume Planning Scheme and Whittlesea Planning Scheme to introduce appropriate statutory planning controls (Conservation zoning plus an Environmental Significance Overlay) to protect constrained land identified for conservation of Grassy Eucalypt Woodlands.	S1.1	Department of Planning and Community Development	Short term	Covered under existing allocations	Appropriate planning controls in Hume Planning Scheme and Whittlesea Planning Scheme by June 2010

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
	Prepare Biodiversity Conservation Strategy for the Northern Growth Areas that sets out the mechanism by which retained Grassy Eucalypt Woodland will be permanently protected and managed to improve its quality within the Growth Area.	S2.2	Department of Sustainability and Environment	Short term	Covered under existing allocations	Northern Biodiversity Conservation Strategy prepared by March 2011
	Prepare revised Growth Area Framework Plans for Hume and Whittlesea that identify conservation corridors and principles for managing the protection of Grassy Eucalypt Woodland.	S2.1	Growth Areas Authority Department of Planning and Community Development	Short term	Covered under existing allocations	Revised Whittlesea Growth Area Framework Plan prepared by June 2011 Conservation strategy reflected in revised Whittlesea and Hume Growth Area Framework Plans
	Prepare Precinct Structure Plans in accordance with the Growth Area Framework Plans and Precinct Structure Planning Guidelines (including requirements for biodiversity conservation). Prepare Native Vegetation Precinct Plans with the Precinct Structure Plans in accordance with Clause 52.16 of local planning schemes.	S2.4 S2.5 S2.6	Growth Areas Authority Hume City Council Whittlesea City Council	Short term	Covered under existing allocations	Eighty percent of Grassy Eucalypt Woodland that meets Commonwealth size and condition thresholds within Hume and Whittlesea Growth Area protected and managed in secure conservation reserves by 2025
	Monitor planning permits and enforce illegal clearing that is not in accordance with the requirements of the Native Vegetation Precinct Plan or Conservation Management Plan, or relevant approval document for transport infrastructure or other land use.	S2.5 S2.6 S2.7 S2.19	Growth area councils Department of primary Industries	Ongoing	Covered under existing allocations	Offsetting according to Native Vegetation Management Framework. Grassy Eucalypt Woodland offsets located within proposed Northern Grassy Woodland reserves. Breaches reported to of the Environment, Water, Heritage, and the Arts as agreed

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
Establish a large (at least 1200ha) Grassy Eucalypt Woodland reserve (nature conservation reserve) south west of Whittlesea outside of the Urban Growth Boundary	Prepare and consult on a proposal for a Grassy Eucalypt Woodland reserve. The proposal is to identify the funding mechanism, location of Public Acquisition Overlay and other legal protection mechanisms to be applied to the land to achieve the outcome. Other legal protection measures will include permanent on-title agreements under the <i>Victorian Conservation Forests and Lands Act 1987</i> and <i>Victorian Conservation Trust Act 1972</i> , or equivalent mechanism if approved by the Commonwealth Government.	S2.1	Department of Sustainability and Environment	Short term	Covered under existing allocations	Reserve proposal, acquisition and management approach and schedule provided to Department of the Environment, Water, Heritage and the Arts by June 2011 following community consultation
	Implement agreed Grassy Eucalypt Woodland reserve proposal	S2.10 S2.14 S2.16	Department of Sustainability and Environment	Short to medium term	Funding generated from developer's offset requirements	Reports to Department of the Environment, Water, Heritage and the Arts on progress of reserve establishment in accordance with the acquisition schedule by 2013 and 2016 or as determined by approved Monitoring and Reporting Framework Reserve established and land manager appointed by 2020
To manage the Grassy Eucalypt Woodland reserve as conservation reserve or National Park for a range of particular vegetation and species requirements.	Establish expert advisory group and define performance standards for best practice adaptive management of Grassy Woodland and threatened species	S2.15	Department of Sustainability and Environment	Short term	Covered under existing allocations	Performance standards for management, and monitoring methodology provided to DEWHA by June 2011
	Progressively survey and assess flora and fauna values on acquired or otherwise secured parcels	S2.15	Department of Sustainability and Environment	Short to medium term	Covered under offset arrangements (underwritten by Victorian Government)	Flora and fauna survey undertaken on each newly acquired or otherwise secured land parcel with report prepared for the Department of Sustainability and Environment on values and management issues
	Prepare National Park or Reserve Management Plan that incorporates best practice adaptive management for the Grassy Eucalypt Woodland reserve	S2.15	Parks Victoria (assisted by Department of Sustainability and Environment)	Medium term	Covered under existing allocations	Prepare National Park or Reserve Management Plan by December 2014 following community consultation Management Plan revised and updated by 2022

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
	Undertake works, manage and monitor activities in accordance with the National Park or Reserve Management Plan and best practice performance standards. This includes undertaking detailed flora and fauna surveys for the Striped Legless Lizard, Golden Sun Moth, Matted Flax-lily and other nationally listed species across whole reserve area.	S3.5 S2.E3 S3.E5 S4.E4	Parks Victoria	Short to long Term	Required resources have been committed by the Victorian Government	Annual reports from Parks Victoria provided to the Department of Sustainability and Environment including results of threatened species surveys and monitoring

* Notes to Timing:

Short term means the activity is expected to occur within the period 2010 to 2013.
Medium term means the activity is expected to occur within the period 2014 to 2019.
Long term means the activity is expected to occur beyond 2020.

10.3 GOLDEN SUN MOTH, SPINY RICE-FLOWER AND MATTED FLAX-LILY

10.3.1 CONSERVATION OUTCOMES TO BE ACHIEVED

The conservation activities below have been designed to deliver the following outcomes:

- > Eighty per cent of highest priority habitats for these species within the Victorian Volcanic Plains bioregion (confirmed sites contributing most to species persistence as defined in the methodology guiding the prescriptions for these species) will be permanently protected and managed.
- > Large areas (at least 15,000 ha) of permanently protected grassland habitat managed in a way that enables Golden Sun Moth and Spiny Rice-flower (and potentially Matted flax-lily) to be sustained over the long term through a series of connected populations and adaptive management regimes.
- > Large areas (greater than 1200 ha) of permanently protected grassy woodland habitat managed in a way that enables Golden Sun Moth and Matted Flax-lily to be sustained over the long term through a series of connected populations and adaptive management regimes.
- > A selection of smaller reserves and protected areas under targeted management in areas with the greatest contribution to species persistence, providing insurance against risk of catastrophic events in the large reserves.
- > Greatly improved information on Golden Sun Moth distribution within Victoria to support important research and management knowledge.
- > Minimisation of the probability of extinction of Spiny Rice-Flower in the wild and an increase in the probability of important populations becoming self-sustaining in the long term.

10.3.2 ACTIVITIES TO ACHIEVE CONSERVATION OUTCOMES

TABLE 11: CONSERVATION ACTIVITIES FOR GOLDEN SUN MOTH, SPINY RICE-FLOWER AND MATTED FLAX-LILY

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To determine the extent of the Golden Sun Moth to inform Sub-Regional Species Strategy and Precinct Structure Plans	Undertake targeted surveys for the Golden Sun Moth across its historic Victorian range for at least two seasons in accordance with the Biodiversity Precinct Planning Kit methodology. Survey period to be extended if required.	S2.3	Growth Areas Authority (growth areas and peri-urban) Department of Sustainability and Environment (rural and regional)	Short term	Resources available and committed	New data provided annually to the Department of the Environment, Water, Heritage and the Arts for recovery planning purposes
	Prepare Sub-Regional Species Strategy for the Golden Sun Moth.	S2.3	Department of Sustainability and Environment	Short term	Covered under existing allocations	Sub-Regional Species Strategy for the Golden Sun Moth submitted by June 2011 for Commonwealth Government approval
To implement the prescriptions approved by the Commonwealth Minister for the Environment, Heritage and the Arts for managing impacts on Golden Sun Moth, Spiny Rice-flower and Matted Flax-lily	Prepare detailed guidance note for stakeholders as part of Sub-Regional Species Strategy outlining assessment and accounting process for the Golden Sun Moth, Spiny Rice-flower and Matted Flax-lily to assist precinct structure planning and other development approvals processes, and to track progress towards bioregional protection targets.	S2.3	Department of Sustainability and Environment	Short term	Covered under existing allocations	Guidance note published by 2010
	Provide regular reports on Victoria's progress towards meeting the '80% of confirmed highest priority sites' (as defined in prescriptions) for Golden Sun Moth, Spiny Rice-flower and Matted Flax-lily	S2.3 S1.E1 S2.E1	Department of Sustainability and Environment	Ongoing	Covered under existing allocations	Reports published every two years commencing 2010 and in line with Monitoring and Reporting Framework
Prepare Native Vegetation Precinct Plans and Conservation Management Plans as part of the precinct structure planning process following the methodology of the Biodiversity Precinct Planning Kit and detailed guidance	Monitor planning permits and penalise illegal clearing that is not in accordance with the requirements of the Native Vegetation Precinct Plan or Conservation Management Plan or relevant approval document for transport infrastructure or other land use.	S2.5 S2.6 S2.7 S3.5 S3.7 S3.9 S2.19	Growth area councils	Ongoing	Covered under existing allocations	Breaches reported to Department of the Environment, Water, Heritage, and the Arts as agreed
	Prepare Native Vegetation Precinct Plans and Conservation Management Plans as part of the precinct structure planning process following the methodology of the Biodiversity Precinct Planning Kit and detailed guidance	S2.5 S2.6	Growth Areas Authority Growth area councils Department of Sustainability and Environment	Short term	Covered under existing allocations	Surveys undertaken according to Biodiversity Precinct Planning Kit methodology

* Notes to Timing:

Short term means the activity is expected to occur within the period 2010 to 2013.

Medium term means the activity is expected to occur within the period 2014 to 2019.

Long term means the activity is expected to occur beyond 2020.

10.4 SMALL GOLDEN-MOTHS ORCHID

10.4.1 CONSERVATION OUTCOMES TO BE ACHIEVED

The conservation activities below have been designed to deliver the following outcome:

- > No substantial negative change to known populations within the Urban Growth Boundary, as a result of protection measures and ongoing management.

10.4.2 ACTIVITIES TO ACHIEVE CONSERVATION OUTCOMES

TABLE 12: CONSERVATION ACTIVITIES FOR SMALL GOLDEN-MOTHS ORCHID

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To protect areas of Clarke's Road grassland containing Small Golden Moths Orchid by applying appropriate planning controls and by land purchase or by securing private land management agreement/s	Amend the Melton Planning Scheme to introduce appropriate statutory planning controls (conservation zoning and Environmental Significance Overlay) to protect the Small Golden-Moths Orchid and other grassland values.	S1.2	Department of Planning and Community Development	Short term	Covered under existing allocations	Appropriate planning controls in planning scheme by June 2010
	Reflect the values of Clarke's Road Grassland in the Biodiversity Conservation Strategy and Growth Area Framework Plan for this Growth Area, including identifying and consulting on potential reserve boundaries and determining the funding and acquisition mechanisms to be applied to the land.	S2.1 S2.2	Department of Sustainability and Environment Growth Areas Authority Department of Planning and Community Development	Short term	Covered under existing allocations	Growth Area Framework Plans in place by June 2011 reinforce protection of this area Provide reserve proposal together with acquisition and management approach to Department of the Environment, Water, Heritage and the Arts as part of Biodiversity Conservation Strategy for the Growth Area by March 2011
	Legal agreements prepared and negotiated with landowners (under s69 of <i>Conservation Forests and Land Act</i> , <i>Victorian and Conservation Trusts Act</i> or s173 agreements under the <i>Planning and Environment Act 1987</i>)	S2.14 S2.16 S2.17	Department of Sustainability and Environment	Short to medium term	Covered under existing allocations	Land purchased or in private land management agreement by 2012

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To manage native grassland areas along Clarke's Road to improve their quality over the long-term and maximise habitat condition for threatened and other resident species, with particular emphasis on Small Golden-moths Orchid	Prepare a Reserve Management Plan for the Clarke's Road area.	S2.15	Department of Sustainability and Environment Parks Victoria	Medium term	Covered under existing allocations	Conservation Management Plan in place that provides appropriate protection and management regimes for persistence of the Small Golden Moth at the Clarke's Road area in perpetuity.
	Undertake works and monitor use of the reserve in accordance with the Conservation Management Plan. If not a public reserve, monitor planning permits and enforce any land management obligations in accordance with the requirements of the Conservation Management Plan and legal agreement.	S3.5 S4.5 S4.1 S1.E1 S2.E1	Parks Victoria Department of Sustainability and Environment Department of Planning and Community Development	Medium term to ongoing	Resources available and committed	Performance standards for management and monitoring provided to Department of the Environment, Water, Heritage and the Arts by June 2011 Each land parcel managed by Parks Victoria or private landowner according to Conservation Management Plan and/or legal agreement.

* Notes to Timing:

Short term means the activity is expected to occur within the period 2010 to 2013.

Medium term means the activity is expected to occur within the period 2014 to 2019.

Long term means the activity is expected to occur beyond 2020.

10.5 SOUTHERN BROWN BANDICOOT AND GROWLING GRASS FROG

10.5.1 CONSERVATION OUTCOMES TO BE ACHIEVED

The conservation activities below have been designed to deliver the following outcomes:

- > Functioning sustainable populations of Southern Brown Bandicoot and Growling Grass Frogs within and adjacent to the new Urban Growth Boundary with connectivity between populations.
- > Protection and enhancement of all populations of Southern Brown Bandicoot including the population at the Royal Botanic Gardens Cranbourne.
- > Protection and enhancement of important populations of Growling Grass Frog including the Merri Creek population, and those in the Pakenham and south east growth area, Kororoit Creek in the west and Darebin Creek in the north.

10.5.2 ACTIVITIES TO ACHIEVE CONSERVATION ACTIVITIES

TABLE 13: CONSERVATION ACTIVITIES FOR SOUTHERN BROWN BANDICOOT AND GROWLING GRASS FROG

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To protect important landscape/habitat areas of the Southern Brown Bandicoot and Growling Grass Frog	Undertake field surveys, population viability analyses and develop models for sub-regional planning, then prepare Sub-regional Species Strategies for conservation of Southern Brown Bandicoot and Growling Grass Frog to inform preparation of Biodiversity Conservation Strategies and Growth Area Framework Plans, and provide guidance to urban development planning	S2.3	Department of Sustainability and Environment	Short to medium term	Covered under existing allocations	Sub-regional strategies for Growling Grass Frog and Southern Brown Bandicoot submitted by February 2011 for Commonwealth Government approval Sub-regional Strategy for the Southern Brown Bandicoot reflected in Casey-Cardinia Growth Area Framework Plan by June 2011
	Implement key strategic management measures identified in the Sub-regional Species Strategies informing relevant Precinct Structure Plans.	S2.3	Department of Planning and Community Development Department of Sustainability and Environment Growth Areas Authority	Short term	Funding to be sought when required	Priority existing habitat protected and mechanism for future management established for Growling Grass Frog and Southern Brown Bandicoot by March 2011

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To implement Conservation Management Plans and prescriptions approved by the Commonwealth Minister for the Environment, Heritage and the Arts for the Growling Grass Frog and Southern Brown Bandicoot	Prepare Conservation Management Plans as part of the precinct structure planning process following the methodology of the Biodiversity Precinct Planning Kit and responding to requirements of relevant prescriptions.	S2.4 S2.6	Growth Areas Authority Growth area council Developer	Short term	Covered under existing allocations	Conservation Management Plans prepared to the satisfaction of Department of Sustainability and Environment and consistent with Sub-Regional Species Strategy (once prepared) Monitoring reports provided to Department of the Environment, Water, Heritage and the Arts at least every two years according to agreed schedule to demonstrate the effectiveness of management approaches for Southern Brown Bandicoot and Growling Grass Frog
	Monitor planning permits and enforce land management obligations in accordance with the requirements of the Native Vegetation Precinct Plan and Conservation Management Plan or other approval document.	S2.5 S2.7 S3.5 S3.7 S3.9 S1.E1 S2.E1	Growth area councils	Ongoing	Covered under existing allocations	Performance reported to Department of the Environment, Water, Heritage, and the Arts as agreed
To ensure the water quality of known and potential Growling Grass Frog habitat is maintained at the level necessary to contribute to their persistence across greater Melbourne	Incorporate best practice urban water management techniques through preparation of Integrated Water Management Plans as specified in the Precinct Structure Planning Guidelines for Precinct Structure Plans and/or equivalent process for transport infrastructure and other development planning	S2.4	Growth Areas Authority Growth area councils Developer	Short term	Covered under existing allocations	Integrated Water Management Plans prepared in accordance with the Precinct Structure Planning Guidelines All precincts, transport and other infrastructure included within the Program developed in accordance with best practice urban water management
	Protect relevant habitat identified in the Sub-Regional Strategy or individual Conservation Management Plan from potential point source water quality contaminants by adherence to Environment Protection Authority guidelines and procedures	S2.4 S2.12 S2.19	Growth Areas Authority Growth area councils Developer Environment Protection Authority	Ongoing	Covered under existing allocations	All precincts, transport and other infrastructure included within the Program managed in accordance with published Environment Protection Authority guidelines and remediation procedures

* Notes to Timing:

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Long term means the activity is expected to occur beyond 2020.

10.6 STRIPED LEGLESS LIZARD

10.6.1 CONSERVATION OUTCOMES TO BE ACHIEVED

The conservation activities below have been designed to deliver the following outcomes (from the recovery plan):

- > A series of reserves and other managed areas established such that viable populations are maintained across the known distribution of the species.
- > A program of research and monitoring undertaken to provide a basis for adaptive management of the Striped Legless Lizard.
- > Salvage and translocation options assessed, feasibilities determined and protocol developed for translocation.

10.6.2 ACTIVITIES TO ACHIEVE CONSERVATION OUTCOMES

TABLE 14: CONSERVATION ACTIVITIES FOR STRIPED LEGLESS LIZARD

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To implement prescription approved by the Commonwealth Minister for the Environment, Heritage and the Arts for the Striped Legless Lizard prior to detailed planning and construction (precinct planning and transport infrastructure and other development)	Undertake detailed surveys for Striped Legless Lizard. Prepare Conservation Management Plans and Biodiversity component of Precinct Structure Plans following the methodology outlined in the Biodiversity Precinct Planning Kit and responding to requirements of relevant prescriptions	S2.4 S2.6	Growth Areas Authority	Short to medium term	Covered under existing allocations	Surveys undertaken in accordance with the Biodiversity Precinct Planning Kit methodology Surveys undertaken prior to commencement of precinct planning All data provided to the Department of Sustainability and Environment within three months of submission to the Growth Areas Authority Precinct Structure Plan reflects relevant conservation management plan
	Prepare translocation protocol in consultation with the Striped Legless Lizard recovery team	S2.2	Department of Sustainability and Environment	Short term	Covered under existing allocations	Protocol for translocation provided to Department of the Environment, Water, Heritage and the Arts by 2010

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
Manage and monitor populations in western grassland reserves and any populations translocated from or within the Program area	<p>Undertake works, manage and monitor and park activities in accordance with the National Park or Reserve Management Plan (refer to Natural Temperate Grasslands above)</p> <p>Undertake control and management of feral and domestic animals to protect grassland wildlife from predation and disturbance.</p>	S3.5 S2.E3 S3.E5 S4.E3 S4.E2	Parks Victoria Department of Sustainability and Environment	Medium to long Term	Required resources have been committed by the Victorian Government (refer to Natural Temperate Grasslands above)	<p>Monitoring results provided to national recovery team and to Department of the Environment, Water, Heritage and the Arts as per park management plan</p> <p>Community in vicinity of grassland reserves and translocated populations is provided with relevant information regarding consequences relating to control of domestic animals and protection of wildlife</p>
Manage and monitor populations in western grassland reserves and any populations translocated from or within the Program area	Undertake works, manage and monitor and park activities in accordance with the National Park or Reserve Management Plan (refer to Natural Temperate Grasslands above)	S3.5 S2.E3 S3.E5 S4.E2 S4.E3	Parks Victoria Department of Sustainability and Environment	Medium to long Term	Required resources have been committed by the Victorian Government (refer to Natural Temperate Grasslands above)	<p>Monitoring results provided to national recovery team and to Department of the Environment, Water, Heritage and the Arts as per park management plan</p> <p>Community in vicinity of grassland reserves and translocated populations is provided with relevant information regarding consequences relating to control of domestic animals and protection of wildlife</p>

* Notes to Timing:

Short term means the activity is expected to occur within the period 2010 to 2013.

Medium term means the activity is expected to occur within the period 2014 to 2019.

Long term means the activity is expected to occur beyond 2020.

10.7 AUSTRALIAN GRAYLING

10.7.1 CONSERVATION OUTCOMES TO BE ACHIEVED

The conservation activities below have been designed to deliver the following outcome (from the recovery plan):

- > Management of factors, including migration routes, riparian vegetation and water quality, affecting Australian Grayling populations to promote persistence and recovery of the species in Cardinia Creek.

10.7.2 ACTIVITIES TO ACHIEVE CONSERVATION OUTCOMES

TABLE 15: CONSERVATION ACTIVITIES FOR AUSTRALIAN GRAYLING

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To protect and actively manage riparian vegetation along Cardinia Creek to improve vegetation quality and extent	Identify Cardinia Creek and land within the buffer in the revised Casey-Cardinia Growth Area Framework Plan as important for grayling conservation. Apply appropriate statutory planning controls (e.g. Environmental Significance Overlay) to land within the buffer area of Cardinia Creek	S2.1	Growth Areas Authority Department of Planning and Community Development	Short term	Covered under existing allocations	Appropriate planning controls in Cardinia Planning Scheme and Casey Planning Scheme by June 2010
	Prepare Conservation Management Plans for precincts that abut Cardinia Creek	S2.6	Growth Areas Authority	Short term	Covered under existing allocations	Protection/management measures affording to in-stream Grayling habitat and adjacent buffers
	Precinct Structure Plans are developed to reflect relevant conservation management plan	S2.4	Growth Areas Authority	Short term		Protection/management measures affording to in-stream Grayling habitat and adjacent buffers.
	Undertake works consistent with the Conservation Management Plans	S3.1	Melbourne Water Casey City Council Cardinia Shire Council	Ongoing	Covered under existing allocations	Management consistent with Port Phillip and Westernport Regional River Health Strategy targets

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To protect potential habitat for the Grayling through enhanced water management measures	Incorporate best practice urban water management techniques through preparation of Integrated Water Management Plans as specified in the Precinct Structure Planning Guidelines for Precinct Structure Plans and/or equivalent process for transport infrastructure	S2.4 S2.E1 S3.E4 S4.E4 S2.E4 S2.E5	Growth Areas Authority Growth area councils Developer	Short term	Covered under existing allocations	Integrated Water Management Plans prepared in accordance with the Precinct Structure Planning Guidelines All precincts and transport infrastructure included within the Program developed in accordance with best practice urban water management
	Protect Cardinia Creek from potential point source water quality contaminants by adherence to Environment Protection Authority guidelines and procedures	S2.4 S2.12 S2.19 S3.E3 S3.E4 S4.E4	Growth Areas Authority Growth area councils Developer Environment Protection Authority Melbourne Water	Ongoing	Covered under existing allocations	All precincts, transport and other infrastructure included within the Program managed in accordance with published Environment Protection Authority guidelines and remediation procedures
	Protect Cardinia Creek from potential point source water quality contaminants by adherence to Environment Protection Authority guidelines and procedures	S2.4 S2.12 S2.19 S.E3 S3.E4 S4.E4	Growth Areas Authority Growth area councils Developer Environment Protection Authority Melbourne Water	Ongoing	Covered under existing allocations	All precincts, transport and other infrastructure included within the Program managed in accordance with published Environment Protection Authority guidelines and remediation procedures

*Notes to Timing:

Short term means the activity is expected to occur within the period 2010 to 2013.

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Long term means the activity is expected to occur beyond 2020.

10.8 BUTTON WRINKLEWORT, LARGE-FRUIT GROUNDSEL

10.8.1 CONSERVATION OUTCOMES TO BE ACHIEVED

The conservation activities below have been designed to deliver the following outcomes:

- > No substantial negative change to known populations within the Urban Growth Boundary, as a result of protection measures and ongoing management.

10.8.2 ACTIVITIES TO ACHIEVE CONSERVATION OUTCOMES

TABLE 16: CONSERVATION ACTIVITIES FOR BUTTON WRINKLEWORT, LARGE-FRUIT GROUNDSEL

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To protect and manage all known populations on public land	Identify Truganina Cemetery grassland and land within the buffer (e.g. 200 m) in revising the Wyndham Growth Area Framework Plan	S2.1	Growth Areas Authority	Short term	Covered under existing allocations	Wyndham Growth Area Framework Plan in place by June 2011
	Determine the land management buffer for Truganina Cemetery grassland through precinct structure planning and the preparation of Native Vegetation Precinct Plans	S2.4 S2.5	Growth Areas Authority Growth area council Developer	Short term	Covered under existing allocations	Precinct Structure Plan recognises the significance of Truganina Cemetery grassland
	Renegotiate current Public Authority Management Agreement for Truganina Cemetery to protect grassland and values of threatened species	S2.18	Department of Sustainability and Environment	Short term	Covered under existing allocations	Management agreement sets out clear standards for managing grassland values
	Monitor threatened species populations and results of management interventions in Truganina Cemetery, rail reserves (within urban Growth Boundary) and western grassland reserves, adapting management approach as required	S3.6	Department of Sustainability and Environment (Truganina Cemetery); Parks Victoria (western grassland reserves)	Ongoing	Covered under existing allocations	Monitoring results provided to Department of the Environment, Water, Heritage and the Arts as agreed under Monitoring and Reporting Framework

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To identify and protect where practicable populations on private land and additional populations on public land	Undertake surveys for these species consistent with the Precinct Planning Biodiversity Kit as part of precinct, transport and other development planning	S2.4	Growth Areas Authority Growth area council Department of Transport / VicRoads Developer	Short to medium term	Covered under existing allocations	Surveys undertaken in accordance with the Biodiversity Precinct Planning Kit methodology Surveys undertaken prior to commencement of precinct planning All data provided to the Department of Sustainability and Environment within three months of submission to the Growth Areas Authority
	Develop a prescription for Large-fruit Groundsel based on its occurrence at the Rockbank site to inform the Growth Area Framework Planning, Precinct Structure Planning and transport planning processes. This prescription will guide mitigation and management decisions for the remainder of the Program including whether to retain the species on site.	S2.4 S1.E1 S4.E1	Department of Sustainability and Environment	Short term	Covered under existing allocations	Prescription approved by the Commonwealth Minister of the Environment, Heritage and the Arts
	Develop a prescription for Button Wrinklewort if new populations are located, to inform relevant planning process.	S2.4	Department of Sustainability and Environment	Short to medium term	Covered under existing allocations	Prescription approved by the Commonwealth Minister of the Environment, Heritage and the Arts, Department of the Environment, Water, Heritage and the Arts

* Notes to Timing:

Short term means the activity is expected to occur within the period 2010 to 2013.

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Long term means the activity is expected to occur beyond 2020.

10.9 MAROON LEEK-ORCHID, SWAMP EVERLASTING

10.9.1 CONSERVATION OUTCOMES TO BE ACHIEVED

The conservation activities below have been designed to deliver the following outcomes:

- > No substantial negative change to known populations within the Urban Growth Boundary, as a result of protection measures and ongoing management.
- > The potential extinction in the wild of Maroon Leek-orchid is averted and the ability of each population to become self-sustaining in the long term is increased (from the recovery plan).

10.9.2 ACTIVITIES TO ACHIEVE CONSERVATION OUTCOMES

TABLE 17: CONSERVATION ACTIVITIES FOR MAROON LEEK-ORCHID, SWAMP EVERLASTING

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To protect the Maroon Leek-Orchid, Swamp Everlasting within the disused railway at Clyde	Investigate establishing the disused railway at Clyde as a potential conservation area through preparing the Biodiversity Conservation Strategy for the south-east and subsequent revised Casey-Cardinia Growth Area Framework Plan	S2.1	Department of Sustainability and Environment Growth Areas Authority	Short term	Covered under existing allocations	Biodiversity Conservation Strategy for south-east reflects values of disused railway line and provided for Commonwealth approval by March 2011
	Prepare Conservation Management Plan for the Clyde railway as part of preparing a Precinct Structure Plan for area, which provides for protection, management and monitoring of Maroon Leek-orchid and Swamp Everlasting	S2.4 S2.6 S1.E1 S4.E1	Growth Areas Authority Casey City Council Developers	Short to medium term	Covered under existing allocations	Management plan in place prior to commencement of construction Precinct Structure Plan reflects Conservation Management Plan

* Notes to Timing:

Short term means the activity is expected to occur within the period 2010 to 2013.

Medium term means the activity is expected to occur within the period 2014 to 2019.

Long term means the activity is expected to occur beyond 2020.

10.10 LISTED SPECIES WITHOUT CURRENT PRESCRIPTIONS, AND SPECIES AND COMMUNITIES THAT MAY BE LISTED IN THE FUTURE

10.10.1 CONSERVATION OUTCOMES TO BE ACHIEVED

The conservation activities below have been designed to deliver the following outcomes:

- > All listed species and ecological communities are identified and assessed prior to planning and construction of development works.
- > No substantial negative change to known populations within the Urban Growth Boundary, as a result of protection measures and ongoing management. or outcomes as otherwise agreed with the Commonwealth

10.10.2 ACTIVITIES TO ACHIEVE CONSERVATION OUTCOMES

TABLE 18: CONSERVATION ACTIVITIES FOR LISTED SPECIES WITHOUT PRESCRIPTIONS, AND SPECIES AND COMMUNITIES THAT MAY BE LISTED IN THE FUTURE

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To provide further data to inform the preparation of Precinct Structure Plans and transport infrastructure and to establish prescriptions for listed species without current prescriptions, and for species and communities that may be listed in the future	Conduct targeted surveys for all species listed in the Strategic Impact Assessment Report for which a prescription has not been prepared, prior to detailed planning and construction of program activities.	S2.4	Department of Sustainability and Environment	Ongoing	Covered under existing allocations	Surveys undertaken in accordance with Biodiversity Precinct Planning kit standards Surveys undertaken prior to commencement of precinct planning All data provided to the Department of Sustainability and Environment within three months of submission to Growth Areas Authority
	Develop prescriptions for any species likely to be impacted through implementation of the Program.	S2.4	Department of Sustainability and Environment	Ongoing	Covered under existing allocations	All new prescriptions to be provided to the Commonwealth Minister of the Environment, Heritage and the Arts for approval prior to their application Approved prescriptions for any species likely to be impacted as a result of the Program must be in place prior to construction

* Notes to Timing:

Short term means the activity is expected to occur within the period 2010 to 2013.

Medium term means the activity is expected to occur within the period 2014 to 2019.

Long term means the activity is expected to occur beyond 2020.

10.11 MIGRATORY SPECIES, WATERWAYS, WETLANDS AND RAMSAR SITES

10.11.1 CONSERVATION OUTCOMES TO BE ACHIEVED

The conservation activities below have been designed to deliver the following outcomes:

- > A network of small and large conservation reserves including a diversity of wetland areas managed for their migratory species and other wetland values, particularly in areas distant from urban development.
- > Improved management and design of retained and constructed wetlands to maximise habitat opportunities for migratory species.
- > Major new area of re-established wetlands managed for water quality mitigation and biodiversity conservation.
- > Improved water quality entering Western Port Ramsar site.
- > Same or improved water quality entering Port Phillip Bay Ramsar site.
- > Limited indirect disturbances (e.g. dogs) to identified wetlands.

10.11.2 ACTIVITIES TO ACHIEVE CONSERVATION OUTCOMES

TABLE 19: CONSERVATION ACTIVITIES FOR MIGRATORY SPECIES, WATERWAYS, WETLANDS AND RAMSAR SITES

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
Protect and re-establish the area of former wetlands adjacent to Casey-Cardinia Growth Area for use as flood and water quality mitigation and biodiversity conservation	Investigate establishing a wetland area in conjunction with the preparation of the Biodiversity Conservation Strategy for the south-east and subsequent revised Casey-Cardinia Growth Area Framework Plan, including identifying the funding and acquisition mechanism.	S2.1	Growth Areas Authority Melbourne Water	Short term	Funding secured	Outcome of wetland investigation provided to Department of the Environment, Water, Heritage and the Arts by March 2011
	Prepare Management Plan for the wetlands	S2.15	Melbourne Water	Short term	Covered under existing allocations	Management plan results in a major portion of the area being actively managed for biodiversity conservation, including threatened and migratory species
	Undertake works in accordance with the Management Plan	S3.5	Melbourne Water	Short to Medium term	Covered under existing allocations	Works undertaken in accordance with management plan
	Monitor threatened and migratory species, management activities and enforce compliance with the Management Plan	S3.5 S1.E1 S4.E1	Department of Sustainability and Environment	Ongoing	Covered under existing allocations	Monitoring results provided to Department of the Environment, Water, Heritage and the Arts as part of two, four yearly (initially) then five yearly audit reports or as agreed in the Monitoring and Reporting Framework

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To manage habitat for migratory species in accordance with the prescriptions approved by the Commonwealth Minister of the Environment, Heritage and the Arts established for precinct structure planning and infrastructure planning	Identify important wetlands and other habitat areas for migratory species as part of the Biodiversity Conservation Strategies prepared for each growth area	S2.2	Growth Areas Authority	Short term	Covered under existing allocations	Biodiversity Conservation Strategies identify important wetland areas for retention and management
	Prepare Conservation Management Plans and Biodiversity component of Precinct Structure Plans, including specifying the design and construction of wetland areas (where appropriate) and the management requirements for retained wetlands; incorporate requirements of relevant prescriptions.	S2.5 S2.6	Growth Areas Authority Growth area councils Developer	Short to medium term	Covered under existing allocations	Surveys undertaken in accordance with the Biodiversity Precinct Planning Kit Nationally significant migratory bird sites protected with a 200m buffer as part of Precinct Structure Plan
	Undertake works in accordance with the Conservation Management Plan and conditions of any planning approval	S2.6 S3.E2 S3.E3 S3.E4	Growth area councils Developer	Ongoing	Covered under existing allocations	Wetlands within precincts suitably buffered from disturbances (including dogs and actively managed to retain or enhance values)
	Monitor and enforce any land management obligations in accordance with the conditions of planning approval	S3.1	Growth area councils	Ongoing	Covered under existing allocations	Breaches reported to Department of the Environment, Water, Heritage and the Arts as agreed
To protect important areas within Ramsar sites and downstream Ramsar sites through enhanced management measures	Incorporate best practice urban water management techniques through preparation of Integrated Water Management Plans as specified in the Precinct Structure Planning Guidelines for Precinct Structure Plans and/or equivalent process for transport infrastructure	S2.4, S2.E1 S3.E4 S4.E4 S2.E4 S2.E5	Growth Areas Authority Growth area councils Developer	Short term	Covered under existing allocations	Integrated Water Management Plans prepared in accordance with the Precinct Structure Planning Guidelines All precincts and transport infrastructure included within the Program developed in accordance with best practice urban water management
	Increase protection measures and monitoring of areas of Port Phillip Bay Ramsar site within 2 kilometres of new urban areas Undertake control and management of feral and domestic animals to protect wetland sites and wildlife from disturbance	S2.15, S1.E1 S4.E1	Parks Victoria	Ongoing	Covered under existing allocations	Process of updating Ramsar management plans incorporates specific measures to protect, monitor and adaptively manage these sites Dogs and pedestrians effectively excluded at least 200 metres from important shorebird sites (within 2km of urban areas) from December 2010 Communities in vicinity of Ramsar sites and upstream waterways are provided with relevant information regarding consequences relating to control of domestic animals and protection of wildlife
	Monitor and enforce land management obligations in accordance with planning permits	S3.1 S4.1 S3.9	Growth area councils	Ongoing	Covered under existing allocations	Breaches reported to Department of the Environment, Water, Heritage and the Arts as agreed

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
	Monitor water quality entering Ramsar sites and prepare adaptive management response as required	S3.3 S1.E1 S2.E1 S3.E1	Independent reporter Environment Protection Authority	Ongoing	Covered under existing allocations	Water entering waterways upstream of Ramsar sites complies with published standards consistent with relevant State Environmental Protection Policy Remedial management plan to deal with potential water quality breaches prepared for the Department of the Environment, Water, Heritage and the Arts by 2010 Results of water quality testing, and compliance with proposed conservation outcomes submitted to the Department of the Environment, Water, Heritage and the Arts as part of independent monitoring and auditing of Program. Remedial action taken as necessary
	Protect Ramsar sites and upstream waterways from potential point source water quality contaminants by adherence to Environment Protection Authority guidelines and procedures.	S2.4 S2.12 S2.19	Environment Protection Authority Melbourne Water	Ongoing	Covered under existing allocations	All precincts, transport and other infrastructure included within the Program managed in accordance with published Environment Protection Authority guidelines and remediation procedures
To protect Ramsar site and downstream impacts associated with the Outer Metropolitan Ring /E6 Transport Corridor	Provide specific measures for protecting and adaptively managing potential impacts on Ramsar values in the Environment Impact Report prepared for the Outer Metropolitan Ring/E6 and translate these measures into the overarching environmental protection strategy and relevant Environmental Management Plans.	S2.12 S2.E5	VicRoads	Medium term	Covered under existing allocations	Mechanism for protecting Ramsar site values included in report to Commonwealth as agreed in Monitoring and Reporting Framework

* Notes to Timing:
Short term means the activity is expected to occur within the period 2010 to 2013.
Medium term means the activity is expected to occur within the period 2014 to 2019.
Long term means the activity is expected to occur beyond 2020.

10.12 HERITAGE

10.12.1 CONSERVATION OUTCOMES TO BE ACHIEVED

The conservation activities below have been designed to deliver the following outcomes:

- > All heritage properties or places of national environmental significance protected throughout Greater Melbourne.

10.12.2 ACTIVITIES TO ACHIEVE CONSERVATION OUTCOMES

TABLE 20: CONSERVATION ACTIVITIES FOR HERITAGE SITES

Objective	Actions	Mechanism for Delivery	Responsible Agency	Timing*	Resources	Performance Measures
To protect all known sites on the Register of National Estate and to protect sites of Aboriginal cultural heritage	Retain and protect sites of heritage significance through the precinct structure planning process and implement appropriate statutory controls heritage	S2.4 S2.9	Growth Areas Authority Growth area councils Developer	Short to medium term	Covered under existing allocations	All known sites on the Register of the National Estate referenced in relevant local planning schemes with appropriate controls in place by 2010
	Prepare Cultural Heritage Management plan through the precinct structure planning process	S2.8	Growth Areas Authority Growth area councils Developer	Short to medium term	Covered under existing allocations	Cultural Heritage Management Plan in place for precincts
To manage all known sites on the Register of National Estate and to protect sites of Aboriginal cultural heritage	Undertake activities in accordance with the Cultural Heritage Management Plan and Precinct Structure Plan	S3.1 S3.2	Growth area councils Developers	Ongoing	From land manager	To be agreed with the Department of Environment, Heritage, Water and the Arts
	Monitor use and enforce any land management obligations that apply with statutory planning controls and Cultural Heritage Management Plan	S4.1	Department of Planning and Community Development	Ongoing	From land manager	To be agreed with the Department of Environment, Heritage, Water and the Arts

* Notes to Timing:

Short term means the activity is expected to occur within the period 2010 to 2013.

Medium term means the activity is expected to occur within the period 2014 to 2019.

Long term means the activity is expected to occur beyond 2020.

PART 4: PROGRAM EVALUATION

11. MONITORING AND REPORTING

11.1 VICTORIAN GOVERNMENT AND INDEPENDENT MONITORING AND REPORTING PROCESSES

The Victorian Government will undertake monitoring and reporting at all stages of implementing the Program. This will take place through a combination of processes prescribed under current Victorian legislation; and specific activities established in this Report to monitor the outcomes and processes involved in implementing the Program.

The primary purpose of carrying out monitoring and reporting processes is to ensure compliance with the endorsed Program, any approved actions and specified conditions by the Minister for the Environment, Heritage and the Arts (see 5.1 Stage 1 – approval process).

11.1.1 STAGE 1: APPROVAL

The primary purpose of monitoring and reporting at stage 1 is to ensure that the amendments to *The Planning and Environment Act 1987* and to all Victorian planning schemes to give effect to the Program secure the framework for all subsequent steps during the implementation of the Program. Table 21 outlines the activities that would apply at Stage 1.

The Victorian Government will provide a report to the Commonwealth Government that demonstrates the consistency of the planning scheme amendment with the endorsed Program. This report will outline how, when and where the various elements of the Program are implemented through the planning scheme.

This stage will also establish a process for public reporting of activities and outcomes to assist transparency and accountability. Public reporting will continue through the life of the Program.

11.1.2 STAGE 2: PROCESS IMPLEMENTATION

The purpose of monitoring and reporting at stage 2 is to ensure that the planning mechanisms (i.e. the urban planning frameworks and reservation of land) are established in the manner they are described in the Program. The monitoring activities that will occur at this stage are set out in Table 22.

An independent monitor will be appointed at this stage to check compliance and provide assurance to the Commonwealth Government that the Victorian Government is effectively implementing the endorsed Program. Independent monitoring will occur frequently early on in the implementation process and greater reliance will be placed on existing Victorian monitoring processes as the Program progresses.

11.1.3 STAGE 3: CONSTRUCTION AND WORKS

At this stage in the process there will be a greater range of parties involved in implementing the Program. Construction and works will be undertaken by a combination of Victorian Government agencies and statutory bodies, Local Government, the development industry and other private sector bodies.

The monitoring and reporting activities that will occur at this stage are set out in Table 23. They will predominantly occur through existing Victorian Government enforcement processes.

Some independent evaluation will occur early on in the implementation of stage 3 of the Program in order to provide greater certainty to the Commonwealth Government. The nature of independent evaluation will be determined during stage 1.

11.1.4 STAGE 4: OPERATION

The monitoring and reporting at the operational stage will focus on ensuring the ongoing use and management of transport infrastructure, grassland reserves and activities occurring within the growth areas are operating in accordance with the endorsed Program, subsequent approvals and conditions. A key focus will be on ensuring that conservation areas are being managed so as to achieve the outcomes envisaged for the matters of national environmental significance (as outlined in Part 3). This will be undertaken according to the adaptive management approach set out in Section 11.2.

The monitoring and reporting activities that will occur at this stage are set out in Table 24. In this stage monitoring and reporting will occur through enforcing Victorian legislation.

At different stages in the monitoring process an independent monitor will be appointed to ensure transparent reporting to the Commonwealth Minister for the Environment, Heritage and the Arts. Terms of reference for the independent monitor will be agreed between the Victorian and Commonwealth Governments.

The following tables provide indicative monitoring activities. Further clarification and a schedule will be specified in a monitoring and reporting framework to be agreed with the Commonwealth Government during Stage 1. This framework will include the adaptive management approach for managing and reporting on matters of national environmental significance set out in Section 11.2.

TABLE 21: STAGE 1 (APPROVAL) MONITORING AND REPORTING REQUIREMENTS

Ref	Type	What is Monitored and Reported?	Legislative basis	Purpose	Activities	Responsibility	Timing*
S1.E1	Victorian Government Reporting (Program Specific)	Approval conditions	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Strategic Approval)	To ensure that the planning scheme amendments give effect to the Program	Report submitted to the Department of Environment, Water, Heritage and the Arts outlining how, where and when the planning scheme amendment and amendment to the <i>Planning and Environment Act 1987</i> has given effect to the Program Reporting and Monitoring Framework (with schedules) established between the Victorian Government and Commonwealth Government	Victorian Minister for Planning <i>Assisted by:</i> Department of Planning and Community Development and Commonwealth Minister for the Environment, Heritage and the Arts <i>Assisted by:</i> Department of Environment, Water, Heritage and the Arts	Report submitted within 3 months of the Victorian Government's Approval Monitoring and Reporting Framework established within 12 months of the Victorian Government's Approval

S1.E2	Public reporting	Program stages and processes Accounting for clearing and offsets for matters of national environmental significance impacted under the Program Results of other monitoring and reporting regimes (eg. water quality, conservation outcomes)	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Strategic Approval)	To assist transparency and public accountability	Details will be determined as part of Monitoring and Reporting Framework, however will include a regularly updated website as a minimum	Victorian Minister for Planning <i>Assisted by:</i> Department of Planning and Community Development and Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment	Website established within 3 months of the Commonwealth Government's endorsement of the Program Further details in Monitoring and Reporting Framework established within 12 months of the of the Commonwealth Government's endorsement
S1.E3	Review process	All aspects of the Program's operation	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Strategic Approval)	To provide Commonwealth Minister with confidence regarding progress of implementation and management of matters of national environmental significance	Scope of review and actions that will be taken as a result of the review to be determined	Victorian Minister for Planning <i>Assisted by:</i> Department of Planning and Community Development and Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment	Scope to be determined within 18 months of Commonwealth Government's endorsement

* Notes to Timing:

Short term means the activity is expected to occur within the period 2010 to 2013.
Medium term means the activity is expected to occur within the period 2014 to 2019.
Long term means the activity is expected to occur beyond 2020.

TABLE 22: STAGE 2 (PROCESS IMPLEMENTATION) MONITORING AND REPORTING REQUIREMENTS

Ref	Type	What is Monitored and Reported?	Legislative basis	Purpose	Activities	Responsibility	Timing*
S2.E1	Independent Reporting (Program Specific)	<p>Growth Area Framework Plans</p> <p>Sub-Regional Species Strategies</p> <p>Biodiversity Conservation Strategies</p> <p>Conservation Management Plans</p> <p>Native Vegetation Precinct Plans</p> <p>Precinct Structure Plans</p> <p>National park or reserve management plans</p> <p>Framework for transport infrastructure (TBC)</p> <p>Transport planning mechanisms</p> <p>Other activities within the Program if relevant (eg. New quarry approvals, sewage treatment facilities)</p>	<p><i>Environment Protection and Biodiversity Conservation Act 1999</i></p> <p>(Strategic Approval)</p>	To ensure that the processes undertaken to prepare urban frameworks, transport frameworks and the reservation of land occur in the manner described in the endorsed Program Report.	<p>Appoint an Independent party to undertake monitoring and reporting</p> <p>Independent party to prepare and submit a report to the Victorian Government and Commonwealth Government that covers all projects defined by the Program</p>	<p>Victorian Minister for Planning</p> <p><i>Assisted by:</i></p> <p>Growth Areas Authority</p> <p>Department of Planning and Community Development</p> <p>Victorian Minister for Environment and Climate Change</p> <p>Department of Sustainability and Environment</p> <p>Victorian Minister for Road and Ports and</p> <p>Victorian Minister for Public Transport</p> <p>Department of Transport</p> <p>VicRoads</p> <p>Monitoring and compliance:</p> <p>Commonwealth Minister for Environment, Heritage and the Arts</p> <p><i>Assisted by:</i></p> <p>Department of the Environment, Water, Heritage and the Arts</p>	<p>To be determined during Stage 1 in establishing the reporting schedule.</p> <p>Independent reporting will occur every 2 years for the first 4 years unless otherwise agreed</p>

Ref	Type	What is Monitored and Reported?	Legislative basis	Purpose	Activities	Responsibility	Timing*
S2.E2	Reporting under Victorian legislative processes	Growth Area Framework Plans Sub-Regional Species Strategies Biodiversity Conservation Strategies Conservation Management Plans Native Vegetation Precinct Plans Precinct Structure Plans Planning permits	<i>Planning and Environment Act 1987</i>	To ensure that each of the specific plans is implemented in accordance with planning policy, guidelines and practice notes.	All plans prepared to implement the Program to be submitted to the Victorian Minister for Planning for review against requirements of the planning schemes.	Victorian Minister for Planning <i>Assisted by:</i> Victorian Minister for Environment and Climate Change Department of Planning and Community Development Department of Sustainability and Environment Growth Areas Authority VicRoads	Ongoing
S2.E3		Grassland Reserves (Interim Management Plans, Management Strategies, Reserve Strategies)	<i>Crown Land Reserves Act 1978</i>	To ensure grasslands established and managed as outlined in Program and further detailed in the <i>Strategic Impact Assessment Report</i>	Any plans referred to Minister for Environment and Climate Change for endorsement Approved if consistent with overarching Conservation Strategy, and relevant Planning Scheme controls	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Department of Sustainability and Environment	Ongoing

Ref	Type	What is Monitored and Reported?	Legislative basis	Purpose	Activities	Responsibility	Timing*
S2.E4		Transport Corridor (Regional Rail Link – west of Werribee to Deer Park)	<i>Planning and Environment Act 1987</i>	To ensure that transport infrastructure area assessed and planned in accordance with conditions made under the <i>Environment Effects Act 1978</i> and/or any instrument made under the <i>Planning and Environment Act 1987</i> .	Development plans prepared following implementation of conditions. Environmental Management Plan prepared, including measures for managing construction impacts	Victorian Minister for Planning <i>Assisted by:</i> Victorian Minister for Environment and Climate Change (in consultation with Commonwealth Minister for the Environment, Heritage and the Arts) Department of Planning and Community Development Department of Sustainability and Environment Department of the Environment, Water, Heritage and the Arts	Ongoing
S2.E5		Transport Corridor (Outer Metropolitan Ring/E6)	<i>Planning and Environment Act 1987</i>	To ensure that transport infrastructure area assessed and planned in accordance with conditions made under the <i>Environment Effects Act 1978</i> and/or any instrument made under the <i>Planning and Environment Act 1987</i> .	Development plans prepared following preparation of Environmental Impact Report Environmental Impact Report outlines monitoring in environmental management strategy	Victorian Minister for Planning <i>Assisted by:</i> Victorian Minister for Environment and Climate Change Department of Planning and Community Development Department of Sustainability and Environment	Ongoing

* Notes to Timing:

Short term means the activity is expected to occur within the period 2010 to 2013.

Medium term means the activity is expected to occur within the period 2014 to 2019.

Long term means the activity is expected to occur beyond 2020.

TABLE 23: STAGE 3 (CONSTRUCTION AND WORKS) MONITORING AND REPORTING REQUIREMENTS

Ref	Type	What is Monitored and Reported?	Legislative basis	Purpose	Activities	Responsibility	Timing*
S3.E1	Independent Monitor (Program Specific)	Construction and works undertaken to implement the Program	<i>Environment Protection and Biodiversity Conservation Act 1999</i> [Strategic Approval]	To identify any non compliance with the Program.	Independent monitor to prepare a report and provide to the Commonwealth on any non compliance	Victorian Minister for Planning <i>Assisted by:</i> Department of Planning and Community Development Victorian Minister for Environment and Climate Change Department of Sustainability and Environment Minister for Roads and Ports Minister for Public Transport Department of Transport VicRoads	Every 5 years or as agreed under monitoring and reporting framework

Ref	Type	What is Monitored and Reported?	Legislative basis	Purpose	Activities	Responsibility	Timing*
S3.E2	Monitoring and Enforcement under Victorian legislative processes	Construction of urban areas (within the Growth Areas)	<p><i>Planning and Environment Act 1987</i></p> <p><i>Environment Protection Act 1970</i></p> <p><i>Extractive Industries Development Act</i></p>	<p>To ensure works occur in accordance with the approved plans through enforcement</p> <p>To ensure works occur in accordance with any approved planning permits</p> <p>To ensure any emissions or pollution comply with Victorian Government standards</p> <p>To ensure compliance with approved work plan (licence) for extractive industries</p> <p>To ensure biodiversity is managed in accordance with the Program's approval</p> <p>To notify the Commonwealth Government and independent monitor any known or likely cases of non-compliance</p>	Enforcement of non-compliant activities	<p>Victorian Minister for Planning</p> <p><i>Assisted by:</i></p> <p>Department of Planning and Community Development</p> <p>Local Government</p> <p>Victorian Minister for Environment and Climate Change</p> <p>Department of Sustainability and Environment</p> <p>Environment Protection Authority</p> <p>Department of Primary Industries</p>	Ongoing
S3.E3		Construction of infrastructure for the Regional Rail Link – west of Werribee to Deer Park	<p><i>Planning and Environment Act 1987</i></p> <p><i>Environment Protection Act 1970</i></p>	<p>To ensure works occur in accordance with the approved development plans</p> <p>To ensure any emissions or pollution comply with Victorian Government standards</p> <p>To notify the Commonwealth and independent monitor any known or likely cases of non-compliance</p>	Enforcement of non-compliant activities	Department of Transport	Ongoing

Ref	Type	What is Monitored and Reported?	Legislative basis	Purpose	Activities	Responsibility	Timing*
S3.E4		Construction of infrastructure for the Outer Metropolitan Ring / E6 Transport Corridor	<i>Planning and Environment Act 1987</i> <i>Environment Protection Act 1970</i>	To ensure works occur in accordance with the approved development plans (and any Environmental Management Plans – including any specific performance measures) To ensure any emissions or pollution comply with Victorian Government standards To notify the Commonwealth and independent monitor any known or likely cases of non-compliance	Enforcement of non-compliant activities	VicRoads	Ongoing
S3.E5		Works associated with the Grassland Reserves	<i>Crown Land Reserves Act</i> <i>Planning and Environment Act 1987</i>	To ensure works occur in accordance with the approved management plan	Enforcement of non-compliant activities	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Victorian Minister for Planning Parks Victoria Department of Sustainability and Environment Department of Planning and Community Development Local Government	Ongoing

TABLE 24: STAGE 4 (OPERATIONAL) MONITORING AND REPORTING REQUIREMENTS

Ref	Type	What is Monitored and Reported?	Legislative basis	Purpose	Activities	Responsibility	Timing*
S4.E1	Audit under Victorian legislative processes	Use of land within urban areas	<i>Planning and Environment Act 1987</i> <i>Environment Protection Act 1970</i> <i>Extractive Industries Development Act 1995</i> <i>Flora and Fauna Guarantee Act 1988</i>	To ensure any new uses comply with relevant planning controls To ensure any emissions or pollution comply with state standards To ensure no non-compliance with approved work plan (licence) for extractive industries To ensure biodiversity is managed in accordance with the Program's approval	Enforcement of non-compliant activities	Victorian Minister for Planning (P&E ACT) Victorian Minister for Environment and Climate Change (FFG Act, EPA Act) Victorian Minister for Trade and Industry (EID Act) <i>Assisted by:</i> Local Government Department of Primary Industries Department of Planning and Community Development Department of Sustainability and Environment Environment Protection Authority	Ongoing
S4.E2		Transport Corridor (Regional Rail Link – west of Werribee to Deer Park)	<i>Planning and Environment Act 1987</i>	To ensure that ongoing use is undertaken in accordance with any Environmental Management Plans and development plans	Enforcement of non-compliant activities	Victorian Minister for Planning <i>Assisted by:</i> Department of Planning and Community Development	Ongoing
S4.E3		Transport Corridor (Outer Metropolitan Ring/E6)	<i>Planning and Environment Act 1987</i>	To ensure that development plans and Environmental Management Plans are consistent with Environmental Impact Report	Enforcement of non-compliant activities	Victorian Minister for Planning <i>Assisted by:</i> Department of Planning and Community Development	Ongoing

Ref	Type	What is Monitored and Reported?	Legislative basis	Purpose	Activities	Responsibility	Timing*
S4.E4		Use of Grassland reserves and any areas designated for conservation purposes within the Growth Areas	<i>Crown Land Reserves Act</i> <i>Planning and Environment Act 1987</i>	To ensure use occurs in accordance with management plans or management agreements To ensure any works comply with the relevant planning scheme controls To ensure that the conservation management plans are adaptively managed to account for new information on matters of national environmental significance	Enforcement of non-compliant activities	Victorian Minister for Environment and Climate Change <i>Assisted by:</i> Victorian Minister for Planning Parks Victoria Department of Sustainability and Environment Department of Planning and Community Development Local Government	Ongoing

11.2 ADAPTIVE MANAGEMENT

It is likely that changing circumstances and procedures and/or new information relating to matters of national environmental significance and impacts of the Program will be introduced, reassessed and accounted for when implementing the Program.

The Victorian Government will monitor whether the outcomes envisaged for each matter of national environmental significance is being effectively achieved and report this to the Commonwealth Government. In the event, that the outcomes are not achieved, the Victorian Government will work with the Commonwealth Government to revise the agreed outcomes and/or establish new conservation activities to achieve the original objectives.

Some such variations will be able to be achieved within the scope of conditions imposed on the approval of actions by the Commonwealth Minister under section 146B of the *Environment Protection and Biodiversity Conservation Act 1999*. Other variations may require amendment of those conditions. This will occur pursuant to section 143 of the *Environment Protection and Biodiversity Conservation Act 1999*.

A critical component of the Program will be to track the implementation process and be able to monitor and report on the progress and effectiveness of various planning, management and mitigation measures for achieving required biodiversity outcomes. This will require the design, collection and analysis of baseline and monitoring data that will both be able to quantify progress towards desired outcomes and enable changes in strategy and management over time in response to monitoring data, new information and/or emerging issues.

An adaptive management framework will be developed to support the monitoring processes established in the Program. The framework will set out the methodology for the systematic improvement of management

practices. The framework will be submitted to the Commonwealth Minister for the Environment, Heritage and the Arts for approval.

To achieve this, the Victorian Government will:

Baseline data collection

1. By 2012, collect relevant species and vegetation data from proposed growth areas to inform sub-regional conservation planning and Precinct Structure Plans that will enable:
 - better assessment of species population viability and habitat quality, and subsequent quantification of the potential impacts of development on species persistence;
 - development of improved methods to mitigate these impacts including improved species offsetting approaches; and
 - design of a satisfactory reserve network within the proposed growth areas (using appropriate software). This will clearly identify areas and their component biodiversity attributes to be retained up to an absolute area limit and will include considerations of functional connectivity to other habitat within and outside the growth areas. It will also identify the required protection and preferred management to achieve desired biodiversity outcomes.
2. By 2012, confirm the presence of listed plant and animal species (identified in the *Environment Protection and Biodiversity Conservation Act 1999*) within various proposed development areas and where applicable arrange for salvaging of individuals or reproductive material for storage, propagation / captive breeding and / or translocation to habitat within in secured reserves in accordance with Commonwealth and Victorian Government-agreed protocols.

Monitoring and Adaptive Management

3. By 2011, develop a standard monitoring protocol for detecting changes in vegetation quality and extent, species populations, water quality and heritage sites (where relevant) arising from site-based interventions. This protocol will employ quantitative and repeatable measures of the site attributes of interest, ensure that sampling within sites is sufficient to detect changes of interest and ensure adequate plot replication (where relevant) across sites under similar starting conditions and management interventions. The protocol must be agreed to by the Commonwealth Department of the Environment, Water, Heritage and the Arts.
4. Applying the standard protocol, monitor sites subject to management or planning interventions seeking to maintain / improve vegetation quality, species persistence, water quality and heritage sites (where relevant) and report to State and Commonwealth Governments on trends over time and the effectiveness of these interventions. This may include monitoring:
 - changes arising from the creation of habitat for species such as Growling Grass Frog;
 - changes from management interventions within existing habitat, such as the grassland reserved to the west of Melbourne (see below for more detail) and other key areas for retention such as Merri Creek corridor, Clarkes Road Grassland and Truganina Cemetery and any future Grassy Eucalypt Woodland reserves;

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- the effectiveness of management interventions on sites containing populations of key plant species such as Spiny Rice-flower, Matted Flax-lily, Small Golden-moths, Button Wrinklewort and Large-fruit Groundsel.
 - the effectiveness of translocation efforts within reserved areas; and / or
 - the effectiveness of planning overlays and/or compliance activities to reduce the loss and decline of habitat on private and public land outside the formal reserved areas.
5. By 2011, develop a dynamic reserve management planning approach incorporating a spatial decision-support system to inform on-going management within reserved (and relevant off-reserve) areas that takes account of site characteristics and biodiversity objectives coupled with potential management interventions and their likely impact on all biodiversity in the context of surrounding land use and ecosystem function / dynamics.
 6. Applying the principles of adaptive management, periodically incorporate monitoring data (once every 3-5 years or as otherwise agreed in the monitoring and reporting framework)) and new and emerging science and information into the reserve management planning approach to inform changes to site management within reserved areas. This information will also inform new management practices and prescriptions. Required changes to management may arise from a combination of monitoring data analysis (i.e. trends in species populations and / or habitat at a site); new or improved understanding of species distribution, habitat requirements and / or behaviour; development of new management techniques; or identification of a new or emerging threat (e.g. establishment of a newly recorded weed species with a high risk of spread or changed land use in the vicinity of a reserve that may affect species movement).

11.2.1 ADAPTIVE MANAGEMENT OF THE WESTERN GRASSLAND RESERVES

Designing and implementing an adaptive management approach for the Western Grassland Reserves will be critical to achieving desired biodiversity outcomes. While the general principles of grassland management in south eastern Australia are reasonably well understood, there are very few, if any, known examples of incorporating adaptive management principles into practical spatial decision-support systems to inform on-ground management interventions in the context of broader ecosystem function and dynamics.

Designing a spatially and temporally dynamic decision-support system that connects site based decisions to site and broader ecosystem outcomes will be particularly critical for the Western Grassland Reserve which will:

- > need to meet a range of biodiversity objectives sometimes requiring management interventions that may be in conflict;
- > be progressively established over 10 years and require on-going management thereafter;
- > exist in a mixed tenure landscape with a range of current and future land uses that may positively or negatively impact on biodiversity outcomes within the reserve over time;

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- > need to apply management that responds quickly to new information such as monitoring data, emerging science and models, new and emerging threats, and new and emerging management technologies; and
 - > need to appropriately incorporate the uncertainties of management interventions on biodiversity objectives into the decision-making process.

Such a support system will be an important compliment to the other monitoring and adaptive management actions described above.

11.3 COMPLIANCE AND ENFORCEMENT

The monitoring and reporting processes are the primary mechanism for identifying non-compliance as outlined in Tables 10 and 11.

Any land use or development activity undertaken in a way that is not in accordance with the requirements or commitments documented in this Program, may not have the benefit of any subsequent approval under the Strategic Assessment process. Such a scenario may arise following a failure to adhere to processes described under this Program or a failure to achieve conservation outcomes identified in this Program, where this failure has been identified by the State and Commonwealth. The *Environment Protection and Biodiversity Conservation Act 1999* precludes the taking of any action that is likely to have a significant impact on matters of national environmental significance without a valid approval.

Where an approval or approvals or actions taken in accordance with the endorsed Program are jeopardised by a failure, or potential failure, to adhere to the requirements of the Program, the following procedure may be used:

1. Monitoring report identifies deviation from or a non-compliance with a Program requirement.
2. Commonwealth reviews deviation/non-compliance and considers the importance in terms of impacts on matters of national environmental significance.
3. Commonwealth Government advises that either:
 - Deviation/non-compliance minor/trivial and no further action required.
 - Deviation/non-compliance requires corrective action.
4. In the event that corrective action is required, the Responsible Minister or other party (as identified earlier in the Program Report) will be provided with an opportunity to correct the non-compliance. For example, in the case of non-compliance with a conservation outcome, the Victorian Government must submit a remedial plan for addressing non-compliance for approval by the Commonwealth Government. The Commonwealth Minister may approve the remedial plan and actions must be undertaken to the Commonwealth Minister's satisfaction. Where a remedial plan is required, no further impacts on the relevant matter of national environmental significance can be authorised until the Commonwealth Minister's approval has been granted.

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5. If non-compliance is not addressed within a timeframe agreed between the Commonwealth and Responsible Minister then any actions relevant to the non-compliance will no longer have the benefit of approval under the *Environment Protection and Biodiversity Conservation Act 1999*. For example, actions undertaken within a precinct that did not follow the planning processes required by the Program will not have valid *Environment Protection and Biodiversity Conservation Act 1999* approval.

Additionally, the Commonwealth Government retains all normal powers to prosecute approval holders for taking an action without valid approval, or non-compliance with any conditions that may be attached to an approval of an action or class of actions under the *Environment Protection and Biodiversity Conservation Act 1999*, irrespective of the relationship or role such approval holders may have with the Victorian Government.

In the event that a land use or development activity which is proposed at some stage during the carrying out of the Program invokes processes which do not comprise part of the Program, any approval or class of action approval granted in accordance with the Program will not be available to such actions and proponents will be required to consider the need to refer their proposal for separate assessment under the *Environment Protection and Biodiversity Conservation Act 1999*. Such actions should be recorded in a schedule (or similar) to maintain a record of specific works undertaken that lie outside the endorsed Program and associated approval(s).

11.3.1 DISPUTE RESOLUTION

If any dispute arises under or in connection with this endorsed Program and which Dispute is not able to be resolved by the relationship manager appointed by each of the parties within 28 days, the nominated senior executive officer (or equivalent) of the relevant State and Commonwealth Departments will promptly meet and discuss in good faith with a view to resolving such dispute.

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