

**COMMENTS FROM MARK BUTZ ON  
DRAFT ACT WETLANDS POLICY: A STRATEGY FOR THE MANAGEMENT AND  
CONSERVATION OF ACT WETLANDS**

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**SUMMARY OF COMMENTS**

***Overall***

The provision of this policy statement (*Wetlands Policy*) to give overall guidance for conservation of wetlands which are not covered by any formal management plan is welcomed, as is the intent to integrate wetlands planning and management into existing mechanisms.

The effectiveness of overall guidance and integration depends to a large extent on:

- a series of clear and unequivocal policy statements
- comprehensive inventory of ACT wetlands
- identification of wetlands which are not yet covered by formal management plans; and
- identification of who is responsible and accountable for their management.

It is these issues which dominate the specific comments below.

It is unfortunate that ACT wetlands are not to receive the same level of attention as has been previously accorded to lowland woodlands, temperate grasslands and aquatic ecosystems and (riverine) riparian zones, through preparation of conservation strategies (Action Plans). The *Wetlands Policy* falls well short of this level of appreciation and documentation.

Equally, the *Wetlands Policy* does not appear to have drawn from strategic approaches such as *Integrating wetlands into NRM regional planning and implementation processes* (Aust Govt) to provide robust linkage between policy and the ACT NRM regional plan and investment strategy.

***Summary of specific comments***

It is recommended that the document:

- contain a set of succinct and unequivocal policy statements ‘up front’
- include clear identification of who the policy is for (‘land and water managers’?)
- identify a review period/mechanism and accountabilities for implementation
- identify sources of advice beyond Environment ACT
- provide some regional context for ACT wetland types to assist understanding of value
- acknowledge shortcomings in information on ACT wetlands due to lack of past inventory
- acknowledge and seek to remedy gaps in attention previously paid to describing and listing wetland types in the ACT, particularly those located outside reserves and outside the urban area
- expedite a renewed focus on describing and protecting montane wetlands which are located in the former ACT Forests plantation estate
- provide a clearer explanation of wetland cultural values and how these relate to biophysical aspects and values
- acknowledge the *Heritage Act 2004* as relevant to wetland protection; and
- take a more creative and positive approach to community partnerships, including openness to new groups or alliances.

It is recommended that this document is viewed as an interim step while work proceeds to prepare a more comprehensive conservation strategy at the level of an Action Plan, and clearly linked to the ACT NRM regional plan and investment strategy.

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## SPECIFIC COMMENTS

[Blocks of connected comment are signified with an asterisk \*.]

### 1. Introduction

\* It would be helpful to identify who the policy is for. See also comments under section 11.

\* It is pleasing to note the acknowledgment that:

- important aquatic systems ‘are often neglected in aquatic ecosystem management as they often fall outside of riverine ecosystem management’, with ‘current riverine management arrangements...not comprehensively address[ing] the requirements of all wetlands in the ACT’; and
- ‘some of the ACT’s wetlands, particularly those outside the reserve system, are vulnerable to adverse impacts associated with human activities’.

The first point is not acknowledged this clearly in the *Draft Aquatic Species and Riparian Zone Conservation Strategy* which tends to describe and recognise the value of upland systems (>c.1000m) and lowland systems (<625m) but fails to acknowledge systems which fall in between these elevations. This is addressed further below in **Additional Comments**.

### 2. Purpose of the Policy

\* The tone of the background to development of the policy suggests that it is more a reaction to Federal pressure related to Ramsar COP reporting than the outcome of any strategic intent of the ACT Government. This could be more positive, and more encouraging that wetland conservation is a priority.

\* The case is supported for integrating wetlands planning and management into existing mechanisms. However, the effectiveness of this integration depends to some extent on a comprehensive inventory of wetlands so that people responsible for implementing those mechanisms are well informed about the nature of the wetland resource and potential risks to values. And this would be aided further by identification of wetlands which are not yet covered by formal management plans but which require careful management of their values until such time as they receive that coverage. Previous efforts at identifying wetlands of national importance have fallen well short of both these objectives.

### 3. Policy and Land Planning Context

\* The examples used in this section perpetuate an incomplete picture of ACT wetland types and contexts.

In common with previous efforts at identifying wetlands of national importance, it focuses on upland wetland types (mostly in Namadgi NP) and lowland types such as Jerrabomberra (also a protected area subject to a management plan).

It then refers to the *Aquatic Species and Riparian Zone Conservation Strategy* (but does not point out that this is riverine only), and to management plans for urban lakes and ponds.

It acknowledges that the frameworks described provide a mechanism by which many of the ACT’s wetlands are currently and/or will be managed in the future. It does not, however, point out which types of wetlands might fall through the cracks in the current mechanisms.

For example, it would assist if an explicit statement were to be made about the mechanism appropriate to wetland areas which are within the former ACT Forests plantation estate. It is not clear whether this is included within the ‘public land’ which must have a management plan prepared under the Land Act.

\* It may also be helpful to note the existence of the *Heritage Act 2004* and the relevance of potential or actual listing of wetland areas to the Register. This is noted in the following section without reference to the legislation. Also relevant are devices such as Heritage Directions, Heritage Agreements, and Conservation Management Plans.

Additionally, having said that most of the ACT wetlands are on public land, the requirements placed by the Heritage Act on public authorities responsible for heritage places is of considerable relevance.

Any current relative paucity of Register listings of wetlands (or natural heritage more broadly) should not preclude the *Wetlands Policy* acknowledging a significant statutory framework which may assume considerably greater prominence as more people understand what it offers in terms of ensuring appropriate protection of values.

\* In relation to Ginini as a Ramsar site, it may be a bit misleading to state that it ‘therefore is protected under the [EPBC Act]’. The primary management responsibility lies with the ACT, the primary protection arises from its location within Namadgi NP, and the Ramsar site plan of management and the Namadgi management plan are the primary documents enshrining its protection. Its listing as a Ramsar site is relevant in addition to these mechanisms because that listing makes it a matter of national significance under the EPBC Act and the Ramsar site management plan is prepared in such a way as to satisfy that Act. [Incidentally, the word ‘Commonwealth’ should be omitted from the italicised name of the EPBC Act].

#### **4 Wetlands of the ACT**

\* Without any need to include masses of irrelevant data, it would be helpful to place ACT wetland types in a regional context. This would draw attention to biogeographic regions and the transitional nature of tablelands montane wetlands between subalpine types and coastal montane types. This would provide important context for understanding values of some ACT wetlands.

\* The examples used in this section also perpetuate an incomplete picture of ACT wetland types and contexts.

It focuses on wetlands previously identified as being of national importance, being 11 upland wetland types in Namadgi NP and 2 lowland types in Jerrabomberra Wetlands (a protected area subject to a management plan) and Horse Park in the (future) urban area.

It notes that the majority of wetland sites are located on public lands such as Namadgi NP and Canberra Nature Park and in urban open spaces, once again without addressing those which lie in the former ACT Forests plantation estate.

It then refers to ‘locally important’ sites, including lakes and ponds, without being clear on whether this importance refers to ‘local’ as distinct from ‘national’, which is implied by subsequent reference to smaller wetlands which are considered ‘important to local communities’. Perhaps ‘regional significance’ should be considered, although this requires the kind of regional context sought above.

It would be more precise to state that no comprehensive inventory or assessment of wetland types and values has been undertaken, and that this in turn means that previous nominations as wetlands of national importance have not been comprehensive or representative of the range of types in the ACT.

\* This would place a more appropriate perspective on the text box which describes types of wetlands in the ACT. Although it is valid to cite a typology from the *Directory of nationally important wetlands*, its inclusion in isolation may suggest that the list provided is representative of all ACT wetland types, which it probably is not. If there are good reasons

why the directory list cannot be comprehensive or representative of types in the ACT, then these should be stated.

\* The reference below text Box 4-2 to Jerrabomberra Wetlands needs to be updated to refer to the Heritage Register as established under the *Heritage Act 2004*.

\* In further reference to wetlands which are located in the former ACT Forests plantation estate, there appears to have been no exercise to identify biophysical values, including those at risk, in that estate following the 2003 fires. It is notable that a comprehensive cultural heritage survey was undertaken (making use of the narrow window of time before ground visibility was diminished), and this resulted in identification of significant previously unrecorded places and objects and altered management practices based on that new information. A comparable assessment of biophysical values using rapid appraisal methods may be equally valuable. This is not constrained by ground visibility and could still be undertaken with value. Reporting of biophysical values in the former plantation estate (outside reserves) does not seem to have aroused much interest in the past, and this appears to be perpetuated in the document.

\* The sporadic reference in the final paragraph to use of rivers by Ngunnawal people appears incongruous without similar acknowledgment of Aboriginal value earlier in the document in the broader picture of wetlands (was it only rivers?) and is inconsistent with the following section.

## **5. Cultural significance of ACT wetlands**

\* Although most of the description of value of wetlands to Aboriginal people is fine, it would be advisable to qualify the statement about year-round occupation by limiting this to wetlands in the montane environment (in the sense of below the subalpine elevations). For example, would this extend to Ginini?

In any event, there is no explanation of why the presence of campsites around wetlands in Namadgi supports the notion of year-round occupation. Furthermore, evidence of extensive campsites is not confined to wetlands in the montane environments of Namadgi, but extends to others in the former ACT Forests plantation estate (so documented since at least Flood 1980), which do not receive attention in this document.

The para about Horse Park contains rather tortuous statements of the relatively obvious, and does little to advance understanding of cultural value of wetlands. It would be best omitted, with the following para being more generalised and added to those above.

\* It seems odd that 'cultural significance' is confined here to Aboriginal heritage value. A number of ACT wetlands have associations with early settlement, the same values attracting both Aboriginal inhabitants and settlers. Some have associations with later 'European' heritage themes e.g. the peat trench in Ginini Flats, arboreta and so on. The matter of historic values is acknowledged in section 6 under the 'community asset' point, but not in the section about cultural values.

### **Text Box 5-1: Artificial Wetlands**

\* This box stands out in isolation, and is apparently not referred to in the main body of text.

## **6. Wetland Functions and Values**

\* This section might be better referred to as 'biophysical values' to flow on from the previous 'cultural values' section.

\* The first para could be more clearly expressed and might make more sense if placed after the dot points of the types of functions.

Parts of the second para and its dot points could also be clearer and have numerous typos e.g. 'at times they are often in conflict'; 'the ecosystems of which they form part of'; and 'wetlands are a key components'.

\* This would be a good place for a snapshot of threatened (and rare or uncommon) species and ecological communities which relate to wetlands in the ACT, drawing the link between wetland conservation and their survival in the wild. This is particularly valid since the presence of threatened species or communities is a criterion in most potential avenues for listing. It would be a useful bridge to the following section on threats.

\* The apparent emphasis on functionality in the landscape could be much better developed, and the next section on threats better introduced by attention to the factors in wetland functionality i.e. what sorts of factors and interactions are vital to wetland functionality? This is touched on elsewhere by reference to wetlands being parts of larger hydrological and ecological systems.

## **7. Threats to ACT wetlands**

\* Most of this refers to physical threats, although 'lack of integrated planning' might well be accompanied by 'lack of knowledge or study'.

\* The section could place greater emphasis on the importance of catchment (mentioned only in 'lack of integrated planning').

\* Although the summary nature of this section is accepted, the 'climate change' point could be clearer as to potential impact not only on survival of sub-alpine wetlands but also on viability of threatened species e.g. Corroboree Frog, with implications for the values of refugia in wetlands at lower elevations.

## **8. Policy Framework and Objectives**

\* Although this section (the crux of the document?) contains laudable statements, it could be strengthened by removing some qualifications. For example, in what circumstances would it not be 'possible and appropriate' to 'incorporate the intent of these objectives into management plans and activities, policies and strategies'?

The section would also benefit from restructuring as a series of clear and unequivocal policy statements rather than a dense block of text which is repetitive and a tad cumbersome.

## **9. Objectives for ACT wetland management and conservation**

\* No. 2 - The intent to identify, evaluate and protect wetlands is applauded as a measure long overdue, provided that it really does mean all wetlands.

To date, there has tended to be a blind spot about wetlands which are neither upland nor lowland and which lie outside reserves or the urban area, particularly those in the former ACT Forests plantation estate and at elevations around 700-800m asl. There is more on these below in **Additional Comments**.

## 10. Recommended activities for achieving the objectives

### Table 10-1

\* 1.1 – It is interesting to see here (for the first time) mention of forestry among non-urban land management activities. Incorporation of the principles in codes of practice is supported. This does not, however, acknowledge the likelihood that some wetland areas previously within plantation estate may no longer be affected (or not to the same degree) by forestry (e.g. harvesting) practices (so would not be subject to forestry codes) but neither may they be incorporated into reserves due to their condition. These areas have the potential to continue to fall through the cracks and their values will continue to not be recognised.

\* Other than the non-urban reference in 1.1, this set of activities to achieve Objective 1 appears to perpetuate the implied notion that wetlands worth protecting are in reserves or urban areas. Or more conspicuously it implies that we already know what the full suite of ACT wetlands comprises, because of separation from activities in Table 10-2 which give effect to identification and evaluation. This requires only minor rewording to allow openness to expanded knowledge from these latter activities.

\* It is pleasing to see in 1.2 the development of specific wetland management plans where adequate management arrangements are absent. However, this must be predicated on a comprehensive assessment of all ACT wetlands and of the adequacy of current management arrangements to avoid continued neglect of those not previously assessed.

\* This section could also recognise the potential for devices under the Heritage Act to come into play.

### Table 10-2

\* 2.1 – This is applauded. However, once again the wording (fifth dot point) implies that we already know enough to be confident that we have identified all the wetlands which could potentially be of national importance, despite inference to the contrary in 2.2 (fifth dot point).

\* The partnership concept with the community is strongly supported.

\* 2.3 – (Third dot point) It would be more appropriate to state that the *Aquatic Species and Riparian Zone Strategy* will enhance management approaches to riverine wetlands.

\* Despite these qualifications, the actions in 2.1 to 2.4 are broadly supported.

### Table 10-3

\* 3.1 - (second dot point) Once again the wording (fifth dot point) implies that we already know enough to be confident that we have identified all the wetlands which could potentially be of national importance, despite inference to the contrary in 2.2 (fifth dot point).

\* The concept of no net loss is supported. See also comments under 3.3.1.

\* 3.2 - The partnership concept with the community is strongly supported.

\* 3.3.1 – The third dot point could be strengthened with a ‘like for like’ clause. For example, destruction or compromise of a montane peatland will certainly not be adequately compensated for with a constructed wetland in the urban area.

\* 3.4 – It is suggested that the *Heritage Act 2004* be included here.

If the reference to the EPBC Act is to be spelt out it needs to be reworded to reflect accurately the provisions of the Act.

\* 3.5 – This section would benefit from the partnership concept with the community, as in 4.5.

**Table 10-4**

\* 4.1 - This leaves out some potential candidates among existing groups e.g. Greening Australia.

It also appears to rule out creation of new groups or alliances, which seems unwise.

\* 4.2 – There is considerable potential for wetlands other than those noted (those currently in reserves) to play useful roles in promotion and education. This presentation and interpretation should be strategic and planned on the basis of improved information.

\* 4.4 – It is not made clear why Aboriginal participation is particularly important in Namadgi NP. Given the cultural significance described earlier, this would surely be a theme in a number of wetland areas. If the reference is to joint management, this should be stated.

**11. Implementation**

\* This section is weakened by assigning responsibility to ‘land and water managers identified in...existing and future management activities’ when these managers are not actually identified.

\* Most of the statements in this section could just as easily be located in the preamble because they are general or else they are repetitive of (and add nothing to) statements in the preceding section.

\* In stating the leadership role for Environment ACT, there is no reference to roles for any of the advisory and decision-making mechanisms which guide the work of Environment ACT e.g. ACT Natural Resource Management Board or Flora & Fauna Committee. This seems at odds with several earlier (and welcome) statements about partnerships with the community (which can be taken to include the ‘scientific community’).

\* This section offers no review or accountability mechanisms.

**13. Appendices**

**Appendix 1**

\* It is suggested that the *Heritage Act 2004* be included here.

**Appendix 2**

\* It would be a useful exercise to review those parts of the ACT which contain wetlands but which are not covered by effective management arrangements or plans

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## ADDITIONAL COMMENTS

It has been of concern for several years that past practice has led to values in some ACT wetland areas being overlooked, particularly those formerly embedded in pine plantations. This has persisted through previous desktop studies in relation to nomination of wetlands of national importance, and is perpetuated in the draft *Aquatic Species and Riparian Zone Conservation Strategy*.

A case in point is the Blundells Flat-Shannons Flat area in the Uriarra Forest, just below Mount Coree in the north-west corner of the ACT. These flats are unusual occurrences of 'lowland' wetland/riparian communities in a montane setting, at around 700-750m. They have previously 'fallen through the cracks' because of their elevation and their location outside the reserve system.

Recent work (including Butz 2004) which was made available to Environment ACT but not cited in the *Wetlands Policy* identified significant wetland values (and associated threatened species issues) at Blundells Flat. Subsequent communication has advised the presence of *Sphagnum* and peatland at Blundells Flat and a distinctive wetland-related association at Shannons Flat in the next valley - the only ACT location for *Eucalyptus camphora*. These values have been identified through community effort but remain largely unacknowledged and unaddressed.

The same fate befalls some animals e.g. *Engaeus cymus*, a land burrowing crayfish which does not spend time in watercourses (i.e. is not considered to be an aquatic species). By definition it is dependent on the riparian zone (including that around wetland soaks) where it burrows down to the water table. There has been very limited interest in assessing whether or not *E.cymus* persists in the Blundells-Coree area since the 2003 fire, although it is notably uncommon and unusual in the ACT, and despite the fact that most *Engaeus* species across Australia, once examined, end up on threatened species lists. This is another case calling for assessment and recognition.

The wetland complexes at Blundells Flat and Shannons Flat are indicators that:

- we have not previously addressed ACT wetlands in a comprehensive way
- our listings are not representative; and
- our interest in investigation and documentation outside reserves or the urban area has been limited.

It is this pattern of highly selective interest which prompts concern that adequate and comprehensive identification and evaluation be undertaken to guide the implementation of activities to implement the *Wetlands Policy*.

Continuing work by community volunteers is advancing documentation of the values of the Blundells-Shannons area and this should assist any future exercise in wetland identification, description and evaluation.

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