Yellingbo Conservation Area

Draft 10 Year Plan -Response to Submissions

VICTORIA State Government

Environment, Land, Water and Planning

Acknowledgement

We acknowledge and respect Victorian Traditional Owners as the original custodians of Victoria's land and waters, their unique ability to care for Country and deep spiritual connection to it. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

We are committed to genuinely partner, and meaningfully engage, with Victoria's Traditional Owners and Aboriginal communities to support the protection of Country, the maintenance of spiritual and cultural practices and their broader aspirations in the 21st century and beyond.



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Acknowledgements

The Yellingbo Conservation Area draft 10 Year Plan was released for community consultation in 2018 and was developed in partnership with the former Yellingbo Conservation Area Coordinating Committee (YCACC). YCACC was comprised of community representatives from Yarra Ranges Council and Cardinia Shire Council, representatives from Yarra Ranges Council and Cardinia Shire Council, and from the Department of Environment, Land, Water and Planning (DELWP), Melbourne Water (MW), Parks Victoria, Port Phillip and Westernport Catchment Management Authority (PPWCMA), Trust for Nature (TfN), Wurundjeri Tribe Council, Country Fire Authority (CFA) and Zoos Victoria.

The final version of the plan has been developed by a working group comprising of representatives from DELWP, Parks Victoria and Melbourne Water and is the result of an extensive community engagement process including workshops and meetings with a range of community groups; online input via surveys; conversations with landholders, land managers and the general community; as well as input from a range of agencies.

We respectfully acknowledge that the Yellingbo (Liwik Barring) Landscape Conservation Area (Conservation Area) is located on the traditional lands of the Wurundjeri People. We honour their culture, which has nurtured this land since the Dreamtime. The Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation is the appointed Registered Aboriginal Party (RAP)¹ for all of the land included in the Conservation Area.

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Photo credits

Front cover: Cinnamon Bells (*Gastrodia sesamoides*) (credit: DELWP) Page 1: Helmeted Honeyeater (Credit: DELWP) Page 5: Dog walker (Credit: DELWP) Page 15: Menzies Creek (Credit: DELWP) Page 20: Bushfire prevention work (Credit: Christian Pearson, Misheye) Page 25: Yarra River frontage (Credit: DELWP)

¹ Registered Aboriginal Parties (RAPs) are organisations that hold decision-making responsibilities under the Aboriginal Heritage Act 2006 for protecting Aboriginal cultural heritage in a specified geographical area.

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Executive Summary

Helmeted Honeyeater. Credit: DELWP. The Department of Environment, Land, Water and Planning (DELWP) has been engaging with the public on the Yellingbo (Liwik Barring) Landscape Conservation Area (Conservation Area) since 2015. This most recent round of engagement with the public was designed to seek feedback from the community on the Yellingbo Conservation Area draft 10 Year Plan. Engagement also aimed to assess gaps in knowledge and areas where the community wanted additional information.



Figure 1; Yellingbo Conservation Area draft 10 Year Plan, August 2018



Figure 2; Yellingbo Conservation Area draft 10 Year Plan Summary of Submissions, January 2019

The draft 10 Year Plan was released in August 2018. Community feedback on the plan was sought between 13 August and 7 October 2018. During this period, DELWP worked alongside the former Yellingbo Conservation Area Coordinating Committee (YCACC) to engage and communicate the opportunity for public feedback to the local and broader community.

This document responds to submissions received in response to the release of the draft plan and includes a summary of how feedback was reviewed and an explanation on why it was or was not incorporated into the final plan.

During 2019 a working group comprising representatives of DELWP, Parks Victoria and Melbourne Water carefully reviewed all submissions. While the working group considered all feedback made by the community, any changes made to the plan needed to be practical and actionable and consistent with the government accepted Victorian Environmental Assessment Council (VEAC) recommendations and existing legislation on uses within parks and reserves in Victoria.

While the working group carefully considered each individual submission, the intent of the document is not to respond directly to individual submissions; rather, the intent is to respond to issues which were identified as being most important to the community, indicated by the level of feedback received on a given topic.

In order to frame and analyse the feedback, submissions have been grouped into seven major themes. These themes align with the report; *DELWP Yellingbo Conservation Area draft 10 Year Plan Summary of Submissions (January 2019)* available here; <u>https://engage.vic.gov.au/yellingboconservationarea</u> Submission topics have been grouped according to the most relevant theme. The *Summary of Submissions* document also provides a detailed analysis of feedback received during the 2018 consultation period.

Background

In March 2014, the Victorian Government committed to the establishment of the Yellingbo Conservation Area in accordance with the Victorian Government Response to the Victorian Environmental Assessment Council Yellingbo Investigation Final Report (2014). The current Government has continued to support its creation, including by introducing legislation to establish the Conservation Area under the National Parks Act 1975.

The Conservation Area will consolidate management of public land areas, including streamside reserves and existing conservation reserves. Consolidated management of these public land areas and targeted restoration projects will improve habitat connectivity, water quality and biodiversity values while also providing improved access and recreation opportunities for the community. *The Yellingbo (Liwik Barring) 10-year Plan* (plan) describes the current condition of the Conservation Area, addresses the intent of future management over the next 10 years and outlines the current legislation and legislative changes required to implement the plan

Engagement Approach

DELWP Community Charter

The DELWP Community Charter describes what the community can expect when interacting with DELWP. Recognising that communities are diverse, the charter commits to working with communities to deliver services that support liveable, inclusive and sustainable communities and thriving natural environments. Find out more about the charter here: https://www.delwp.vic.gov.au/communities-and-regions/community-charter

The three key themes of the charter are:

- Be available: place-based community focus, accessibility, flexibility.
- Speak and listen: active listening and understanding, honesty and transparency, clarity and purposefulness.
- Take action: timely and proactive, consistency, closing the loop.

Online engagement and community information sessions – August 2018

Engage Victoria (engage.vic.gov.au) was a channel for Victorians to read the *Yellingbo Conservation Area draft 10 Year Plan* and any supplementary material and provide feedback on elements of the plan that were open for community input. Respondents were given the opportunity to complete a survey about the draft plan or make an independent submission. Survey questions allowed the opportunity for free text comments in addition to multiple choice responses.

From 17 August to 4 September 2018, nine community information sessions were held across nine locations around the Conservation Area. The sessions included a mix of drop-in sessions, which were large events where the date and time of the event were promoted; and pop-up sessions, where two DELWP staff were stationed in busy shopping or recreation precincts to chat with interested community members. At the drop-in sessions, staff from DELWP, Melbourne Water, Parks Victoria, local council, Zoos Victoria and other members of YCACC were present to talk with the community and answer their questions.

During the 2018 consultation period, 281 responses were received. Respondents included individuals, community groups, peak bodies, local government and other government agencies. In 2019, a working group comprised of representatives from DELWP, Parks Victoria and Melbourne Water reviewed all submissions.

Table 1. Responses received for the YellingboConservation Area draft 10 Year Plan

Responses received for the Yelling Area draft 10 Year Plan	gbo Conservation
Completed surveys	92
Written submissions	22
Templated submissions on a specific issue	167
TOTAL	281

Of the 281 submissions received, common themes throughout the submissions included the restricted revegetation area in the north-east corner of the Conservation Area; the 100m revegetation set back from dwellings; recreational opportunities and the associated perceived level of impact on conservation; and level of community and landholder involvement within the Conservation Area.

Most significant opportunities and issues

The community identified the following as key opportunities for the Conservation Area:

- providing habitat for threatened species,
- encouraging community access, and
- contributing to tourism opportunities.

The community also identified the most significant issues that the establishment of the Conservation Area should be focused on:

- ensuring appropriate long-term management,
- controlling weed species, and
- controlling pest animal species and managing bushfire risk.



Response to submissions and submission themes

(Photo credit: Dog walker. Credit:DELWP) This section summarises all survey and written submission comments into seven themes.



Theme 1: Community use and public access



Theme 2: Conservation aims



Theme 3: Management, resources and funding



Theme 4: Bushfire risk



Theme 5: Measurement of goals



Theme 6:

Historic cultural inclusions



Theme 7:

Contemporary uses and involvement of local landowners

Theme 1:

Community use and public access



What we heard

- Comments and submissions were received on the theme of allowing more public access and the need for public land to be for public enjoyment. Most comments and submissions focused on specific recreational interests and/or specific locations.
- There were several comments received relating to the impact of recreation on environmental objectives.
- Recreational activities of greatest interest to respondents were:
 - Camping
 - Dog walking/swimming
 - Fishing
 - Horse riding
 - Hunting
 - Mountain biking at Warramate Hills Nature Conservation Area
 - Prospecting
 - Shared use trails.

Camping, campfires and firewood collection

What we heard

- There are a range of views in the community on the issue of camping in the Conservation Area, particularly in streamside areas.
- A number of submissions expressed support for camping as a recreational activity of interest within the Conservation Area.
- Some submissions supporting camping also included support for campfires.
- Some submissions supported firewood collection.

Key information included in the plan

Camping is prohibited throughout the Conservation Area.

The lighting of campfires for any purpose is prohibited throughout the Conservation Area.

The collection of firewood is prohibited throughout the Conservation Area.

Rationale

The Victorian Government is committed to helping Victorians spend time together in the outdoors. The Victorian Fisheries Authority (VFA) is working with DELWP to deliver the Victorian Government's 2018 'fishing and boating' election commitment to allow camping on selected Crown land water frontages with grazing licences.

In Victoria, public access to licensed Crown land water frontages is permitted for recreational activities such as hiking, fishing and bird-watching, however camping is not currently permitted. Regulations that will allow camping on selected licensed Crown land water frontages across Victoria are currently being developed.

A public consultation process on regulations was held during March and April 2021. More details are available here; <u>https://engage.vic.gov.au/regulatedwatercourse-land-regulations</u>

In the long term, the Conservation Area will not be impacted by these changes, as all land will eventually be reserved under the National Parks Act so will exclude camping. In the interim, there may be some areas within the Conservation Area where camping will be permitted, although at the time of drafting the plan this is yet to be determined. In accordance with current regulations, the plan stipulates that camping is prohibited throughout the Conservation Area.

Restrictions apply to campfires and barbeques in Victoria including the Conservation Area. These restrictions are important to reduce the chance of a bushfire that could result in loss of life and property. They are actively enforced.

Firewood can be collected in state forests for home use in designated places at specific times. DELWP guidelines regarding firewood collection are available at: <u>https://www.ffm.vic.gov.au/firewood/firewood-</u> <u>collection-in-your-region</u> Firewood collection is not permitted within 20m of any rivers, creeks, lakes or dams. Additionally, firewood collection is not permitted on public land under the National Parks Act and will therefore not be permitted within the Conservation Area.

Creating opportunities for recreation

What we heard

- A range of feedback was received in relation to recreation.
- There were a number of submissions received in support of increased access for recreation use.
- A number of submissions suggested that recreation should be restricted to support the conservation objectives of the Conservation Area.

Key information included in the plan

Coranderrk Bushland, Sheep Station Creek and Yellingbo Nature Conservation Areas, will continue to prohibit access, as these are areas of high conservation value. Access to the majority of the Conservation will be allowed in accordance with section 7.3 of the plan–*Recreation activities* by location.

Haining Farm is managed by Parks Victoria and, until recently, operated as a working dairy farm. Haining Farm is now being restored to provide habitat for critically endangered species, along with community access for passive recreation and educational activities.

Public access to the Conservation Area will be provided through both existing and newly established access tracks and roads on existing Crown land reserves. New access points will be established along some currently unused government road reserves, which will be upgraded with infrastructure such as gates, fences and signs.

Public access to any part of the Conservation Area through freehold land is prohibited unless permission is granted by the landholder.

The creation of the Conservation Area will open up new streamside areas of public land, on which the public can access for some recreation purposes, as detailed in the plan.

Rationale

Recreation opportunities are provided within the Conservation Area in accordance with Goal 14 of the plan – Provide opportunities for a range of recreational visitor activities to minimise impacts on natural values, cultural values and other users.

The Concept Plan for Haining Farm was developed following an extensive community engagement process that included a community reference group and broader community engagement. The concept plan aims to provide a balance between the importance of conservation to the broader community, with the community access and recreation needs of the local community.

In some parts of the Conservation Area adjacent landholders can apply to DELWP to take out a riparian management licence to use adjacent Crown land in accordance with the conditions of the licence. The licence doesn't give the licence holder exclusive use of the land: the public has the right to enter and remain on the land for some recreational purposes such as walking, fishing and bird watching. Pedestrian access must be provided at any fence that crosses a frontage.

A road is land that has been set aside for public access now or in the future. An unused road is a government road that was officially set aside for public traffic but never constructed or used.

Dog walking/exercising/swimming

What we heard

- A range of feedback was received relating to walking dogs as well as dog swimming.
- A number of submissions supported taking dogs to the Conservation Area for walking or swimming.
- A number of submissions expressed concern about the impact of dog walking/exercising on the environment, particularly native wildlife, if dogs are allowed off-leash.

Key information included in the plan

On-leash dog walking is only permitted on designated Management Vehicle Only (MVO) roads, walking tracks and shared trails in the following locations:

- Hoddles Creek NCA Pioneer Road only
- Menzies Creek Walking Track
- Proposed shared trails in designated areas of the Little Yarra River
- Proposed shared trails in designated areas of the Yarra River²
- Sassafras Creek Walking Track
- Wright Forest Bushland Area all formed roads and trails.

Dog swimming is considered an off-leash activity and is therefore not permitted.

Dogs must be on a leash at all times when not inside a vehicle.

Dog walking compliance will be monitored and will be reviewed periodically. Dog walking provisions may be subject to changes.

Dogs are only permitted in the areas listed above and are not permitted in any other part of the Conservation Area.

In the areas listed above in which dog walking is permitted, signage will be installed, informing dog owners of their responsibilities. There are a several locations within the Conservation Area where management has been assigned to local government agencies as committees of management, council regulations apply in all these reserves. Please contact the relevant council for further information on regulations regarding dog walking/exercising in each reserve. The reserves are as follows;

Yarra Ranges Council:

- Baynes Park, Monbulk
- Doon Reserve, Yarra Junction
- Everard Picnic Ground, near Healesville

Cardinia Shire Council:

Alma Treloar Reserve, Cockatoo

Rationale

Walking is good for the wellbeing of both the dog and its owner; however, the interests of dog owners must be balanced with the potential risks posed by dogs. Dogs present a significant risk to vulnerable native wildlife and the experience and safety of other visitors, particularly when off-leash. The decisions included in the plan recognise the benefits of dog walking, whilst mitigating impacts on natural values, cultural values and other users.

Dog swimming is considered an off-leash activity and is therefore not permitted. Dog swimming presents a significant risk to platypus which are now officially a threatened species and listed as vulnerable in Victoria.

There are also a number of existing on-leash and off-leash dog walking areas in areas adjacent to the Conservation Area, within both the Yarra Ranges and Cardinia municipalities. For more information, please contact the relevant council.

Additionally, all state forests in Victoria (except Murrindindi Scenic Reserve) are open to dogs. Visitors can bring their dog into state forests, provided they are under control at all times. Please refer to the Forest Fire Management Victoria website for further information: <u>ffm.vic.gov.au/visiting-stateforests/bring-your-dog</u>

² Pending approval for construction of the trails.

Fishing

What we heard

- There was a range of feedback received in regard to fishing.
- There were a number of submissions supporting fishing as an important recreational activity within the Conservation Area. A number of these submissions also supported improved recreational fishing opportunities.
- There were also submissions expressing the importance of managing recreational fishing to minimise potential negative impacts on waterway ecology. This included feedback expressing community concerns surrounding the ongoing use of opera-house yabby nets.

Key information included in the plan

Bait collection is prohibited throughout the Conservation Area.

DELWP and Parks Victoria will work in partnership with Melbourne Water to ensure invasive fish are managed in line with the Victorian Waterway Management Strategy.

Opera-house yabby nets and other closed freshwater crayfish traps are banned in all Victorian public and private waters.

Recreational fishing is permitted in most parts of the Conservation Area, except in areas in which public access is prohibited to protect environmental values. Areas in which public access is prohibited are:

- Coranderrk Bushland Nature Conservation Area
- Sheep Station Creek Nature Conservation Area
- Yellingbo Nature Conservation Area.

Rationale

Goal 14 of the plan is to: *Provide opportunities for a range of recreational visitor activities to minimise impacts on natural values, cultural values and other users*. Fishing is consistent with this goal and will therefore will be permitted to continue in most areas, except those in which public access is prohibited to protect conservation values.

Recreational fishing throughout Victoria is governed by the *Fisheries Act 1995*, the *Fisheries Regulations 2008* or other Acts and subordinate legislation applying to or affecting recreational fishing. A Recreational Fishing Licence (RFL) covers all forms of recreational fishing in all of Victoria's marine, estuarine and inland waters and penalties apply for fishing without a licence. The Victorian Fisheries Authority (VFA) has published a Recreational Fishing Guide which provides more detail regarding laws governing recreational fishing. Details on applying for a RFL and the Recreational Fishing Guide are available from the VFA website <u>vfa.vic.gov.au</u> or by calling 136 186.

The Victorian Waterway Management Strategy sets out the policy direction for issues affecting waterway health, including the threat from invasive species. Melbourne Water is the waterway management authority within the Conservation Area and undertakes a range of works to improve waterway condition and support native fish populations. The VFA under Agriculture Victoria manage the stocking of waterways with recreational fishing species, fishing licences, the movement of fish species and protection of fish of recreational and economic importance from invasive competitors.

In 2019 the Victorian Government announced a ban on opera-house yabby nets and other closed freshwater crayfish traps in all Victorian public and private waters. These style of nets were banned because their use has led to a significant decline of air breathing wildlife, such as native water rats (rakali), platypus and turtles.

Horse riding

What we heard

- Community feedback both in support and against horse riding was received.
- Concerns were raised that horse riding will negatively impact upon the environmental values of the Conservation Area, while other submissions expressed concerns about the lack of tracks and appropriate areas to ride horses within the Yarra Valley (particularly the southern part of the Conservation Area).
- There were also a number of comments expressing concern that Evans Road, Macclesfield would be closed to horse riding and be included in the Conservation Area.

Key information included in the plan

Evans Road runs alongside the southern boundary of the Yellingbo Nature Conservation Area. This road is outside of the boundary of the Conservation Area and will remain so. The road forms part of the Macclesfield Equestrian Trail administered by Yarra Ranges Council.

Horse riding is an excluded activity in nature conservation areas. A set aside has been established in Hoddles Creek Nature Conservation Area to permit horse riding along Pioneer Road.

Horse riding will also be permitted in several other designated areas, these are:

- Haining Farm only on the trail within the Woodland Buffer and around the old dairy buildings
- Little Yarra River Stream Frontage only on the proposed shared trail
- Yarra River Stream Frontage upstream from Warramate Hills NCA, pending the approval of a shared trail.

Rationale

Horse riding is an excluded activity in nature conservation areas in keeping with the primary purpose of conservation of native flora and fauna, these provisions apply across Victoria for nature conservation areas. A set aside has been established in Hoddles Creek Nature Conservation Area to permit horse riding along Pioneer Road. Hoddles Creek Nature Conservation Area is managed under the National Parks Act and the National Parks Regulations 2013 apply. The regulations enable uses that may otherwise not be allowed to be permitted by 'setting aside' areas for those uses. This enables regulations to be adjusted to suit local requirements where appropriate.

There are a number of opportunities for horse riding in areas directly adjacent to the Conservation Area. For example, horse riding is permitted along Evans Road, running alongside the southern boundary of the Yellingbo Nature Conservation Area.

In addition to the Macclesfield Equestrian Trail, areas where horse riding can occur include the Lilydale to Warburton Rail Trail and the Wellington Road Equestrian Trail. Further information on these trails are available on the Yarra Ranges Council website: www.yarraranges.vic.gov.au

Horse riding is also permitted in Kurth-Kiln Regional Park and Bunyip State Park. Further information on these two parks can be found on the Parks Victoria website: www.parks.vic.gov.au

Hunting

What we heard

Multiple submissions supported hunting as a permitted activity throughout the Conservation Area.

Key information included in the plan

Hunting is not permitted in any part of the Conservation Area.

Hunting may be authorised by the land manager only as part of a pest animal control program.

Rationale

Goal 14 of the plan is to: *Provide opportunities for a range of recreational visitor activities to minimise impacts on natural values, cultural values, and other users.* Hunting is not a recreational activity which is consistent with this objective, which is focused on creating opportunities for passive recreation.

There are many land classifications throughout Victoria and, depending on the type, hunting may or may not be permitted. Hunting is prohibited on all land within the Conservation Area.

There has been a significant increase in deer populations throughout the Conservation Area and surrounding areas in recent years. This increase has resulted in increased impact on a range of values.

Deer control on public land is primarily managed using professional shooters or accredited volunteer hunters under the instruction and guidance of the land manager, as part of a strategic control program. In some of the larger reserves of the Conservation Area, Parks Victoria is conducting a deer control program in partnership with the Australian Deer Association and the Sporting Shooters Association of Australia. Skilled and accredited volunteers are used for the culling and on-ground delivery component of the program.



Mountain biking – Warramate Hills Nature Conservation Area

What we heard

- Community feedback indicated equal measures of support and opposition for continued mountain biking access to the mountain bike trail network.
- Feedback indicated that the natural environment was of great importance to all respondents, including those both for and against the mountain bike trails at Warramate Hills Nature Conservation Area.

Key information included in the plan

The provision and use of dedicated mountain bike trails is not consistent with providing for passive recreation and therefore mountain biking on dedicated mountain bike trails will not be permitted.

The use of mountain bikes and other bicycles is restricted to public access roads and designated authorised Management Vehicle Only (MVO) roads, walking tracks and shared trails.

As part of ongoing management activities within the Warramate Hills Nature Conservation Area, the decommissioned mountain bike trail network will continue to be monitored as it regenerates back to its natural state.

Rationale

Warramate Hills was acquired by the government in 1992 and is one of the few remaining relatively large and undisturbed areas of native vegetation in the Yarra Valley outside the major parks and state forest. Its conservation value is reflected in its previous designation as a nature conservation area and its inclusion in the Conservation Area as a nature conservation area. Nature conservation areas are established with the primary purpose of conserving and protecting species, communities and habitats of indigenous flora and fauna and, where consistent with that purpose, passive recreation by small numbers of visitors.

Mountain biking has historically been a popular recreational activity within Warramate Hills Nature Conservation Area. The former unauthorised trail network was approximately 22km long and traversed a variety of vegetation communities in varying quality.

Other opportunities exist in the region for mountain biking on official dedicated trails (for example at Silvan and Lysterfield Park). At the time of drafting this report, the construction of a network of dedicated mountain bike trails in Warburton is in the final stages of planning.

Prospecting

What we heard

Multiple comments were received supporting prospecting as a permitted recreational activity.

Key information included in the plan

Prospecting is permitted in designated areas only. Please refer to table 2 in Chapter 7 of the plan for further details.

Rationale

Prospecting is permitted in designated areas in accordance with the conditions of a miner's right or tourist fossicking authority and, where relevant, subject to any conditions determined under section 32D of the National Parks Act

Shared use trails

What we heard

- Multiple comments were received supporting multi-use paths for cycling, walking and horse riding.
- Comments were received opposing the proposed Yarra Valley Trail, specifically the stage along the Yarra River between Healesville and the Lilydale to Warburton Rail Trail.

Key information included in the plan

A shared use trail is being proposed along the Little Yarra River at Yarra Junction. The project is being led by Melbourne Water, in partnership with Yarra Ranges Council and DELWP. The project provides an opportunity of improving recreational activities, amenity, community access and connection to the waterway by constructing a new shared use trail along the river which connects with the existing Lilydale to Warburton Rail Trail.

At the time of drafting this report, a process is underway in relation to the Launching Place Yarra Track project, which is being developed by the Yarra Ranges Council. The proposed track consists of trail located on Crown land water frontage on the south side of the Yarra River at Launching Place to the south of Haining Farm, linking to the Warburton Rail Trail.

The Eastern Dandenong Ranges Trail is an existing 13km walking and cycling trail that links Emerald, Cockatoo and Gembrook. The Emerald to Cockatoo section passes through Emerald Lake Park and Wright Forest Bushland Area.

The proposed Yarra Valley Trail is being planned in three stages, with the third stage from Healesville to the Lilydale to Warburton Trail intersecting with the Conservation Area.

Rationale

Recreation opportunities are provided within the Conservation Area in accordance with Goal 14 of the plan – Provide opportunities for a range of recreational visitor activities to minimise impacts on natural values, cultural values, and other users. Shared trails are consistent with this goal, which aims to create opportunities for passive recreation.

The proposed Yarra Valley Trail is a project being led by Yarra Ranges Council. The project is being planned in three stages, with the third stage from Healesville to the Lilydale to Warburton Trail intersecting with the Conservation Area. The planning and design of both the Conservation Area and the Yarra Valley Trail will need to be considered together so that the two processes are integrated, particularly as there are limited opportunities for recreational infrastructure in narrow riparian zones and decisions will have to be made about how the trail could be accommodated in balance with conservation values. Because the Yarra Valley Trail is in the planning stages, the proposed trail alignment and trail design is in a position to respond to conservation objectives.



Theme 2: Conservation aims



What we heard

- In contrast to theme 1, a large number of submissions stated that there was too much preference for provision of access for recreation over conservation needs. The concern that conservation aims are being compromised was reflected in both the survey responses and individual submissions.
- Some comments provided detailed feedback on particular precincts of the Conservation Area where conservation aims could be reinforced, while others made more general observations about the overall compromise on conservation aims.
- A number of practical submissions were received suggesting changes to enhance the conservation goals of the project.

Habitat for critically endangered species

What we heard

There were several comments received around adequate provision of suitable habitat for the Helmeted Honeyeater and lowland Leadbeaters Possum.

Key information included in the plan

Goal 9 of the plan is: Maintain and, where required, increase the size of threatened fauna populations. Increase extent of occurrence of key threatened fauna species across the Conservation Area through provision of suitable habitat.

Goal 9 includes series of supporting strategies, including to: Support the continued implementation of Leadbeater's Possum and Helmeted Honeyeater recovery plans.

Rationale for decisions

The Conservation Area is well known for containing the last remaining wild population of the critically endangered Helmeted Honeyeater which was chosen as Victoria's bird emblem in 1971. The area also supports the only lowland population of the critically endangered Leadbeater's Possum, which is Victoria's faunal emblem.

One of the key management outcomes of the Conservation Area is that it contributes to the recovery of endangered and vulnerable species of flora and fauna such as Helmeted Honeyeater and lowland Leadbeater's Possum.

Restricted revegetation area

What we heard

- A number of submissions were received regarding the restricted revegetation area in the north-east of the Conservation Area. These submissions suggested that the restricted revegetation area compromises the conservation aims included in the draft plan.
- A number of submissions suggested that the restricted revegetation area should now be lifted due to evidence in the Yellingbo Conservation Area Bushfire Risk Management Plan that it is not required.

Key information included in the plan

The restricted revegetation area in the northeast section of the Conservation Area will remain in place.

The plan includes additional details on how the restricted revegetation area will be implemented, to provide greater surety to local landholders that bushfire risk and environmental values will be managed effectively.

Rationale

In January 2017, the State Government responded to community concern regarding bushfire risk in the north-east corner of the Conservation Area, including the townships of Yarra Junction, Launching Place, Don Valley, Millgrove and Wesburn. The government's response included a decision that, for certain areas of Precinct 2, revegetation³ on public (Crown) land is to be restricted to a maximum of 10m from the top of bank on either side of waterways in this area only.

The restricted revegetation area includes the Yarra River only for areas east of Yarra Bridge Streamside Reserve (excluding Haining Farm), Little Yarra River and Britannia Creek. The restricted revegetation area also extends south from the confluence of the Yarra River and Hoddles Creek only as far as the public land adjacent to the intersection of Gembrook Launching Place Road and Grieve Street, Launching Place. (Refer plan, Figure 1: Restricted revegetation area). Melbourne Water commissioned a study by Ecology Australia in 2009⁴ to undertake an assessment of riparian setback widths required to support biodiversity values. The report classified riparian areas based on the sensitivity of different indicator species into categories of low, medium, and high value, and assigned a corridor width to each of these categories. The corridor width includes both sides of the water body so that a 20m corridor equates to 10m either side of the waterway. The minimum corridor widths are as follows:

- Low sensitivity 20m
- Medium sensitivity 40m
- High sensitivity 50m

The report indicates that a 10m width each side of a waterway (that is, a total corridor width of 20m) is sufficient to support native fauna with low sensitivity to their environment.

The outcome of the classification system and of identifying management requirements is that streamside areas within the restricted revegetation area are largely classified as having relatively low ecological value, and revegetation can be restricted to 10m either side of the waterway without significantly compromising ecological values.

Zoning and the Conservation Area boundary

What we heard

- Concern was raised that the proposed zones in the draft plan were not appropriate and therefore comprised some of VEAC's recommendations. A number of submissions were received suggesting changes to enhance the conservation goals of the project.
- There were suggestions to exclude the Little Yarra River from the boundaries of the Conservation Area.
- There were also requests to add nearby public land in Olinda to the Conservation Area.
- Several comments expressed concerns regarding encroachments on public land.

³ Revegetation is defined as the establishment of native vegetation to a minimum standard in a formerly cleared areas outside a remnant patch.

⁴ Ecology Australia 2009. Assessment of riparian setback widths required to support biodiversity value.

Key information included in the plan

Cockatoo Creek, immediately east of Wright Forest, was previously in the conservation zone and now in the restoration zone.

Emerald Creek has been rezoned from the confluence of Sassafras Creek to where it intersects with Monbulk – Lilydale Road and is now in the restoration zone. West of the road, Emerald Creek is now in the conservation zone. Both of these areas were previously in the biodiversity and community use zone.

Lyrebird Haunt, Casells Creek and Rundells Creek in Olinda will not be added to the Conservation Area.

The Yarra River upstream of Warramate Hills NCA, to the south of Yarra Bridge Streamside Reserve, is now is the restoration zone. This area was previously in the biodiversity and community use zone.

The Little Yarra River and its riparian Crown land reserves will remain as part of the Conservation Area.

To ensure public land is protected, encroachments, unlicensed grazing, cropping or other unauthorised uses will be addressed in accordance with relevant government regulations.

Zoning of Hoddles Creek will remain as described in the draft plan.

Rationale

- Zoning is an important planning tool which can provide greater detail on management direction for any given area of public land. The plan applies three zones to the individual components of the Conservation Area. The zones are as follows:
 - Conservation zone
 - Restoration zone
 - Biodiversity and community use zone
- In response to submissions received, some areas were reviewed to ensure zoning accurately reflected the conservation values of those areas. Areas of the Emerald Creek and the Yarra River were rezoned based on this feedback. Hoddles Creek was also reviewed to ensure zoning accurately reflected the conservation significance of this riparian area, although the current zoning was deemed appropriate and retained.
- Lyrebird Haunt, Casells Creek and Rundells Creek in Olinda were not recommended by VEAC to be included within the Conservation Area and are geographically separate from the recommended boundaries of the Conservation Area.
- The government accepted VEAC's recommendation⁵ for the Little Yarra River and its riparian Crown land reserves within the boundaries of the Conservation Area.
- A key priority will be addressing encroachments and boundary alignment issues adjacent to the Conservation Area. These issues will be identified in more detail by formal surveys to be undertaken by the Office of Surveyor-General Victoria, as the boundaries of the Conservation Area are confirmed. All use and occupation of Crown land will be assessed as part of the boundary survey. In some cases, use or occupation of Crown land may be formalised with a licence, in other cases the use or occupation will be discontinued.

⁵ Victorian Government Response to Victorian Environmental Assessment Council's Yellingbo Investigation Final Report (March 2014)



Theme 3:

Management, resources and funding



What we heard

- Several comments expressed concerns around management of weeds and pest animals, enforcing compliance and the associated funding.
- This theme came up across many questions in the survey, from respondents providing both positive and negative responses.
- Issues raised included:
 - Closing trails will lead to weed growth
 - Blackberry and other weed control
 - Rabbit, fox, feral cat, deer and other pest control
 - Erosion of banks from pest species
 - Funding needed to manage pest and weed species.

Invasive animal management

What we heard

- A number of submissions were received regarding the management of wild dogs, rabbits, foxes, feral cats and other animals.
- Deer management was also an area of great interest, with submissions expressing concerns regarding the impact of deer on environmental values.

Key information included the plan

Goal 12 of the plan is: Monitor and manage invasive animals, prioritising to enhance ecosystem values, support threatened species recovery and reduce impacts to adjacent land.

Goal 12 includes a series of supporting strategies, including strategies specifically focused on deer management:

- Work with land managers and the community to develop regional deer control plans, in accordance with the Victorian Deer Control Strategy.
- Continue Parks Victoria's deer control program in Warramate Hills and Yellingbo Nature Conservation Areas and additional reserves according to requirements.
- Install deer exclusion fencing in certain locations to protect key areas of habitat and revegetation sites.

Rationale

Foxes and feral cats present significant threats towards native wildlife, particularly small mammals, reptiles and birds. Foxes and feral cats are recognised threats to native wildlife under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* and are declared pests under the *Catchment and Land Protection Act 1994* (CaLP Act). The linear riparian corridors found within the Conservation Area are particularly sensitive to these invasive predators.

European wild rabbits are declared as established pest animals under the CaLP Act and cause significant destruction to natural environments and agriculture. Typical impacts include soil erosion, sedimentation in waterways, competition with native species for habitat and food, alongside impacts to agricultural businesses through destruction of pastures and crops.

Wild dogs are one of the major invasive animals threatening private land assets in and, in some situations, on environmental values in provincial Victoria. Wild dogs are declared established pest animals under the CaLP Act. A wide range of environmental, economic, and social impacts have been attributed to wild deer in Victoria. Examples of environmental impacts by deer include destruction of native vegetation and consequently destroying habitat; threatening biodiversity by competing with native herbivores for food sources; reducing recruitment and regeneration of critical vegetation communities; causing degradation of waterways; assisting the spread of weeds; and causing soil erosion, compaction and land degradation.

Funding has been provided for the next three years as part of 2020-21 State Budget allocation to support management of invasive animals.

Resourcing

What we heard

Concern was raised in a number of submissions that adequate funding will not be provided to implement the plan.

Key information included in the plan

Funding of \$10.06 million over four years was included in the 2020-21 State Budget, to support the implementation of the plan.

The funding will deliver:

- revegetation and weed management
- Crown land surveys
- infrastructure, including gates, fences, signs, and tracks at high visitation sites
- the Yellingbo Landscape Conservation Area component of Melbourne Water's Stream Frontage Management Program, and
- the continuation of Parks Victoria's deer control program.

Rationale

The introduction in the plan includes a Statement of commitment:

The Government Response to Victorian Environmental Assessment Council's Yellingbo Investigation Area Final Report (2014) states that the Government supported (in principle) the allocation of additional resources to address current and future public land management needs for the Conservation Area. The Government will consider requests for additional resourcing for biodiversity conservation, pest plant and animal control, and fire management and preparedness, where required, to implement the objectives of the supported recommendations. Land managers will be responsible for identifying priority areas where funding is needed to support implementation. Resources required to implement supported recommendations, that exceed current funding arrangements, will be subject to normal budgetary processes.

Weed management

What we heard

Concerns regarding effective weed control and the associated funding were raised in multiple submissions.

Key information included in the plan

Goal 11 of the plan is: Monitor and manage key invasive weeds, prioritising to enhance ecosystem values, support threatened species recovery and reduce impacts to adjacent land.

The goal includes a series of supporting strategies to address weed management.

Rationale

Pest plants, or weeds, are the most significant threat to biodiversity within the Conservation Area. Weeds can outcompete native plants, alter the structure and composition of the vegetation of the hosting environment, alter stream flow of waterways, degrade water quality and pose a health risk to humans, domestic animals and wildlife. Funding has been provided for the next three years as part of 2020-21 State Budget allocation to support weed management activities.



Theme 4: Bushfire Risk



What we heard

- Bushfire risk was a theme that came up repeatedly through the survey, with respondents divided on their thoughts on risk – some saying the risk was overstated, others saying risk was not considered enough.
- A number of comments did not accept the Yellingbo Conservation Area Bushfire Risk Management Plan outright. Other comments questioned elements of the Plan or requested more details.
- Comments included:
 - Request for closer alignment with accepted scientific data associated with housing loss and vegetation
 - Comments and question on how tankers would access specific areas
 - Comment requesting investigation of cool burning traditional techniques to be elevated to an immediate priority.

Emergency vehicle access

Key information in the plan

Goal 5 of the plan is: Ensure there is no material increase in bushfire risk as a result of revegetating public land to implement the Victorian Government response to the Victorian Environmental Assessment Council's Yellingbo Investigation Final Report (2014).

Goal 5 includes the following strategies specifically focused on emergency vehicle access:

- Strategically plan revegetation on public land. Programs for revegetation will consider what is appropriate for a specific site and be informed by CFA feedback of waterpoints and access tracks.
- Maintain appropriate emergency
 management plans and access to the
 Conservation Area.
- Provide new access tracks and water points in consultation with local government, CFA brigades and Forest Fire Management Victoria (FFMV).

Goal 15 of the plan is: A range of access and infrastructure is provided and maintained to support passive recreation, emergency response and management of the Conservation Area while minimising the environmental and cultural impacts of visitation. Tracks are closed or access modified where they do not support this goal.

Goal 15 includes the following strategy specifically focused on emergency vehicle access:

• Maintain access tracks and water points for emergency response.

Rationale

The Yellingbo Conservation Area Bushfire Risk Management Plan will provide guidance to Conservation Area land managers in how they will implement local mitigation measures and revegetation design to ensure no material increase in bushfire risk to adjacent landholders and the broader community. The Yellingbo Conservation Area Bushfire Risk Management Plan includes a series of local actions to mitigate risk. One of the key strategies is to reduce the likelihood of bushfire by improving readiness and response. The actions supporting this approach are as follows:

- Develop a works plan to prioritise maintenance and establishment of access tracks.
- Develop an asset register/map of existing and new access tracks and water points
- Maintain existing access tracks and water points
- New access tracks and water points in consultation with local government and CFA brigades

Further discussion with the CFA has occurred to address concerns raised during the consultation process.

Revegetation setbacks for dwellings

What we heard

Multiple comments supporting a more nuanced approach to implementing revegetation setback should be considered around housing.

Key information included in the plan

The Conservation Area will be established based on the planning principles within the Yellingbo Conservation Area Bushfire Risk Management Plan

The Yellingbo Conservation Area Bushfire Risk Management Plan includes a recommendation to: Limit extent of revegetation near dwellings; ensure a minimum setback distance of 100m and combine with lower bark hazard vegetation buffers. The setback applies only to dwellings and not to sheds, barns or similar structures.

Rationale

In drafting the Yellingbo Conservation Area Bushfire Risk Management Plan, DELWP engaged Dr Kevin Tolhurst AM (University of Melbourne/Tolhurst Bushfire Services) and Justin Leonard (CSIRO) as independent fire science experts in the field of bushfire risk, to examine risk at both a landscape scale and at a local level. Dr Tolhurst and Mr Leonard provided independent advice and expertise in measuring the risk associated with the establishment of the Conservation Area and in developing mitigation measures that can be incorporated into the design of the Conservation Area.

A standard setback distance to separate revegetation activities from existing dwellings was determined using state building and planning policies, in consultation with Mr Leonard. Where any revegetation is planned, a site assessment will need to take place. As part of any site assessment, all necessary information will be gathered, such as the nearest dwelling, which Ecological Vegetation Class (EVC) will be planted and the slope where vegetation is to be planted.

Planned burning

What we heard

- Multiple comments on the potential environmental impacts of planned burning in the Conservation Area.
- Several comments supportive of using Indigenous fire management techniques, including cool burning.

Key information included in the plan

Bushfire management on public land is the responsibility of DELWP. For bushfire management and planning, DELWP and partner agencies, such as Parks Victoria and Melbourne Water, work under the name of Forest Fire Management Victoria (FFMV).

Fire Operations Plans (FOPs) are developed regionally by FFMV to outline where and when fuel management activities are undertaken on public land. They are informed by objectives determined in The Code of Practice for *Bushfire Management on Public Land* (2012) the code *Safer Together* (2015) and strategic bushfire management planning and developed in collaboration with partner agencies, including Melbourne Water, Parks Victoria and the CFA.

Key information included in the plan

Goal 6 in the plan is: Maintain or improve the resilience of natural ecosystems to bushfire and their ability to deliver ecosystem services such as biodiversity, water, carbon storage and forest products.

Goal 6 includes a supporting strategy to: Work with Traditional Owners to investigate integrating traditional burning in accordance with **The Victorian Traditional Owner Cultural Fire Strategy**.

Rationale

Planned burns are required for various reasons across both private and public land, including:

- Agricultural purposes
- Flora and fauna ecological requirement
- Land management
- Reducing bushfire risk
- Regeneration.

There are a range of large scale bushfire risk management strategies already applied to the Conservation Area, from state-wide guiding documents such as the *Code of Practice for Bushfire Management on Public Land (2012)* and *Safer Together (2015)*, to regional scale Fire Operations Plans (FOPs).

The Yellingbo Conservation Area Bushfire Risk Management Plan sits alongside existing fire management plans and will be used to guide specific planning activities relevant to the establishment and ongoing management of the Conservation Area. The purpose of the Victorian Traditional Owner Cultural Fire Strategy is to reinvigorate cultural fire through Traditional Owner led practices across all types of Country and land tenure; enabling Traditional Owners to heal Country and fulfil their rights and obligations to care for Country.



Figure 3; Yellingbo Conservation Area Bushfire Risk Management Plan, August 2018

Theme 5: Measurement of goals



Precincts

What we heard

Several comments were received on the appropriateness of the precincts included in the draft plan. Feedback suggested that for management purposes it would make sense to have the precinct areas reflect the local creek catchment areas.

Key information in the plan

The use of precincts will remain unchanged in the plan.

Rationale

To enable more site-specific management directions to be developed, six precincts have been developed that cover the Conservation Area. These precincts were based on logical geographic location as well as by grouping similar geomorphology, land use, landscape type and ecological vegetation class. Detailed maps of each precinct are available in chapter 9 of the plan. Due to scale, local creek catchment area maps are not practical.

Yarra Strategic Plan

What we heard

There were a number comments suggesting that the plan should be better aligned with the Yarra Strategic Plan.

Key information in the plan

Section 6.5 of the plan focuses on waterway health. Goal 13 of the plan is: Water quality improvements; maintain and improve values in the wetlands and river systems, including in-stream habitat.

This goal has been reviewed to ensure it is consistent with the land use framework for the upper rural reach included in the Yarra Strategic Plan.

Rationale

The Yarra Strategic Plan is an overarching policy and planning framework to guide collaborative management of the river and bring the vision to life with local and state government agencies, Traditional Owners and the community. The Yarra Strategic Plan is a regional strategy that guides local planning and decision making and outlines the first 10 years of work to deliver the 50-year community vision for the Yarra. The plan has been reviewed as part of developing the draft Yarra Strategic Plan to ensure consistency between the two plans. In implementing the Conservation Area DELWP will continue to ensure consistency with the Yarra Strategic Plan.



Theme 6:

Historic cultural inclusions



Name of the Conservation Area

What we heard

- Feedback received from the community during the past few years has suggested that the name *Yellingbo Conservation Area* is confusing and does not accurately reflect the true extent of the Conservation Area.
- In responding to this feedback, DELWP has consulted with Traditional Owners to find a new name for the Conservation Area which better reflects the geographic diversity of the whole area, rather than focusing on a single place (that is, Yellingbo).

Key information included in the plan

In accordance with the decision of the Traditional Owners, the Conservation Area will be named the Liwik Barring Landscape Conservation Area. The new Indigenous name will be adopted in future legislation.

The plan includes the new name in conjunction with the existing name as way of introducing the new name to the community, that is, Yellingbo (Liwik Barring) Landscape Conservation Area 10-year Plan.

Rationale

The name Yellingbo Conservation Area was adopted as part of the Victorian Government Response to the Victorian Environmental Assessment Council's Yellingbo Investigation Final Report (2014) to refer to the entire Conservation Area. 'Yellingbo Landscape Conservation Area' was later adopted in the Parks and Crown Land Legislation Amendment Act 2020 (which brought over half of the area under the National Parks Act) to emphasise the distribution of the discrete areas within a broader landscape, rather than one continuous area.

A landscape conservation area is a new category of park established under the *National Parks Act 1975*, although it is not a national park. A landscape conservation area is a framework which aims to protect, enhance, and manage several discrete natural areas within a fragmented natural landscape for the purposes of nature conservation. They also provide for appropriate enjoyment, recreation and education. The term 'Yellingbo Conservation Area' is retained in some sections of this document where it applies to documents developed prior to the *Parks and Crown Land Legislation Amendment Act 2020*.

In June 2021 the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation announced their final decision on a new Indigenous name for the Conservation Area. The name chosen was 'Liwik Barring', meaning 'Ancestors' Trail'.

Theme 7:

Contemporary uses and involvement of local landowners.



Riparian management licences

What we heard

- A range of feedback was received in regard to riparian management licences.
- Multiple comments opposed riparian management licences in the Conservation Area due to environmental impacts.
- Multiple comments expressed support for adjacent landholders to continue to manage Crown land streamside reserves under a riparian management licence.

Decisions incorporated into the plan

Adjacent landholders can contact DELWP to discuss their eligibility for a riparian management licence.

Approved water pump infrastructure may remain (for example, infrastructure associated with a stock and domestic water right or take and use licence). In all cases a licence issued under the *Water Act 1989* is required to divert water for commercial or irrigation purposes. A licence may also be required to divert water for domestic and stock use from a waterway. Adjacent landholders are advised to contact Melbourne Water by calling 131722 to determine if a water licence is needed for their particular circumstances.

DELWP will issue riparian management licences to eligible adjoining landowners for five years, and, if necessary, for a further five years if the land has not been included in the Conservation Area by the end of the first five-year term.

Funding is available to assist adjacent landholders to install fencing to exclude stock, as well as for off-stream watering infrastructure, revegetation and weed works.



Decisions incorporated into the plan

In some areas, riparian management licences may also include a special condition to allow the use of grazing as a management tool where this is consistent with the document *Licensing Principles for Fencing and Grazing within Yellingbo Landscape Area* (Appendix B of the plan).

For areas managed by Parks Victoria, grazing will be discontinued, except where Parks Victoria determines that grazing is the preferred management tool.

Landholders eligible for off stream watering through Melbourne Water's Stream Frontage Management Program may also locate off stream watering infrastructure on Crown land with the land manager's permission.

Livestock must be contained within the livestock owner's property and be excluded from the Crown land and waterway. A stock exclusion fence on the common boundary of the freehold land and Crown land is the most effective way to achieve this. As each situation is different, the position of fencing on adjacent properties is determined on a caseby-case basis.

Once Parks Victoria assumes management responsibility for a new area of the Conservation Area, licences will remain in place until they expire, at which time adjacent landholders can apply to Parks Victoria for a conservation agreement to maintain and improve the riparian environment.

Riparian management licences and conservation agreements will not be permitted in any areas within nature conservation areas or conservation zones. (Refer to precinct maps in chapter 9 of the plan or contact DELWP to discuss).

Rationale

The Government supported VEAC recommendations include the provision of conservation agreements with adjacent landholders. This is to acknowledge that continuing to partner with adjacent landholders will help enhance the biodiversity and ecological values of these areas.

As each situation is different, the position of fencing on adjacent properties is determined on a case-bycase basis. In most cases, the fence should be as close to the common boundary of freehold land and Crown land as practicable. In some cases, fence positioning may be determined by a 'give-and-take' approach. A give-and-take fence alignment occurs where a fence deviates from the Crown land and freehold land boundary. This is often needed to protect natural values and to ensure common-sense fencing as part of a riparian management licence. The setback distance of the fence from the top of the waterway bank will also be determined by the conservation values of the adjacent Crown land. In general, land with higher conservation values will require a greater setback from the waterway.

The Conservation Area will be progressively created in phases over several years, by placing areas of Crown land under the National Parks Act. Prior to any legislative changes to reserve areas of Crown land as part of the new Conservation Area, DELWP will remain the licensing agency. Once a new area is reserved, management of that area will be transferred to Parks Victoria.

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