

# TRANSCRIPT

## PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

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

Chelsea Heights—Tuesday, 3 December 2019

#### Members

Ms Lizzie Blandthorn—Chair

Mr Richard Riordan—Deputy Chair

Mr Sam Hibbins

Mr Gary Maas

Mr Danny O'Brien

Ms Pauline Richards

Mr Tim Richardson

Ms Ingrid Stitt

Ms Bridget Vallence

**WITNESSES**

Mr Phil Cantillon, Chief Executive Officer,

Mr Stuart Caldwell, Manager Planning and Environment,

Mr Martin Poole, Manager Commercial Services,

Mr Alan Wallis, Coordinator Parks and Vegetation, and

Ms Clare Warren, Coordinator Environmental Planning, Frankston City Council.

**The CHAIR:** Thank you, Frankston City Council, for appearing before us today. We are pleased that you are able to join us today for this Public Accounts and Estimates Committee Inquiry into the Victorian Auditor-General's Report No. 202: Meeting Obligations to Protect Ramsar Wetlands, tabled on 14 September 2016. For those who have not done so already, if they can turn the phones to silent. For your information, 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 at the end be provided with a proof version of the transcript for you to check. Verified transcripts, PowerPoint presentations and handouts will be placed on the Committee's website as soon as possible. If there are any media present, we welcome you to the hearing today, but we remind you of the following guidelines: cameras must remain focused only on the person speaking; operators must not pan the public gallery, the Committee or witnesses; and filming and recording must cease immediately at the completion of hearing. Broadcasting or recording of this hearing is not permitted by anyone other than the accredited media. Thank you for joining us. We invite you to make up to a 15-minute statement.

**Mr CANTILLON:** Firstly, I would like to acknowledge the traditional owners of this land, the Boon Wurrung, and their elders, past, present and emerging. My name is Phil Cantillon. I am the Chief Executive Officer of Frankston City Council. I would just also like to introduce a number of staff that I have got with me today. On our far left there is Alan Wallis. Alan is our Coordinator Parks and Vegetation, who has operational management responsibility for the Seaford wetlands. Immediately to my left is Clare Warren. She is our Coordinator Environmental Planning, which covers the functions of environmental policy and strategy, ecology and biodiversity. Then immediately to my right I have got Stuart Caldwell, who is our Manager Planning and Environment. His functions include statutory planning, strategic planning and environmental planning. On the far right-hand side is Martin Poole, who is our commercial services manager. He undertakes the property functions.

I have got a prepared statement, which I have also got copies of to distribute at the end, if that is easier. By way of background, the Seaford wetlands, which forms part of the broader Edithvale-Seaford Wetlands, is located in the northern part of Frankston City Council. It is 158 hectares and jointly managed by Melbourne Water and Frankston City Council. Along with the Edithvale wetlands they are the latest remaining natural wetlands of their type in the Port Phillip and Western Port catchment and all that remains of the Carrum Carrum Swamp, which once covered more than 4000 hectares from Frankston to Mordialloc. The Edithvale-Seaford Wetlands are the only Victorian Ramsar site located in an urban landscape. The remaining wetlands perform a vital function in filtering and purifying water from Boggy Creek and Eel Race Creek and stormwater run-off before it flows into Port Phillip Bay; flood mitigation; and providing valuable habitat for biodiversity, particularly for threatened and migratory bird species.

The Edithvale-Seaford Wetlands are protected under Ramsar convention as wetlands of international importance for the following reasons. They are the last remaining examples of the Carrum Carrum Swamp, with a variety of permanent and seasonal freshwater and saltwater wetlands. They support populations of the Australasian bittern, a bird of state significance which is threatened in Victoria. They regularly support more than 1 per cent, or 2000 birds, of the sharp-tailed sandpiper population that migrates along the East Asian-Australasian flyway in up to one year in three.

Melbourne Water is identified as the primary site manager for the Seaford wetlands in the VAGO report, and as such is responsible for coordination of reporting and attending the annual site coordination meetings run by DELWP. Council reports on the implementation of its actions back to Melbourne Water, which is responsible for uploading these into the Ramsar management system. Frankston City Council is a member of the Edithvale-Seaford Wetlands Community Liaison Committee, which meets quarterly. The committee provides the means for collaboration across all organisations and community groups which are involved in the protection and management of the wetlands.

There were a number of questions, I understand, that we were asked to comment on. One was the role of Frankston City Council in protecting the Edithvale-Seaford Wetlands and related governance arrangements for site management. Seaford wetlands is listed as council's highest priority conservation area, and as such has its own dedicated ranger. Council's management of the wetlands is governed by the *Edithvale-Seaford Wetlands Ramsar Site Management Plan*, which was approved by the Federal Government in 2016. Weed control and planting programs throughout the reserve are steadily reducing weed abundance and increasing indigenous flora cover. A change in recent land management practices at the council-owned parcel of land to the north-east, known as Down's Estate, has seen an increased abundance and diversity of wetland birds. Council has recently prepared a management plan for this area which will see more consistent and considered management, which will in turn lead to better protection of the rest of the wetlands.

Council and Melbourne Water undertake annual fox control programs to reduce predation on wildlife, and rabbit control programs occur annually to reduce the impacts on native flora. There is an on-ground agreement that council manages the recreation area—in other words, outside the fence—and Melbourne Water manages the wetland conservation areas inside the fence. While this is not reflected by the current land tenure, it results in improved on-ground efficiency and effectiveness. Conversations had taken place between council and Melbourne Water to try and resolve these arrangements in a formal manner.

Illegal monkey and dirt bikes have a detrimental effect on the Seaford wetlands. Due to the destruction caused, the conservation areas have now been fenced to exclude public access and are being monitored by council's rangers and compliance officers. Council is trying to improve the accessibility there around the wetlands through the investigation of an east-west shared user path link to the north of the wetlands to complete the circuit. Discussions have also been occurring between council, DELWP and Melbourne Water to improve the amenity and usability of the Seaford wetlands through landscaping and environmental works, and upgrades to paths and facilities through the State Government's suburban parks program.

There is a very active community group, Friends of Edithvale-Seaford Wetlands Incorporated, which works in collaboration with council and Melbourne Water, and volunteers spend countless hours volunteering in both Edithvale and Seaford. Activities undertaken by the friends include tree planting, research, guided tours and education. Council provides support to the friends group through the provision of training and equipment and by supporting the Frankston Environmental Friends Network, which is an umbrella organisation of volunteer groups and a forum for communication between councils, friends groups and other environmental organisations.

Frankston City Council is responsible for implementing the Frankston planning scheme, which has requirements for consideration of impacts of any change in land use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites, including wetlands, wetland wildlife habitat designated under the Ramsar Convention on Wetlands of International Importance. In order to do this effectively council ensures the appropriate zonings and overlays apply to the wetlands and its environs and that development approvals are consistent with the planning scheme.

In 2019 council commissioned the preparation of a planning investigation into the Seaford wetlands residential environs to determine whether the existing planning framework is sufficient to meet current and future needs. The report found that due to changes at a state level to residential zones and the introduction of a statewide policy, which was stormwater management and urban development, it would be premature to seek introduction of more restrictive planning provisions within this area; instead it recommended management and capital works actions to improve stormwater quality and amenity.

The second area that we are commenting on is the council's perspective on the recommendations outlined in the VAGO report and the degree to which they have been implemented. The recommendations outlined in the VAGO report addressed the responsibilities of the primary site managers, such as DELWP and Melbourne Water. The report outlines that Melbourne Water has good processes in place, with a detailed and dedicated plan, clear roles and responsibilities and regular communication with relevant stakeholders and land managers. These processes were in place prior to the VAGO report and as such the council's responsibilities, on-ground actions and communications with Melbourne Water have not dramatically changed as a result.

The third area that we are commenting on is the status of the Edithvale-Seaford Wetlands Ramsar information sheet; the ecological character description, including limits of acceptable change; and the site management plan. The existing Edithvale-Seaford Wetlands Ramsar information sheet was prepared in 2001 at the time of the Ramsar listing. Although it has not been updated, the information all seems to be relevant. The ecological character description was prepared in 2012 and then amended in 2017 to reflect changes to Ramsar criteria and to include limits of acceptable change. A site management plan was completed in 2016. The council in collaboration with Melbourne Water and the Friends of Edithvale-Seaford Wetlands are implementing the management plan.

A fourth area we are commenting on is just the current and emerging challenges to the Edithvale-Seaford Wetlands site. The first area is development. Given its location within the urban landscape, it is not surprising that the Seaford wetlands face many challenges. The potential pressure of urban encroachment and densification has been reflected in the *Frankston Housing Strategy 2018*, that has listed a high-priority action to:

Undertake an investigation in consultation with Melbourne Water through a specific study into the significance and management of the Seaford Wetlands and its residential environs, with a view to implement a specific Design and Development Overlay for this location.

This study was undertaken in 2019 and subsequently found that the current planning controls are sufficient to protect the wetlands from development pressures.

A second area there is access to open space. The urban environment is constantly under pressure for access to open space for both formal and informal recreation. Site managers need to ensure adequate education so that the community can understand and appreciate the value and significance of the site. The council in collaboration with Melbourne Water and the friends group undertake a number of education activities, from guided tours, bird counts and signage to newspaper articles, while still providing access where appropriate.

Pest plants and animals: both council and Melbourne Water undertake annual fox and rabbit control programs and ongoing weed control. Given the urban context, pests continually reinvade the site.

Reliability of water supply: during the drought it was evident that the wetlands need a reliable water supply if they are to remain viable. A lack of water threatens the flora and fauna that reside there. Melbourne Water and council have been investigating other alternatives to provide water to the wetlands, including flows through Downs Estate via an outlet to the north from the Eastern Treatment Plant.

Water quality: the wetlands are threatened by saline water intrusion from groundwater due to sea level rise, exposure of coastal, acidic sulphate soils, back flows of saline water during high tides and pollutants from stormwater run-off.

Climate change: sea level rise, drought, higher temperatures and flooding are prevalent.

Two final areas I just wanted to comment on are around the funding allocated to protect the Edithvale-Seaford Wetlands. In 2018–19 council spent approximately \$250 000 managing the Seaford wetlands; \$11 000 of this was through Melbourne Water's Corridors of Green grant for spiny rush control, with the balance funded internally by council rates. The costs relate to the employment of a full-time ranger; plant and equipment; mowing, weed control and revegetation; fox and rabbit control; fencing to control access; and security cameras for reactive vandalism monitoring.

So our recommendations to enhance the protection of the Edithvale-Seaford Wetlands are the development of a dedicated stormwater management policy for application across the municipality; capital works improvements to the public realm, including tree planting, rain gardens, tree pits and water-sensitive urban design; pest and animal fencing and improvements to stormwater drains to prevent access by foxes; an increased landscape buffer around the boundary to soften the impacts of new development; to investigate the inclusion of Downs Estate, either in full or in part, in the Ramsar boundary; and to monitor and review planning and building permit activity to better understand the relationship between the size of lots and the percentage of site coverage. So that concludes our opening statement.

**The CHAIR:** Great. Thank you. We will open up for questions. Can I just ask one to kick off. You mentioned the issue with the monkey bikes, but I just wondered whether there were others. Given the proximity of the wetlands to such a suburban setting, are there other unique threats in that sense if you like as opposed to some of the ones that you probably have in common with a number of the other wetlands?

**Mr WALLIS:** Alan Wallis, Coordinator of Parks and Vegetation. The other threats we have at the site I guess are mostly around dog walking. Traditionally in the past we had dog walking cutting through the centre of the wetlands. We have now closed that access, essentially on a permanent basis, so now the dog walking only occurs around the periphery, not through the sensitive breeding areas. As well as monkey bikes, there are also standard BMX, mountain bikes, kids building jumps, that sort of thing, but it is relatively low scale. Now that we have got the fully enclosed fencing through the internal area it is less of a problem than it used to be.

**The CHAIR:** Great. Thank you.

**Mr HIBBINS:** Are you able to give a figure on the cost of your fox and rabbit and pest control activities?

**Mr CANTILLON:** Yes. Back to Alan, I think, as well.

**Mr WALLIS:** In general we run our fox programs internally with our own existing park rangers. On average that program costs us about \$5000 to \$7000 over a monthly period, including all the free feeds and trapping that goes with that, so it is between \$5000 and \$7000 depending on how many traps we put out.

**Mr HIBBINS:** Is there any access to any statewide grants or any statewide funding for pest control that you are aware of?

**Mr WALLIS:** I am not sure about that.

**Mr HIBBINS:** Okay. It is a case of managing the issue in terms of the foxes, as we have heard in previous evidence.

**Mr WALLIS:** Yes. Typically we look at about a six-month window before the numbers start to build up, depending on the initial densities. Our programs have been taking between six and 12 foxes out per program. It is just an ongoing program.

**Mr HIBBINS:** Yes. You stated there could be some extra capital works that would actually assist in preventing foxes and rabbits entering the area?

**Mr WALLIS:** Probably more likely to be possible with the rabbits. All of our fencing is relatively low fencing, so we would not be looking to go to the extent of predator-proof fencing at this stage. But rabbit wise, we can do more to exclude them from the sensitive conservation areas.

**Ms RICHARDS:** Just segueing from Sam's questions, I am interested in both the feral and domestic cat issues, especially with housing so close by. Do you have any levers that you can use to limit the exposure of the wetlands and the birdlife and the other delicate elements from the people who have domestic cats and potentially feral cats?

**Ms WARREN:** There are areas of development around the wetlands that at the time of subdivision there was a 173 agreement put on the properties that said that they cannot have cats. Obviously people are aware of that at the time of purchasing their property, or we hope that they are. We have come across instances where

people have bought a property unaware of it and come in to register their cat. Obviously we have had to advise them that they are not allowed to have that. We have regular monitoring for our enforcement where we have it flagged within our system so that if someone does come in to register a cat we are aware that they are not allowed it, and then it becomes an enforcement issue after that. So that is one way of controlling cats within the proximity—hopefully there are not any. But, yes, generally we do not do a lot of cat trapping, and when we do a lot of the cats that we get are domestic cats, not necessarily feral.

**Ms RICHARDS:** How far in does that go?

**Ms WARREN:** The area of 173?

**Ms RICHARDS:** Yes.

**Ms WARREN:** I am not 100 per cent sure, I am sorry, but I know that definitely the subdivision directly around the Seaford wetlands has that.

**Ms STITT:** Just a question about the VAGO report. Since that report, would you say that the levels of responsibility and governance have improved in terms of the management role of Frankston City Council and the Melbourne Water authority?

**Ms WARREN:** From a Frankston council perspective it has kind of been business as usual. We report back to Melbourne Water and then they report through the Ramsar reporting system. We have always attended their community liaison committee meetings, but now that obviously is a conduit for the reporting through the VAGO, and I suppose with our collaboration in terms of management agreements and governance we have had quite a few conversations with Melbourne Water trying to sort out that legal responsibility of who is responsible for what. As we mentioned in our statement, we manage some parts that are legally Melbourne Water and vice versa. We are just trying to work out a way forward in making that formalised.

**Ms STITT:** What is the mechanism for doing that?

**Ms WARREN:** We are still in discussions with Melbourne Water and are looking at whether it is through an MOU or whether it is actually an exchange of land tenure.

**Mr RICHARDSON:** Thank you to Frankston council for being here today. The work that Frankston council does in supporting the Seaford part of the wetlands is extraordinary. I want to just go to a couple of points, one being the Downs Estate and the 20-plus hectare site. Are you able to give an update on how that interacts with the Seaford wetlands, and are there any future plans to incorporate that into the Ramsar listing as well?

**Ms WARREN:** We have just recently prepared a draft management plan for the site, which undertook community consultation as well, which involved birdlife, Friends of Edithvale-Seaford Wetlands, the Down's Estate Community Project and various other stakeholders. We have got that at a draft stage now. We are just waiting on further feedback from Melbourne Water. We also sent it to the Bunurong land council for their input and comment. It does provide for a recommendation to investigate potential inclusion of Downs Estate, but obviously further investigations would need to be undertaken. We also have a community group that undertake activities on the site, and so we would need to ensure that if it was included in the Ramsar boundary it did not preclude what they were doing. We are constantly working with that group to ensure that what they are doing does not have negative effects as well, so we have a good relationship with them. We have installed a fence along the west of the shared user path of Downs Estate, which kind of stipulates the conservation area and the recreation area. So it could be a potential investigation that everything west of the fence gets included but outside of the fence still remains for recreation and community use.

**Mr RICHARDSON:** What underpinned Frankston council taking over that area then, I guess as an addendum to the wetlands? What underpinned that decision-making?

**Ms WARREN:** Back in 2006 there was a lot of community pressure to purchase that land to protect the wetlands and I suppose save that land from development or from housing development. The premise was always that council would purchase that land to protect the wetlands, so anything that was undertaken on that

land needed to ensure protection of the wetland. Council kept an agistment of cattle on the site after purchasing it, for many years, just to keep the grass and the weeds down. In 2011 when the shared user path was built by Peninsula Link—when Peninsula Link was built—all the fences had to come down, so obviously they had to get rid of the cattle. It was then taken over by our operational team to manage it, and over the years they have been doing a lot of control of spiny rush and juncus and blackberry and the like, and through those management activities we have seen a lot of birdlife come back to the site.

We have also been working in collaboration with Melbourne Water to see if we can use Downs Estate to increase the flows of water through to the rest of the wetlands. So Melbourne Water installed a small outlet and a pump to the north, and that takes water from Wadsleys Drain, which is just stormwater, through Downs Estate and adds to the flows. We need to monitor that over an extensive time to see if we need to increase the flows or whether it is doing anything, and do some modelling around that as well. So all of those are leading towards that potential inclusion into the Ramsar given that we have had an increase in birdlife coming back to the site. We just need to, obviously, investigate the process of doing such and getting a council resolution. Obviously we are doing work as officers to investigate those things, but we need to take it to our own executive and council to see if that is something that they want to do.

**Mr RICHARDSON:** That would be, if included, a near 8 per cent increase in the Ramsar Edithvale-Seaford Wetlands all up, so that would be significant. Chair, if I may ask just a couple of other things. I am interested in how active Frankston council is in the management of the Seaford part of the wetlands and what underpins that decision-making. Obviously at the 11 other sites council plays a complementary role in the municipalities, but what underpins Frankston's active involvement in the management of the Seaford wetlands?

**Ms WARREN:** Well, I suppose one of the points would be that we are the landowner of part of the Seaford wetlands, so we have responsibilities to manage our own land. I do not know if Martin has anything to add.

**Mr POOLE:** Well, I suppose it is just as a result of our landownership and the informal agreement between ourselves and Melbourne Water that they look after the conservation area and we look after the recreation area outside the fence, effectively.

**Mr RICHARDSON:** So that has underpinned it. In terms of looking forward to other sites or potential wetlands for protection, have the learnings that have been brought through that relationship and that collaboration been shared with any other municipality, particularly Kingston, as well? Obviously we are at Kingston's site here.

**Ms WARREN:** Through the Edithvale-Seaford Wetlands Community Liaison Committee—Kingston sit on that as well. We have a good relationship with Kingston through that committee and obviously share a lot of our management learnings not just for the wetlands but across our other sites as well with Kingston.

**Mr RICHARDSON:** Fantastic.

**The CHAIR:** There are no further questions. Thank you very much for your time today and for addressing the questions provided to you. We thank you for making the time to give evidence today. Thank you.

**Witnesses withdrew.**