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LAND CONSERVATION COUNCIL

**Review of Victorian Plantations
Corporation Vested Lands**

**AS REQUESTED BY THE MINISTER FOR
PLANNING**

August 1993

LAND CONSERVATION COUNCIL
REVIEW OF VICTORIAN PLANTATIONS CORPORATION VESTED LANDS

Summary of Report

Plans Checked

Some 79 of the 173 scheduled plans were checked in detail.

Included Parks and Reserves

Portions of some four parks and 12 reserves have been included in vested lands.

Implications of Included Parks and Reserves

Appendix 5 describes the possible implications of inclusion in vested lands.

The majority are inconsequential. The inclusion of parts of the Macedon Regional Park, the Kinglake West Education Area, Pheasant Creek Flora Reserve, Walwa Road Quarry Reserve, and the Nine Mile Creek offtake is more significant.

VPC Access Required Through Parks

Existing roads are likely to be required through three scheduled parks, and two other Government-approved parks, involving at least eight routes.

The requirement for additional roading is considered to be low to negligible.

Other Issues

Comment is included on a number of related issues, notably concerns as to the management of native forest included in vested land and the maintenance of recreational access through and within vested lands.

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REVIEW OF VICTORIAN PLANTATIONS CORPORATION VESTED LANDS

INTRODUCTION

This report arises from a request from the Minister for Natural Resources to the Minister for Planning arising from issues raised during Parliament's consideration of the Victorian Plantations Corporation Bill during the 1993 autumn season of Parliament.

The report has five parts:

1. Terms of Reference
2. Approach Taken
3. Results
4. Discussion
5. Other Comments

The report also includes a number of appendices which form an integral part of the document.

TERMS OF REFERENCE

The terms of reference for the review are as follows:

- * To identify areas of Park or Reserve included within the land being vested in the Victorian Plantations Corporation.
- * To review the access requirements of the Victorian Plantations Corporation through Parks managed under the National Parks Act.

APPROACH TAKEN

To reduce the project to a manageable size, to focus the analysis, and meet the time and resource constraints, a desk study utilising the following approach was adopted:

With respect to the first term of reference:

Initially, a broad scale review of all the scheduled vested lands was undertaken. It involved the overlaying of the 1:500 000 scale locality plans of the vested lands and a similar internal locational plan of the Strzelecki plantations over a set of 1:500 000 scale maps of public land use as defined by government accepted Land Conservation Council recommendations.

Where the vested lands coincide with or were in the immediate vicinity of a park or reserve they were considered further.

A detailed comparison of the vested lands in or near parks and reserves was then undertaken by comparing the individual scheduled plantation plans with Council's final recommendation maps and where available, final recommendation detailed plans.

Those vested lands including all, or part, of parks and reserves, were then identified.

The 1:500,000 land use maps omit some smaller reserves due to practical limitations of scale. To overcome this limitation, an additional check was made of Council's detailed final recommendation maps to ascertain if any other reserves were in the vicinity of the vested land. Where necessary, a detailed comparison was made between the relevant scheduled plans and Council's final recommendation maps.

With respect to the second term of reference regarding access, it was assumed that the term 'access' referred to vehicular access and that logging truck access, rather than low scale management access, was of key relevance. The plans considered in the second stage of the process described above were analysed to:

- (i) establish those vested land areas which abutted parks and reserves
- (ii) ascertain if any existing access to plantations passed through such parks and reserves and provided access to main forest roads, constructed road reserves, or State highways.
- (iii) ascertain those possible access routes which might be required for normal operational access to or from the plantations, bearing in mind the location of likely processing plants.

In addition, all the vested land boundaries shown on the scheduled plans were checked to ascertain whether they included boundary roading, with the assumption that if they did not, additional roading may be required in the future which could affect the abutting park.

A final overview check was made to ascertain if any non-abutting parks and reserves may also be subject to through access from all vested land areas to likely softwood mills/industry base areas.

The preliminary conclusions of the review were checked with staff of the DCNR Forest Products Group. Formal advice of possible roading requirements sought from the VPC is attached.

RESULTS

Of the some 173 scheduled plans, 79 of these were checked in detail. This represents 33 of the 88 vested plantation areas.

Twenty-three scheduled plans, affecting 13 plantations, included portions of parks or reserves. In all, portions of some four parks and 12 reserves have been included in vested lands.

Of the scheduled parks with portions included in vested lands, one is the Lower Glenelg National Park, the other is the Moondarra State Park, both of which are subject to specific clauses in the *Victorian Plantations Corporation Act 1993*, which provided for the excision of these areas from the respective parks. Portions of

Two other parks, which are not scheduled, have also been partially included in the vested lands.

Part or all of a further 12 reserves have been included in the vested lands. They include a flora and fauna reserve, a flora reserve, an education area, three scenic reserves, a bushland reserve, a streamside reserve, and other minor quarry and utility reserves. Note that all of these reserves have been approved by government, following a recommendation by the LCC, although most have not yet been formally reserved. A full listing of affected parks and reserves is provided in Appendix 1. This appendix also includes details of the origin and status of each park and reserve together with a cross-reference to the most relevant vested land scheduled plan.

With respect to possible VPC access requirements through parks, existing roads are likely to be required through five parks, involving at least eight routes. Of these, one is within the Lower Glenelg National Park, three within the Tarra-Bulga National Park, one within the Moondarra State Park, three in a the Ballarat/Creswick Regional Park, and a number within the Macedon Regional Park. Note that the latter two parks, while approved by Government, have not been formally reserved.

The affected roads are described, by park, in Appendix 2.

One park (Tarra-Bulga National Park) presently managed under the *National Parks Act 1975* and four other Government-approved parks (Mirboo, Crawford River, Hepburn and Macedon Regional Parks) abut vested lands which presently have an unroaded boundary. Given topographic constraints and existing internal roading patterns, the future requirement for roading along the vested land boundary and/or within the adjoining parks is considered to be low to negligible.

In reviewing the maps it was apparent that likely VPC access requirements for use of existing roads would affect a number of government approved reserves. While not required under the terms of reference, Council believes that knowledge of such reserves would be useful to both the VPC and the managers of the reserves. Some thirteen reserves would be involved. These affected reserves

are listed in Appendix 3.

DISCUSSION

While portions of a number of parks and reserves have been included within the vested lands, the greater majority are of an inconsequential nature from the perspective of maintaining the values of the particular park or reserve, as well as, in most instances, from the perspective of the management of the plantation itself.

Notably, the portions of the two affected parks scheduled under the *National Parks Act 1975*, included specifically by the *Victorian Plantations Corporation Act 1993*, are not likely to have major impacts on park values, nor create any obvious precedent for park excision.

The inclusion of parts of the Macedon Regional Park, the Kinglake West Education Area, Nine Mile Creek offtake, the Walwa Road Quarry Stone Reserve, and the Pheasant Creek Flora Reserve are more significant, as the ability to achieve their land use objectives and maintain the values of these areas is likely to be diminished under the management of the Corporation whose powers and responsibilities are clearly focussed on softwood production.

A more detailed discussion of these areas and the possible implications of their vesting, as well as a brief description and discussion of all affected parks and reserves, is provided in Appendix 4.

With respect to VPC access requirements, no new roads or major upgrading of existing vehicular tracks are envisaged. Access requirements through parks are mostly on existing major public thoroughfares, and even where it passes through more isolated reserves it is difficult to envisage that likely VPC generated traffic will have impacts discernible over and above other public or forest management and utilisation access.

OTHER COMMENTS

Reference to government approved LCC land use recommendations

It is understood that the process of establishing the boundaries of the vested areas took into consideration the boundaries of scheduled parks and gazetted reserves as well as advice from departmental staff. However, government approved LCC recommendations for parks and reserves not yet scheduled or gazetted were not systematically considered. This seems an unfortunate oversight.

Consistency with Council recommendations

The Land Conservation Council has, since its first set of land use recommendations in 1971, defined areas of land for use for the production of softwoods. It has also recommended that 'as the boundaries of many areas have not been precisely surveyed, they be subject to minor modification, road excisions, easements, and other adjustments that may be necessary'.

Given the foreshadowed possible need for minor modification, there is mostly a close correlation between the softwood plantation areas recommended by Council and the vested areas. The most notable exceptions are:

- (i) the inclusion of adjoining State forest recommended by the LCC for hardwood sawlog production or as buffers to plantations. Examples are shown on plans 93-67, 93-73, 93-136, 93-163, and 93-169. See also comments on page 8.
- (ii) the exclusion of areas that, while available for planting, have not been planted to date - that is, native forest recommended by the LCC for softwood production not planted prior to government policy decisions to halt native vegetation clearing. Notable examples include vested land shown on plans 93-2, 93-13, 93-16, and 93-96.
- (iii) the inclusion of extensive areas of mountain ash reforestation in the Strzelecki Ranges. These areas were recommended for hardwood timber production by Council,

which noted that the objective of the hardwood planting program was to restore the forest so that it will eventually have a similar structure to the original forest. A range of uses were to be provided and no differentiation was made between reforested areas and areas retaining the original forest cover. Examples include 93-78 to 93-84, 93-92, 93-100, and 93-107. This is a major change of use and it is unclear whether major changes in silvicultural practice and the provision for non-timber uses is envisaged.

Inconsistent application of boundary 'principles'

It is understood that the boundaries chosen for the vested lands were based on ensuring that they were easily recognisable and made practical sense from a management view point. To this end the primary boundary principle was to use watercourses or roads, with secondary principles being vehicular tracks, the plantation edge, and straight lines in decreasing order of preference.

The application of such principles has, however, been inconsistently applied. In some regions, such as in South West Victoria, Ballarat and the Otways, the boundaries are very tightly focussed on the areas planted. In other regions, such as in North East Victoria and South Gippsland, adjoining native forest areas, both within and outside Council recommended softwood plantation areas, have been included.

In some cases, tracks and forest roads bordering and extending beyond the plantations, have been included. In others they have been excluded. It is understood that this is the result of the inclusion or otherwise of tracks based on the major user/manager of the longest section of such tracks and forest roads.

In some cases the vested land extends beyond the plantation over native vegetation to a cadastral boundary (e.g. 93-69) whereas in others a narrow area of adjoining native vegetation between the vested land and a cadastral boundary has been excluded (e.g. 93-1).

In allocating land for softwood production, Council has mostly used boundary roads, and watercourses, but also topographic spurs and ridgelines, and has made greater use of plantation edges.

Inclusion of native forest with vested lands

Based on the analysis of the plans assessed in detail, the greater majority of vested land areas include areas of native forest. The native forest generally is located on roadsides, plantation boundaries, areas of steep slopes, and most often adjacent to watercourses. In some, small internal blocks of native forest have also been retained.

Softwood plantation areas recommended by the LCC include such areas. It has been Council's longstanding policy that such areas be maintained and actively managed to maintain landscape and habitat values, exclude exotic vegetation, and avoid disturbance to ground cover and surface soil.

Further, about half of the vested land scheduled plans include areas of native forest which lie beyond the boundaries of the LCC recommended softwood plantation areas. It is understood that such areas were included to avoid the creation of highly convoluted boundaries for the vested areas and to ensure that they were readily identifiable 'on the ground'. Such lands were mostly recommended by the LCC, and approved by government, for use as 'State forest'. This land, unlike softwood plantation areas, is to provide for a range of uses including nature conservation, water production and catchment protection, education, and preservation of scenic values. All LCC categories, including softwood plantation areas, provide for recreation.

It is of some concern that such areas, all of which have not been planted to pine, have been included within the vested land. This concern is further emphasised in that the *Victorian Plantations Corporation Act 1993* does not prescribe requirements for the protection and management of non-plantation values, nor empower the Corporation to undertake such tasks.

Examples of vesting plans which include large blocks of 'State forest' are Plans 93-41, 93-136, 93-163 and 93-168. Some include

'buffer' areas specifically excluded from softwood plantation areas as recommended by the LCC's, for example, 93-67, and 93-125.

Other included areas are those specifically excluded by the LCC to provide for hardwood production, for example 93-1, 93-2, and 93-41. It is surprising to note that the latter plan included the LCC hardwood production area with the vested plantation land but with specific provision then made to permit hardwood production.

The most notable and extensive areas of included native forest are those vested lands in the Strzelecki Ranges whose government approved LCC land use recommendation is 'hardwood production area' or uncommitted land. These areas are in addition to reforested lands. It is understood that these areas were included in the vested land to avoid a mixture of management responsibility. Examples of such areas are on plans 93-78, 93-82, 93-84, 93-87, 93-92, and 93-100. Such native forests, upon being harvested, may be replanted as hardwood plantations - a major change of use.

It is assumed that the act of vesting supersedes all previous government approved LCC land use recommendations relevant to such lands.

Status of 'Areas Subject to hardwood logging'

A number of the scheduled plans have areas designated to provide for hardwood logging by the Director-General of DCNR. Under the VPC Act 1993 such authority ceases at the end of the current supply period. It is unclear whether such areas could then be available for softwood plantings rather than hardwoods. This would be inconsistent with the LCC recommendations for some of these areas.

Public access through and within vested lands

Many existing roads passing through vested lands are on road reserves which, with respect to through access, have been specifically excluded from the vested area. Other roads, and many more minor vehicle tracks are, however included.

With respect to through access, the VPC Act empowers the VPC to close road access through vested lands, as well as provide through access to Crown land by way of lease, licence, permit or other agreed way, to the Minister or Director-General of DCNR. There is no general right in the legislation regarding public access to these former public land areas, nor a process of public input into proposed forest road closures.

This is of concern as about a third of the plans of vested lands include vehicular tracks that provide access to adjoining parks and reserves and major areas of State forest. Such access may include primary access routes, such as the main access to the Princess Margaret Rose Caves in the Lower Glenelg National Park (plan 93-16). In such instances, an assurance of continued public access is required. Most primary access routes are, however, not included or alternative access is available. Other through routes of importance for four-wheel-drive groups may be affected.

Another concern relates to possible restrictions on the existing and potential use of the plantations themselves for recreation. Previous government approved LCC land use recommendations for both softwood plantation areas and other land use categories included in vested lands, provide for the provision of opportunities for recreation. These provisions are presumed to be superseded upon vesting. Many of the vested plantations provide opportunities for horse-riding, trail-bike riding, and a range of vehicle based activities.

Appendix 1

LISTING OF PARKS AND RESERVES INCLUDED WITHIN THE LAND BEING VESTED IN THE VPC.

Name of park or reserve	LCC study area	LCC No.	Date of LCC rec.	Date of Order in Council	Size of included area (ha)	Vesting plan reference
A - Scheduled Parks						
1. Lower Glenelg River National Park *	SW1Review SW1	A1 A1	Mar 1983 Apr 1973	26/6/84 5/3/74)	41	93-12,16
2. Moondarra State Park *	Melbourne	A10	Jan 1977	as varied 24/9/79	2.7	93-120
B - Other Parks						
3. Hepburn Regional Park	Melb1Review Melbourne	A10,11 A15	June 1987 Jan 1977	31/10/78	15	93-53,55
4. Macedon Regional Park	Melb1Review Melbourne	A12,13 A16	June 1987 Jan 1977	31/10/78	478	93-57,58
C - Reserves						
5. Upper Glenelg River Streamside Reserve	SW1R SW1	J3 J6	Mar 1983 Apr 1973	26/6/84 5/3/74	11	93-13
6. Hat Hill Flora and Fauna Reserve	NE(B-UM)R NE2	H2 L8	Jan 1986 July 1974	11/2/87 13/9/77	5.3	93-65
7. Kinglake West Education Area	Melbourne	M7	Jan 1997	24/6/80	30	93-69
8. Nine Mile Creek Offtake	NE(B-UM) Review	D15	Jan 1986	11/2/87	~1	93-138
9. Mount Stanley Scenic Reserve	NE(B-UM) Review	J1	Jan 1986	11/2/87	10	93-142
10. Pheasant Creek Flora Reserve	NE(B-UM)R NE1	G7 G1	Jan 1986 Nov 1973	11/2/87 17/9/74	7.6	93-165
11. Walwa Road Quarry Stone Reserve	NE(B-UM)R	R13	Jan 1986	11/2/87	16	93-165
12. Turtons Creek Scenic Reserve	SG2	I1	Nov 1982	26/6/84	33	93-82
13. Mount Fatigue Scenic Reserve	SG2	I3	Nov 1982	26/6/84	2.9	93-84
14. Toora Tin Mine Gravel Reserve	SG2	R14	Nov 1982	26/6/84	36	93-87
15. Toora Bushland Reserve	SG2	H37	Nov 1982	26/6/84	4.7	93-87
16. Unnamed Stone Reserve	SG2	R10	Nov 1982	26/6/84	12	93-100

* The included sections are those referred to in the VPC Act 1993