

Friends of Orford Bird Sanctuary
Response to the Orford Foreshore Master Plan (Draft Report)

Dear General Manager, Mayor and Elected Members

On behalf of the Friends of Orford Bird Sanctuary (FOBS) I would like to thank you for the opportunity to provide feedback to the Orford Foreshore Master Plan (Draft Report).

Whilst the extended delay in getting the Draft Report to the public consultation stage has been frustrating to our group, and many others in the local and broader community, we appreciate that it has been a challenging and difficult process. We like to extend our appreciation to those in Council and the Parks and Wildlife Service (PWS) who have worked long and hard to make this happen.

To enable the collective responses of our group members to be articulated clearly, and to ensure that all our feedback can be easily collated we have grouped our feedback under specific themes.

Below is a summary of key concerns and recommendations with specific reference to page numbers and actions wherever applicable. We will be sharing these on our website and social media, and with other key organisations that share our concerns for the welfare of the international bird values of the Orford Bird Sanctuary (OBS).

Finally, we note and support the expert submission by BirdLife Tasmania, prepared by Dr Eric Woehler.

Summary of Key Concerns and Recommendations:

- To protect the internationally recognised values of the OBS, the GSBC and PWS must work together with BirdLife Tasmania and FOBS to undertake the following **ongoing management actions** irrespective of the outcomes of the Draft Plan:
 - Maintenance and ongoing review / updating of current fencing and signage;
 - Education and awareness activities;
 - Monitoring of birds and threats to values;
 - Dog management compliance actions; and
 - Vegetation / general management actions as required in line with best practice.

- An Interim Protection Order, established under the *Tasmanian Threatened Species Protection Act* should be pursued for the OBS immediately.

- The OBS needs to be consolidated into one land title, separate from the Public Reserve, and declared a Nature Reserve, as a matter of priority (within one year). This work has already been done and it is a very small area so this timeframe is not unrealistic.

- The development of a management plan under the appropriate legislation can be developed during this same time period (within one year) at an absolute maximum. The values, the threats to the values and the required actions to reduce these threats are already known.
- Alternatively, the OBS needs to be integrated to the Raspins Beach Conservation Area.
- The GSBC need to take the lead in monitoring and providing 'direct protection' for the birds, including compliance actions as required. A reoccurring budgetary item as the lead land management organisation responsible for the OBS is necessary as a part of a broader program to manage and protect natural values on the land they are responsible for managing.
- *The Glamorgan Spring Bay Weed Management Plan 2015-2020, the Native Flora and Fauna Management Plan 2014-2019 for the Orford Area Reserves and the Glamorgan Spring Bay Dog Management Policy 2014-2019* (including expanding the Dog Prohibited Area from the OBS to the front of the Raspins Beach Surf Life Saving Club) needs to commence as soon as possible.
- GSBC needs to work with the community and PWS to disseminate existing weed management brochures. They need to seek partnerships with other organisations (such as NRM South) and councils in southern Tasmania to look to reviewing existing brochures, if required, and pooling resources to fund reprinting.

The Process

Whilst we appreciate the resource challenges of both Council and PWS we have identified the following concerns about the process of developing the Master Plan:

- Individuals consulted during the development of the Master Plan had selective bias towards those who had property adjoining certain sections of the public land in question. In particular (some sections) adjacent to the Orford Bird Sanctuary and Millington's Beach Conservation Area (p.5).

It cannot be argued that this is a usual means of undertaking a planning process for public land which impacts on so many others regardless of whether they have property adjoining (some sections of) the public land in question.

- Some individuals claimed to represent 'rate payers and local community near the Orford Bird Sanctuary / Millingtons Beach'. There are many ratepayers and local community members that live in this general area, and it is not appropriate for certain individuals to claim to speak on the behalf of others.
- The Glamorgan Spring Bay Natural Resource Management Committee, a Section 24 Committee of the GSB Council, has a clearly articulated mandate to provide input into key NRM issues in the municipality yet was not formally consulted at any point during the development of the Master Plan.

- Opportunity for those stakeholders who were consulted to review their ‘responses’ prior to being included in the Draft Report was not provided. Representatives of the FOBS dispute that they would have only suggested that disturbance to birds in the OBS is limited only to the breeding season (p.18). This has never been the position of the FOBS who are of the firm opinion that the OBS needs to be off limits to all human and dog disturbance year around.
- The use of an electronic survey as the key means of undertaking a public consultation in response to the Draft Report may likely have discouraged many in the community from having their say. A genuine consultation process should clearly enable multiple means of feedback.

Community contributions

There are two local community groups who have made and continue to make significant voluntary contributions to the greater Orford foreshore area and the Orford Bird Sanctuary in many and varied ways over many years.

The contribution of these groups has neither been identified or acknowledged in the Draft Plan. We believe that these very significant contributions need to be acknowledged as many of the recommended actions in the Draft Report build upon this work.

In Appendix 1 we have provided a summary of the contribution of the two local groups, with a rough estimation of the volunteer time contributed to date over many years

- Orford Community Group
- Friends of Orford Bird Sanctuary

The FOBS has clearly demonstrated a long term commitment to the protection of the OBS, and will continue to work in collaboration with the GSBC and PWS to this end.

In context of this contribution we are disappointed by **Action No S20** under **4.1.1. Short-term Action Plan**: *Council should explore funding initiatives or volunteer programs to employ bird stewards during the shorebird breeding season to monitor potential issues and provide more direct protection.*

As the land managers GSBC and PWS need to take the lead in monitoring and providing ‘direct protection’ for the birds. The work of community volunteers should only ever be to provide support and additional resources, certainly never to replace paid officers and professionals. This needs to be a reoccurring budgetary obligation as a component of a broader program for the management of natural values on the land that Council and PWS manage.

Existing documents

The Glamorgan Spring Bay Council has key documents that provide strategic direction on vegetation management for not only the greater municipality but specifically for the Orford area.

The Glamorgan Spring Bay Weed Management Plan 2015-2020 and the *Native Flora and Fauna Management Plan 2014-2019 for the Orford Area Reserves* have both been adopted by Council and

used to guide the work of Council and other key stakeholders such as the Orford Community Group for many years.

These documents need to be updated as a matter of priority, in particular to reflect the breadth of work that has been undertaken over the years (particularly in regard to weed control) but also to identify changes in status, priority and contemporary best practices.

In this context we also note **Action No S22** under **4.1.1. Short-term Action Plan** *Review and revise the previous NRM weeds pamphlet for community distribution*. The Glamorgan Spring Bay Council has for many years, together with PWS and many in the community, been distributing weed brochures via numerous avenues for example such as community events, in rates notices, in new resident's packs. This no longer to the degree that it did as GSBC no longer has a Natural Resource Management function. It is still highly likely that many of these brochures are still sitting in the Council somewhere.

These brochures are expensive to develop and those that are still in circulation have been developed by organisations such as NRM South (in collaboration with other organisations) for distribution across southern Tasmania. It is far more sensible that GSBC in the first instance looks to how they can work strategically with key stakeholders to distribute the brochures they already have. They should also look to developing partnerships with other councils and organisations, such as PWS, Biosecurity Tasmania and NRM South, to what reviews (if any) are required, and to gain economies of scale in co contribution towards bulk printing costs.

Interim Management Actions

A key purpose of the Master Plan project (p.3) is to 'assist land managers and the community to':

Better understand, conserve and manage natural and cultural values, in particular the IBA.

Section **2.3.1 Conservation Significant Fauna Species** (p.12) provides a summary of the values and legislative context of the Orford (Tasmania) Important Biodiversity Area (IBA), otherwise known as the Orford Bird Sanctuary.

Most critically the Draft Report states (p.12):

Regular monitoring of the site over many years by BirdLife Tasmania has produced a robust and unquestionable dataset detailing the importance of the area for breeding, feeding, and roosting of shorebirds, with the sandbar as being one of the most important sites in Tasmania for the density and diversity of breeding shorebirds.

Whilst, as per our early feedback we strongly support the Master Plan process, and understand that some actions take time and resources, given the importance of the Orford Bird Sanctuary identified in the Draft Master Plan, there are many single and inexpensive actions that **must happen each and every** year in order to ensure the protection of the values of the IBA.

In light of this, the FOBS respectfully request that the following interim management actions are implemented on an ongoing basis by Council and PWS in collaboration and cooperation with the FOBS and BirdLife Tas (BLT):

- Maintenance and ongoing review / updating of current fencing and signage;
- Education and awareness activities;

- Monitoring of birds and threats to values;
- Dog management compliance actions; and
- Vegetation / general management actions as required.

Land tenure, including current and future legislative protection and management

Section 2.1 Land Tenure and Management Responsibilities identifies a number of complexities around the land tenure and legislative / management responsibilities in the greater Orford foreshore area.

Members of our group have had a long involvement and experience in both local and State Government land management and are familiar with these types of complex land tenure issues.

We have the following comments that we believe need to be considered in this discussion in the Draft Plan. We make the following points and the subsequent suggested alternatives that we believe need to be included in the Draft Plan:

We support the recommendations to resolve the land tenure issues in regard to the Orford Bird Sanctuary BUT we do not agree that the proposed actions are the only or best options.

We do not agree that it is necessary to resolve land tenure issues before any management actions to protect the important values in the IBA can proceed.

- There appears to be an assumption that land tenure based legislative solution is necessary to enable compliance actions, or in fact any actions, to be undertaken to protect the IBA values of the OBS. We would argue that that as the resident Hooded Plovers and the migratory Fairy Terns are both listed under the Commonwealth Environment Protection and Biodiversity Conservation Act (EPBC Act) and the Tasmanian Threatened Species Protection Act, they have statutory protection and that any decision on management action that might represent a threat to these birds (in particular during the breeding season) may constitute a breach of these Acts and be subject to compliance actions. This is irrespective of land tenure.
- As per **Interim Management Actions** – we argue that it is critically important that interim protection and management action be established in the short term, rather than waiting for the formal consolidation of the various tenures under a single reservation which may take a longer timeframe. Mechanisms such as an Interim Protection Order, established under the *Tasmanian Threatened Species Protection Act* should be pursued .
- Appendix A2.2 states that: *A small informal reserve (referred to as the Orford Bird Sanctuary) covers part of the sandbar; this location is covered by the Crown Land Act 1976 (under the administration of DPIPW).*
 This “informal reserve” does not define the extent of the Orford Bird Sanctuary. The map on page 62 which depicts this informal reserve is from theLIST *Tasmanian Reserve Estate* layer and is quite misleading. Whereas theLIST *Public Land Classification* layer indicates that the foreshore strip from the southern boundary of the Raspins Beach Conservation Area to just west of the Prosser River bridge is a Public Reserve (under the Crown Lands Act 1976). Refer to Appendix 2 **theLIST Public Land Classification layer.pdf**

This reserve (formerly a Coastal Reserve) does not have a survey plan registered in the Office of the Surveyor General and its depiction on the LIST has been modified over time to match the mapped interpretation of mean high water mark. At the time this Draft Master Plan was prepared, the LIST depiction was from a re-mapping of the coastline from aerial photography taken on the 14/03/2011. Similarly, depictions on the LIST of other coastal reserves, and cadastral boundaries, that extend to either mean high or mean low water mark are also modified over time to reflect the changes of dynamic coastal areas, or more accurate coastline interpretations.

As of 28/06/2022 the LIST depiction of the Public Reserve and Millingtons Beach Conservation Area have been updated to reflect a recent re-mapping of the coastline from April 2020 aerial photography. Refer to Appendix 2 *the LIST Public Land Classification layer.pdf*

- We do not consider that updating the Public Reserve to include the entire sandspit is the only reservation option. There is the alternative option of adding the Orford Bird Sanctuary / IBA (sandspit and lagoon) to the Raspin Beach Conservation Area, or more appropriately declaring it a **Nature Reserve**, extending to mean low water mark. As the Draft Master Plan acknowledges, the Orford Bird Sanctuary is a small area that is recognised for its internationally significant biodiversity conservation values for threatened sea and shorebirds, yet ironically it is the only section of beach in the Master Plan area that is not protected in a reserve that has some conservation purpose. It is critical that, in this time where the world is facing an extinction crisis, that this omission be rectified. This is an opportunity for the Tasmanian government and the GSBC to show the leadership to protect this tiny yet hugely significant **Important Bird Area that has been recognised as being In Danger**.
- As some of the FOBS are former members of the Prosser River Advisory Group (PRAG), the S24 group established to develop this management plan (now disbanded), we are aware that draft lease for the Orford Bird Sanctuary was developed in April 2019 by the State Government. In order for this to have been done, the land tenure issues must have been resolved. We therefore know that clearly this can be done, and in fact at some stage it was done. This body of work can easily be revisited to fast track the declaration of the OBS IBA as a Nature Reserve.

Signage and fencing

P.63 Claims of ineffectiveness of the existing fencing is based on what evidence?

Whilst the FOBS would entirely agree that the fencing is still not fully fit for purpose, and needs to be both extended (around the **entire** perimeter of the IBA) and improved (to prevent both humans and dogs climbing through it) we believe the existing permanent fencing and the internal temporary fencing does deter the majority of reasonable humans, and certainly dog owners from entering the OBS.

The weekly bird monitoring undertaken by the group (since 2019) also documents observations of human and dog encroachment into the IBS. Additionally, group members make informal observations on an often-daily basis, and anecdotally agree that less people are observed entering

the area than before the permanent fencing was in place. Our members are regularly seeing more visitors with cameras and binocular spending time observing the birdlife from along the path.

Currently much of the fencing around the OBS is no longer contemporary or is temporary. Nearly all of the signage was instigated a number of years ago and any updating of signage ONLY occurs when the FOBS request the GSBC to do so.

Review of existing signage, and an ongoing program for renewal and refreshing is essential to ensure that locals and visitors to the area understand the values and significance of the area, and the impacts of inappropriate behaviour.

This MUST occur on an ongoing basis regardless of the outcomes of the DRAFT PLAN. To not do so will compromise the values of the OBS IBA and may lead to localised extinctions of already threatened bird species.

Monitoring / data collection

The first year after the installation of the permanent fencing the migratory fairy tern colony had the best breeding season recorded. Whilst we realise that this may be due to a multitude of complex reasons it highlights the very important need for a formal monitoring program of a number of parameters including human and dog encroachment into the OBS. This needs to be instigated by the GSBC and PWS in collaboration with BLT and the FOBS as to complement current monitoring activities.

A long term monitoring program is necessary to determine the effectiveness of management initiatives such as fencing and signage, education, awareness and compliance.

Key to a long term monitoring program is the strategic placement of remote camera/s. The use of remote camera for monitoring wildlife and impacts to wildlife is a best practice initiative that is being undertaken internationally in many contexts. It will not only provide non invasive imagery of the birds but also threats to the values of the IBA, whether that may be weather events, predation by natural predators or disturbance from humans or dogs. This type of information is critical to enable adaptive management actions based on evidence of actual other than perceived threats.

Review of Dog Management Policy Declared Areas

We support the proposal to extend the Dog Prohibited Area on Raspins Beach back towards the Sailing Club. This would provide an important buffer between the dog permitted northern Raspins Beach and the Orford Bird Sanctuary and reduce the need for a dog proof fence extending to low water mark at the boundary of the OBS, which would likely be impractical to maintain.

Permanent fencing must be extended around the **entire** IBA and needs to be made dog proof.

The need for improved signage, communication and compliance actions must be ongoing.

The review of the *GSB Dog Management Policy 2014-2019* must be completed as a matter of priority. This review is now three years behind schedule.

Alternative access for fishing and surfing – The Esplanade - Millingtons Beach Carpark Area

The proposal to upgrade parking off the end of The Esplanade and upgrade access tracks to the Prosser River and Millington Beach from this point is strongly supported. This area should be designed and promoted as the preferred point of access to the surf break on the sand banks off the mouth of the Prosser River and for fishing near the river mouth. Parking facilities and access tracks in this area are currently not well developed, nor are they promoted. As a result, by default many people seeking fishing and surfing opportunities utilise the (so called) Radar beach carpark adjacent the Orford Bird Sanctuary.

Signage at the Carpark adjacent the Orford Bird Sanctuary should clearly state there is **no access** to the sand banks surfing point and promote the Esplanade - Millingtons Point Carpark as the access point for surfing the sand bank and river mouth/beach fishing.

Change the names ‘Radar Beach’ Carpark and ‘Radar Beach’ Backwater

The so-called Radar Beach is a local colloquial term that is not formally adopted nomenclature. Calling the carpark on the edge of the Orford Bird Sanctuary the ‘Radar Beach Carpark’ is problematic. It could encourage visitors to utilise this carpark to access areas within the Orford Bird Sanctuary, promoting ongoing threats to the waterbirds and management conflicts.

The FOBS support the proposal to redesign this carpark to shift it further back from the water and to screen the Lagoon area from the Tasman Highway with vegetation. We also recommend that the carpark be renamed the Orford Bird Sanctuary Carpark (if it needs a name) and the access track be signposted Orford Bird Sanctuary.

These changes serve two purposes. This reduces the likelihood of visitors using this carpark for the primary purpose of accessing Raspins Beach via the sand bags and Orford Bird Sanctuary, and disturbing shorebirds. Secondly, as the management of the Orford Bird Sanctuary for conservation is improved this will become a key point of interest drawing visitors to Orford, particularly the significant numbers of visitors and tourists from all over Australia and the world interested in bird watching and photography.

There is no such place as the ‘Radar Beach Backwater’ This tidal backwater/lagoon is an integral part of the Orford Bird Sanctuary, providing critical feeding habitat for both the Fairy Terns and Hooded Plovers, as well as all the other shorebirds and waterbirds that the Sanctuary supports. The reference to Radar Beach Backwater is confusing, runs counter to the management needs of this very significant area and needs to stop being referenced.

Consideration should be given to calling the ‘backwater’ the Orford Bird Sanctuary Lagoon, Prosser River Lagoon or something similar.

Freshwater Management and Water Quality

The FOBS support and are keen to assist in organising more detailed assessments of both water and habitat quality, including a survey and assessment of aquatic vegetation/algae in the lagoon for possible threatened species, and the adjacent shoreline for the Saline Aquatic Herbland (AHS) Threatened Ecological Community.

It is vital to get current baseline water quality information in light of future changes due to increasing development (eg subdivisions in the upper catchment) and climate change/sea level rise, and in light of past and current hydrocarbon / stormwater contamination.

FOBS recommends that best practice Urban Sensitive Water Design guidelines be adopted to manage freshwater flows and water quality into the northern end of the Orford Bird Sanctuary Lagoon. This approach may also provide an opportunity to extend or establish an additional area of Freshwater Aquatic Sedgeland and Rushland (ASF) vegetation community to improve vegetation habitat and assist in maintaining water quality.

Conclusion

We thank both the Glamorgan Spring Bay Council and Parks and Wildlife for initiating the development of the Orford Foreshore Masterplan and for allowing us the opportunity for input.

Although our focus is on the Orford Bird Sanctuary, in line with our group charter, we appreciate the greater context of the Masterplan and how many other suggested actions will assist in protecting what we consider the 'jewel in the crown' of this special part of the world - The Orford Bird Sanctuary!

Kindest Regards

Gary Whisson

Secretarty

On behalf of the **Friends of the Orford Bird Sanctuary**

APPENDIX 1:

Friends Of Orford Bird Sanctuary

The Friends of Orford Bird Sanctuary (FOBS) is a local group of volunteers who work with Bird Life Tasmania to monitor, advocate for increased protection and compliance and celebrate the stunning values of the sanctuary.

Group volunteers undertake weekly bird counts, promote the sanctuary through FOBS website, Facebook & Instagram pages and recently attended the Birdlife Australia, 2022 Beach Nesting Birds Conference.

In conjunction with GSBC FOBS volunteers have been participating in a bird count every week since early 2019. Council no longer provides an officer to collect this information, however FOBS volunteers continue.

Volunteers continue to work with BirdLife Tasmania, Council and Parks to ensure the protection of the shorebirds that breed, raise their chicks and reside in the sanctuary.

Hours volunteered 500+: includes bird data collection, meetings, submission writing, promotion (website, instagram, facebook), BirdLife conference, installing signage etc

Out of pocket cost to attend BirdLife Conference approx \$1500

Orford Community Group

Over a period of almost 20 years OCG volunteers have given excess of 500 hours per year and have raised funds and received grants totally over \$185,000.

Our work has involved purchasing and installing a range of infrastructure (ie play equipment, bike track, seating, BBQ, tables) designing and installing interpretive signage, restoring a heritage site, copious and continuous amounts of weed removal and revegetation on Parks and Council land, walking track work, education and awareness within the community, reuse and recycling initiatives, working on environmental projects with Orford School, revitalisation of Raspins Conservation area, litter removal, protecting the Orford Bird Sanctuary and more.

APPENDIX 2: Listmap Public Land Classification, Orford Bird Sanctuary area

