

PO Box 347,  
Broadford, Vic 3658

7 November 2016

Chair,  
Victorian Environmental Assessment Council  
Melbourne

Dear Sir,

### **Submission to VEAC Statewide Assessment of Public Land**

I have a long interest and involvement in the conservation of public land. I am Secretary of the Central Victorian Biolinks Alliance Inc, Vice-president of BEAM Mitchell Environment Group, Secretary of the Broadford Land Management Group Inc (a friends group for local crown and council reserves), Convenor of the Friends of Mount Piper NCR, and on the South West Goulburn Landcare Network. We have – with Mitchell Shire Council and Parks Victoria– helped to maintain some of the small crown land patches around Broadford.

In 2008, as a previous DPI employee, I developed the concept of the Piper Biolink linking the eastern and western forested areas of Victoria through Mitchell Shire. An important component of our local landscape is the many small patches and corridors of crown land scattered across the region. In an agricultural landscape, these patches and corridors often contain the best remnant vegetation including many of the remaining large old trees. They provide the framework on which biolinks can be built. Since then, local landcare groups have worked with DELWP and local landholders to link up crown land patches as habitat corridors.

I have counted 64 public conservation reserves in Mitchell Shire. At least 48 are crown land with a high proportion less than 10ha. This list does not include the confusion of wide and narrow streamside reserves and the many used and unused roads, all of which provide very valuable habitat and connectivity across rural landscapes.

### **Sale of small pockets of crown land**

I think it should be emphasised that small pockets of remnant vegetation should be retained and not sold off. They are often small nodes along roads and waterways. They have not been well managed in the past but many still have a good collection of the local biodiversity and contain many of the remaining large old trees in rural areas. They could be incorporated into the networks of biolinks – and some have already been included in biolinks by local groups.

### **Status of Crown Land**

While the status of larger reserves is apparent and clearly covered in this Assessment, I note that the many small patches of crown land – some listed as Natural Features Reserves - were not included in this Assessment (Discussion Paper 4.2). I have found it difficult to clearly determine the legal status of these small patches and corridors of crown land. The DELWP interactive biodiversity mapping system gives some indication but it is still confusing. Most sites do not have any signage – a few have very old “flora reserve” signs (eg. Black Springs north of Pyalong). I have asked Council staff and they have been unable to clarify the legal status and management responsibilities for some patches even within townships.

Streamsides are variously classed as uncategorised crown land, unreserved crown land (including areas also recommended as Natural Features Reserves by LCC) and reserved crown land (not necessarily under Crown Land (Reserves) Act) which is also classed as “Natural Features Reserves”.

Bushland reserves also have a similar mix, some also categorised as Natural Features Reserves, but some uncategorised. Locally, some of these small patches of uncategorised and un-reserved crown land have good conservation values, particularly when examined in the landscape context.

Unused road reserves are not mapped as “reserves” although they are visible in cadastral maps and often on aerial photos as lines of trees.

***Recommendation:***

1. Complete the implementation of all LCC recommendations
2. Review the status of all crown land not clearly categorised, and clearly designate its legal status on publicly-available maps and documents. This review should consider previous recommendations and review the current values for local and regional conservation (the ideas of landscape conservation have evolved since the earlier LCC recommendations).

**Management of crown land**

I had hoped for the implementation of the strong recommendations on crown reserves made in the VEAC report on Remnant Native Vegetation in 2011, particularly on management of linear reserves.

*Management responsibilities:* Responsibility for management is a critical issue. Management of some of these small patches and corridors is delegated to Parks Victoria but we have no evidence that PV is even aware of this responsibility (and PV has insufficient resources to manage the land anyway). Several crown land patches in our area have either the Council or a community group as a Committee of Management and some have Friends Groups. But there are several reserves that seem to have no designated management authority and I assume they are the responsibility of the very few crown lands officers trying to cover the larger region.

Most small patches of crown land (reserved and unreserved) do not have any signage or fences and most locals only see them as vacant land. One result of this lack of ownership or care in management is that small reserves become weed patches and rubbish dumps, and the big issue of firewood collection removing valuable habitat is uncontrolled.

*Use of crown land by adjoining landholders:* Some crown land (particularly streamsides and unused roads) is leased, some is not. Most is used by adjoining landholders regardless of any leases. Mitchell Shire has a high turnover of properties. When I have talked to landholders (and most are relatively new to their properties); many are unaware of the presence or boundaries of crown land particularly unused roads and streamsides, and have not been notified about any lease arrangements or payments. Others have simply ignored the boundaries and have done what they like on the public land, from good protection through to complete clearing and planting of environmental weeds, regardless of any legal status. Some crown land even has sheds and houses! Unused roads and streamside reserves are just “Forgotten Crown Land” but they often have high conservation values or have potential as corridors.

One issue in this regard is the disjunct between cadastral boundaries and other map layers based on GDA. This means that features (including aerial photos) do not agree with survey boundaries and is very confusing. I have recorded a 40m separation between electronic cadastral maps and GPS record of survey pegs.

**Recommendations:**

3. Review the management responsibilities of all crown land.
4. Review the use and abuse of crown land by adjoining landholders (using aerial photography and on-ground assessment)
5. Ensure that the public are aware of
  - the status and management of each reserve,
  - why the land is reserved (the older and more descriptive titles of “Bushland Reserve” and “Streamside Reserve” could be retained as sub-groups of Natural Features Reserve), and
  - the laws relating to the status of the land.

through signage, regular presence of staff, engagement with local landholders and groups, and generally by an improved care and maintenance of these reserves..

6. Increase numbers and resources of on-ground staff responsible for caring for the reserves
7. Implement the recommendations of the 2011 Investigation supporting provision of management services by adjoining landholders.

**Re-alignment of crown land boundaries**

*Streamsid*es: Some streams are not protected as “crown land”, even by narrow bed and bank water frontages. Some of this is due to the original surveys that allocated a few reaches to private land. But streams also change direction naturally or through human intervention and many now run through private land for at least some of their length. Regardless of the history of these streams, streamsides are still important in protecting the streams and the riparian vegetation. The current reality just takes it out of the control of agencies. Often the re-aligned streams cut through cleared paddocks with no streamside vegetation. Vegetation clearing regulations are insufficient to protect this land from further grazing, cropping, “cleaning up” and planting with environmental weeds that threaten streams and reduce their roles as refuges and corridors for biodiversity.

*Road Reserves*: many roadsides, unlike adjoining private land, have never been cleared or cultivated and still have valuable remnants in corridors across the landscape. In particular, they stand out as lines of old trees across bare paddocks.

- Some are unused road reserves that no longer align with the road networks. Many should be considered as reserves for conservation (see management above).
- Existing road reserves are under threat from road works as well as from people dumping rubbish (including weeds) and collecting firewood). The impact of road widening could be avoided in many cases by placing new roads in adjoining paddocks. There are ways this land exchange could be achieved, such as an agreement on open-space contributions from developers.

**Recommendation:**

8. VEAC consider ways that streams and road reserves can be protected by re-alignment of reserve boundaries.

## **Public land held by councils and water authorities**

Some “utility” land held by the local water authority is no longer in use and is now just “un-managed” land. This land is under freehold title and only identified on planning maps as Utility Zone – it is not reserved land or crown land (see Discussion Paper 2.4.1). I am aware of two such places in Broadford alone and both have high conservation values.

### ***Recommendation:***

9. the Government consult with councils and water authorities on the status of their land and particularly land zoned (under Planning Schemes) as “utility” land, and ensure they are adequately protected and managed.

## **Recreation Parks**

We recognise the value of this classification for areas used intensively for recreation and open space (particularly within urban areas). But the classification seems to be a grab-bag of a wide variety of reserves, some with high conservation values. Section 4.2.1 identifies some of the Regional Parks for which this new designation would apply and it seems an inappropriate label. Locally:

- Wandong Regional Park is a large area of native bushland adjacent to the Mount Disappointment State Forest. It is used for recreation by 4WD and trail bikes (along with all of the State Forest) making it an unpleasant and at times dangerous place to visit. But it is also at the head of local catchments (Melbourne’s forested catchments are protected but not the forests on the north of the Divide).
- Herne’s Swamp: Groups in Mitchell Shire are also looking at the possibility of creating a regional park near Wallan. This would include wetlands and could include some threatened species.

So I question whether the designation “Recreation Land” will adequately protect the natural values and minimise the damaging impacts some forms of recreation for many Regional Parks and possibly some Forest Parks. I think it sends the wrong message. Gazetted zoning and listing of permitted recreational activities would be a better way to define how the park is to be managed and used.

### ***Recommendation***

10. Restrict the use of “Recreation Land” to areas that have high recreational use such as sports ovals, golf courses, etc where the management is primarily focussed on those activities.

Yours Sincerely,

Dr Peter Mitchell