



VICTORIAN
NATIONAL PARKS
ASSOCIATION
Be part of nature



Enfield State Forest after a planned burn. BEN GILL

Better management of ecological impacts of fire management works

Submission to Consultation draft – Code of Practice
for Bushfire Management on Public Land 2024

Victorian National Parks Association

Level 3, 60 Leicester Street, Carlton VIC 3025 • 03 9341 6500 • vnpa@vnpa.org.au • vnpa.org.au

ABN 34 217 717 593

Better management of ecological impacts of fire management works

VNPA Submission on Consultation draft – Code of Practice for Bushfire Management on Public Land 2024

31 October 2024

Who we are:

The Victorian National Parks Association (VNPA) is an effective and influential nature conservation organisation.

We work with local communities, scientists and government to advocate for evidence-based policy to safeguard wildlife, habitat and protected areas. We inspire connections with nature through citizen science, activities, action and education for all Victorians.

We've led the creation, oversight and defence of Victoria's natural estate for over 70 years.

Summary

The Consultation draft – Code of Practice for Bushfire Management on Public Land 2024, is a small improvement on the previous code as it more explicitly recognises conservation issues but in many ways still repeats the mistakes and flaws of the previous code and does little to improve the transparency, accountability or oversight and consistency with national and state environmental laws.

Five themes are explored in the submission:

- Clear transparency, accountability and oversight is lacking.
- Clear gaps within the treatment of hollow bearing trees and threatened species.
- Improved fire zoning and the need for clear definitions.
- Site and values assessments and the role of citizen science.
- Support addressing cultural and ecological objectives.

We call on the government to commit to the Highest standard of assessment, consultation and mitigations for planned works outside emergency periods and these principles are embedded in new Code of Practice for Bushfire Management on Public Land including:

1. Prior to undertaking fire management works, independent and on-ground ecological values assessments should be undertaken to identify significant values that are present on site, or likely to be present on site, and which require mitigations in the planning and operational phases.
2. Ensure all large FFMV projects with nationally listed threatened species and communities are referred for assessment under national environmental laws in a transparent & timely manner.
3. Ensure all relevant state listed threatened species and communities are being assessed and mitigated for at both program, project and site level, in an open and transparent manner. This must include opportunities for engagement, incorporating new data and pathways for modification and/or mitigation of proposed works.
4. Establish clear enforceable regulations which include species specific prescriptions and concrete mitigation measures for all relevant species and habitats including for hazardous trees in line with VNPA [Protecting our living legacies](#), report. At least to the level of detail undertaken in NSW Bush Fire Environmental Assessment Code. At the very minimum, the Victorian Government's policy for big tree protection should be incorporated into this Code of Practice as a clear and enforceable prescription. That is, no trees greater than 2.5m in diameter will be removed or damaged during fire management works.
5. In the event that hazardous trees are to be treated and/or removed, an independent fauna spotter must be engaged and present on-site to ensure wildlife welfare concerns are appropriately mitigated.
6. Appoint an independent regulator/ strengthen the Office of Conservation Regulator outside of DEECA (for example, either the EPA or Department of Justice) to oversee works, enforce proposed environmental prescriptions/mitigation, review new data and coordinate consultation and engagement with the community.
7. Strengthen and enforce the Crown Land procedure for the clearing of native vegetation on public land with clear avoid, minimise and offset provisions applied transparently and meaningfully (minimum like for like).

1.0 Context

According to the draft code of fire practice:

“The Code sets objectives for bushfire management on public land and outlines what the Department will consider or do on public land to achieve these objectives. This Code is not regulatory in nature and does not prescribe the operational detail for how the Department will achieve the Code’s objectives. This detail will be specified in manuals, guidelines, strategies and plans, which will be consistent with this Code.”

VNPA has been critical of the existing [Code of Practice for Bushfire Management on Public Land](#) because it doesn’t explicitly mention works which we have been concerned about, including:

- [Strategic fuel break construction and maintenance](#), Yarra Ranges National Park (see case study).
- [Storm clean up, Dandenong Ranges National Park](#), Silvan Reservoir, Wombat and Cobaw forests.
- [Post-fire salvage](#) and post-fire hazardous tree removal.
- [Hazardous tree removal](#), along roads, in strategic fuel breaks, and in preparation for prescribed burns.
- Planned burn impacts on threatened plants and animals.

Case Study: Yarra Ranges Strategic fuel break

Hundreds of hollow-bearing trees have recently been removed as part of ‘fire management’ operations. Many more are planned for removal within habitat critical for the survival of iconic threatened wildlife like the Critically Endangered Leadbeater’s Possum and Endangered Greater Glider.

Citizen science groups have thoroughly surveyed the latest break targeted for logging – the Forty Mile Break north of Noojee. They documented trees FFMV identified as hazardous and marked for removal, indicated by a pink spray-painted symbol on the base of the tree. At least 480 trees were recorded including over 100 hollow-bearing trees. This includes trees citizen science surveyors identified as active denning/nesting trees for endangered Greater Gliders. Endangered animals are living inside these trees marked for removal.

Hazardous Tree assessments from independent arborist Melbourne Treecare cast serious doubt on FFMV’s current policy and processes. All 16 trees were found to have a risk of ‘one in a million’ for harming humans – a broadly acceptable level of risk – with attributes that warrant a high retention value. The arborist found that none needed to be felled or removed, recommending pruning works for six.

To date, FFMV has not referred these logging operations to the Federal Government for an assessment of significant impacts under the Environment Protection & Biodiversity Conservation 1999 (EPBC Act). On 15 May, citizen scientists have found a dead Greater Glider near a felled habitat tree. The tragedy? We’d repeatedly warned state and federal ministers that gliders are living in the trees.

The current code talks vaguely and bureaucratically about ‘continuing public land stabilisation activities’, ‘identifying, assessing and treating any further risks ...including risks to natural and cultural values’ and ‘undertaking works that facilitate access to public land and the recovery of natural, cultural and built assets’,

but doesn't actually provide and detailed rules about what should be done or not done – these are all someplace else, if they exist at all and not always public available.

In Victoria, the *Forests Act 1958* requires the Secretary of DEECA to carry out proper and sufficient work in state forests, national parks and other protected public land to prevent and suppress bushfires. This is a significant head of power, but it can be abused. It makes sense when fighting a wildfire in the depths of summer, but what about in the depths of winter, in the name of fire prevention, especially when large habitat trees are felled and threatened wildlife are killed or injured.

Forest Fire Management Victoria (FFMV) have the legal responsibility for these works across all tenures, and only need to consult Parks Victoria, for even our most prime protected areas such as national parks. The big issue, however, is that their role is largely unfettered, without formal independent oversight and with only vague rules.

The Victoria's Bushfire Management Strategy 2024, agrees that bushfire agencies are legally required to protect environmental values on page 47 it notes:

*"Bushfire management agencies are legally required to protect environmental values. Bushfire agencies will continue to improve and maintain a clear and reliable environmental value assessment system that is accessible to all practitioners..."*¹

It is unclear what is meant by practitioners. The Strategy, provides only a footnote to highlight the national and state laws that apply, and like the draft Code provides no measurable mechanism to determine if assessment it done to sufficient standard, or mechanism which allows for community input. Both documents set up regime which is essentially FMMV marking there own homework, which is far from best practice and will only lead to on-going community mistrust, public dispute and further court cases.

To reinforce the point, Victoria's Bushfire Monitoring, Evaluation and Reporting Framework 2024-2034, does not even mention ecology, flora and fauna, threatened species and environment only once in very generalised context.

Case Study: Dandenong Ranges National Park and Silvan Reservoir

Alarm bells were raised in December 2022. FFMV notified locals and VNPA of a 100 hectare work zone within the national park, and in the closed Silvan Water Catchment. These areas were hit by a severe windstorm in June 2021.

FFMV planned to remove 40 to 60 per cent of fallen logs in the area before Christmas 2022. Controversial state loggers VicForests were to do the work, with profits from selling the trees split between them and FFMV.

Log haulers, bulldozers and other heavy machinery would enter off-track forested areas. These 20 tonnes machines would damage and compromise the recovering forest and surviving storm-fallen trees.

The full works have been delayed for years, but some are underway.

¹ https://www.vic.gov.au/sites/default/files/2024-05/VBM_Strategy.pdf

2.0 Comments on the Consultation Draft 2024

2.1 Clear transparency, accountability and oversight is lacking

The **Consultation draft – Code of Practice for Bushfire Management on Public Land 2024** is a small improvement as it more explicitly recognises conservation issues but in many ways repeats the mistake and flaws of the previous code and does little to improve the transparency, accountability or oversight and consistency with national and state environmental laws.

Works conducted under the guise of fire mitigation are not subject to the normal guidelines for forestry even the minimum standards set out in [Code of Practice for Timber Production](#). At a state level there is no independent oversight of the ecological implications of fire-related management from other agencies such as the [Office of the Conservation Regulator](#), which oversaw VicForests, even though the same contractors are being used and works for storm clean up or strategic fuel break construction look a lot like forestry or worse land clearing (see **Fig 1.0 Policy Comparisons – Features of Timber Harvesting vs Fire Management**).

The *Forests Act* provisions give FFMV the power to do what they choose, largely without scrutiny. FFMV states on various websites and public documents that they do assess for impacts on threatened plants and animals and other ecological features, but these assessments are not made public, unless you access them through time consuming process of FOI and even then access is not guaranteed.

In other states, like NSW's [Bush Fire Environmental Assessment Code - NSW Rural Fire Service](#), there are detailed rules about what can be done for bush fire prevention works to ensure environmental impacts are managed including threatened flora and fauna, weed management and soil erosion. Victoria, with over 2000 threatened species, should have something equivalent.

The draft Code of Practice, does commit to “maximise the conservation of native flora and fauna species through a range of actions that support persistence and diversity, and/or minimise loss or extinction (e.g. emergency interventions, extinction prevention)” but does outline how this will be done. It doesn't mention any of our threatened species laws such as the *Flora and Fauna Guarantee Act*, doesn't mention the state biodiversity strategy, which is run out of the same department.

Victoria's Bushfire Management Strategy State Government Implementation Plan 2024-27, does provide a commitment to a 'Fire Ecology Roadmap' by June 2025 it notes on page 19 :
“...include delivery of the Fire Ecology Strategy Roadmap and expanding the guidance, evaluation and monitoring of ecosystem resilience outcomes within the fuel management program. This will build the capability and capacity of the fire ecology program, and ensure continuous improvement of data, metrics, policy and processes. This will further enable decision-making that leads to improved ecosystem resilience and nature conservation outcomes”

Again, this a vague commitment in a sea of strategies, codes, implementation plans, with no clear measurable accountabilities, and without any clear picture of how these vague largely motherhood statement documents fit together.

Fig 1.0 Policy Comparisons – Features of Timber Harvesting vs Fire Management

Policy features of timber harvesting

Detailed regulatory ecological guidance

- Code of Practice
- Detailed, measurable rules/prescriptions (do's & don'ts)

Relatively assessable, location specific work plans provided in advance (e.g. TRP, TUP, coupe plans, harvest plans)

Clear consequences & legal review process

Independent regulator (i.e. OCR)

Proactive field survey (e.g. FPSP)

Official pathway for citizen science to be considered/incorporated/responded to (e.g. forest reports)

VS

Policy features of fire management

Code of Practice for Bushfire Management on Public Land

- Vague, not explicit
- No measurable rules (do's & don'ts)

Work Plans (e.g. JFMP) and fuel break plans lack:

- Transparency & timeliness
- Detail (e.g. specific size & alignments)
- Outcome of ecological & tree assessments

No transparent consequences for issues/mistakes

No independent regulator (e.g. OCR)

Only recent proactive field surveys (e.g. Biodiversity & Threatened Species Program)

No official pathway for citizen science to be considered/incorporated/responded to

1. 2.2 Hazardous Trees vs Habitat Hollows

The removal of so-called hazardous trees is also a significant issue. This is done for strategic fuel breaks but also for preparation of planned burns, as well as salvage or clean up after windstorms or fire. The problem is that works are often targeting tree with hollows, which are critical habitat for wildlife. There are potential alternative approaches, outlined in our report, [Protecting our living legacies](#), a practical policy guide to safeguarding large old trees on public land in Victoria.

The decline of large and old trees is happening across all land types and tenures; from the suburbs, to farms, state forests and protected areas including national parks, management theories and actions by FFMV are part of driving this decline.

The loss of large, old and hollow-bearing trees is recognised as a key threat to native forests and woodlands according to Victoria's primary threatened species law, the *Flora and Fauna Guarantee Act 1988* (FFG Act), the loss of hollow bearing tree is also implicated in the decline of 100s of State and Federally listed birds, mammals, reptiles and amphibians.

A 2016 report for the Victorian Government Department of Environment, Land, Water and Planning (DELWP) by Lucas Bluff aimed to quantify the impact on hollow-bearing trees (HBTs) from exposure to a single instance of planned fire, with the secondary goal to provide evidence-based options for managers seeking to reduce the impact of planned fire on HBTs and habitat loss.

The report found that *"HBTs directly reached by fire were on average 27.9 times more likely to collapse than trees not reached by fire. While these results indicate that, in general, planned burns significantly increase the collapse rate of HBTs in comparison with that on 'no burn' control plots, the causes of variation in collapse rate can provide additional insight"*.² This percentage does not include trees felled due to perceived threat to workers safety.

It remains to be seen if any of the management options outlined in the Bluff (2016) report have been implemented, including the further monitoring and research needed to understand the long-term impacts of planned burning operations on state and federally listed wildlife.

The lack of long-term monitoring of the ecological and wildlife impacts of FFMV's operations was highlighted by the Victorian Auditor-General's Office (VAGO) in its 2020 report to Parliament, *Reducing Bushfire Risks*.

The VAGO report found that *'With the exception of some isolated case studies, DELWP [now DEECA] does not know the effect of its burns on native flora and fauna.'*³

This highlights the lack of independent oversight of fire management operations, awareness of ecological management and legal requirements and care within FFMV.

Although DEECA and FFMV have protocols to protect culturally significant trees in areas subject to fuel reduction burns, exclusion zones are not used to protect significant trees of ecological importance even in areas with populations of FFG Act-listed, hollow dependent threatened species.

² Bluff L 2016, 'Reducing the effect of planned burns on hollow-bearing trees'. Fire and adaptive management report no. 95, DELWP, Melbourne, Victoria

³ Victorian Auditor-General's Office (2020) Reducing Bushfire Risks October 2020

Further details can be found in *Protecting our living legacies*, which outlines 21 principles that would assist in protecting significant trees across Victoria's public land estate. We have attached to this submission. (See Attachment I)

2.3 Fire Zoning

The draft code does introduce a new fire zone called a fire sensitive zone which aim to “protect fire sensitive species and ecosystems and manage land primarily for environmental outcomes”. This is welcome addition, but what it will look like on the ground is yet to be seen. It also less explicit than Codes such as the Code of Practice for Fire Management on Public Land in South Australia, which include clear commitments (Outcomes) such as:

- “The status of fire regimes (as described in the DEW Ecological Fire Management Guidelines for prescription burning of native vegetation in South Australia) are to be updated annually at both regional and state-wide level.
- The impacts of prescribed burns on known Matters of National Environmental Significance are to be assessed annually.
- Practical steps will be undertaken to reduce risks to other important environmental assets that are not listed species or communities.
- The effectiveness of environmental impact mitigation measures is assessed regularly.”

Similarly, the NSW the code also includes detailed ecological guidelines for management of native vegetation.⁴

There also much talk about ‘maximising resilience of native ecosystems to fire’ in the draft code, but there is no clear measurable definition of what this actually means in the context of fire management.

Resilience has emerged as a key concept in ecology and conservation biology to understand and predict ecosystem responses to global change. In its broadest sense, resilience describes the ability of an ecosystem to resist, and recover from, a disturbance. However, the application of such a concept in different subdisciplines of ecology and in different study systems has resulted in a wide disparity of definitions and ways of quantifying resilience.⁵ If this is to be key objective the concept and measurement need to be clearly spelt out and include key as benchmarks such as Tolerable Fire Intervals for vegetation, which outline the minimum and maximum time between fires to keep habitat healthy⁶ or other measure to protect ecological assets during preventative works.

⁴ <https://cdn.environment.sa.gov.au/environment/docs/ecological-fire-management-guidelines-native-vegetation-gen.pdf>

⁵ [Reconciling resilience across ecological systems, species and subdisciplines - Capdevila - 2021 - Journal of Ecology - Wiley Online Library](#)

⁶ https://ffm.vic.gov.au/_data/assets/pdf_file/0008/21113/Report-84-REDUCED-SIZE-Growth-Stages-and-Tolerable-Fire-Intervals-For-Victorias-Native-Vegetation-Data-Se.pdf

2.4 Site and value assessments and the role of citizen science

As outlined in Fig 1.0 current policy arrangements for fire management, including in the draft code, have no clear opportunity or official pathways to consider citizen science in proposed works. Two case studies are provided below which outline some of issues and benefits of incorporating detailed assessment and citizen science, but also the impacts of fire operations on key species.

Case Study #1: Addressing bushfire impacts on Enfield Grevillea

The Enfield State Park and Enfield State Forest, located in Wadawurrung Country, central west Victoria, are home to the vulnerable Enfield Grevillea (*Grevillea bedgoodiana*) and other EPBC-listed species. VNPA has raised concerns regarding ongoing fuel break and planned burn activities by FFMV, which may threaten these species.

The Draft Code of Practice outlines **Ecosystem Resilience and Nature Conservation** as one of its core objectives, which emphasises minimising the adverse impacts of bushfire management activities on ecosystems and promoting the conservation of native flora and fauna. Unfortunately, current fire management practices in Enfield State Park do not align with this objective, as they have already caused significant damage to important biodiversity values.

Impacts of fire management on Enfield Grevillea and ecosystems

Enfield Grevillea is highly susceptible to mechanical disturbance and inappropriate fire regimes, both of which have been identified as key threats to the species. VNPA has documented damage to the grevillea's habitat through mechanical mulching and fuel break operations, which have included the removal of hollow-bearing trees and the introduction of heavy machinery to sensitive areas. Such actions pose a serious risk to the species and are contrary to its National Recovery Plan.



Fig 1: Enfield Grevillea destroyed by creation of planned burn boundary. Enfield State Park.

The **Informed Decision-Making** principle in the Draft Code states that decisions must be based on robust science and local knowledge. VNPA recommends that local data, including field observations from citizen scientists around habitat damage, should be integrated into fire planning to ensure that sensitive areas, such as those containing Enfield Grevillea, are excluded from broad-scale burns or fuel break operations.

Fire Experiments on Enfield Grevillea: legal and ethical concerns

VNPA has also expressed concerns about a fire response experiment being conducted on Enfield Grevillea populations without appropriate environmental approvals under the *Environment Protection and Biodiversity Conservation (EPBC) Act*. The lack of transparency around this experiment raises questions about compliance with the EPBC Act, which requires proper environmental assessments for actions that may significantly impact listed species.



Fig 2: 10 metre x 10 metre Grevillea fire experiment site.

The Draft Code emphasises that **Compliance with Legislative Obligations** is a fundamental requirement of bushfire management, and VNPA urges that any experiments involving fire and EPBC-listed species be fully assessed and approved through the appropriate legal channels. Ensuring transparency and accountability in such projects is critical to maintaining public trust and safeguarding vulnerable species.

The Draft Code outlines **Mitigation Strategies** designed to optimize outcomes for both bushfire risk reduction and biodiversity conservation. To align with these strategies, VNPA recommends the following actions:

1. **Zoning Adjustments:** Enfield State Park should be classified as a **Fire Sensitive Zone (FSZ)**, where fire management activities are restricted to protect vulnerable species like Enfield Grevillea.
2. **Exclusion of High-Value Habitat from Planned Burns:** Using tools such as NaturePrint's Habitat Importance Modelling, DEECA should exclude areas of high conservation value from broad-scale planned burns. VNPA have also found critical failings in appropriate surveys in the area. Past surveys

had been restricted to roadside surveys and missed entire important populations further off track. The Department indicated that it was relying upon Victorian Biodiversity Atlas records that had not been updated since 2015. This highlights a potential data hole where impacts on populations may be under or over estimated.

3. **Use of Targeted Ecological Burns:** Where fire is necessary, it should be applied in a highly controlled and targeted manner, with input from ecological experts and Traditional Owners to ensure that fire is used as a tool to enhance biodiversity rather than harm it.



Figure 3: Enfield planned burn. Visible crown scorch and complete destruction of ground cover. 25/10/2024

The Enfield example highlights the need include key to the principles in Draft Code, including the following:

1. **Require Environmental Referrals for Burns in EPBC-Listed Species Habitats:** All planned burns impacting EPBC-listed species should undergo environmental referrals under the EPBC Act to ensure proper legal protections are in place.
2. **Integrate Local Knowledge and Data into Fire Planning:** VNPA and environment group citizen science on-ground data should be used to inform planning decisions, ensuring that sensitive areas are protected from damaging fire management activities.
3. **Ensure Transparency in Fire Response Experiments:** Any experiments involving fire and vulnerable species should be fully transparent, with findings shared publicly and subjected to peer review to ensure scientific rigor. Relocating the Office of the Conservation Regulator to the Department of Justice and granting it independent oversight of approved activities would enhance environmental outcomes and foster greater public trust in FFMV's forest management practices.
4. **Revise Burn Plans for Enfield State Park:** Fire-sensitive areas within the park should be excluded from broad-scale burns to protect the long-term survival of the Enfield Grevillea and other species. This would also align with the purposes in the Enfield State Park Management plan to protect important species such as the Enfield Grevillea.
5. **Engage Traditional Owners in Fire Management:** Work in close collaboration with Wadawurrung Traditional Owners to incorporate cultural fire practices that align with both biodiversity conservation and bushfire risk reduction objectives.

Case Study #2: Impact of Planned Burns on Brush-Tailed Phascogales and Mountain Skinks in Victoria

In early 2024, VNPA raised concerns about the potential impacts of planned fuel reduction burns in Victoria's Dales Creek and Greendale-Greenhills Road areas. The focus of VNPA's investigation was to protect two vulnerable species: the Brush-tailed Phascogale (*Phascogale tapoatafa*) and the Mountain Skink (*Liopholis montana*). Both species inhabit these forest areas, which are slated for planned burns as part of bushfire management efforts led by DEECA.



Fig 01: Baby Mountain Skink. Dales Creek.

Discovery and Monitoring Efforts

VNPA initiated wildlife monitoring programs in Dales Creek using camera traps between January and February 2024, detecting Brush-tailed Phascogales at four distinct locations. The forest at Dales Creek consists primarily of young trees recovering from historical logging, with few hollow-bearing trees crucial for phascogale survival. Hollow trees provide critical shelter for the phascogales, a species already listed as Vulnerable under the *Flora and Fauna Guarantee (FFG) Act*. The findings suggested that the Dales Creek site was of local ecological significance due to its role in supporting a small population of these shy, cryptic marsupials.



Fig 02: Phascogale on log in Dales Creek planned burn site. 31/01/2024

Following the initial monitoring, VNPA requested that DEECA delay or modify the planned burns to protect this population of phascogales, noting that the forest had naturally thinned and was not an extreme fire risk. We argued that burning could further degrade the habitat by destroying essential elements like hollow-bearing trees and fallen timber, which are vital for phascogales' foraging and shelter needs.

DEECA's Planned Burn Strategy

Despite VNPA's concerns, DEECA proceeded with fuel reduction burns in Greendale-Greenhills Road in October 2024, which affected both Phascogale and Mountain Skink habitats. While DEECA outlined mitigation measures, including low-intensity mosaic burns and efforts to protect specific habitat features (e.g. hollow trees and skink burrows), VNPA documented that significant portions of the habitat were severely burned. Logs were directly ignited, and canopy scorch indicated that the burn was hotter than intended, severely impacting the forest floor and ground habitats that both species depend on.



Fig 03: Areas of high crown scorch – Dales Creek. 21/10/2024

Impact on species

The impact on the Brush-tailed Phascogale was particularly concerning, as the species requires extensive home ranges, and even small populations need large, intact habitats. Phascogales forage over a vast area, with females covering up to 70 hectares and males up to 100 hectares. The destruction of hollow-bearing trees and fallen timber could lead to the local extinction of this population, which was already small and vulnerable.

Similarly, the Mountain Skink, another species of concern, suffered significant habitat loss. VNPA highlighted that the burn was incompatible with the Conservation Advice for *Liopholis montana*, which calls for the protection of long-unburned forests, essential for maintaining reptile diversity. Wombat Forestcare have argued that DEECA failed to conduct proper surveys before the burn and may have breached both state and federal environmental laws, including the EPBC Act.

Lessons learned

This case underscores the tension between fuel reduction efforts and the conservation of fire-sensitive species. VNPA's findings suggest that broad-scale burns, even when aimed at reducing fire risk, can severely degrade habitats critical for vulnerable species like the Brush-tailed Phascogale and Mountain Skink. VNPA called for more nuanced, ecological burns that protect key habitat elements while reducing fire risk in a targeted, minimal way.

It also highlights the importance of thorough scientific assessments before planned burns, particularly in areas known to support threatened species. VNPA’s monitoring efforts revealed that the lack of comprehensive pre-burn surveys contributed to unnecessary habitat destruction. Moving forward, VNPA recommended adopting more sensitive fire management strategies that align with species’ ecological needs, particularly in forests that have gone unburned for extended periods and provide essential refuges for biodiversity.

VNPA and partner environment group efforts to monitor wildlife and advocate for the protection of threatened species in planned burn areas have brought attention to the need for improved management of fire-sensitive ecosystems. By incorporating ecological insights and operational oversight by an independent body into fire planning and execution, Victoria’s land management agencies can better balance the dual objectives of bushfire risk reduction and biodiversity conservation.



Fig 04: *Dales Creek planned burn.*

2.5 Addressing Cultural and Ecological Objectives

One of the key objectives of the Draft Code is Aboriginal Self-Determination in Cultural Fire and Bushfire Management, which recognises the fundamental role of Traditional Owners in fire management on Country. VNPA supports the inclusion of Wadawurrung Traditional Owners in decision-making processes and recommends that cultural knowledge and fire practices be integrated into all fire management activities in the Enfield area. This collaboration will help ensure that both ecological and cultural objectives are met.

In addition, the Draft Code acknowledges the need for Climate Change Adaptation in bushfire management. VNPA stresses the importance of planning for long-term changes in fire regimes due to climate change, particularly in sensitive ecosystems like Enfield State Park, where species such as the Enfield Grevillea are already vulnerable to shifting environmental conditions.

3.0 Strategic Recommendations

We call on the government to commit to the highest standard of assessment, consultation and mitigations for planned works outside emergency periods and these principles are embedded in new Code of Practice for Bushfire Management on Public Land including:

1. Prior to undertaking fire management works, independent and on-ground ecological values assessments should be undertaken to identify significant values that are present on site, or likely to be present on site, and which require mitigations in the planning and operational phases.
2. Ensure all large FFMV projects with nationally listed threatened species and communities are referred for assessment under national environmental laws in a transparent & timely manner.
3. Ensure all relevant state listed threatened species and communities are being assessed and mitigated for at both program, project and site level, in an open and transparent manner. This must include opportunities for engagement, incorporating new data and pathways for modification and/or mitigation of proposed works.
4. Establish clear enforceable regulations which include species specific prescriptions and concrete mitigation measures for all relevant species and habitats including for hazardous trees in line with VNPA's *Protecting our living legacies*, report. At least to the level of detail undertaken in NSW Bush Fire Environmental Assessment Code. At the very minimum, the Victorian Government's policy for big tree protection should be incorporated into this Code of Practice as a clear and enforceable prescription. That is, no trees greater than 2.5m in diameter will be removed or damaged during fire management works.
5. In the event that hazardous trees are to be treated and/or removed, an independent fauna spotter must be engaged and present on-site to ensure wildlife welfare concerns are appropriately mitigated.
6. Appoint an independent regulator/ strengthen the Office of Conservation Regulator outside of DEECA (for example, either the EPA or Department of Justice) to oversee works, enforce proposed environmental prescriptions/mitigation, review new data and coordinate consultation and engagement with the community.
7. Strengthen and enforce the Crown Land procedure for the clearing of native vegetation on public land with clear avoid, minimise and offset provisions applied transparently and meaningfully (minimum like for like).