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***Westernport & Peninsula
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Westernport and Peninsula Protection Council Inc.

Founded in 1971, the programs of the Council are aimed at preserving and restoring what remains of our precious natural environment in Westernport Bay and its hinterland. An important part of our activities to that end is to ensure that proper planning processes are observed by Government at all three levels and that community consultation is a fundamental component of planning. We have achieved a high reputation for approaching such matters through careful study of principles and attention to detail.

Prompting community awareness of important conservation issues has also been high on our agenda for the past 30 years. We continue to explore ways of informing the public of their natural assets and of the current and ongoing threats opposed to them by inappropriate and destructive developments.

The activities of Council are managed by an executive committee of twelve, elected at the annual General Meeting, which is held on a Sunday early in January. Membership is by application and subscription and confers voting rights and a say in the Council's activities. The Committee has the power to coopt additional members during the year.

Additional help on Committee and in a range of other ways is always welcome. Please indicate on the subscription form if you have any special skills or interests which may be helpful in our campaigns.

For further information about our activities please contact:

David Minton (Acting President) 59838 317 Linda Drewitt (Vice President) 59 832 920

Karri Giles (Secretary/editor)59 832 072 Sheila Kerr (Treasurer) 59 786889

Other members of Committee are: Annabel Richards; Liz Sarrailhe, Richard Cooke, Chris Harford. Felicity Druce, Rosemary Birney. Brian Hitch, Kathie Strickland, Glen Ehmke.

I would like to support the work of Westernport Peninsula Protection Council Inc.

Subscription: (not tax deductible) - subscriptions fall due 1st Nov each year

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The Westernport Peninsula Protection Council Inc Trust is a gift fund listed on the Register of Environmental Organisations under Section 78(1)(a) of the Income Tax Assessment Act 1936.

Inc. no: A0015886H

ABN: 98 461014 730

Please return to: Hon Treasurer, WPPC, Box 9, Hastings, Vic 3915

Westernport and Peninsula Protection Council Inc

Incorporated Association Reg. No. A15886H ABN 984 610 14730 PO Box 9 Hastings Vic 3915

Newsletter March 2009



Please do a submission to the Draft Devilbend Foundation Management Plan

By Brian Cuming Please note that submissions to Parks Victoria on their Draft Management Plan for Devilbend close on Wed 18 March. This Newsletter comes to you later than we had planned, but we hope you will understand the absolute urgency to write submissions by the closing date. Then, please follow up with letters and/or copies of your submission to Environment Minister Gavin Jennings, the Premier, and local MP's.

Our tardiness has arisen from the fact that the Draft Plan is so bad that it has been difficult to suggest how best to respond. With the help of the Devilbend Foundation we now offer the following.



First, the Draft Management Plan can be found on www.parkweb.vic.au, click on 'Have your say', then on the Devilbend item. There are also details there of how to present your submission and where to submit it. We will be pleased to help (see below).

In June 2008 Parks Victoria circulated to members of the Devilbend Advisory Group an 'Initial' draft of this plan. They were sworn to secrecy under the terms of their process, and our representative Brian Cuming was not allowed to reveal to us how appalling that draft was. Against massive well-founded advice, including the open Community Workshop which many of you attended in November 2007, that Initial Draft Management Plan laid out a prescription for a busy, city-style 'recreation park' progressively downgraded by the ecologically disruptive activity of fishing, and by the gradual introduction of other people-intensive recreations.

The chance of the reserve achieving the long-held Community Vision of a sustainable core haven for wildlife from which corridor connections could be progressively developed around the Peninsula would be zero.

Six months of extremely critical responses within the Advisory Group followed, supported strongly by the (very late) release by Parks Victoria of a consultant's report they had commissioned from Practical Ecology Pty Ltd. Despite this trenchant criticism the Draft Plan now on Exhibition is effectively unchanged, if anything, worse.

It has actually become embellished with a lot of 'greenwash' - fake expressions of ecological concern completely inconsistent with the vision and objectives set out in the document.

The Community Vision is under fatal threat from archaic policy

Despite protestations from Parks Victoria, it has become clear to members of the Advisory Group that Parks Victoria have been dominated in their actions by their thoroughly obsolete bureaucratic 'business is usual' approach to this Plan. 'Tried and proven' they called it - but what have they learned from Sustainability Commissioner Ian McPhail's recent damning report on the poor and deteriorating state of the environment in Victoria?

Parks Victoria have ignored the evidence of both the Community Vision advocates on the Advisory Group, and the Department of Sustainability and Environment's 2004 Krohn Report. Instead, Parks Victoria have accepted the claims of VRFish and the Rex Hunt Foundation for fishing to be allowed in Devilbend, although they have not presented any substantiated evidence for the ecological acceptability of fishing in this very sensitive waterbird habitat. Nor have they presented any evidence of a valid 'need' for fresh water fishing on a peninsula offering 100 km of coastline with a quite remarkable range of opportunities for saltwater fishing, and when there are 96 documented sites in and around Melbourne for freshwater fishing.

The result of this out-dated approach is likely to be fatal to the Community Vision for Devilbend, widely supported in community forums over many years. We now offer some points you might like to consider using in your submission:

- The Draft Management Plan (DMP) is flawed by gross internal inconsistency. Thus the professed ecological values, "Conserve", "Protect" and "Restore" set out in Section 3.2 and Chapter 4 are undermined by inappropriate zoning and by the treatment of a number of issues in Section 6, Visiting and Enjoying.
- A reserve destined to be restored to a haven for sustainable wildlife populations should be zoned at least 95% 'Conservation', not 37% as shown in Table 1 and Map 2. The 'Conservation and Recreation' Zone (62%) should be reduced to about 20 hectares (2%) as it fatally threatens the sustainability of the reserve for the purposes (stated in the Plan) to conserve, protect and restore, and used only for the perimeter multiple-use trail. The proposed 6 hectares (0.6%) for the 'Recreation' Zone is adequate for a picnic area combined with entrance facilities all of which should be confined to one site only.
- In Table 2 the symbol Y for 'Yes' opposite 'Shoreline fishing' in two columns is unchanged from the 'Initial draft' despite the evidence before Parks Victoria of sound ecological reasons to disqualify fishing of any sort from the reserve.
 - Call for zero tolerance of fishing.
 - At the very least demand a moratorium until all relevant, independent research such as the Monash work has been completed and publicly reported. The failure of Parks to make available the findings of the Monash aquatic research project set up by Parks Victoria specifically to explore the potential ecological consequences of fishing at Devilbend, and completed in December is an unacceptable flaw in the consultation process.
- It is part of the Community Vision for restoration of a complete unfragmented island of habitat that Hodgins Road be closed eventually. The proposed second picnic area in Hodgins Road (see map 4) takes people pressure into the heart of the island and defeats the objective.

- The intensity of trails is far too high to preserve the tranquillity demanded of a wildlife haven.
- Cycling along walking trails should not be permitted as it will lead to pressures for widening and inappropriately upgrading minimal 'National Park' style trails.
- Emphasise the findings of the Victorian Sustainability Commissioner, Dr Ian McPhail in his State of the Environment Report 2008 of the distressing rate of loss of habitat and of wildlife all around the State (see his website www.ces.vic.gov.au). Devilbend offers a rare opportunity to initiate a significant fight back.

There are plenty more reasons to object, see if you can find some in the Draft Plan! But most importantly, please send something before 18 March - just two or three of these dot points will do to support the Submission WPPC will submit. Numbers are important!

Dear Minister Garrett, P.O. Box 6022 Parliament House Canberra ACT 2600

Re: Westernport Bay and the Proposed Port Of Hastings Development In January 2009 Ralph Kenyan, CEO for Port of Hastings announced that an EES will proceed to evaluate suitability for port expansion of stage one of a three stage process. We urge you to use your powers and influence to stop any further work on the Port of Hastings proposal until the existing evidence has been properly taken into account.

We demand that prior to the expenditure of taxpayers' funds on EES investigations, the scientific evidence and the global experience of oil spills is reviewed. The Shapiro Westernport Bay Environmental Study 1973–74, a world first study of a major marine wetland, a second phase continued for some 10 years, resulted in a detailed understanding of its very high biodiversity, the sensitivity of its (highly integrated) ecosystems, and a detailed modelling of the very high tidal flows and other currents resulting in rapid distribution of any pollutant throughout The Bay.

Based on this, and subsequent research and modelling, and observations of continuing shipping accidents and oils spills around the world, a strong case has been made by community groups against any port development for 30 years. These were reported in many State and Federal forums including an ANOA inquiry in 1994, two Australian Parliament oil spill inquiries (1978 and 1995), and the development by the Victorian Government of the Westernport Ramsar Site Strategic Management Plan 2003; also the Toll Westernport Port of Hastings Environment Management Plan 2002. The arguments recorded in these inquiries have on no occasion been effectively countered.

Despite claims that an oil spill in Westernport can be responded to by the National Oil Spill Plan, there is ample evidence to demonstrate that even a moderately sized spill (such as a spill of bunker oil, say 500 tonnes) could not be effectively responded to even using the very best world technology, due to the tidal movements and exposed tidal mud flats and mangroves in The Bay.

42% of Westernport Bay is exposed tidal mud flats at low tide. That means close to half of The Bay's bottom (benthos) is in contact with its surface twice a day. Any oil on the surface would thoroughly coat and kill the life embedded in the bottom. According to the CSIRO Port Phillip Bay Study, the benthic life is responsible for absorbing nutrients. Excess nutrients can result in dangerous algae blooms and eutrophication.

Global experience proves oil spills can happen anywhere, anytime. The foundering of the Iron Baron at the mouth of the Tamar River, Tasmania, on 10 July 1995, resulting in only 2% of the oil carried being recovered from the sea (contrary to excited claims that the oil spill plan worked very well) and Tasmanian government estimates published four years later that between 7000 and 17000 Fairy

Penguins were destroyed as a result, as well as lots of other wildlife. Every ship has enough oil to create a major spill.

Other relevant issues include: Major dredging; Marine pests in ballast water which have devastated fish stocks in other bays; Acid sulphate soils, Loss of green wedges, compulsory acquisition of land for new train-lines, roads and storage. More traffic congestion and accidents, displacement of and threat to small boats, and holiday makers, (including Victoria's premier tourist attraction, The Penguin Parade). light and noise pollution,(fish are affected by noise pollution); Increased air pollution; Demand on Water resources, an increase risk of miscellaneous spills from ships, disabled ships, fires on ships, anti-fouling, etc.

Since Western Port is a listed Ramsar site, is National Heritage Estate listed, and a Biosphere, it is therefore under National protection. Any proposal for expansion of The Port must, under the EPBC Act, first be referred to you, The Federal Environment Minister for consideration. An environmental assessment ordered by you, The Federal Minister would be an Environmental Impact Statement not an Environmental Effects Statement. Mr Kenyon said an agreement has been made that the Commonwealth will hand the process to the State. This was not verified by any documentation, nor does it seem proper that it should have been made ahead of any properly presented, specific proposal. No one has been presented with more than outline documents, completely lacking the detail which would be essential for adequate environmental, social or economic assessment. **We demand a detailed proposal be tabled before any environmental assessment takes place.**

We demand any EIS/ EES should be for all three stages of a proposal. This was promised by Minister Pallas and Minister Madden. Building the first stage of the port would mean so much infrastructure development that resisting stages two and three would be politically impossible for scientists and community groups against the juggernaut. An EES for stage one alone would be breaking a promise, and the worst sort of trickiness.

At Present about 2 million containers come into The Port of Melbourne each year. The Port of Melbourne will have enough capacity for 8 million containers per annum. Then the plan is to use Westernport Bay as a container port for any extra capacity needed above 8 million. As this will be containers for other cities why not use their ports instead of developing Westernport Bay? **We demand the Port of Hastings expansion is considered within a National Transport Plan.**

In their February 2009 update Blue Wedges Coalition have told us: ' On-line economics journal Business Spectator recently reported that shipping lines have cut thousands of jobs and mothballed ships to cope with overcapacity and falling trade volumes as more economies fall into recession, depressing demand for goods. Freight rates for cargo has dropped dramatically and the three biggest container shippers have all cut several vessels and routes from service.'

We urge you to immediately stop any further work on the PoH proposal. In view of current world historical climate and financial circumstances we ask that the entire project be abandoned.

Yours faithfully,

Fox Control. News Flash. The Shire has just had Malcolm Legg and others complete a Peninsula-wide mammal survey. Foxes are the most common mammal. Animals thought plentiful are at serious risk. Get together with your neighbours. Employ a contractor for \$50 a month do some fox control using the most humane methods. Rabbits can be dealt with at the same time. Protect native wildlife from extinction. Jancraft Australia: contact Virgil Janko 0410 663 870 Rod and Rifle Contracting: Paul Cooney 0408 505 717

