

State and Territory Updates

Habitat protection and restoration in Victoria — a brief overview

P. Clunie,¹ J. Koehn,² P. Bennett³ and T. O'Brien²

- 1 Department of Sustainability and Environment,
Cnr Midland Hwy & Taylor Street, Epsom, VIC 3551
- 2 Freshwater Ecology, Arthur Rylah Institute for Environmental Research,
Department of Sustainability and Environment,
123 Brown Street, Heidelberg VIC 3084
- 3 Sector Group, Department of Sustainability and Environment,
6/8 Nicholson St, East Melbourne, VIC 3002

Habitat rehabilitation

Responsibility for habitat rehabilitation and protection for riparian, wetland and floodplain areas

Most of the responsibility for resource management including habitat rehabilitation now rests with Catchment Management Authorities (CMAs), with the Department of Sustainability and Environment (DSE) setting policy and providing some funding and advice. While State strategies may guide activities, there is considerable variation in approach, structure and expertise across CMAs.

State policy/framework on habitat rehabilitation

Relevant legislation in Victoria includes:

- *Fisheries Act 1995*
- *Water Act 1989*
- *Catchment & Land Protection Act 1994*
- *Flora and Fauna Guarantee Act 1988*
- *Heritage Rivers Act 1992*.

The Victorian Biodiversity Strategy (NRE 1997) provides an overarching framework for the protection of biodiversity assets.

Regional Catchment Strategies have been prepared for each CMA, establishing the planning framework for land, water and biodiversity management in each region. They are the primary focus for integrated catchment management.

The Victorian River Health Strategy (NRE 2002) provides a framework to enable government, in partnership with the community, to make decisions on management and restoration of Victoria's rivers. It includes Statewide targets for river restoration and priority setting for investment in river protection and restoration. Regional River Health Strategies are currently being prepared for each CMA region, identifying environmental, recreational, cultural, social and economic assets, threats, opportunities and requirements for restoration. They set broad priorities for protection and restoration, and actions required, and include monitoring, reporting and review programs. Regional River Health Plans are also being prepared in CMAs, which sit below the River Health Strategies.

The Victorian Native Vegetation Management Framework establishes the strategic direction for the protection, enhancement and restoration of native vegetation across the State. Regional Native Vegetation Plans, now being prepared by each CMA, provide strategic directions for protecting and enhancing remnant vegetation, revegetation, and establish regional targets for vegetation communities.

In recognition of the need for plans to be implemented at a range of spatial scales, a number of regional, landscape and local plans are now being prepared. These include Bioregional Biodiversity Action Planning Strategic Overviews, Biodiversity Landscape Plans and Biodiversity Local Action Plans.



A range of Floodplain Management Strategies and Plans have also been developed. These aim to maintain and enhance inherent functions of floodplains to convey and store flood waters, minimise flood risk, and maximise environmental values of floodplains. In the past these have often focused primarily on asset protection, although now there is a greater focus on also addressing environmental issues.

Internationally significant wetlands are recognised under the RAMSAR convention, and the JAMBA and CAMBA bilateral agreements for protection of migratory birds. There is a Wetland Policy for the Commonwealth Government of Australia, and a Directory of Important Wetlands in Australia which identifies nationally significant sites. There is a draft Wetland Policy for Victoria and some CMAs have developed regional wetland strategies and plans for specific areas. The management of wetlands varies across the State, and can involve CMAs, DSE, Parks Victoria, Committees of Management, and private landholders.

Capacity to declare critical habitat for threatened species

‘Critical habitat’ can be declared under the *Flora and Fauna Guarantee Act 1988* (FFG Act) for threatened fish and/or communities. None have been declared for any item as yet. Formal declaration of critical habitat has always been perceived as being tied with Interim Conservation Orders, which are the strongest aspect of the FFG Act and may potentially lead to compensation issues.

Relevant Murray-Darling Basin (MDB) species currently listed under this State legislation include barred galaxias, Murray cod, trout cod, Macquarie perch, Murray hardyhead, Agassiz’ chanda perch, southern purple spotted gudgeon, silver perch, freshwater catfish, crimson-spotted rainbowfish, flat-headed galaxias, fly-specked hardyhead and the Lowland Riverine Fish Community of the Southern Murray-Darling Basin. Action Statements are required to be prepared for all listed items under the Act, but they have been prepared only for trout cod and barred galaxias.

Action Statements for listed items now rarely refer to the concept of identifying critical habitat. It is unfortunate since in most cases critical habitat areas are readily identifiable and are currently left without any formal protection for threatened species. Declaration of critical habitat for Murray

cod would have no doubt included the areas where recent fish kills (Koehn 2005) have occurred and would have placed great onus on management agencies to ensure protection of these populations.

The Fisheries Act also allows the issuing of a Fisheries notice to protect habitat.

Recent habitat projects and management initiatives

The largest portion of the money spent on onground works is for the protection and enhancement of riparian areas and the management of bed and bank erosion, through CMA funding. Regional Catchment Plans have identified river health and waterway management as among their high-priority natural resource management issues. Funding is allocated primarily through their Regional Catchment Investment Plans (NAP and NHT funding) and some government funds.

Those rivers classified as of high value, e.g. Heritage Rivers and Representative Rivers, are the focus of protection.

Flow management occurs through Streamflow Management Plans, the Bulk Entitlement process and Stressed River Plans. While Stressed River Plans primarily establish environmental flow objectives, they include related in-stream and riparian habitat works.

Water quality issues are addressed in Water Quality/Nutrient Management Plans. These include nutrient reduction works including establishment of buffer strips, protection of riparian zones, etc. Salinity Management Plans include revegetation and habitat protection activities to reduce environmental impacts of salinity.

Channel and riparian habitats are subject to Regional Vegetation Plans and Crown Frontage Management Plans, and Floodplain Management Strategies cover floodplain issues.

It must be recognised that habitat protection and rehabilitation include a range of issues, such as: environmental flows, water temperature, fish passage, in-stream habitat, river geomorphology, water quality, riparian vegetation, floodplains and wetlands. Under the FFG Act, Potentially Threatening Processes have been listed relating to most of these issues. Unfortunately however, no Action Statements have yet been produced.

Recent important actions

Research

- There has been a range of research activities conducted in Victoria, including examples presented in papers at this workshop (e.g. Koehn 2005; Bond & Lake 2005; Nicol *et al.* 2005). Increasing knowledge of fish species and their habitat requirements to support the implementation programs has also been important (e.g. O'Connor *et al.* 2004; Humphries and King 2004).

Thermal pollution

- A recent scoping study identified high priority sites at risk from thermal pollution in Victoria (24 sites). Since there were insufficient sites and/or data to determine impacts for many, funding has been provided to monitor sites with data loggers (for the last 12–18 months).

State Fishway Program

- Fishways are being established on high priority barriers in Victoria.
- Construction of fishways opens over 5000 km for increased fish passage throughout Victoria.

Protection of LWD in storages

- Due to low water levels in storages, firewood collection from dry lake beds has been significant.
- Consequently Fisheries Victoria has introduced a ban on the removal of dead timber from below the high water mark of nominated impoundments.

Major areas for further work implementation

- Getting habitat rehabilitation firmly entrenched into the planning process.
- Implementing demonstration reaches.
- Promoting the benefits of habitat rehabilitation.

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