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**Submission to Department of the
Environment, Water, Heritage and the Arts:
National Report for Ramsar wetlands for the
Ramsar CoP October-November 2008**

The Inland Rivers Network, Australian Conservation Foundation and WWF-Australia ("the Conservation Groups"), would like to thank you for the opportunity to make a direct submission to the Department of Environment, Water, Heritage and the Arts on the National Report for Ramsar wetlands for the Ramsar CoP October-November 2008.

The Conservation Groups note the recent change in the Commonwealth Government and acknowledge a number of promising statements and financial commitments made by the new government in relation to the protection and restoration of Australia's internationally significant freshwater assets. We welcome these statements and commitments and look forward to swift and effective actions by the new Government, consistent with the recommendations set out in this submission, in support of Australia's freshwater-related natural heritage.

The Conservation Groups look forward to seeing our submission included within the appendices of the Australian National Report to the Ramsar CoP as has happened in previous years.

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Submission to the National Report for Ramsar wetlands for the Ramsar CoP October-November 2008

Australia signed the Ramsar Convention on Wetlands of International Importance more than 30 years ago and at the time was a key player in seeing the Convention come into force. However, to date the Commonwealth Government, as signatory to the convention, and state governments which manage many Ramsar and other wetlands, have failed to fulfil many of their significant obligations under the Ramsar Convention, particularly relating to provision of adequate water for the maintenance of ecological character, but also development, funding and implementation of management plans for listed sites.

That being said, there are some significant opportunities to arrest the decline of current Ramsar wetlands and improve the condition of both Ramsar wetlands and many of Australia's important wetlands more generally.

In the years since the Ramsar Convention came into effect, the condition of Australia's wetlands has declined precipitously. Ninety percent of the wetlands in the Murray Darling Basin have vanished (Beeton et al. 2006). The condition of the remnants is poor in most cases, critical in some, and all are affected by invasive species incursion. Associated migratory species of water birds continue to experience devastating declines. Despite good intentions, Australia's Ramsar program has failed to stem the decline of Murray Darling Basin wetlands, including many wetlands designated as Ramsar sites.

Wetlands outside the Murray Basin are often overlooked, as detailed in the WA Auditor-General's report which found of the states six of the 12 sites lacked even basic management plans and funding. The Conservation Groups note the draft National Report has only four of the sites under active management plans. We encourage the Commonwealth Government to ensure Australia's National Report includes, as an Appendix the whole of the WA

Auditor-General's report on Ramsar in that state, and notes the most relevant finding within the national report text, including that:

The State has recognised the importance of registering rare and unique wetlands under the Ramsar Convention. However, conservation of these sites needs to improve, particularly the management planning and implementation of strategies if degradation is to be prevented and prohibitive rehabilitation costs avoided...

Funding of Activities

- *While there is no dedicated program of funding by either the Commonwealth or State for Ramsar wetlands, significant funding by DEC has benefited five [of WA's 12] Ramsar sites. Small amounts of funding have been provided for other sites as part of DEC's general conservation activities. Management activity to prevent site degradation is limited in the absence of funding.*

Management and Reporting

- *A lack of coordinated and uniform monitoring means that DEC cannot provide an overview of the health of the 12 wetlands.*
- *There is clear evidence of a worsening in ecological character in at least two Ramsar wetlands which DEC has not reported to the Commonwealth. The Commonwealth and States are currently developing systems to report changes in the ecological character of wetlands.*
- *Six of the 12 Ramsar wetlands at present have no plans for their management. The preparation of management plans is a State obligation. Without a management plan DEC is restricted in the conservation activity it can undertake. DEC in June 2006 sought external funds for preparation of the remaining management plans.*

There is no agency with final responsibility for the protection and management of the ecological character of three Ramsar sites and part of a fourth. DEC is charged with implementing the Ramsar Convention but it has no legal authority to do so on these four sites because they are not vested in the Conservation Commission.

(Taken from Office of the Auditor General, Report to the Western Australian Parliament Report No9 September 2006, ¹)

The designation of a wetland as a Ramsar site does not, and cannot be expected to, preserve a wetland. Follow-up is needed, in the form of management planning, management activity and investment in rehabilitation. Too, often, the needed follow-up has been lacking. Second, even top-flight management activity on a Ramsar site cannot address all impacts originating off-site, and often off-site activities are the most threatening. Third, Ramsar designation and management planning have not been well integrated with other natural resource management processes at the national and state levels.

¹ http://www.audit.wa.gov.au/reports/report2006_09.html

The Conservation Groups take this opportunity to remind the government that science suggests a minimum of 3000GL must be returned to the Murray River in order to meet Australia's Ramsar commitment for management of the Coorong. Climate shift, and loss of rainfall over the southern Basin, may well push the requirement to return water to the system even higher.

Report Cards on the condition of a few select significant wetlands within the South Australian and NSW sections of the MDB are attached for your information.

The national water plan and associated processes present an important opportunity for the Australian Government to renew Australia's Ramsar commitments and give them full effect. Invocation of international Ramsar commitments as a constitutional basis for the Water Act 2007 recognises that more must be done at a national level to stem wetlands decline and offers a clear mechanism through which to achieve this. It also recognises that the Water Act and the National Plan are appropriate vehicles for renewing Australia's wetlands commitment. Now the Commonwealth Government must bring substance to that recognition.

Specific recommendations for improving Australia's Ramsar programs include a set of integrated actions in three areas: (1) recovering water for wetlands, (2) improving Ramsar and protected areas designation and management, and (3) integrating wetlands protection within broader environmental legislation including the Water Act 2007 and the Environmental Protection and Biodiversity Conservation (EPBC) Act.

- In the area of *recovering water for wetlands*, the Commonwealth Government would:
 - Immediately finance recovery of environmental water by fast-tracking significant expenditure for the use of market-based instruments under the national water plan;
 - Set targets *and* timelines for returning water to parched wetlands throughout the Murray-Darling Basin.
- In the area of *improving Ramsar and protected areas designation and management*, the Commonwealth Government would:
 - Incorporate Ramsar management plans into Murray Darling Basin Plan prepared under the Water Act 2007, as well as into

regional Catchment Action Plans, and state and local government planning regimes,;

- Establish a procedure for preparing and accrediting Ramsar management Plans under the Water Act, similar to the Water Act's procedure for Water Resource Plans;
 - Establish a Commonwealth Fund for Private Ramsar Managers, so that private individuals who assist Australia in meeting its international wetlands commitments by agreeing to Ramsar listing for wetlands on their lands would be eligible for the stewardship funding they deserve;
 - List sites which have demonstrably undergone a change in ecological character, including the Coorong and Chowilla Floodplain on the Montreux Register of sites in ecological danger, and undertake a nation-wide review of imperilled Ramsar sites;
 - Begin the process of establishing a national system of High Conservation Value rivers and wetlands, possibly including a component for community groups to develop and participate in nominations.
- In the area of *incorporating wetlands protection into broader environmental legislation*, the Commonwealth Government would amend the Water Act 2007 to:
 - Include an explicit requirement that investment in water recovery through the national water plan be directed by the Murray Darling Basin Plan;
 - Include a requirement that the Basin Plan ensures that enough water is set aside to mitigate the impacts of climate change on wetlands;
 - Ensure that there is explicit jurisdiction under the Water Act to protect environmental flows from diversion and theft, and establish a well-funded compliance division to support enforcement.

The Commonwealth Government would amend the EPBC Act to:

- Provide that any action that has a significant impact on local, regional or national water resources be subject to EPBC Act assessment and approval;
- Provide that any action likely to have a significant impact on nationally important wetlands as listed in the *Directory of Important Wetlands* be subject to EPBC Act assessment and approval;
- Improve cumulative impact assessments in water resource management.

Comments on specific sections within the National Report

A. What new steps have been taken to implement the Convention?

- The Conservation Groups strongly support the new Ramsar listing of the Paroo River Wetlands and the role played by the traditional owners of the site in the listing, and will also strongly support ongoing listing of important high value wetlands that meet the Ramsar criteria, such as Yanga National Park on the lower Murrumbidgee River and the Lake McLeod site in WA
- Legislation - See comments above
- Funding for water reform – see comments above. In addition, The Conservation Groups commend the Commonwealth Government on their \$50M announcement as their first direct purchase of water entitlements to return water to the environment. The Conservation Groups want to see the roll-out of \$1.6B by 2010 for water buy-back within the Murray-Darling buy-back, to see the return of 1000 GL to the Murray system and at least 170 GL within the Darling system. We remind the government that this remains too little water to return the Coorong's system to its state at the time of listing, or even to guarantee a continued loss of ecological values.
- The NSW Wetlands Recovery Program and Rivers Environmental Restoration Program – the Conservation Groups remain fully supportive of the RER Program, aka Riverbank, and are keen to see ongoing Commonwealth support for the program. Similarly the wetlands recovery program is expected to deliver some useful outcomes, including the recovery of a small amount of water, as well as important environmental management plans.

- o The Living Murray Initiative – The Conservation Groups remain supportive of the Initiative, particularly its efforts to recover water for the environment, though within the context that the ‘First Step’ needs to be followed by a larger and more comprehensive step to ensure that the aims of the Initiative are met. However, we remain concerned that all the 500GL committed to under the First Step will not be delivered by June 2009, as per the agreement. The Conservation Groups are also concerned that a Second Step has not yet been initiated.

C. What have been the greatest difficulties in implementing the Convention?

The Conservation Groups do not believe that drought has been the greatest difficulty in implementing the Convention – rather the level and extent of over-extraction and river regulation has meant that the maintenance of ecological character and promotion of wise use of wetlands has been difficult and complex, requiring management and reform within catchment systems as well as *in-situ* management. These problems have been in existence for decades and recent dry conditions have simply highlighted this issue.

Comments on this have largely been laid out above, and are substantially based on the ongoing decline in health of most Ramsar wetlands within the Murray-Darling Basin. Changes in ecological character have ensued - recent assessments indicate that 22 of Australia’s 65 Ramsar sites – over 1/3 of listed sites – have changed in ecological character or have the potential to change (Beeton et al. 2006).

See the attached wetland report cards in relation to the condition of a number of MDB wetlands.

The Conservation Groups would like to see it noted within this section of the report that returning sufficient quantity and quality (in terms of variability, seasonality etc) of environmental water remains the most significant challenge to arresting the decline of Ramsar wetlands and other significant wetlands in the MDB. And currently other than the First Step of the Living Murray there are no targets or timelines exist as yet for the return of environmental water to wetlands. It would be hoped that the report would state that developing such targets and timelines for rapid water recovery will be a priority for the Commonwealth Government.

See also the recommendations above regarding high conservation value freshwater areas, which relate to both listed Ramsar sites as well as a broader more strategic approach to the wise management of wetlands.

The difference between dry times and artificial drought – as a result of the over-use of water- should also be noted within this section following observations currently included about current drought conditions.

D. What proposals and priorities are there for future implementation of the Convention?

Priority should be given to recognising and addressing significant changes in ecological character. Sites, such as the Coorong, Lakes Albert and Alexandrina, and areas of the Gwydir Ramsar sites, should be nominated for Montreux listing.

Failure to fully inform the international community of the undeniably significant changes in Australia's internationally significant wetland areas, most particularly the Coorong, will hamper the ability of Australia and Ramsar to fully respond to the ecological crises where they are undoubtedly occurring.

Please also consider recommendations provided above for inclusion within this section.

WWF's 2007 report identifying the top ten rivers at risk in the world also noted the significant risks posed to ecological characteristics in Ramsar sites posed by weeds and invasive animals such as carp. Please find the report attached for your information. Many of Australia's Ramsar sites need more active management of existing invasive species, and the inclusion of comprehensive forward-thinking plans relating to limiting and managing invasive species incursion would be welcomed in the national report.

Identification of species of particular threat to individual sites would also be welcome in order to ensure the current review of biosecurity in Australia gives priority to, or at a minimum ensures recognition and control of trade in, high risk wetland weeds and pests.

Closure of the Weeds Cooperative Research Centre, and the lack of a focussed program targeting existing and future freshwater invasive species, such as the potentially devastating fish Tilapia, suggest more work needs to be done to address this issue.