

Tasmanian Conservation Trust Submission on the Draft Moulting Lagoon Game Reserve Management Plan 1999

Hon. David Llewellyn MHA
Minister for Primary Industries,
Water and Environment
First Floor Franklin Square Offices
Hobart 7000

7 January 2000

Dear Minister,

Draft Moulting Lagoon Game Reserve Management Plan 1999

The Tasmanian Conservation Trust wishes to make a submission regarding the draft management plan. Our submission is in two parts. Part 1 deals with general matters regarding the draft plan and Part 2 addresses specific comment on the proposed management prescriptions.

Part 1 - General

1.

At the very least the draft management plan document could acknowledge on its cover that the Moulting Lagoon Game Reserve is a Ramsar site. We realise it is an acute embarrassment to the department that even though Moulting Lagoon was nominated as a Ramsar site in 1982, listed in 1983 and that the first draft management plan for the area was published in 1985, in the year 2000 we are no closer to having a meaningful plan of management for this wetland of international importance. Be that as it may, Moulting Lagoon is a Ramsar site and the draft management plan document should be proud to say to.

2.

We continue to be disappointed and frustrated that your department persistently ignores the pivotal role of the Resource Management and Planning System in the management of reserved lands. As you would know, the *Regional Forest Agreement (Land Classification) Act* amended the *National Parks and Wildlife Act* to provide that:

"In exercising any powers or performing any functions under this Act in relation to any reserved land, a person must have regard to the resource management and planning system objectives."

Those objectives are as follows:

(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and

(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and

(c) to encourage public involvement in resource management and planning; and

(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and

(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

In clause (a), 'sustainable development' means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well being and for their health and safety while -

(a) sustaining the potential of natural and physical resources to meet the reasonable foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water soil and ecosystems; and

(c) avoiding, remedying or mitigating any adverse effects of activities on the environment.

3.

The objectives of the Resource Management and Planning System must be included in section 3.2 Management Objectives and most importantly the plan must be underpinned by those objectives in addition to the values, purposes and objectives for a Game Reserve as provided by the National Parks and Wildlife Act.

4.

In our view the objectives of the Resource Management and Planning System will not be fully met unless, once approved, the management plan provides for appeal rights regarding activities undertaken in the management plan area. The RMPS is predicated on public involvement in and sharing responsibility for resource management and planning. Without statutory appeal rights, logically to the Resource Management and Planning Appeal Tribunal, the involvement and shared responsibility is hollow.

5.

It is hard to imagine how the draft management plan could have been released without one single reference to the State Coastal Policy - not even in the list of references. One would hope this is not because the department feels it is not bound by the provisions of the policy. The policy is the main tool for coastal management in the state and has the force of law. Not only that but the State Policies and Projects Act provides that a person who contravenes or fails to comply with a provision of a State Policy or a requirement or obligation imposed under a State Policy is guilty of an offence punishable by summary conviction. No doubt that would include a person preparing a management plan that was not consistent with the policy.

6.

For example, clause 2.7.1 of the policy requires that all future use and development of public land will be consistent with the policy. Clause 2.6.2 requires public access to and along the coast to be directed to identified access points. Uncontrolled access which has the potential to cause significant damage to the fragile coastal environment and is inconsistent with this policy will be prevented. Clause 2.1.5 requires that the precautionary principle will be applied to development which may pose serious or irreversible environmental damage to ensure that environmental degradation can be avoided, remedied or mitigated.

7.

Part 4 of the draft management plan lists ninety "management prescriptions" followed by an implementation schedule for thirty-eight of these "management prescriptions" showing a high, medium and low priority for implementation. Goodness knows what happens to the fifty-two "management prescriptions" that do not get a mention! What we are dealing with here is no more than a wish list. Whilst the TCT has no particular problem with many of these "management prescriptions", one can only wonder at the reality of such a wish list when existing resources cannot even maintain the present situation let alone achieve some of these prescriptions.

8.

To set out ninety or thirty-eight "management prescriptions" which, in our view, have little hope of being implemented, is bordering on deceit. It will build up the expectations of local residents and all Tasmanians who care about our wetlands and waterbirds. If they cannot be achieved they will bring into disrepute the whole process of reserve management planning. Achieving the prescriptions set out in the draft plan will require a many-fold

increase in resources over existing levels - resources that we all know are not there.

9.

Part 4 of the draft management plan must be rewritten to cover all "management prescriptions" and include a table detailing the resourcing required for each prescription and a time frame for its delivery.

Part 2 - Specific

10.

The section dealing with access and off-road vehicles is unbelievably sad. Section 2.8.4 states:

*"Off-road driving along the foreshore occurs in many parts of Moulting Lagoon and is primarily associated with duck shooting, when hunters repair hides for the forthcoming season and to provide access during the hunting season. Virtually all unfenced parts of the foreshore are accessible for most of the year. The activity causes major damage to the foreshore vegetation especially to the mat of *Sarcocornia quinqueflora* and *Sclerostegia arguscula*. This has resulted in considerable and repeated damage to the loosely consolidated soils and fragile vegetation near the waters edge. Most use of these foreshore tracks is in the summer months when the soil is driest. However, the silty mud near the edge of the lagoon, especially on the eastern side, softens very quickly even after a small amount of rain and the shallow rooted vegetation is easily dislodged by spinning tyres."*

11.

Section 2.8.4 further states:

"Off-road driving is not permitted within the Moulting Lagoon Game Reserve except along the south eastern shore where vehicles use the foreshore to reach shacks at Breakfast Point. This track is the only vehicular access to the shacks and is used by hunters and fishers. Although the shacks are not located in the reserve, the foreshore track is within the reserve. The saltmarsh vegetation along the track has been significantly degraded and the track is susceptible to erosion and bogging."

12.

The "management prescription" for this acknowledged major environmental concern is to recommend maintaining or even hardening the foreshore track within the reserve if an alternative track to Breakfast Point cannot be found!

There is no justification given for why vehicle access to these shacks is important - it is only a short walk from the end of the track just south of Bottom Bank to Breakfast Point. Also, there is no convincing justification for

why the Parks and Wildlife Service should provide access through a reserve to private land, only that maintaining this track prevents the need for constructing another track through private land. In section 2.8.4 it is admitted that the impacts of constructing an alternative route through private land need to be assessed. Clearly, this information should be included in the plan and recommendations should not be made without it. There may be a route that would not require destruction of vegetation and yet the plan is suggesting hardening a track across saltmarsh. Regardless of the impacts, it is probable that any route through forest would be preferable to a track across saltmarsh. No such comparison is attempted. No mention is made of the presence of an inland track that follows the shoreline at least part of the way from Bottom Bank to Breakfast Point. There are bridges on this track, which need repair.

13.

Section 4.2 should explicitly provide for the reserving or otherwise protecting as much of the shoreline of the lagoon as possible, including private land.

14.

Section 4.4 supposedly deals with rehabilitation whereas priorities for rehabilitation are identified in section 4.6. There needs to be some relationship between the two sections and other sites requiring rehabilitation should be identified in the plan.

15.

Section 2.7.3 states that:

"Heavy sedimentation and the ecological changes it causes may be the lagoon's most immediate problem".

Further it states:

"Regardless of the causes, sediment loading and eutrophication are primary concerns for the Moulting Lagoon ecosystem."

It would seem self evident that with a catchment of over 900 square kilometres, such problems originate largely outside the reserve. Yet the best the draft plan can provide for the "primary concern" and "most immediate problem" is (at section 4.7.) to:

- conduct research to examine the rates, foci and sources of sedimentation in the lagoon and its tributaries; and
- consult with landowners, landcare representatives, Forestry Tasmania and other relevant parties to control / reduce erosion and sedimentation within the catchment.

Worse is to come. The Implementation Schedule shows the research (now called a survey) as a medium priority and the consultation does not get a mention at all. Thank goodness sedimentation and eutrophication are only "primary concerns" and "most immediate problems"!

16.

Section 2.7.1 deals with disease including lead poisoning as follows:

"Lead poisoning, caused by ingestion of lead shotgun pellets, is of particular concern. While not an infectious disease, it is nonetheless a well-documented killer of waterfowl (Anon 1986), and has been banned for waterfowl shooting in the United States and one Australian state. Smith et al. (1995) have documented both the availability of pellets to waterfowl in Moulting Lagoon, as well as elevated lead levels in both swans and ducks found there. Lead shot poisoning is common among bottom feeding waterfowl in areas of high-shot concentrations. It is insidious, however, in that it is generally "invisible". Poisoned birds undergo muscular paralysis, gut impaction, and subsequent starvation. They often hide in their weakened state or are quickly taken by scavengers and consequently never found."

17.

Even though the use of lead shot is of "particular concern" the best the "management prescriptions" can provide is "promote the use of non-toxic shot for duck shooting". When one turns to the Implementation Schedule this promotion does not rate a mention - not even as a low priority. Such treatment of this extremely important issue is an insult! Clearly the Parks and Wildlife Service care not at all about this "particular concern". Either take any reference to lead poisoning out of the plan or do something about it!

Yours sincerely
Michael Lynch
Director