

Submission to the VEAC Statewide Assessment of Public Land

22nd June 2015

This submission has been prepared by BirdLife Australia Victoria Group. BirdLife Victoria Group is a regional group within BirdLife Australia. BirdLife Australia is Australia's leading ornithological and bird conservation organisation and is affiliated globally with BirdLife International.

For the purposes of this submission, 'public land' also refers to the marine and coastal areas administered by the State Government.

Public land is used for many purposes in Victoria. By area, the main purpose is conservation of the natural environment with this being the primary purpose for approximately 45% of all public lands. Conservation is a major secondary value for the majority of the remaining public lands with less than 5% having low conservation value based on the VEAC fact sheet

Public land in Victoria is the most important land for nature conservation in this state. The vast majority of securely protected conservation reserves are on public land with the only exceptions being the relatively small area under Trust for Nature covenants, etc., protected under the Conservation Trust Act and Indigenous Protected Areas. The importance of public land for conserving biodiversity was covered in detail in the VEAC Remnant Native Vegetation Report, 2011.

With respect to the first Term-of-Reference, '*an assessment of the current system of public land categories, including options for changing or consolidating the existing categories*' the following points should be considered.

The current system of public land use categories is complex and potentially confusing to the wider community. Simplification of the system would have benefits to both

BirdLife Australia
Suite 2-05
60 Leicester Street
Carlton VIC 3053
T 03 9347 0757
F 03 9347 9323
info@birdlife.org.au
birdlife.org.au

ABN 75 149 124 774

Supporting the environment
100% Recycled paper



managers and users. A first step towards achieving this would be to reduce the number of categories of public land.

With clearer understanding of permitted use, the public would be able to make better use of their land and managers would have a clearer idea of the management objectives. A clearer understanding of permitted use should facilitate funding for research and support of public land objectives.

Term of Reference 1: an assessment of the current system of public land categories, including options for changing or consolidating the existing categories

There are several key principals that should be considered with respect to Term-of-Reference 1.

1. It is absolutely essential that this inquiry does not diminish the conservation status of any public land. As stated above, public land is essential for biodiversity conservation in this state. Any down-grading of the conservation management and status will have an adverse impact on biodiversity in this State.
2. Any new system of public land categorisation should refer to the IUCN conservation categories for those areas where conservation of the natural environment is a major use. This will help define what are permitted uses and the management objectives for that land. Comparisons of land management between jurisdictions will also be easier. The permitted uses for each category of land can then be defined relative to the IUCN category. This would help relate Victorian public land categories to relevant Australian Federal and international laws and agreements.
3. Where land-use categories are consolidated then the conservation status of the consolidated category must be equivalent to the highest status of all contributing categories.
4. Land uses in IUCN categories I – V must not be subject to mining, agriculture, forestry or other environmentally damaging activities such as fossicking. Ideally all these areas would be listed under the schedules of the National Parks act. This would include Conservation Reserves, Natural Features Reserves, other parks – conservation, etc.
5. Public land categories which fall below the IUCN protection criteria must be assessed for their conservation value and a process put in place where those values are protected. For example conservation values on road reserves



(Services & Utilities) must be protected as in some areas these are the last remaining areas of remnant ecosystems.

6. All categories of reserves which have high conservation value should be included under the schedules of the National Parks Act. This would include areas such as Heritage Reserves and Forest Parks with natural forest.
7. Informal reserves such as Special Protection Zones must be placed in a category that gives them secure protection and be properly managed for their conservation values. They must not be able to be de-listed if alternative Special Protection Zones are defined as this results in a decline in those values for which they were originally defined. These areas should be managed under the National Parks Act in the same way as Conservation Reserves.

Further to the basic simplification of the public land use categories in line with the above principals there are a number of other issues which must be addressed.

Most importantly, conservation of the natural environment must be given greater importance for those areas which are not managed primarily for conservation. Management should include avoiding and minimising impacts from other uses on the conservation values of the area and enhancing the conservation value of these areas where possible. Conservation management of these areas must be fully integrated into whatever primary management program is in place. It must also be integrated with the overall management of conservation reserves as these areas can provide important refuges, habitat linkages and corridors between conservation reserves. It should be noted that in some cases, e.g. water reserves and the like, managing the area for conservation should not conflict with the primary use.

The current land use on public land must not be allowed to move to a more destructive land use on a local landscape scale. For example, the conversion of state forest (firewood collection) to state forest (fuelwood production) would change an area from what is effectively IUCN category VI to a cropping system with little remaining value for indigenous flora and fauna. In many areas e.g. West Wimmera, there are a number of State Forests which are only used for limited firewood production but which have high conservation values. These forests should be moved to the conservation reserve system as a priority.

There is also a need for a mechanism where land owned by councils or government authorities can be permanently protected for conservation where this is appropriate.



Term-of-Reference 2: an assessment of the current reservation status of public land.

Over the years VEAC and its predecessors has carried out studies of public land and made recommendations as to how areas should be used. Many of these recommendations have been accepted by government and implemented to varying degrees.

As a first step in addressing this term of reference VEAC should review those past recommendations which have not been implemented by government and assess whether the basis for recommendation still applies and if so, recommend that these prior recommendations are implemented.

There are still major gaps in the reserve system as was highlighted in the VEAC Remnant Vegetation Investigation 2011.

In some bioregions the extent of the reserve system does not protect sufficient native habitat to meet the nationally agreed upon CARR criteria. These bioregions are those which have been most heavily modified by clearing and European based agriculture. It is important that all remaining natural areas within these bioregions are protected. However, even with these steps it is unlikely that the CARR criteria will be reached in some areas without active restoration of degraded areas.

Priority must be given to those bioregions which have the greatest levels of clearing and the greatest deficit when assessed against the CARR criteria. Some biodiversity values are not represented on public land because of prior alienation and clearing and in these instances restoration work on public land may be required. One option which may help address this deficit is the use of riparian frontages. Fencing off and moving riparian frontages into the reserve system provide corridors that allow the movement of flora and fauna across the landscape. Habitat restoration will help recover those values that have been lost as a result of past clearing. This action should result in improved water quality for all users in the catchment with lower water treatment costs and subsequent health benefits. It is likely that these benefits will outweigh the costs of providing assistance to land holders for fencing and alternative water points for livestock. Mine reclamation on public lands should be an element in habitat restoration.

Ramsar Wetlands

Additional benefits to bird life in particular would come from increasing the level of protection for Ramsar listed wetlands. Ramsar listing allows for multiple use however some of those uses conflict with the aim of protecting important concentrations of water and shore birds e.g. hunting. With many of these species under threat, either locally or along their migration paths, improved protection of



Ramsar sites would help reduce the stress on populations of these birds. Incorporating Ramsar wetlands into the reserve system where this is not already the case could reduce the development pressure on some wetlands. Other improvements could be achieved by improved water management and by changing the status of Natural Features Reserves (hunting) to conservation reserves where these fall within the boundaries of a Ramsar area.

Marine Areas

The Victorian government has responsibility for marine areas out to the state boundary with Commonwealth waters. These coastal waters are important for marine birds which make extensive use of these waters for feeding and nearby islands for nesting. Many of these bird species are migratory or only seasonally present. A number of listed threatened species occur within this cohort, e.g. albatross species. All these waters have value for the conservation of birds and other marine life.

Current threats to marine areas include port developments, undersea mineral extraction, oil spills, invasive species and over exploitation of biological resources, all of which may have impacts on marine and coastal bird fauna.

At present the level of protection for marine areas is below internationally accepted targets. Of particular importance here are the key feeding areas used by marine birds. There needs to be an assessment of additional areas that should be protected. There also needs to be an examination of management of marine areas to identify and implement procedures which minimise impacts on the conservation values of these areas.

Anthropogenic climate change

Anthropogenic climate change is predicted to have a major effect on Victoria's flora and fauna over the next century with shifts in temperature and rainfall patterns across the state. In order to meet these challenges we need a robust reserve system which allows species to move across the landscape in response to changing conditions.

Public land should be evaluated with respect to climate change. At the time when current conservation reserves were declared, climate change was not generally recognised as an issue. As a result, existing conservation reserves may not be sufficiently robust to withstand the impacts of climate change. Areas outside the current reserve system may help provide the necessary robustness and should be considered in this context.

Regional biolinks and substantial corridors that connect nodes of intact habitat will be an essential part of this. The importance of biolinks and flagships was detailed in



the White Paper for Land and Biodiversity at a Time of Climate Change (2009) where it identifies the key areas for biolinks and recommends their implementation. Public land will be essential for establishing these biolinks.

Public land administered by other authorities

There are significant areas of public land in Victoria which is administered by other authorities such as local councils and water corporations. This land often has important conservation values which are not adequately protected. In many cases protection of these conservation values would not conflict with the designated use of the land. For example recreation areas may include natural bushland with high conservation value which is key to their value as a recreation area.

There needs to be a way to permanently and securely protect the conservation values of these areas where it is compatible with their primary use.

Just one of many examples of where greater protection of these areas is required is Taylor's Lake near Horsham which is the only permanent body of water in the region and has an area of wetlands used by migratory shore birds as well as a nesting site for white-bellied sea eagle (FFG listed). It is currently unreserved land under GWM Water management. Part of the designated "Conservation Zone" is proposed to be mined. This would close a 20 year white bellied sea eagle nest and close down the region's only permanent migratory wader habitat.

Destructive uses on public land

Some uses of public land have a severe negative impact on the conservation of native flora and fauna. Already we can see the results of clearing across all land tenures which has preferentially targeted more productive areas of the landscape to the extreme detriment of many species. The Regent Honeyeater is an example of a species which has been disproportionately affected in this way. Where activities on public land are having a disproportionate effect on the local biodiversity consideration must be given to shifting these activities onto privately owned land which has already been degraded from a biodiversity perspective. The sorts of activities where this might be possible include timber and firewood production which should be shifted from native forests to privately grown plantations and grazing leases where grazing is not required for management purposes. In stating this we are not advocating for the transfer of public land to the private sector but for those commercial activities to be undertaken on freehold land where they compete on a commercial basis with other freehold land uses.

Mining must not be permitted on land which has been reserved for conservation purposes. Modern practices of strip and open cut mining can destroy large areas of natural habitat. This has an impact on birds and other flora and fauna which



previously used the habitat which destroyed by mining. With available habitat already a limiting factor for many species further losses must not be tolerated. Offsets are not an answer to this as offsets rarely replace the habitat that was lost. Even when offsets are obtained there is always a net loss of overall habitat and a corresponding impact on birds and other wildlife.

The other major issue with mining is that the mined areas are never restored to their former condition. Even when some restoration work is carried out the loss of habitat features such as mature trees with hollows and complex habitat types still occurs. Restoration works are generally inadequate for dealing with toxic waste from mining. There is also the problem that most restoration is ultimately at public expense as the mining company has either moved on or ceased to exist.

Land no longer required for its intended use.

There are many areas of publicly owned land which are no longer being used for the purpose that was intended. These areas should be assessed for their conservation value including the presence of listed threatened species, usefulness in filling gaps in the conservation system, landscape connectivity (contribution to corridors and biolinks) and their ability to provide refuge or migration paths in response to climate change.

When these areas have high conservation value they should be moved into the conservation reserve system. Given that these areas may have been subject to exploitative uses in the past it may also be necessary to undertake habitat restoration in some areas.

Current examples where public land is no longer used for its designated purpose and should be placed in the reserve system include:

1. State forests such as those in western Victoria where the only commercial use is low level firewood collection. These forests have important conservation value including the presence of listed threatened species. They are also essential for the connectivity across the landscape. In western Victoria these forests form the basis of the proposed western Victorian biolink.
2. Natural Features Reserves (hunting) which are no longer used for hunting as they are no longer suitable for that purpose and should be immediately added to the conservation reserve system. For example many of the wetlands of the Douglas-Natimuk lake system are classified as game reserves yet rarely contain water during the hunting season however they have very high conservation value at other times of the year and, while not listed, meet all the requirements for Ramsar listing and are recognised by BirdLife International as an Important Bird and Biodiversity Area. There are many other wetlands



across the state in a similar situation. If, in future, waterfowl hunting is discontinued in Victoria then the remaining game reserves should be added to the conservation reserve system.

3. With the closure of the Anglesea coal mine and power station the area of Anglesea heathlands formerly leased to Alcoa for coal mining must be rehabilitated and returned to the conservation reserve system. Much of this area is already in good condition and will make an ongoing contribution to conserving threatened birds and other species in Victoria.
4. Unused transport corridors often have significant conservation value. It is important that these areas are kept within the public land system and not sold to users who will not respect their conservation value. When unused transport corridors are leased, condition on the lease must protect their conservation value.

Invasive Species

Many of our existing reserves have been impacted by invasive species. This is not an argument for not creating a robust conservation reserve system. Rather it is an argument for adequate funding for the reserve system. As it has done in the past, VEAC must recommend that there is adequate and on-going funding for the management of our conservation reserves.

The control of invasive species can only be achieved with integrated action across all tenures of land management. There is also a need for research into better control measures and ways to reduce the unintended side effects that may result from well-intentioned but inappropriate invasive species control measures e.g. where controlling one invasive species results in the population explosion of another.

Invasive species control within the conservation reserve system must be complimented by regional programs for invasive species control that extend over all categories of land ownership.

Term-of-Reference 3 - an inventory of the types of values on public land

In Victoria most of the securely protected biodiversity is found within the conservation reserve system on public land. It should be noted that extractive industries are incompatible and not permitted on land administered under the National Parks Act. This restriction must be maintained in order to properly protect these reserves.



All of our native birds are found on public land and in many cases are almost exclusively on public land because this is where there is remaining habitat. All listed threatened bird species are dependent on the habitat resources on public land for their survival.

Because there has historically been such a high level of clearing on private land in Victoria the number and diversity of birds, and other fauna, is generally lower on private land.

Ecosystem Services

Public land in Victoria is the principal provider of ecosystem services to the wider community. These include water supplies, carbon sinks, mitigation of flooding and salination, pest control, seed dispersal and pollination by birds, insect pest control by bats and pollination by insects..

Public land is also essential for the tourism industry. Without protected areas such as National and State Parks most regional tourism in Victoria would not exist. Birding and wildlife tourism is one specialised aspect of tourism which is dependent on public land. Birders tend to be lower key in their activities than some other types of tourist. They also tend to visit areas that are not on the normal tourist routes. The demographic of birding tourism is generally towards higher income individuals.

Water catchments

Within the public land estate water catchments have a very high value for both biodiversity and water production. The closed water catchments, where the catchment area remains in public ownership, have very high values and would correspond to IUCN category Ib. The value of the water produced from these catchments is far greater than other commercial values which may be promoted from time to time. Managing these areas for water production and biodiversity conservation is the most optimal use for these catchments.

Riparian strips

Many of the rivers and waterways have a riparian strip of public land along the stream banks. These areas provide important corridors between other patches of remnant vegetation within the landscape. This enables birds and other wildlife to move across the landscape and reduces fragmentation of their populations.

A major value of riparian strips is the protection of the waterway and its banks from erosion and the impacts from activities on neighbouring lands. Unfortunately this value is severely compromised by the leasing of riparian strips for grazing and other agricultural uses. Grazing and watering livestock from the rivers causes pollution of the water and erosion of the stream bed and banks which create additional costs for



downstream users of the water and degrade the quality of the habitat for fauna and flora.

Wetlands

Wetlands are a major habitat component for many species of birds and other fauna. On private land many of these wetlands have been drained or otherwise degraded due to agricultural practices. This increases the importance of those wetlands on public land which are generally in better condition.

Wetlands on public land provide habitat for water birds and shore birds. Migratory shorebirds come under the migratory bird treaties (JAMBA, CAMBA & RoKAMBA). Some of the larger wetlands are listed under the Ramsar Treaty which also has obligations for their protection.

Estuaries and tidal flats

These are the most important areas in the state for shore birds, both migratory and resident. Many of these areas are recognised under the Ramsar Treaty. Estuaries and tidal flats are important for other biodiversity including sea-grass meadows and fish feeding and breeding areas. They are often under threat from pollution and run-off from farms and urban areas, inappropriate coastal development including port development and channel dredging and in the longer term from rising sea levels which will pinch these areas between deeper water and rigid coastal infrastructure.

Transport corridors

In our most cleared bioregions almost all the remaining indigenous biodiversity is restricted to transport corridors set aside for roads or railways. Although these areas are often degraded, they are the only representation of the flora and fauna that remains. Transport corridors also provide important links between more intact habitat nodes which birds and other fauna use to move across the countryside. It is essential that the conservation values of transport corridors are protected.

State Forests

State forests have enormous biodiversity and ecosystem services value. They provide habitat for many bird species including a number of endangered taxa.

Within State Forests there are often areas of particularly high value. These include riparian zones, rainforest areas, old-growth forests and forests that are progressing towards becoming old-growth forests.



References:

Victorian Environmental Assessment Council, 2011. Remnant Native Vegetation Investigation. Govt. of Victoria.

Victorian Government Department of Sustainability and Environment, 2009. Securing our Natural Future, a White Paper for Land and Biodiversity at a Time of Climate Change. Govt. of Victoria.

VNPA (2014) Natural Victoria: Conservation Priorities for Victoria's Natural Heritage. Nature Conservation Review. Full Report. Victorian National Parks Association, Melbourne.

Yours sincerely

Euan Moore
BirdLife Victoria Group Conservation Committee