

## **SUBMISSION TO THE PARLIAMENTARY ENQUIRY INTO ECOSYSTEM DECLINE IN VICTORIA**

### **BIRDLIFE AUSTRALIA'S FRIENDS OF THE HOODED PLOVER, BREAMLEA**

**JULY 2020**

#### **INTRODUCTION**

Friends of the Hooded Plover (FoHP) Breamlea have been working since 2006 on Birdlife Australia's "Beach Nesting Birds" project which aims to arrest the species decline by mitigating against the threats to breeding success, most particularly the loss of suitable habitat due to the impacts of recreation and climate change. FoHP Breamlea works together with City of Greater Geelong (CoGG) and Barwon Water who are the land managers for the stretch of coastline from Black Rock to Pt. Impossible at the estuary of Thompsons Creek.

The Breamlea dunes, the foreshore and the Creek estuary are home to the hooded plover (*Thinornis cucullatus*) which is listed as threatened in Victoria\* and also Vulnerable under National legislation\*\*. The area also provides vital feeding and roosting habitat to other shorebird species such as the red-capped plover and crested terns as well as migratory species from the Northern Hemisphere, e.g. red-necked stints, and double-banded plovers from New Zealand.

Despite some demonstrated success in recovery numbers of hooded plover along the Bellarine and Surf Coast beaches, including Breamlea, the pressures these birds, along with the other shorebirds, are under from loss of habitat due to degradation of foreshore and dunes from human activity, storm surges and sea level rise is intensifying. We are concerned that without determined commitment from government the future for these birds will soon reach tipping point. We welcome this inquiry and offer the following comments in relation to the terms of reference.

*(See photo 1 below - Hooded Plover family)*

\*Hooded Plovers are listed as threatened in Victoria under the Flora and Fauna Guarantee Act 1988 and classified as Vulnerable according to the Advisory List of Threatened Vertebrate Fauna (DELWP 2013)

\*\*Hooded Plovers (Eastern) are listed as Vulnerable under the (National) Environment Protection and Biodiversity Conservation Act 1999.

**(a) the extent of the decline of Victoria’s biodiversity and the likely impact on people, particularly First Peoples, and ecosystems, if more is not done to address this, including consideration of climate change impacts;**

Breamlea lies within a Flora and Fauna Reserve. It is also an area rich in First People’s history. Visitors to Breamlea marvel at its natural setting. Its residents value and actively seek to conserve and protect the biodiversity and cultural heritage through groups such as the Friends of the Hooded Plover, Breamlea Coastcare and the Breamlea Association. Descendents of the Wadawarrung, traditional owners of this area, are able to visit the cultural remains of their ancestors still very much intact in important middens scattered throughout the dune system.

However, a number of significant studies indicate the threats are intensifying, including impacts from climate change. Without urgent action, committed support and willingness to provide a strong coordinating framework from the Victorian government the efforts of residents, volunteers, environmental scientists and local land managers will be negated. Breamlea will become just another recreational beach amenity; no longer a richly biodiverse habitat where, for example, a hooded plover pair can nest and raise its chicks among beachgoers, but just another bare sandpit for human play. The dune system’s progressive degradation will lead to denuding of vegetation and to exposure and destruction of the middens.

*(See photo 2 below- footprints into the dunes)*

In the Victorian Government’s 2018 publication ‘Victoria’s Coast and Marine Environments under Projected Climate Change: *Impacts, Research Gaps and Priorities*’\* it states that the hooded plover would suffer direct impacts such as nest flooding from sea level rise. In fact, it shows that such changes for this species could imply thresholds or tipping points. Further, it states that “resident beach-nesting species, especially the obligate hooded plover, are arguably even more sensitive than migrants to coastal changes caused by climate change”.

Victorian Government policy requires all councils to plan for a 0.8 metre sea level rise by the year 2100. To help guide the plan for the City of Greater Geelong, the *Bellarine Peninsula – Corio Bay Local Coastal Hazard Assessment Inundation Report* was prepared and released in December 2015\*\*.

In the Executive Summary under Key Findings -:Compartment 1: Breamlea to Blue Rocks, it was noted that “a key location to note is the beach access at Bancoora Beach, which has the potential to become a breach location in future for inundation of the hinterland. The timing of this is uncertain”. Bancoora Beach is a prime nesting location for hooded plovers.

\*Victoria's Coast and Marine Environments under Projected Climate Change:  
*Impacts, Research Gaps and Priorities*  
The State Government of Victoria. Victorian Coastal Council, 2018. pp.10, 12

\*\*Amendment C394 - Land Subject to Inundation Overlay - Bellarine Peninsula and Corio Bay.  
Current Status: Awaiting Ministerial Approval  
Date sent to Minister: Thursday, 4 June 2020

**(b) the adequacy of the legislative framework protecting Victoria's environment, including grasslands, forests and the marine and coastal environment, and native species;**

In addition to protections for hooded plovers already in place under the Flora and Fauna Guarantee Act 1988 and the Advisory List of Threatened Vertebrate Fauna (DELWP 2013), both referred to above, other legislation is in place which also legislates for protecting the environmental significance of the Breamlea area.

On the 19<sup>th</sup> September, 2019 the Victorian State Government made the declaration of the Surf Coast as a Distinctive Area and Landscape (DAL)\*.

In this Declaration it is stated that:

*There are a number of national and state significant areas of biodiversity including Point Addis Marine National Park, Point Danger Marine Sanctuary, Point Impossible, The Breamlea/Karaaf wetlands, and associated estuaries. These areas provide important habitats to a variety of flora and fauna including endangered and threatened species like the Hooded Plover, Bellarine Yellow Gum and critically endangered Orange-bellied Parrot.*

Further Victorian legislation is needed to address the threats to other shorebird communities that use the Breamlea foreshore, rocky shelves and Pt. Impossible estuary area as key habitat to roost and feed. Migratory species such as red-necked stints, sharp-tailed sandpipers and double-banded plovers regularly visit in large flocks of 100+. These species have high energetic requirements for making the long journey back to their breeding grounds in Northern Siberia, China and New Zealand.

*(See photo 3 below - shorebirds at Thompson Creek estuary)*

A Shorebird Protection Zone has been established by the Great Ocean Road Committee on the Surf Coast side of Point Impossible in the past two years but has little effective impact in protecting the birds without overarching legislation framework which specifically signals commitment at Victorian government level thus strengthening local laws and management.

Furthermore, the Victorian government needs to provide a committed and strong coordinating presence, most likely through DELWP, to bring together cohesive action right along the Bellarine and Surf Coast beaches. The threats and protections needed to conserve hooded plover breeding habitat are consistent through this whole area. However, despite everyone's best efforts, it is extremely difficult and confusing to manage and provide beach users with consistent messages with a plethora of by-laws governing pertinent issues such as dog controls and dune incursions.

\*Planning and Environment Act 1987  
Declaration of the Surf Coast as a Distinctive Area and Landscape (DAL).

**(c) the adequacy and effectiveness of government programs and funding protecting and restoring Victoria's ecosystems;**

There is an obvious lack of committed and adequate funding to Birdlife Australia and to the environmental budgets of local land managers, in our area – the City of Greater Geelong (CoGG) and to a lesser extent, Barwon Water.

Sustained funding is required to build on the very successful work done by the dedicated scientists working on the "Beach Nesting Birds" project. They provide the scientific foundation on which this project has been built and the overarching management, analysis and reporting. Their report "*Ten years of Hooded Plover recovery on the Bellarine Peninsula and Surf Coast: An overview and future recommendations*", published in July 2018\* is testament to the outstanding work they have done in training a small army of dedicated and now skilled citizen scientist volunteers who monitor the birds, collect the data, warden chicks, talk to visitors to the beach, and provide education support through media interviews and community and school presentations. They have achieved this in a milieu of piecemeal funding where environmental work has been a low priority for both the Victorian and Commonwealth government bodies. The urgency of addressing these issues after the catastrophic season of last summer's bushfires and the consequent growing awareness of the increasingly obvious threat of global warming seems at last to be signalling a shift in that prioritising.

There is a growing and urgent need in our area for raising awareness of and education about the importance of the Breamlea Flora and Fauna Reserve as unique and precious habitat. Unique in that it is such a richly biodiverse habitat so close to Melbourne, Geelong and its burgeoning new suburbs. Numbers of visitors to our beaches have exploded in recent years.

FoHP Breamlea consider Hooded Plovers our local flagship species. Their ability to sustain themselves in the area is indicative of how other species known to inhabit and feed in the dunes, such as antechinus, swamp wallaby, various lizards and snakes, black shouldered kites, nankeen kestrels, as well as the foreshore species, the invertebrates among the tidal seaweed (wrack) and rocky shelves and the shorebirds that forage for them as well as rest among them will likewise be able to sustain themselves. If our resident hooded plovers fall into decline due to human recreational impacts and global warming impacts especially on sea rise and storm surges, it is an indication that all the other species dependent on the same habitat are equally in trouble.

In the past few years visitors to Breamlea beaches have increased exponentially. Dog walkers disregarding dog control signage, people exercising and playing in the dunes, fishers who carelessly discard fishing line are the biggest threat to our local resident hooded plovers. In the past 6 months, we have lost 2 breeding males from our 4 resident pairs due to entanglement in fishing line.

*(See photo 4 below - entanglement of banded bird CP)*

The Birdlife Australia report mentioned above\* noted that “signage combined with fencing of nests had the greatest management benefit” for mitigating against human recreational threats. FoHP Breamlea work with CoGG’s Environment Unit officers and to a lesser extent, Barwon Water’s allocated environment officers in this work. CoGG’s Environment Unit also has a public awareness program and has appointed a part-time beach ranger. Again, the problem of limited funding and few officers on the ground make it difficult, despite their dedicated and high prioritisation of the project, to provide the support necessary to deal with the increasing threats to hooded plover (and consequently other habitat dependent species).

\* Maguire, G., Ekanayake, K., Cullen, M., Mead, R. and Rhodes, L. (2018). Ten years of Hooded Plover recovery on the Bellarine Peninsula and Surf Coast – *an overview and future recommendations*. Birdlife Australia report, Carlton, Victoria.

**(d) legislative, policy, program, governance and funding solutions to facilitate ecosystem and species protection, restoration and recovery in Victoria, in the context of climate change impacts;**

FoHP Breamlea believe government funded programs aimed at raising the awareness and education of all beach users to the value of the habitat they are in and the need to protect it and the species which depend on it for survival is fundamental to addressing this issue. Such programs must be framed in legislation which commits a strong and active Victorian government presence in an overall coordination role, while working with local land managers and being guided by the best scientific evidence.

There must also be a place within the legislation framework for local communities and traditional owners to have a strong voice.

One example is the gathering momentum along the Bellarine and Surf Coast beaches, including in Breamlea to urgently address dune degradation which has become alarmingly evident in the past couple of years with rapid and massive increase in population due to the explosion of new suburbs in the region. Recreational use of the foredunes combined with unusually high and more frequent storm and tide surges are having a devastating effect on hooded plover breeding spaces, as well as the biodiversity of dune flora and other fauna.

Local land managers and committed local groups such as ours watch with alarm as the multi-million dollar successful effort to revegetate the sandblown, degraded dunes of decades past is increasingly threatened. Likewise, the recovery of hooded plover numbers from just 9 resident pairs between Pt. Lonsdale and Torquay up to 22 pairs is likely to tip back if the birds cannot find suitable nesting spots above the high tide and within the foredune systems. An urgent, strong and coordinated campaign is needed which will require funding for media, signage, dune restoration measures as well as a ranger and by-laws presence.

Specific targeted campaigns are also necessary to raise awareness and compliance among beach users who currently pose the greatest threat, e.g. fishers who thoughtlessly and carelessly discard lines and hooks, dog walkers who disregard dog control regulations, people dune surfing, playing or exercising in the dunes, local residents and visitors who seek to make their own informal access tracks through the dunes to the beach.

The Shorebird Protection Zone which has been recently established at the Thompsons Creek estuary (Pt. Impossible) is another excellent initiative but it needs strengthening by virtue of Victorian government legislation which recognises the plight of migratory and other shorebirds who depend on such areas for survival. Again, sustained, committed funding is required for media, interpretive signage and compliance.

In addition, onground work is constantly required to combat invasive weeds such as sea spurge, marron grass and sea wheat grass which impacts on hooded plover breeding habitat as well as reducing available roosting and foraging areas for other shorebird species. Equally, control of feral predators, in particular foxes and cats, must be sustained and funded. Research is also needed into ways to control increasing raven, magpie and silver gull numbers, native predators which thrive due to human assistance.

**(e) opportunities to restore Victoria’s environment while upholding First Peoples’ connection to country, and increasing and diversifying employment opportunities in Victoria**

The opportunities for employment within the projects described under (d) above are clear. These are predominantly public sector jobs within local authorities and funded bodies, such as Birdlife Australia. These jobs provide for a range of skills, training and knowledge and could be a boon to the looming post-COVID Victorian economy. Victoria’s beaches, close to Melbourne such as Breamlea, are some of the best cared for, intact and consequently biodiverse in Australia. With government commitment to sustaining and increasing this protection it will be possible to build public and private partnerships in areas such as, eco-tourism. For example, adding a bird hide to the Pt. Impossible Shorebird Protection Zone could bring in more diverse visitors beyond the surfers and dog walkers who currently predominate.

Furthermore, the opportunities exist for local land managers to work with the First Nations traditional owners, the Wadawarrung, to develop an indigenous rangers program. This would cultivate a very positive connection to their country which is rich in indigenous flora and fauna biodiversity as well as cultural history.

In 1998, the Breamlea Association funded a survey of the aboriginal middens strewn through the dunes. The report: *“An Aboriginal Archaeological Survey Between Black Rocks and Thompson Creek Breamlea”*\* confirmed that “Breamlea has one of the highest densities of Aboriginal archaeological middens along the central west coast.” The cultural importance of this to the Wadawarrung cannot be understated and it is crucial that they are protected.

\**“An Aboriginal Archaeological Survey Between Black Rocks and Thompson Creek Breamlea”* A Report to the Breamlea Friends Group. Prepared by Brendan Marshall and David Wines Austral Heritage Consultants 28 Anketell St. Coburg Vic 3058 October 1998.

**(f) any other related matters.**

The recent EPBC Review conducted Professor Graeme Samuel\* provided a rigorous interim report which highlights the failures of the Act. Most particularly, it found the EPBC Act “ineffective” and “not fit for current of future environmental challenges, such as climate change”. The Federal Government’s response to the damning criticisms in this report sounds alarm bells for this Inquiry into Species Decline.

It is clear the Federal Government is wanting a 'quick fix' to the issues raised in this report. Federal Environment Minister Sussan Ley has revealed plans to cut green tape by handing responsibility for assessing the environmental impact of major projects to state governments. She also said "we are not providing additional funding to the states".

We have no confidence that the Victorian Government and other states have the capacity and independent oversight to take on this responsibility. The Victorian Grassland Reserve debacle as reported in *The Age (24 July 2020)* is an example of what can go wrong when the Commonwealth removes itself from responsibility for the environment.

We have outlined our concerns under (c) above that the Victorian Government is not providing committed and adequate funding to environmental projects which seek to protect species such as the hooded plover which is listed as *vulnerable* under the EPBC. We believe that devolving to the states, even with national standards, is not a solution as they are:

- already overstretched
- chronically underfunded
- compromised in performing the role of independent regulator
- unable to provide a national oversight

Therefore, the Victorian Government should resist the Federal Government's plans in this regard.

\* Interim Report of the Independent Review of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Department of Agriculture, Water and the Environment. June 2020

## **CONCLUSION**

This year, 2020, which began with the catastrophic bushfires has shown that despite the COVID-19 health crisis and the consequent economic pressures, we must not delay action to address species decline and the overall environmental crisis.

We urge the Victorian Government to embrace this moment of crisis with visionary re-thinking. There are so many jobs-rich environment solutions in the area of nature restoration, environmental education and eco-tourism. There are also opportunities to bring First Nation's people's knowledge into finding solutions and therefore providing jobs to their communities.



**1. Hooded Plover family - 2020.**  
Photo credit David Turner



**2. Footprints into the dunes - 2020.**  
Photo credit Ann O'Connor



**3. Shorebirds at Thompson Creek estuary - 2019**  
Photo credit David Turner



**4. Entanglement – banded bird CP - 2020.**  
Photo credit Robin Spry