



To the Victorian Planning Authority,

Re: East of Aberline Precinct Structure Plan

The Eastern Maar Aboriginal Corporation (EMAC) Registered Native Title Body Corporate manages and protects the native title rights and interests of Eastern Maar Traditional Owners. Our corporation is governed by a 13-member board with each member representing an Eastern Maar family group. We are also the 'Registered Aboriginal Party' (RAP) with responsibilities for managing and protecting cultural heritage under the Aboriginal Heritage Act across Eastern Maar Country.

Biocultural Context

Within the PSP area Tozer Reserve has significant biocultural value. The 20ha Tozer Reserve consists of approximately 13ha of established native revegetation and 9ha of Grassy Woodland with several small wetlands. The revegetated section provides critical habitat values to a range of fauna. The Grassy Woodland section contains species and vegetation communities of State and National significance.

Plains Grassy Woodland (EVC55) is listed as threatened in the Victorian Volcanic Plain bioregion under the FFG act. It is listed as critically endangered under the EPBC act as part of the Grassy Eucalypt Woodland of the Victorian Volcanic Plains. The Grassy Woodland section of the site supports a diverse range of flora including over 100 native species and the FFG listed Endangered *Dianella callicarpa* (Swamp Flax Lily) and FFG listed Threatened *Thelymitra benthamiana* (Blotched Sun Orchid). More rare and significant flora species are recorded with each flora survey including the regionally significant occurrence of a *Corybas* species.

Significant fauna species include Microbats, Echidna, Wallaby, Kangaroo, Koala and Long-necked Tortoise and the EPBC listed Growling Grass Frog.

The site is contiguous with Russell's Creek, a tributary of the Merri River, which provides landscape connectivity and a movement corridor for mobile wildlife including Wallaby and Koala. Both private landholders and local government have conducted revegetation works along Russell's creek in recent years and its value as a biodiversity corridor is likely to increase as these revegetation projects mature.

Tozer Reserve is increasingly important to EMAC as a place of learning and teaching for Eastern Maar Citizens both informally and through formal education courses including those delivered through South West TAFE, the EMAC Junior Guardians program and the EMAC On Country Guardians. Tozer Reserve is the only local source of seed for many species for Healthy Country revegetation works as well as other resources used in Cultural Practices by many Eastern Maar Citizens.

Protection of these biocultural values at Tozer Reserve is important to EMAC.



Buffers around Tozer Reserve

The maps provided with the PSP do not give a clear indication of native vegetation buffers around Tozer Reserve and some maps indicate roads and paths against the edge of the reserve. VPS staff have provided verbal assurances that there is a proposed buffer around the entirety of the reserve and some cross sections do show a narrow buffer. However, we are concerned that the lack of clarity and the map showing the road close to the reserve could be used as justification for omission of a buffer in the future. EMAC would like to see a clear map of planned buffers around Tozer Reserve and Russell's Creek including width and vegetation specifications. As per July 2024 meeting EMAC requests 100-200m buffers around Tozer Reserve.

To the best of our understanding the proposed buffer around Tozer Reserve is to 9-15m wide and only 30m from the edge of Tozer Reserve to the nearest building. A buffer this narrow around Tozer Reserve is insufficient to protect the Biocultural values of the reserve from the threats of weeds, pests, runoff changes and other edge effects that will come with the increased housing and population around the reserve.

EMAC supports the widening of this buffer and inclusion of guidelines regarding the type and species of vegetation to be planted and maintained within this buffer. Species used should be from the understory of the Plains Grassy Woodland vegetation community and exotic or invasive species prohibited.

Flora surveys in background documents have been conducted in May when many species are either dormant or very hard to identify, this may have resulted in the significance of Tozer Reserve being understated.

Roads

Move major road away from the east side of Tozer Reserve to reduce edge effects and pressure on the reserve.

R26

EMAC proposes the following inclusions in R26:

- Requirement for any and all Conservation Area Masterplan/s to be approved by Traditional Owners.
- Consideration of climate change in the hydrological design and reinstatement.
- Correction of "Swamp Scrub EVA" to Swamp Scrub EVC (Ecological Vegetation Class) and inclusion of EVC numbers so that vegetation types are clear.
- Embed protections from introduced flora and fauna – including assurances that exotic species are not used in landscaping and pets such as cats and dogs are contained/managed.

R27

Include a focus on retaining Grassy Woodland species such as grasses and lilies alongside the focus on 'flowering eucalypts'.



Eastern Maar
Aboriginal Corporation



Water

Consideration should be given to Eastern Maar's Parreeyt Nation Statement. Embed wildlife friendly design and access to water and natural water flow across Country, particular Russells Creek, the wetlands in Tozer Reserve and any retention basin design. Ensure these have adequate water when roads and other hard surfaces alter drainage.

The PSP plan for water runoff allows water to be diverted away from Tozer Reserve and 'rushed' off the landscape. As the wetlands on Tozer Reserve come under increased pressure from climate change some of this runoff will be needed to ensure the wetlands continue to function. Ensure some runoff is directed into the Tozer Reserve wetlands.

Long term protection

There is no mention of a planning overlay to protect environmental or cultural significance for either Russells Creek or Tozer Reserve to protect these areas into the future. These areas are currently unprotected and vulnerable an overlay would provide some protection.

Cultural Heritage

The PSP provides almost no description or affirmation of the cultural heritage significance of the area and includes no reference to intangible cultural heritage. It does not mention the need for CHMPs anywhere. This requires further consideration and recommendations to ensure the requirements of the Aboriginal Heritage Act are met.

Should you wish to further discuss the content of this response please contact [REDACTED]
[REDACTED] [REDACTED] [REDACTED]

Yours Sincerely,

