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Presentation to Yarra Ranges Council regarding the proposed C148 Environmental Significance Overlay

By Laurence Gaffney:-

1. President – Friends of Hoddles Creek Inc.
2. Member, Yarra Ranges Environment Advisory Committee including C148/ESO Sub-Committee.

26th March 2019

Problem 1

The problem of substantial amounts of green wedge **agricultural** land being included under the 2019 New model that was excluded under the 2016 Draft for Public Comment Model

Eacotts Road Area, Hoddles Creek



Aerial Photo showing paddock



Paddock excluded in Draft 2016 Model



Paddock included under 2019 new model

These photos illustrate that the 2019 New Model includes a substantial amount of cleared agricultural land previously excluded.

This also indicates that new rules have been incorporated – other than a change in patch size.

600 Libera Road, Hoddles Creek Area



Cleared Land included in 2019 New Model

These photos illustrate that the 2019 New Model includes substantial amounts of cleared land that would be difficult to defend.



Cleared land excluded in Draft 2016 Model

This also indicates that new rules have been incorporated – other than a change in patch size.

Problem 2

The problem of some properties having their house and garden area included while their neighbours house and garden area next door is excluded for no apparent reason

Sylvia Road, Hoddles Creek Area



2019 New Model (5 Ha)

This photo illustrates that some house and gardens are covered by the 2019 New ESO and some have been extracted. The reasons for this are not apparent. This will likely become a difficult management issue for the YRC as it will potentially be seen as being inconsistent and therefore unfair.

Pantons Spur Road, Healesville Area



2019 New Model (5 Ha)

This photo illustrates that some house and gardens are covered by the new ESO and some have been extracted. The reasons for this are not obviously apparent. This will likely become a difficult management issue for the YRC as it will potentially be seen as being unfair.

Silverleaf Place , Healesville Area



2019 New Model (5 Ha)

This photo illustrates that some house and gardens are covered by the new ESO and some have been extracted. The reasons for this are not obviously apparent. This will likely become a difficult management issue for the YRC as it will potentially be seen as being unfair.

Cornelius Crescent, Healesville Area



These two photos illustrate that some house and gardens are covered by the new ESO and some have been extracted. The reasons for this are not obviously apparent. This will likely become a difficult management issue for the YRC as it will potentially be seen as being inconsistent and therefore unfair.

2018/19 New Model

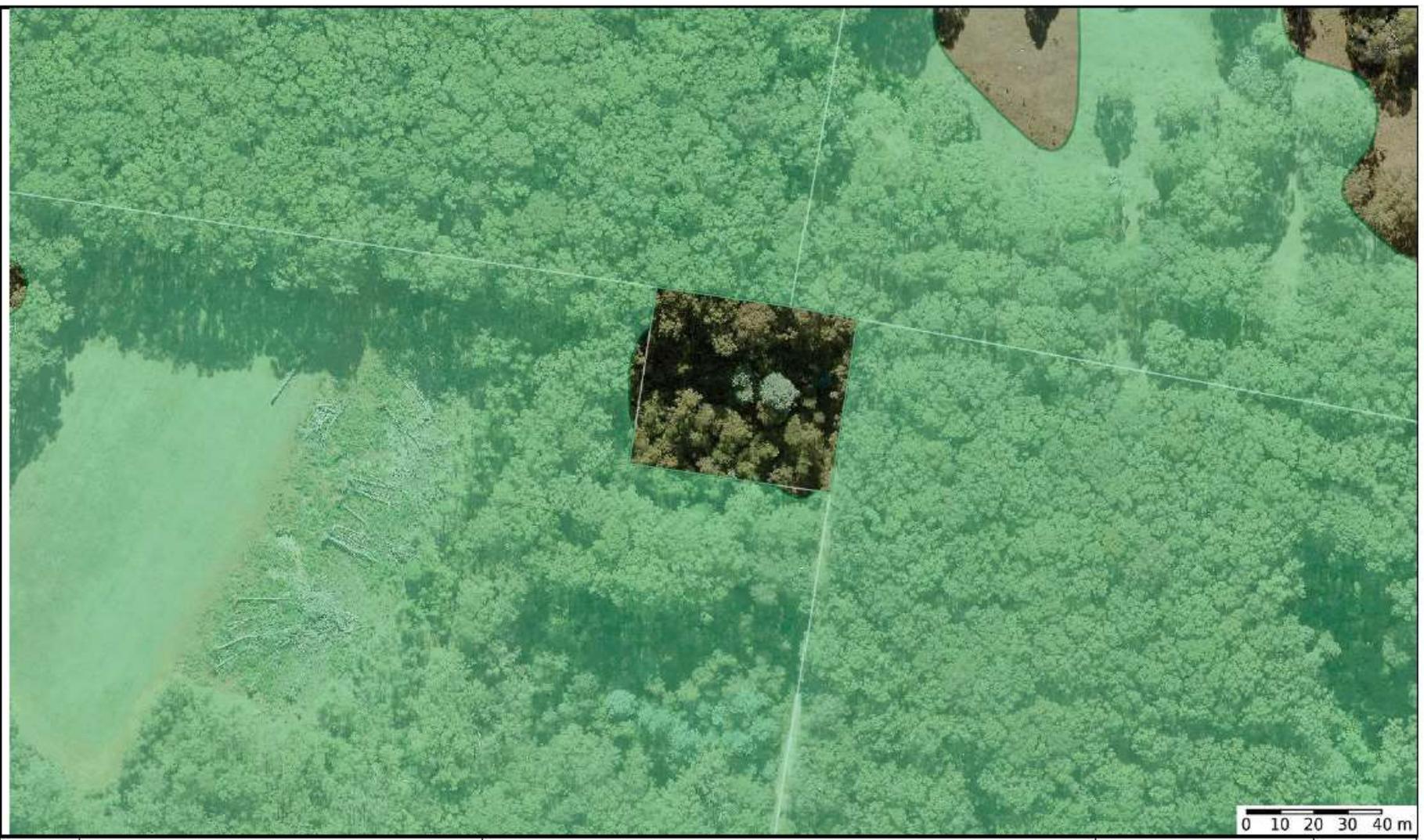
Problem 3

The problem of the 2019 New Model penalising smaller properties resulting in environmentally significant vegetation being excluded from the ESO.

Current Science is clear:- small patches of habitat are critical to the long-term survival of many rare and endangered species.

Eg. Wintle et al. 2019:- Global synthesis of conservation studies reveals the importance of small habitat patches for biodiversity. <https://www.pnas.org/content/pnas/116/3/909.full.pdf>

Eacotts Rd, Hoddles Creek Area



2018/19 New Model (5Ha)

This photo illustrates how the New Model inappropriately excludes environmentally significant vegetation because of a penalty being applied by the model due to its smaller size.

279 and 281 Gembrook Rd. Launching Place – Glenview Road Area



2019 New Model (5Ha)

This Photo shows two smaller properties with environmentally significant vegetation providing a buffer to the Hoddles Creek. This buffer is excluded from the ESO by the 2019 New Model by weighting these smaller properties differently.

Problem 4

The problem of ESO inclusions and exclusions being undefendable.

The 2019 New Model includes domestic vegetable gardens, and commercial nursery beds and septic absorption beds while often adjacent environmentally significant vegetation is excluded.

255 Thonemans Road, Hoddles Creek



2019 New Model



Draft 2016 Model

The top photo shows that the 2019 New Model includes a substantial domestic vegetable garden while excluding 3 small areas for no apparent reason. It is known that the local wallabies feed in the general area of these 3 exclusions.

Note:- The Draft 2016 model in the bottom photo is arguably more rational and defensible

65 Thonemans Road, Hoddles Creek



2019 new Model

The top photo shows that the 2019 New Model covers commercial nursery beds. There are two small exclusions in the centre of the photo that make no sense whatsoever when you know the context.



Draft 2016 Model

Note:- The Draft 2016 Model in the bottom photo is arguably more rational and defensible.

155 Yellowgum Rd, Hoddles Creek



2019 New Model

The top photo shows (in the middle of the photo) that the 2019 New ESO Model implies a large septic absorption bed (which is to be maintained in a permanently cleared state) is environmentally significant, while the adjacent regenerating native bushland in an old dam is excluded.



Draft 2016 Model

Note:- The Draft 2016 Model in the bottom photo which simply covers the whole area is more rational and defensible and much more in line with what the State expects of an Overlay.

Problem 5

The 2019 New Model has introduced inexplicable wavy boundary edges right across the ESO that will give rise to anomalies in application and generate confusion for all stakeholders.

Yellingbo Conservation Area, Hoddles Creek



2019 New Model

The top photo shows that the 2019 New Model excludes substantial parts of the Yellingbo Conservation Area due to the introduction of wavy ESO boundary lines.



Draft 2016 Model

Note:- The Draft 2016 Model in the bottom photo which simply places the whole of the YCA under an ESO is more rational and defensible.

McCrae Creek, Hoddles Creek



2019 New Model

This photo shows:-

1. That some parts of the Public Land Creek Reserve are excluded.
2. That some clearly agricultural land is included.
3. A senseless small exclusion (photo lower middle).

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Problem 6

The 2019 New Model introduces a myriad of small ESO exclusions right across the Shire for which there is no apparent justification.

On becoming aware of this, the Public will meet this with incredulity.

An Overlay is meant to be a high level/broad brush tool.

Eacotts Road Area, Hoddles Creek



This Photo Illustrates the myriad of small ESO exclusions introduced by the 2019 New Model that have no basis in reality. The Public will be nonplussed when they see this.

Problem 7

The problem of quality Native Vegetation being excluded from the New 2019 Model that was included in the 2016 Draft for Public Comment Model.

Comparison of two ESO models – Milners Road Area, Hoddles Creek



High quality native vegetation excluded under 2019 New Model

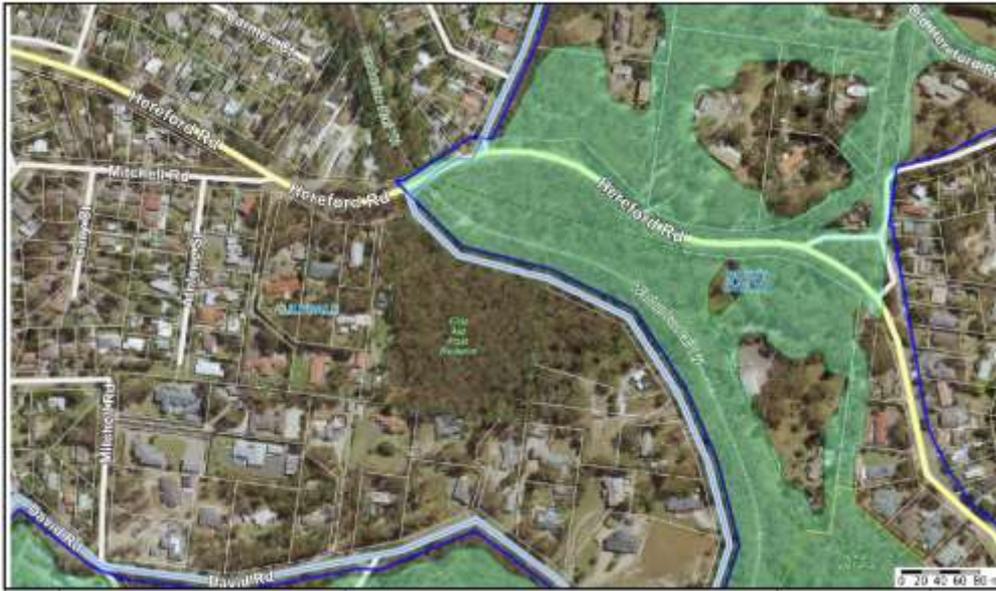


High quality native vegetation included in Draft 2016 Model

These Photos illustrate that the 2019 New Model (5ha) incorporates new rules (other than a change in patch size) that results in removal of substantial amounts of quality native vegetation from the ESO.

Note:- Stream through middle

Comparison of two ESO Models - First Aid Post Reserve, David Road, Lilydale



First Aid Post Reserve excluded under 2019 New Model

These photos illustrate that the 2019 New Model (5 Ha) incorporates new rules (other than a change in patch size) that has removed an entire Yarra Ranges Council Bushland Reserve from the ESO.



First Aid Post Bushland Reserve included in 2016 Draft ESO.

Comparison of two Models - Hoddles St. Area Yarra Junction



Native vegetation excluded under new 2019 model



Native vegetation included 2016 Draft ESO

These Photos illustrate that 2019 New Model (5ha) incorporates new rules (other than a change in patch size) that results in removal of substantial amounts of native vegetation from the ESO.

Comparison of two models - Thonemans Road Area, Hoddles Creek



2019 New Model



Draft 2016 Model

These Photos illustrate that the 2019 New Model has removed a substantial amount of quality regrowth native bushland from the ESO, indicating that new rules (other than a change in patch size) have been introduced into the New Model.

Recommendation:-

That the proposed ESO mapping be reviewed by a collaborative Working Group. Group members to include representatives from YRC Planning, YRC Environment and YREAC, with GIS expertise available as required. The Group will be chaired by an external independent Ecology Expert. The Group will report back to Council complete with recommendations within three months from commencement.

Note:- This recommendation is consistent with the Planning Panel's Recommendation (October 2018) which called for further Expert Review of the ESO mapping before adoption.