

# TRANSCRIPT

## PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

### **Inquiry into Auditor-General's Report No. 202: Meeting Obligations to Protect Ramsar Wetlands (2016)**

Melbourne—Monday, 2 December 2019

#### Members

Ms Lizzie Blandthorn—Chair

Mr Richard Riordan—Deputy Chair

Mr Sam Hibbins

Mr Gary Maas

Mr Danny O'Brien

Ms Pauline Richards

Mr Tim Richardson

Ms Ingrid Stitt

Ms Bridget Vallence

## WITNESSES

Ms Janine Haddow, Chairperson, and

Mr Paul Peake, Senior Project Manager, Victorian Environmental Assessment Council.

**The CHAIR:** We now have the Victorian Environmental Assessment Council at the table. Thank you for coming and appearing before us today. You have probably heard me read the sheet I need to read. We obviously welcome you to the Public Accounts and Estimates Committee Inquiry into the Victorian Auditor-General's Report No. 202: Meeting Obligations to Protect Ramsar Wetlands, tabled on 14 September 2016. All evidence taken by this Committee is protected by parliamentary privilege; therefore you are protected against any action for what you say here today, but if you go outside and repeat the same things, including on social media, those comments may not be protected by this privilege. You will be provided with a proof version of the transcript for you to check. Verified transcripts, PowerPoint presentations and handouts will be placed on the Committee's website. We welcome any media here today and remind you of the following guidelines: cameras must remain focused only on the person speaking; operators must not pan the public gallery, the Committee or witnesses; and filming and recording must cease immediately at the completion of the hearing. Broadcasting or recording of this hearing by anyone other than the accredited media is not permitted. We advise that today's hearing is being broadcast live on the Parliament's website. Rebroadcast of the hearing is only permitted in accordance with Legislative Assembly standing order 234. Thank you for being here today. We invite you to make a 15-minute presentation.

**Ms HADDOW:** Thank you, Madam Chair. Thanks for giving us the opportunity to outline VEAC's role with respect to the Ramsar wetlands. I would like to commence by acknowledging the Wurundjeri people, the traditional owners of the land on which we meet, and paying my respects to the elders past, present and emerging.

I will introduce Paul Peake. He is the Senior Project Manager with VEAC, where he has had a long history. We will get through some of the detail, and at the end of the report he will chime in with some things to say.

So just by way of background, the Victorian Environmental Assessment Council and its predecessors have been advising Government on the use of the state's public land for nearly 50 years. That is a long time, and its history is documented in that book that we just handed out to you. Its origins really were in around about 1969 when there was huge controversy in Victoria over the proposed clearing of land in the Little Desert area and the then Premier, Mr Bolte, asked Bill Borthwick to set up an organisation to provide advice to them. So we were set up to systematically review public land and provide recommendations to Government using the best available science and extensive public consultation.

The current body is established under the *Victorian Environmental Assessment Council Act 2001* and reports directly to the Minister for Energy, Environment and Climate Change. The Act specifies that we are to provide independent advice and strategic advice to the Government of Victoria on matters relating to the protection and ecologically sustainable management of the environment and natural resources of public land—and it is important that it is about public land, although we do sometimes make suggestions about relationship to private landowners. Public land is defined broadly as Crown land or land owned by Victorian public authorities. It does not include freehold land managed and owned by local government. The Act also specifies matters relating to the membership of the council. Currently there are five members: myself as Chairperson, Dr Charles Meredith, Ms Joanne Duncan, Ms Anna Kilborn and Dr Geoffrey Wescott.

So the work of the council, in accordance with the Act, most of the council's work is done through inquiries, the specifics of which are detailed in a formal request from the Minister which also includes terms of reference. So the Minister asks us to undertake a piece of work and terms of reference are given to us. The two types of inquiries are investigations, and assessments and advice. The Act gives further detail on this, but in summary, investigations tend to be longer, more extensive geographical or thematic studies with a strong emphasis on recommendations, in particular around public consultation—that is a big part of our work. The second are assessments and advice, which tend to be more limited in scope and more technical in nature, much shorter and generally do not include public consultation.

Both investigations, and assessments and advice require a response from the Government—a formal response tabled in Parliament approximately six months after the final report is made. While the work is being undertaken, however, the VEAC process is completely independent of Government, so we are providing independent advice. The Government, when it does respond, specifies actions proposed to be undertaken with respect to each recommendation that we provide.

We did some sums, and over its 48-year history VEAC and its predecessors have made many thousands of recommendations to Government based on its work, including the consultation. Many outcomes at a statewide level are most evident in the comparison of the maps of Victoria's public land use in 1970 and now. I will draw your attention to the map, which you can peruse in detail yourselves, but you can see on the left in 1970 it is a much more general type of map specifying national park, wildlife reserve and state forest. When you move to 2019 you can see that there is a much finer tuning of the public land estate, its uses and even its borders. It is a much more sophisticated study, but it also gives some indication of the results of some of VEAC's recommendations.

**Mr D O'BRIEN:** Can I just butt in there, if I may? Has the 2005 map changed much since then, in terms of national parks in particular?

**Mr PEAKE:** There is the 2005 map in the book. Yes, the red gum parks, for instance—Barmah National Park is dark green on the handout and pale green in the book.

**Mr D O'BRIEN:** Okay.

**Mr PEAKE:** A couple of hundred thousand hectares, perhaps.

**Mr D O'BRIEN:** Yes.

**Ms HADDOW:** Towards the end of the presentation we will come back and articulate where the Ramsar wetlands have interfaced with our studies.

Some examples of our work have been the statewide assessment of public land a few years ago where we looked at the categorisation and simplified it in cooperation with government. We have just completed the central west investigation into a substantial area of public land around Bendigo, Ballarat and west of Ararat. That also includes the Wombat State Forest, which has been hotly contested for over 20 years. We presented those recommendations to the Minister, and the Minister is now considering those. I think it is due for tabling in Parliament in the relatively near future.

We have also done some scientific assessments around conservation values and fire and wood supply in the eastern forests of Victoria, which the Government has used to inform its decision-making around the eastern forests. We have also done some assessments of marine and coastal environment, the marine values and the coastal reserves. Again, a technical assessment.

Just pulling it all together, the key features of VEAC's work: we are involved in a very high level of public engagement throughout our processes, we are firmly based in science and recruiting people as necessary to cover the scientific base required, we are very independent of ongoing operational management and processes on public land, we tend to be—or we are—more strategic in providing government advice, and we are very independent.

So moving on, in terms of the relationship to the Ramsar wetlands, VEAC has had no specific references to focus on Ramsar wetlands, but section 18(e) of our Act specifies that in conducting its investigations council is to take into account:

the existence of any international treaty ratified by the Commonwealth of Australia which is relevant to the investigation ...

So we always take Ramsar into account. In addition, section 18(b) of our Act specifies that we must consider the 'need to conserve and protect biological diversity', so inevitably we do consider Ramsar wetlands. I am going to hand over to Paul, who will take you through some of the detail of the Ramsar map which is on the back here.

**Mr PEAKE:** I am just going to speak briefly to the map on the back, which is the 2019 map that is on the reverse side with the 12 Ramsar sites mapped out in red there. You can see that under each of those areas there is coloured land. The coloured land is public land, and that public land is almost always the result of the colour of that land, if you like, is almost always the result of investigations by VEAC and its predecessors.

As we were talking about a minute ago, in 2008 the council finished an investigation into the river red gum forests of northern Victoria and in that investigation the Barmah National Park—the site that is numbered site 12 here—was recommended and subsequently accepted by the Government. Similarly, site 11—you can just see under it a bit of dark green and a bit of pale green—the Gunbower National Park and the Gunbower state forest were recommended as a result of that same VEAC investigation. The Ramsar values of those sites and the Ramsar issues were taken into account as part of that investigation.

Different other investigations have interacted with the Ramsar values in different ways. The lower Glenelg site of course was not established when VEAC was last down in that part of the world, so there is no kind of relationship there. So it depends on different individual circumstances. Also with that history, in the future as well at any time the Government could request VEAC conduct an investigation into Ramsar sites or potential Ramsar sites, or just into wetlands obviously, which is going to interact quite a bit with the Ramsar issues. So as well as the history, there is potential in the future for those sorts of investigations as well.

That is all from me.

**Ms HADDOW:** That is us for now. Over to you for any clarification or questions.

**The CHAIR:** Excellent, thank you. I might kick off. I just wondered if you had a view about how the Ramsar wetlands, the ecological condition of them today, compares to 2016 at the time of the report.

**Ms HADDOW:** That would be more in your bailiwick, Paul.

**Mr PEAKE:** Because we have not had any investigations looking at it we cannot really comment on that. I am a biologist and I go up there and have a look, but that is talking out of order.

**The CHAIR:** Yes, no worries.

**Ms HADDOW:** We certainly have not conducted a formal investigation.

**Mr RIORDAN:** I guess my question was similar. You have not done one since then. Had you done any reports or follow-up of the condition of our Ramsar sites prior to the Auditor-General's?

**Ms HADDOW:** No, that is again not our role. Our role is strategic, and we hand the recommendations to Government. Usually the operational agencies take over from there.

**Mr RIORDAN:** So there would be no role for you in assessing the value or the ongoing maintenance or the contribution the state is making to its international obligations?

**Ms HADDOW:** I suppose if the Minister gave us terms of reference, we could.

**Mr RIORDAN:** So you are independent but independent under instruction from the Minister?

**Ms HADDOW:** Sure.

**Mr RIORDAN:** Right, so you do not self-subscribe to anything?

**Ms HADDOW:** No. But when the Minister determines terms of reference there is a process by which it is consulted with the public for feedback, so the terms of reference are informed by public interests and knowledge as well.

**Mr MAAS:** I just wanted to know, who are the stakeholder groups that you would consult with in doing your investigations and making your assessments?

**Ms HADDOW:** That is a good question. It is long—we could be here for hours, I suppose. For a start we have a database. We know every party who has an interest or a licence in public land. There is local government—you can help me if I forget—all the relevant agencies. We then build a database of people who are interested, using our website. I think we had under our last investigation about 3000 people. We go out into the community and conduct I suppose information sessions, more formal-type of arrangements, which some people find not suitable. Then we follow up with one on one. So it is very, very extensive. And I suppose like all organisations, social media is now putting another lens on it. But in all my working life it is the most extensive engagement I have been involved with. We could follow up with more categories if you would like.

**Mr PEAKE:** Did you want to talk to community reference groups? Each investigation, according to the Act, has a community reference group with I think, from memory, about 20-odd interests that must be represented, so the community reference group for that Wombat forest investigation, for instance, had representatives from the Victorian Association of Forest Industries, the Victorian National Parks Association—just a long list of those sort of four-wheel drive—a lot of recreational groups these days in particular are—

**Ms HADDOW:** Prospectors and miners.

**Mr PEAKE:** Yes, the Prospectors and Miners Association of Victoria. A lot of those recreational groups are our main stakeholders these days as the kind of industrial use of public land has declined and been replaced by recreational interests.

**Mr HIBBINS:** You stated earlier it was in terms of Gunbower and Barmah where you investigated national parks and that had a relationship with the Ramsar-listed wetlands there. Did you have any findings in terms of the health of those particular ecosystems?

**Ms HADDOW:** I was not involved then, but Paul was, so he knows.

**Mr PEAKE:** Yes. That finished in 2008, kind of at the height of the millennium drought basically, and at that time thousands of hectares of red gum and black box trees along the river were dying. The Government and the Murray-Darling Basin Authority and others were involved in emergency watering, trying to get emergency water to some of the wetlands—Barmah perhaps less so. As I heard Mark Norman saying earlier, it is fairly easy to water Barmah Forest, but a lot of effort went into getting water to Hattah-Kulkyne Lakes, for instance. So that was certainly a key factor in that investigation, and the key cause of that was lack of water.

**Mr RICHARDSON:** I have just got a couple of quick questions. Was the Victorian Environmental Assessment Council involved with VAGO's initial assessment and investigation? Was there any input from your organisation at all?

**Ms HADDOW:** No.

**Mr RICHARDSON:** The other question I have is around the broader management of public land. I guess of the 12 Ramsar-listed wetlands, two have been established—one in my electorate down in the south-east in Edithvale-Seaford—since 1982. Is there a view for more sites or more protections, and is that the best way of protecting some of these substantial environmental assets?

**Ms HADDOW:** Well, again, we have not been given a reference. It is not really part of our work until we are given that, if that makes sense. What would you say, Paul?

**Mr PEAKE:** Having worked on, say, the red gum investigation, I can kind of comment on where Ramsar sits in the kind of matrix of issues that feed into our process—you know, different biological values and recreational uses and commercial uses. It certainly adds a significant weight to the status of a wetland. It makes it more likely to get that environmental water, those sorts of things. So it has a number of elements that certainly enhance the protection of the values. As to whether it is the best way, that is probably a case-by-case situation. Some wetlands, it does not matter what treaty you put them on: if they are not getting water, they are not wetlands really. So it can vary from case to case.

**Ms HADDOW:** Can I just make one comment about the private-public land interface?

**The CHAIR:** Yes, please.

**Ms HADDOW:** There was a study in box ironbark—was that 2001?

**Mr PEAKE:** 2001.

**Ms HADDOW:** There was a community group along the Broken-Boosey Creek, sort of like a Landcare-type group—coming back to the consultation—and they were quite keen to work in with the public land recommendations, for a conservation management network. We made a recommendation on the basis of the community interest and the scientific validity of it. I just wanted to say that.

**The CHAIR:** A good point. Thank you.

**Ms HADDOW:** Thank you very much.

**The CHAIR:** Thank you for your time. You will be sent a copy of the transcript to verify, and it will be out to you shortly. We appreciate your making the time to meet with us today. Thank you.

**Witnesses withdrew.**