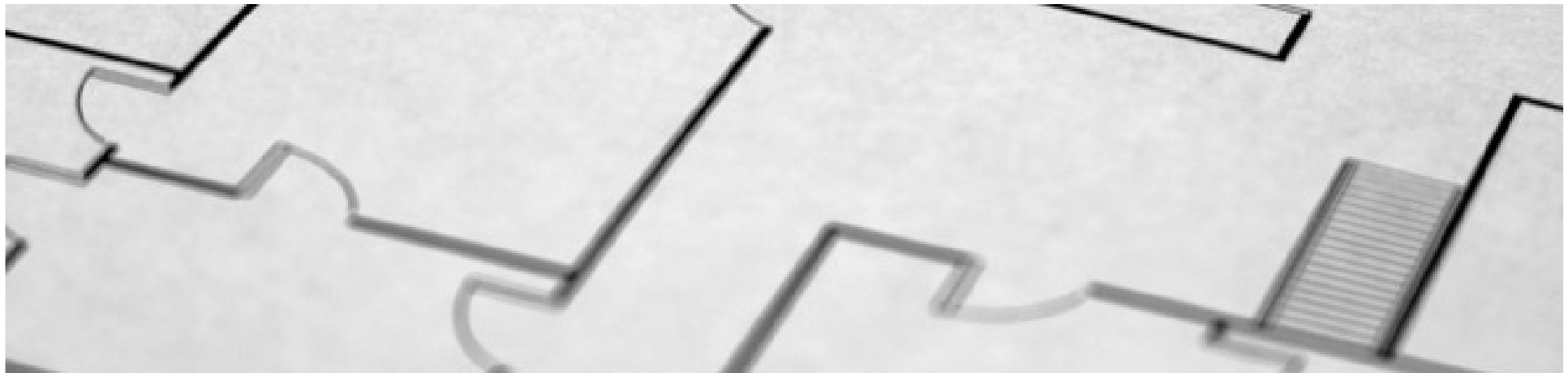


Strategic Impact Assessment Lessons from Melbourne

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Overview

Background

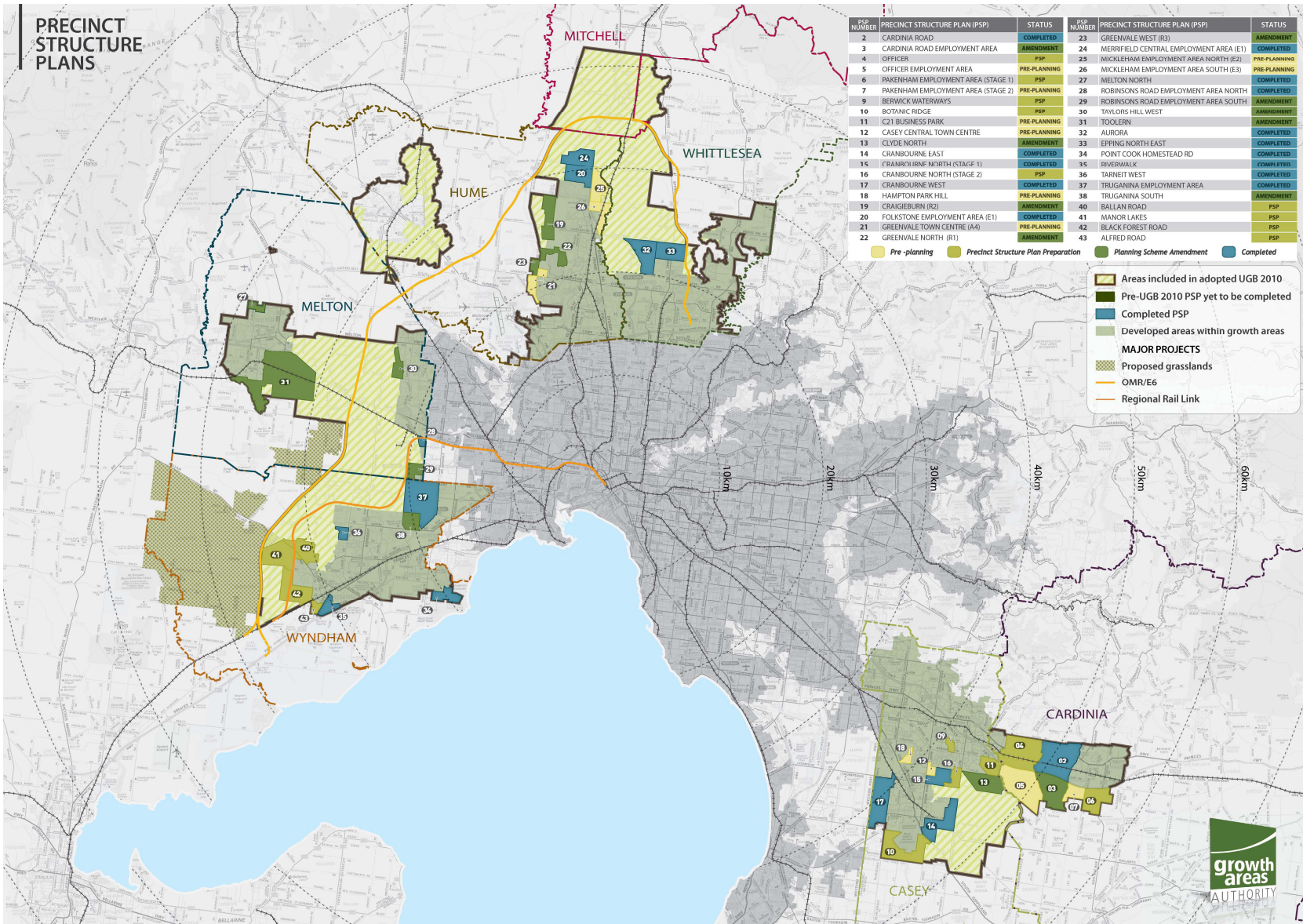
- Melbourne's Strategic Approval

Challenges and lessons

- Implementation: who does what and who pays?
- Engagement
- Costs and benefits: who wins, who pays, is it fair?

Melbourne's Strategic Approval

- Endorsement of Program Report
- Approval of actions and classes of actions
- Conditions – “in accordance with” Program Report and prescriptions (Sub-regional Species Strategies?)
- Approval regardless of whether you wanted it or needed it
- No further EPBC Act approval required



Key elements

- Program Report
- Conservation Areas
- Biodiversity Conservation Strategy (BCS), Sub-regional Species Strategies (SRSS) and prescriptions
 - Conservation Areas
 - When clearing of habitat is and is not permitted
 - Offsets for permitted clearing - Compensatory Habitat Fees
- Conservation Management Plans
 - Management of Conservation Areas
 - Implement the prescriptions and Sub-regional Species Strategies
 - Funded by Compensatory Habitat Fees

Implementation of Conservation Management Plans

Proposal

- Where works may “impact on” a Conservation Area: permit condition to implement CMP before issue of a statement of compliance and into the future (on-title agreement)
- Future (unknown timeframe) agreement in relation to reimbursement for CMP works
- Future (unknown timeframe) transfer to unknown public land manager

Questions

- When will costs be reimbursed?
- How much will be reimbursed?
- When do obligations end?

Certainty of implementation obligations, not just certainty of developable area and environmental outcomes to be achieved

Compensatory Habitat Fees

Species	Justification	Growth Area			
		West	North-west	North	South-east
Golden Sun Moth	“The moth occurs in native and non-native grassland (including areas of noxious weeds)” therefore all non-native vegetation deemed to be “confirmed habitat”	All areas of vegetation except native vegetation patches and mapped GGF habitat	All areas of vegetation except native vegetation patches and mapped GGF habitat	All areas of vegetation except native vegetation patches and mapped GGF habitat	No
Growling Grass Frog	“Areas of other [in addition to Category 1] suitable habitat”	Mapped Category 2 habitat only	Mapped Category 2 habitat only	Mapped Category 2 habitat only	Mapped Category 2 habitat only
Southern Brown Bandicoot	All undeveloped land within the growth area “provides for dispersal and foraging opportunities”	No	No	No	All land added to growth area in 2010, plus Botanic Ridge

Compensatory Habitat Fees cont

- Payment required by Sub-regional Species Strategies, Biodiversity Conservation Strategy and/or prescriptions
- \$6,000 - \$8,000 per hectare (subject to confirmation and review)
- Effectively levied on all developable land
- Nexus/link:
 - Fee being payable
 - Impact of development on species?
- Link between impacts and future development or past actions?
- Who should pay?

Proper justification for funding mechanisms in order to facilitate transparent, fair funding mechanisms that deliver appropriate, timely funding

Engagement

- Engagement should be commensurate with impact
- Engagement should take into account familiarity (or otherwise) with SIA
- Engagement should be meaningful and credible
- Engagement should not end with the finalisation of documentation – dispute resolution

Costs and benefits

- Big picture balance
- Individual winners and losers
- Conservation Areas
 - Implementation of Conservation Management Plans
 - Provision of land
- Encumbered land v unencumbered land
- Concentrated costs and diffuse benefits – fair?

Consider and explicitly address the fair distribution of costs and benefits

Summary

- Certainty of implementation obligations, not just certainty of developable area and environmental outcomes to be achieved
- Proper justification for funding mechanisms in order to facilitate transparent, fair funding mechanisms that deliver appropriate, timely funding
- Engagement should:
 - be commensurate with impact
 - take into account familiarity (or otherwise) with SIA
 - be meaningful and credible
 - not end with the finalisation of documentation – dispute resolution
- Consider and explicitly address the fair distribution of costs and benefits

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