

24 November 2015

Planning Permit PA1224236 A & Referral 2011/6057

Addendum to the Conservation Management and Offset Management Plan at 210-238 Maidstone Street Altona

A plan for the active ecological management of the native grassland reserve and associated buffer located at 210 – 238 Maidstone Street Altona has been prepared by Brett Lane & Associates Pty. Ltd. This plan is titled as follows:

Lot 1 PS 613111 Maidstone Street, Altona Conservation Management and Offset Management Plan. Prepared for Ali Holdings#1 Pty. Ltd. December 2012 Report No. 10025 (7.1).

Implementation of the plan was identified as a condition of approval in association with referral EPBC 2011/6057 (Condition 5d).

In consultation with the City of Hobsons Bay it has been agreed that this plan will be endorsed as part of Planning Permit PA1224236 A subject to the amendments outlined by Biosis in an addendum dated 15 September 2015. These amendments have been prepared by Stephen Mueck, Senior Consultant Botanist with Biosis, in consultation with David Murnane Coordinator - Parks & Gardens Services from the City of Hobsons Bay.

These amendments were also endorsed and incorporated into the approved management plan under the approval associated with Referral 2011/6067.

The responsibility for the implementation of the conditions associated with this referral approval has been transferred to Maidstone Street Joint Venture Pty Ltd.

Condition 6 of the EPBC Act approval requires that the on-site offset must be fenced and clearly marked as a "no go zone", while condition 5 requires the implementation of the approved Conservation and Offset Management Plan (COMP).

The COMP indicates the site needs to be fenced to prevent access by domestic stock and pest animals to control onsite grazing threats (Section 3.3.1 page 19 and 3.3.2 – Table 12 on page 23) but beyond that only identifies maintenance requirements for fencing (page 27).

As part of the compliance process Maidstone Street Joint Venture has begun the process of fencing the on-site reserve. In planning the fencing it has come to the proponent's attention that the development of the neighbouring property to the east (known as 33 Jordan Close Altona) is proposing to establish a conservation reserve which shares the eastern boundary of the reserve for 210-238 Maidstone Street. This neighbouring development is currently under assessment associated with Referral 2009/5255.

At present it is proposed to construct a rabbit proof fence along the western and southern boundaries of the 210-238 Maidstone Street reserve. The northern boundary of this abuts a council reserve and already supports a rabbit proof fence and is therefore considered adequately defined and protected.

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Construction of the eastern boundary fence of the on-site reserve to a rabbit proof standard would result in significant disturbance to an area which may subsequently be within a more broadly defined grassland conservation reserve at this location. As a result it is not proposed to erect any fencing along this eastern boundary of the on-site conservation reserve but to place a series of signs along the boundary. The signs would identify the presence of a Conservation Area with no unauthorised access. This would provide for the initial delineation of the reserve which is consistent with the requirements of Condition 6. Regular monitoring will ensure these signs remain in place. This is considered to provide a low impact option to delineate the reserve until the future land-use of the adjacent section of 33 Jordan Close has been confirmed. This is expected to be confirmed within a year or two during which time additional control measures would be implemented to ensure rabbits and hares have a minimal impact on the ecological values of the reserve.

The lack of a fence along the eastern boundary, temporarily or permanently, would therefore require a change to the COMP. This addendum proposes to exclude the construction of the eastern boundary fence to a rabbit proof standard where it would potentially have a common boundary with another conservation reserve to be defined as a result of the approved development of 33 Jordan Close (Referral 2009/5255). The reserve would also require additional monitoring and control works for pest animals should rabbits and/or hares become a significant issue for the ecological management objectives associated with the COMP.

This addendum also indicates that Maidstone Street Joint Venture will retain responsibility for the construction of permanent rabbit proof fencing on the eastern boundary of the reserve if the reserve is transferred to Council. A permanent eastern boundary fence can then be constructed for this reserve if the reserve as currently proposed for 33 Jordan Close does not eventuate.

Management of the Maidstone Street reserve would cope with the management of rabbit and hare populations through the use of approved poisons without the eastern boundary fence for the year or two until the status of the 33 Jordan Close reserve is finalised. If the Jordan Close reserve does not eventuate or is established in a manner where the reserve is not contiguous with the Maidstone Street reserve, then the permanent, rabbit proof eastern boundary fence for the Maidstone Street reserve will be established within two months of that decision.

November 2015 Addendum to the COMP**Section 2:**

Landowner of clearing site:

Replace: Ali Holdings #1 Pty Ltd

With: Maidstone Street Joint Venture Pty Ltd

Replace: Harlock Jackson Pty Ltd

With: Maidstone Street Joint Venture Pty Ltd

Section 3:

Landowner of offset site:

Replace: Ali Holdings #1 Pty Ltd

With: Maidstone Street Joint Venture Pty Ltd

Section 3.1:

Replace: Section 173 of the Planning and Environment Act 1987 (Vic)

With: Covenant under the Victorian Conservation Trust Act 1972

Section 3.3.1:

After:

Controlling all onsite grazing threats

The offset site needs to be fenced to prevent access of any grazing domestic stock and pest herbivores such as rabbits and hares. Upon completion of such a barrier, grazing species must be eliminated from within the offset zones, and the integrity of the fencing must be maintained to prevent re-invasion. Any re-invasions in the offset zone must be managed through appropriate pest eradication.

Add:

The eastern boundary fence may be initially established as a series of signs indicating the location of the reserve boundary and that unauthorised access is prohibited. Rabbit proof fencing will only be established along this boundary if the neighbouring area of land is proposed for development. Where the Maidstone Street conservation reserve will otherwise be contiguous with another conservation reserve (as currently proposed for 33 Jordan Close) and rabbit proof fencing associated with other boundaries of that reserve would protect the onsite offset area, then that section of fencing along the eastern boundary of the Maidstone Street reserve which would otherwise be contiguous with such a reserve would not be required. If a decision is made to develop land immediately adjacent to and east of the eastern boundary then permanent rabbit proof fencing would be established along that section within two months of that decision or prior to that development, whichever is sooner.

Section 3.3.2

Table 12

Third Management Action

After:

Construct fencing around offset zone

Add:

as appropriate (i.e. fencing is not required where the offset area shares a common boundary with other conservation reserves, current or proposed).

Third Target to be Achieved

Replace: Fencing must prevent entry of threatening herbivores

With: Fencing, in association with targeted control activities, must control the entry and/or impact of threatening herbivores.

Table 13: Years 2-3 actions

Page 27: Third management Action – Target to be achieved

Replace: Integrity of fencing maintained to exclude entry of threatening herbivores

With: Integrity of fencing and other management control activities maintained to control the impact of threatening herbivores. Eastern boundary fence established to permanent rabbit proof status where required.

Table 14: Years 4-10 actions

Page 30: Second management action – Target to be achieved

Replace: Integrity of fencing maintained to exclude entry of threatening herbivores

With: Integrity of fencing associated with broader conservation reserve contiguous with the on-site reserve maintained to exclude entry of threatening herbivores.

Addendum prepared by

Stephen Mueck

Senior Consultant Botanist