

Westernport and Peninsula

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Comments on

'Management of Victoria's Ramsar wetlands

Draft Strategic Directions Statement'

- 1 Page I: We are unclear about the intent of the word 'partnership' in Mark Stone's Foreword. Whilst this may properly describe an admirable sense of 'working together' it is the Commonwealth Government which is the Contracting Party and which therefore has and must always retain a primary and superior role in implementing the guidelines of the Ramsar Convention. 'under the guidance of, supervision of, instruction of.....' may be a more precise description of the relationship.
- 2 Page II:
 - a. para 4: add to risks: 'port development and shipping traffic'
 - b. 'para 6: item 7: 'Promote community awareness.....' Often in our experience the community is considerably more aware and concerned about the risks than agencies are. Should this not be recognised? eg: 'recognise and build on local community knowledge and awareness of risks. Assist in further promoting this awareness and understanding...'
 - c. add item: ' Prevent the development of unwise uses.'
- 3 Page 6: Western Port:
 - a. Description: The term 'bay' has been questioned in the past. 'embayment' is regarded by some as better. Compared with Port Phillip it is not 'large' and this adjective might give a wrong impression of the narrow waters of the embayment. The immense tidal action (tidal range of 2-3 m, tidal run of

up to 20 km) is a characteristic which should perhaps be conveyed in this summary: perhaps 'a tidal embayment' or 'a tidally dominated embayment'. Also insert 'intertidal' before 'mudflats'. We suggest Eric Bird and/or Mark Marsden might be consulted for appropriate description.

b. Significant value: Refer Shapiro Report page s12 for comments on biodiversity in relation to range of habitats, and especially number of invertebrate species.

- 4 Pages 8 & 9: Tenure, Management, Agencies: There has arisen under the previous government an incredible arrangement whereby the Port of Hastings Agreement with the Victorian Government (which is currently not available for inspection by the public!) is administered by a two person 'Board' responsible as far as we can understand, not to the Marine Board or to DOI, but to the Treasurer. It is an alarming state of affairs insofar as it affects the management of virtually all the deep water of Western Port, and it effectively distances and insulates that management from the sharp scrutiny both of agencies such as Parks Victoria, DNRE, DOI, the Marine Board and EPA on one hand, and the community through their NGO's on the other. We are pursuing the matter with great difficulty, and will naturally raise it during the imminent Review of Port Reform, but we believe it is of some considerable importance in the context of Ramsar management and that reference should be made to it both in this strategic Directions Statement and in the Western Port SMP.
- 5 Page 16: Values: We refer again to Comment 3b above and question why the sole emphasis is on 'macro' species of flora and fauna when the fundamental issue of biodiversity is also well evidenced at other levels such as invertebrates (see also for example Smith et al, Proc Roy Soc vic Vol 87 pp149-155 1975). (Is there too much focus in the draft on existing legislation to the detriment of innovative thinking towards legislation to support the sustenance of biodiversity in the broadest sense?)
- 6 Education: Page 19: Golden Point (near Crib Point) has been used for many years by secondary and tertiary teachers to demonstrate geological formations. The Ranger Office of the recently instituted Warringine Park at Bittern is starting to

become an important education centre for the wetland values of the bay.

7 Page 20: Scientific:

- a. Our understanding is that the wader count by WESBOC has been going for around 30 years and perhaps deserves a mention. Check with WESBOC or Phillip Island Conservation Society (Margaret Hancock 59522557).
- b. Application to UNESCO is in process for Western Port and catchment to be listed as a Biosphere Reserve, and this has been supported in the Final Recommendations to the Victorian Government by the Environment Conservation Council on the Marine, Coastal and Estuarine Investigation and is also supported by Mornington Peninsula Shire. Refer to Ian Weir (9802 7557) for details.
- c. The Shapiro Study and the many publications which flowed from it perhaps deserve mention as a fairly unusual base of scientific knowledge about a site. In particular the hydrodynamic studies have provided the basis for modelling the behaviour in this unique tidally dominated system with respect to the dispersion of pollutants. This research seems now likely to gather momentum under the stewardship of the recently formed Seagrass Partnership (refer Prof John Swan).

8 Page 22: Pollution:

- a. Para 4: This is an excellent description of the problem for Western Port (which would also apply if - heaven forbid - current lobbying for port development in the Corner Inlet site should ever be successful!). But the last sentence in this para could be strengthened by adding: ', but experience around the world has shown that marine accidents occur predominantly from human error and are often beyond the control of the best port management regimes.'
- b. Para 5: 'Increased sediment loads entering the Western Port Ramsar site' Land clearing and agricultural practices have no doubt contributed (and we are acutely aware of a well spun 'spin' in recent years from the port

development lobby that this is the only culprit!) but there is also a very reasonable presumption in our view that deepening of the shipping channel in the late 60's and early 70's will, by enlarging cross-sectional areas, have caused increased tidal flows, hence increased tidal erosion and sediment mobilisation within the bay (see for example, King: 'Tidal Scour in the Gippsland Lakes': Proc Roy Soc Vic, Vol 92, pp131-136 1981.). Future shipping developments requiring channel enlargement or extension must be considered 'unwise uses' until much better information is available on these processes. Reference to this as an alternative or at least a contributing explanation of seagrass loss would seem appropriate here, rather than simply reinforcing the 'spin' (about which refer our recent submission on the Western Port SEPP revision).

- 9 Page 23: Resource utilisation: We don't really understand all this except that it seems to be very carefully written! Does it encompass shipping? If at nomination time Lysaghts had a steel jetty, and ESSO and BP had hydrocarbon enterprises at Long Island Point and Crib Point, does that imply that 'shipping unlimited' or 'port unlimited' is an 'existing activity' - in short, that there is an implied right for an expansion of the port beyond the original three enterprises to be considered a wise use? What does 'more carefully regulated' refer to?
- 10 Page 24: Dredging: 'Capital dredging to create new facilities is uncommon.' Right at this moment there is a two year old proposal - the Bond proposal for a 'marine industrial park' at the Bluff. Tyabb in Western Port which incorporates inter alia capital dredging amounting to around one million cubic metres of spoil. 'Uncommonness' is surely not the question when one such disaster might be sufficient for massive degradation in one of the sites. All of the effects listed in the Draft are likely to be relevant not to mention the channel scour effect we have referred to in comment 8b above. As far as we are aware the 'Draft Best Practice Environmental Management Guidelines for Dredging' is still only a draft, and at the last consultations we were invited to on it there were still serious problems unsolved. So where is the protection in the event of an 'uncommon' proposal for capital dredging? More fundamentally than this, the most significant major threats to Western Port are major

port related proposals, events against which 'Best Practice Guidelines' are useless. If there is to be 'Ramsar' management to wise use standards, legislation and regulation must be aimed at a policy level and at strengthening beyond measure the provisions of the Environment Effects Act, which is currently under review and to which inputs from the Ramsar team would perhaps be appropriate and welcomed by community groups.

11 Page 27:

- a. Management Objectives: re objective 7, see our comment 2b above.
- b. Management Strategies: As well as employing existing policy and legislative tools to their best advantage surely there is very considerable need to recommend either the amendment of such policy and legislation or to introduce new legislation in order to achieve wise use.

12 Page 28

- a. Statewide Management Strategies: 'address risks that ...are likely to have.....': we would prefer: 'have the potential to have an adverse impact on ecological character'. We know well the spin that can be put on 'likely' as in the 'unlikely event of an oil spill', which ignores the possible irretrievability of the impact.
- b. Management Objective 2: 'Control and where appropriate eradicate pest plants and animals at Ramsar sites.': What about introduction? Surely this should be the crux of the policy. As with the oil spill risk and the dredging risk, the very best way to minimise the risk of the introduction of pests is to minimise - or dare we say it - eliminate the ships!! Is no-one game to take it on board? We are now in the 21st century and everyone now knows the planet - including many places like Western Port - is at risk, whether the vested interests wish to hear it or not. Our hope rests in the Ramsar Plan.

13 Page 29:

- a. Objective 2 continued:

- i. 'Maintain preparedness to respond to oil spill contingencies.....': we believe there is a completely undisputed scientific case which we have presented in many forums (including, for example the 1997 House of Representatives inquiry: see attached submission) that the use of even the very best available technology as required in the National Oil Spill Plan would be absolutely ineffectual in the event of a moderate, let alone a major oil spill in the narrow, enclosed, tide dominated, mudflat/mangrove/saltmarsh lined waterway of Western Port. Time and again, for example, the statement made by the International Maritime Organisation in their 1988 Manual on Oil Pollution that: 'Historically, the fraction recovered has been of the order of 10 per cent', has been borne out: Exxon Valdez: 6%, Iron Baron 2%, etc., etc. If 10% were recovered in Western Port 90% would remain and we know from the hydrodynamic studies of the 1970's that it would be there for months and much of it for ever. Why not, therefore, use the phrase that appears in the next item: 'Phase out'? It is becoming clear that oil will diminish sharply in importance as a fuel source in coming decades, and in view of the deep lack of wisdom in using the bay as an oil port, we suggest there should be an item in the Western Port SMP which points to phasing out oil. A supporting general item in this Draft would seem then to be appropriate.
- ii. 'Liaise with Marine Board...': after 'boat' add 'and ship'. There is, for example, currently a proposal for a catamaran ferry to Tasmania about which there will be concerns raised in regard to bow wave effects if the permitted speed is too high.

14 Page 30 Objective 7: see comment 2b re local community knowledge and leadership.

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