

Victorian Government Response to Victorian Environmental Assessment Council's Marine Investigation Final Report

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VICTORIAN GOVERNMENT RESPONSE TO THE VICTORIAN ENVIRONMENTAL ASSESSMENT COUNCIL'S MARINE INVESTIGATION FINAL REPORT APRIL 2014

Introduction

The Victorian Environmental Assessment Council's (VEAC) Final Report on its investigation into Victoria's marine protected areas was tabled in Parliament on 12 June 2014.

This government response addresses each recommendation made by VEAC in its Final Report. Responses should be taken to apply to the whole recommendation where no reference to the specific recommendation number and subsection is provided in brackets (e.g. R1 (a)).

The Andrews Government is committed to the state's current marine protected areas, including the no-take marine national parks and marine sanctuaries, as a central part of its commitment to protecting the marine environment.

More broadly, the Victorian Government has committed to a number of actions to protect and enhance the marine environment as a whole. These include a new five-yearly State of the Bay report to monitor the health of our coasts, bays and waterways, initially focussed on Port Phillip Bay and Western Port Bay. A new Marine and Coastal Act will be established to bring together all management and protections under the one system and new management and oversight for marine parks, coasts and bays will be developed.

Implementation of this government response will assist in ensuring effective on-ground and on the water management of our marine protected areas, within the context of new legislation and policy. The Victorian Government acknowledges that clearly articulated policy, strategy and planning are required to guide management as well as strategic research and targeted monitoring. Implementation will also help to ensure an informed and supportive community, backed up by a strong enforcement regime.

The Government will ensure that appropriate actions are taken to implement the recommendations to the extent that they have been accepted, as required under the *Victorian Environmental Assessment Council Act 2001*.



R1 The long-term protection of biodiversity be explicitly recognised as the primary objective of management of the marine national parks and marine sanctuaries.

The government accepts this recommendation.

The National Parks Act 1975 includes the protection and preservation of the natural environment and indigenous flora and fauna amongst the foremost objectives for the management of marine national parks and marine sanctuaries.

Consistent with this, the government will ensure that the strategy and policy which guides the management of the marine national parks and marine sanctuaries explicitly recognises the long-term protection of the natural environment and biodiversity as the primary management objective. The government also recognises that these areas provide a number of cultural and social benefits which are valued by the Victorian community and which need to be considered in management decisions.

The Department of Environment, Land, Water and Planning (DELWP) and Parks Victoria will be responsible for implementing this recommendation.

R2 Strategy and policy to guide management of the marine national parks and marine sanctuaries be updated by end 2015.

The government accepts this recommendation, subject to the updating of the strategy and policy by the end of 2017 and subject to the outcomes of the Marine and Coastal Act under development.

The government will ensure that there is clear guidance and policy direction for management of the marine national parks and marine sanctuaries to reflect changing circumstances since the first state-wide strategy was developed by Parks Victoria in 2003.

This work will take into account other relevant policies and strategies including, but not limited to, the Victorian Coastal Strategy, Victorian Climate Change Adaptation Plan, the Port Phillip Bay Environmental Management Plan, the State of the Bay Report, the review of the State Environment Protection Policy (Waters of Victoria), regional coastal plans and regional catchment strategies. This strategy and policy will also take into account the development of a new Marine and Coastal Act as well as the development of a new strategy: Protecting Victoria's Environment – Biodiversity 2036.

In addition, the government will ensure the timely completion of operational strategies and policies to guide the management of individual marine national parks and marine sanctuaries.

DELWP and Parks Victoria will be responsible for implementing this recommendation.

R3 Parks Victoria prepare, in consultation with stakeholders, plans specifying priority management actions for each marine national park and marine sanctuary by end 2016.

The government accepts this recommendation.

Park management plans are in place for all marine national parks and marine sanctuaries and are the mechanism for public and stakeholder consultation. These will be updated or developed as resources and program priorities allow and will specify priority management actions.

Parks Victoria is also developing conservation action plans for each marine national park and marine sanctuary that are due to be finalised by the end of 2017. For each area the plans will identify key

threats and prioritise strategies and actions for addressing these threats, as well as aligning research and monitoring with key management activities.

Parks Victoria is responsible for preparing park management plans and conservation action plans.

R4 The research strategy for marine national parks and marine sanctuaries be revised by Parks Victoria and peer reviewed by end 2015 to specify more clearly the priority research topics to guide management.

The government accepts this recommendation in principle.

The government acknowledges the importance of the information which has been gathered about the natural values of Victoria's marine national parks and marine sanctuaries. It recognises that the research strategy should be revised so that it articulates the priority research topics to guide management. The Parks Victoria Science Advisory Committee will provide peer review for the revised research strategy to ensure that research investment is more clearly guided towards informing future management of marine national parks and marine sanctuaries.

Other organisations undertaking marine research will be consulted during the process to ensure a more cooperative and integrated approach across the marine environment. The research strategy will be aligned with measures proposed in the Marine and Coastal Act to ensure a baseline of the condition of coastal and marine environments is known.

Parks Victoria's current research plan covers all parks and Parks Victoria will work to ensure the marine component of the strategy is clearly defined and can guide management. Full implementation of this recommendation will depend on budget capacity and other program priorities.

Parks Victoria is responsible for coordinating the revision and peer review of the research priorities for marine national parks and marine sanctuaries, working in partnership with relevant areas of government and within the framework of the research plan for the parks estate by end 2017, depending on availability of resources and other program priorities.

This work will be undertaken in the context of the development of the Marine and Coastal Act that will consider how research into these areas can better inform knowledge of the condition of marine and coastal areas and hence policy and management.

R5 Adequate funding be provided and maintained, and Parks Victoria ensure that resources are focused on minimising the important, avoidable threats to biodiversity of the marine national parks and marine sanctuaries.

The government accepts this recommendation in principle.

The government is committed to protection of Victoria's parks and provided Parks Victoria with additional funding of \$20 million for management of parks in the 2016-17 budget, building on the additional \$18.7 million provided in the 2015 - 16 budget, in recognition of the reduction in past funding. DELWP will continue to work collaboratively with Parks Victoria to ensure it can continue to provide high quality management services in marine parks and sanctuaries as well as across the parks estate. A Port Phillip Bay Fund worth \$10 million over four years has also been established to protect and preserve the health of the bay.

Funding for the management of marine national parks and marine sanctuaries is prioritised and allocated as part of Parks Victoria's organisational business planning. Within available budgets,

resources will be directed to minimising the important, avoidable threats to biodiversity including through measures that are delivered with the community and stakeholders.

Parks Victoria will be responsible for allocating funding and resources to activities which will have the greatest impact on mitigating the avoidable threats to the marine national parks and marine sanctuaries using a risk based approach.

R6 Parks Victoria establish systematic and regular public reporting by end 2015 that includes:

- a. estimated levels of threats to marine national parks and marine sanctuaries,**
- b. progress in delivery of achievable actions on threats,**
- c. progress on planning, and**
- d. resourcing.**

The government accepts this recommendation in principle.

Parks Victoria will provide systematic and regular public reporting on the condition of key natural assets in marine national parks and marine sanctuaries and the level of threats and emerging trends by the end of 2016. This will include establishing a baseline and regular monitoring. This will be achieved through State of the Parks reports and will complement the development of new five yearly State of the Bays reports and work undertaken by the Environment Protection Authority (EPA). Progress in delivery of actions, planning and resourcing are addressed in the annual report.

Victoria's State of the Environment reporting process also provides regular reporting of Victoria's environment including coastal waters, with the next report to be completed in 2018. This report will be part of a framework that seeks to align the State of the Environment Report with Victoria's other environmental reports. A key report is the five yearly State of the Bays Report to be finalised by December 2016, that will report on the health of Port Phillip Bay and Western Port by considering existing research and data and identifying knowledge gaps, new data collection and monitoring priorities and indicators for future reporting. Other coastal and marine areas may be included in future State of the Bays reports.

Parks Victoria will be responsible for implementing this recommendation in consultation with DELWP, as resources permit and depending on the outcomes of the Marine and Coastal Act development.

R7 The results of research conducted in the marine national parks and marine sanctuaries be publicly available.

The government accepts this recommendation.

Parks Victoria will continue to make the results of research conducted in marine national parks and marine sanctuaries publically available where possible. Details of research which Parks Victoria has either led or partnered is currently publicly available in summary through Parks Victoria's Technical Series, natural values reports and summaries for each of the monitoring surveys. DELWP will continue to work with Parks Victoria to identify priorities for research in the marine national parks and marine sanctuaries.

There is currently a dedicated website providing a one-stop-shop for water quality and other information about the health of Port Phillip Bay and the Yarra River. This will be explored as a mechanism for making research on marine national parks and marine sanctuaries in Port Phillip Bay publicly available and will be aligned to the broader work on a State of the Bays report.

Parks Victoria, the EPA and DELWP will be responsible for implementing this recommendation.

R8 Research with potential to adversely affect biodiversity not be permitted in the marine national parks or marine sanctuaries, unless the research is critical for achieving their ecological purposes and there is no feasible alternative.

The government accepts this recommendation.

The established research permit framework administered by DELWP, in consultation with Parks Victoria, includes a thorough assessment of potential impacts of research proposals on biodiversity in the marine national parks and marine sanctuaries. In addition, proposed research projects are assessed in relation to consistency with current management objectives and on-ground projects, whether the proposed research project meets current standards for environmental research and provides a benefit to parks and park management.

As far as possible, conditions are imposed on research methods through the approval process to reduce adverse environmental impacts. All research projects must justify why the research needs to be done inside a park rather than outside.

DELWP administers the issuing of research permits on Crown land. Parks Victoria is responsible for providing advice and direction and approving research permits in the marine national parks and marine sanctuaries it manages.

R9 Parks Victoria ensures that all data from the reef monitoring program for the marine national parks and marine sanctuaries be statistically analysed by end 2015 using methods that compare sites within and outside of these areas.

The government accepts this recommendation in principle.

Parks Victoria is establishing a marine reporting framework to report against Conservation Action Plans. These will be clear and measurable statements of the desired condition of natural assets and will enable data collected from reef monitoring activities to be compared against data collected from across the marine national parks and marine sanctuaries as well as reef environments outside of these areas. The data for the reporting framework will be analysed and available by the end of 2017.

Parks Victoria will work with the EPA, DELWP and other interested stakeholders to review existing marine monitoring programs to ensure that monitoring programs are designed consistently and integrated with existing programs where possible. This will ensure monitoring objectives, approaches and indicators are appropriate and complete.

Parks Victoria will be responsible for implementing this recommendation depending on availability of resources and other program priorities and on the outcomes of the Marine and Coastal Act development.

R10 Parks Victoria conduct a review considering extension of the reef monitoring program to include other marine habitats within marine national parks and marine sanctuaries, and threats to achieving their ecological purposes, by end 2016.

The government accepts this recommendation in principle.

Parks Victoria will review and update the statewide monitoring program to consider the inclusion of other marine habitats based on development of the conservation action plans and peer review of the research and associated monitoring plans for each of the marine national parks and marine sanctuaries. Parks Victoria has developed a set of draft criteria for identifying monitoring priorities

across the state with advice from its Science and Management Effectiveness Advisory Committee.

Parks Victoria will work with interested stakeholders to review existing marine monitoring programs to ensure that monitoring programs are designed consistently and integrated with existing programs where possible. This will ensure monitoring objectives, approaches and indicators are appropriate and complete. Implementation of the review will depend on resource availability and funding priorities.

Parks Victoria will be responsible for implementing this recommendation in consultation with DELWP and depending on the outcomes of the Marine and Coastal Act development.

R11 Community volunteers be supported by Parks Victoria with appropriate advice and tools to assist them to provide observations and data that are most practically useful for management.

The government accepts this recommendation.

There is extensive involvement of community volunteers in a number of the marine national parks and marine sanctuaries. This includes surveys and monitoring activities as well as practical assistance with the removal of marine pests.

Parks Victoria has recently updated the Sea Search methods and Sea Search manual (available online and in hard copy) to provide opportunities for volunteers with a wide range of interest and skill levels. These initiatives will help to assist volunteers in collecting data and making observations which can inform management of the marine national parks and marine sanctuaries directly.

Parks Victoria will be responsible for continuing to work with community volunteers involved in data collection and other activities.

R12 Parks Victoria conducts an initial audit to assist in prioritising ongoing maintenance programs to ensure that boundaries and fishing prohibitions are clearly communicated for the marine national parks and marine sanctuaries.

The government accepts this recommendation.

Parks Victoria will undertake a review of how effectively the boundaries and fishing prohibitions for the no-take marine national parks and marine sanctuaries are being communicated in order to assist in prioritising ongoing communication initiatives. In recent times new signs have been installed at boat ramps adjacent to various marine national parks and marine sanctuaries with improved boundary information and other information, and piles have been installed at several locations to better mark park and sanctuary boundaries.

Parks Victoria will be responsible for implementing this recommendation.

R13 Education, engagement and interpretation be used to inform the broader community about the boundaries, ecological values and purposes of marine national parks and marine sanctuaries to encourage awareness of, and compliance with, fishing prohibitions.

The government accepts this recommendation.

The government supports continued efforts to encourage a broad understanding of the values associated with the marine national parks and marine sanctuaries, and the fishing prohibitions which apply. The government also supports more targeted education and extension efforts to

ensure recreational and commercial fishers are aware of their regulatory responsibilities in relation to the marine national parks and sanctuaries.

Parks Victoria will disseminate information on the boundaries, ecological values and purposes of marine national parks and marine sanctuaries through existing education programs and tools. The Department of Economic Development, Jobs, Transport and Resources (DEDJTR) will assist Parks Victoria and continue communication efforts such as the recreational fishing guide and forums such as the Recreational Fishing Round Table. DEDJTR also provides assistance through the fisheries education program that includes information on boundaries to fishing clubs and active fishers in the field and teaches a range of people and groups about responsible fishing, including the value and purpose of marine protected areas. DEDJTR also engages with communities at higher risk of fisheries offences, including migrant and refugee communities who may be just starting to explore recreational fishing and be less aware of the applicable rules and management arrangements.

R14 Parks Victoria develops a publicly available strategy and ensures an effective ongoing program is in place for enforcing fishing prohibitions in the marine national parks and marine sanctuaries by end 2015.

The government accepts this recommendation in principle.

There are several strategies and plans already in place to enforce fishing prohibitions in the marine national parks and marine sanctuaries.

DEDJTR, as the primary agency responsible for enforcing fishing prohibitions in marine national parks and marine sanctuaries will support Parks Victoria in the development of regional compliance plans. This approach promotes a consistent stakeholder experience for fishers and leverages DEDJTR's intelligence-led approach.

There is a range of publicly available resources and information to assist understanding and enlist public support for compliance with regulations. These will be regularly reviewed and include the offence reporting hotline 13 FISH, messages in park information and the use of new technologies.

Enforcing the fishing prohibitions in marine national parks and marine sanctuaries is a core priority in DEDJTR's Fisheries Victoria Compliance Strategy and Fisheries Annual Compliance Plan. Regional enforcement plans prepared by Parks Victoria include priority measures which address the enforcement of fishing prohibitions in marine national parks and marine sanctuaries specifically.

To ensure operational effectiveness, not all aspects of these compliance plans will be publicly available. DEDJTR publishes its high level fisheries enforcement priorities on its public website, along with quarterly reports on compliance outcomes related to marine national parks and marine sanctuaries.

Parks Victoria and DEDJTR will be responsible for implementing this recommendation. The Marine and Coastal Act could also help ensure compliance and enforcement are considered in all aspects of marine protected area management such as strategy, planning and operations.

R15 The *National Parks Act 1975* be amended to improve consistency with the provisions for terrestrial national parks by (i) adding the requirement to obtain the advice of the National Parks Advisory Council prior to giving consent to petroleum exploration in marine national parks and marine sanctuaries, and (ii) providing for similar tabling and disallowance provisions.

The government accepts this recommendation in part.

Part (i)

The government does not accept this part of the recommendation. Petroleum exploration in marine national parks and marine sanctuaries (both above and below low water mark) is limited to operations from an aircraft or a vessel that does not detrimentally affect the seabed or any flora or fauna. In addition, the current policy is that there will be no release of additional acreage in marine national parks and marine sanctuaries for the purpose of exploration of oil and gas. The *National Parks Act 1975* treats petroleum exploration in marine national parks and marine sanctuaries below low water mark (under the *Offshore Petroleum and Greenhouse Gas Storage Act 2010*) differently to exploration above low water mark (under the *Petroleum Act 1998*).

The government recognises the tight constraints already imposed by the *National Parks Act 1975* on the types of petroleum exploration that can be permitted in marine national parks and marine sanctuaries. Consequently, to avoid introducing additional administrative steps into the process relating to consents for such exploration, the government does not propose to introduce a mandatory requirement for the Minister to seek the advice of the National Parks Advisory Council prior to consenting to any petroleum exploration in those sections of marine national parks and marine sanctuaries below low water mark.

The Minister can, on a case by case basis, use their discretionary power under section 11 of the *National Parks Act 1975* to seek advice from the Council on such consents.

Part (ii)

The government supports improving the transparency of reporting on consents for petroleum exploration in marine national parks and marine sanctuaries below low water mark. It will seek to amend the *National Parks Act 1975* to require any such consents to be tabled in both houses of Parliament. However, in recognition of the tight constraints already imposed by the *National Parks Act 1975* and in order not to introduce an additional process before any consent takes effect, the government does not propose to amend the Act to enable Parliament to disallow such a consent. DELWP will be responsible for implementing this recommendation to the extent it is accepted.

R16 Appropriate amendments be made to the *National Parks Act 1975* to reflect the current policy that does not allow discharge of seismic sources within marine national parks and marine sanctuaries.

The government accepts this recommendation in principle.

The government supports the continuation of the existing policy to disallow discharge of seismic sources within Victoria's marine national parks and marine sanctuaries and no release of additional acreage in marine national parks and marine sanctuaries for the purpose of exploration of oil and gas. Before considering any amendments to the *National Parks Act 1975* the government would wish to carry out a review of the current scientific evidence about the effects of seismic survey on marine life.

DELWP will be responsible for implementing this recommendation in consultation with DEDJTR and in consideration of the Marine and Coastal Act development.

R17 The development of state-wide policy be prioritised, in consultation with stakeholders, to guide ecologically sustainable management and use of Victoria's marine environment.

The government accepts this recommendation.

This policy will be developed in the context of the government's commitment to establish a new Marine and Coastal Act. Other relevant policies, strategies and priorities will also be considered.

Several existing Victorian strategies and initiatives are in place or being reviewed that seek to ensure the sustainable management and use of the marine environment.

Implementation of key actions of the Victorian Coastal Strategy 2014 will provide some opportunities to integrate policy and management objectives across the marine environment. Regional catchment strategies are critical in identifying actions to improve catchment condition and reduce impacts on the marine environment. Other relevant work includes the development of an Environment Management Plan for Port Phillip Bay and a review of the State Environment Protection Policy (Waters of Victoria) that is under way and due to be completed by the end of 2017.

DELWP will be responsible for implementing this recommendation with assistance from agencies involved in management and policy related to the marine environment.

R18 The existing policy, objectives and targets for marine water quality in Victoria be updated as soon as practicable, giving priority to targets for embayments.

The government accepts this recommendation.

DELWP is coordinating a review of the State Environment Protection Policies (SEPP) (Waters of Victoria and the Groundwater of Victoria) to guide the ecologically sustainable management and use of Victoria's water environments including the marine environment (and including embayments). This policy provides the legal framework to protect and improve Victoria's water environments. It establishes, in law, the uses and environmental values (beneficial uses) Victorians want to protect, defines the water quality standards needed to protect these beneficial uses and actions to be taken to achieve sustainable surface waters. This work will be undertaken in the context of the government's commitment to undertake five-yearly State of the Bay reports and the establishment of a new Marine and Coastal Act. A new water plan, Water for Victoria is also being developed that will set the strategic directions for water management in Victoria. The plan will address amongst other things the management of water for healthy waterways, bays and catchments.

DELWP, working with Melbourne Water and other agencies, is also currently developing an Environment Management Plan for Port Phillip Bay which will provide more specific guidance on key threats to the health of the bay and actions to address these. It will inform the review of targets and objectives as part of the SEPP.

Through this process, DELWP will work with the EPA, Parks Victoria and other agencies to identify broad goals and actions which aim to prevent future degradation of marine ecosystems and subsequent flow on effects to marine protected areas. The objectives and targets for marine water quality in Victoria will be reviewed and where required updated using the best available science.

Catchment Management Authorities prepare regional catchment strategies that may also address catchment based risks to marine protected areas and embayments.

DELWP will be responsible for implementing this recommendation with assistance from the EPA, Melbourne Water and Parks Victoria and in consideration of the Marine and Coastal Act development.

R19 High priority be given to preventing translocation of new marine pests to the marine national parks and marine sanctuaries, and for quickly eradicating new pests where it is practically feasible.

The government accepts this recommendation in principle.

This work will be undertaken within frameworks at the national and state level including procedures outlined in the National Environmental Biosecurity Response Agreement to deal with new pests, the Victorian Invasive Plants and Animals Policy Framework and the Victorian Emergency Management Manual. The *Commonwealth Biosecurity Act 2015*, when it comes into effect will supersede the Victorian arrangements for control of domestic ballast water. The Act came in to force in June 2016, however commencement of the provisions for domestic ballast has been deferred. Victoria is working with the Commonwealth Government to implement the provisions of the Act concerning domestic ballast water and to ensure continuing protection of Victoria's marine environment. Further, the National Review of Marine Pest Biosecurity included recommendations that the Australian governments develop regulations to reduce the risk associated with biofouling for vessels arriving in Australia.

DELWP, DEDJTR and Parks Victoria are currently responsible for the management of existing and potential invasive species in the marine environment based on a biosecurity approach. This is an integrated approach that identifies and prioritises biosecurity risks and threats and is underpinned by a risk-management framework for decision making. Implementation of this recommendation will need to be considered in relation to current strategies at national and state levels.

DEDJTR and a number of other agencies currently have responsibilities for management of marine pests, including the EPA for domestic ballast water management (pending commencement of the relevant provisions of the Commonwealth Biosecurity Act). DELWP will work with DEDJTR to clarify policy and responsibilities related to state wide management of marine pests. This may be informed by work on the Marine and Coastal Act.

As part of its existing obligations under the *National Parks Act 1975* to prevent and manage pests in the marine national parks and marine sanctuaries, Parks Victoria will incorporate marine pest surveillance and monitoring into its new state-wide monitoring plan for these areas. Priority areas for surveillance will be based on the conservation action plans and other research projects.

The Victorian Coastal Strategy identified an action to update key policies and guidelines for protocols regarding marine emergencies in state coastal waters including marine pest incursions.

DELWP, DEDJTR and Parks Victoria will work together with other relevant agencies and key stakeholders, including the fishing and boating communities, to implement this recommendation, depending on budget capacity, other program priorities and in consideration of the Marine and Coastal Act development.

R20 Management approaches be established to reduce the threat posed by biofouling in Victoria, while national approaches are developing.

The government accepts this recommendation in principle.

The Commonwealth Government, in consultation with state jurisdictions and industry stakeholders reviewed existing arrangements and will implement improvements for a strengthened national approach to marine pest biosecurity over the next three years. This includes the development of regulations to reduce the marine pest biosecurity risk associated with biofouling on vessels arriving in Australia.

Victoria supports efforts to establish national approaches to reduce the threat of biofouling, recognising that this is the most effective and efficient way to address this threat. How these approaches could be implemented will need to be considered in the development of the Marine and Coastal Act.

R21 Appropriate administrative arrangements and resourcing be established, integrated with Victoria's wider biosecurity arrangements, for responding to marine pest emergencies.

The government accepts this recommendation in principle.

Marine pest management will be considered within the broader marine biosecurity function to ensure better integration of approaches across biosecurity and enable leverage of expertise and capacity to respond to marine pest emergencies. The government will continue to work to better define roles and responsibilities and to determine appropriate resourcing in order to deliver this recommendation.

Responsibilities for pest management are under discussion to determine opportunities to strengthen and improve alignment. DEDJTR is the lead agency for biosecurity. This includes aquatic diseases but currently excludes policy and management for marine pests, including emergency response, where DELWP is responsible. These departments will continue to work together within the Intergovernmental Agreement on Biodiversity and emergency response management to new incursions. The Marine and Coastal Act may also provide further clarity around these arrangements.

R22 The boundaries of the Nooramunga Marine and Coastal Park be formally defined to include the marine areas to the mean high water mark, the pre-existing Nooramunga State Faunal Reserve, and historic sites at Old Settlement Beach and Tarraville.

The government accepts this recommendation.

Implementation of this recommendation will significantly progress the reservation of the park in accordance with previous government decisions by incorporating areas that have not yet been reserved as was originally intended. This will facilitate park management by establishing clearer boundaries and enabling the application of uniform legislation, including regulations.

Recreational and commercial fishing will continue to be allowed where it is currently permitted.

DELWP and Parks Victoria will identify appropriate boundary alignments when developing the necessary legislation. See also R25 and R28.

DELWP will be responsible for implementing this recommendation, in consultation with Parks Victoria and relevant stakeholders.

R23 The boundaries of the Corner Inlet Marine and Coastal Park be formally defined to include the marine areas to the mean high water mark (except where adjacent to Wilsons Promontory National Park), all islands in the inlet (except those in the Wilsons Promontory National Park), and coastal Crown land north and south of Yanakie Landing but excluding Yanakie caravan park and boat ramp (see note).

Note: A timeframe for removal of boat sheds at Red Bluff in accordance with previous government decisions should be developed.

The government accepts this recommendation.

See the general comments above in response to R22. See also R25 and R28.

As resources permit, a timeline for the removal of boat sheds at Red Bluff will be developed in consultation with the occupiers.

R24 The boundaries of the Shallow Inlet Marine and Coastal Park be formally defined to include the marine areas to the mean high water mark, the sand spit, the beach and foreshore on the western side of the inlet and that part of the foreshore on the eastern side of the inlet south of and including the Shallow Inlet camping reserve area and boat ramp until it adjoins Wilsons Promontory National Park.

The government accepts this recommendation.

See the general comments above for R22. See also R25 and R28.

R25 The remaining adjacent coastal Crown land not referred to in R22 to R24 and initially intended for inclusion in the marine and coastal parks be managed in a complementary way and, as resources permit, be assessed and boundaries defined for possible incorporation of areas to the relevant marine and coastal park in the future.

The government accepts this recommendation.

Implementation of this recommendation will enable areas not yet included in the parks through the implementation of R23–R25 to be formally included in the relevant parks as resources permit.

DELWP will be responsible for implementing this recommendation in close consultation with Parks Victoria.

R26 Management agreements with landowners adjacent to the marine and coastal parks be developed where the private land/Crown land boundary bisects areas of saltmarsh, mangroves and mudflats.

The government accepts this recommendation.

DELWP, Parks Victoria and other agencies and regional bodies such as Catchment Management Authorities and Landcare will continue to work with landowners, in accordance with regional priorities and as resources permit, to ensure complementary land management activities where the private land/Crown land boundary is intersected by areas of saltmarsh, mangroves and mudflats. This will be achieved through a range of mechanisms which will focus on providing incentives and entering into management agreements or covenants with willing landowners to protect, maintain or improve the environmental condition of these areas.

An example of current work in this area is a partnership between the West Gippsland Catchment Management Authority, the Yarram Yarram Landcare Network and landholders adjacent to the Corner Inlet and Nooramunga Marine and Coastal Parks. Native vegetation offsets have also provided opportunities for agreements with adjacent landowners in Corner Inlet for the protection of saltmarsh habitat.

DELWP and Parks Victoria will be responsible implementing this recommendation.

R27 Wilsons Promontory Marine Reserve be incorporated into the Wilsons Promontory Marine Park.

The government accepts this recommendation.

Most of the original Wilsons Promontory Marine Reserve is now part of Wilsons Promontory Marine National Park, and the uses of the remaining parts of the reserve are identical to those permitted in the adjoining Wilsons Promontory Marine Park. Implementation of this recommendation will simplify land status and the number of land categories around Wilsons Promontory. Recreational and commercial fishing will continue to be allowed where it is currently permitted.

DELWP will be responsible for implementing this recommendation.

R28 The following areas be moved to Schedule Three of the *National Parks Act 1975* (see note):

- a. Nooramunga, Corner Inlet and Shallow Inlet marine and coastal parks (with boundaries defined as in recommendations R22 to R24)**
- b. Bunurong Marine Park**
- c. Wilsons Promontory Marine Park (including the marine reserve in accordance with recommendation R27).**

Note: the parks are currently managed as though they were Schedule Three parks and no changes to the current uses are proposed.

The government accepts this recommendation in part.

The five parks (to the extent that they are currently formally reserved – see recommendations R22–R25) are currently included on Schedule Four to the *National Parks Act 1975* and, through the legislative framework applying to those parks, are generally managed as if they were parks included on Schedule Three (Other Parks) to that Act. Legislation allows commercial fishing in four of the five parks and enables areas to be specified for deer and/or duck hunting in Nooramunga and Corner Inlet marine and coastal parks.

Moving the parks from Schedule Four to Schedule Three will streamline the legislation applying to those areas.

Provision will be made for appropriate legal access to areas of freehold land surrounded by Nooramunga Marine and Coastal Park and for grazing on Snake Island in that park. Whether cattle grazing continues in the park will be determined by a park management planning process. Recreational fishing and, where currently permitted, commercial fishing and hunting will continue.

DELWP will be responsible for amending the legislation and will work with Parks Victoria on any management changes. Parks Victoria will be responsible for planning and management of the parks, in consultation with relevant stakeholders.

R29 A process be commenced by end 2015, involving all relevant managing agencies and the community, to provide advice to government on biodiversity goals and objectives for the multiple-use marine protected areas.

The government accepts this recommendation in principle.

The government acknowledges the importance of establishing biodiversity goals and objectives to inform management for the multiple-use marine protected areas, based on a sound understanding of the biodiversity values in these areas and how they interact with approved uses. This will be

considered as part of the development of a new biodiversity strategy: Protecting Victoria's Environment – Biodiversity 2036.

DELWP will be responsible for implementing this recommendation by end 2018, in consultation with relevant management agencies and the community and depending on the outcomes of the Marine and Coastal Act development.

R30 Parks Victoria publishes Marine Natural Values reports that cover all multiple-use marine protected areas by end 2016 to support the implementation of recommendation R29.

The government accepts this recommendation in principle.

Preparation of marine natural values reports will be guided by the availability of information on biodiversity values for the multiple-use marine protected areas. The inventory of values information is needed for setting objectives for the parks which in turn provides the basis for management planning. Planning objectives also guide the research, monitoring and evaluation that feed into ongoing management improvements.

Parks Victoria will be responsible for implementing this recommendation as resources permit. This work will be undertaken in the context of other environmental reporting processes detailed in the response to R6 and the development of the Marine and Coastal Act.

R31 Relevant management plans and integrated management arrangements be developed and/or updated consistent with the agreed objectives arising from implementation of recommendation R29.

The government accepts this recommendation in principle.

The government will ensure that management plans for the multiple-use marine protected areas reflect agreed biodiversity goals and objectives identified in R29. The government will also work to ensure that biodiversity goals and objectives are reflected in management planning by other agencies with management responsibilities relating to these areas.

Other relevant policies and strategies will be taken into account in the development of these plans, including SEPPs and Regional Catchment Strategies.

Parks Victoria will be responsible for implementing this recommendation as resources permit and will work with other relevant agencies to ensure integrated management arrangements for the multiple-use marine protected areas. Implementation will also depend on the Marine and Coastal Act development that will consider improved management and oversight arrangements.

R32 A research strategy be developed and peer reviewed for multiple-use marine protected areas by end 2016 to specify the priority research topics to inform management.

The government accepts this recommendation in principle.

The government recognises the potential value in applying adaptive management to Victoria's multiple-use marine protected areas, and that research and monitoring will be important components of this approach. Parks Victoria's research plan will address priority research needs across all marine protected areas by end 2017. The Parks Victoria Science Advisory Committee will provide peer review for the revised research strategy to ensure that research investment is more clearly guided towards informing future management of marine national parks and marine sanctuaries. To maximise efficient investment, resource allocation and community participation,

the government will consider establishing an integrated strategy which addresses research needs across all of the marine environment.

Parks Victoria will be responsible for implementing this recommendation, in consultation with other relevant agencies and as resources permit.

R33 Parks Victoria strategically focuses education, engagement and interpretation on a selected subset of marine national parks and marine sanctuaries, and that these areas be used to profile the role and function of the no-take system.

The government accepts this recommendation in principle.

The government will continue to consider state-wide priorities for education, engagement and interpretation across the marine protected areas. Parks Victoria's Education and Interpretation Framework will continue to guide the strategic delivery of education and interpretation at key marine protected area sites. This approach will ensure an emphasis on delivering services at sites in marine protected areas that were established for their suitability for recreation and education while helping to promote and protect the value and significance of other areas in the no-take system.

Parks Victoria will be responsible for implementing and communicating this recommendation in coordination with key stakeholders as resources permit.

R34 Parks Victoria continues to support community groups (e.g. Marine Care and Friends groups) in educating the broader community about the boundaries and ecological values of some of the no-take areas, and supports Traditional Owners in extending education activities to include education about Aboriginal cultural heritage values.

The government accepts this recommendation.

The government recognises the value and importance of working closely with community groups and Traditional Owners to provide education on the regulations and values, including Aboriginal cultural heritage values, associated with the no-take areas.

Parks Victoria will continue to work with key community groups and Traditional Owners to promote the Aboriginal cultural heritage values as well as the ecological values of the marine national parks and marine sanctuaries.

R35 Visitor research and monitoring be extended by Parks Victoria to include the multiple-use marine protected areas by end 2016.

The government accepts this recommendation in principle.

The government acknowledges the social benefits derived from the multiple-use marine protected areas, and that understanding and management of these benefits can be enhanced through visitor research and monitoring.

Parks Victoria will consider opportunities to extend visitor research and monitoring activities to the multiple-use marine protected areas, through existing data collection programs as resources permit.

R36 Models for joint management established in the Traditional Owner Settlement Act be extended as appropriate to marine protected areas as the framework for developing partnerships with Traditional Owners.

The government accepts this recommendation.

The government recognises that the existing framework for joint management can be applied more broadly to marine protected areas. The Government will consider opportunities to establish joint management arrangements for these areas, in line with the framework established under the *Traditional Owner Settlement Act 2010*.

DELWP will be responsible for implementing this recommendation in consultation with Parks Victoria and the Department of Justice and Regulation.

R37 Non-legislative collaborative frameworks be explored for developing partnerships with Traditional Owners in the multiple-use marine protected areas.

The government accepts this recommendation.

The government will continue to collaborate and develop partnerships with Traditional Owners to include Traditional Owner knowledge and access to resources in the management of multiple-use marine protected areas.

Parks Victoria and DELWP will be responsible for implementing this recommendation.

R38 An independent review of the effectiveness of management of the marine protected areas be conducted by end 2018. Commencing in 2015 and until this review has been completed, an interim audit of progress with relevant recommendations of this investigation that are accepted by Government be included as an annex to each 'annual report on the working of the *National Parks Act 1975*' (see note).

Note: The relevant recommendations that should be audited are R2–R5, R9-R12, R14-R16, R22-R32, R35.

The government accepts this recommendation in principle.

Work on the process for an independent review will be undertaken in the context of the government's policy commitments including five yearly State of the Bay reports and the establishment of a new Marine and Coastal Act. Consideration will need to be given to how best to audit actions and to measure the outcomes of the management of the marine protected areas. Timing will depend on progress with implementing the specified recommendations.

The government supports reviewing the effectiveness of management of the marine protected areas and will provide regular reporting against the progress of implementing the specified VEAC recommendations, to the extent that they have been accepted, in the National Parks Act annual report, commencing in 2017.

DELWP will be responsible for implementing this recommendation depending on the outcomes of the Marine and Coastal Act development.



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