

# FARMING AND NATIONALLY PROTECTED GRASSLANDS AND WOODLANDS OF THE VICTORIAN VOLCANIC PLAIN

The natural temperate grasslands and the grassy eucalypt woodlands of the Victorian Volcanic Plain have severely declined since European settlement. While the grasslands and grassy woodlands once occurred across much of the volcanic plain, they have contracted to less than five per cent of what they once were. Of this, very little now remains in original condition.

## **What is an ecological community?**

An ecological community is a group of plants, animals and other organisms that interact in a unique habitat. Types of ecological communities include woodlands, grasslands, shrublands, forests and wetlands.

## **How does an ecological community become protected?**

When an ecological community becomes threatened and its survival uncertain, it may be listed under Australia's national environment law—the *Environment Protection and Biodiversity Conservation Act (1999)*—for protection. The decision to protect an ecological community under the law is based on science.

Ecological communities, like species, undergo a thorough assessment by the Threatened Species Scientific Committee, an independent panel of experts. This assessment is done in consultation with other experts, land managers, state governments, key stakeholder groups and the public.

The scientific committee looks at whether the ecological community meets the criteria to be listed under national environment law, then provides advice and a recommendation to the federal environment minister about whether it should be listed. The minister considers the recommendation, public comments and supporting documentation before making the final decision.

## **Why have the natural temperate grasslands and the grassy eucalypt woodlands of the Victorian Volcanic Plain been listed under national environment law?**

The natural temperate grasslands and the grassy eucalypt woodlands have both been listed as critically endangered under national environment law. The Threatened Species Scientific Committee independently assessed these two ecological communities and found both had severely declined in their extent and quality, with their future existence severely threatened. The grasslands and grassy woodlands were once found throughout most of the Victorian Volcanic Plain which spans south-western Victoria. Now, mostly small fragmented patches remain. This listing means the grasslands and grassy woodlands are protected by law, aiming to help them recover and ensure they are not lost forever.

## **What does national protection of the grasslands and grassy woodlands mean for farmers and graziers?**

The listing does not stop farmers from continuing to do what they have been doing on their land. In many cases, supportive farming practices have helped keep the remaining grasslands and grassy woodlands in good condition. The national environment law is not about stopping farm business or regulating day-to-day farming activities. Rather, it protects Australia's unique plants and animals from new activities that may have a significant impact on any threatened species or ecological community.



If farmers have the protected ecological communities on their property and want to change the way they use their land—for example, develop or clear their property—they may need federal government approval. Only activities likely to have a significant impact on the best quality areas of the remaining grasslands and grassy woodlands need to be assessed by the federal environment department. In some cases, it could mean looking at alternative ways to carry out the activities to reduce the impact on these ecological communities.

Before farmers make any changes to the way they use their land that could lead to irreversible loss of the listed ecological communities, it is best that they first check with the federal environment department to see whether approval is needed.

Farmers who have the grasslands and grassy woodlands on their property may also be eligible for funding to protect and restore them through the Australian Government’s Caring for our Country initiative.

### Are all areas of native grasslands and grassy woodlands protected?

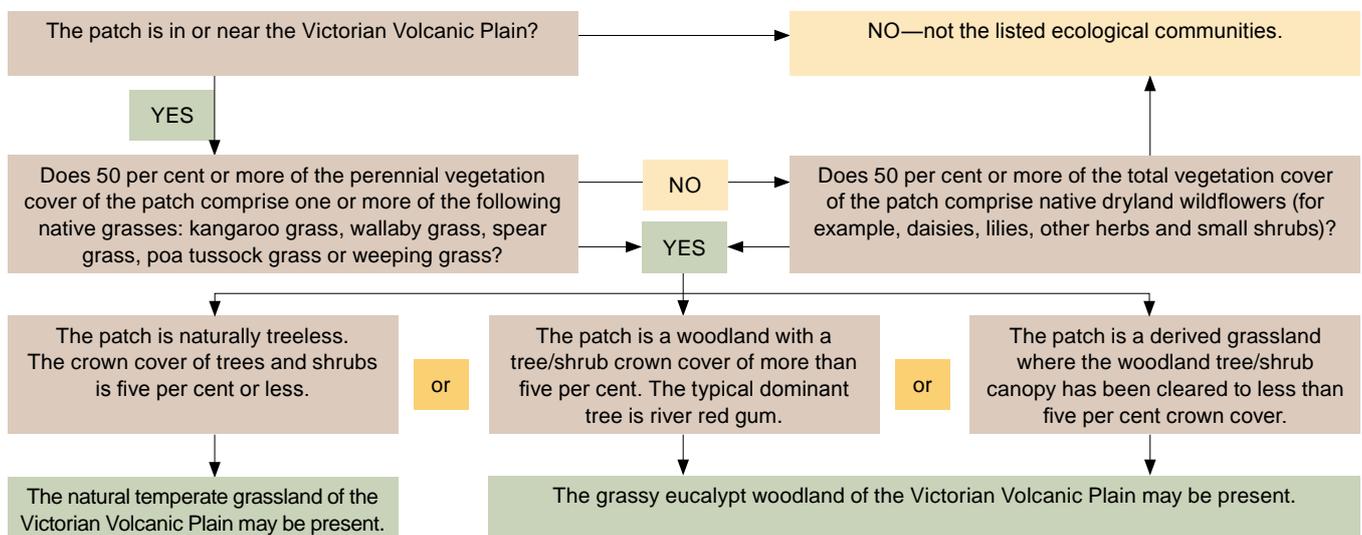
Even quite small remnants of the communities may have important conservation value, particularly if they are of a high quality. Examples of such small remnants may occur along roadsides or in a cemetery. However, within an agricultural and rural setting, the most important areas of remnant grasslands and grassy woodlands are likely to be 0.5 hectares or greater, and usually of high quality.

### How do I know whether the natural temperate grasslands of the Victorian Volcanic Plain are on my property?

The booklet *Natural Temperate Grasslands of the Victorian Volcanic Plain* tells you how to identify whether you have the protected grasslands on your property (see contact at the end of this pamphlet if you want a copy). More than 50 per cent of the perennial grass cover should be of native kangaroo, wallaby, spear or poa tussock grasses. In patches where the native grass cover is more sparse, then more than 50 per cent of the total vegetation cover should be native wildflowers and herbs. Trees are usually absent or scattered (see flow chart below). The booklet also helps to explain how the national environment law works.

### How do I know whether the grassy eucalypt woodlands of the Victorian Volcanic Plain are on my property?

Usually, the native woodlands that are likely to be part of the protected grassy woodland will have a native grass and/or native herb understorey similar to the listed grassland, with a tree crown cover of more than five per cent (see flow chart below). At some sites, woodland trees may have been cleared, but the native grassy understorey remains. These are known as derived grasslands and good quality patches are included as part of the listed woodland.



### What are my responsibilities according to the law?

Federal government approval is required if a new activity is likely to have a significant impact on the protected grasslands and grassy woodlands. Under national environment law, it is up to the person responsible for the activity to work out if they need federal government approval. If federal government approval is required, then it is up to the landowner or land user to seek this approval.



If the landowner or the person responsible for the activity does not seek federal government approval when they are required to do so, they could be in breach of the law. If you are unsure, you should check with the department's environmental liaison officer who is available to answer your questions. See contact details below.

### How does it affect activities taking place before the listings of these ecological communities?

Activities that began before the listing of these ecological communities can continue without approval. The natural temperate grasslands were listed on 21 June 2008. The grassy eucalypt woodlands were listed on 25 June 2009.

### What farming activities might need consideration?

Activities that are likely to have a significant impact and may need federal approval are those that will permanently clear or replace the ecological communities, or substantially change their values. They include:

- permanently clearing areas of the listed ecological communities
- permanently converting the native grasslands or woodlands to cropping
- ploughing, rock removal and/or conversion of grassland or woodlands to other uses
- fertilising, irrigating, or sowing exotic grass on native grassland or woodland pastures in a way that significantly reduces coverage of the native species
- intensifying grazing pressure in a way that permanently degrades the native grasslands or woodlands
- changing the type of livestock if it is likely to lead to long-term and permanent degradation of the native grasslands and woodlands
- large-scale aerial spraying or boom spraying that could kill or degrade native grasslands and woodlands
- expanding farming activities into previously undisturbed grasslands and woodlands (for example, intensified grazing) that may cause irreversible harm.

If you wish to do any of these activities, you should get in touch with the department. See contact details below.

### What routine farming activities are not significant?

Farming activities that are unlikely to have a significant impact on the protected ecological communities include:

- minor firebreaks and routine burn-offs at appropriate times of year (for example, avoid peak flowering and seed season)
- maintaining existing fence lines, roads or firebreaks
- maintaining farm gardens and orchards
- removing individual trees for safety reasons
- installing new fences not more than permitted widths
- replacing and maintaining sheds, yards and other farm buildings
- maintaining internal access tracks
- protecting and maintaining natural or lawfully established pastures (if established before the listing of the natural temperate grasslands on 21 June 2008, or the grassy eucalypt woodlands on 25 June 2009)
- running low intensity (sustainable) grazing, including rotation or strip grazing
- controlling weeds (hand and minor ground machinery)
- moving farm vehicles and machinery (with minimised impact on native vegetation).

### Where can I get more information?

The department has developed a detailed booklet to help farmers identify whether the protected grasslands are present on their property. It is available by calling the federal environment department's Community Information Unit on 1800 803 772. A revised version that includes the recently listed grassy eucalypt woodland is being prepared and will be available soon.

If, after reading this question and answer sheet, you think the protected natural temperate grasslands or grassy eucalypt woodlands are present on your property, and you want to undertake an activity with significant impacts (for example, that will result in loss or permanent degradation of more than half a hectare of quality grassland or woodland), you should contact the department for advice and help as to whether the national environmental law applies and you need to get permission.

The department's environmental liaison officer, located with the National Farmers' Federation, can be contacted by phone on 1800 704 520 (free call, including mobiles) or by email at [environment@nff.org.au](mailto:environment@nff.org.au)



## Do I need federal government approval?

### Some case studies to help work out your legal responsibilities

#### *Building a new house/shed or other farm infrastructure*

In most cases, activities of this type are unlikely to have a significant impact on natural temperate grasslands or grassy eucalypt woodlands, especially when existing sites are used, and do not need assessment and approval under national environment law.

#### *Putting in a firebreak around the perimeter of a rural property*

Building and maintaining firebreaks to protect rural assets is unlikely to have a significant impact. An exception might be when putting in new firebreaks through the protected grasslands or woodlands known to have high conservation values (for example, high number of native species, or important patches that connect to other native vegetation).

#### *Cultivating existing firebreaks (previously mown or grazed)*

If the natural temperate grasslands or grassy eucalypt woodlands are no longer present, and the firebreak was in place before the grasslands were listed on 21 June 2008 or the woodlands were listed on 25 June 2009, assessment and approval under national environment law is not needed.

#### *Emergency grading, slashing or clearing during a bushfire emergency*

While emergency works with a significant impact on the natural temperate grasslands or grassy eucalypt woodlands may be subject to national environment law, the department will not seek to enforce the law if the impacts are a result of a genuine emergency. The department expects reasonable efforts to rehabilitate any affected grasslands or woodlands.

#### *Grazing in roadside reserves or stock reserves*

While roadside and stock reserves may support natural temperate grasslands or grassy eucalypt woodlands, grazing under a permit (if required) is not likely to have a significant impact, assuming it is done at a sustainable frequency and rate.

#### *Weed control*

Weed control is unlikely to be significant if done as part of the normal farming business, and using farm machinery.

#### *Road maintenance works next to my property*

These works, normally done by local government, may need assessment and approval under national environment law if likely to have a significant impact, but councils are responsible for considering whether that is the case.

#### *Building and maintaining stormwater drains, including when flooding threatens access to or within a property*

National environment law will not apply to routine and ongoing maintenance of existing drains. Building new drains will not need consideration under the law if the works will not significantly impact on the natural temperate grasslands, grassy eucalypt woodlands or other nationally protected matters. Building large scale drainage networks (with a view to draining lands and improving productivity) may need approval if the drainage works will lead to significant damage or loss of listed native grasslands.

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