

TRANSCRIPT

LEGISLATIVE COUNCIL ENVIRONMENT AND PLANNING COMMITTEE

Inquiry into Ecosystem Decline in Victoria

Melbourne—Tuesday, 11 May 2021

MEMBERS

Ms Sonja Terpstra—Chair

Mr Clifford Hayes—Deputy Chair

Dr Matthew Bach

Ms Melina Bath

Dr Catherine Cumming

Mr Stuart Grimley

Mr Andy Meddick

Mr Cesar Melhem

Dr Samantha Ratnam

Ms Nina Taylor

PARTICIPATING MEMBERS

Ms Georgie Crozier

Mr David Davis

Dr Tien Kieu

Mrs Beverley McArthur

Mr Tim Quilty

WITNESS

Dr James Fitzsimons, Director of Conservation and Science, and Director, Protect Oceans, Lands and Waters, The Nature Conservancy.

The CHAIR: I declare open the Legislative Council Environment and Planning Committee public hearing for the Inquiry into Ecosystem Decline in Victoria. Please ensure that mobile phones have been switched to silent and that background noise is minimised.

I would like to begin this hearing by respectfully acknowledging the traditional custodians of the various lands which each of us are gathered on today and pay my respects to their ancestors, elders and families. I particularly welcome any elders or community members who are here today to impart their knowledge of this issue to the committee or who are watching the broadcast of these proceedings.

I would also like to welcome any members of the public who may be watching these proceedings via the live broadcast.

At this point I will introduce committee members to you. I am Sonja Terpstra; I am the Chair of the Environment and Planning Committee. This is Clifford Hayes, who is the Deputy Chair. I cannot see who is with us on Zoom at the moment so I will stay in the room for now. We have Mr Andy Meddick, Ms Melina Bath and Mrs Bev McArthur. Zoom is back with us. We have Dr Samantha Ratnam, Mr Stuart Grimley and Dr Matthew Bach.

All evidence that is taken today is protected by parliamentary privilege, as provided by the *Constitution Act 1975*, and further subject to the provisions of the Legislative Council standing orders. Therefore the information that you provide during the hearing is protected by law. You are protected against any action for what you say during this hearing, but if you go elsewhere and repeat the same things, those comments may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

All evidence is being recorded and you will be provided with a proof version of the transcript following the hearing. Transcripts will ultimately be made public and posted on the committee's website. If I could just get you for the Hansard record to please state your name and the organisation you are appearing on behalf of.

Dr FITZSIMONS: Sure. My name is James Fitzsimons. I am the Director of Conservation and Science with The Nature Conservancy in Australia.

The CHAIR: Great. Thank you, and with that I will hand over to you now. If you would like to make your opening remarks for about 5 or 10 minutes, and I will give you a 2-minute warning as we get close to the end of time. Thanks.

Dr FITZSIMONS: Well, thank you, Chair, and thanks to the committee for the opportunity to appear here today. While I am formally representing The Nature Conservancy, I am also an adjunct professor at Deakin University with a background in private land conservation research, and throughout the 2000s I worked with the Victorian government on land use policy, protected area establishment and conservation planning in what was then the Department of Sustainability and Environment but also the Victorian Environmental Assessment Council and the Commissioner for Environmental Sustainability. The Nature Conservancy is one of the world's largest conservation organisations. We work around the world—in 70-odd countries—to conserve the lands and waters on which all life depends. We were formed over 70 years ago. We are science-based and non-partisan; we work with partners, such as governments, to achieve solutions to pressing environmental problems. In Australia this has included contributing to achieving many of our country's international obligations: from restoring endangered ecosystems to building a protected area estate to using natural solutions to tackle climate change. In Victoria this has included restoring Port Phillip Bay's lost oyster reefs, particularly oysters and mussels; designing a metropolitan-wide urban forest strategy for Melbourne; applying environmental flows to important wetlands on private land in northern Victoria; and supporting new privately protected areas.

There is little doubt that Victoria's ecosystems are on the whole in decline. The Victorian State of the Environment Report consistently show this. Substantial evidence has been presented at this inquiry already showing this. We are the most cleared state in Australia, and with that comes an extinction debt that is still playing out. Some regions, such as our western plains, the north-west, the Riverina, have lost massive amounts

of vegetation, and the remnants that remain are fragmented, small and under a lot of stress. In areas that have not been cleared the disruption of ecological processes—such as flows in riverine landscapes; fire, be it too much or too little; and not allowing forests to reach ecological maturity—also contribute to this decline. Natural systems throughout the state face increasing pressure from feral animals and weeds. The list of threatened species runs into the hundreds, and we are losing ecosystems that are critically endangered through land clearing today.

Victoria has been a leader in conservation policies and mechanisms in many ways. We were the first to establish a dedicated public land use designation authority, the Land Conservation Council, 50 years ago, currently VEAC; we are the home of Landcare and Land for Wildlife, both of which have gone to national replication; we were the first to have a revolving fund and the first to trial market-based tender approaches to private land conservation through BushTender; and we have been an eager adopter of conservation management networks. However, we have taken our foot off the pedal, and a number of these programs have stagnated, despite high interest from landowners.

We need to be doing three things: firstly, managing the ecosystems that we have well; secondly, active revegetation and restoration of systems, both directly where they have been largely lost but also through reintroducing or improving ecosystem processes such as fire or environmental flows; and, thirdly, increasing the area of land managed for conservation, be that on public or private land. All these responses need to consider the future projections and unknown responses as a result of climate change. Climate change is going to result in ecosystems changing, so building resilience in the landscape is going to be critical. That is going to require more funding and a rejuvenation of the existing programs that have worked well and have good brand recognition, but it is also going to require better leveraging with the private and non-government sector, new technologies, as well as the establishment of enabling policies, markets and potential legislation to encourage this—and the role of government in these latter items is absolutely critical.

This inquiry also needs to consider where the world is heading. The new global biodiversity conservation targets, under the Convention on Biological Diversity, are to be negotiated in China in October this year. It is likely that nations of the world will commit to a 30 per cent target for land, freshwater and marine systems to be protected by 2030. Many countries, including the US, Canada and many European countries, have already committed to this.

Victoria has about 17 per cent of its area in parks and reserves, but we need to be planning now how we are going to rise to the new global challenge. This should include implementing recommendations from VEAC's last few investigations and commissioning new VEAC investigations, particularly as the state transitions out of native forest harvesting on public land; significantly increasing the size of the revolving fund in Victoria, which will enable more private land to be protected and remain in private hands, often as part of farming properties; reinstating a dedicated land acquisition budget, which is essential for properties that are best added to the public estate; and consistent and meaningful financial incentives to reward landowners undertaking conservation on their properties.

The UN climate change conference in Glasgow, which is happening in November this year, is also likely to see increased global commitments to reducing global emissions and to capturing carbon. Maintaining and restoring natural ecosystems are some of the most effective means of carbon storage, and that provides great opportunities for ecosystem health. Thank you.

The CHAIR: Thank you very much for that presentation. We will now hand over for questions. Dr Ratnam.

Dr RATNAM: Thank you very much, Chair, and thank you, Dr Fitzsimons, for your submission and for your evidence today. It is really interesting in terms of some of the areas that we have canvassed in the inquiry so far. We have talked a lot about public land, and you talk about it in your submission as well, and we know that the state has a key management role in the preservation of public land. You also talk in your submission about private land, and you have mentioned that here today. Can you expand a little bit and potentially speak to some of the points that you made in your submission, because we have not done a lot of this work in talking about private land conservation, and talk about what ways you think the Victorian government can better support protection and restoration of ecosystems when they are on private land?

Dr FITZSIMONS: Sure. Well, Victoria is lucky in the sense we have got a whole range of different mechanisms on private land to achieve conservation, so from voluntary mechanisms like Land for Wildlife, which is very popular by registration—about 5000 properties in the state have signed up to that—through to

BushTender, which is basically a payment for services to improve vegetation quality on land over a mid-term agreement, through to conservation covenants, which are legally binding on title in perpetuity, and Victoria has about 1500 of those across the state. In Australia we have got about 5000 different privately protected areas, so this is a really big, growing mechanism in Australia. Australia has probably got the largest area of privately protected areas in the world. So Victoria is pretty well placed, but we do need to, I guess, be funding those properly. Land for Wildlife, for instance, which has been, I guess, a poster child of private land conservation, has really dropped off. In other states we have seen constant increases. Victoria has plateaued over the last 10 years or so basically due to a lack of extension staff out there in the field to do that. So there is plenty more to be done in that space. We are lucky we have got a great toolkit, but it needs better coordination and better funding.

The CHAIR: Mr Grimley.

Mr GRIMLEY: Thank you, Chair. Thank you, James, for your submission. Your submission states that more funding should be allocated for purchasing land to the publicly protected area of state in order to protect endangered or under-represented ecosystems. How much funding do you think is required for this?

Dr FITZSIMONS: It is a really good question. The really interesting thing about Australia is we had this program called the National Reserve System Program for which the federal government provided what would have been probably up to \$500 million, I guess, over a number of years to basically match with state governments or NGOs to buy private land to add to the system. They often provided two-thirds of the purchase price. Actually my role in the department way back when was to actually select those sites in Victoria, and we had a budget back then of about a million dollars a year. I believe that budget is almost zero these days in terms of dedicated budget. So we actually need to have money in the state to leverage off either the federal government or indeed philanthropic sources who are also very keen to match agencies in buying private land. Look, I mean, land prices have gone up dramatically. My feeling is if we are going to make a good job, you would probably want to have an annual budget of up to \$10 million—I think New South Wales is about that at the moment—but it certainly needs to be in the order to be able to help buy important properties in often expensive areas in agricultural landscapes. We are talking about grasslands and grassy woodlands mainly.

Mr GRIMLEY: And that leads me to my next question: in your view what ecosystems are under-represented?

Dr FITZSIMONS: Our native grasslands—we have lost almost all of those. There has been a priority acquisition program in the western plains and in the northern plains to get more of those systems back in the public estate. Grassy woodlands, wetlands and a bunch of other things, predominantly in agricultural landscapes. But land purchase is only one mechanism; encouraging private landowners to protect and manage those systems is also incredibly valuable and very valid, and encouraging them with financial payments is also due recognition for the setting aside of those properties.

Mr GRIMLEY: Thanks, James. Thanks, Chair.

The CHAIR: Mr Meddick.

Mr MEDDICK: Thank you, Chair. Thank you so much for your submission. I just want to ask a couple of very quick questions. First of all, what do you feel the role of land clearing is in biodiversity loss? And then, secondly, attributed to that, the largest contributors to land clearing.

Dr FITZSIMONS: Certainly land clearing is probably one of the largest contributors to biodiversity loss. Certainly in places like Queensland and northern New South Wales in more recent decades that has been a major, major issue. Victoria's land clearing has been mostly historical, but we are still seeing some. In our grasslands in northern Victoria, for instance, we are still seeing clearing, be that legal or illegal, and the dilemma there of course: if it is legal, the offsets often are not adequate; if it is illegal, there are no offsets. So it is still an ongoing issue. Vegetation decline more generally is an ongoing issue that as a state we are going to have to come to grips with. You can do many legal things to degrade vegetation and you do not have to provide an offset for that. So it is more broadly: how do we solve these issues? Providing incentives to landowners to really encourage good practice I think is a more valuable response than a prosecution-type response.

Mr MEDDICK: Okay. Great. Thank you.

The CHAIR: Mr Hayes.

Mr HAYES: Thanks very much, James. Look, I do not really pick you as being a bit of a radical, but I see that you want to achieve something like 30 per cent of our land, protecting it, and you do talk about buying land and setting it aside and all those incentives to protect land. But do you think that that is possible? There seem to be such pressures on our land. We are often talking here—it seems like the economy is pitted against the environment. We have got population growth versus species decline, we have got very ambitious plans for Victoria to double its population over the next 20 or 30 years and our state of the environment reports are just successively failing. Without a huge change in our expectations of how we manage the state and the economy, can we really make progress in this area?

Dr FITZSIMONS: We certainly can, Mr Hayes. The 30 per cent goal is not just our goal; it is what the world is probably going to go towards. So I think that it is important for Victoria to think ahead to say, ‘Well, this will be a target by 2030’. We are on 17 per cent now. The spatial target is important, but it should not be the main driver. We should be looking at the scientific principles of comprehensiveness, representativeness, adequacy of the system—so again those systems that are very under-represented. But there are opportunities. We know if we are going down a path of phasing out native forest logging on public land, there are opportunities to expand the reserve system in those places—certainly tidy it up. The boundaries are pretty untidy in the forest, it is fair to say, so there are some good opportunities there to think about what is the mix of conservation, recreation and other uses in those forest types going forward. But I think what we need is a series of strategies for public land, for private land but also for Indigenous land. The big untold story in Australia is that 47 per cent of our national reserve system is made up of Indigenous protected areas, so it is a huge increase in the space of 20 years. We have a couple in Victoria, down at Deen Maar and Tyrendarra, but there are big opportunities for new Indigenous land to come on board as well, to help.

Mr HAYES: Thanks. That would be great.

The CHAIR: Anything further? No? Ms Taylor.

Ms TAYLOR: Hello. I am sorry I missed the earlier part; I had to toddle off. But I am back now, so I am very keen to hear more about what you have to say—and I will watch back what you said before, I promise. Just thinking about this whole challenge of private landholders—because I have a respect that, just like me with my own little bit of balcony or whatever else, it is your space, but then we are in a collective world. What do you think in terms of—and I have already asked this question today, but I want to get your opinion as well—how much the market is driving private landholders, where it is agriculture et cetera, to change some of their practices?

Dr FITZSIMONS: Do you mean in terms of conservation or for more intensive use?

Ms TAYLOR: Yes. What do you think are the drivers that inspire people to change the way they practise? Let us put it that way.

Dr FITZSIMONS: Yes, sure. Look, it is interesting. We have done a bit of social research on this in doing questionnaires with covenantors across the state to work out motivations and values. A lot of it is altruistic, and a lot of that early covenanting work has been about people wanting to set aside blocks of bush in the landscape, to do it for their own personal reasons. There might be generational desires to see that land that they have a strong connection to protected for either their kids or for future owners. But we have also known that, I guess, increasingly, as property value is so much of our wealth in Australia, financial incentives are also important to encourage people to do more of that.

Ultimately there are land use choices and financial choices by setting aside land for conservation, and to me I think the system has shown that you do need to provide adequate financial incentives for that to occur—be that through rate relief, which is fairly ad hoc in Victoria, be that through tax incentives, which again at a federal level have had very little take-up. There are lots of lessons from the US here. The US have done quite an amazing job in terms of providing lots of different tax breaks, incentives et cetera to really encourage private land conservation, and I think we could learn quite a bit from that, acknowledging some of those are state-based issues and some of those are federal issues. But it is really a mix, a broad mix, of motivators for people. Down in Tasmania, for instance, the Private Forest Reserve Program down there was heavily influenced by a fairly large amount of money coming from the federal government to help people basically set aside important under-represented forest types. It really does vary in terms of what people’s attitudes are, but certainly in productive landscapes I think it is almost critical that we have financial incentives to make it attractive, if not to compensate for that work.

The CHAIR: I will throw to Dr Bach if he is with us. I just cannot see who is with us on the screen. Are you there, Dr Bach?

Dr BACH: I certainly am, Chair. Thanks so much, Dr Fitzsimons. I note that through many of our hearings there has been a particular focus on parts of regional and rural Victoria, and I think that is entirely appropriate. Now, selfishly—I am a metro MP—I have been keen to tease out from some of our fantastic expert witnesses some more of their thoughts regarding very thorny issues of ecosystem decline in metropolitan areas. So I wonder if I might just invite you, sir, to talk a little bit more, noting in particular your strong views about climate change and the threat posed by climate change, about some of the other particular threats that I as a metropolitan member and we as a committee should be focused on most in metropolitan Melbourne.

Dr FITZSIMONS: Thank you. It is a great question. Just a couple of years ago The Nature Conservancy and Resilient Melbourne produced this strategy, *Living Melbourne*, to really get us thinking about where we are going with an urban forest canopy in Melbourne. We know we are losing forest canopies at a fairly steady rate of about 1 per cent a year, but we do not actually have a strategy for how we improve that. Obviously trees provide multiple benefits from biodiversity, particularly if they are native trees, but also critically through heat reduction, shading, aesthetics and the physical and mental health benefits that go with that. We do not actually have, though, a strategy, as we are intensifying the city, for how we are going to replace the losses that we are seeing in backyards, often with the extension of houses et cetera, or indeed in new suburbs, to make sure we have got plantings there that are ready to go that people can benefit from quickly. So we do need certainly a strategy, absolutely. Those benefits are wideranging. They do not always have a biodiversity outcome. You know, plane trees in Melbourne are fantastic for shade; they have been described as biodiversity deserts. We have got to think about how we repurpose some of those—not replace them but repurpose them. City of Melbourne, for instance, are putting native mistletoes on plane trees in Melbourne to actually bring back some bird habitat to do that. So there are ways you can do it. You can get more shrubs into the system and create better structure. There are plenty of ways and there are plenty of examples for how that can be done, and really we do need a strategy in Melbourne, as well as in other metro centres such as Geelong, to think about that for people but also for biodiversity.

Dr BACH: All right. That is great. Many thanks.

The CHAIR: Ms Bath.

Ms BATH: Thank you. Thank you, Dr Fitzsimons. I will take you on a slightly different track for the moment. You mentioned in your submission VEAC. Now, VEAC in some circles are held in lofty esteem and in other circles not-so-lofty esteem. I will go to their central west investigation. There are many who have contacted me frustrated with the summary of submissions. The report fails to mention that around 66 per cent of the submissions were opposed to their recommendations in terms of new national parks. One of them in particular was from David Bentley. David Bentley talked about:

Much of VEAC's case is built on computer-modelling of what the vegetation may have been like pre-1750.

He said VEAC does not give the evidence, despite many requests, of:

... any improvement to the environment arising from the creation of National Parks and Conservation Reserves in its previous "investigations", which have caused the loss of countless jobs, damaged Victoria's economy ... caused the loss of land access for thousands of harmless recreational public land users.

So I guess I am wanting to say, on behalf of many people who will be watching this and who feel the same way as David Bentley, that we, the public or the government, are not sufficiently challenging VEAC's science and that we should be.

Dr FITZSIMONS: Well, I will probably phrase it this way: the pre-European vegetation mapping is done by the state and not by VEAC, so the department does that work. This approach has been undertaken since the mid-1990s as part of the regional forest agreements, so coming out of the nationally agreed criteria to establish the forest reserve estate. That is actually written into VEAC's Act, so they do actually have an obligation to think about that as part of their charter for any investigation. I am not sure there is much more I can say about it than that, except that it is the state's data that is used widely across conservation planning and in decision-making on conservation priorities. VEAC, I guess, is a user of that data for the purpose of their investigations, and under their Act they are charged with considering those nationally agreed criteria for establishing forest reserve systems.

Ms BATH: I guess it raises a point that some have said to me in relation to VEAC and really the unpacking of it as an entity and maybe the rebuilding of it to have a broader base—a broader scientific base as well—and looking at maybe some other global commissions that operate as a benchmark or as a model for VEAC. What would be your commentary on that?

Dr FITZSIMONS: I think it is always good to look at organisations and their make-up, but I will say that VEAC has been around in its former lives for 50-plus years, and it has actually reviewed all the public land in Victoria—and that is quite unique in many ways. The New South Wales Natural Resources Commission has been modelled off VEAC, and indeed the EPA in WA has quite similar roles in terms of investigating public land use in that balanced way. So by all means—happy for people to look at different models, but I do think it has held the state in reasonably good stead in terms of balancing what are societal and government policy objectives at the time.

Ms BATH: At the time. Yes, okay. Thank you. And finally, Chair, Alan Moran, whose report is on the future of the use of public lands, really unpacks some of the claims from VEAC in the central west economic report. He is a man of quite some substance. He has not fallen out of the Weeties packet; he is a scientist, an economist et cetera, et cetera. He is saying that some of the values within that report are dubious at best. In here I think it is incumbent on us when we are looking at reports to really be scientific and to say, ‘Well, are these actually the facts? And can we do any better in reporting?’.

Dr FITZSIMONS: Sure, and I do not have a particular comment on that.

Ms BATH: Thank you.

The CHAIR: Mrs McArthur?

Mrs McARTHUR: Thank you, Chair, and thank you, Dr Fitzsimons. Most people would be curious to think that there are advocates that want to lock up more of the state, because many people would observe that the state is not actually managing what they currently have locked up very well at all. So why would you think it is a good idea to lock up more of the state when we are failing dismally at how we manage vermin and noxious weeds not only in forests and parks but on roadsides in particular?

Dr FITZSIMONS: I certainly agree that more money for management is critical.

Mrs McARTHUR: So it is just a matter of money, is it? Everybody just wants more money to do things.

Dr FITZSIMONS: Well, money and staff. Ultimately we could rely on technology, but let us be honest: it is probably not happening as quickly as we would like it to for many of the threats that we are facing.

Mrs McARTHUR: Are there too many people sitting in offices and quangos and bureaucracies and authorities and whatever, writing papers and making submissions—

The CHAIR: Perhaps questions relevant to the terms of reference would be more appropriate, Mrs McArthur.

Mrs McARTHUR: rather than out actually doing some work?

Dr FITZSIMONS: I will address your comment about more land coming into the conservation estate. Ultimately national parks are open to everybody 24/7. You can walk into a national park whenever you like. Certainly there are different types of uses to perhaps the former public land use of that area, but that is what it is. They are open access for people to enjoy for the purposes under the National Parks Act. What we are talking about, though, is conservation across tenures. So it is not just about more national parks; this is about helping rural landowners that want to protect the back paddock, which is really important, to set aside certain areas, and helping financially assist them in doing so. And there are many that want to do that but simply cannot financially afford to do so. Likewise with Indigenous landowners, perhaps getting land back through freehold purchase or as the state moves to more co-management type approaches through Indigenous protected areas as well. It would be good for Victoria to look beyond the borders here as well because this model has worked well in other states, particularly up in the north and the centre, where those different types of conservation tenures are really important.

Look, I think we are going to need to be more flexible going into the future to think about, if we are going for a target of 30 per cent, acknowledging those different types of land tenures and known uses. But ultimately if that

is the way the world is heading, and indeed if the Australian government signs up to that, Victoria will have to start thinking about how we are going to do that.

Mrs McARTHUR: Do you think farmers and landholders do not care about the environment and do not work to protect it?

Dr FITZSIMONS: No, I certainly do think they do.

The CHAIR: What we might do, Mrs McArthur, is we will just get you to hold there. We do have a bit more time left, and I would like to do another round for committee members. So perhaps, Dr Ratnam, if I could throw to you.

Dr RATNAM: Certainly. Thank you very much, Chair. Just following up on that earlier question I asked about private land management, in your submission you talk about the Trust for Nature model and go into some detail around it. I think it would be beneficial for the committee to hear a little bit more of your assessment of whether you think that is a good model—whether we should expand it—because unfortunately we are not able to hear from Trust for Nature during this inquiry as a witness. So do you have any further thoughts on that kind of model?

Dr FITZSIMONS: Yes. I mean, the Trust does three different things. The Trust helps private landowners covenant their property—putting those permanent agreements on title, which are of course all voluntary and signed by both parties. The Trust also buys private land owned for themselves to keep—Neds Corner being an exemplar of a very large private protected area—but they also have a revolving fund mechanism. This is basically an interesting mechanism whereby an amount of money sits in essentially a trust or a fund and gets used to buy private land for the purpose of conservation and onsell that to another private landowner. The funds from that sale go back into the fund or the trust and then get used again for the same purpose. So in theory it is a self-sustaining fund to protect conservation land going forward.

Now, to date it is fair to say that the amount in that fund has not really been able to achieve the objectives that we want. It is pretty small; it is in the low millions. To be honest, we are sort of needing probably \$50 million or \$100 million to make this worthwhile. The price of land has gone up dramatically. If we are going to be smart about working in agricultural landscapes, if a landowner does not want to set aside some property but they want to sell their land, how do we help buy out the whole farm, protect the little bit that we want and then sell it back to farmers to manage the rest? And this is a model that we should be using to think about landscapes, where we are not just—what is the term I am trying to think of here?—financially encumbering a landowner but really helping solve land use challenges by putting land back to private land conservation as well as protecting it at the same time. To do that we might need to be buying properties of tens of millions of dollars, for instance. Land has increased dramatically. So I think having a much larger bucket there—of course it all still sits with the state; the Trust for Nature is a state entity so it can always be utilised for other purposes—and having a dedicated fund for more revolving fund purchases is a smart way to go.

Dr RATNAM: Thank you so much.

The CHAIR: Mr Grimley.

Mr GRIMLEY: I have no further questions. Thanks, Chair.

The CHAIR: Ms Taylor, any other questions?

Ms TAYLOR: I was thinking you are making comparisons to the United States. I do not understand enough about how they manage the land et cetera and acquire land et cetera, but I guess when you are comparing different countries—and I am not saying there might not be merit in some of those methods, but of course we have some fundamental differences in taxation et cetera and revenues—the caveat I am putting there is we cannot say we mirror the States on all fronts. And they have certainly had a different leadership for some time and have only just transitioned to Biden. So that is where I was wanting a bit better understanding, because I think if you just planted whatever they had here it may not necessarily plop into our taxation system and otherwise neatly, so to speak. I am just putting it out there—that is all.

Dr FITZSIMONS: Thank you, and I totally agree. I certainly was not suggesting that. I think there are some mechanisms though that we could look to that are relevant in the US that might suit our system here or

indeed tweaks we might make to our existing system to more easily accommodate some of the very successful mechanisms that have been used over there.

The CHAIR: Your presentation has been fantastic. But I kind of want to get a sense in a nutshell, I guess. I always say to people, ‘What are your top three for this committee?’. If we needed to really zero in on something, what would your recommendations be for the top three priorities for this committee to look at, and how could we look at meaningful change?

Dr FITZSIMONS: I think if we are going to go down a path of ‘30 by 30’, if Australia signs up in October this year, we are going to have to start thinking about that, as to ‘How does the state do that?’. For public land that is probably going to be VEAC and then ensuring that we have got investigations for VEAC to help think about that, proper incentives for private landowners to protect their properties or the parts of their properties that are of value for conservation, and perhaps a revolving fund, a beefed-up revolving fund, would be three on that front. The general threat of weeds, ferals et cetera certainly needs to be addressed—it is a real problem—and the emerging threats that go with that. And just, I guess, having a thought towards the emerging issue of climate change in terms of, ‘How are we going to make these landscapes more resilient?’—and we do not quite know how things are going to change, let’s be honest—and factoring that in, the more resilient you can make it, the better chances species will have to evolve and adapt.

The CHAIR: And just on your last point about resilient landscapes, how do you see the role of our First Nations people in our landscape? What role could they play or should they play, in your view, in that?

Dr FITZSIMONS: They have a really important role. We work extensively with traditional owners up in northern Australia and central Australia and parts of the Murray-Darling Basin. There is inherent knowledge there that is incredibly important for land management, and reinstating practices that will enhance ecosystems is incredibly important. So yes, the more we can encourage and build capacity to do that is really critical as well.

The CHAIR: So what capacity do we have here in Victoria at the moment around that? Is there some capacity or not enough, or should we be doing more?

Dr FITZSIMONS: I think we need to, particularly as we are moving to co-management arrangements for many of our parks and our public land. I think it is inherent on society that we are putting more capacity into helping First Nations and traditional owners in building up that capacity. Enabling the time and the capacity to do that is going to be critical.

The CHAIR: Mr Meddick, another question?

Mr MEDDICK: No.

The CHAIR: Ms Bath, another question?

Ms BATH: No, I think I am fine. Thanks, Chair.

The CHAIR: Wow, I think we might all be talked out. Dr Bach, are you there still?

Dr BACH: No further questions from me. Thank you though, Chair.

Dr RATNAM: Can I ask one more, Chair?

The CHAIR: Dr Ratnam, sure.

Dr RATNAM: Just finally, you made a remark in your submission about the current environmental laws and areas that we could improve—I think particularly in enforcement is the point you made in your submission. Could you talk us through what your perspective is on our current environmental laws and how they could be improved for biodiversity conservation?

Dr FITZSIMONS: Yes. I mean, I am certainly aware of quite a bit of clearing in northern Victoria of critically endangered grasslands which really has not been prosecuted, which is concerning in a number of ways. But that is, I guess, at both a state and a federal level, because those grasslands are also listed federally. That does need to be addressed to work out the reasons we are not. Is it simply because it is too hard? Is it we do not want to go to court for these issues? We certainly need to understand more about why that occurs at both a state and a federal level. More generally on environmental laws, we will have to be conscious about what is

happening federally. Professor Samuel's recommendations regarding the EPBC Act made pretty clear that that was meant to be a package that was going to be implemented as opposed to cherry-picking certain aspects of that. If we are devolving those federal responsibilities to the state, we need to ensure that there is an independent regulator and overseer of that work and that adequate funds do flow to the state to ensure that there is enough capacity here to assess those and the various other safeguards that Professor Samuel put in place as opposed to, again, cherry-picking certain elements of that report.

Dr RATNAM: Great. And just one more point, I think you remarked in your submission that your view is that only a fraction of our endangered species are actually categorised under the *Flora and Fauna Guarantee Act* and that we actually need a new system of assessing our threatened species. Is that an accurate summary of what you are asserting?

Dr FITZSIMONS: That is right. The *Flora and Fauna Guarantee Act* until recently was quite antiquated. It was sort of revolutionary for its time, but it was also quite antiquated in the sense that it did not actually categorise threat status; it is basically just listed. The department therefore had a mirror list which was about five times as long indicating the real threatened status of a bunch of species. We quickly need to move that list into the Act, basically. If we know they are threatened, if they have been scientifically assessed as threatened, they just need to go in the Act, and just get it done. So that is a critical issue. The other one is critical habitat. There are provisions under the *Flora and Fauna Guarantee Act* for critical habitat. So these are really important areas for particular species, and we have not actually really used that much in the state at all. There was a big opportunity post the Black Summer fires to actually do that with unburnt patches. One would have thought these are probably the most critical habitats for a whole bunch of species—greater gliders et cetera. And it is not just a Victoria-specific issue, it is across the country that we have not really utilised that legislation the way it was intended and the way we should be using it for particularly big disasters like the Black Summer.

Dr RATNAM: Thanks so much.

The CHAIR: All right. I have just got a follow-up question to that. What is your view about the state government's *Biodiversity 2037* plan?

Dr FITZSIMONS: Look, I think there are lots of good things in there, but I think, you know, we have got two big conventions happening this year which may well reset the global goals of where we are going. So I think whatever happens post that, we are going to have to have a good look at the strategy to make sure it is up to date based on where the Australian government is going, the globe is going and indeed what flows down to Victoria. So regardless of what is in there at the moment, the critical thing is we get that updated quickly post that summit.

The CHAIR: But it does go to addressing some of the things you just mentioned previously, though.

Dr FITZSIMONS: Yes.

The CHAIR: It recognises and identifies threatened and endangered species, and some witnesses that have given evidence in this inquiry have said it is quite ambitious and it is a very good piece of work. So I am just interested in your views from your organisation's perspective about that, because it seems that some witnesses are aware of it are, some are not, some are very complimentary about it, some do not know about it. So just from your point of view, what do you think it does in terms of highlighting those species that are endangered or threatened?

Dr FITZSIMONS: Look, I think it is fine from that perspective. It has an emphasis on private land conservation, which is great as well. I think it is really about how to implement it, both at a policy level if there is legislation change needed but also at a financial level as well. So it really comes down to: how do we go about putting this in place? That is the critical question for me.

The CHAIR: Okay, great. All right. Well, thank you very much.

Witness withdrew.