

29/6/18

Submission by the Victorian National Parks Association to the Draft Joint Management Plan for the Dja Dja Wurrung Parks

The Victorian National Parks Association (VNPA) thanks the Dhelkunya Dja Land Management Board for the opportunity to respond to the Draft Management Plan for Hepburn Regional Park, Greater Bendigo National Park, Kooyoorra State Park, Wehla Nature Conservation Reserve, Paddys Ranges State Park and most of Kara Kara National Park.

The VNPA is Victoria's leading community-based nature conservation organisation, and has been working independently for increased protection and improved management of Victoria's natural areas for over 60 years.

Introduction

The plants, animals and vegetation communities in the six parks and reserves have been greatly impacted over the last 200 years or so. The gold rushes that began in the 1850s have had the most significant affect, with decades of uncontrolled earthworks producing the 'upside down country' we have today.

However adverse impacts happened before the 1850s – the enforced dispossession of the Dja Dja Wurrung people changed long-held land management practices, and extensive introduced sheep grazing compacted the land and changed the understory plants.

In more recent times climate changes, timber-cutting and firewood harvesting, and ongoing prospecting activities, have left us with altered forest structure, many pest plant and animal invasions, and streams and waterways silted up and repeatedly damaged.

Fire regimes have also been altered.

Importantly, the 'upside down country' has been healing slowly in many ways, but it needs improved management if that healing is to be truly effective. We welcome the draft plan as an opportunity to greatly improve the condition of the parks.

We recognize and welcome the contributions the Dja Dja Wurrung community have made in the production of this thoughtful draft plan, and strongly support the

increased involvement of the Dja Dja Wurrung community in managing these parks into the future.

Summary

In general we agree with the direction of the draft plan, and support and encourage most of the proposals in the plan. In particular:

- We like the structure of the document.
- It's good to see the 'Resources' document, and it's list of plants and animals of special concern for Traditional Owners, as well as the list of threatened species and whether or not action statements are available to assist in their management.
- We support the inclusion of a thorough list of relevant legislation in the Resources, but would prefer some important aspects of that legislation to be included at the front of the Strategy.
- The maps are clear and useful.
- We support an increased understanding of the Dja Dja Wurrung cultural identity with the parks, and the increased understanding of traditional knowledge (Djuwima Djandaki), including the use of Dja Dja Wurrung language and place names where possible.
- We strongly encourage the management aim of supporting the healing of the landscape (p. 19 and elsewhere).
- We support the use of the parks for cultural heritage practices, consistent with the aim of healing the parks (p. 19 and elsewhere).
- We agree that the landscape has been greatly altered over the last 200 years and that will require an ongoing re-assessment of current and proposed management actions.
- We agree that climate change must be taken into account in the management of the park
- We support the encouragement of scientific, or evidence-based knowledge in the management of parks, and encourage the involvement of traditional owners and the general community in research programs, including citizen science programs.
- We agree that management of the parks up to the current time has taken place with very limited resources (p. 25), and strongly agree that that should change in the future.
- We agree that access to the parks, for traditional owners and the broader community, is important, and that that access should be carefully and sensitively planned (p. 25).
- We agree that burning regimes are currently not well-advised.
- We agree that recreational prospecting can hurt both the natural and cultural values of the parks.

We have dealt in more detail with several issues below:

1. Some important aspects of legislation
2. The need to manage the impacts of prospecting
3. Managing the impacts of climate change

4. The need to be careful with fire management, and to grow everyone's understanding of good fire management.
5. Managing economic developments
6. The need for increased resources and knowledge

1/ Some important aspects of legislation

While it is good that a comprehensive list of legislation appears in Appendix 1, it could be useful to clarify some priorities. There are some significant requirements of national and state park legislation that could be stated prominently in the introductory pages of the plan. For example:

- a) Victoria's **National Parks Act** unambiguously requires the government to manage national and state parks to:
 - protect and preserve of native flora and fauna (etc);
 - exterminate or control exotic fauna; and
 - 'have regard to all classes of management actions that may be implemented for the purposes of maintaining and improving the ecological function' of national and state parks'.
- b) Victoria's **Traditional Owner Settlement Act**.

The National Parks Act is the legislation that sets the management objectives for the areas it refers to, and in the case of national and state parks clearly puts the protection of nature as an overriding priority. The Traditional Owner Settlement Act sets the framework for the handback of parks and reserves, and allows Traditional Owner access to natural/cultural resources etc

We think it might be useful to put some quotes from these Acts at the beginning of the final plan, to make it clear to the broad community that the plan rests on a secure legislative framework.

2/ The need to manage the impacts of prospecting

We support the restrictions placed on prospecting, as shown in the maps attached to the draft strategy.

In May 2013 The Victorian Environmental Assessment Council (VEAC) published its 2014 report on its *Investigation into Additional Prospecting Areas in Parks*. It identified a number of significant ways prospecting adversely affected, or could affect, the natural values of parks and Indigenous cultural heritage:
<http://www.veac.vic.gov.au/investigation/investigation-into-additional-prospecting-areas-in-parks>

While that investigation was not directly concerned with the Dja Dja Wurrung parks, many of its findings were of a general nature, and support the idea that prospecting is not consistent with Victoria's National Parks Act, in that activities can have a serious impact on fauna (especially in waterways), flora and cultural sites.

The information below is taken from that VEAC report, and page numbers refer to the report.

The report defined recreational prospecting (sometimes called fossicking) as “the search for minerals, gemstones or mineral-bearing material using non-mechanical hand tools only”. It added that “Prospecting for gold involves the use of metal detectors, hand tools (such as picks and shovels), pans, cradles and sluices”.

Where is prospecting currently allowed?

Recreational prospecting is *not* allowed in national parks in: Western Australia, South Australia, Tasmania, New South Wales, Queensland, or in those parks co-managed by the Australian government (eg Kakadu and Uluru-Kata Tjuta). It is also not allowed in national parks in a number of countries, including the USA (VEAC p. 21).

Victoria is the only state that allows prospecting in national parks. The activity is allowed in approximately 4.81 million hectares of Victoria’s public land, including 52,370 hectares within parks.

Within the Dja Dja Wurrung parks, the following areas are currently available for prospecting (VEAC p. 23).

- Greater Bendigo National Park: 11,967 hectares (69% of the park)
- Kara Kara National Park: 7,600 hectares (55% of the park)
- Kooyoorra State Park: 8,040 hectares (71% of the park)
- Paddys Ranges State Park: 600 hectares (30% of the park)

Environmental impacts of prospecting:

The VEAC investigation highlighted a number of ways in which prospecting can adversely affect the natural environment:

- **Ground disturbance and impacts on plants**
While some plants may benefit from soil disturbance, many do not. In the Dja Dja Wurrung region, some ground orchids are fairly common, but some species are rare and/or endangered. In the dormant period, when the orchid only exists as a small tuber under the ground, a prospector can easily dig up an orchid without being aware of it (VEAC p. 28).
- **Weed invasion**
Most weeds benefit from soil disturbance, so prospecting can significantly increase the spread of weeds (VEAC p. 29).
- **Impacts on waterways**
VEAC commissioned a scientific review of the impacts of prospecting on waterways (VEAC p.30). It found that:
 - Disturbance or removal of streambed stones disrupts the natural protective ‘armouring’ of the stream bed. While streambeds have probably been disturbed for many years in the parks in question, continuation of this practice doesn’t allow streambeds to recover.
 - Disturbance also builds up silt in the current, allowing it to spread downstream, potentially affecting a range of living things in the stream.

- Tailings (rocks and chemically treated soil) remaining from the days of extensive gold mining are likely to contain contaminants like arsenic and mercury. Disturbance of areas where tailings still lie can contaminate rivers, poisoning stream life.
- **Spread of soil diseases**
Spores of diseases like phytophthora (which affects many native plants), chytrid fungus (which affects frogs) and myrtle rust (which potentially affects eucalypts and many other native plants) are easily spread by activities that disturb soil. Spores can be spread widely by even small amounts of earth on shovels, footwear and vehicles etc. (VEAC p. 31).
- **Off-road access for cars and and illegal track construction.**

Cultural impacts of prospecting

While the VEAC investigation made no assessment of the Dja Dja Wurrung parks, it quoted the Office of Aboriginal Affairs Victoria as saying prospecting has ‘a high potential to harm Aboriginal heritage’, including through the potential removal of artefacts (p.35). Culturally significant plants and animals can also be affected.

Park management and compliance

VEAC noted that while most prospectors behave well, others don’t, and repairing damaged sites puts a considerable burden on park management. Monitoring the activity, and enforcing regulations, is difficult for managers (VEAC p. 41).

VEAC recommendations for improved regulation of prospecting.

Among the recommendations arising from the *Investigation into Additional Prospecting Areas in Parks* were a number of recommendations aimed at limiting the impact of prospecting. ***These recommendations were accepted by the Victorian Government, but they have not yet been implemented, or put into law.***

The recommendations include additional restrictions on the way prospecting is conducted, including (VEAC p.45):

- Only using non-mechanical hand tools
- Any excavation should not be bigger than one cubic metre
- Sluices and motorised equipment must not be used to process excavated material
- No trees or shrubs can be damaged or removed
- Repairs (eg replacing soil, rocks, debris and leaf litter) must be done on the same day they are removed
- Any Aboriginal place or object must not be damaged, defaced, disturbed or otherwise interfered with.
- The discovery of any Aboriginal site or object must be notified to the Office of Aboriginal Affairs Victoria
- These conditions should be added to the National Parks Act
- Before these recommendations are implemented, consultation should be conducted with relevant traditional owner groups.

VNPA comment re prospecting:

While all of the recommendations in the report were accepted by government, none have yet been implemented – not even the need for further supervision and monitoring. We believe it is time to implement those recommendations, restricting many ways prospecting happens. It is also sensible to further restrict areas where the activity takes place, given the knowledge we have of the damage it can do, and the clear evidence of illegal behavior by some prospectors. For these reasons we support reduced areas for prospecting.

We also believe the VEAC report's proposal to restrict excavation to a maximum of one cubic metre is far too generous – that is a seriously big hole to be repeatedly digging in a national park. We note that prospecting is not allowed in national parks in other Australian states, and that prospectors in Victoria have access to large areas of public land outside parks.

3/ Managing the impacts of climate change

We are pleased that the draft plan recognizes the importance of climate change, and that park management practices must allow for the added impacts of a rapidly changing climate.

The VNPA, with a number of other organisations, has conducted a series of workshops on this issue, and the findings are presented on the VicNature2050 website: <http://vicnature2050.org/ten-things-nature-climate-change/>

Among the recommendations on the VicNature2050 site are:

- We should all listen, engage and work with each other (scientists, Aboriginal communities, local communities and groups, land managers and politicians) and:
- increase resilience by reducing other threats, such as weeds and feral animals.
- build connectivity between fragmented areas
- establish 'Climate Future Plots' research and monitoring sites. This fairly radical idea looks at monitored introductions of potentially more resilient genetic varieties of plants from similar ecosystems further north. The plan has the potential to help out in the future if current variants of plants (especially trees) in isolated ecosystems cannot cope with a future climate. There is more information at: <http://vicnature2050.org/climate-future-plots>
It's early days for this project, and we welcome the involvement of the Dja Dja Wurrung community in any and all discussions.

4/ The need to be careful with fire (wi) management

This is perhaps one of the most difficult land management issues in Victoria. The VNPA recognizes the long history of Indigenous use of fire, and that the nature of pre-1800 landscapes were significantly a product of Indigenous use of fire. We also

recognize that since that time, fire regimes have been greatly altered – in some cases fire has been absent from the landscape for a long time, in other cases fire almost certainly has been applied too frequently, and with little regard for the impacts on flora and fauna.

The extensive emphasis on broad-scale fuel reduction burning since the Black Saturday Royal Commission has not given sufficient regard to long-term ecosystem health.

Our understanding of Indigenous traditional burning practices includes the principle that fire was always aimed at producing a particular result, and would be applied differently (location, extent, season etc) according to the purpose at hand.

Building an Indigenous approach into Victoria's fire management can greatly improve that situation.

The relationship of Victoria's ecosystems to fire, and the various ways fire affects the approximately 100,000 native species in the state, is complex. Climate change and pest plant and animal invasions must now be taken into account. And importantly, in the parks in question, we are dealing with a much wounded, slowly healing landscape.

We do not believe large scale fuel reduction burning is particularly useful for safety – sometimes fuel reduction burns actually increase fuel levels, producing a dramatic increase in flammable plants like cassinia and/or wattles in the understory. There is now considerable scientific evidence to suggest that broadscale fuel reduction burning is not the most effective fire safety measure.

There is also now a considerable number of studies that show the considerable impact DELWP's fuel reduction program is having on flora and fauna. One of the most serious is the reduction in the extent of hollow logs on the ground. Even very low intensity fire can destroy hollow logs, but a landscape that has largely lost fallen logs with hollows can take decades to centuries to recover that important habitat feature. This can have a long term impact on small mammals in particular, but also insects and therefore birds.

https://www.researchgate.net/publication/311752726_Prescribed_burning_consumes_key_forest_structural_components_Implications_for_landscape_heterogeneity

We strongly support a careful reassessment of landscape burning practices in Victoria, and that that process should incorporate both Indigenous knowledge of cultural burns and well-informed science. We would welcome any opportunity to discuss fire management with Dja Dja Wurrung Traditional Owners.

5/ Managing economic developments

We support the opportunities for advancement of Dja Dja Wurrung people through opportunities the parks provide, and generally agree with the actions in table 19 (p. 77).

As a general principle, the VNPA recommends that any large commercial or other visitor infrastructure should be located outside, but near a park, either on adjacent public land or nearby private land. The parks in this plan are just fragments of the original extent of native bush in the area, and are scarcely big enough to be viable samples of native vegetation in the long term.

In many parts of the world accommodation and other commercial infrastructure is being removed from parks, at considerable expense. We also note, for example, that all accommodation at Uluru-Kata Tjuta National Park is located outside the park.

We agree that Hepburn Regional Park offers good opportunities for commercial infrastructure.

We strongly support visitor infrastructure in the area, such a Keeping Place, that can connect people with Indigenous stories and culture, as well as other means of engaging the public.

We strongly support an increased program to employ Indigenous rangers and other management or administrative staff.

6/ The need for increased management resources and knowledge

Parks across Victoria have suffered from a reduction in funds, reduced staffing levels, and a slow but relentless loss of management expertise over the last 20 years. We are now at a stage when it will take a steady increase in funds, and careful recruitment, to increase expertise and staff numbers.

We strongly approve of increased ranger and other staff opportunities for Traditional Owners. And we strongly approve of programs to increase the expertise of all parks staff, whether Indigenous or from the broader community.

The VNPA has been engaged in running a range of citizen science programs, and we may be able to extend that program, in conjunction with the Dja Dja Wurrung community, to one or more parks in the region if that was found to be useful.

Managing Victoria's great natural heritage is a prime responsibility for the broad community. We need a serious and adequate commitment of funds from the Government, sufficient to ensure future generations can experience their natural heritage at its best, and know and understand the ancient stories behind it.

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