

National Parks Advisory Council

ANNUAL REPORT 2021



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Front cover photo credits:

Top – View of Croajingolong National Park from Mt Everard, Andrew Barnes

Bottom left – Point Nepean National Park, supplied by Parks Victoria

Bottom centre – Tarra Bulga National Park, Josie Withers

Bottom right – Darby River - Wilsons Promontory National Park, Mark Watson

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Foreword

It is with pleasure that we provide the Annual Report of the National Parks Advisory Council (Council) to the Minister, the Hon. Lily D'Ambrosio MP, Minister for Energy, Environment and Climate Change.

Council met five times in 2020-21. Council's meeting schedule and its ability to meet face-to-face, and undertake field trips were significantly impacted in the past year due to the COVID-19 pandemic.

During 2020-21 Council formally advised the minister on two matters for which advice was required under the *National Parks Act 1975* in accordance with sections 40 (3) and 30AAAC. Council's deliberations on Beach Energy Limited's application to undertake petroleum operations within Port Campbell National Park were informed by an earlier, instructive field trip to the park, and from on-site briefings by the proponent and Parks Victoria staff, and subsequent elaboration at Council meetings. Similarly, a previous field visit to Point Nepean National Park assisted in consideration of a 42 year lease for the University of Melbourne and Monash University for a research and education facility within the park. Council wishes to place on record its appreciation for the input received from all of the parties involved in these applications.

In addition to the above matters, Council maintains its on-going interest in established issues relating to the parks estate, as well as emerging issues and changing park user needs. Council considers that one such emerging issue is the requirement for a statewide mountain bike strategy particularly as it relates to the use and construction of trails in parks managed under the National Parks Act.

Once again this year Council brought its diverse experience to briefings and discussions regarding a wide range of park management matters, including:

- progress on the western grasslands reserve
- progress on joint management arrangements
- feral herbivore control
- heritage asset management
- the Point Nepean Field Station development
- the development of the new Yallock-Bulluk Marine and Coastal Park on the Bass Coast

Council has been particularly well supported in its work by the Department of Environment, Water, Land and Planning (DELWP) and by Parks Victoria, and continues to benefit from the participation as observers and contributors at Council meetings of the respective representatives of these agencies, Ms Frances Northeast and Mr Matthew Jackson.

My thanks to members of Council who have contributed to Council's deliberations and to Executive Officer Sylvie Bideau for her continued support during a challenging year. I particularly want to acknowledge the work and leadership of the previous Convenor, Mr Doug Humann AM who resigned in October 2020.



Anna Foley
Convenor
31 August 2021

The Council

The National Parks Advisory Council (Council) is established under section 10 of the *National Parks Act 1975* (the Act). In 2020-21, the responsible Minister was the Hon. Lily D'Ambrosio MP, Minister for Energy, Environment and Climate Change.

Statutory responsibilities

Under section 11 of the Act the functions of the Council are to:

- advise the Minister generally in relation to the administration of the Act and on particular matters in relation to that administration on which its advice is sought by the Minister
- advise the Minister on any proposed excision from a park referred to it by the Minister
- submit to the Minister within three months after each year ending on 30 June a report on the performance of its functions during that year

In addition to these functions, the Minister is required to seek advice from the Council in relation to the granting of:

- certain leases within parks, under sections 19G, 30AAA, 30AAAC, 31AA, 31AABB, 32CA and 32CC of the Act.
- consents in relation to various earth resources tenements and operations within parks, under section 40 of the Act.

The Act

The Act governs the protection, use and management of Victoria's parks system. It provides a strong framework for ensuring that the uses and management of the parks are compatible with the long-term maintenance of their natural and cultural values.

The parks system

As at 30 June 2021, there were 139 parks and other areas, with a total area of approximately 3.47 million hectares managed under various provisions of the Act. These areas comprised 45 national parks, 3 wilderness parks, 26 state parks, 13 marine national parks, 11 marine sanctuaries, 11 marine and/or coastal parks or reserves, 14 other parks and reserves, 1 landscape conservation area (comprising seven component areas) and 15 non-scheduled areas. In addition, there were 19 wilderness zones and 22 remote and natural areas located within 13 national parks, and 4 designated water supply catchment areas within 3 national parks.

Membership

Council consists of eight members with specific skills and experience, appointed by the Governor in Council:

- two people with skills or experience relating to the preservation and the protection of parks
- one who is a professor or teacher of ecology at a university in Victoria
- one with experience in local government who resides in a municipality in which there is a park
- four (at least two of whom reside outside of the metropolitan area) with experience with matters affecting the interests of the community.



Current members

The members of the Council on 30 June 2021 were:

Ms Anna Foley (Interim Convenor)

Ms Foley is an experienced environmental advisor with a background in ecology, statutory planning, heritage, and community engagement. She is the Regional Operations Manager at Trust for Nature, overseeing a protected area network of more than 100,000 hectares. Prior to this role Ms Foley was the Conservation Manager at the National Trust of Australia (Victoria), regularly appearing at Planning Panels and VCAT to advocate for natural and cultural heritage protection. Ms Foley is an alternate member of the Heritage Council of Victoria and a member of the Reference Areas Advisory Committee, as well as volunteering for the National Trust.

Mr Michael Fendley (Member)

Mr Fendley lives on a small farm near Dunkeld in western Victoria. He has a life-long interest in Victoria's parks and environment, studying ecology and environmental planning at university before becoming one of the first environment officers for Local Government in Australia. He was Conservation Manager for Birds Australia (now Birdlife Australia), member of seven threatened-species recovery teams, CEO of the Victorian National Parks Association during the creation of the Marine and Box-Ironbark parks systems, Manager of the Green Steps Program at Monash University and Manager Sustainability Programs for DSE (now DELWP) in Barwon- South West.

Mr Adam McLean (Member)

Mr McLean has been a practising lawyer for over 30 years - 22 years as a barrister. Mr McLean specialises in native title and land rights, industrial relations, and board governance and has also advised many traditional owner groups in their negotiations for Aboriginal owned and co-managed national parks and reserves in Victoria, NSW and Queensland. Before law, Mr McLean gained an honours degree in zoology and during completion of his honours thesis surveyed Point Nepean Army Reserve. Mr McLean was raised in the Mornington Peninsula and has a keen interest in conservation, parks and reserves.

Ms Judy Dixon (Member)

Ms Dixon is a rural resident and Director of JADE Comm, a business specialising in delivery of training, strategic project and communication services. Ms Dixon has extensive experience working in the local government sector across communications, tourism, economic development and organisational development. Her focus is on partnerships and initiatives that strategically contribute toward destination sustainability and within that context is currently working to achieve Mansfield Autism Statewide Services' masterplan development of a therapeutic care farm. Ms Dixon is a former member of the Alpine Resorts Coordinating Council, Mt Buller and Mt Stirling Alpine Resort Management Board and past President of Mansfield Secondary College.

Dr Mary-Jane Rogers (Member)

Dr Rogers is a rural resident with experience in matters affecting the interests of the community and an active member of the Shepparton/ Goulburn Valley community. She is involved in a range of community groups, including in the areas of the environment and community use of parks. Dr Rogers is a part-time research scientist with Agriculture Victoria (DJPR) and has a strong scientific background in plant biology and physiology and in science quality and delivery. She brings to the council many years of experience in natural resource management issues and their effects on the rural community. Dr Rogers was previously a member of NPAC from 2010-2013 and is also a member of the Reference Areas Advisory Committee.

Associate Professor Ursula de Jong (Member)

Dr de Jong is Honorary Associate Professor in the School of Architecture and Built Environment, at Deakin University, Geelong. She is a Research Associate of HOME, a Deakin University Research Hub, providing evidence-based, community-tailored housing and social inclusion strategies. She is Honorary Research Fellow in Deakin's School of Architecture and Built Environment, Architecture Vacancy Lab - a research centre investigating vacant spaces - industrial, urban, rural; critical vacancy in architecture as a discipline; and architectural pedagogy, linking innovative teaching and practice to research. Dr de Jong is an architectural historian and a researcher of place. Dr de Jong was lead investigator on the recently completed Australia Research Council Sea Change Linkage Grant (2011-2016) which considered the impact of change on the coastal communities of Sorrento and Queenscliff in Victoria. Dr de Jong is Director of the National Trust of Australia (Victoria), a member of the National Liturgical Architecture and Art Council (NLAAC) and President of the Nepean Conservation Group which has cared for the local environment since 1973 and oversees twenty local Friends' Groups on the tip of the Mornington Peninsula, two in the Mornington Peninsula National Park and one in Point Nepean National Park. In 2017 she was appointed to the Point Nepean National Park Management Advisory Committee, which concluded its work in June 2021. In 2017 she was appointed Chair of the Reference Areas Advisory Committee.

Mr Chris Rose Member (Member)

Mr Rose is acknowledged as a world leader and expert in the management of national parks and reserved lands. He has worked in the areas of public land management, tourism and regional development and emergency management and recovery for over 35 years. Mr Rose has held positions in State and local government in Victoria, the Tasmanian Parks and Wildlife Service, and from 1996 to 2015, in Parks Victoria. His career at Parks Victoria included managing many of the State's outstanding protected areas in various executive roles including 12 months as Acting Chief Executive Officer of Parks Victoria. He left the sector in 2015 to start his own consulting firm specialising in business strategy and ecotourism development.

Observers - Parks Victoria, DELWP

Recognising the critical role which DELWP and Parks Victoria play in decisions regarding Victoria's parks, representatives of these two organisations attend and participate in meetings as observers but do not have any decision-making responsibilities. Council has benefitted from participation by Ms Frances Northeast as nominee of the DELWP Secretary, and Mr Matthew Jackson who is the Chief Executive Officer of Parks Victoria.

Resignations

Mr Doug Humann AM, resigned as Convenor of the National Parks Advisory Council effective 7 October 2020.



Council activities

Program

Council structures its work program according to its statutory responsibilities, providing advice on key government investigations, policies and strategies, and fulfils its corporate governance responsibilities.

Council continued to take a close interest in on-ground park management discussions with Parks Victoria field staff and regular briefings by Parks Victoria and DELWP staff. Field visits, which play an important role in developing Council's appreciation of on-ground circumstances and issues, were not able to be undertaken during the year due to Covid-19 conditions.

Council meetings

Council met five times during the year (see Table 1).

Table 1: Dates of Council meetings

Meeting No. 291	6 October 2020
Meeting No. 292	9 December 2020
Meeting No. 293	16 March 2021
Extraordinary meeting	16 June 2021
Meeting No. 294	21 June 2021

Advice to the Minister

Consent to undertake petroleum operations within Port Campbell National Park by Beach Energy Limited under Section 40 of the Act

Council was requested, in accordance with section 40(3) of the Act, to advise the Minister on the application for consent by Beach Energy Limited to undertake petroleum operations within the Port Campbell National Park.

This followed Council's consideration of the exploration phase of the project in November 2018. Council undertook a comprehensive site inspection of the proposed project area in March 2019 and provided subsequent advice to the Minister on 23 April 2019.

Council received a presentation from Beach Energy representatives on 16 March 2021 specifically regarding the production operations. From information gathered during that presentation, and briefings by Parks Victoria staff, Council members noted:

- Beach Energy's exploration activities for the Enterprise 1 site have been undertaken to the satisfaction of Parks Victoria and Council understands the proponent has been compliant in all aspects of the conditions set by the Minister on the approval for the exploration activities.
- For this consent application, no further works are required/proposed within the national park.
- A suite of works is proposed outside the national park, with the impact on the park and park users likely to be limited to minor visual and noise impacts experienced from the Great Ocean Road. Parks Victoria has assessed that the proposal has minimal impacts on the park's values and visitor experiences.
- A fixed term of 20 years for the consent was proposed by Parks Victoria, and Council noted it would not want to see a perpetual consent issued for this activity.
- Similarly, it may be prudent to consider a condition that requires Beach Energy to provide a plan that details how the facility, both above and below ground, will be decommissioned at the end of the project, for example within 22 years of any consent being granted.

Following its March meeting, Council subsequently provided advice to the Minister. In its advice, Council noted it was supportive of the conditions outlined in the draft section 40 consent prepared by Parks Victoria, and in terms of the short term and immediate impact of the works on the Park, Council saw no reason for the Minister to withhold consent under section 40 of the Act.

Council did consider, however, the broader environmental and climatic context in which it viewed this proposal. For example, the Black Summer fires had a severe impact on the national parks estate and the communities surrounding them, and in its advice to the Minister, Council noted the scale and frequency of such natural disasters is increasing under climate change.

Council's advice further noted that *Victoria's Climate Change Framework* provided direction that government decisions should *integrate environmental, economic, health and social considerations in the short, medium and long-term* and that decisions should be informed by *assessment of climate risks and contribution to Victoria's emissions*.

Council's advice included reference to research suggesting that if we are to have a better than 75% chance of staying below the 2 degrees Celsius warming limit, more than 70 per cent of Australia's existing, conventional reserves of gas will have to remain underground. In line with *Victoria's Climate Change Adaptation Plan 2017-2020* and the Government's 2016 commitment to action to keep global warming well below 2 degrees Celsius above pre-industrial levels, Council's advice encouraged the Government to consider how the Beach Energy proposal would impact the Government's ability to meet this vital commitment.

New 42 year lease to the University of Melbourne and Monash University for a research and education facility, Point Nepean National Park

Council was requested to consider a Parks Victoria proposal to recommend that the Minister grant a 42 year lease pursuant to section 30AAAC of the Act for the University of Melbourne and Monash University in Point Nepean National Park. The purpose of this lease is to develop a research and education facility, subject to the final design being consistent with the Point Nepean Research and Education Field Station Development and Operation Plan.

Council met on 16 June 2021 to receive a briefing from Parks Victoria about the proposed development in the Quarantine Station Precinct within Point Nepean National Park, and to consider the key lease terms as proposed by Parks Victoria.

Council was supportive of the lease being issued in accordance with the key lease terms as outlined in Parks Victoria's briefing papers to Council.

In considering the proposed lease, Council noted that:

- The lease conditions appear to be comprehensive and reasonable.
- Detailed design for the development remains to be completed and will be subject to approval from Parks Victoria.
- Relevant statutory approvals will be sought by the proponent, including from Mornington Peninsula Shire Council and any referral authorities under the *Planning and Environment Act 1987*, Heritage Victoria in relation to matters under the *Heritage Act 2017*, and DELWP with respect to proposed seawater reticulation systems for the facility.
- Some of the relevant statutory approvals will be subject to public advertisement of permit applications triggering opportunities for community submissions on the detailed design.
- Continuing input will be provided by Parks Victoria and DELWP in progressing the above-mentioned approvals.

Council considers that outstanding benefit will accrue to the State from the establishment of this research and education facility at Point Nepean, and is particularly pleased that two of Victoria's prominent universities are working together to realise the potential of the site's unique marine and coastal environment to support education and research.



Mountain Bike Strategy

In view of the growing sport and recreation of mountain biking, particularly as it relates to the use and construction of trails in parks managed under the Act and the broader Victorian public land estate, Council wrote to the Minister suggesting that it would be very supportive of the development of a statewide Victorian Mountain Bike Strategy.

The success of Derby in Tasmania has seen many communities in Victoria wanting to replicate that success and undertake initial work into planning for large mountain bike 'hubs', with Crown land and often national parks being seen as the most suitable land. Council noted Omeo and Warburton are just two of the proposed trail/hub/parks.

Council encourages and supports appropriate use of land with the eventual outcomes of 'Healthy Parks, Healthy People'. Council is of the opinion that the development of a statewide Victorian Mountain Bike Strategy is needed to help guide the development of the most appropriate mountain bike trails (and hubs and parks) in locations that minimise impacts on park conservation values and maximise benefit to local and visitor economies, aligned to the market needs over the next ten years.

Council noted that other jurisdictions that have developed these types of planning frameworks have successfully developed trails and mountain bike parks, attracting appropriate use and commensurate economic, social and health benefits into areas that minimise environmental impact, and meet the market needs.

Such a strategy for Victoria would also provide a strong planning 'signal' to local government authorities as well as the growing mountain bike industry. The Victorian Mountain Bike Strategy could capture, among other things, where proposed mountain bike facility developments are most suitable, as well as signalling where they are not suitable.

Council expressed it would be very supportive of the Minister working with DELWP, Parks Victoria, and other land managers, as well as Sport and Recreation Victoria (SRV) and the mountain biking industry, to initiate this strategy.

Subsequently, the Minister confirmed that SRV had funded AusCycling for a project to better understand mountain biking and future opportunities for the activity in Victoria, and furthermore, that DELWP, Parks Victoria and local government representatives would be involved to support any future statewide strategy.



Mountain-biking in Bright.



Port Campbell National Park.

Attendance at meetings

Attendance at meetings by members in the reporting period is shown in Table 2.

Table 2: Attendance at meetings

	Number of meetings attended
Mr Doug Humann	1 of 1
Mr Adam McLean	4 of 5
Ms Anna Foley	5 of 5
Mr Michael Fendley	3 of 5
Ms Judy Dixon	5 of 5
Mr Chris Rose	5 of 5
Dr Mary-Jane Rogers	5 of 5
Associate Professor Ursula de Jong	5 of 5
DELWP - Permanent invitee, non-member - Ms Frances Northeast	5 of 5
Parks Victoria - Permanent invitee, non-member - Mr Matthew Jackson	5 of 5

Presentations

A list of the presentations to Council during the year is included in Table 3.

Table 3: Presentations to Council

Title	Presenter	Date
Presentations at meetings		
Presentation to Council on proposed lease agreement - Mountain Bike Trail, Beechworth Historic Park	Mr Stuart Hughes (PV - Director Park Planning), and Mr Daniel McLaughlin (PV - Regional Director Northern Region)	6 October 2020
Presentation to Council on the National Centre For Coasts, Environments and Climate Change, Point Nepean	Mr Stuart Hughes (PV - Director Park Planning)	6 October 2020
Presentation to Council by Indigo Shire Council regarding Mountain Bike Trail, Beechworth Historic Park	Mr Trevor Ierino (CEO - Indigo Shire) and Mr Ewen Oldmeadow (Manager Capital Projects - Indigo Shire)	9 December 2020
Presentation to Council on the National Centre For Coasts, Environments and Climate Change, Point Nepean	Mr Stuart Hughes (PV - Director Park Planning), Mr Jim McCluskey (Deputy Vice Chancellor Research, University of Melbourne), Mr Marc Parlange (Provost & Senior Vice President, Monash University), Mr Jordan Nash (Dean of Science, Monash University), Ms Michelle Augier (Project Director, University of Melbourne) and Ms Liz Sonenberg (Pro-Vice Chancellor Research Infrastructure & Systems, University of Melbourne)	9 December 2020
Presentation to Council by Beach Energy Limited on production of gas (Port Campbell National Park drill line)	Ms Catriona King (Environmental Advisor), Ms Sam Moloney (Project Manager) and Mr Blair McNaught (Community Relations Manager)	16 March 2021
Presentation to Council on Parks Victoria Built Heritage Management	Mr Tony Varcoe (PV - Director Community Programs) and Mr Paul Roser (PV - Manager Heritage Partnerships)	16 March 2021
Presentation to Council on NP Act lease for the new Point Nepean Climate Research Centre	Mr Stuart Hughes (PV - Director Park Planning)	16 June 2021
Update to Council on Yallock-Bulluk Marine and Coastal Park	Ms Cass Philippou (DELWP - Land and Built Environment Program Officer)	21 June 2021

Expenditure

DELWP provides Council with an executive officer to support its work. Council complied with departmental policies in performing its functions throughout the reporting period. Financial and other information relating to the *Financial Management Act 1994* is included in the department's annual report for 2020-21. Table 4 summarises the expenditure of Council in 2020-21 compared with 2019-20.

Table 4: Expenditure incurred by Council in undertaking its responsibilities

	2019-20	2020-21
Meeting fees	8,104.40	6,900.00
Other operating expenses	12,270.24	3,788.56
Total	20,374.64	10,688.56

Consultancies below \$10,000

None

Consultancies above \$10,000

None

Administration

Corporate governance

Council has adopted and adapted the following DELWP policies and procedures:

- Code of Conduct
- Conflict of Interest
- Meetings and decision-making
- Dispute Resolution
- Gifts, benefits and hospitality
- Performance Assessment.

Workforce Data

As at 30 June 2021 the Council secretariat consisted of one staff member:

- Sylvie Bideau - Executive Officer

There was no change in the number of ongoing staff positions in the secretariat from the previous financial year. Council staff are also included in the employment statistics for DELWP in 2020-21.

Council is committed to apply merit and equity principles when appointing staff. The selection processes ensure that applicants are assessed and evaluated fairly and equitably on the basis of the key selection criteria and other accountabilities without discrimination.

Public Interest Disclosures Act 2012

The *Public Interest Disclosure Act 2012* (PID Act) enables people to make a disclosure about corrupt or improper conduct by a public officer or a public body.

Council is a public body for the purposes of the PID Act.

What is a public interest disclosure?

A public interest disclosure is a complaint of corrupt or improper conduct or detrimental action by a public officer or a public body.

'Improper or corrupt conduct' involves substantial mismanagement of public resources, risk to public health or safety or the environment, or corruption.

'Detrimental action' is action taken against a person in reprisal for making a public interest disclosure.

How do I make a public interest disclosure?

You can make a public interest disclosure about Council or its board members, officers or employees by contacting IBAC (details below).

Council is not able to receive protected disclosures.

DELWP has established procedures for the protection of persons from detrimental action in reprisal for making a public interest disclosure about the Council, its board members, officers or employees. You can access Council's procedures on its website at www.delwp.vic.gov.au

Independent Broad-based Anti-corruption Commission (IBAC) Victoria

Address: Level 1, North Tower,
459 Collins Street,
Melbourne Victoria 3000.

Mail: IBAC, GPO Box 24234,
Melbourne Victoria 3001

Internet: www.ibac.vic.gov.au

Phone: 1300 735 135

Email: see the website above for the secure email disclosure process, which also provides for anonymous disclosures.

Compliance with DataVic Access Policy

Consistent with the Victorian Government's DataVic Access Policy (2012), the Council intends that data tables that it may produce in the future will be available at <https://data.vic.gov.au/> in machine readable format.

Victorian Protective Data Security Standards

Council is a participant in DELWP's Protective Data Security Plan to meet the Victorian Protective Data Security Standards. DELWP has reviewed the activities outlined in the 2020 Protective Data Security Plan and during 2020-21 the identified activities were either implemented or under implementation.

Summary of environmental performance

Council makes use of DELWP offices and facilities to perform its functions and the reporting requirement of the office is met by DELWP. Council participates fully in a range of environmental programs undertaken by DELWP.

Statement of availability of other information

Any information retained by Council relating to its activities is available on request, subject to the provisions of the *Freedom of Information Act 1982*.

Occupational health and safety policy

Council utilises DELWP Occupational Health and Safety policies and procedures.

Public administration employment and conduct principles

Victorian Public Service merit and equity principles are applied in the appointment and management of staff. Council follows the merit and equity principles used by DELWP, in accordance with Government directives and the *Public Administration Act 2004*.

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Freedom of Information Act 1982

The Council is an agency under the *Freedom of Information Act 1982*, and it complies with the procedures prescribed under which members of the public may gain access to information held by agencies. A decision to release information is made by an authorised officer. Contact:

DELWP FOI Unit

Phone: (03) 7022 6530

Email: foi.unit@delwp.vic.gov.au

No Freedom of Information requests were made during the 2020-21 reporting period.

An application fee applies. The fee from 1 July 2021 is \$30.10.

Risk management

While Council examines the risks of delivery of its particular work functions and objectives on an ongoing basis, it relies on the DELWP risk management framework and internal audit of financial and other administrative systems used by its secretariat. Please refer to the DELWP annual report for further information.

DELWP Annual Report

DELWP's Annual Report can be found at www.delwp.vic.gov.au/our-department/annual-report

Contacting Council

National Parks Advisory Council
c/ Environment and Climate Change Group
Department of Environment, Land, Water & Planning
Level 39 - 2 Lonsdale Street
MELBOURNE, VIC 3000.
www.delwp.vic.gov.au

Council can be contacted by phone or email through the DELWP Customer Contact Centre:

Phone: 136 186

Email: customer.service@delwp.vic.gov.au

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