

**Nina Earl**

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Victorian Environmental Assessment Council  
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Dear Sir/Madam

**SUBMISSION: DRAFT PROPOSALS PAPER FOR STATEWIDE ASSESSMENT OF PUBLIC LAND IN VICTORIA**

Previously, I commented in June 2015 on the Terms of Reference for this Assessment, and am now pleased to comment on this current Draft Proposals Paper. My responses are not as fully considered as I would wish, due to a virus and commitments; also, as a volunteer infrequently involved in public land administration I may misinterpret or misunderstand the intentions or terminology of the Draft Proposals. Nevertheless, I comment as best I can.

**GENERAL COMMENTS**

Overall, the Draft Proposals seem very worthy in: simplifying public land use categories; improving referencing and access to public land information; updating information systems and content; and promoting legislative reform to implement the recommendations. Particularly pleasing is: the addition of an Aboriginal land category; recognising the importance of and recording data on remnant or significant ecological vegetation classes on road, rail and creek-side reserves; recognising high natural, social and economic values of unprotected areas and threats to those values from climate change impacts; and DELWP regional support for under-resourced committees of management.

My hope is that VEAC's recommendations, if approved, would assist in better protection, restoration and linkage of Victoria's remnant native vegetation, of which little remains, and thereby of associated native fauna.

**DRAFT RECOMMENDATIONS**

**2.3 Overview of Draft Recommendations**

**Support** the draft recommendation categories below that would seem to encompass matters identified thus far:

- *Public land classification*
- *Legislative reform*
- *Priorities for further assessment or review*
- *Improved information and information systems*
- *Supporting community-based committees of management.*

**2.4 Public land classification**

**Draft recommendation R1.** *The revised and consolidated system of primary public land use categories and overlays in Table 1, which forms part of this recommendation, be adopted.*

**Table 1. Proposed changes to public land use categories**

**Comment:** In simplifying the proposed categories, some land type identifiers are lost and others seem puzzling. **Suggest:**

**Terrestrial**

National park—State; National park—Heritage, etc as appropriate.

Wilderness park could be Conservation park.

Natural features reserve—cave; Natural features reserve—geological and geomorphologic; Natural features reserve—coast; etc, as appropriate.  
Resources reserve—mineral spring; Resources reserve—earth; Resources reserve—plantation; etc, as appropriate.

**Marine.** Marine national park and Marine sanctuary (National or State?)— both protected.

**Overlay. Excellent,** thank you, to propose a **new Aboriginal land category**—a welcome recognition of First Peoples—to the existing Overlay categories of Reference area, Wilderness zone, Remote and natural area, Heritage river, Natural catchment area, Fisheries zone (incl aquaculture), Conservation area.

## 2.5 Legislative reform

**Draft recommendation R2.** *Legislation be amended in the short term and new legislation established within five years to reflect the recommended revised system of public land use categories, to streamline implementation of government-accepted recommendations, and to improve management effectiveness.*

**Fully support** the above necessary *draft recommendation R2* to amend legislation, once changes to the public land use categories are approved. Importantly, draft recommendation R9 proposes adequate time for notification to agencies and various administrative updates and adjustments.

### Draft recommendations

**R3.** *The Crown Land (Reserves) Act be amended as follows:*

- (a) amend the purposes in section 4 (1) to align with the revised and simplified system of public land categories;*
- (b) align the 1300 or so historical reservation purposes to the purposes of revised public land categories through a schedule that replaces them with the purposes of the relevant revised category;*
- (c) remove the distinction between temporary and permanent reservation, retaining a parliamentary role for revocations of land in revised categories of nature reserves, natural features reserves, recreation parks and coastal land in any category;*
- (d) where land is reserved in accordance with a government-accepted LCC/ECC/VEAC recommendation, provide for the creation of the reserve to have the effect of removing the underlying land status including permanent reservations, government roads and reserved forest;*
- (e) reduce the complexity and improve consistency and transparency associated with leasing and licensing by aligning Ministerial approval processes and parliamentary scrutiny to appropriate revised land categories;*
- (f) ensure that legislation can provide for the issue of short-term licences and permits for up to 3 years directly by committees of management for uses that are not inconsistent with the purpose of the reserve or not to the detriment of the reserve;*
- (g) provide for staged transition of trusts managing restricted Crown grants to a modern legal and governance framework such as a committee of management;*
- (h) remove the three year limit to appointment terms for committees of management incorporated under section 14A of the Act.*

**Support** the above R3 draft recommendations, insofar as I understand them, to ensure appropriate amendments to the Act to incorporate Draft recommendation R2.

**Draft recommendation R4.** *Associated with the Crown Land (Reserves) Act amendments in R3, the Wildlife Act be amended to remove requirement for further classification of areas reserved under the Crown Land (Reserves) Act. Support,* if further classification becomes redundant.

**Draft recommendation R5.** Standard regulations be developed for each public land category in the revised system, together with amendments to the Crown Land (Reserves) Act that provide a simplified means to revoke any existing regulations when new regulations are made. **Sensible.**

**Draft recommendation R6.** The Land Act and the Forests Act be amended to provide for all state forest to be administered under one Act and be reserved under a single land tenure with provisions similar to those currently applying to reserved forest. **Sensible.**

**Draft recommendation R7.** Office of Surveyor-General Victoria consider ways to simplify preparation of gazettal plans for reserves that are created to implement government-accepted LCC/ECC/VEAC recommendations. **Sensible.**

**Draft recommendation R8.** Land in Aboriginal title and public land under joint management be designated through a legislated 'Aboriginal land' public land overlay. **Excellent,** thank you.

**Draft recommendations. R9** Within five years, new protected area legislation be developed based on the existing National Parks Act, or by amendments to that Act, to include revised categories of national parks, conservation parks, nature reserves, marine protected areas, and other categories and overlays classified as protected areas. **Support;** five years allows time for careful drafting of protected area legislation, and combining protected areas and overlays may avoid ambiguity.

**R10** Within five years, new land legislation be developed to replace the current Land Act and Crown Land (Reserves) Act. **Support;** for clarity, state what form of new legislation might replace these two Acts.

## **2.6 Priorities for further assessment or review**

**Draft recommendation R11.** Public land use in the following Victorian regions with clusters of endangered EVCs be assessed for their potential to improve the representativeness of the protected area system:

- (a) South west region (includes Glenelg Plain, Dundas Tablelands, Wimmera (south), Warrnambool Plain and Victorian Volcanic Plain (west) bioregions);
- (b) Strzelecki Ranges and Gippsland Plains bioregions;
- (c) Central Victorian Uplands and adjoining bioregions.

**Excellent,** thank you; ecological communities that are under-represented in the protected area system may mean: (a) an incomplete record of endangered EVCs; (b) EVCs overlooked for their contribution to biodiversity; (c) EVCs overlooked for funding; and (d) EVCs lost to changed land use.

**Draft recommendation R12.** Following a review of the number and types of coastal reserves outside the protected area system, reserves with high environmental, social and economic value be identified and values at risk from the impacts of climate change be identified, as specified in the Victorian Coastal Strategy 2014. **Excellent,** thank you; correctly identifying the above values and risks from climate change impacts would inform policies, planning, and essential mitigation of climate impacts. **Query** economic value—to or from what or whom? Please clarify because natural values of some public lands have been compromised or lost to economic ventures.

**Draft recommendation R13.** Review values, uses and appropriate land category for State forest where commercial harvesting of sawlogs has ceased. **Support,** except it is unclear what the review intends to achieve.

**Draft recommendation R14.** An inventory of road and rail reserves be developed and significant native vegetation values mapped as outlined in recommendations R4 and R5 of VEAC's Remnant

*Native Vegetation Investigation (2011), and a similar inventory be compiled for riparian public land and linear coastal reserves outside the protected area system. Excellent*, thank you; an inventory of road, rail, riparian and linear coastal unprotected reserves, and maps of native vegetation values these areas contain, may mean less harm to remnant native vegetation that is often rare or significant and holding its own against climate impacts or works.

**Draft recommendation R15.** *An inventory of state government-owned freehold land be undertaken to identify distribution and extent, ownership, and values and uses; and a register be compiled and maintained. Support*, particularly as the extent of such land is considerable but is an unknown quantity; however, state how such an inventory would be used or useful.

## **2.7 Improved information and information systems**

**Draft recommendation R16.** *Crown land information systems be consolidated, modernised and redeveloped. Support*, providing existing environmental values and land features become or remain identified.

**Draft recommendation R17.** *A range of spatially referenced information products be developed for the public on activities on public land. Support* public central access point/s where people can find information about activities on public land; presumably this would be facilitated by DELWP regardless of which responsible authorities manage public lands; **suggest**: a central website, and either a central office and/or public libraries access to the central website.

**Draft recommendation R18.** *Spatial information on all government-accepted LCC/ECC/VEAC public land use recommendations continue to be verified and maintained by VEAC, and their status be periodically formalised. Fully support*, VEAC has the knowledge and resources to competently provide this essential information and function. **Request**: this function remains with VEAC and is not privatised.

## **2.8 Supporting community-based committees of management**

**Draft recommendation R19.** *Community-based committees of management be supported with a system of regional coordinators located in DELWP. Excellent*, thank you; under-resourced committees of management would greatly benefit from the support of regional coordinators, whether for information, guidance or resources.

I sincerely hope Parliament sees fit to approve VEAC's recommendations of this Proposals Paper in their Statewide Assessment of Public Land that may lead to improved outcomes for the natural environment and community of Victoria. Thank you for the opportunity to contribute and I trust my comments are useful. And thank you VEAC for your excellent work.

Yours faithfully

Nina Earl

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

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

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