

Inquiry into Ecosystem Decline in Victoria

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CEO

Victoria has complex legal framework and responsibilities

Leads to perverse policies e.g. feral deer is protected, hunted and controlled under three statutes

Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)

- Nationally listed threatened species and migratory species
- Approvals process for matters of national environmental significance
- Regulates international wildlife trade

Native Title Act 1993 (Commonwealth)

- Traditional Owner Corporations can apply for a Federal court determination to recognise native title rights

Department of Environment, Land, Water and Planning Minister for Energy, Environment and Climate Change

Department of Environment, Land, Water and Planning

- Wildlife policy and administration of the *Wildlife Act 1975*
- Community education and advice for managing wildlife issues and impacts
- Wildlife population management and research

Office of the Conservation Regulator

- Compliance and enforcement
- Licensing and permits

Wildlife Act 1975

- Protection, conservation and sustainable access and use of wildlife
- Licences, authorisations and authorisation orders
- Offences and Authorised Officers powers
- Protections for whales, dolphins and seals
- Regulates tour operators in State Wildlife Reserves

Parks Victoria

- Regulates protection, use and management of Victoria's national parks and other state parks
- Regulates tour operators

Flora and Fauna Guarantee Act 1988

- Biodiversity conservation objectives
- Listing of threatened species
- Critical habitat and habitat conservation orders
- Biodiversity strategy

Wildlife Regulations 2013

- Regulate the trade, possession and use of wildlife
- Prescribe licences and their conditions
- Prescribe fees, offences, royalties and exemptions
- Habitat protection

Wildlife (Marine Mammal) Regulations 2019

- Regulate activities relating to marine mammals, including tourism

Department of Jobs, Precincts and Regions Minister for Agriculture

Department of Jobs, Precincts and Regions

- Policy relating to recreational game hunting, animal welfare, agriculture and biosecurity

Prevention of Cruelty to Animals Act 1986

- Animal cruelty offences that apply to wildlife
- Research permits in relation to wildlife
- Exemption from offences for anything done in accordance with the *Wildlife Act*

Game Management Authority Act 2014

- Establishment of the Game Management Authority

Game Management Authority

- Regulation of game hunting, including deer, native duck, quail
- Administration of game licences
- Regulation and enforcement of kangaroo harvesting program

Wildlife (Game) Regulations 2012

- Regulate game hunting
- Prescribe game licences, conditions and restrictions
- Prescribe fees and offences relating to game

Wildlife (State Game Reserves) Regulations 2014

- Prescribe particulars relating to the management of state game reserves

Department of Justice and Community Safety Attorney-General

Traditional Owner Settlement Act 2010

- Traditional Owner Corporations can enter into a Recognition Settlement Agreement with the State to recognise their right to access and use wildlife
- Exempt from offences under the *Wildlife Act*

Local Government Minister for Planning

Planning and Environment Act 1987

- Section 52.17 of Victoria's Planning Provisions sets out the requirements for a planning permit to remove native vegetation and offset specific impacts on threatened species

Other legislation with intersections with the *Wildlife Act*:

- *Catchment and Land Protection Act 1994*
- *Meat Industry Act 1993*
- *Crown Land Reserves Act 1978*
- *Land Act 1958*
- *Forests Act 1958*
- *Conservation Forests and Lands Act 1987*
- *Fisheries Act 1995*

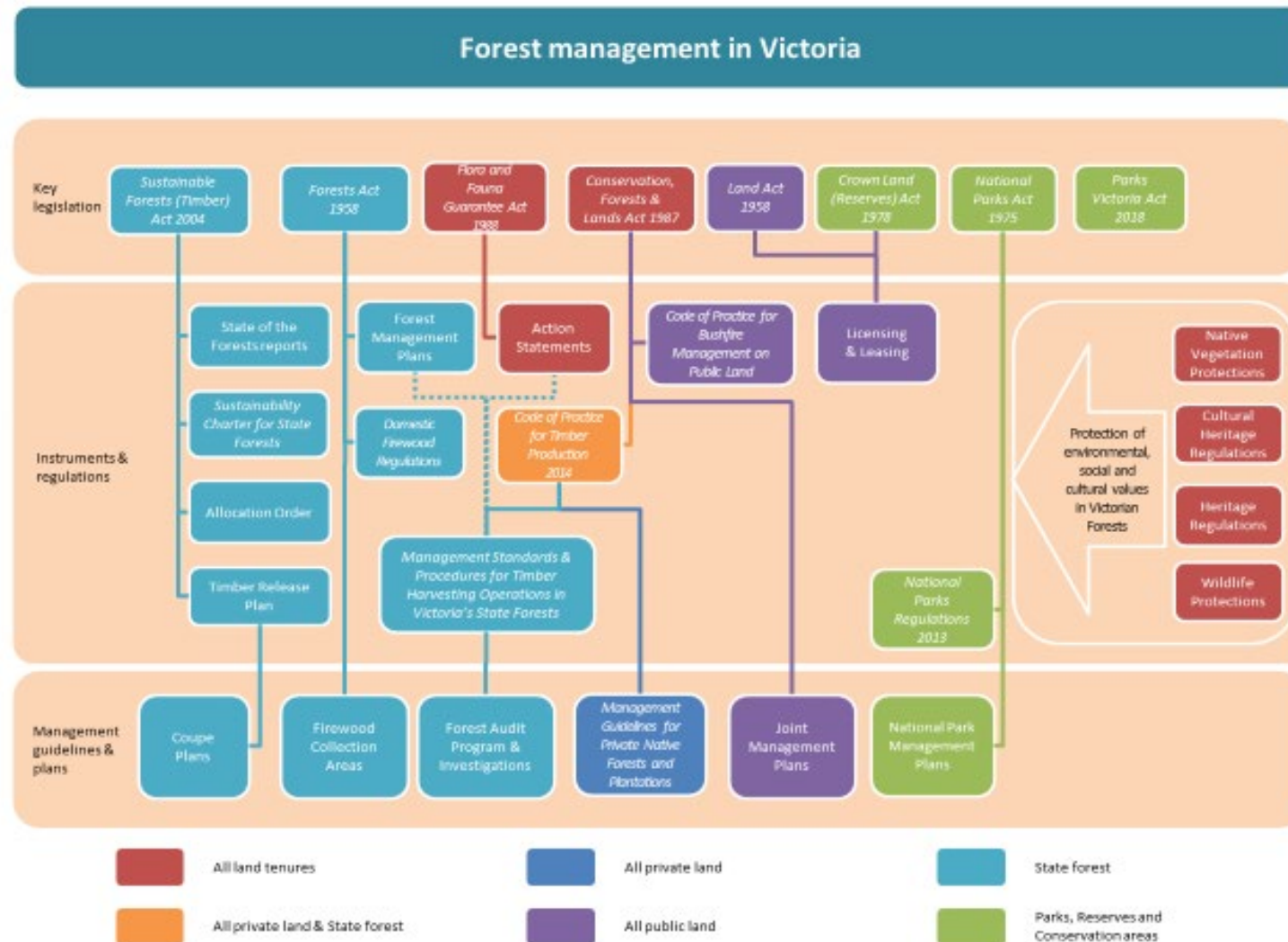
Source: 2021 Wildlife Review Independent Panel Issues Paper

Victoria's public land forest responsibilities

	Minister for Energy, Environment & Climate Change		Minister for Water	Minister for Agriculture	
Agency / Authority	DELWP	Parks Victoria	DELWP / Melbourne Water / CMAs	DJPR	VicForests
Key legislation	<i>Forests Act 1958</i> <i>Land Act 1958</i> <i>Crown Land (Reserves) Act 1978</i> <i>Conservation Forests and Lands Act 1987</i> <i>Flora and Fauna Guarantee Act 1988</i> <i>Sustainable Forests (Timber) Act 2004</i> <i>Wildlife Act 1975</i>	<i>National Parks Act 1975</i> <i>Crown Land (Reserves) Act 1978</i> <i>Parks Victoria Act 2018</i> <i>Wildlife Act 1975</i>	<i>Water Act 1989</i>	<i>Sustainable Forests (Timber) Act 2004</i>	<i>Sustainable Forests (Timber) Act 2004</i>
Key forest management responsibilities	<ul style="list-style-type: none"> Establish Forest Management Plans Administer Forest Zoning Scheme in State Forests RFA implementation Regulate timber harvesting Action Statements for threatened species Forest fire management Prepare State of the Forests report 	<ul style="list-style-type: none"> Manage parks and reserves and ensure they are healthy and resilient for current and future generations Contribute to forest fire management in proximity to parks 	<ul style="list-style-type: none"> Manage water resources within Melbourne's designated water catchments Contribute to forest fire management in proximity to catchments 	<ul style="list-style-type: none"> Advice to Government on forest policy settings Approve Allocation Order to VicForests Oversee VicForests' development of Timber Release Plans 	<ul style="list-style-type: none"> Harvest, regrowing and commercial sale of timber from public native forests Manage operations in accordance with Allocation Order under <i>Sustainable Forests (Timber) Act 2004</i> Develop Timber Release Plans for stakeholder review Develop Timber Utilisation Plans for areas outside Allocation Order

Source: 2019 Overview of Victoria's Forest Management System

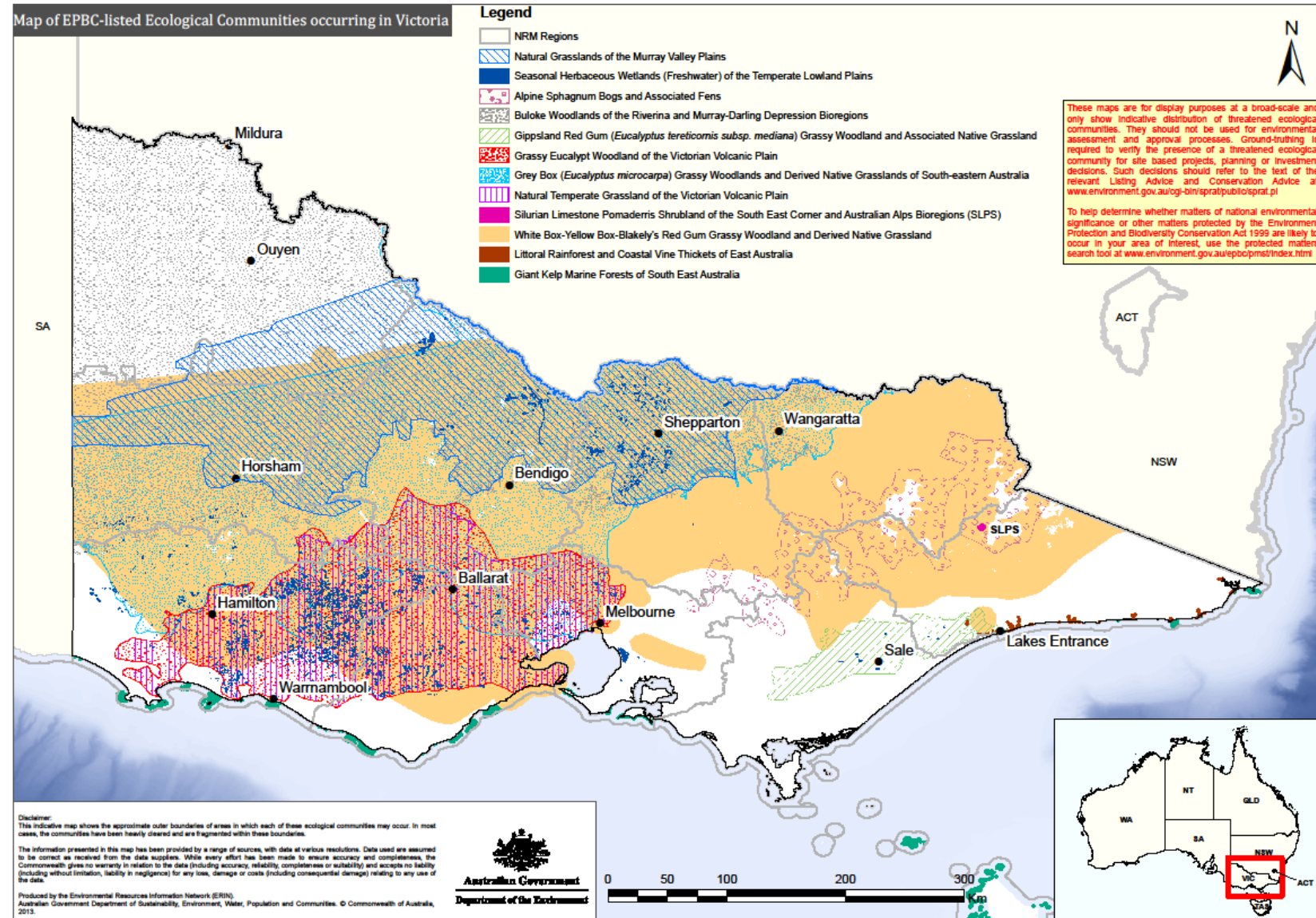
Victoria's high level policy, planning and regulatory framework for forest management



Source: 2019 Overview of Victoria's Forest Management System

There are also Federal responsibilities under the EPBC Act e.g. Threatened Ecological Communities

The EPBC Act listings are supported by state-based protection under the *Victorian Flora & Fauna Guarantee Act 1988*



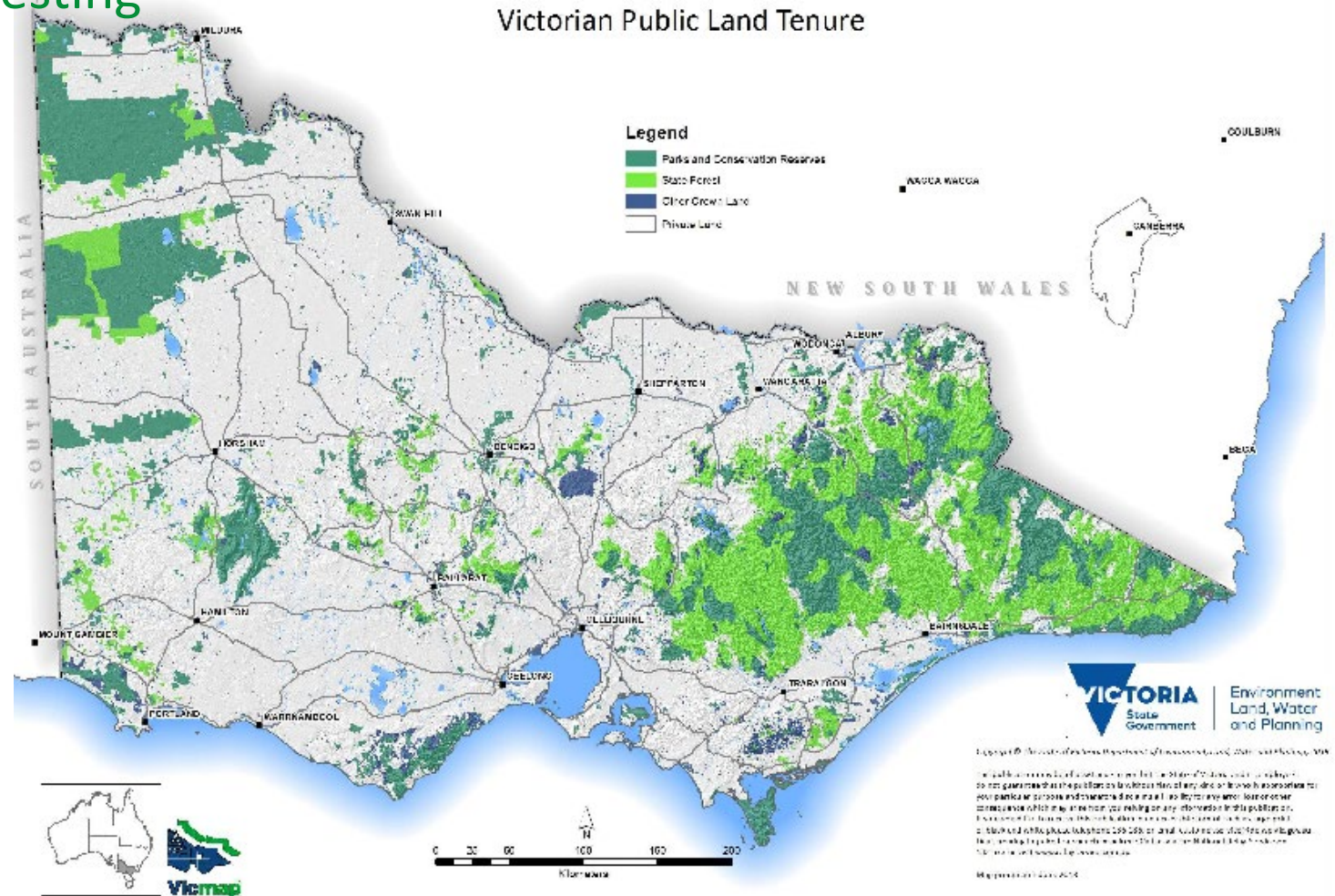
Victoria's forest ecosystems are extensively protected

over 50% in the conservation reserve network – it is the primary mechanism for biodiversity protection. Public lands outside the CR network are multiple use public forests including timber harvesting

Table 1. Victorian Crown land area by tenure (August 2013)

Land Category	Area (hectares)*
Parks and conservation reserves	3,982,000
State forest	3,138,000
Other Crown land	796,000
Total Crown land	7,916,000

* rounded to nearest 1,000 hectares

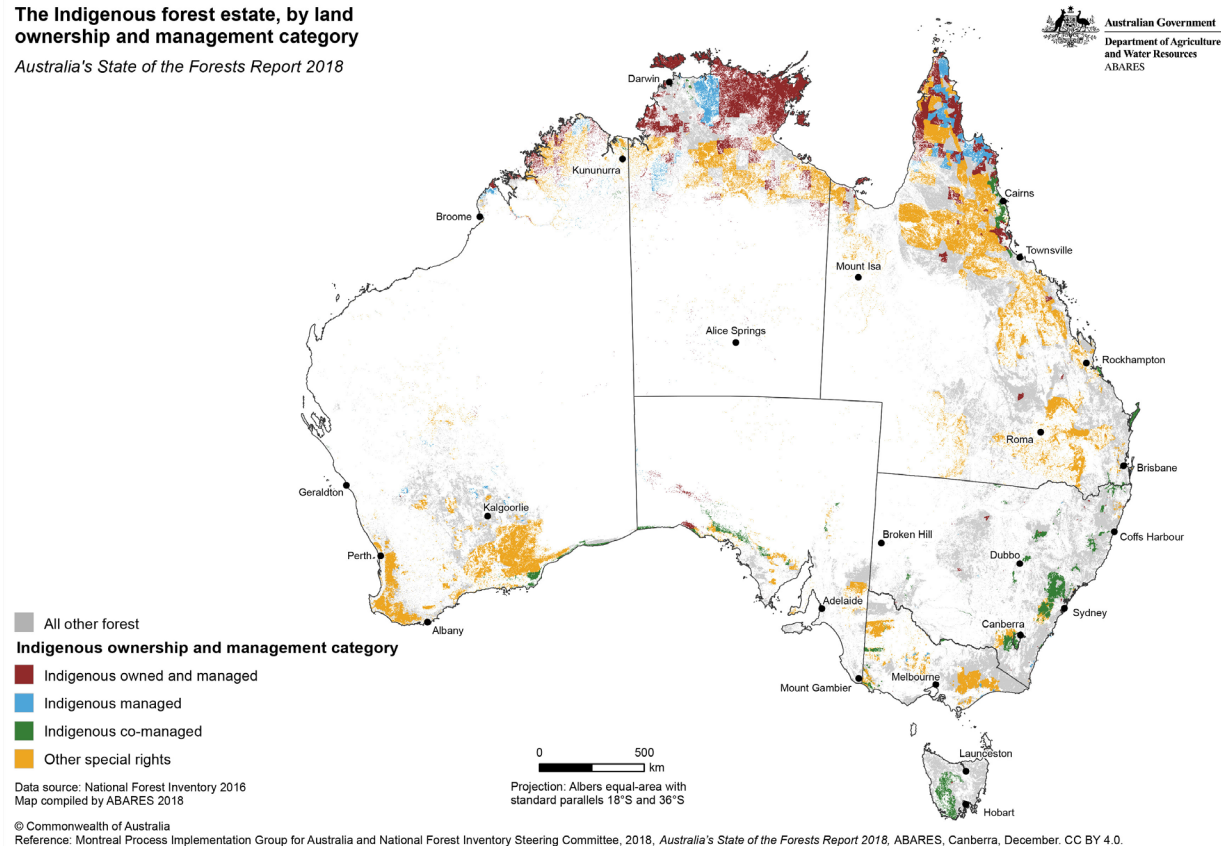


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Except for the top of Australia, more could be done for the Indigenous forest estate

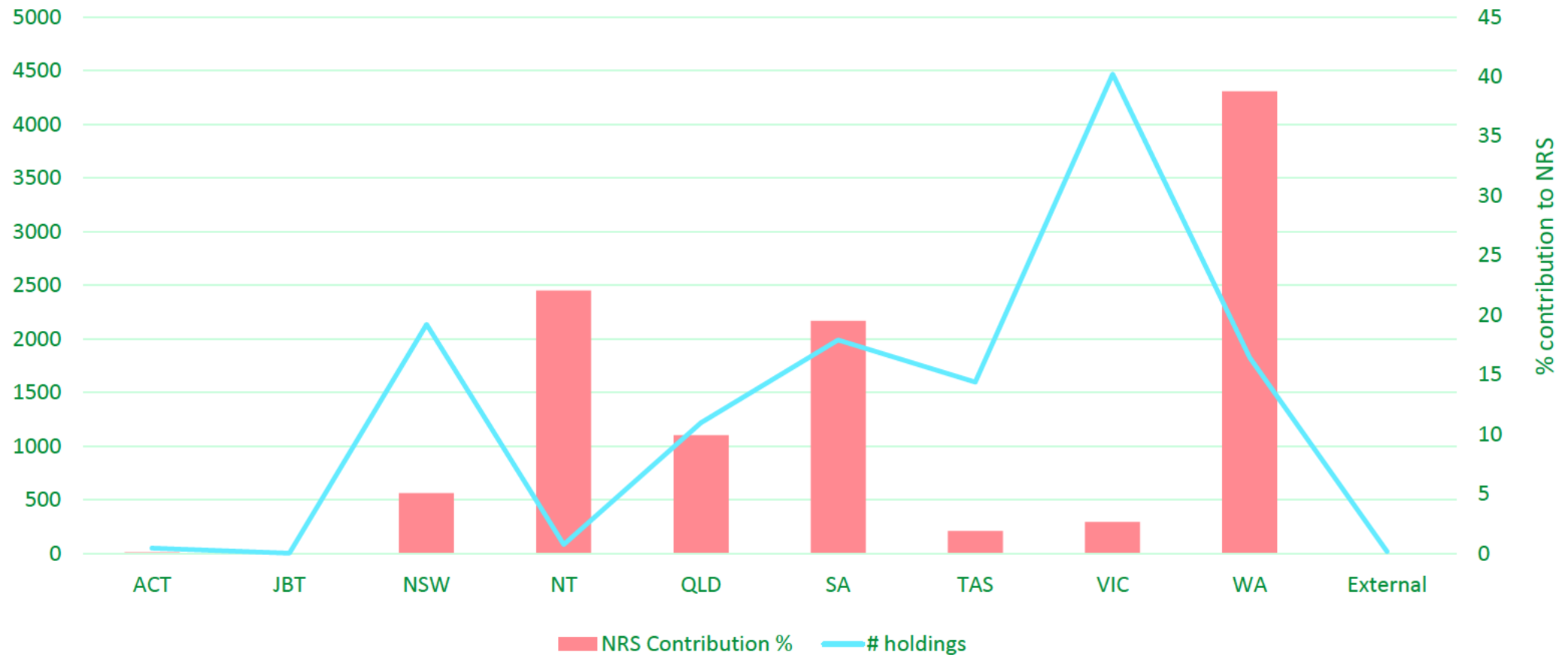
The orange areas being those lands subject to native title determinations, registered Indigenous Land Use Agreements and legislated special cultural use provisions

The Indigenous forest estate, by land ownership and management category
Australia's State of the Forests Report 2018



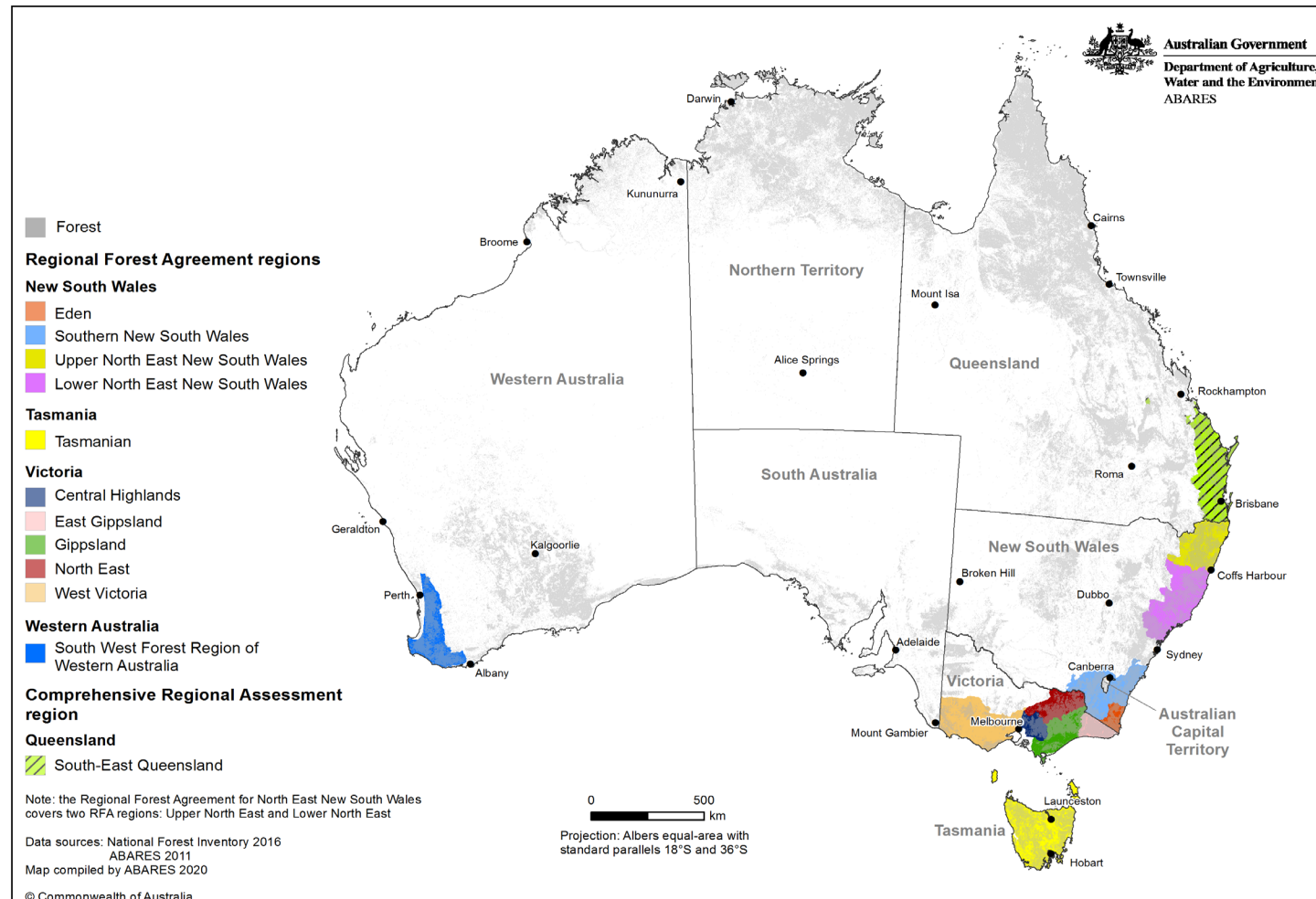
The sheer number of Victoria's conservation areas is extraordinary

It drives average area of 895 ha, which can only make Victoria's conservation estate more expensive and complex to manage.



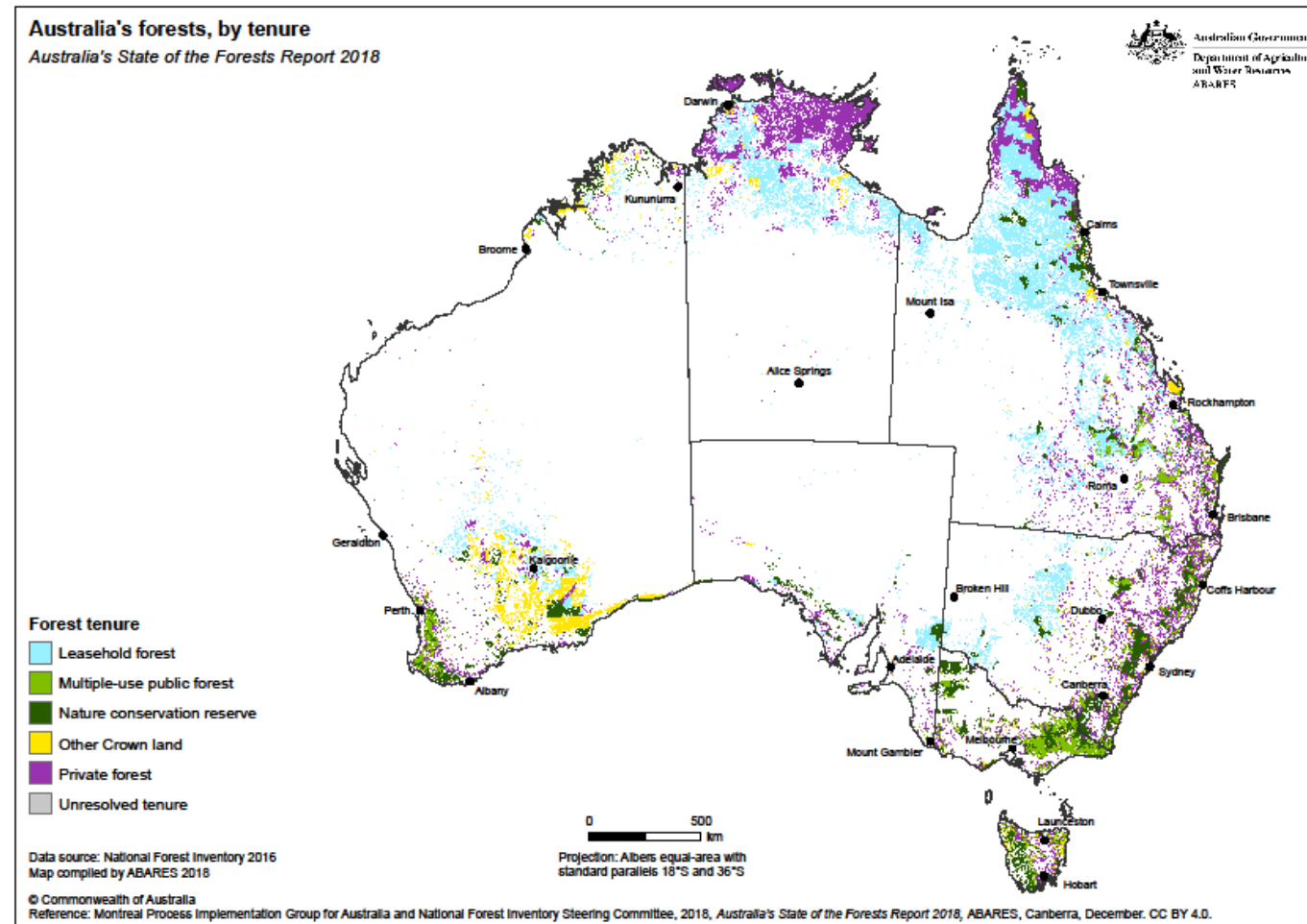
Regional Forest Agreements

The current RFAs bolster protections for Victoria's unique forest biodiversity and threatened species and govern commercial forestry on public and private lands



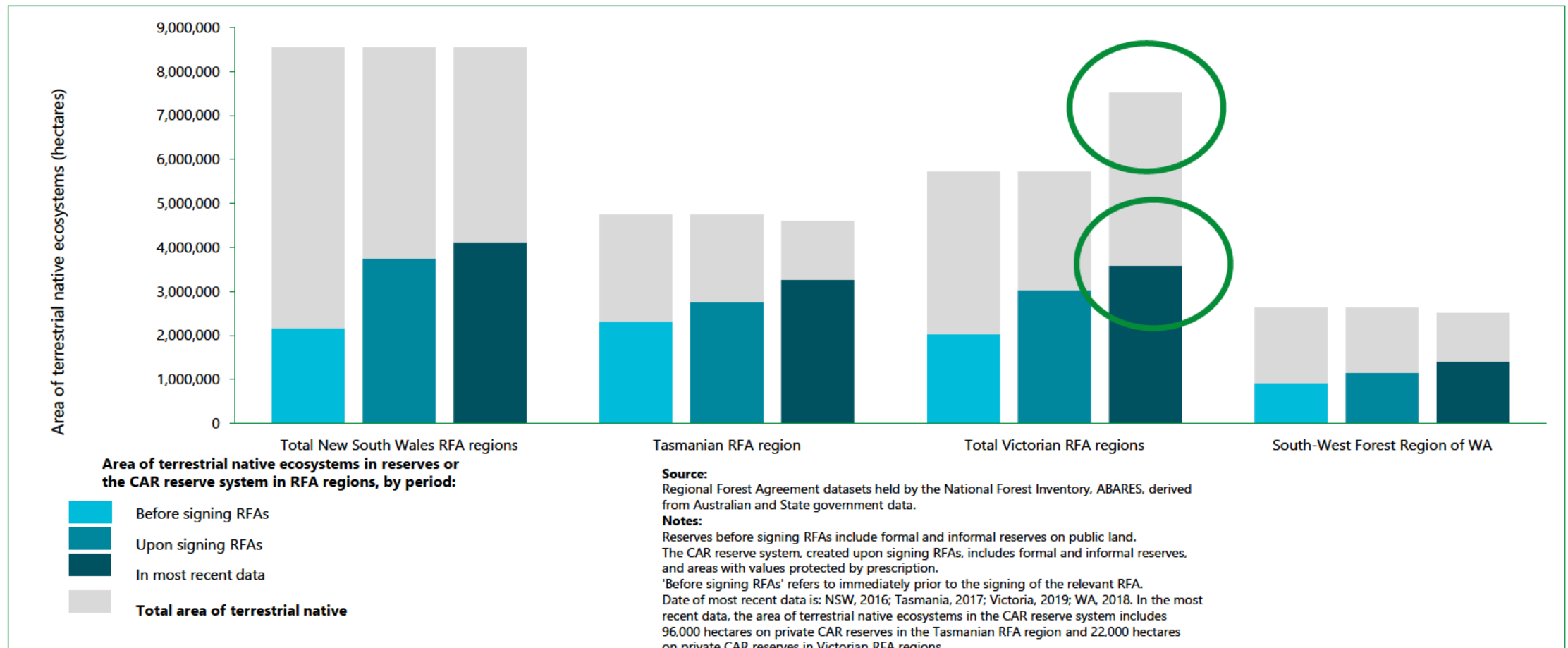
Victoria's forests are mostly multiple use and conservation reserve

Multiple use forests includes timber harvesting activities where 0.04% of trees are harvested with all coupes regenerated

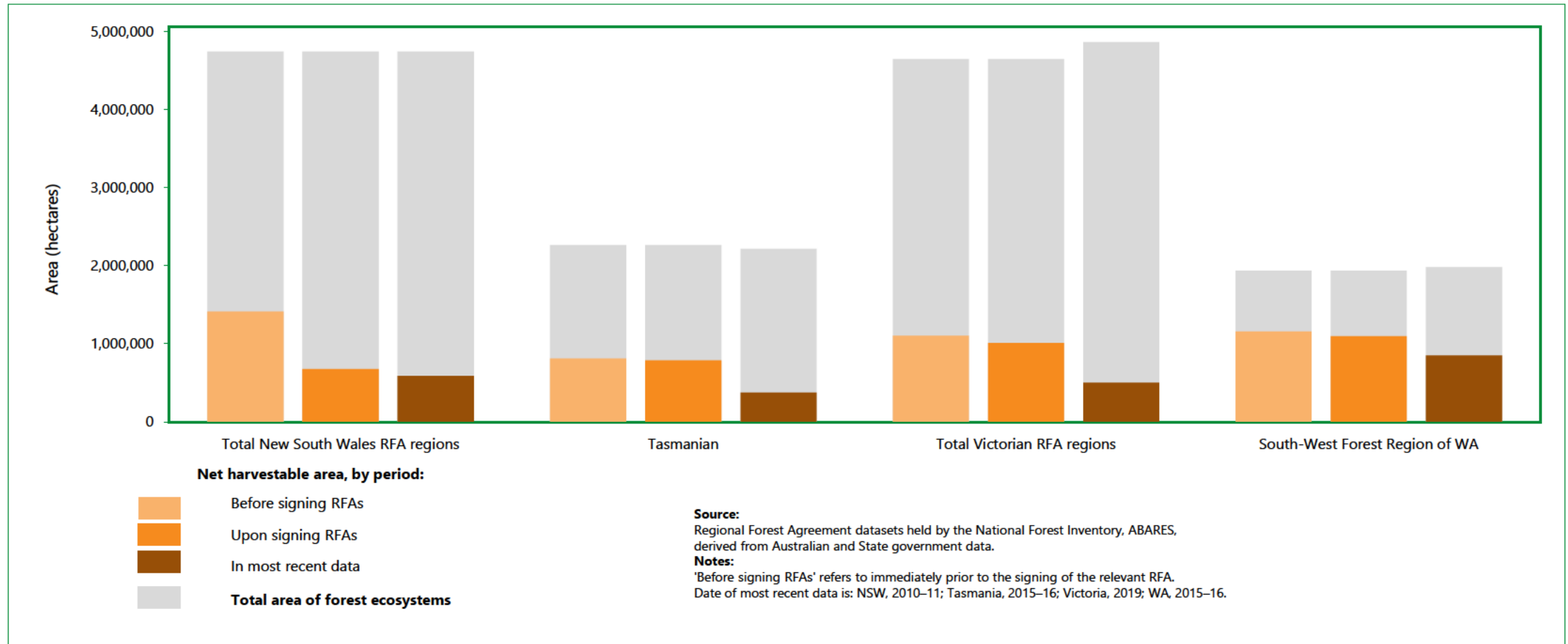


Victoria has increased its conservation reserve area by 77.4%

And is the only jurisdiction to increase its total public land estate

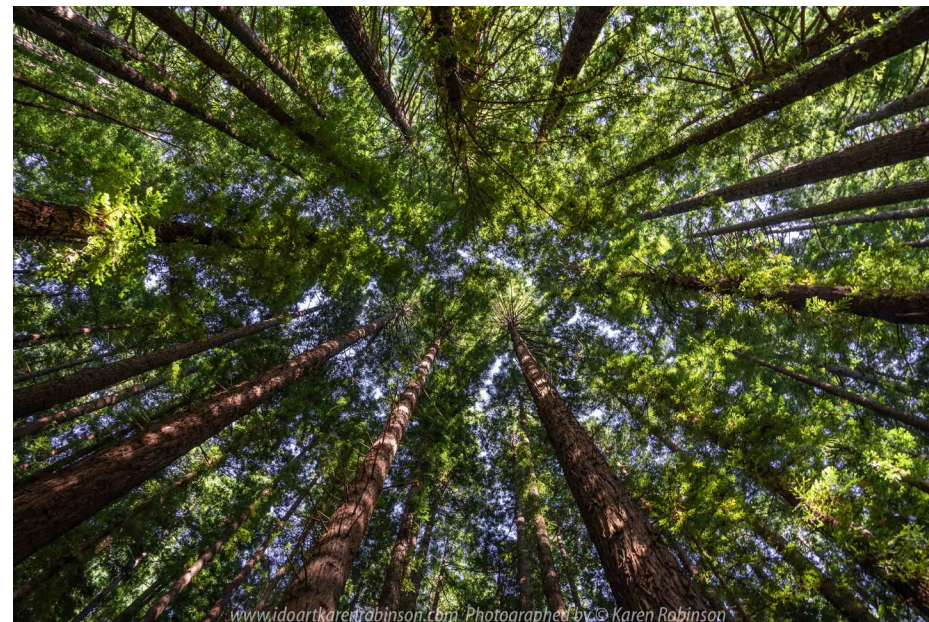


Victoria also reduced the net native timber harvestable area by 54.4% with log take declining by 62%

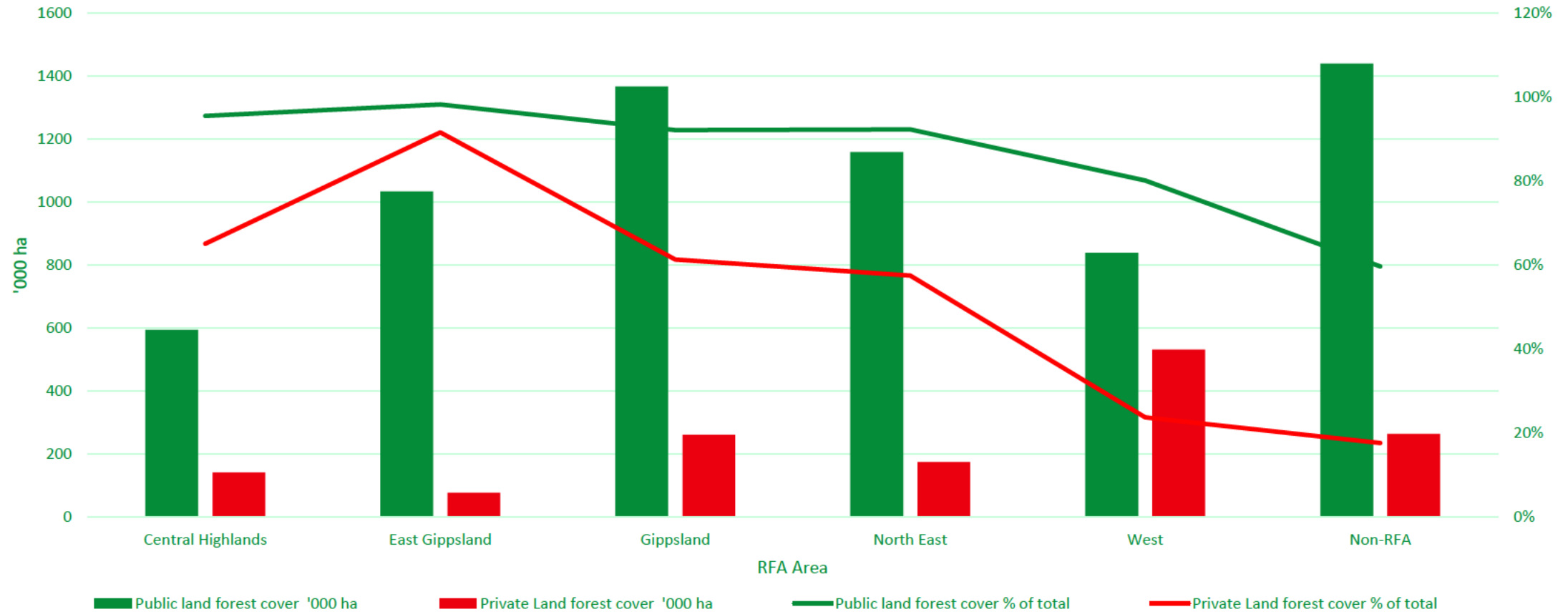


The Victorian Forestry Plan is ill conceived

As you heard from VicForests, native trees take around many decades to reach harvestable age. An 11-year lead time leaves a gap of many decades even if a native timber plantation estate was in existence (which it is not)



82% of public land has forest cover; while 10% of private land also has forest cover



While the NRS is a critical tool for biodiversity protection

It must be supplemented by working with private land managers to build resilience across the landscape. Moreover, private land stewardship should be supported and funded.

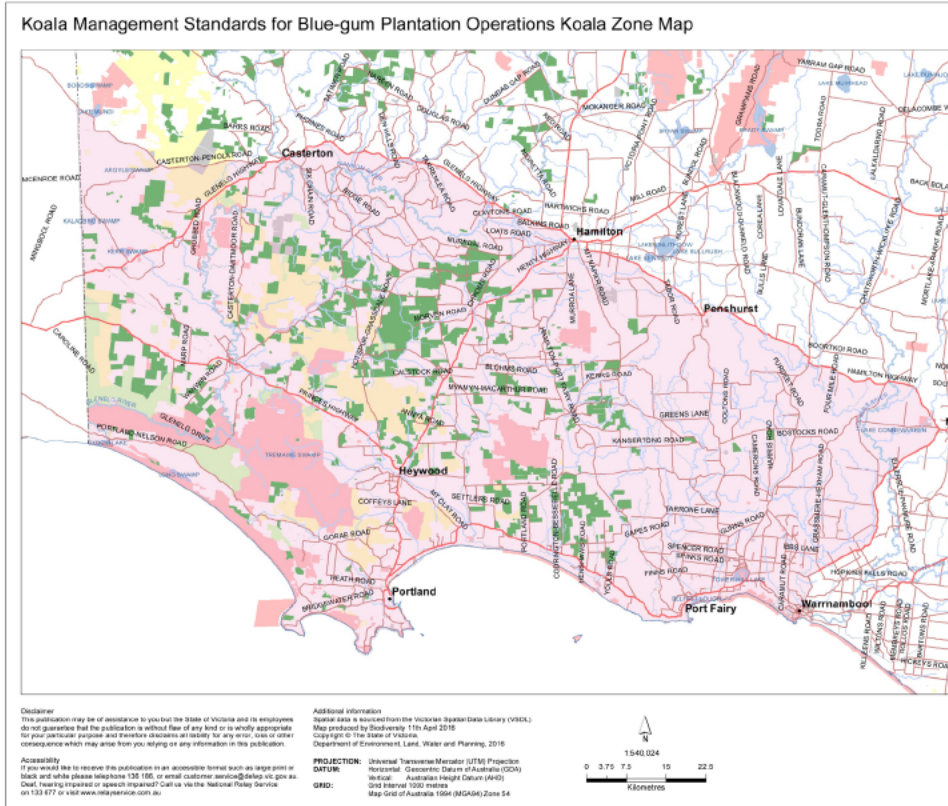


Source: Trust for Nature: covenanting for conservation
– Connecting Country





Wetland Restoration Projects



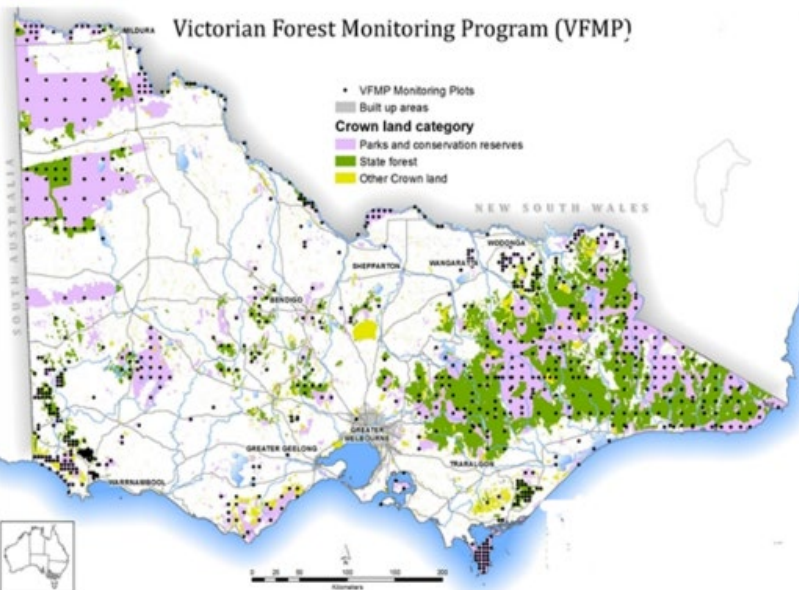
\$10M annually in koala management in blue gum plantations

An approach of “just add forests” will fail to deal with the key threats

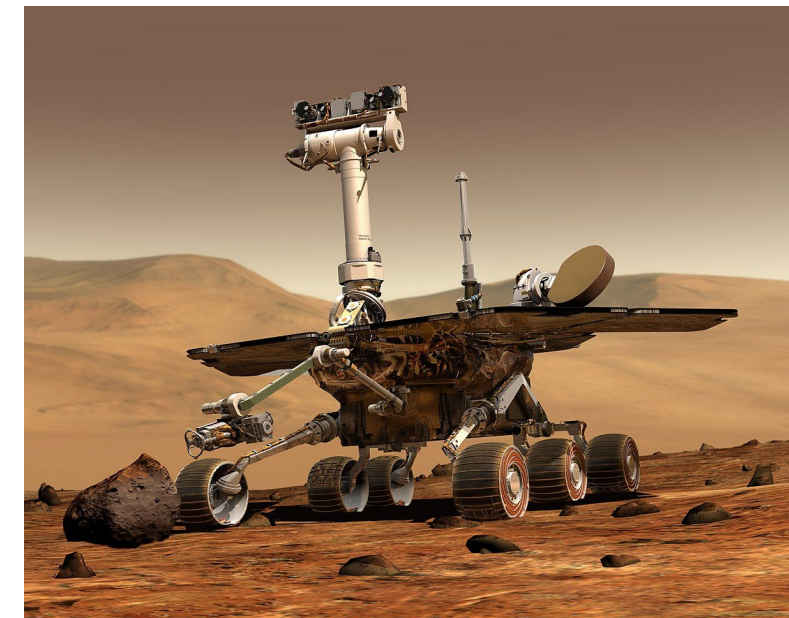
- EPBC Act Terrestrial Listed Species (CSIRO)
 - **82% impacted by invasive species (and is likely similar for Victorian listed species)**
 - **And are also listed as key threatening processes under EBPC (9/21) and FFG (21/43) Acts**
 - 74% impacted by natural ecosystem modification (dams, water use and fire/fire suppression)
 - 57% impacted by agriculture (of which timber/forestry is a minute contributor)
- Australia Zoo (Taylor-Brown et al)
 - Admissions
 - 34.7% car strikes
 - 14.5% animal attacks (9.2% dogs and 5.3% cats)
 - 7.2% entanglements
 - Mortalities
 - Highest as a result of **dog attacks (72.7%) followed by car strikes (69.1%)**
- 60% of koala deaths on Phillip Island in 2004 was the result of car strikes
- Invasive species impacts also occur for plantation forestry
 - 30% of seedlings at 5 years show signs of feral deer impacts

The biodiversity in forest coupes is surveyed and well known – but not so for the rest of the public land estate.

What is the role of technology and innovation to improve our knowledge and management of the public land estate?



A coolabah forest in Western Australia – one of the world's previously unrecognised dryland forests. TERN Ausplots, Author provided



Be open and flexible in the approach to biodiversity conservation – active and adaptive management

e.g. last week's WA announcement to translocate the Western Ground Parrot



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Ground-breaking translocation of WA's rarest bird

Friday, 11 June 2021

- First wild-to-wild translocations of the Western Ground Parrot
- Important step in conservation of critically endangered bird

Hon Amber-Jade Sanderson BA
MLA
Minister for Environment; Climate
Action; Commerce

A horizontal banner image showing a group of people riding horses along a sandy beach. The horses are in motion, and the background shows the ocean and a clear sky.