

Phillip Island Nature Parks

VEAC Statewide Assessment of Public Land – Draft Proposals Paper submission

6 November 2016 (2 pages)

The Phillip Island Nature Parks (the Nature Parks) welcomes the opportunity to engage in the consultation phase for the assessment of public land in Victoria. Crown Land areas including woodlands, forests and the Victorian coast and marine areas are one of the state's most valuable assets in terms of economic, environmental and social values. Ensuring the appropriate reservation and management of public land is an important focus for the government and the community.

Recommendation 1

We note that the Nature Parks is not included in the list of names.

Any change of name would need to ensure that the "conservation intention" and values are maintained.

Recommendation 2

Timing of reviews in the future should be more frequent – e.g. every 10 years.

Recommendation 3

- I. 3a the Nature Parks does not see the need to change the purposes set out in section 4 (1). Different parcels of land within the Nature Parks have different values and the purpose in the Act should reflect these e.g. building are in the "public purposes", whereas important areas of habitat are "conservation of areas of natural interest". This ensures only appropriate activities occur within each purpose.
- II. 3d – further legal advice should be sort on the effect of removing the underlying reservation.
- III. The Nature Parks supports the reduction of the processes involved in short-term licenses and leases for infra-structure.
- IV. The advantages of perpetual trusts should be explored. Trusts may allow more flexibility in budgeting e.g. budget on a longer time scale than one year or for donations to be made that are tax deductible which could assist land managers.
- V. 3h - The Nature Parks believes that the three year limit on appointments is not an impediment to effective management in itself, rather the replacement of members of the committee needs to be staggered. DELWP could reduce the cost of recruitment every three years by reappointing committee members who meet performance criteria and only advertise vacancies from retirements, resignations or poor performance. Wherever possible new appointments in the committee should be staggered to conserve corporate knowledge and ensure smooth transition between boards/committees.

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Recommendation 5

While the Nature Parks agrees that standard regulations should be adopted, Committees of Management still need to be able to approve Set Asides and Determinations. This will enable local government regulations and regulations on Crown Land to be aligned on adjacent land e.g. dog regulations.

The Nature Parks has its own regulations under the Crown Land Reserves Act as well as Determinations approved by the Board – these can be viewed on our web site.

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make a return to nature

The complexity of management of coastal and marine areas needs to be acknowledged. In many areas there are multiple manages between the inland boundary and 3nm offshore limit of the marine area. This leads to complexity in managing adjacent parcels of Crown Land for issues such as dog regulations and issuing of tour operator licenses or event permits. For example each Crown Land manager is obliged to issue a permit for the area under their control, Parks Victoria issues permits for unreserved Crown Land on behalf of DELWP – they do not need to consult with adjacent land managers, so moving from a carpark (local government) across Crown Land Reserve (CoM) to run a surf school (PV issues on behalf of DELWP for the water) can be confusing. Schools are excluded from the need to get permits, even for areas where licenses or other permits may have already been issued.

Having regulations for Crown Land although helpful does not address this issue, nor is it clear if local government or Crown Land regulations would apply.

It should also be noted that enforcement officers for Crown Land Reserves Act regulations cannot enforce regulations under the Domestic Animals Act which is the instrument used by Local Government. This creates complexity where for example visitors can be fined under Crown Lands Act for offences such as dog off lead (small fine), or on unreserved Crown Land – beach below high tide line to low tide, an officer empowered under Domestic Animals Act would need to be the enforcer (much higher fine). Typically no regulations would apply in the water unless the local government boundary went out to sea e.g. Geelong.

Recommendation 6

Changing the Forests Act may result in changes in the responsibilities of DELWP to manage fire mitigation. Currently DELWP manages fire mitigation and prevention work in prescribed areas of Crown Land.

Recommendation 11

In addition to these areas, areas where retreat will be necessary to ensure public access to the beach should be identified.

Recommendation 14

Road and rail reserves may be or represent an opportunity to improve bio links. In addition areas between the 30m coastal strip and the top of cliffs may be held on private property, in coastal areas these may be of high conservation value as well as forming important bio links.

Recommendations R16 to R18

The Nature Parks supports improvements in information available to the public. However the proposal to develop an app or similar product to inform the public on activities allowed on public land is unlikely to lessen confusion by the public. As illustrated above – multiple land managers can be managing different parcels or reserved and unreserved Crown Land within a very small space.

Recommendation R19

The support of regional co-ordinators within DELWP to assist CoM would be a great step forward. This would enable access to DELWP resources such as mapping which are beyond the budget / expertise of a Committee of Management.