

26th June 2015

Victorian Environmental Assessment Council
Level 6, 8 Nicholson St. East Melbourne Vic 3002
veac@delwp.vic.gov.au

Initial submission

VEAC investigation: Statewide Assessment of Public Land

The Victorian National Parks Association welcomes the opportunity to make a submission to the Terms of Reference 1, 2 & 3 of the initial stage of VEAC's Statewide Assessment of Public Land.

The VNPA has been active in the protection of Victoria's natural areas since the 1950s, and we remain very active in identifying issues relevant to the protection of biodiversity in Victoria, and in advocating for action to ensure the wellbeing of Victoria's natural heritage well into the future.

The VNPA recently published its fourth comprehensive Nature Conservation Review, and many of its findings are relevant to the terms of reference for this investigation. We have included a number of quotes from the review in this submission.

Importantly, the impacts of climate change should inform VEAC's response to ToRs 2 & 3 in particular. The impacts of climate change have not, in the past, been considered in framing Victoria's conservation reserve system. Those impacts, however, are already being felt and will become considerable. They should be accounted for in the development of future land management policy and practice, and in the design of Victoria's conservation reserve system.

Terms of Reference 1

An assessment of the current system of public land categories, including options for changing or consolidating the existing categories.

The VNPA, along with most of Victoria's land managers, has long been aware of problems associated with the great range of public land categories in Victoria. These problems largely involve:

- The complexity of nature conservation – protecting around 100,000 native species in a great range of natural habitats.
- The complexity of human uses, including historical events such as the fragmentation of habitats.

- Historical changes in land categories, and the related legislation, that have led to inconsistencies within individual tenure categories over time.

The above have resulted in a complex system that the public, and indeed many land managers, find hard to understand. However, we are not convinced that major changes should be made to the system. Importantly:

- Any oversimplification of the system will be unable to take account of the necessary complexity of the system, jeopardising any number of sensible protection measures prescribed for, and particularly suited to, individual parcels of land. Just as zoning is necessary within a large reserve, a fair range of categories is necessary and appropriate across the landscape.
- Any current inability of the public to understand land management categories is partly due to a lack of educational processes – either at a general level in the community (a lack of education programmes aimed at informing the public about the purpose and nature of the reserve system), or locally in relation to each park or reserve (a lack of up-to-date, well-maintained signage etc.).

In this initial submission, rather than engaging with the complexity of the system in detail, we make the following ‘in principle’ recommendations.

1/ First and foremost, the VNPA is adamant that there should be no lessening of legislated or regulatory protection for any public land in the state. Indeed there is a considerable need, in the face of current and future threats to biodiversity (including the growing impacts of invasive species and predicted severe climate impacts) to increase the levels and extent of protection for public land.

2/ We acknowledge confusion in the general public between “State Park” (effectively land of national park status, and clearly matching IUCN Category 2) and “State Forest”. That could be resolved by changing the name (‘State Park’ could become something like ‘Conservation Park’), or by appropriate community education including on-site signage, or both.

3/ There is also a degree of confusion around Forest Parks and a number of other multi-purpose parks such as Regional Parks, some of which have much the same characteristics as Forest Parks.

4/ While we see that it is useful for levels of protection to match IUCN protected area categories whenever possible, that should not be seen as an absolute requirement. They are designed as a very rough fit for the vast array of reserve systems around the world, and can’t possibly account for every individual instance. Also, currently in Victoria, both national and state parks match IUCN category 2, but that does not mean they should be called the same thing. Any number of reserve categories can be accommodated within an IUCN category without compromising either system.

5/ If matching IUCN criteria for a particular protected area is difficult, there should be no compelling need to try to match the criteria. Appropriate management of the particular reserve in question is more important than vigilantly observing a set of management categories. Ie, the prime job at hand is to manage the land well, not the set of categories.

6/ Areas that have been labelled ‘national park’ in the past, but may not match current IUCN guidelines for national parks, should not be downgraded. In general, their management should be geared to improve their condition, area, connectivity, or whatever is needed to move towards matching international criteria for national park status.

If we establish a precedent by downgrading a national park, however well justified that might seem today (eg for Organ Pipes National Park because of its small size), we allow future generations the option of downgrading parks whenever that generation establishes some other set of criteria.

7/ There may be a need to simplify reservation of areas under the CL(R) Act, where the requirement for an on-ground survey may mean an intended reservation is not formally implemented, and regulations applicable to that reservation therefore don’t legally apply.

8/ There is a need to offer adequate protection to many road reserves, which often have considerable conservation value. Riparian areas also need greatly improved protection. Both of these areas should be accommodated in a clearly identified protected area category.

9/ There are some legislative inadequacies in regard to the adequate protection of a number of categories of smaller reserves. The VNPA’s Nature Conservation Review 2014 points out that:

“Conservation of some public lands can be improved by upgrading protection for some reserves under the Crown Land (Reserves) Act. These reserves, including those designated as nature conservation reserves, currently do not meet criteria for the national park and conservation system because there is no requirement to manage them to any particular standard and mining may be permitted. They should be transferred for protection under the National Parks Act, which provides a stronger statutory basis for conservation management and for preventing damaging activities.”

Nature Conservation Review. Victorian National Parks Association. 2014

Note also the attachment to this submission – VNPA VEAC ATTACHMENT 1: pages 19-21 from our 2014 Nature Conservation Review (NCR). It outlines legislative inadequacies in the protection of several smaller reserve categories.

(Terms of Reference 2 – over page)

Terms of Reference 2

An assessment of the current reservation status of public land, including areas where land use has changed since government accepted a recommendation.

This is an important area, in which the VNPA is keen to be very actively engaged over the period of the investigation.

While we understand that this VEAC investigation will not actually be making specific recommendations on particular areas, it will, we assume, be highlighting areas and/or ecosystems which are due, or overdue, for attention. In this regard, there are several issues that should be considered.

1/ All existing conservation parks and reserves in Victoria have previously been assessed for 'adequate' protection under criteria that have not included climate change impacts. That situation now strongly justifies a reassessment of the adequacy of the whole reserve system.

A recent (2014) assessment of climate impacts on Victoria's natural areas can be found in the 'Cluster Reports' in *Climate Change in Australia: Projections for Australia's NRM Regions*. Editors Ekstrom, M et al, CSIRO and Bureau of Meteorology 2015.

The 'Southern Slopes' and 'Murray Basin' Cluster Reports are both available at:

<http://www.climatechangeinaustralia.gov.au/en/publications-library/cluster-reports/>

We anticipate that a lot more information will be available on the subject of climate impacts during the time of VEAC's engagement in ToR 2 of this assessment.

2/ There are many recommendations from past investigations by the LCC, ECC and VEAC that have never been implemented, or only partially implemented.

3/ Some internationally significant areas, such as Ramsar wetland sites, have inadequate protection under Victorian law despite their global importance.

4/ Many other reserve types are inadequately protected, such as Special Protection Zones (SPZs) in State Forest areas. Other important areas in need of better protection include road reserves and riparian areas across Victoria.

5/ The VNPA's *Nature Conservation Review 2014* (NCR) outlines many areas in need of re-assessment. The whole NCR should be taken into account by VEAC in this assessment process.

It is accessible via www.vnpa.org.au and directly available at:

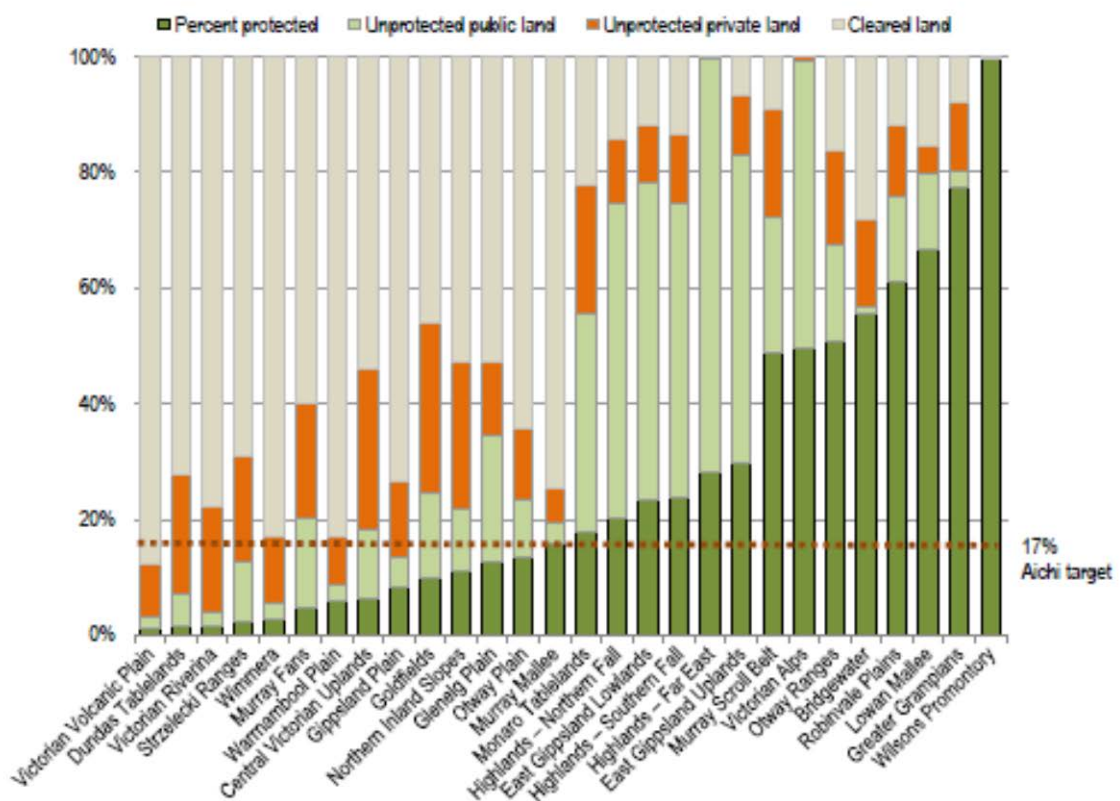
<http://vnpa.org.au/page/publications/nature-conservation-review/nature-conservation-review-2014>

The following quotes (but not only these quotes) from the VNPA’s Nature Conservation Review are relevant to ToR 2:

“Because of the large gaps in the national park and conservation system, coupled with escalating threats to nature, the Victorian government should commission a state-wide assessment by the Victorian Environmental Assessment Council to determine the most efficacious way for the state to achieve reserve targets. The investigation should prioritise the least protected subregions, and encompass public and private lands.” (NCR Page 161)

“Victoria’s national park and conservation system offers uneven and highly inadequate protection to its great variety of terrestrial ecosystems, as Figure 3.15 shows. In 2011 at a meeting of the Convention on Biological Diversity, the Australian government adopted the Strategic Plan for Biodiversity 2011-2020 and its ‘Aichi targets’, which include a target to protect at least 17% of terrestrial areas. Only half of Victoria’s subregions meet this target. Figure 3.15 also shows that a substantial proportion of remnant vegetation in the least protected subregions occurs on private lands.” (NCR page 138)

Figure 3.15 The proportion of remnant, cleared and protected vegetation in each Victorian subregion



“The gap analysis shows the importance of private land conservation. The five subregions with the lowest proportion of native vegetation have more than two thirds of their area in private land tenure and in four of them more than a third of ecological vegetation classes are endangered (Table 3.21). Of the 50% of Victoria’s subregions that are more than 50% privately owned, all but one have lost more than 50% of their native vegetation and all but one have less than 50% of their remnant vegetation protected.” (NCR page 144)

“...by multiple interpretations of what is needed to achieve a comprehensive, adequate and representative reserve system – including by targets adopted by the state government – it is clear that Victoria’s national park and conservation system needs to expand, on both public and private land tenures.” (NCR Page 145)

“Despite the state government’s long-held goal to achieve a comprehensive, adequate and representative reserve system, and despite significant progress – mostly resulting from regional investigations by the Victorian Environmental Assessment Council and its predecessors – about three-quarters of Victoria’s subregions remain poorly protected. Statewide, less than a third of subregional ecological vegetation classes meet the NCR reserve targets or the JANIS targets adopted by Australian governments for forest ecosystems” (NCR Page 161)

And in regard to Nature Conservation Reserves:

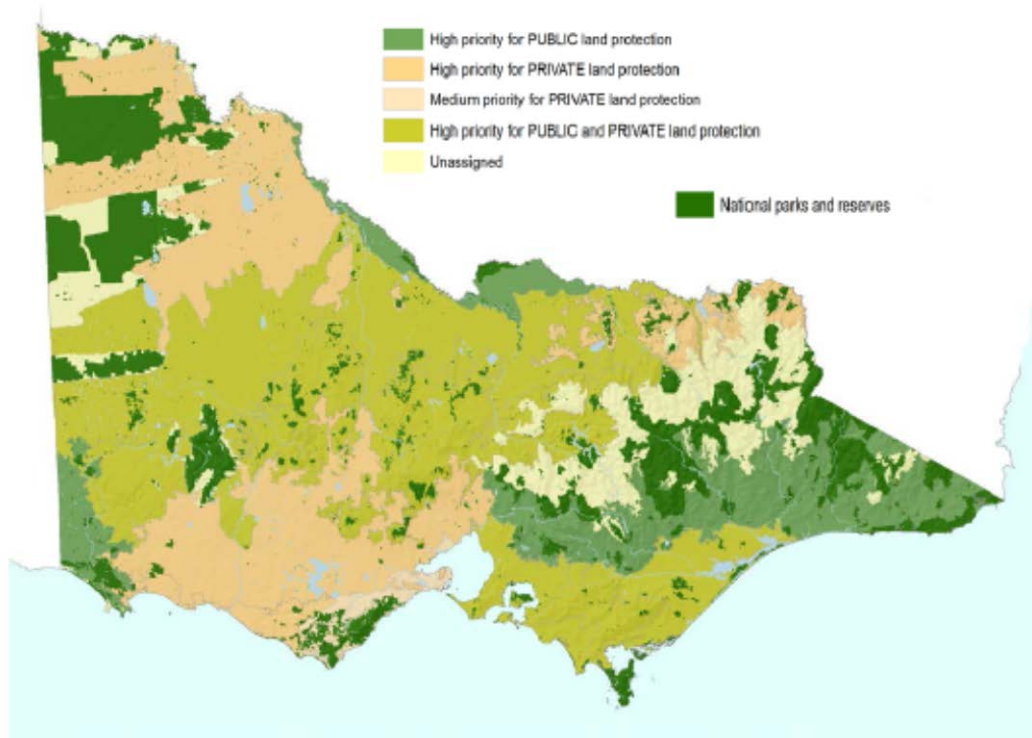
“Conservation of some public lands can be improved by upgrading protection for some reserves under the Crown Land (Reserves) Act. These reserves, including those designated as nature conservation reserves, currently do not meet criteria for the national park and conservation system because there is no requirement to manage them to any particular standard and mining may be permitted. They should be transferred for protection under the National Parks Act, which provides a stronger statutory basis for conservation management and for preventing damaging activities.” (NCR Page 161)

In regard to Priority Clusters:

“The Victorian Environmental Assessment Council has already [in the Remnant Native Vegetation Investigation] identified six priority subregions for assessment – (a) Wimmera (south), Dundas Tablelands and Glenelg Plain, (b) Gippsland Plain and Strzelecki Ranges and (c) Central Victorian Uplands....These subregions have highly inadequate protection and suitable areas of public land (larger or intact blocks not already tightly committed to a specific use).” (NCR Page 161)

“In a separate analysis (done in conjunction with this review and outlined in section 5.3), VNPA has identified five priority clusters for conservation action, which encompass or partly encompass 12 subregions. They were selected for their high-value intact vegetation, high biodiversity values and poor representation in the national park and conservation system. Recommendations for new protected areas in these priority clusters are shown in Table 3.27. They are mostly consistent with the priority recommendations for investigation proposed by the Victorian Environmental Assessment Council.” (NCR page 161)

Figure 3.21 Priority subregions for improved protection to achieve the NCR reserve targets for a comprehensive, adequate and representative national park and conservation system



Map: VNPA. Based on analysis in Table 3.26 of priority subregions to achieve the NCR reserve targets.

Above map: NCR Page 164

5/ Forestry and changed land use in Western Victoria. A recent major backward step is the re-opening of western forests (west of the Hume Highway) to logging, with a decision in September 2013 to grant a three-year licence for logging in Mount Cole State Forest. A 2013 government-commissioned review of commercial forestry opportunities in western Victoria imply an intention to also re-establish logging in other forests.

Forest Solutions. Review of Commercial Forestry Management in Western Victoria: Timber Resources, Harvest Levels, Silviculture, and Systems and Processes. Victorian Government Department of Environment and Primary Industries (2013).

In recognition of the conservation values of the greatly depleted and fragmented western forests, most logging in western Victoria (which occurred largely in the Otways) was phased out a decade ago with millions of dollars paid in industry compensation. Rather than returning to exploitation of these highly fragmented and degraded forests, the focus needs to be on securing the protection of high value forests and reversing degradation.

In a 2010 assessment, VNPA found that Mount Cole State Forest has high conservation significance and warrants protection as a State Park.

Better Protection for Special Places. Victorian National Parks Association Small Parks Project. Victorian National Parks Association, (2010)

The Central Victorian Uplands subregion (in which Mount Cole is sited) has less than 10% of ecological vegetation classes adequately protected (Table 3.22).

In 2011 the Victorian Environmental Assessment Council recommended that the Central Uplands subregion be the focus of a study to assess options for conserving forests and other public lands in protected areas. A 2010 independent review of regional forest agreements recommended that the agreement for western Victoria be cancelled. Both of these recommendations should be implemented.

Wallace L *Independent Review on Progress with Implementation of the Victorian Regional Forest Agreements (RFAs)*. Government of Victoria. 2010.

(See NCR page 156)

6/ Public land priorities for Central Victoria (Goldfields & Central Uplands). In a 2010 assessment, VNPA identified 20 public land sites in central Victoria (from Stawell in the west to Alexandra in the east) warranting greater conservation protection, most involving a tenure upgrade from State Forest to State Park or additions to existing national parks and reserves. The box and ironbark forests of Central Victoria have suffered great losses and damage since European colonisation and much of the remaining land exists in blocks of less than 20,000 hectares. Less than 10% of the ecological vegetation classes in the Goldfields and Central Victorian Uplands subregions meet the NCR reserve targets.

The VNPA's assessment process involved:

- (1) nominations by environment groups and individuals of 61 sites thought worthy of improved management or protection,
- (2) assessment of natural values and threats for each site,
- (3) scoring and prioritisation by an expert panel resulting in the selection of 20 sites,
- (4) on ground assessment of some sites and
- (5) tenure and management recommendations.

Of the 115,000 hectares of Central Victorian public land recommended for improved management, and tenure change in some cases, 111,000 hectares is state forest. Timber and firewood harvesting are a threat to some areas – including at Mt Cole, which is being re-opened to commercial logging – as are pests and weeds, uncontrolled recreation, and inappropriate fire regimes. The sites are proposed as the foundation for a large-scale biolink from the Grampians to the Alps.

For details of the 20 identified areas of public land see:

<http://vnpa.org.au/page/nature-conservation/protecting-special-places/small-parks-project>

7/ Formalising the informal reserve system.

“Large areas of old-growth forest have been protected informally in ‘special protection zones’ under the regional forest agreement process and subsequent forest management plans rather than in the national park estate. This is in breach of the regional forest agreements and the JANIS criteria, which state that ‘all reasonable effort should be made to provide for biodiversity and old-growth forest conservation and wilderness in the dedicated

reserve system on public land'. These informal reserves are not secure as they can be swapped for other sites and logged, provided that there is no perceived net loss of conservation values, and they can also be mined and grazed. Many are fragmented and vulnerable to edge effects (resulting in weed invasion and drying) and fire. Yet they are counted as protected under the regional forest agreement criteria, contributing to the minimum 60% old-growth protection required. These areas warrant permanent and secure protection under the National Parks Act. In the light of climate change and intense environmental stresses on forest ecosystems, the extent of public forest protected in reserves under regional forest agreements needs reviewing." (NCR page 176)

8/ Establishing more comprehensive, adequate and representative protection

The VNPA's NCR (page 182 and following pages) includes, among others, the following recommendations:

T1. Commission the Victorian Environmental Assessment Council to investigate how to most effectively achieve a comprehensive, adequate and representative national park and conservation system in Victoria across both public and private lands. High priority areas for protection include:

- Central Victoria: 20 areas recommended in VNPA's Small Parks report
- Melbourne Metro and catchments: a Great Forests National Park, Wombat Forest, a western Melbourne grassland reserve and a network of smaller reserves
- East Gippsland: forest reserves (transfer state forest to the national park estate)
- South West Victoria: a Greater Glenelg National Park (west of the Grampians between the Princes Highway and Little Desert National Park)
- South Gippsland and Strzelecki Ranges: forest reserves (transfer state forest to the national park estate)
- Riverina: Red gum parks as previously recommended by the Environmental Assessment Council – the Murray River park and the Leaghur- Koorangie, Loddon and Avoca River floodplains.

T2. Upgrade protection for conservation reserves listed in schedules of the Crown Land (Reserves) Act:

- Transfer nature conservation reserves to schedule 2C (with protection equivalent to that for properties under schedules 2, 2A and 2B) of the National Parks Act.
- Transfer all other relevant reserves – cultural and natural heritage reserves, natural features reserves, historic and cultural features reserves, regional parks, miscellaneous reserves, water reserves and forest parks – to the National Parks Act, listing them temporarily as a new schedule.
- Commission the Victorian Environmental Assessment Council to assess the most appropriate future management arrangements for these properties.

T3. Establish an acquisition fund for the purchase of high priority lands for addition to the national park estate.

T4, T5 & T6 are recommendations for developing and encouraging co-operative land management agreements with Indigenous communities

T7, T8, T9 & T10 relate to private land conservation initiatives.

T11 Develop a strategic plan to guide the future of Victoria's national park estate that also communicates its role and importance.

T12 Improve community education to build broad support for national parks.

T13 Promote conservation-compatible, broad community uses of national parks to encourage physical and mental well-being rather than high end tourism uses.

T14 Strengthen protection of the national park and conservation system from activities incompatible with the primary purpose of nature conservation:

- Amend the National Parks Act to prohibit mineral exploration and fossicking in the national park estate.
- Maintain a ban on cattle grazing.
- Rule out commercial-scale ecological thinning or logging by stealth.
- Reverse the decision to allow private commercial developments and limit leases to existing structure in parks (no new buildings and structures for commercial purposes).
- Amend the Nature Conservation Trust Act to prohibit mining and mineral exploration in areas under a perpetual conservation covenant in Trust for Nature reserves.

T15 onwards: some further recommendations that VEAC should consider.

Some other issues of concern include:

9/ Mt Stirling Alpine Resort.

While not the subject of previous VEAC investigations, there have been government reviews which have recommended a change in land tenure for Mt Stirling Alpine Resort.

Mt Stirling has never fitted the economic model of an Alpine Resort. A 2008 review of Alpine Resort areas by the State Services Authority (SSA), the body responsible for reviewing the functionality of state government departments, recognised this, recommending de-coupling management of Mt Stirling from Mt Buller and managing Mt Stirling for its natural values.

According to the review:

“Mt Stirling is more akin to a national park and should be positioned and managed as such”, and only “the Parks Victoria management option offers any practical improvement over the status quo”. The SSA recommended that “the Minister for Environment and Climate Change ... provide for the management of Lake Mountain and Mt Stirling by Parks Victoria from 2010”.

More info: <http://vnpa.org.au/admin/library/attachments/PDFs/Reports/mtstirlinglink.pdf>

This recommendation re the protection of Mount Stirling should be seriously considered by VEAC in this investigation.

10/ Murray River Park

The Murray River Park, made up of a string of smaller pieces of public land along the river, adds up to over 20,000 hectares. It was one of the recommendations from the VEAC River Red Gum Investigation.

The park was intended to:

- Create an almost continuous ecological connection between major national parks.
- Provide a significant natural attraction for camping, boating and recreation in a natural river environment.
- Protect an outstanding scenic landscape for river users.
- Protect parts of the flood plain and river frontage, important to many native species.
- Protect important historical sites and sites of cultural significance to Traditional Owners.

These reserves have the potential to provide a coherent, cattle-free wildlife corridor to improve the quality of water run-off into the Murray River. Before the 2010 state election the Brumby Labor Government was on the verge of protecting these reserves as part of the historic River Red Gum parks package. They were even legislated and handed over to Parks Victoria for management, but were not formally gazetted or declared before that government lost power.

The incoming Coalition Government reversed the process of phasing out grazing licences and then re-issued over 200 licences. As a result, the cattle went back in, and so far they're still there. Protecting these Murray River reserves by finally declaring them or, even better, giving them national park status or equivalent and excluding cattle once and for all, is unfinished business.

See: <http://vnpa.org.au/page/nature-conservation/parks-protection/murray-river-park>

11/ Fire. One important area where “land use has changed” is the considerable emphasis now placed on extensive fuel reduction burning across all public land. Very large areas of public land, including all categories of protected areas, are now ‘used’ as fuel reduction zones, with questionable effectiveness (cf the last three reports of the Bushfires Royal Commission Implementation Monitor, and the recent IGEM investigation of the 5% target).

The impacts of the current fuel reduction burn program on biodiversity are considerable, and on DEPI’s own assessment last year they are not meeting biodiversity protection objectives in managing fuel reduction burns. VEAC should assess this situation with some rigour, in particular the decreasing extent (or absence) of old, or near old, age classes for most EVCs across the state. There are important implications for the extent of, and management of, the reserve system and biodiversity generally.

(Terms of Reference 3 – over page)

Terms of Reference 3

An inventory of the types of values on public land.

This is a particularly large topic, and difficult to cover in this preliminary submission. A few comments might, however, be useful here as an indication of some important areas where work is needed.

1/ Assessments of the condition (or 'ecological integrity') of conservation land are rarely, if ever, done, and even more rarely are they done well. This should change. We need to assess not just the biodiversity values on public land, but also the condition of those values and the threats to those values, if we are to recommend appropriate protection and management.

2/ Biodiversity management policy and practice is directed largely at the wellbeing of vascular plants and vertebrate animals, even though the great majority of species are invertebrates and fungi (let alone micro-organisms). This must change, and won't change until the appropriate expertise is at hand in land management agencies. There are no mycologists in DELWP or PV at present, and apparently none being trained in any Victorian tertiary institution! The situation with expertise in invertebrates is not much better. There is also a range of techniques now available, involving genetic sampling of soil etc, that allows assessments of microbial/fungal/invertebrate complexity. These techniques should be employed in any assessment of sites of ecological significance.

3/ Recent assessments and evaluations of the economic value of maintaining natural areas in good condition should be taken into account, and ongoing re-assessments of the economic contribution of parks and reserves should be made. While economic benefits are by no means the only reason to protect natural areas, they are nevertheless increasingly recognised as a highly significant reason. These economic benefits include improved water and air quality, the community's inheritance of a vast genetic diversity and its current and future applications to industry and medicine etc, the physical and psychological well-being of the community, tourism benefits etc.

As Achim Steiner, Director of the United Nations Environment Program, told Sydney's 2014 World Parks Congress in his opening address, it is no longer appropriate to see protected areas as just the last line of defence for threatened species. We should confidently spread the word that national parks and other conservation reserves are actually at the front line in the fight for economic and social wellbeing. Indeed, he added, the evidence shows that they have been for some time.

Attached: **VNPA VEAC ATTACHMENT 1** (pages 19-21 from our 2014 Nature Conservation Review)

For further information contact

Phil Ingamells, Victorian National Parks Association

www.vnpa.org.au

philipi@vnpa.org.au

Ph: (03) 9341 6506 or mob: 0427 705 133