



FoCC



Friends of Canadian Corridor Incorporated

"Think globally act locally" - M McLuhan.

**FoCC response to the
The Ballarat East local area plan**

**Prepared by the
Friends of the Canadian Corridor Incorporated**

February 4th 2019

Friends of Canadian Corridor Incorporated

524 Wilson St

Canadian

Attention:

Strategic Planning

strategicplanning@ballarat.vic.gov.au

Dear Lisa and Kimberley,

Thank you for the opportunity to respond to the "Ballarat East Local Area Plan.

The FoCC strongly supports the general thrust and intent of the plan and congratulates the plans creators for their work, understanding and judgment.

Our response has focussed on three of the strategies and contains observations and requests to further strengthen those strategies.

The FoCC believes that a much stronger regulatory and accountability process is required to protect the biodiversity of the forest's edge and koala habitat.

We are very pleased to be able to be part of the plan's development process and we hope the plan will be able to be translated into a workable and well supported series of intentions, actions and accountable measures that meet the broad range of wishes and aspirations for the Ballarat East community.

Please find the FoCC response to the plan below.

Yours sincerely

Jeff Rootes

Secretary - Friends of Canadian Corridor Incorporated

FoCC Incorporated Ballarat East local area plan response

The Friends of the Canadian Corridor Incorporated (FoCC) is a local neighbourhood group dedicated to the conservation of the natural environment, in particular native vegetation along the “Strategic Habitat Connection” between the Wombat Forest and Enfield Forest including the Creswick Forest and the new Woowookarung Regional Park (formerly the Canadian Forest and Plantation). The principal aims of the group are to protect neighbourhood character, maintain and promote public open space and maintain, improve and protect wildlife links, corridors and habitat in the local area.

The FoCC incorporated strongly supports the general thrust and intentions of the Ballarat East Local Area Plan. We particularly support the notion of changing the planning regulations and overlays to better reflect the communities wish to maintain the local character and amenity of the area. We would support a “Macedon Ranges” type planning amendment to protect the Canadian Valley, Canadian Corridor and Ballarat East from inappropriate development and intrusion into Koala Habitat.

The following three strategies are fully supported by the FoCC. We ask for action plans for each strategy be developed and added to the overall plan.

Strategy One - Ensure that waterways are managed appropriately (Ref page 43 Ballarat East Local Area Plan)

Committing to Retrofitting the Waterways

The Ballarat East Local Area Plan talks about “retrofitting” our waterways etc. This is a laudable goal and the FoCC strongly supports this goal.

There are two designated waterways which would benefit from retrofitting.

1. Grasstree Creek. Grasstree Creek runs from Boundary Road in the east through its conjunction with Pennyweight Gully. The creek was named by the City of Ballarat in 2013 after a request from the Friends of Sparrow Ground. The friends requested the naming of the creek in order to better protect the creek from developers and improve biodiversity.

In spite of the naming the creek, last year it was further damaged by being piped between Fussell St and Scentbark Lane despite local advocacy and the promise of an open creek between two roads. The two roads are in place but the creek is covered over, having been piped.

The creek is also completely over built between Scentbark Lane and Richards St and having been badly abused by property developers in that area (see image below) over a number of years.



Grasstree Creek runs between the two houses. A pipe is located underground. Overland flows are indicated by the thin blue lines

The creek below Richards St is in much better condition and with some judicious application of creek care; it could become a healthier and more biodiverse waterway.

The Ballarat East Local Area Plan should categorically state that piping is a last case solution for waterway works, not the preferred cheap and nasty solution that it is now.

2. Lal Lal Drain

Lal Lal Drain is the most degraded creek in Ballarat East. The top of the creek is in the ex-plantation area of Woowookarung Regional Park. Over the next two years the CCMA will be undertaking landscape restoration on the creek in the Park. Immediately below the ex-plantation land the creek passes through the Rifle Range. There is an opportunity for restorative creek practices to be applied to this part of the creek.

Where the creek exits the west end of the Rifle Range is the most degraded part of the creek as it runs from Kline St through to Joseph St.



Lal Lal Drain at Rodier St Feb 2018

The FoCC has already submitted a letter of concern about this creek to the City of Ballarat on February 27th 2018. FoCC is still waiting for a reply.

The Plan should state that Lal Lal Drain should be a priority waterway for retrofitting with a developed timeline for stages of completion.

Strategy 2 Establish living corridors by protecting and enhancing vegetation linkages between patches of remnant vegetation (Ref Page 43 Ballarat East Local Area Plan)

Identifying where the North South Wildlife Corridor or Bio link actually is!

The Ballarat East Local Area Plan page 26 identifies “the Forest Edge” and the descriptor “This area is predominantly within a rural and forested setting, with landscape character its predominant element. Retaining larger allotment sizes and tree canopy cover are priorities.” and on page 28 identifies the “vegetated north-south corridor on the eastern side of Ballarat.”

These are laudable and sound observations however the identification of where the “Strategic Habitat Connections” (The Ballarat Strategy 2016) or North South Wildlife Corridor Bio Link actually is lacks clarity in the Ballarat East Plan, or in the supporting background documents.

The map on page 73 of the Ballarat East Local Area Plan showing the forest edge designated area is a good start to the identification process but probably inadequate for planning purposes. The use of the Koala Plan ES05 map of vegetation provides a better guide to the actual boundaries as it aligns with the lived experience and natural values knowledge of the Ballarat East community.

The DeLWP map on Page 8 of the Background Paper 6: Natural Environment indicates the general place and direction of the Biolink. An extrapolation of the green areas on the map suggests that the actual biolink or corridor could be identified once and for all time relatively easily. The western side buffer zone red line which indicates the city forest interface zone has been added by the FoCC. How wide this zone would need to be should be subject to advice and/or research by independent experts.

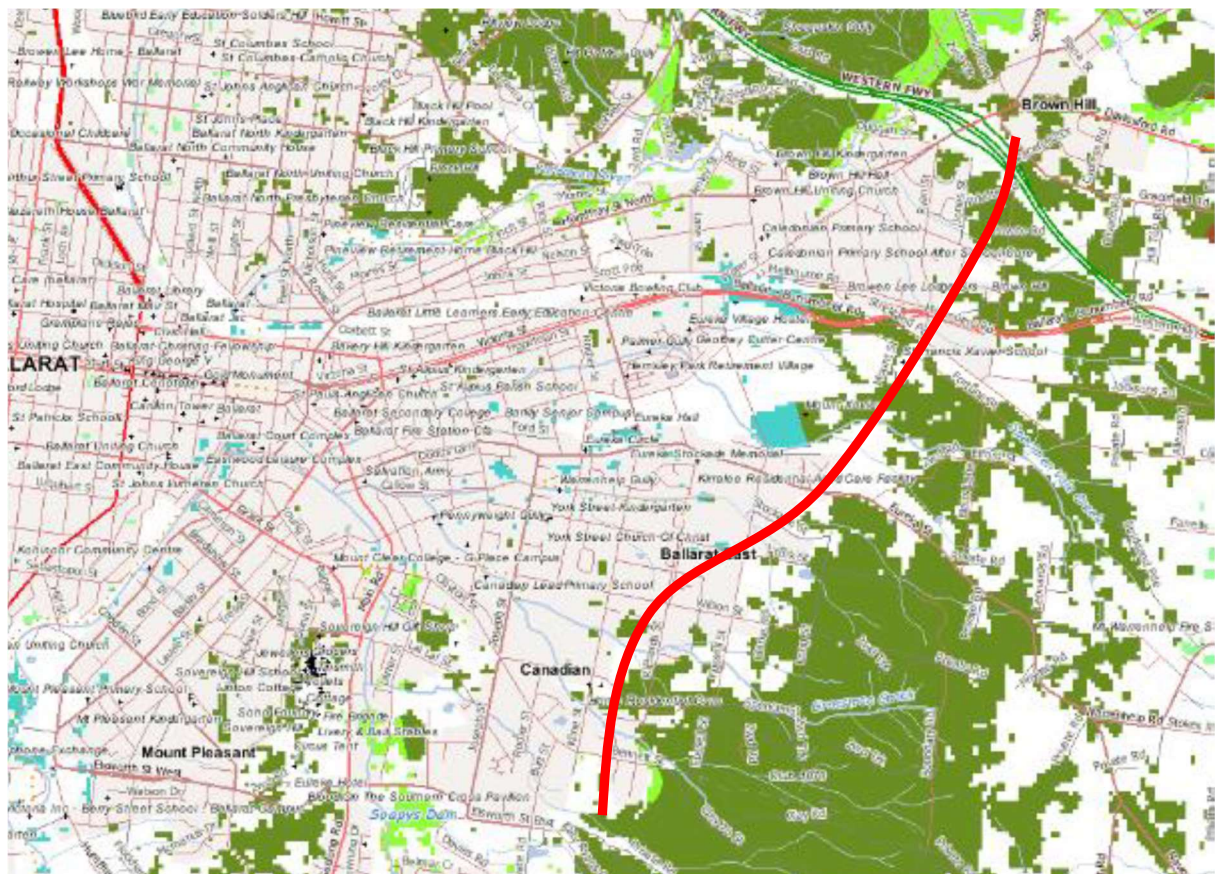


Figure 5 - Ecological Vegetation Communities – Dry Forests (Exposed) = Dark Green, Dry Forests (sheltered) – Lime Green, Riparian Scrubs or Forests = Blue (Source: DELWP Biodiversity Interactive Map - <http://www.depi.vic.gov.au/environment-and-wildlife/biodiversity/biodiversity-interactive-map>)

The map above shows the general location of the “Strategic Habitat Connection”, North South Wildlife Corridor or Bio Link east of the red line.

The FoCC requests an actual on ground survey, qualified determination and surveyed recording of the real boundaries of the Connection, Corridor or Bio link including the location and dimensions of buffer edges or zones in the city to forest interface zone. Once the location is determined, then the mapping should become the reference map for planning purposes within a new overarching well regulated planning scheme. Anything less and the Connection, Corridor or Biolink will continue to be under threat from urban creep, council paralysis and incremental vegetation destruction.

Strategy 3 Protect significant vegetation and encourage the planting of vegetation in new developments to achieve 40% canopy cover by 2040 and improve biodiversity outcomes (Ref Page 44 Ballarat East Local Area Plan)

This strategy has lofty and laudable aims and aspirations. It is strong on rhetoric and but very weak on intent as it contains no details of any sort of implementation plan. It does not recognise the existing Koala Plan and its detailed approved plans to extend Koala Habitat and biodiversity. A worthy addition to this strategy would be to add another dot point saying “Implement the Koala Plan as agreed in the “Comprehensive Koala Plan of Management”

Implementing the Koala plan

The Koala Plan of 2010 and its associated planning amendments are a proud achievement by the City of Ballarat. Some important aspects of the plan were implemented such as ES05 and VPO1 mapping, the addition of the “Koala and Koala Habitat Protection” to the Ballarat Planning Scheme, one community Koala Plan meeting at Pax Hill in September 2010 and the award winning Koala habitat Brochure.” The rest of plan has languished since 2011.

Background Paper 4 does not reflect the intent and the obligations of the Koala plan. Background paper 4 does not document the agreed responsibilities that the COB undertook to provide and do after 2010.

Items such as the appointment of a senior council officer responsible for koalas, setting up an implementation committee, identifying koala crossing roads, road signage and road markings etc have not occurred.

Background Paper 4 shifts the responsibility of managing, preserving and enhancing the local ecology and environment including the Koala Plan from the Council to community groups and

landholders by saying “Community involvement to protect Koala Habitat” whilst avoiding referring to implementing the Koala Plan as a responsibilities within the “regulatory systems” of Council’s responsibilities (ref page 18 Background Paper 4).

In addition to restoring the Koala Plan to the City of Ballarat’s front of mind, there is an additional opportunity that would enhance Strategies One, Two and Three.

Taking the Rifle Range Opportunity

The Rifle Range is located in a unique location in Ballarat East mostly surrounded on the Northern, Eastern, Southern side by the Woowookarung Regional Park and with some industrially zoned land on the western side.

The Rifle Range land east of Richards St contains significant biodiversity, Koala Habitat including a patch of Valley Grassy Forest EVC and heritage structures. In the middle of the land is the Lal Lal Drain Creek.

There is an opportunity to meet elements of Strategies One Two and Three by utilising the eastern end of the land with its significant biodiversity, koala habitat and waterway as one parcel whether by bringing the former public land back into the public realm by addition to the Woowookarung Regional Park or by some other method.

The biodiversity and recreational benefits of bringing the Rifle Range back into the public domain are:

- The return of former public land to the public with public access
- Protecting the existing biodiversity and enhancing the biodiversity with appropriate land restoration. The City of Ballarat could meet “Koala Habitat” extension goals by undertaking to extend koala habitat within this locality by providing additional koala habitat particularly along the creek.
- By protecting the current degraded Grassy Valley Forest EVC that is along the creek at the east end of the Rifle Range and with appropriate restoration, actually enhancing the EVC
- By quarantining areas where lead contamination has occurred and therefore enhancing the Lal Lal Drain waterway by stopping seepage into it.
- Increased habitat for koalas, powerful owls and eagles that do exist in Woowookarung Regional Park.
- Enhancing the walking and cycling trails within Woowookarung Regional Park by removing the access blockage that is a result of the current private ownership of the Rifle Range.

- Linking Ballarat's Sovereign Hill and the Mining Museum by way of vehicle, walking and cycling trails designed to allow visitors to move between Sovereign Hill and the Woowookarung Regional Parks mining heritage sites (See attached FoCC Mining Heritage Walk)
- That the Old Commonwealth Rifle Range along with the Cremorne Rifle Range be included on the Heritage list as another addition to Ballarat's great heritage story.
- Broadening the Strategic Habitat Connection, North South bio link or wildlife corridor by bringing another land parcel into the public realm.

The land west of Richards St which is zoned industrial and currently degraded could be made available for appropriate development.

Regulatory issues arising from the Ballarat East Area Plan

The Back ground paper 4 "Strategic Background and Policy directions" contains references to a HUL approach toolkit as shown below.

The HUL approach reads well and is well intentioned.

FoCC's concern is that processes that are identified within the HUL approach as the way forward are in conflict with current practices of the COB planning staff.

The comment that "Encourage active community involvement to protect Koala Habitat across the broader precinct by:"

The recent experience of FoCC and others is that the COB pays lip service to that idea of "encourage" and when issues arise involving ES05 tree and vegetation sites, Council planners regularly fail to protect the community interest or misapply the Koala and Koala Habitat planning regulations.

Recent examples of where community involvement in protecting Koala Habitat has run into Council intransigence include:

1. Failure to consult with community members regarding the removal of a messmate tree in Kline St.
2. Failure to apply the Koala Plan planning processes to a gravel pit extension at Bunker Hill.
3. Failure of a Statutory Planner to apply the Koala Plan to an oversize development lot with ES05 overlay in Sailors Gully or to be concerned about missing trees.

4. Failure of the Statutory Planner to act on an objection to koala tree removal in the 600 block of Kline St. The permit was issued despite our objection.
5. Failure of the Statutory Planner to put a suggestion by an objector, to the developer of a two lot subdivision, to move a boundary a few meters to save a koala tree. If the suggestion had been put and accepted a large koala habitat tree could have been saved.
6. Failure of the Statutory Planners to protect several significant old koala habitat trees in a Kirby St subdivision.
7. Failure of the Council to follow up illegal tree removals in Stockade St and Fussell St.
8. Failure of the Council to restitute or repair damage to Koala Habitat undertaken by a home owner illegally damaging adjacent koala habitat in Sparrow Ground.

The Koala Plan identifies a “senior officer” in charge of the Koala Plan and an implementation committee. The Ballarat East Local Area Plan should have the implementation of the Koala Plan as a priority so as to overcome some of the issues identified above.

Application of HUL Toolkit – Suggested actions derived from policy directions			
Knowledge and Planning	Community Engagement	Regulatory Systems	Financial and Action Tools
Sustainable Natural Environment			
<p>Build knowledge sharing and community capacity, and supporting community monitoring programs, such as Waterwatch.</p> <p>Encourage and support the community to record flora and fauna findings and other observations of the natural environment throughout East Ballarat through portals such as SWIFFT and Visualising Ballarat.</p> <p>Develop a prioritised plan to achieve 40% canopy cover across East Ballarat by 2040 by protecting existing significant vegetation and requiring planting as part of new developments, and in private and public spaces.</p> <p>Develop a system for assessing how new developments contribute to goal of 40% canopy cover.</p> <p>Implement a range of progressive conservation planning and management approaches that align with the State Biodiversity Strategy:</p> <ul style="list-style-type: none"> continue to protect the best of our remaining biodiversity enhance biodiversity by directly managing native species identify and enhance strategic habitat areas promote benefits of biodiversity for health, wellbeing and productivity. 	<p>Improve protection of identified environmental and landscape values through knowledge sharing and community education.</p> <p>Council to partner with the local Aboriginal community to achieve aspirations regarding waterway management.</p> <p>Engage with the local indigenous community in the process of planning for climate change mitigation and adaptation.</p> <p>Encourage community management of waterways, in particular those not identified as regional priorities.</p> <p>Develop a community education program to protect vegetation and increase canopy cover in priority areas of East Ballarat.</p> <p>Encourage active community involvement to protect koala habitat across the broader precinct by:</p> <ul style="list-style-type: none"> protecting habitat in buffer areas and linking habitat protecting Manna Gum and Messmate Stringybark providing koala-friendly fencing providing dog free areas or areas with restricted dog movement. 	<p>Protect identified environmental and landscape values through appropriate planning controls, including significant features and environmental assets.</p> <p>Apply planning controls to support creation of the living corridor priorities as identified in the Ballarat Strategy, in particular along the Great Dividing Range / Woowookarung and along waterways and tributaries.</p> <p>Protect native vegetation on private land abutting remnant vegetation on public land by applying adequate planning controls.</p> <p>Develop an Ecologically Sustainable Development Local Policy in the Ballarat Planning Scheme.</p> <p>Update the planning scheme as new information becomes available about local flora and fauna assets.</p> <p>Seek opportunities to support regulation reform to improve energy efficiency of housing.</p>	<p>Establish living corridors by protecting and enhancing vegetation linkages between patches of remnant vegetation on Council managed land, waterways, open space and roadsides.</p> <p>Can Council or other authorities offer any incentives to private landholders to do with increasing tree cover and biodiversity management?</p> <p>Council to continue to offer support to community groups through provision of plants for biodiversity plantings.</p> <p>Explore a potential partnership with local carbon offset providers to identify and deliver opportunities for carbon storage that will also benefit the natural environment in East Ballarat.</p>

Requests

1. To support Strategy One, plans or goals of action be prepared for Grasstree Creek and Lal Lal Drain and included in the Ballarat East Local Area Plan so that it is clear what future actions could be undertaken.
2. The Plan should categorically state that piping of designated waterways is a last case solution for waterway works not the preferred cheap and nasty solution that it is now.
- 3 To support Strategy Two, a proper identification of the actual location of the Strategic Habitat Connection, North South Wildlife Corridor or Bio Link on the eastern side of Ballarat be undertaken for the purpose of clearly determining the locality of the biolink and adjacent buffer zones. This will assist identifying where planning zones need to be amended for biodiversity reasons.
4. That the Koala habitat that exists on the Rifle Range be identified for inclusion into the Strategic Habitat Connection, North South Wildlife Corridor or Bio Link as a priority whether government or privately owned.
5. That Ballarat East Local Area Plan and Paper 4 include statements reconfirming the commitments made by the COB for the Koala Plan including, a senior council officer responsible for Koalas, a Koala Plan implementation committee and the range of initiatives including habitat restoration and koala safety road works.
6. In support of all Strategies in particular Strategy Three, the FoCC requests strong, workable and well supported accountability measures and reporting of the Ballarat East Local Area Plan initiatives. These accountability measures could utilise the annual Environment Report and other reporting structures to provide yardsticks and feedback to Council and the community over time how the Plan is being implemented or not.

Jeff Rootes

February 4th 2018.

On behalf of The Friends of Canadian Corridor Incorporated