# Appendix 1 - legislation and policy of relevance to the RCS

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<tr>
<td><strong>Water Act 2007</strong></td>
<td>An Act to make provision for the management of the water resources of the Murray-Darling Basin, and to make provision for other matters of national interest in relation to water and water information, and for related purpose.</td>
<td>• Priorities within the Murray-Darling Basin Plan (final plan March-April 2012)</td>
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<tr>
<td><strong>Environment Protection and Biodiversity Conservation Act 1999</strong></td>
<td>The EPBC Act is the Australian Government’s central piece of environmental legislation. It provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places defined in the Act as matters of national environmental significance. The Act is the principal Commonwealth legislation for providing comprehensive protection for Indigenous heritage places.</td>
<td>• National Heritage Places • Wetlands of international importance • Threatened species list • Nationally threatened species and ecological communities • Migratory species • Marine environment • Key threatening processes</td>
</tr>
<tr>
<td><strong>Aboriginal and Torres Strait Islander Heritage Act 1994</strong></td>
<td>Enables the Australian Government to respond to requests to protect traditionally important areas and objects that are under threat, if it appears that state or territory laws have not provided effective protection.</td>
<td>• Protected areas and objects</td>
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<td><strong>Native Title Act 1993</strong></td>
<td>The Act establishes a framework for the protection and recognition of native title. The Act gives Indigenous Australians who hold native title rights and interests—or who have made a native title claim—the right to be consulted and, in some cases, to participate in decisions about activities proposed to be undertaken on the land.</td>
<td>• Consultation requirements</td>
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<td><strong>Fisheries Management Act 1991</strong></td>
<td>A key objective of the Act is ensuring that the exploitation of fisheries resources and the carrying on of any related activities are conducted in a manner consistent with the principles of ecologically sustainable development (which include the exercise of the precautionary principle), in particular the need to have regard to the impact of fishing activities on non-target species and the long term sustainability of the marine environment.</td>
<td>• Fisheries management</td>
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| Australia's Biodiversity Conservation Strategy 2010–2030 | A guiding framework for conserving our nation’s biodiversity over the coming decades. Functions as a policy ‘umbrella’ over other more specific national frameworks including:  
  > Strategy for Australia’s National Reserve System 2009-2030  
  > The Australian Weeds Strategy (revised 2007)  
  > Australian Pest Animal Strategy 2007  
• National targets |
| Strategy for Australia's National Reserve System 2009-2030 | Outlines the strategy to achieve an effective reserve system by 2030 that secures biodiversity assets in their landscape setting and ensures they are effectively managed. | • The Strategy is an update of the 2005 Directions for the National Reserve System – A Partnership Approach.  
• Provides guidance to improve cross-jurisdictional co-ordination and collaboration.  
• Sets national targets and guiding principles. |
| The Australian Weeds Strategy (revised 2007) | The strategy is a vital part of Australia’s integrated approach to national biosecurity, and complements other existing and new national strategies for invasive species, such as those for terrestrial vertebrate pests and marine pests. Its aim is to minimise the impact of weeds on Australia’s environmental, economic and social assets. | • Principles  
• Roles and responsibilities  
• Priority weeds and Weeds of National Significance  
• National Weed Awareness Action Plan |
| Australian Pest Animal Strategy 2007 | The focus of the Strategy is to address the undesirable impacts caused by exotic vertebrate animals (mammals, birds, reptiles, amphibians, and fish) that have become pests in Australia, and to prevent the establishment of new exotic vertebrate pests. | • Principles  
• Threat abatement plans for species such as feral cats, foxes, rabbits, goats and pigs. |
| National Framework for the Management and Monitoring of Australia’s Native Vegetation (2001) | Aims to reverse the long-term decline in the quality and extent of Australia’s native vegetation cover. The framework provides a vehicle through which to implement this goal in a unified and consistent manner, against an agreed framework of best practice management and monitoring measures. | • To be replaced by Australia’s Native Vegetation Framework (draft out 2010).  
• Actions for regional NRM bodies. |
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| **Climate Change Act 2010** | Provides a framework for Victoria’s action on climate change, including a legislated target to cut Victoria’s greenhouse gas emissions by 20% by 2020. The Act requires the Government to develop a Climate Change Adaptation Plan every four years, outlining the climate change impacts and risks to Victoria and the Government’s priority areas for response. | • Requires decision makers to take climate change into account when making specified decisions under the *Catchment and Land Protection Act 1994*.  
• Guiding principles |
| **Traditional Owner Settlement Act 2010** | The Act allows the Victorian Government to make agreements to recognise Traditional Owners and their rights in Crown land, in return for agreement to withdraw all current native title claims and not to lodge any claims in the future. Agreements can include:  
- The hand back of parks and reserves to be jointly managed with the State (Land Agreement)  
- A new simplified regime to guide consultation and negotiation for activities that have a substantial impact on traditional owners’ rights in Crown land (Land Use Activity Agreement)  
- Increased access to, and sustainable use of natural resources (Natural Resource Agreement). | • Consultation with Registered Aboriginal Parties  
• Gunaikurnai Settlement Agreement  
• Yorta Yorta Agreement  
• Wimmera Settlement Agreement  
• Gunditjmara Settlement Agreement  
• River Red Gum Boards of Management commitments |
| **Aboriginal Heritage Act 2006** | Provides protection for all Aboriginal places, objects and human remains in Victoria regardless of their inclusion in the Victorian Aboriginal Heritage Register or land tenure. The Act provides a consistent approach to protecting and managing Aboriginal cultural heritage as well as clear guidance to planners and developers about when and how Aboriginal cultural heritage management issues need to be considered. Currently under review by Aboriginal Affairs Victoria. | • Consultation with Registered Aboriginal Parties  
• Victorian Aboriginal Heritage Register  
• Cultural Heritage Management Plans |
| **Sustainable Forests (Timber) Act 2004** | Provides for the sustainable management of forests. Implements the Sustainability Charter for Victoria’s State Forests and the framework for State of the Forests reporting. | • State of the Forests Reporting  
• Sustainability Charter |
| **Victorian Environmental Assessment Council Act 2001** | The purpose of this Act is to establish the Victorian Environmental Assessment Council to conduct investigations and make recommendations relating to the protection and ecologically sustainable management of the environment and natural resources of public land. | • Investigation recommendations for public land  
• Government Responses to investigations e.g. Remnant Native Vegetation Investigation |
| **Parks Victoria Act 1998** | The purpose of this Act is to establish Parks Victoria. Parks Victoria manages Victoria's national, state, regional and metropolitan parks, conservation reserves, significant cultural assets and Melbourne's bays and major waterways. | • State of the Parks  
• Parks Management Plans  
• Assets |
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| Alpine Resorts (Management) Act 1997 | The purposes of this Act include: (a) to establish an Alpine Resorts Co-ordinating Council and six Alpine Resort Management Boards; and (b) provide for the management of several alpine resorts. | • Priorities within the Alpine Resorts Strategic Plan  
• Strategic planning for management of the Victorian alpine resorts areas  
• Consultation requirements |
| Fisheries Act 1995 | The purpose of this Act is to provide a modern legislative framework for the regulation, management and conservation of Victorian fisheries including aquatic habitats. | • Fishery Management Plans |
| Catchment and Land Protection Act 1994 | Sets up a framework for the integrated management and protection of catchments, establishes processes to encourage and support community participation in the management of land and water resources, provides for a system of controls on noxious weeds and pest animals, and establishes the Victorian Catchment Management Council and Catchment Management Authorities. | • Legislative basis for RCS, and the functions, powers and duties of CMAs and VCMC  
• Noxious weeds and pest animals |
| Murray-Darling Basin Act 1993 | Provides for carrying out an agreement entered into between the Commonwealth, New South Wales, Victoria and South Australia with regard to the water, land and other environmental resources of the Murray-Darling Basin. Provides for the Ministerial Council and MDB Authority. | • Priorities within the Murray-Darling Basin Plan (final plan March-April 2012) |
| Heritage Rivers Act 1992 | Makes provision for Victorian heritage rivers by providing for the protection of public land in certain parts of rivers and river catchment areas in Victoria which have significant nature conservation, recreation, scenic or cultural heritage attributes. | • State assets |
| Water Act 1989 | Establishes rights and obligations in relation to water resources, provides mechanisms for the allocation of water resources, governs the statutory powers and functions of all water authorities outside the metropolitan area, and provides for integrated management of the water resource and for environmental and consumer protection. | • Sustainable Water Strategies – must take into account any relevant strategy (e.g. RCS) or statement of policy or plan prepared under various Acts including the CaLP Act  
• CMAs (except for Port Phillip and Westernport CMA) are required to prepare regional waterway strategies (to be developed as Regional Strategies for Healthy Rivers and Wetlands by end of 2013 – management actions with targets for high value waterways) and carry out waterway, floodplain, drainage and environmental water reserve management.  
• Establishes arrangements for environmental water planning |
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| **Flora and Fauna Guarantee Act 1988** | Provides the basic legal powers and the management systems needed for the protection of the State’s native species. | • Draft Victorian Biodiversity Strategy  
• Threatened species lists and action statements  
• Threatened communities  
• Potentially threatening processes  
• Section 4 subsection 2 requires public authorities (including CMAs) to have regards to the objectives of the Act |
| **Conservation, Forests and Lands Act 1987** | Provides for government administration, a framework for a land management system, and necessary administrative, financial and enforcement provisions along with public participation in formulation of codes of practice. | • Land Management Co-operative Agreements  
• Traditional Owner Land Management Boards |
| **Planning and Environment Act 1987** | Establishes a framework for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians. | • The CaLP Act states that a CMA can recommend amendments to a planning scheme to give effect to the RCS. |
| **Crown Land (Reserves) Act 1978** | Provides for reservation of Crown land for a variety of public purposes, the appointment of committees of management to manage those reserves, and for leasing and licensing of reserves. | • Crown Land Reserves  
• Committees of Management |
| **Reference Areas Act 1978** | Provides for the proclamation of reference areas to serve as a reference for comparative purposes, particularly research identifying and solving problems caused by the use of the land. | • Management activities must be consistent with Ministerial directives issued under the Act. The most recent are the guidelines for the Management of Reference Areas 1998 and contain prescriptions for activities in reference areas and their buffers. |
| **National Parks Act 1975** | Makes provision for National and other parks, for park management, the government administration of parks, appointment of a National Parks Advisory Council and park advisory committees. It also provides for specialised uses and activities, including those of a non-conforming nature. | • State assets and plans.  
• National and State Parks, Marine National Parks and Sanctuaries |
| **Wildlife Act 1975** | Provides for the establishment and management of State wildlife and nature reserves, licences, research and management, wildlife management co-operative areas, prohibited areas and sanctuaries, noxious wildlife, offences, enforcement and legal proceedings, plus the protection of whales as a complement to Commonwealth legislation. | • State assets – wildlife and nature reserves |
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<td><strong>Victorian Conservation Trust Act 1972</strong></td>
<td>The Act establishes Trust for Nature which protects bushland with land management agreements.</td>
<td>• Trust for Nature</td>
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<td>• Covenants</td>
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<td><strong>Environment Protection Act 1970</strong></td>
<td>Establishes the Environment Protection Authority and makes provision for the Authority's powers, duties and functions relating to improving the air, land and water environments by managing waters, controlling noise and controlling pollution.</td>
<td>• State Environment Protection Policies</td>
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<td>• The CaLP Act states that a RCS may be incorporated into a State environment protection policy.</td>
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<td>• Approval of Neighbourhood Environment Improvement Plan... takes into account... RCS within the meaning of the CaLP Act.</td>
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<td><strong>Forests Act 1958</strong></td>
<td>Provides for the management of State forests, including the protection of public land from fire, the development of working plans, the licensed occupations including grazing, beekeeping and the sale of forest produce.</td>
<td>• State assets</td>
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<td>• Regional Forest Agreements</td>
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<td>• Forest Management Plans</td>
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<td><strong>Land Act 1958</strong></td>
<td>Provision for the leasing, occupation and sale of unreserved Crown Land</td>
<td>• Management</td>
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| Invasive Plants and Animal Policy Framework 2010 | The framework presents the overarching Victorian Government approach to the management of existing and potential invasive species within the context of the Whole of Government Biosecurity Strategy for Victoria. The IPAPF incorporates a biosecurity approach and ensures that Victoria maintains a comprehensive planning framework to guide future policy, planning and community activity specific to invasive species. | Planning framework  
Regional Invasive Plants and Animals Strategies                                                                                                                                                                                                                      |
| Biosecurity Strategy for Victoria 2009          | The strategy outlines a new vision for biosecurity management and demonstrates our commitment to:  
• Protect Victoria from biosecurity threats that affect our primary industries, environment, social amenity and human health; and  
• Understand and address emerging risks that may arise from climate change, changes in land use and increasing global travel and trade. | New and emerging threats to primary industries, the environment, social amenity and human health, across Victorian public and private land, freshwater and marine habitats                                                                |
| Victoria’s Nature Based Tourism Strategy 2008 - 2012 | This strategy advocates for a range of tourism activities and infrastructure on both public land and freehold land. It also identifies regulatory and policy changes required to improve nature based tourism opportunities and to create a more enabling investment environment. | It identifies key regions within the State as a focus for nature based tourism activities.  
Funding of Strategy expired on 30 June 2011.                                                                                                                                                                                                                           |
| Future Farming Strategy 2008                    | The aim of the strategy is to encourage innovation, increase productivity and make the farming sector even more competitive through the use of new technology and farming practices. | Resilience in rural communities                                                                                                                                                                                                                                          |
| Victorian Bushfire Strategy 2008                | Living with fire is Victoria’s first comprehensive bushfire strategy. It seeks to reduce the threat of bushfires while facilitating resilient communities and improved environmental outcomes. It aims to enable bushfire agencies to be better prepared to meet future challenges in a time of climate change. | Six main themes  
• Managing land with fire  
• Building community capacity to live with fire  
• Enhanced response and recovery  
• Workforce/volunteer capability  
• Planning for protection  
• Risk and adaptive management                                                                                                                                                                                                                                   |
| Indigenous Partnership Framework 2007-10        | DSE’s over-arching Indigenous policy to facilitate the full, effective and equitable participation of Traditional Owners and Indigenous people in all aspects of land and natural resource management. | Was reviewed in 2010.  
Consultation approaches e.g. All agencies present and part of consultation on matters of place                                                                                                                                                     |
| Sustainability Charter for Victoria’s State Forests 2006 | Vision and key objectives for the management of Victoria’s State forests. | High-level management objectives for State forests                                                                                                                                                                                                                     |
| Native Vegetation Management – A Framework for Action (Revised 2005) | This Framework sets out the broad approach to achieving a Net Gain in extent and quality of native vegetation. The framework builds on the state goal in Victoria’s Biodiversity Strategy. | Regional Vegetation Management Plans                                                                                                                                                                                                                                   |
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| State Environment Protection Policy (Waters of Victoria) 2003 | The purpose of the Policy is to help achieve sustainable surface waters by: setting out the environmental values and beneficial uses of water that Victorians want, and the environmental quality required to protect them; and setting, within a 10 year timeframe, goals for protection, agencies, businesses and communities and means by which they can be met. | • Primarily implemented through RCS  
  - 'identify the regional environmental, social and economic values of surface waters and, after careful consideration of their environmental, social and economic needs, set appropriate goals, priorities and environmental targets for catchment and coastal environments'.  
  • General and CMA responsibilities for implementing the policy  
  • Clause 10 of the SEPP, list the objectives. Unless specific objectives are described, the *Australian and New Zealand Guidelines for Fresh and Marine Water* are the objectives. The Guidelines are a key component of the National Water Quality Management Strategy, outlining water quality standards for a range of water uses. |
| Victorian River Health Strategy 2002 | Provides a common vision for the management of rivers in Victoria; state-wide targets for river restoration; a planning framework; criteria for priority setting for investment; an overview of government policy; environmental flows and water allocation; and the institutional arrangements for the management of river health. | • Victorian Strategy for Healthy Rivers, Estuaries and Wetlands Draft March 2012 Final Late 2012.  
  • Regional Strategies for Healthy Rivers and Wetlands Late 2013.  
  • State assets and priorities |
| Victorian Action Plan for Second Generation Landcare 2002 | The action plan is a key guiding document for Victorian Government support to Landcare. | • Sunsets 2012  
  • Policy review underway |
| Policy for Sustainable Recreation and Tourism on Victoria’s Public Land 2002 | The policy provides a high level framework to assist and support public land managers to determine and assess recreation and tourism activities, uses or developments on public land. | • Policy is currently being reviewed and updated by DSE Public Land Division  
  • Recognises and supports appropriate recreation and tourism activities on public land. |
| Victoria’s Salinity Management Framework 2000 | This Framework provides an outline of Victoria’s progress in the management of salinity since Salt Action: Joint Action, the lessons learnt, and establishes directions and targets to guide action for the future. | • Soil health  
  • Draft Cross Agency Soil Health Framework |
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| **Victorian Flood Management Strategy 1998** | The purpose of this strategy is to:  
  - Enable effective flood management for the subsequent ten years, by providing a consistent state-wide framework for the management of flood related issues by the responsible authorities, agencies and groups  
  - Set out objectives, provide a state-wide policy framework for best principles and guidelines, establish priorities for state-wide action, and identify roles and responsibilities of key stakeholders  
  - Provide the state-wide context for the development of regional floodplain management strategies, floodplain management plans and specific guidelines  
  - Provide a process of continual assessment and improvement for flood management in Victoria, through the implementation and periodic revision of the strategy. | The recently released review of the 2010-11 flood warnings and response by Neil Comrie AO, APM has identified a need for greater clarity on flood warning roles and responsibilities across a number of agencies. The parliamentary Environment and Natural Resources Committee is currently investigating flood mitigation practices, including levees, as well as some aspects of waterway management that may impact on flood behaviour. Findings from the review and the inquiry will be considered in developing a new strategy, commencing June 2012.  
  - State-wide policy framework  
  - Priorities  
  - Requirement for Regional Floodplain Management Strategies |
| **Victorian Planning Provisions 1998/99** | Provide a clear and consistent framework within which decisions about the use and development of land can be made; to express state, regional, local and community expectations for areas and land uses; and to provide for the implementation of State, regional and local policies affecting land use and development. | State Planning Policy Framework – Planning must consider as relevant any RCS approved under the CALP Act.  
  - Local Planning Policy Framework |
| **Dryland Salinity Statement (pending finalisation)** | The Dryland Salinity Statement is a snapshot of the current state of dryland salinity in Victoria. It provides a historical policy context and institutional context to the current situation and approaches over the years of dealing with the problem of dryland salinity. | Expected to be released January 2012  
  - Update on the policy for dryland salinity in Victoria  
  - Guide dryland salinity management planning  
  - Guide future investment in dryland salinity |
### Additional Documents*

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| **Regional Forest Agreements** | Five 20-year agreements between the Victorian Government and the Australian Government which establish the framework for the conservation and sustainable management of forests within each of the five Victorian RFA regions.  
1. East Gippsland Regional Forest Agreement  
2. Central Highlands Regional Forest Agreement  
3. North East Regional Forest Agreement  
4. West Victoria Regional Forest Agreement  
5. Gippsland Regional Forest Agreement | • Land management and obligations |
| **Park Management Plans** | Park management plans have been developed for many of Victoria’s national parks, and in some cases a group of parks. Park management plans are available on the Parks Victoria Website:  
| **Forest Management Plans** | Long-term plans for the management of public native forests within a particular Forest Management Area. Victoria’s 11 FMPs are available on the DSE website:  

* referred to in DSE Statements of Expectation