



People caring  
for nature

## Victorian National Parks Association

Level 3, 60 Leicester St  
Carlton Victoria 3053  
Phone 03 9347 5188  
Fax 03 9347 5199  
vnpa@vnpa.org.au  
www.vnpa.org.au  
ABN 34 217 717 593

23 December 2011

The Hon Tony Burke MP  
Minister for Sustainability, Environment, Water, Population and Communities  
By email: [Tony.Burke.MP@aph.gov.au](mailto:Tony.Burke.MP@aph.gov.au)

cc. Referral Business Entry Point, EIA Policy Section (EPBC Act)  
Approvals and Wildlife Division  
Department of Sustainability, Environment, Water, Population and Communities  
By Email: [epbc.referrals@environment.gov.au](mailto:epbc.referrals@environment.gov.au)

Dear Minister,

The following is a response by the Victorian National Parks Association to the referral, on 14/12/11, by the Victorian Department of Sustainability and Environment for the:

***Investigation of fuel and bushfire risk management using strategic cattle grazing.*** Reference Number: 2011/6219

See also Attachment at the end of this document: VNPA EDO letter in response.

### General comments

The referral document is deeply flawed, often misleading, and short on crucial information. Importantly:

- a) The need for the proposed investigation is partly based on a literature review which (we are told by DSE) indicated that there are significant gaps in DSE's understanding of the relationship between grazing and the region's fire risk. However that literature review has never been publicly released, has never (to our knowledge) been peer-reviewed, and is not included in the referral documents.
- b) The referral is for a scientific trial that has not yet been designed, despite having been publicly proposed for over a year now, and indeed had its 'preliminary stage' implemented. We are at a loss to understand how sites can be selected before the objectives of the trial are clarified, and the design and methodology of the trial established.
- c) No reason has been given for having of the majority of sites within the Alpine National Park. Even if the trial was necessary (and we have seen no evidence of that), it could be conducted in similar sites outside the national park.
- d) Information on threatened species and communities in the referral is based entirely on unreliable desktop studies (based often on decades old data), despite

a full year in which on-ground surveys could have been conducted, including the period of the preliminary 'trial' last summer.

- e) The referral specifies compliance with an Environmental Management Plan which, as far as we can see, does not exist.
- f) The referral, in taking account of 'Matters of National Environmental Significance' frequently reduces the all-important broad protection of National Heritage values to the localised protection of only the EPBC listed threatened species and communities.

But the National Heritage listing sets a far higher level of protection. It mandates the management of natural systems and ecological communities in good or improved condition, whether or not they are threatened. Indeed the listing says that: *"The Alps are one of eleven sites recognised in Australia by the IUCN as a major world centre of plant diversity."*

This concern with protecting broad ecological integrity and complexity is reflected in the wording of Victoria's National Parks Act. And the IUCN description of a national park lists the primary objectives as:

*"To protect natural biodiversity along with its underlying ecological structure and supporting environmental processes, and to promote education and recreation."*

This is an important matter. Protection and enlightened management to ensure the long-term integrity of a full range of sufficiently large enough, and relatively intact, ecological communities is crucial to the future of our biodiversity.

- g) Among the listed National Heritage values of the Australian Alps National Parks is *"Scientific Research: The AANP has outstanding heritage value for the scientific research that has taken place since the 1830s, demonstrated by the density and continuity of scientific endeavour."* We contend that the current proposed research program is prejudiced and deeply flawed science and, by posing as good science, compromises the *"outstanding heritage value"* of the long history of scientific endeavour in the alps.

The above points, and other relevant issues, are discussed in more detail in the comments below on each section of the referral. The paragraph numbers refer to paragraph numbers in the referral.

## **Section 1 - Summary of proposed action**

### **1.4 Size and development of footprint**

*Last line:* The lack of information on how much of a given research site will be occupied by cattle means there is no indication of the density of grazing, and it is therefore impossible to gauge the impact of the cattle. In the absence of the research design it is fair to assume that any trial designed to assess the capacity of grazing to reduce the fire risk might involve the deployment of cattle concentrated in small, high density areas.

### **1.6 Lot description**

This should read: The research trial is located entirely on Crown Land... and primarily on land managed under the National Parks Act 1975.

### **1.9 Alternatives to proposed action**

There are several feasible alternatives to the proposed action:

- The trial as proposed could have taken place outside the national park.
- We understand there are a number of ways that research on the relationship between grazing and bushfires could be performed, based on the analysis of existing data on the extent and severity of the 2003 and 2006 alpine fires in grazing affected areas.

Importantly, the question of the need for this research, and alternative research models, should have been put to a highly qualified scientific advisory panel as the first step in resolving this issue, but such a panel is yet to be appointed.

### 1.11 State Assessment

There is no formal State assessment process legally required, but under both Victoria's FFG Act and National Parks Act there are environmental objectives which the State must have regard to. These would be well served by a formal assessment.

### 1.12 Component of larger action

The purpose of the trial is to see whether cattle grazing should be returned to the Alpine National Park as a fire management measure. If there is no intention to re-introduce significant levels of cattle to the park, there is no point to the trial. As such, it is reasonable to put the trial in the context of the potential damage caused to the park by a reintroduction of significant levels of cattle grazing - definitely a 'larger action'.

This context is real, and supported by statements made publicly by members of the Victorian Government, by the 'fuel reduction service providers', and others advocating the trial.

## Section 2 - Detailed description of proposed action

### 2.1 Description of proposed action

Again, the actual (but crucial) trial design is missing here.

*Para 2:* The often repeated information here that the research sites cover 1.23% of 'Victoria's high country' is irrelevant and distracting. As far as we know the map delineating the 'high country' area has no status, and certainly no legal status. There is no provision in Victoria's National Parks Act (or the National Heritage listing) that allows damage to any particular percentage of the park.

(We note, however, that the specified 'high country' area includes large areas of State Forest where the trial could take place.)

*Para 3:* The impacts on values outlined in the National Heritage listing are ignored (see General Comments, point "f" above).

*Para 6:* There is no Environment Management Plan

Table 2: Insufficient detail on routes into the park, and any likely impacts.

### 2.2 Alternatives to taking the proposed action

The claim that this section is not applicable is ridiculous. See 1.9 above.

All alternatives should be assessed, after discussion with those fire behaviour experts, ecologists and other scientists and who have done extensive work in Victoria's alpine region. To our knowledge, that group of people have not been called in for discussions.

## 2.3 Alternative locations etc.

*Para 2 first line:* The first year of the trial was not peer-reviewed, and the decision to perform the trial was based partly on a literature review that was not peer reviewed. Claims that the trial design, and its implementation, will be peer-reviewed are not backed up by the manner in which this trial has been planned and conducted so far.

*Para 2:* The statement that 'the research trial must be conducted in the same kinds of landscape and geographical area to which the results of the research trial are intended to apply' validates our comment in 1.12 above that the trial is a component of a larger action.

We agree that the trial should be conducted in the 'same kind of landscape' but not that it must be in the same geographical area. There are many comparable areas outside the boundary of the Alpine National Park.

## 2.4 Context, planning framework etc.,

*Para 1:* The references cited are not all supportive of the need for a trial, and the quotes are somewhat selective. The 'Esplin 2004' report on the 2003 fires, for example, made it clear that grazing in the alpine region was not a useful fire mitigation strategy.

*Para 3:* The extensive Victorian Bushfires Royal Commission made no recommendation for a grazing trial among its 67 recommendations, nor was it mentioned among the ten bushfire research priorities (final report, volume 2, part II, p. 394-5). It was also not recommended at any stage during the two days of evidence given by the Commission's own fuel reduction Expert Advisory Panel.

*Para 6:* The responsibilities of the Secretary under the National Parks Act 1975 have been quoted out of context. The responsibility to 'protect the park from injury by fire' must be seen in the context of the Objects of the Act, primarily:

*"(a) to make provision, in respect of national parks, State parks, marine national parks and marine sanctuaries-*

*(i) for the preservation and protection of the natural environment including wilderness areas and remote and natural areas in those parks;*

*(ii) for the protection and preservation of indigenous flora and fauna and of features of scenic or archaeological, ecological, geological, historic or other scientific interest in those parks; and*

*(iii) for the study of ecology, geology, botany, zoology and other sciences relating to the conservation of the natural environment in those parks; and*

*(iv) for the responsible management of the land in those parks;"*

Introducing cattle to the park is not consistent with the Objects of the Act, given the well-established and well known impact of domestic stock and other hard-hooved animals on the park's natural values, and given that the trial could easily be accommodated outside the park.

*Para 8:* The referral quotes the existing and current *Code of Fire Practice* for the Management of Fire on Public Land, but fails to note that the same Code, on page 25, says that grazing for fuel reduction " *is generally appropriate only for significantly modified habitats*".

*Para 10:* Among a number of relevant points in the Terms of Agreement in the 'Memorandum of Understanding in relation to the Co-operative Management of the Australia Alps national parks', are the clauses:

*“ 4.2 the Agencies [ie the park management agencies of NSW, ACT, Victoria, and the Commonwealth] will consult on matters of policy formulation and management;” and*

*“4.4 the Agencies will collaborate on matters of research...”*

Such consultation and collaboration appears to have been ignored in this matter.

## 2.5: Environmental impact assessments...

See point 1.11 above.

## 2.6 Public consultation (including with Indigenous stakeholders).

Public consultation has been minimal and highly selective. Providing information on the web, or producing media releases, is not ‘consultation’.

Consultation with Indigenous groups, environment groups and indeed the scientific community has been token or, in most cases, quite absent.

The ‘science forum’ and ‘on-line forum’ were first promised early in 2011 but have yet to eventuate.

## 2.7 A staged development

See 1.12 above

## Section 3 - Description of Environment and likely impacts

### 3.1 (b) National heritage places

*Para 4:* Again we say (as in 2.1 above) the percentage of ‘Victoria’s high country’ involved in the trial is irrelevant.

*Para 5:* The statement that the trial is unlikely to impact on national heritage criteria b,d,e,g and h, and only the ‘moth feasting’ value for criterion a, is seriously flawed.

The trial is likely to impact on:

*Criterion a: Biological Heritage.* Indeed the claim that cattle grazing will not impact on this most significant natural heritage value, despite many decades of evidence that it does, is extraordinary. ‘*Criterion a*’ points out that:

“The Alps are one of eleven sites recognised in Australia by the IUCN as a major world centre of plant diversity. During the late Quaternary and into the present, the high-altitude, cold-climate environment has provided refuge for species in an increasingly arid climate. Containing most of the contiguous montane to alpine environments in Australia, the AANP supports a rich and unique assemblage of cold-climate specialist species that have evolved unique physiological characteristics, enabling them to survive in an environment subject to extreme climate variation. Outstandingly rich flora taxa in the AANP include the daisies (Asteraceae), willow-herbs (Onagraceae), starworts and cushion-plants (Caryophyllaceae), southern heaths (*Epacris*), bottlebrushes (*Callistemon*), orchids (*Pterostylis*, *Prasophyllum* and *Dipodium*) and pimeleas (Thymaelaeaceae). Cold-climate adapted and endemic fauna species include the mountain pygmy-possum (*Burramys parvus*), the alpine she-oak skink (*Cyclodomorphus praealtus*), Snowy Mountains rock skink (*Egernia guthega*), Baw Baw frog (*Philoria frosti*), southern corroboree frog (*Pseudophryne corroboree*), and the northern corroboree frog (*P. pengilleyi*). Species of a great many invertebrate taxa are endemic to the Alps. These include stoneflies, caddisflies,

mayflies, grasshoppers, and earthworms. Many display cold-climate adaptations, such as the mountain grasshopper (*Acripeza reticulata*), mountain spotted grasshopper (*Monistria concinna*) and alpine thermocolour grasshopper (*Kosciuscola tristis*)... etc."

The important point about the above is that it specifies protection of natural systems, whether they are threatened or not (see General Comments point 'f' above). It also clearly extends protection to lesser-known groups of species, such as invertebrates, whether they are threatened or not.

*Criterion a: Moth Feasting.* We do agree with the recognition of the 'moth feasting' category, and the need to research the many pre-European access routes to the high country, and indeed all-season occupation of the lower altitudes by Indigenous communities.

*Criterion a: Scientific research.* See General Comments point 'g' above.

*Criterion b: Alpine and sub-alpine ecosystems.* This criterion specifically asks for protection of all alpine and sub-alpine ecosystems, as well as the bog and fen groundwater communities which "are supported by organic soils and contain exceptional water retention properties. These communities play an integral role in ecosystem function by regulating the slow release of water from saturated peatbeds to the surrounding alpine humus soils, streams and other alpine communities."

*Criterion b: Eucalypt flora community.* While it cannot be said that cattle easily damage eucalypts directly, the general health of eucalypt dominated ecosystems is an essential part of protecting the diversity of eucalypts, the species they support, and the species that support them. The diversity of sclerophyllous vegetation, which includes the eucalypts, has been and remains central to the possible nomination of the Australian Alps for World Heritage listing.

*Criterion e: Aesthetic characteristics.* The listing notes here that the AANP "is a powerful, spectacular and distinctive landscape highly valued by the Australian community. The mountain vistas, including distinctive range-upon-range panoramas, snow covered crests, slopes and valleys, alpine streams and rivers, natural and artificial lakes, the snow-clad eucalypts and the high plain grasslands, summer alpine wildflowers, forests and natural sounds evoke strong aesthetic responses. Much of the terrain of the AANP is highly valued for its remoteness, and naturalness, including views to and from the region that capture snow clad ranges and mountain silhouettes against clear skies as well as expansive views of natural landscapes from the high points of the Alps."

This is a clear statement that all natural areas of the park have heritage value, not just for their biodiversity, but also for the experiences they evoke. This set of values would be compromised by the cattle grazing trial.

### 3.1 (c) Wetlands of international importance

There are no Ramsar-listed wetlands in the immediate vicinity. However the role of the alps in providing regular flows to the Murray-Darling catchment, and elsewhere, is well recognised and most recently championed in the May 2011 technical report prepared for the Australian Alps Liaison Committee: *Caring for our Australian Alps Catchments* by Woyboys, Good and Spate.

That report outlines the need for enlightened management of the alps to protect the important catchment values. The Victorian Alps alone, the report says, provide 3980GL flows on average annually (p.15). And it points out that the Australian Alps catchments

provide water for the environment totalling approx. \$10 billion (price of trade in entitlements) annually (p.16).

Much of that flow is critical to the health of Ramsar wetlands (such as Barmah, Gunbower etc.). While it is difficult to quantify any catchment impact of the grazing trial on Ramsar-listed wetlands, the report makes it clear that the recovery of the condition of alpine catchments is now a critical management issue. That means management must be concentrated on the control of feral horses, deer, and a variety of pest plants. The *Worboys et al* report does not list cattle grazing as a management problem because licensed grazing is not currently allowed in any of the alpine parks. However it does make it clear (e.g. pp.7 and 54) that the damage caused to the catchment values of the alps by earlier cattle grazing was considerable, and that the recovery from this activity will continue for some time.

In the light of this situation, and in the knowledge that this trial is indeed part of a 'larger action' (see 1.12 above), we should not be allowing the grazing trial in the park.

### 3.1 (d) Listed threatened species and communities

We find the reliance on only a desktop study for assessing the introduction of a highly contentious grazing trial into the National Heritage listed Alpine National Park irresponsible. Much of the information is decades old, and it is well known that records for the more remote areas are sparse and hence unreliable. The statement that '*this included seeking advice from scientific and technical experts as part of the desktop assessment*' is vague and unsupported.

*Nature and extent of likely impact - Paras 4 and 5:* We have no confidence that a yet-to-be-produced EMP, and an unclear risk management approach, will "*effectively manage risks from cattle grazing to the identified species and communities*". In last summer's preliminary grazing trial, when the cattle were clearly shown to be impacting on a significant site for the Alpine Tree Frog (*Litoria verreauxii alpine*) at Shepherds Plain, no measures were taken to protect the wetland the frog was inhabiting. Instead, damage to the wetland was attributed primarily to deer. On our own inspection, and supported by independent advice, both deer and cattle were causing significant damage to the wetland.

### 3.3 Other important features of the environment

Most of this section, 3.3 (a) to (m), is irrelevant waffle.

#### 3.3 (a) Flora and Fauna

There is no indication the writer has any understanding of the complexity of native ecosystems, the threats they face, and the need to protect their integrity.

#### 3.3 (b) Hydrology, including water flows

Again, this short paragraph does not do the issue justice. We refer again to the May 2011 technical report prepared for the Australian Alps Liaison Committee: *Caring for our Australian Alps Catchments*, by Woyboys, Good and Spate.

It is the job of the land managers (DSE and Parks Victoria) to reverse damage to the catchments, not contribute to it.

#### 3.3 (e) Remnant native vegetation

We don't think the writer understands this section. The statement that '*most of the plants are recognisably similar to those growing in other regions of Australia*' is bizarre.

### 3.3 (h) Commonwealth Heritage Places

There is no recognition of the significance of this section. See 3.1 (b) above.

### 3.3 (i) Indigenous heritage values

A conspicuous lack of consultation with the local Indigenous communities is telling here.

### 3.3 (j) Other ... values

The lack of recognition of the long history of scientific studies in the alps is unfortunate.

### 3.3 (k) Tenure

See 1.6 above

### 3.3 (m) Any proposed land uses of the area

This is an odd statement. The park has not been set aside to 'meet the needs ... of all Victorians'. Under the National Parks Act, it is managed on behalf of all Victorians to meet quite specific objectives, and to allow a specific range of activities consistent with those objectives. The park is open to everyone, of course.

## Section 4 - Measures to avoid or reduce impacts

*Stage 1, Para 2:* DSE seem to be again confused about what constitutes 'matters of National Environmental Significance. See General Comments (f) above.

*Table 4, step 1, second dot point:* this paragraph claims that 'extensive work including aerial photography supported by ground-truthing was undertaken', but then claims that 'drainage lines cannot be mapped under canopy'. We are concerned that ground truthing of the proposed sites either didn't happen, or was inadequate.

*Table 4, Step 2:* We are not sure what this means. Licensed grazing is prohibited by law in the Alpine National Park. The FFG Act and the EPBC Act are also relevant here.

*Table 4, Step 3, first dot point:* 'Historical levels of grazing' have been shown to cause considerable damage to the Alpine National Park.

*Table 4, Step 5:* The promised preliminary data did not emerge, in any meaningful way, from last summer's preliminary year of the grazing trial. Importantly URS, the consultants who were commissioned by DSE to do the report based on last summer's grazing trial, did not go to the sites until after the cattle were removed. Information in the report was largely anecdotal, being based on conversations with cattlemen and Parks Victoria staff. We are not surprised that the report has not been mentioned, or included, in this referral.

*Table 4, Step 7:* See General Comments (f) above.

*Table 4, Step 8:* There is no indication given of the extent, reliability or indeed the results of any 'ground truthing'.

*Stage 2, site management:* This important section is vague. We do not know what the risk management approach is (apart from claims that unspecified monitoring will happen), we still have no 'Expert Advisory Panel', and DSE is still concerned only with listed threatened species and communities.

*Table 5: 2<sup>nd</sup> section - cattle placement:* The claim in the second dot point that "cattle will be managed to reduce the likelihood of significant impacts on... wetlands etc" is not convincing, given the inability to move cattle away from wetlands in last summer's

preliminary trial. In addition, the claim that the cattle will be 'periodically supervised' is vague, as indeed are most of the other measures mentioned in this section.

### **Section 5 - Conclusion**

We agree the proposed trial is a controlled action (see attached legal advice).

Section 5.3: given that the trial is part of a larger action - the eventual introduction of large numbers of cattle into the Alpine National Park - the potential to significantly affect catchments, and hence wetlands of international importance, should also be considered.

### **Section 6 - Environmental record**

Section 6.1: While DSE has an admirable record on many environmental issues, it has consistently failed to plan or manage this issue well. Indeed the whole process has been soundly criticised by the scientific community and by community organisations concerned with biodiversity protection, and the integrity of the exercise has been extensively questioned in the media.

**Attachment: VNPA EDO letter in response**

**For further information, contact:**

Phil Ingamells  
Victorian National Parks Association  
Level 3/60 Leicester St  
Carlton Vic. 3053  
Phone (03) 9347 5188  
Mob: 0427 705 133  
[philipi@vnpa.org.au](mailto:philipi@vnpa.org.au)

22 December 2011

The Hon Tony Burke MP  
Minister for Sustainability, Environment, Water, Population and Communities  
**By email: [Tony.Burke.MP@aph.gov.au](mailto:Tony.Burke.MP@aph.gov.au)**

cc:

Referral Business Entry Point, EIA Policy Section (EPBC Act)  
Approvals and Wildlife Division  
Department of Sustainability, Environment, Water, Population and Communities  
**By email: [epbc.referrals@environment.gov.au](mailto:epbc.referrals@environment.gov.au)**

Dear Minister

**Referral of Proposed Action under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)***  
**Cattle grazing trial in the Alpine National Park**  
**Reference No: 2011/6219**

We act for the Victorian National Parks Association Inc (**VNPA**).

The VNPA have provided you with a detailed submission on the above referral from the Secretary of the Department of Sustainability and Environment (**DSE**) to undertake a six-year cattle grazing trial in the Alpine National Park for the stated purpose of bushfire management (**the trial**).

The purpose of this letter is to address some of the legal issues relevant to this submission.

**Is the trial a 'controlled action' under the EPBC Act?**

The *Environment Protection and Biodiversity Conservation Regulations 2000*, at clause 2.10, state that cattle grazing in the Alpine National Park is taken to be an action to which sections 15B(5) and 15C(9) and (10) of the Act apply. By virtue of this clause, the trial is clearly a controlled action within the meaning of the Act.

Leaving aside the operation of this clause, it is submitted that on the basis of the information set out in VNPA's submission, you should determine that the trial is a controlled action on the basis of the following controlling provisions:

- The trial will have a significant impact on the National Heritage values of a National Heritage place, namely the Alpine National Park, even if clause 2.10 were not to deem it so (sections 15B and 15C of the Act).
- The trial will have a significant impact on a number of species and ecological communities listed under the Act (sections 18 and 18A of the Act).

It is important for you to recognise these controlling provisions, in addition to the operation of clause 2.10 of the Regulations, as this acknowledges the actual impacts of the trial, and will expand the matters to which you can have regard in determining whether to approve the trial, and under what conditions.

**What assessment process should be used to assess the impact of the trial?**

You must decide what approach to use to assess the relevant impacts of the trial. The Regulations at clause 5.03A set out the criteria you must use in determining this approach.

We submit that you should adopt an assessment approach that is both rigorous and public; namely, a public environment report (under Division 5 of the Act) or an environment impact assessment (under Division 6 of the Act).

Such an assessment approach is appropriate for the following reasons:

- The potential impacts of the trial on the National Heritage values of the Alpine National Park, and on listed species and ecological communities, cannot be predicted with any degree of certainty. The Secretary has not carried out any detailed surveys of either the species that may occur in the trial sites, or studies of the potential impacts on these species. The desktop study included with the referral is inadequate as it has not been supported with any field validation, and draws on records that may be incomplete and out of date, and may underestimate the occurrence of listed species in the relevant areas.
- The potential impacts of the trial on the National Heritage values of the Alpine National Park, and on listed species and communities, are severe, and may result in long-lasting or irreversible damage. As noted in VNPA's submissions, the risks posed by cattle grazing in areas such as the Alpine National Park are well documented.
- To date, the Secretary has not made available adequate information about the trial, its design, its scope or its potential environmental impacts. The Secretary's referral refers to an 'Environmental Management Plan', but such a document is apparently only in draft form, and has not been provided. Although the site selection has been made, the scientific design of the trial has not been provided. No justification has been provided for why the trial must occur within the Alpine National Park, rather than other similar areas.
- The Secretary's failure to refer the first stage of the trial, conducted between January and April this year, to the Commonwealth Government, despite requests by yourself and environment groups such as the VNPA, demonstrates that the Secretary has a poor record of responsible environmental management and compliance with environmental laws in relation to the trial.

- There is a high degree of public interest and concern about the trial, as demonstrated by the following:
  - Since the Victorian Government's announcement and commencement of the trial in January 2011, there has been voluminous and continuous coverage by the print and digital media.
  - The VNPA has established a petition calling on Premier Ted Baillieu to halt the first stage of the trial: this petition has so far been signed by approximately 1,000 people online, and 3,000 people on paper.
  - On 27 January 2011, 125 scientists wrote to the Victorian Minister for Environment and Climate Change, the Hon. Ryan Smith, expressing concerns about the first stage of the trial.
  - On 8 February 2011, VNPA joined 13 other Australian environment groups in issuing a joint statement to you, urging you to intervene to halt the first stage of the trial.

**Request for opportunity for further comment**

In light of VNPA's submissions, we strongly urge you to reject the trial.

However, if you decide to approve the trial, we request an opportunity for the public, including VNPA, to provide further comments on a draft approval and conditions under section 131A of the Act.

If you have any queries in relation to this letter, please feel free to contact me.

Yours sincerely



Nicholas Croggon

**Solicitor**

(03) 8341 3103

Nicholas.croggon@edo.org.au