

9 December 2018

Ms Janine Haddow
Chairperson
Victorian Environmental Assessment Council
Level 39, 2 Lonsdale Street
Melbourne VIC 3000

Dear Ms Haddow

Re: Central West Investigation Draft Proposals Paper

We are the Freehold Title owners of the property at _____ which is also known as _____. We purchased the property in December 2015, and were successful in retaining the Land for Wildlife Certification for the property which was re-endorsed in May 2016. In purchasing the property, the major attraction was that it was surrounded by Crown Land, either zoned Public Conservation and Resource or road reserves. Our property, the adjoining Freehold property at Section 21B, and surrounding Crown Land support a wide range of native flora and fauna species and is also a former gold digging area.

We would first like to thank the Victorian Environmental Assessment Council (VEAC) for the opportunity to comment on its Draft Proposals Paper. We would also like to acknowledge the significant research and analysis that would have been undertaken by VEAC in order to be able to develop its draft proposals.

Overall, we are supportive of the thrust of VEAC's recommendations, especially the combined outcome of an increase in the amount of public land in the various public land-use categories that provide greater conservation protection than at present should the recommendations be implemented by the Victorian Government. Of particular note is the proposed reduction in the area of State Forest and the increase in the area of National and State Parks.

There are, however, given our experiences since buying _____, some specific aspects that we would like to draw to the attention of VEAC. These are discussed briefly below.

Changes in public land-use categories: With reference to Map 1, Draft recommendations for public land use – Daylesford, the Crown Land surrounding our property currently zoned Public Conservation and Resource is recommended to be added to the Hepburn Regional Park. Provided there would be no diminution in the level of conservation protection provided compared with that currently afforded by the land being zoned Public Conservation and Resource, we would be supportive of this recommendation. We further consider that this principle, that there be no diminution in the current level of conservation protection, should apply to all recommended changes by VEAC in public land-use categories for various areas of land covered within the Central West Investigation.

However, with reference to our following comments on landscape connectivity and land currently used for plantations, our preferred position is that this land-use be reviewed which could provide the opportunity for the land to be annexed to the Wombat-Lerderderg National Park. This would provide a higher level of conservation protection than annexing the land to the Hepburn Regional Park.

Landscape connectivity: With reference to Draft Recommendation R9 (page 59), we are supportive of the initiatives noted to enhance landscape connectivity and potential enhanced conservation

outcomes that would be achieved. However, with reference to Map 1, we wish to draw attention to the significant barrier to connectivity that the land, currently classified as “Land leased or licensed for plantation purposes”, would have on the land proposed to be added to the Hepburn Regional Park and the land proposed to form part of the Wombat-Lerderderg National Park. We acknowledge that this land is currently subject to a perpetual licence to operate a plantation business as part of the “sale” in 1998 of softwood plantations by the former Victorian Plantations Corporation (namely the Victorian Government) to HVP Plantations. However, we dispute the claim that the land has effectively been “privatised” and that, accordingly, VEAC has no standing to make recommendations about the future use of the underlying public land. Furthermore, no land in Victoria is privately owned; owners are only granted Freehold Title which is encumbered and confers certain access and use rights.

As with the initial decision to “sell” the right to operate a plantation business, the Victorian Parliament always has the right to change future land uses (provided just compensation is paid). If, based on its analysis and research, VEAC were of the judgement that the highest beneficial future use from the perspective of the wider community of the plantation land would be to integrate the land into the proposed Wombat-Lerderderg National Park, or proposed addition to the Hepburn Regional Park, we would encourage VEAC to make a recommendation to the Victorian Government that the continued benefits of providing a perpetual licence relative to other land uses be reviewed. We consider that such a review would be consistent with the overall thrust of VEAC’s recommendations of increasing both the area of land subject to conservation protection and the level of protection to be provided.

Field Surveys and Protecting the Integrity of the Public Land Estate: Through Recommendation R6 (Page 58), VEAC is recommending a reduction in the role of Field Surveys in defining reserve boundaries given advancements in new survey technologies and techniques. We are supportive of the use of such technologies and techniques where ever possible, not only in defining reserve boundaries but in enforcing and protecting those boundaries from encroachment.

From our experience at Cerini Lane, Eganstown, encroachment by other Freehold Titleholders into abutting public land is significant. As far as we can determine from ground observations and arial imagery, the encroachment includes the annexation of a road reserve (unless subject to an Agricultural Licence), the annexation of Crown Land zoned Public Conservation and Resource and the building about 12 years ago of a main residence, a significant part of which also encroaches into the same public land zoned Public Conservation and Resource. In this context, we are most supportive of an aspect of the General Recommendations for National Parks, Conservation Parks and Regional Parks, namely “unused road reserves be added to adjoining parks where appropriate”.

Given this level of apparent immediate encroachment, we encourage VEAC to consider making a recommendation to the effect that the Victorian Government needs to place a high priority on preventing encroachment and provides sufficient resources to enforce the ongoing integrity of all public land-use categories, and associated boundaries, that the Government determines.

We would be pleased to discuss the matters raised above further with VEAC and may be contacted as detailed above.

Yours sincerely



Ray Jeffery (for Dr Kaye Follett and Ray Jeffery)