

Nina Earl

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Victorian Environmental Assessment Council
Level 6, 8 Nicholson Street
East Melbourne Vic 3002

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Dear Sir/Madam

SUBMISSION: TERMS OF REFERENCE FOR STATEWIDE ASSESSMENT OF PUBLIC LAND IN VICTORIA

This review of the Victorian public land system after more than 25 years does seem overdue. Across Victoria, there have been considerable changes in land use, shrinking habitat and biodiversity levels, additional infrastructure and building coverage, all largely due to rapidly increasing population. A review seems necessary to assess the adequacy of public lands in terms of total holdings and distribution; changes in land provision of lost, existing or new land; biodiversity and habitat protection and connectivity; appropriate location, etc.

As a citizen and conservation volunteer, I greatly value the natural, recreational and social amenity; essential services, utilities, infrastructure or resources that public land provides across Victoria. I wish for continuation of such public land provision, albeit with adjustments, and improvements or expansion as needed. Hence, I comment on the Terms of Reference for this Statewide Assessment of Public Land, firstly on the Terms of Reference and, secondly, with general comments relating to my perspective on public land provision.

TERMS OF REFERENCE

1. *An assessment of the current system of public land use categories, including identification and evaluation of approaches adopted in other jurisdictions nationally and internationally, and consideration of options for changing or consolidating the existing categories to result in a system of categories that is simple and clear and that supports effective and efficient public land management.*

1a. Examination of other national and international approaches to public land provision

Comment. Considering how other jurisdictions elsewhere categorise, provide and manage public land systems may be useful for this assessment of Victorian public lands. Other approaches to categorising public land types, use and management may be new, similar, useful or inappropriate in Victoria depending upon the philosophical values and beliefs held by those jurisdictions, or the prevailing natural and cultural values. Every locality would have unique geographical, natural or cultural features and public land use needs that could be categorised in a variety of ways.

Request: the evaluation of other approaches to categorisation and any application of them in this State needs to be guided by what is best for Victoria's biodiversity and habitat protection and improvement; healthy air, soils and waterways; recreational needs; public transport, essential services and infrastructure.

1b. Options for changing or consolidating existing categories to result in a system of categories that is simple and clear and that supports effective and efficient public land management

Comment. This statement is ambiguous in its vagueness to a layperson. However, your office clarified that a system of fewer categories would be easier to follow, whilst acknowledging that in condensing the categories some uses could be overlooked or could fit under more than one category.

A simple and clear system of public land categories that is easily understood *may* result in more effective and efficient public land management; if variability, unique or hard-to-define use is not lost in simplification, and if this assessment goes beyond a desktop exercise. Also, if categories are too broad or a one-size-for-all approach is taken, it could be disastrous if it did not recognise locally occurring elements or missing ones—natural, cultural, recreational, social amenity and values, infrastructure features or future needs, etc.

Suggest: categories could be grouped in various ways with sub-categories, and hierarchies of significance or importance identified:

- A. By Environmental Significance (e.g. natural areas, cultural/historical, social, services, infrastructure, resources, etc). Given that people, by evolutionary default, have become custodians or stewards of this land, and that all living things depend upon a healthy environment and ecosystem services to survive into the future, it seems beholden on us to give greater significance to protection and care of the natural world that we occupy or impact upon.
- B. By broad types, e.g. Natural (coastal, marine, aquatic, riparian, desert, forest); Climate Change challenged land (coastal, riparian, lowlands, catchments, dryer, wetter, alpine habitat shrinkage, species movement); Community (cultural, historical, recreational); Services (educational, welfare, energy, water); Infrastructure (rail, roads, ports); Resources (quarries, water storage, plantations), etc.
- C. By more specific types, e.g. Natural Waters (marine, aquatic, riparian); Natural Terrestrial (alpine, forest, desert, coastal); Recreation (parks, sportsgrounds); Welfare (health, childcare); Education (schools, tertiary); etc.
- D. A miscellaneous category may be needed.

1c. Victoria's Public Land Use Categories

Wilderness Park: *remote and relatively unmodified areas remaining provide natural values and processes with minimal human interference, for self-reliant recreation, inspiration, and solitude and existence value.*

National and State parks: *substantial part of permanent conservation reserve system, represents major land types, conserve and protect biodiversity and natural processes, and for recreation and education of natural environments, State parks generally smaller and less diverse than National parks.*

Other parks (conservation): *generally smaller than National parks to conserve natural or cultural features or landscapes; for passive enjoyment and limited recreational activities; includes five coastal parks, three historic parks and Castlemaine Diggings National Heritage Park.*

Marine National park and Marine sanctuary: *coastal waters to protect important examples Victoria's marine ecosystems; contain important species, habitats, marine natural features/formations, scenic values, archaeological sites, historic/scientific interest; recreational activities permitted but not commercial or recreational fishing.*

Multiple use marine protected area: *additional to Marine National parks and sanctuaries, to conserve marine/some coastal environments with greater range of uses, including fishing.*

Nature conservation reserve: *primarily managed to conserve/protect one or more specific natural values—threatened species or communities, representative vegetation types, sites high species richness or old-growth forests—as opposed to larger landscapes of natural values; include areas previously recommended as flora or flora and fauna reserves.*

Trust for Nature protected area: *land acquired and managed to conserve natural values or on-sold with conservation covenants.*

Historic and cultural features reserve: established primarily to protect places with highly significant historical or cultural values—historic buildings, structures, relics, other artefacts.

Natural features reserve: contain a variety of natural values worthy of protection; typically small reserves with natural values less significant than in National parks and Nature conservation reserves; encompasses several former/more specific categories with similar land use objectives—bushland, geological and streamside reserves, public land water frontages.

Regional park and metropolitan park: close to towns; informal recreation in natural settings for large numbers of people (e.g. Braeside Park?); recreation with protection vegetation and fauna habitat; a metropolitan park in Greater Melbourne.

Forest park: supports native forest and bushland; broad range recreational use, nature conservation, and compatible minor resource utilisation.

State forest: major sources timber/forest products whilst supporting biodiversity and broad range recreational use.

Coastal reserve: multi-use category for informal recreation for large numbers of people—fishing, boating—in a natural coastal environment, plus protection natural coastal landscapes, ecosystems and flora and fauna. (E.g. Kingston foreshore reserve?)

Community use area: mostly towns/cities for education, recreation, other specific public purposes; includes recreation reserves—sports, picnicking, parklands, botanic/other gardens; recreational/rail trails, environmental education in natural areas; buildings—schools, public halls, libraries, museums.

Alpine resort: recreational activities in alpine context; six Alpine resorts—down-hill/cross-country skiing and infrastructure/facilities/ski villages.

Plantation: softwood/hardwood for intensive wood production; most State softwood plantations vested in Victorian Plantations Corporation and licensed to Hancock Victorian Plantations but defined public land.

Water production: water supply storages; water supply protection areas around margins domestic supply reservoirs and off-takes supplied from catchment flows; includes irrigation drainage and storage, water drainage and distribution infrastructure.

Earth resources: most public land, other than national and state parks, available for exploration/production minerals, petroleum or for quarrying; specific sites for extended and exclusive mining/quarrying.

Services and utilities area: installations—transport (road, rail and air), communications, water, sewerage, waste disposal, cemeteries, agricultural research, electricity/gas/other services; townships—hospitals, police stations, court houses, municipal buildings, depots, other utilities; road reserves/railway alignments/cemeteries/other service and utility areas may retain indigenous vegetation or significant cultural heritage features.

Coastal waters: all waters and the seabed below to a distance of 3 nautical miles from the Territorial Sea Baseline (usually low tide mark); contain the extent of the exclusive Victorian territorial jurisdiction, beyond which are Commonwealth waters.

Uncategorised public land: often public land of small rural parcels or in townships with no allocated primary public use; with new digital imagery, subsequent studies or Crown land assessments many such areas can be categorised for a particular public use or deemed surplus.

Comment: the current mix of categories listed above indicates additions over time and, with the passage of time, new categories may have emerged that now need to be included. Some categories seem similar and could be grouped or combined, providing that particular values or purposes are not lost or forgotten in the system (see suggestions above).

Wilderness Park category. Suggest: Wilderness parks at only 2% of the total 9,420,500 ha public land appears be the best protected with the least public access, but this is a token amount in the land mass of Victoria. **Request:** more natural areas categorised as Wilderness park, certainly those with significant flora or fauna, and kept free of people apart from rangers who may need to manage these areas. Because, the greater the area and quality of natural areas the better the ecosystem services that all living things depend upon.

Land Categories List and Discussion Paper. Suggest: the following are included in this list or the Discussion Paper:

- A. *Date each category commenced*, if known, would be of historical interest and would reflect the evolution of land use and management;
- B. *Maps/data showing shrinkage or growth in total public land holdings and for each category over time*, if known;
- C. *Thorough list* of the unique features of local and regional public land and existing or needed provisions, and *rigorous cross-reference* between categories.

1d. Chart of Victoria's Public Land Use Categories

Comment: this chart of categories provides an interesting and important picture of use for the total Victorian public land holdings of 9,420, 500 hectares. However, **suggest** the total area of the State would provide a useful comparison, such as these:

Geoscience Australia	Victoria	Mainland Area	Island Area	Total Area	Total Area Public Land (VEAC)
	3% of Australia	227,010 km ² (22,701,000 ha)	406 km ² (40,600 ha)	227,416 km ² (22,741,600 ha)	9,420,500 ha (94,205 km ²)

Wikipedia	Victoria Total Area	Land Area	Water Area	Total Area Public Land (VEAC)
	237,629 km ² (6 th) (23,762,900 ha)	227,416 km ² (22,741,600 ha)	10,213 km ² (4.3%) (1,021,300 ha)	9,420,500 ha (94,205 km ²)

1e. Map of Victoria's Current Public Land Use

Comment: this interesting map is a little hard to interpret on screen and without an A3 hard copy, and would take time to fully appreciate the distribution of types of categories. However, it does show how fragmented natural land and water reserves are and the lack of connectivity for native species migration and survival into the future, particularly with the compounding impact of climate change on all species. **Request:** an investigation into how these natural land and water areas could be better connected via public or private landholdings.

2. *An assessment of the current reservation status of (State, and not Federal or local government) public land, including areas where land use has changed since (when) government (which) accepted a this recommendation.*

Comment: the term 'status' is ambiguous and suggests an undefined hierarchy of some sort; it is unclear if the recommendation referred to is this assessment; and please state when and by which government the recommendation was accepted. Your office did clarify that this assessment applies to only State public land, and that 'recommendation' does mean this assessment. **Suggest:** changes to the wording above for point 2.

3. *An inventory of the types of values on public land.*

Comment: an inventory of the types of values on public land would seem a very important aspect of developing a system for categorising but also assessing provision, distribution and management of public land. It seems important to list both land use and the values they contain. **Request:** please ensure natural, cultural heritage (Koori), and historical values are recorded and given prominence.

GENERAL COMMENTS

Some of the matters below would be covered in later stages of this assessment of public land in Victoria; however, I include them in the hope they would contribute to the Discussion Paper and possibly the Draft Proposal.

Climate change impacts and solutions. *Request:* VEAC recommend an investigation into climate change challenged land and waters and how to firstly reduce global warming, and secondly how to adapt and manage these areas with sustainable solutions rather than engineered ones.

Population and Sustainability. Numbers of people and lifestyles have a huge impact on the natural environment and land use, and both need to be tackled by education and limitations.

Request: VEAC recommend an investigation into ways of limiting population increases and encouraging more sustainable use of resources. For example:

- A. Cities could have limits to growth (some overseas cities do to retain natural landscapes);
- B. Limit on house sizes and mandatory sustainable features such as building orientation, insulation, double-glazing, eaves.

Native flora and fauna levels. Our disappearing native vegetation communities that support native wildlife, biodiversity, and ecosystems, and are unique to Victoria and in the world, is a tragedy. We are a nation of migrants, largely ignorant of Australian flora and fauna, that traditionally like to have homeland plants and animals around us, appropriate or not. So, we have introduced plants replacing native plants that tend not to support native fauna and invade natural areas, and domestic and feral animals that kill our wildlife. Also, the horticultural and real estate industries are responsible for presenting exotic landscapes and encouraging people to use introduced plants. Together, with land clearing and changed land use it is no wonder Australia has the world's worst record of species extinction, which is shameful.

Examples of disappearing flora and impacts are:

- **Loss of eucalypts:** 30-20 years ago when flying into Melbourne, the smell and blue haze of eucalypts filled the air and signalled arrival. Now, the eucalypt smell has gone due to loss of eucalypt forest cover in Victoria, from land clearing, changed land use, expansion of metropolitan Melbourne and regional cities, bush fires, and possibly the impacts of climate change.
- **Deciduous trees** in the ranges: many people admire the autumn colours in the hilly and mountain ranges of Victoria, e.g. Macedon or Bright; yes, they are beautiful but in the wrong place, in reality these introduced trees (e.g. European, American, Chinese) have taken over our native vegetation communities, suppressed native plant cover and associated native wildlife.
- **Loss of bees and pollinating insects:** less vegetation overall means fewer insects to pollinate native plants, crops or orchards, and less honey production.
- **Logging, plantations, harvesting native deadwood:** all of these actions have reduced native vegetation cover and viability of plant communities and associated fauna.
- **Fragmented or shrinking habitat** due to dissection by roads, rail, infrastructure, housing development, etc, or incursions, has directly led to loss of or threatened species. For example, **Leadbeaters Possum** habitat is so reduced and fragmented, due to old-growth logging, clearing, plantations or other changed land use, that our State fauna emblem is now threatened, along with the Golden Sun Moth due to decimation of native grasslands.

Request: to restore better levels of native vegetation and, thereby, native wildlife, bees, insects and microorganisms, VEAC could recommend:

- A. Native vegetation protection to be firmer; native vegetation clearing restrictions restored; and all offset plantings to be in the vicinity of necessary vegetation removal and of a local EVC. (Without clearing restrictions in place, responsible authorities are currently able to clear what native vegetation they please, which is unsustainable management of natural public land).
- B. All public and private landscaping to contain 60% native vegetation of a local EVC.
- C. Non-invasive introduced plants used for variety or as specimens; otherwise, it is best to appreciate them where they naturally belong elsewhere.
- D. Better connectivity between native habitats, perhaps through Bush Heritage Australia and Trust for Nature, and encouragement to government agencies and Councils and private landholders to retain, restore or plant native vegetation communities.
- E. Native forest deadwood is not harvested as renewable energy, as proposed by the Federal government, so that it continues to provide habitat for wildlife, microorganisms, slow-release forest nourishment and water retention.
- F. A Great Forest National Park for Leadbeater Possum and Mountain Ash conservation, connectivity, and survival into the future, and cessation of logging in Leadbeater habitat.
- G. Trials to reintroduce dingoes to Victoria to control feral animals.

People versus nature. Every living thing has an impact on the environment, but wherever people go, nature is generally harmed. Despite protection, restrictions, and the best of intentions, people do trample vegetation and disturb wildlife, and spread weed seeds, litter and pollution. It is unnecessary for people to have access to every parcel of public land with natural values, and as people population increases the impact on the natural environment is greater. People access, land clearing or changed use is why Australia has a poor record of species extinction; and this has come about because people see the natural world as something to exploit rather than sustainably use and care for.

Buffer zones. Natural reserves need to be protected by benign buffer zones (e.g. wildlife sanctuary, organic farms, apiaries, animal rescue, agistment), to reduce environmental impacts from residential, commercial and industrial or road developments—weed, pest and litter invasions, marauding animals, herbicide drift or polluting run-off. Too often, development happens adjacent to natural reserves that then need ongoing maintenance and remediation by local authorities. **Suggest:** VEAC could recommend optimum buffer zones to be incorporated into State and local planning schemes.

Native remnant grasslands are disappearing across Victoria, particularly the vulnerable grasslands west of Melbourne, where the Golden Sun Moth is now threatened. Native grasslands must be protected and not taken for housing, roads or infrastructure and have effective buffer zones. For example, Epsom Grasslands at Mordialloc were one of the last remaining flood plain areas surrounding the former Carrum Carrum Swamp. The remnant grasslands survived because they were in the middle of the Epsom training racecourse and were relatively undisturbed with the vegetation being slashed approximately twice a year; they contain two plant communities: Herb-rich Plains Grassy Wetland and Plains Grassland, with many regionally significant plants including two rare plants, one being Gilgai Wind-blown Grass. Epsom Grassland and Wetland was rescued from destruction by local conservationists and is now surrounded by housing. Whilst this rare grassland and associated fauna thankfully survives, its viability into the future is uncertain because of inevitable weed invasion, dog and cat visitation, litter and polluting run-off.

Marine and aquatic waters provide important habitat for water plants and animals, which has been recognised by the creation of sanctuaries and protected areas that help to maintain stocks. However, release of introduced species for later harvesting, such as salmon and carp, outcompete and deplete native species, and fish farms pollute waters with antibiotics, food and excreta. **Request:** an expansion of marine sanctuaries to improve native water plant and animal levels; a reduction in fish farms or an improvement in their environmental management; and community education against releasing carp or other introduced species into waters.

Coastal land, whether rural or urban, is a precious resource for our unique native flora and fauna and for people, yet it is being rapidly lost to incremental creep of built environments for people—cafes, visitor centres, accommodation, recreation and leisure infrastructure, etc. For example, whilst cycling trails are important, the Round the Bay Trail has taken valuable foreshore habitat that will never be recovered, with one section of the Mentone cliff-top in Kingston cleared of vegetation and a retaining wall now needed. Coastal land may also be at risk because of potential coastal storm damage and sea level rise due to the effects of climate change. **Request:** Victorian coastal lands are largely reserved for nature with minimal facilities for people, and roads and infrastructure kept well back from the coastline. And coastal flora and fauna corridors/connectivity restored or retained where development has or does occur. Thus, to preserve and improve our unique coastal habitat and biodiversity, and reduce the impacts of climate change on built-up coastlines.

Coastal and inland waterway reserves are essential in maintaining natural values and water quality, and need to be well-managed or protected from development, livestock and people access.

Green Wedges. These green spaces amongst or adjacent to urban areas are vital for environmental amenity (e.g. clean air, rainwater absorption, cooling effect) and urban amenity (e.g. relief from built environments, well-being) and for local food production. **Request:** all public or private land in green wedges remain zoned as green wedge, for nature, local food production, hobby farms, apiaries, animal sanctuaries, plant nurseries, recreation or sports, without incursions, housing, waste management, large scale commercial or industrial uses allowed. Waste disposal sites are best located in industrial areas, for example, relocated from the Kingston Green Wedge to Dandenong Industrial area that would still serve the south-east.

Wildlife corridors or passages must be adequately protected or provided and located; however, narrow wildlife tunnels, pipes or viaducts are best completely avoided because at entry and exit points or along narrow passages wildlife provides easy meals for waiting feral and domestic animals. **Request:** wildlife passages need to be wide enough and of correct type and location for reasonably safe migration of animals.

Domestic cats and dogs. **Request:** please do recommend a ban on domestic cats within 500 - 1000m of natural areas, and ban dogs within natural reserves.

Feral animals. These pests are a huge problem for nature, farmers and food producers. Whilst there are many programs for tackling feral pests, more somehow needs to be done. I do not support hunting for the fun of it because too many native animals are destroyed and feral pests suffer. **Suggest:** sustainable and humane harvesting by authorised and trained shooters only.

Roads versus rail. VicRoads continue to destroy or disrupt too much land with natural values. Their environmental processes have improved somewhat with attempts to avoid significant natural areas, revegetation or offsets to compensate for loss of vegetation and habitat, and improved stormwater runoff. Nevertheless, VicRoads exist to build roads and seem to be overly influential on roads decision-making, often insisting on a particular alignment when another would cause less damage and disruption, for example:

- A. The Dingley Arterial in Keysborough, where VicRoads could have run it along a widened Springvale Road with minimal environmental disruption. But, sadly and against community wishes, VicRoads chose to slice off a portion of remnant Coomoora Woodland Flora and Fauna Reserve and remove Lowland Snowgums and also large aboriginal scar trees in the road reserve, leaving the remaining Lowland Snowgum community vulnerable to greater edge effects.
- B. Past and pending loss of ancient red gums along the Western Highway for a 'safer' highway but with shocking loss of pre-European stock and wildlife habitat.
- C. The pending Princes Highway duplication, 37 km between Winchelsea to Colac, affecting listed threatened species and communities (referral EPBC 2012/6568, controlled action under the EPBC Act, Part 3, sections 18 and 18A).

Request: VEAC recommend the State government *fund rail transport* that is far better use of public land than roads, and with fewer emissions; although environment protection and avoidance of damage would still apply. **Suggest:** elevated railways, rather than truncated lines, be seriously considered, because appropriately located elevated railways retain useable space underneath for nature conservation, parking, recreation, local roads, etc.

Railway and road reserves contain remnant/significant native vegetation or habitat that may need protection and/or connectivity. **Suggest:** some railway reserves, particularly near townships or in urban settings, are underutilised and could be used for car/bicycle parking or cycling trails or even community buildings. **Request:** where possible, rail and road reserves with natural values are retained, protected and managed as a natural resource and amenity.

Affordable housing on surplus land. **Suggest:** public land deemed surplus in cities, regional towns or settlements that is close to public transport and likely employment, could provide affordable housing and address the shortage of it.

Sale of public parks. **Request:** Public parks should not be sold in areas short of public open space, such as Greater Dandenong CC proposal to sell part of Glendale Reserve in Springvale to an adjacent school that would then deny public access. However, **suggest:** sale of a public park may be acceptable if an equivalent park can be provided in the vicinity.

Public land assets. **Request:** public assets such as ports, education, defence, etc, are best retained and operated by the State government.

Resources extraction. Whilst resources are needed for society, **request:** any environmentally damaging resource extraction is best abandoned or avoided, such as fracking for coal-seam gas.

Night lighting. Regardless of public land use, the increase in night lighting of all types is an environmental problem. Night lighting unnecessarily contributes to greenhouse gases and, hence, air pollution and global warming (if derived from coal), and also unnecessarily increases power bills. Night lighting, even solar, decreases visibility of the night sky, and the unnatural night illumination disturbs both diurnal and nocturnal wildlife patterns—sleeping, mating, feeding, movement—and also kills enormous numbers of insects that are an essential part of the wildlife food chain and for pollination. **Request:** VEAC recommend only necessary and insect-friendly night lighting, and hooded to prevent light spill into the night sky.

Places worthy of retention and protection. I shall view the list in due course, in the meantime, **request:** the following places included in the list of public lands:

Beaumaris fossil cliffs. These fossil cliffs are unique in Australia, internationally renowned, and are a rich archaeological and educational resource. Yet they have little protection under law and are under threat from a proposed marina by the inconsiderate Beaumaris Motor Yacht Club. **Request:** please do recommend heritage listing and essential protection for these fossil cliffs.

Bradshaw Park, Mordialloc 3195, has been renamed (April 2015) to **Bradshaw Bushland Reserve** to reflect its Land for Wildlife status (Melway 87 E10).

Yammerbook Nature Reserve, Aspendale Gardens 3195. A Melbourne Water retarding basin with a saline lake has been transformed since 2000 into a nature reserve and wetland, and named after the last full-blood Bunurong Jimmy Dunbar (Melway 92 J2).

Coomoora Woodland. The delightful remnant Coomoora Woodland Flora and Fauna Reserve in Keysborough must be listed and protected; it has Lowland Snowgums that are now rare in the Gippsland Plains Bioregion (Melway 88, K6).

Glendale Reserve, Springvale, is best kept entire for much-needed public open space (Melway 79 J6).

Daly Nature Reserve, Gisborne. This pre-European plant community must be protected; it contains ancient gum trees, Aboriginal artefacts, and a threatened central Victorian flora species *Acacia rostriformis* or Bachus Marsh Varnish Wattle that is listed as vulnerable. This native reserve must not be taken for a community building as Macedon Ranges Shire proposed in 2013.

I hope this Statewide Assessment of Public Land results in improved outcomes for the natural environment and for the Victorian community. Thank you for the opportunity to contribute to this assessment; I trust my comments are useful, and I look forward to the next phase of this investigation. And thank you VEAC for your excellent work.

Yours faithfully

Nina Earl

Member of City of Kingston groups: Climate Change and Biodiversity Reference Group (formerly Kingston Foreshore Reference Group); Friends groups of Mordialloc Catchment (Yammerbook Nature Reserve, Mordialloc Creek, Epsom Grassland and Wetland); Bradshaw Bushland Reserve.

Member of community groups: Mordialloc-Beaumaris Conservation League, Kingston Conservation and Environment Coalition, Kingston Residents Association, Environmental Justice Australia, Australian Conservation Foundation.

Supporter of: Edithvale-Seaford Wetlands, Braeside Park, Victorian National Parks Association, Environment Victoria, Birdlife Australia, Bush Heritage Australia, conservation and wildlife groups.