

28 November 2019

Dear Committee Members,

Ref: Meeting Obligations to Protect Ramsar Wetlands (2016)

I am a local resident of Crib Point on Western Port Bay and I enjoy the health and well-being benefits of living in a coastal community on Western Port Bay including the trees, birds, parks and reserves, beaches and the local marine environment and wildlife.

Western Port Bay is listed as an internationally significant wetland under the intergovernmental Ramsar convention and a major part of the UNESCO Mornington Peninsula and Western Port Biosphere Reserve. Western Port Bay has three of Victoria's 13 Marine National Parks within its boundaries and the Mushroom Reef Marine Sanctuary just outside its western entrance.

Western Port Bay was listed as having international importance under the 'Ramsar Convention on Wetlands' on 15 December 1982, covers 59,297 hectares and currently meets seven of the nine listing criteria:

1. Contains a representative, rare, or unique example of a natural or near-natural wetland type found within the appropriate biogeographic region,
2. Supports vulnerable, endangered, or critically endangered species or threatened ecological communities,
3. Supports populations of plant and/or animal species important for maintaining the biological diversity of a particular biogeographic region,
4. Supports plant and/or animal species at a critical stage in their life cycles, or provides refuge during adverse conditions,
5. Regularly supports 20,000 or more waterbirds,
6. Regularly supports 1% of the individuals in a population of one species or subspecies of waterbird and
8. An important source of food for fishes, spawning ground, nursery and/or migration path on which fish stocks, either within the wetland or elsewhere, depend.

I am pleased that the Victorian Parliament is conducting this wetlands inquiry and allowing local residents to voice their concerns about the importance of Victoria meeting its obligations under the Ramsar Convention. I am concerned about a number of issues related to Ramsar wetlands and in particular Western Port Bay:

Wastewater discharge:

I am concerned about industrial pollution impacting on the ecological character of Western Port Bay. Industrial pollution includes air, noise, light, land contamination and water pollution including wastewater discharge from ships, vessels and other floating facilities.

I am concerned that a person or business may seek to emit new industrial wastewater discharge (including chemical by-products) into Ramsar sites within Victoria such as Western Port Bay.

This is currently prohibited under clause 22(3) of the current State Environment Protection Policy (Waters) in Victoria.

See here: <https://www.epa.vic.gov.au/about-us/legislation/water-legislation/water-related-policies>

Ramsar wetlands within Victoria must be kept free of new wastewater discharges and other industrial waste due to their impacts on marine flora and fauna, mangroves, saltmarshes, seagrass meadows, migratory birds and mammals and other marine life.

The proposed *Environment Protection Amendment Act 2018* to take effect from 1 July 2020 must raise the level of protection for all Victorian Ramsar sites and all environmental assets.

A person or business must not be granted a licence or a permit that will allow new wastewater discharge into a Ramsar site, marine environment or receiving waters in Victoria under this new Environment Protection Act.

See here: <https://www.environment.vic.gov.au/sustainability/environment-protection-reform/ep-bill-2018>

Ramsar site review (Ramsar Article 2.5):

I am concerned that the status of Ramsar wetland sites in Victoria may be reviewed in order to restrict Ramsar site boundaries or introduce changes such as new industrial activities or developments.

Any review of a Ramsar site in Victoria may have significant impacts on the ecological character of that site such as reducing the available area of the wetland, remove feeding grounds for native and migratory species or introduce access for new industrial developments within the Ramsar site.

One recent example is the \$1.4 billion Toondah Harbour development in Moreton Bay, Queensland where 3,600 apartments are planned to be built in a Ramsar wetland. Executives from the developer Walker Corporation even travelled to Switzerland to meet the Ramsar secretary general to discuss Ramsar obligations.

See here: <https://www.abc.net.au/news/2018-12-09/the-developer-the-whistleblower-and-the-minister-toondah-harbour/10487806>

See here: <https://www.theguardian.com/australia-news/2019/feb/01/queensland-pushed-for-wetlands-boundary-change-before-development-letters-suggest>

Ramsar Convention Article 2.5 states that a government may reclaim land in a Ramsar wetland due to “urgent national interest”. This clause may allow a government to restrict the boundaries of Ramsar wetlands or even delete a particular wetland from the List of Wetlands of International Importance (Ramsar sites).

The process to justify “urgent national interest” is quite lengthy and would be difficult for any Australian government to prove due to potential adverse effects of any change to a Ramsar site’s ecological character.

It would be very concerning if an industrial project proponent in Victoria chose to invoke “urgent national interest” as a reason to justify their development at the expense of endangered and threatened species, sensitive marine habitats or migratory birds who rely on the protection of a Ramsar wetland site.

See here: <https://www.ramsar.org/sites/default/files/documents/pdf/guide/guide-urgent.pdf>

See here: <https://www.ramsar.org/sites-countries/change-in-ecological-character>

“Ramsar Sites Information Service” data update:

The current data on Ramsar wetlands within Victoria supplied by the Victorian Government to the Ramsar Convention requires significant improvement.

The “Ramsar Sites Information Service” provides accurate information on all Ramsar sites globally.

See here: https://rsis.ramsar.org/sites/default/files/rsiswp_search/exports/Ramsar-Sites-annotated-summary-Australia.pdf

Almost all Victorian Ramsar sites have not updated their specific site details since 1998. (Edithvale-Seaford Wetlands were updated in 2001 and Glenelg Estuary and Discovery Bay in 2018.)

Eleven Ramsar wetland sites in Victoria require comprehensive studies to update the “Ramsar Sites Information Service” with accurate information and enhance our understanding of, and maintain, the values of each Ramsar site within Victoria.

There are many knowledge gaps that exist due to environmental changes over the past 20 years and therefore require additional investigations and monitoring information.

Specific knowledge gaps include:

- Critically endangered species population data
- Tidal hydrodynamics (extensive marine habitat mapping required)
- Water quality (including changes in turbidity and sediment distribution)
- Wetland bathymetry (depths and location of each habitat type)
- Flora – seagrass/mangroves/saltmarsh (current distribution and health)
- Fauna – waterbirds/fish/marine life (quantitative information on diversity and abundance)

Other areas requiring updated data include hydrological values, ecological features, changes in land use and development, current conservation measures, current scientific research, current conservation education, current recreation and tourism and current management authority.

Regarding Western Port Bay, the last major scientific investigation was the “Western Port Bay Environmental Study 1973-1974” by M.A. Shapiro – known as “The Shapiro Report” in 1975.

A new and thorough investigation of Western Port Bay as a Ramsar site is now required after 44 years.

Thank you for your time and consideration.

Yours faithfully,

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