TRANSCRIPT

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into the Victorian Auditor-General's Report No. 202: Meeting Obligations to Protect Ramsar Wetlands (2016)

Sale—Wednesday, 4 December 2019

Members

Ms Lizzie Blandthorn—Chair Ms Pauline Richards
Mr Richard Riordan—Deputy Chair Mr Tim Richardson

Mr Sam Hibbins Ms Ingrid Stitt

Mr Gary Maas Ms Bridget Vallence

Mr Danny O'Brien

WITNESSES

Mr Graeme Dear, Chief Executive Officer, and

Mr Sean Phillipson, Gippsland Lakes Program Coordinator, East Gippsland Catchment Management Authority.

The CHAIR: Thank you very much. Our last witnesses this morning before our site visit this afternoon are from the East Gippsland Catchment Management Authority. Thank you for coming today. You have probably heard me read this spiel a couple of times now, but we will go through it again. This is the Committee's Inquiry into Auditor-General's Report No. 202: Meeting Obligations to Protect Ramsar Wetlands, a report tabled on 14 September 2016. All evidence taken by this Committee is protected by parliamentary privilege. Therefore, you are protected against any action for what you say here today, but if you go outside and repeat the same things, including on social media, those comments may not be protected by this privilege. You will be provided with a proof version of the transcript for you to check, and verified transcripts, PowerPoint presentations and handouts will be placed on the Committee's website as soon as possible. We invite you to make a short submission and then we will open up for questions. Thank you.

Mr DEAR: Thank you. Graeme Dear is my name. I am the CEO of the East Gippsland Catchment Management Authority, and Sean is the project manager for the Gippsland Lakes program of works that we are responsible for. Thank you for your interest in the Ramsar sites across Victoria. We will be speaking to you just about the Gippsland Lakes, because the Gippsland Lakes is the site that our authority is responsible for under the Government's guidance on Ramsar. Sean will present to you on the Gippsland Lakes specifically and how the lakes are overseen by our authority through a partnership model with many stakeholders, and then we welcome your questions and we will answer them as best we can. So over to Sean.

Mr PHILLIPSON: Thanks, Graeme, and thank you, everybody. What I will do is I will just run through a few things—there is probably a little bit of information that you understand already, so I will skip through things quickly and if there are questions at the end, then I am happy to go back and revisit stuff.

The lakes themselves—we are where we are about 300 kilometres east of Melbourne. It is important to note that the site is about 60 000 hectares in size, so it is a big area. It is formed by a series of coastal lagoons, which are about half of that area and the rest sort of forms the actual fringing wetlands that surround the lakes. I guess the other key point is that the catchment area of the lakes is about 2 million hectares. It drains about 10 per cent of Victoria, so a very, very big area. I guess the point that was made earlier about the influence of the catchment on the Ramsar site itself is particularly relevant. It is drained by seven major river systems, and particularly in recent times the joint management arrangements with the Gunnai/Kurnai mean that significant areas of land that are within the Ramsar site and that surround the Ramsar site are part of that joint management arrangement. The Ramsar site spans two CMA regions, there are multiple local government areas and the public land is primarily managed by Parks Victoria and DELWP.

Visual presentation.

Mr PHILLIPSON: So this is just a map that gives you an idea of the catchment. So as I said, 2 million hectares—10 per cent of Victoria—right up to the Victorian Alps, to the west to Warragul and right down to the coast, so it is a really significant area. In terms of the program that I will talk about today, the focus really is on the Gippsland Lakes and its catchment. Whilst a lot of that, by the very nature of its location, aligns with Ramsar values, which is what we here to talk about today, it is important to note that it sits in that broader context of the whole of catchment management, I guess.

This is the Ramsar site—so drilling down the Ramsar site, listed in 1982, covers primarily public land, and so to the west of that map in and around Sale, where we are today, there are some peculiarities from when the site was listed; areas that are now public land actually sit outside the Ramsar site. That is just one of the things that, I guess, speaks to the fact that we are trying to manage the system as a whole and to manage it in a landscape context rather than inside or outside the dotted line. I think that is an important thing to note. This is the Ramsar site itself—you will see the colours have changed. Again, it is easy to say the Gippsland Lakes Ramsar site but is not one continuous thing.

This is a map that came from some work that was done in 2011 and it divided the lakes up into things called mega-habitats. We have things like the deep lakes, so generally the large lagoons; shallow lakes like Lake Wellington, which is near to is here, and also some of the near-coastal areas; we have freshwater wetlands, which are incredibly important; we have variably saline wetlands, and often they are fringed by saltmarsh, which is a nationally threatened community; and then we have got hypersaline wetlands, and that is primarily along the coast there and the large extent of lake reef.

The Ramsar site was listed for a whole range of reasons: there are some representative and near-natural wetland types—Lake Reeve is a great example of that; it supports threatened species and communities, things like threatened frogs, so the growling grass frog and the green and golden bell frog; it regularly supports 1 per cent of a species of water bird, in this case the fairy tern and the little tern, which nest in the eastern ends of the lakes and migrate from western Victoria as well as the southern New South Wales coast; it supports more than 1 per cent of a non-avian species, and that is the Burrunan dolphin, so a unique population that exists in the lakes and further west in Port Phillip Bay; the site regularly supports greater than 20 000 waterbirds; and provides species at critical life stages with refuge sites, and a lot of that is tied with habitat, and seagrass is a good example of that.

There is a whole range of influences and threats. I am sure you have heard a bit about that, and I will not go into too much detail, but we have got a permanent entrance opening, obviously, at the eastern end of the lakes. That is it there. We have got a reduction in freshwater inflows, so the Thomson Dam was commissioned the year after the site was listed as a Ramsar site. I guess, given the catchment size—this is a photo taken at the entrance in 2007 during a flood event—the catchment impacts, bushfire, flood, these things have a great potential to impact on the Ramsar site itself even though they do not occur within the Ramsar site.

Vegetation change and shoreline erosion, I am sure you have heard a little bit about, and no doubt that is an issue that exists and is influencing the site and the ecology of the site. Pest plants and animals, we have got a whole range of things that exist within the site, and then the impacts of a changing climate as well. That is particularly related to sea level rise and the impacts of that.

So that is a quick overview of the site. Our role, we are the designated site coordinator, so as part of the response to the VAGO audit, DELWP has set up this framework across the state and we are taking that role for the Gippsland Lakes Ramsar site. In that role we convene the Ramsar site coordinating committee. As part of that framework we coordinate the implementation of the site management plan, which was in place at the time of the VAGO audit. We develop an annual action plan and report outcomes and a range of things to the state audit coordinator.

In terms of our response, or what has gone on since the VAGO audit, the Gippsland Lakes Ramsar Site Management Plan was in place at the time of the audit in 2016, and that went through quite an extensive collaborative process to develop that plan. The Gippsland Lakes delivery managers group—and I will show you a diagram in a second that makes more sense—was in place in 2015. The Ramsar site coordinating committee, which was essentially the same group, was officially formed in April 2018. We have participated in the statewide projects that DELWP have run to develop the MERI plan for the site and report through the Ramsar management system, the online tool that the statewide coordinator has set up. The MERI plan for the site was endorsed by the site coordinating committee in March this year and an annual action plan for 19–20 is in place.

If you go back to the first two maps, so the Ramsar site and the broader catchment map, I guess this governance arrangement covers off on both these things. This governance arrangement was in place before the VAGO audit, or very shortly afterwards, but it does reflect and align with the recommended governance arrangements that fall out of the VAGO audit. We have got a ministerially appointed committee, the Gippsland Lakes Coordinating Committee, which is in place largely to help the disbursement and the implementation of the funds associated with the Gippsland Lakes program. We then have a group called the Gippsland Lakes delivery managers. They are operational decision-makers, so operations managers from the land and waterway managers that sit around the lakes, the traditional owners, and they lead coordination and collaboration. That is about forming programs of work and identifying opportunities to work together, and that is where the Ramsar coordinating committee in the VAGO context sits in our governance structure. The delivery managers, which

were in existence before, then became the Ramsar site coordinating committee for this purpose in the DELWP framework.

We then have things called priority program area coordination groups, which are essentially just a subset. They are convened by members of the delivery managers and they help focus work on important areas around the lakes, and that is guided by the Ramsar site management plan. Again, that is opportunities for people to get together, talk about what is going on, align their work together to get the best out of what we can on the ground; and then there is the involvement of individual project managers who are, if you like, the grassroots doing the projects on the ground. There are connections between those levels through project managers into the Gippsland Lakes delivery managers group and up to the GLCC.

There are over 40 individual partners involved in the program. That is just some logos. There are 13 individual community groups and we are up to 29. I recognise that that does not add up to 40, but there are a couple involved in both the agency as well as the community program. So there are a lot of groups involved in the program at the moment, and they are all guided by the Ramsar site management plan. As I said, this was developed in 2015–16 through a collaborative approach that involved a lot of people pulling together. What it does do is document clear roles and responsibilities both for the development of the plan, i.e. us, but then within the implementation of the plan.

It provides some clear guidance for action, and I guess over the last four years we have had evidence that people have found that a really useful thing, that the plan does provide that clear guidance. It defines priority values and threats, like all the plans do; it defines resource condition targets to help guide management; and it specifies management strategies based on six themes. What that looks like is for each theme there is a thing like this. The management strategy is very clear: who is responsible, what programs it links to and where it spatially relates in the lakes. That exists for things like habitat, fauna, nutrients and sediments, water management and the involvement of traditional owners. They are the types of themes that exist within the plan.

Just to give you an idea of activity, this is a map that sort of outlines the annual action plan for 2019–20. The coloured dots represent the critical CPS, or the Ramsar-specific values that exist or are within the ECD. They are the individual projects that are going on this year. That represents about \$6.5 million worth of work this year. The important thing to note there is that about \$3 million worth of that is the Catchment Management Authority's catchment-based river and stream program. When you start to pull it together it is a big number, and we work closely with all of our partners to try to align what they are doing to whatever strategic direction it might be. For the Ramsar site it is obviously the Ramsar site management plan. That is just a picture of how specific projects are targeting the specific Ramsar values for the 19–20 year. They are funded projects that are underway at the moment. They might be monitoring or on-ground action.

This is the broader picture, so this is catchment-wide. This is the thing that we try to do annually. I think this is the 2016–17—I have got copies of the 17–18—what we call the Gippsland Lakes annual report. What that does is try to capture what is going on catchment-wide by all our partners and break it into some themes to see the general action across the Gippsland Lakes catchment, recognising that link between catchment and the Ramsar site itself. I guess what that captures there for the 17–18 year is about \$16 million worth of total investment. Some of those have a small link to Ramsar, some of those have a very tight link to Ramsar, but from a community perspective and a communications perspective it is about showing the whole picture of what is going on, because this is an important site for a whole range of people and a whole range of communities.

These next slides, I will not go into the detail. These are some of the internal products that we use, but essentially this is the outlay of the Gippsland Lakes program 2015–16, and these are the types of projects that are going on. You can see fox control protection works on the Mitchell River silt jetties and work about enhancing and maintaining the Macleod Morass. These are all focused on these four areas. The first area is Jones Bay; you can see they are clustered to the eastern end of the lakes. There is a similar program of works for Lake Wellington and its catchment. There is the outer barrier, which is a program that is managed and coordinated by the traditional owners, so the Gunaikurnai Land and Waters Aboriginal Corporation coordinate this program with the assistance of the delivery managers. Then there is a program of works that is focused specifically on the aquatic habitat, so within the lakes themselves.

I guess in summary, we have got a governance model that aligns with the recommendations of VAGO. We were fortunate that some of that was in place beforehand, but we have been able to align the two, and that has been helpful. We have got a really wide range of partners, so organisations and community, involved in the program. As I said, there are over 40 at the moment. The Ramsar site management plan that we have, again, provides some very clear guidance on monitoring and management actions across the site. The implementation of the plan is underway. If you want to put a number to it, there are 43 actions in the plan and 88 per cent of those are underway at the moment. There is a question around whether we will ever achieve some of those actions, but that is a different conversation. We are obviously in drought and a low in-flow period at the moment. We had large floods in 2007. So given that dynamics of the system, there are some challenges that exist in maintaining and improving the site. They are primarily related to the changing nature of the environment, the scale of the system and the influences that broader catchment might have.

That is all I wanted to cover. Hopefully that is some good information, and we are happy to follow up on that.

The CHAIR: Thank so much. I will open up for questions.

Mr HIBBINS: We heard evidence from DELWP. My understanding is because of salinity there are investigations underway to determine whether a notification needs to be made under the Ramsar Convention. Is that the case?

Mr PHILLIPSON: Yes. DELWP are leading what is called a formal assessment process, so that is looking at the available data to have a look and compare what the data says compared to what they call the limit of acceptable change. I am sure you have heard that term quite a bit over the last few days. The limits of acceptable change are set in the ECD to not necessarily be a trigger but certainly identify a flag if the site has the potential to change markedly from its listing at the time. Lake Wellington, which this formal assessment relates to—it relates to the limit of acceptable change to do with Lake Wellington which is around salinity—that level was set based on model data as no-one was monitoring the salinity levels prior to the listing, so it makes that a challenging process. DELWP has managed that process and that has gone on, so the data has been collected and pulled together, and then my understanding is that is then a discussion between the department as the statewide coordinator and the Federal department, the Department of the Environment and Energy, to look at whether the results of that formal assessment then do constitute a change in ecological character or are a risk to change in ecological character for that particular element of the Ramsar site.

Mr HIBBINS: Do we have a time line on that?

Mr PHILLIPSON: It has been ongoing. I do not know of an end point at the moment.

Mr HIBBINS: What actions are being undertaken to address the salinity issue?

Mr PHILLIPSON: No doubt we have seen evidence of change and evidence of salinity, particularly over the last three years, and at surface value then that is quite closely linked to the amount of freshwater coming down the system and the drought conditions that we are experiencing. I guess the works that the program is trying to focus on are about maintaining freshwater habitat where we can in the conditions that we have got. What that means is things like Heart Morass, which is just downstream of us here. In 2017 a new regulator was installed into Heart Morass to better allow freshwater to be delivered from the river into that wetland to help maintain water cover for acid sulphate soils to flush salinity to help maintain freshwater in that site. Another example of works is on the Lower Avon and Perry, which is a non-regulated system where wetlands had been connected to the rivers and the lakes, which have higher than normal salinities. Those wetlands have been disconnected and are now catchment fed, so any water that flows into them is freshwater.

Combined with that are some refuge works, so essentially enhancing and expanding freshwater springs which surround those wetlands for the specific outcome of maintaining threatened frog species, so the growling grass frog and the green and golden bell frog. That is their highest density of occurrence in that part of the world. What we found is that that work was able to expand the number of refuge sites, and that has proved particularly useful in these dry conditions where the wetlands, if they were not connected to the river, would be dry anyway. But these spring-fed sites mean that you can hold a surprising number of adult frogs for a period of time until

those dynamic conditions change. So if we have a flood, those wetlands fill and conditions are ripe for expansion and breeding and then retraction should they dry again.

Mr HIBBINS: We have heard evidence from a number of submitters advocating for a physical barrier of some sort within the actual system itself to reduce salinity. Is that something you are considering?

Mr PHILLIPSON: We have done a couple of pieces of work over the last four or five years about that, and that work pretty clearly says that it is not necessarily a feasible option.

Mr DEAR: What we are focusing on, if I can, is if a large option like that is not the best option, we are looking at things like regulators on the wetlands, which effectively allows us to control watering on the fringing wetlands. Where we can act, we are looking at ways we can act, and what we are facing of course is three years of the lowest rainfall on record in Gippsland. That is something we cannot control so we are looking at the areas and works that we can control. It is one of the key features for us. The focus is: what are the species that we are looking to look after and what are the controls we can put in place? Some of those projects are done, and some of the other projects around further regulators, we are considering the best way to look after those wetlands.

Mr MAAS: Just on the governance model that you said you have yourself and you implement. You said it aligns with the VAGO model. Does that mean that the VAGO recommendations have been implemented in full?

Mr PHILLIPSON: Yes, absolutely for our site. We had some governance arrangements in place and then DELWP went through the statewide process, which is obviously broader than the Gippsland Lakes, and they said, 'We want to set up this framework—this, this and this'. So we looked for our site and looked at what we had in place and the best way to make those two things work together. The Ramsar site coordinating committee were best in line with the Gippsland Lakes delivery managers group that we had. We added some additional membership and the two terms of reference emerged. So essentially it fitted neatly. From our perspective, the coordinating committee component is met and then that committee went through the process, like other Ramsar sites, where there is a MERI plan in place and an annual action planning process and the reporting back to the state coordinator, so that is all in place and underway.

Mr D O'BRIEN: Sean, I am conscious this is an Inquiry following up a VAGO audit which largely recommended better coordination, better strategic oversight and the like, but my question I guess goes to one of your slides. It talks about a lot of committees, groups, oversight and the like, and then you do go on, I acknowledge, to talk about the on-ground works. But in the case of the Gippsland Lakes Ramsar site it appears to me that we have got too many chiefs. We have got lots of groups, lots of coordinating, lots of departments, and the actual getting the work done on the ground seems to have to go through a lot to get there. Can I ask for a comment on that? I know it is difficult for you because you are in the middle of it.

Mr DEAR: Can I have a go at that, Sean?

Mr D O'BRIEN: Yes, sure, Graeme.

Mr DEAR: Sean can comment. Thanks for the question. The fact is that the Gippsland Lakes is a very large site that has a lot of stakeholders, so the model is about including those stakeholders in decisions that are made and allowing the stakeholders to have a go at projects and works but to coordinate those works with other parties. From the outset it looks heavy in terms of coordination but in reality it is not. It is various people working at various levels to make sure that we coordinate our works. With the Gippsland Lakes we have a substantial sum of money that is actually going into on-ground works. Each individual might not see the collective, so you might hear commentary to say, 'There's not much happening where I am' or, 'My group's not overly involved in everything'. That is correct, but as a collective there is a substantial amount of on-ground works that are getting real results for the Gippsland Lakes. I think that governments have respected that in the past and we have had good investment over the years into the Gippsland Lakes. So it is not just a now investment; we have had a quite constant stream of investment into the priorities for the Gippsland Lakes.

Substantial amounts of on-ground works get done by a very large amount of community groups and individuals. There are individual contracts with landholders for fencing and keeping stock out, there are

community groups that are working together, there are agencies that are working together, Gunnai/Kurnai is working together, we have got universities doing different parts of studies to learn more about some of the issues—it is an extensive program that takes quite an extensive amount of coordination.

Mr D O'BRIEN: I am absolutely in favour of the stakeholders being engaged. My concern is the top level of government rather than governance. Look, I do not know if there is a simple solution, but when you have got Parks, Gippsland Ports, CMAs—two CMAs in this case—at least two local governments, DELWP and others, is there any advantage in us simplifying that in any way? And would a Gippsland Lakes authority, for example, complicate it further or could you do away with—

Mr DEAR: It is a really good question. Now I have got to be careful I do not step into the role of government, but the fact—

Mr D O'BRIEN: That is all right—you give the evidence and we will work out what we recommend!

Mr DEAR: No, it is okay. I think in simple terms we are an implementer of a government program of works. But if we were to lay a program of works across any landscape in Victoria, you would find the same complexity. So if we put 2 million hectares of landscape anywhere in Victoria, you would have a multitude of land managers, a multitude of agencies, a multitude of individuals and a multitude of groups. So the Gippsland Lakes are no different to any other landscape anywhere else in the state of Victoria. So I do not think we can go down a path where we apply a one administrative body-approach to any landscape in Victoria with any effect.

What has happened here is that the Gippsland Lakes Coordinating Committee is administered by the East Gippsland CMA. We have responsibility for the Ramsar plan and the Ramsar coordination. We are the designated waterway manager together with West Gippsland CMA in their region. So it is clear who is accountable for the administration of the Ramsar values on the Gippsland Lakes. Where people I think observe a lack of clarity is just there are so many people working across the landscape—that is all that is. But it is quite clear from a governance perspective that we have the responsibility here for the Gippsland Lakes Ramsar. I think the challenge is to keep that approach stable and for us to continue to communicate how this works and how people can get involved, not to throw confusion into the mix and add yet another level of participation by another agency. I do not think that would work well. I just think we need some consistency and to keep marching on.

Sean mentioned that some of the priorities—the projects in the priorities plan—we are delivering but they are ongoing. It takes multiple pieces of work to keep looking after the Gippsland Lakes. A classic action is do some work to minimise nutrient inflows to the Gippsland Lakes. That action is in this priorities plan, that action was in the previous plan and that action is likely to be in the next plan because we have to keep pursuing this long-term objective to reduce nutrients into the Gippsland Lakes. If we throw administrative confusion into that, it will get in the way of us continuing to march along that path that we are on. I do not know if that answers your question, but from an administrator's point of view and the operations of looking after Ramsar, I think we just need to keep marching. Our obligation is to clarify and keep communicating what our role is.

Ms STITT: I have just got a quick one. I do not think there is any doubt about the complexity of the site that you are managing, but can you help me understand your role and what Parks Victoria's role is?

Mr PHILLIPSON: Parks Victoria is the land manager for a large proportion of the physical land within the Ramsar site. DELWP are the other major public land manager. There are other little bits and pieces. They are the land managers, so there is a legislative empowerment that says they have got land management responsibilities. The catchment management authority is not a land manager; we are a waterway manager and have other legislative empowerment. So our role in this sense is that coordination role—so in the DELWP framework—which is about that very point about providing these opportunities, these frameworks or whatever it is, these mechanisms, for people, given the complexity of the management, to be able to do some stuff.

One of, I guess, the practical benefits of that structure is that you see are the opportunities for people who would previously perhaps have been really quite siloed. They have got their roles and responsibilities and they do those. They have got their roles and responsibilities and they do those, and they have got no reason to come together and talk about how they might align even though they are physically in the same space or might be

trying to achieve the same thing. We have got some really good practical examples. Sand renourishment for tern habitat is one of them. Bringing people together through this arrangement has resulted in some really fantastic on-ground outcomes, particularly in an ecological sense. Without that the Gippsland Ports would have done their maintenance dredging inside the lakes for boat navigation, as they had to as part of their legislative requirement, and then disposed of the sand under water with all the permits—happy days. But what they did was talk to DELWP, talk to Parks Victoria. They found a need for that material, put it on an island, which enhanced the habitat for threatened terns, which was declining, and in the subsequent seasons we have seen the biggest tern breeding in recent years, recognising there are other things going on, but without the physical habitat that would not have happened and without the opportunity to work together that also would not have happened. I guess that is our role, if you want a practical lens on it. It is to provide a framework or a mechanism for that to happen—to get people to talk to each other, to do something together within their two roles and responsibilities.

Mr RICHARDSON: I have just got one quickly. The differentiation between Ramsar sites and non-Ramsar sites. I take your point about there being, in terms of the management of those sites, no differentiation from a catchment management perspective, but is there any differentiation from governance and department or interaction at all? Would there be a view of incorporating those into Ramsar sites longer term?

Mr PHILLIPSON: I guess from our perspective you are right: we are very much about a landscape scale-type management and really the approach does not change. So the land manager might be a famer who is the land manager of his private land and we have mechanisms with Greening Australia or Trust for Nature to achieve an outcome, or it might be Parks Victoria.

I guess the point I would make is for the Gippsland Lakes, given the site boundary and some of the peculiarities it has, the plan identifies at the moment that is the challenge that exists. So into the future does the boundary change for a range of reasons to maintain some values within the Ramsar site? Maybe that changes, maybe that does not. It is a particularly convoluted process. At the moment we are focused on saying, 'What are the values in the landscape?'. Whether they are 500 metres to the left of the dotted line or to the right of the dotted line, ecologically it does not really matter to me. It is about how we can maintain them in the landscape.

Mr RICHARDSON: But in practical terms do the department and the authorities in their governance and monitoring—do you see a differentiation in the protection or the approach?

Mr DEAR: I can answer that, I think. Sean could too, but we agreed we could jump in where we reckon. The Gippsland Lakes Coordinating Committee is overseeing the whole catchment of the Gippsland Lakes. The Ramsar site is situated within it, but the approach of the Gippsland Lakes Coordinating Committee—and the committee before that with the previous Government was the Gippsland Lakes Ministerial Advisory Committee, very similar structure—is focusing on the whole of the Gippsland Lakes catchments and the values within that. So there is no differentiation. One of the particular circumstances that is a very positive thing here on the Gippsland Lakes catchment is that ministerial committee that says from the highest level within our Government, 'We want you to focus on a catchment-scale approach, set your priorities on that basis and then implement them together', and it works very well.

The CHAIR: Thank you very much for your time. You will be provided with a proof transcript for you to verify and then that will be available on our website as well. We appreciate you making the time to meet with us today. Thank you.

Committee adjourned.