Dear Paul

Our last minute efforts to preserve some traces of sanity in the implementation of the Devilbend Management Plan released by Parks Vic in June our diaries have been bulging with urgent tasks. I have just today seen the light of day and hope to have some words on paper by the end of the week. I hope I might granted an extension of time of about that order.

Would appreciate
Regards
Brian Cuming
Submission Rem Veg Devilbend Foundation_National Trust
Brian Cuming
to:
Paul Peake
08/09/2010 04:42 PM
Cc:
"Adrienne Smith", "James Edgerton", "Roger Richards"
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1 Attachment

DFI_NTMP submission on VEAC discussion paper aug 2010.doc

Dear Paul

We apologise again for our lateness but I'm sure you understand the hard life we lead in NGO's! We hope our submission is useful. We look forward to the final stage.

Regards
Brian Cuming
Member of Council, Devilbend Foundation
5983 9649
1. In our May 2009 submission we expressed our opinion that because the Recommendations for the Reservoir Site D60 in the 1994 LCC review of Melbourne 2 included a special recommendation based on its ecological values, the reclassification of it should properly have been referred to LCC, ECC or VEAC when a change of classification and use was contemplated more than 10 years ago.

2. We also presented and discussed the concerns we had about the potential future of the Devilbend Natural Features Reserve which was then under discussion with a Parks Victoria Community Advisory Group and under pressure from organisations representing recreational fishing for the ‘development of a fishery’ in the Reserve.

3. We now report sadly that despite ten years of battling through four government processes, with strong, continuing community support, the Devilbend Natural Features Reserve Management Plan was finally issued in June 2010 with the serious flaws we had sought at great length to eliminate. The potentially fatal flaw is the introduction of fishing, widely agreed to be incompatible, for a number of reasons, with the vision expressed in the Plan of a site with many features making it ideal for gradual restoration to become the nucleus for a future network of connected habitat across the Mornington Peninsula. This ecological objective, under Parks Victoria’s own guidelines, must take primacy over any incompatible recreational activity; the guidelines are closely derived from the 1994 LCC recommendations for a Natural Features Reserve in which conservation is the primary objective. In addition to the fishing threat, inappropriate zoning and overlays and many other features of the Plan make excessive provision for other activities which would be incompatible principally because they are likely to encourage high visitation rates threatening to reduce the reserve over time to a busy urban recreation park, completely at odds with a conservation reserve.

4. We consider this outcome points to serious deficiencies in existing legislation, both State and Federal, which should be raised in this Investigation with some appropriate recommendations. As we described in our May 2009 Submission the fundamental value of the site rested on the concepts of Landscape Ecology, upon which we assessed the case for: retention of all of the land; for appropriate classification to protect the ecosystems both aquatic and terrestrial; and to commence a long term program of restoration of the native vegetation from an estimated 56% towards 100%. We wrote:

’Devilbend is the one remaining ‘large island’ of public land on the Peninsula not yet protected for conservation. Because it has been closed to human pressures for over 40 years it is already remarkably rich in fauna, especially birdlife. Greens Bush, about 20 km to the south, is of similar size. Each of these reserves is just big enough in island biogeography terms, to serve as a rich, centrally placed core of diverse habitat, to conserve at least some
vital gene pools, and moreover to serve as a key node in a web of biolinked corridors around the Peninsula.

‘Almost all of the 5% or less of quality native vegetation remaining on the Peninsula is fragmented into small, unsustainable patches, but many of these may be saved by linking them eg along stream and creek sides, to the large core areas through such a web.’

5. We are therefore pleased to find this important holistic approach used as the theoretical basis for much of the Discussion Paper. We have found the holistic approach is little understood or even recognised by many professionals and amateurs and whilst given lip service has been generally scorned in our discussions with some who should know better. Unfortunately the language of Landscape Ecology was shamelessly exploited by the Parks Victoria planners as ‘greenwash’ in the Devilbend Management Plan.

6. Of overwhelming importance still in making a case for the conservation of land and other related purposes is the 20th century science which dominates the legislation, which focuses on species and especially the species which are rare because they are about to become extinct (a museum approach). How bizarre it is that preservation of the ‘coalminer’s canary’ is the object to be saved when the objective should be to save coalminers. In our view the rarity is habitat! How much better if the focus was the preservation and restoration of habitat, especially high value habitat, and especially habitat with high landscape context and with the propensity to foster the continuing existence of whole ecosystems embracing many species.

In contrast, the future of Devilbend has so far been determined by the fact that the epbc listed Dwarf Galaxis known for many years on the site has not been found in recent surveys. It is believed that the drought is likely to be responsible for it to be aestivating during the drought and almost certain to be present. Whilst it would be nice to conserve the species (and nicer still to find just one fish!), we believe the conservation of the Devilbend ecosystem as a whole - and as a vital stepping stone to wider restoration and reintroductions - is in this case profoundly more important.

7. Thus old, narrow legislation has beaten us in this and many other situations, and we believe there is an urgent need for new legislation if we are to conserve and restore habitat. In the Devilbend case, as with many others, it has been clear to us that the dependence of a case for protecting or enhancing a patch or a landscape upon the occurrence of the ‘coalminer’s canaries’, the species which are on the verge of extinction, is bizarre.

8. And so we are very pleased to see the practical introduction of Landscape Ecology into the planning process, and welcome especially the clear introductory exposition in Section 2 of the concepts of Island Biogeography as the basis for habitat description and assessment which will be new to many readers. Unfortunately we discovered that such holistic approaches were little understood by the Parks Victoria planners, and more seriously, do not seem to have any place in existing legislation.

9. Habitat Hectares
We note in 7.3.2 Preventing Further Loss the following comment:

‘The government’s Native Vegetation Framework repeatedly emphasises the primacy of avoiding clearing. However, some stakeholders have noted that the presence of options to minimise and, in particular, offset native vegetation loss encourages a tendency for the
emphasis to drift towards those options and away from the avoid component. Vigilance is required to combat this tendency.’ (our emphasis)

We believe this is a dangerous tendency and the scoring of habitat as ‘habitat hectares’ tends towards the interpretation of this measure as primarily for trading ‘offsets’ for ‘developments’. For many this is a reprehensible practice too easily adopted by planners to accommodate developers, and is generally both incomprehensible and invisible to most people not intimately involved with such transactions (similar some think, to Emissions Trading Schemes which so far have seemed completely opaque!).

For this reason we, as battlers on the firing line, have generally avoided the term, and would suggest that some thought might be given in the Paper to a discussion of the various possible uses of ‘habitat-hectares’.

Once separated from trading, this scoring tool can be useful in fighting for retention and conservation and restoration which many of us are doing most of the time. However, the actual weightings of the components of the score might then be better left to the user to define (and this might be a useful footnote to Table 3.10). For example, in assessing Devilbend as to the need to retain it in public ownership, and to classify it appropriately, and to set appropriate management principles, we would have placed considerably more weight on the Landscape Context components, since this was the very last publicly owned site of its rare size as well as possessing a strategic position on the Mornington Peninsula, as well as having high condition scores.

10. Another aspect of scoring we wish to comment on relates to the potential of a patch or a landscape for restoration. Again we refer to our Devilbend experience although many of us have had many similar experiences. The starting point we had was a patchwork of cleared grazing land and good to pristine original habitat in good to pristine condition enclosing a large and a small waterbody. A two year study and consultation process by Melbourne Water concluded with a recommendation to sell off all the cleared patches despite the obvious potential to restore the quality of the cleared and partly degraded land at the same time providing edge buffering and connectivity. As we detailed in our earlier Submission, it was commonsense, but in fact grounded in the principles of landscape ecology, that the real values of retaining and carefully managing such a small area as 1000 ha deserved and demanded as high a classification as possible to achieve the aims of nucleating restoration along potential corridors (eg pipeline easements associated with the previous reservoir use). The old idea that restoration of cleared land is impossible has been a constant hurdle despite many local examples of successfully accomplishing this.

11. The patchwork of the Devilbend site was exploited by the planners responsible for classification, providing an excuse (which it is now clear they were instructed to find) for classifying the land according to its present condition and completely ignoring its eminent suitability for restoration. We have for some time pressed for a new classification or classifications which recognise such potential eg ‘Wildlife Restoration Reserve’, etc. Would it be possible to include a and even some recommendations on this important matter?

12. Whereas the qualitative use of the terminology of landscape ecology is useful for appraising and discussing cases between professionals and amateurs, the brief discussion of the metrics of patches and landscapes in Appendix 2 highlights the complexity of such an analysis. Such quantitative use of LE is unnecessary in many practical applications, though clearly it is of value in broadscale mapping as in the present study. Some comment to this effect may be worth
considering as the final report will no doubt serve for many years as an important learning tool for many – as we have found with all LCC reports and their descendents.

13. We congratulate the authors of this Discussion Paper on a significant document. We hope that some of our comments and suggestions may be found useful. A final comment on the layout is that the early chapters and the end chapters are easily readable but their connection is obscured by the bulk of Chapter 5. Has any thought been given to removing the Bioregional summaries to an Appendix, retaining perhaps one exemplar Bioregion to explain the layout? The whole Paper would then seem more approachable and assimilable by readers with different levels of interest.

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