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Submission to the Yorta Yorta Traditional Owner Land Management Board 2019 “Draft Joint Management Plan for Barmah National Park”

Submitted 6-Oct-19 via email to yytolmb@yynac.com.au

The Australian Brumby Alliance (ABA) Inc. who advocate for the recognition, management, preservation and welfare of Australian Brumby populations in sustainable numbers, values the chance to provide a submission to the Yorta Yorta Traditional Owner Land Management Board Draft Joint Management Plan (JMP) for Barmah National Park.

Key issues for the ABA

All Barmah’s Heritage Brumby population will be exterminated under the JMP draft.

Losing our living Barmah Brumby heritage will be a tragic, irreversible action. Brumbies have lived wild in Barmah for over 150 years. These wild horses are woven into the very fabric of colonial social heritage values and are all that remains of colonial management traditions. For many Australians the loss of such amazing animals is unacceptable.

Horses grazed in 1982 when RAMSAR listed Barmah forest as a wetland of significance.

There had been a long history of grazing by horses and cattle, as well as logging by 1982. These activities continued until cattle grazing ceased 2007 and logging ceased 2010 when the area became a national park to be managed by Parks Victoria (PV). Since that time;

- Inappropriate flooding continues despite numerous studies that found correcting Barmah’s flood regime is critical for the future survival of the park’s wetlands.
- (2010/11) the Blackwater event December 2010 resulting in substantial fish and crayfish death in the Murray River downstream of Barmah Forest (King et al. 2011),
- Rushes/reeds have encroached waterways and the land, and
- River red Gum saplings significantly encroaching on earlier grass open spaces.

The Yorta Yorta Co-operative Management Agreement - Q&A states that The (Yorta Yorta) agreement will be state funded. It seems that since the Yorta Yorta agreement was signed in 2004 that Victoria’s taxpayers have pay twice for the same outcome (park management);

1. by park management costs levied via our water bill, and since 2004
2. by funding the Yorta Yorta Co-operative Management Agreement.

For the ABA such double dipping is harsh, especially as we are paying twice over to have our majestic, irreplaceable, socially valued Heritage Brumbies exterminated - against our will.

Public ownership of Barmah - The National Parks Act 1975 (Vic) states that parks should be reserved, preserved and protected permanently for the benefit of the public." "and in particular reserved and made available (a) areas with historical and (b) areas that demonstrate man's effect on his environment whether through agricultural or pastoral pursuits or otherwise".

The term public in the National Parks Act surely includes all Australians, but Barmah's park is now it seems owned by just one section of Australia's public, the Yorta Yorta Corporation.

The Barmah Brumby populations being used as scapegoats

There is extensive evidence to prove that correcting Barmah's inappropriate water flooding regimes *must be addressed* to halt the decline of Moira grass. However PV's "Protection of Floodplain Marshes Barmah National Park & Barmah Forest Ramsar Site Strategic Action Plan 2019–2023" (Floodplain Marshes plan draft), states - *of all introduced grazing species present, feral horses are currently considered the most destructive and their removal from the Barmah Forest is an immediate priority to save the Moira grass.*

Studies on the extent of Moira grass cover lost from the Snowy Hydro scheme include;

- Hydrological changes have reduced (Barmah's) fish and waterbird populations and their breeding habitats, particularly species dependent upon flood waters. Decline in numbers and species of birds breeding documented, particularly over last 30 years (Chesterfield et al.1984, Leslie 1988) as flooding is required to provide suitable nesting conditions & sufficient feed to rear young successfully.
- Lack of drying phases in low lying wetlands and consequent vegetation change have disadvantaged species (grebes, terns, coots, avocets & stilts (Leslie 1998).
- The condition of (Barmah's) flood plain vegetation is strongly influenced by flood timing, frequency, duration and depth. (Chesterfield 1986, Bren and Gibbs 1988).
- Changes in the Barmah area water regime as a result of river regulation on the Murray has allowed *Juncus ingens* to out compete the Moira grass (*Pseudoraphis spinescens*) previously found to a much greater extent(Chesterfield (1986).
- Some former Moira Grass plains have developed into *rushlands* because of prolonged flooding resulting from higher river levels in summer & autumn; whereas others have been encroached upon by river *red gum* seedlings where regulation caused a reduction in flood frequency (MDBC 1987).
- Barmah forest seasonal watering Proposal for 2013-2014 [*return to natural flooding*] explains that concerns now exist for alarming decrease in extent & cover of Moira Grass, that used to dominate the treeless Barmah Forest floodplain and serve as a major waterbird feeding ground on which Ramsar status was bestowed..

PV's insistence that the removal all Barmah's horses is critical to save the Moira grass, is not rational or evidence based. In fact Barmah's deer, pig, goat and rabbit numbers are so high that PV say they cannot count them. So the ABA seriously questions *how can* deer, pigs and goats, numbered in thousands, possible be less problematic that 150/200 Brumbies.

Furthermore, PV's *Floodplain Marshes draft* states 20 pigs, 34 deer, 7 sheep and 1 goat were killed in 2017 /18. However if PV cannot count the total populations, how can they know if killing such low numbers of multiple birth species has even slowed their overall increase.

PV tabled ten reports to their Barmah Round Table meetings early 2018 as proof of why all Barmah Brumbies must be exterminated to save the Moira grass, **of these tabled reports;**

- five were studies conducted in alpine area, a very different areas to Barmah park,
- one lists species that *may* be potentially threatened by a horse presence, leaving
- four reports on Barmah focussed on water regimes and heritage values, including;
 1. *“provision of a flood regime that most closely matches plant-specific water requirements represents the single management action that holds the best prospect for conservation and management of grassy wetlands”*(Colloff 2014)
 2. *“It is clearly evident that the inherent character of the floodplain vegetation cannot be conserved without active hydrological management”*(Ward 1991)
 3. *“key (Barmah) community heritage values attributed to wild horses ... included Australian spirit, freedom, tourism, history and heritage and regional symbolism” and “ key activities associated with the wild horses were history, education, animal welfare, horse riding, mustering and wartime”* (CONTEXT 2014), and

The JMP committee said their decision to remove all Barmah’s Brumbies was based on PV’s evidence. Our response was that PV’s ability to provide *evidence based* reporting was highly doubtful. For example, the Bogong study report under cross examination in court showed that the report conclusions were in fact based on an incorrect summary of earlier notes.

Further positive Brumby impact reports include;

Connell (1978) proposed that species diversity was maximised under intermediate levels of disturbance. At low levels of disturbance, diversity is reduced by competitive exclusion, possibly resulting in the dominance of a particular species, desirable or undesirable.

Robertson (2015) quotes (p21) (Prober & Theile 2007; Wild & Poll 2012) “At these sites (exclusion zones), vegetation inside horse exclosures comprises a dense sward of sedges and grasses, whereas outside the exclosure plots, vegetation is typically a low herbfield turf.

The ITRG (Independent Technical reference group) report to the National Parks and Wildlife Services (NPWS) states that Wild Horses “Increased species diversity” in Sub-alpine and montane regions siting; (Fahnestock and Detling 1999, Austrheim and Eriksson 2001, Fahnestock & Detling 2002, Ostermann-Kelm et al. and 2009 Stroh et al. 2012.), and that;

- some studies fail to find an effect, or
- may even find a positive impact (e.g. Fahnestock & Detling 1999).

The ITRG 2015 report also states Wild Horses can cause a “Reduction of fire severity” in Forest and sub-alpine, montane, siting; (Silvers 1993 & Davies et al. 2015).

Zalba & Cozzani (2004) found “avian richness and diversity were higher in areas subject to moderate levels of grazing than areas in which horses had been excluded”.

For many (Barmah) local community members and visitors alike wild horses are tangible reminders of a range of past experiences, such as childhood visits to the forest, stories told by families and nostalgia for bygone industries & occupations (CONTEXT 2014).

The Yorta Yorta JMP Vision – to change the Barmah Story

The Joint Management Plan (JMP) states its vision is to change the story of Barmah to “re-enable the Yorta Yorta to enact our rights and responsibilities *over this part of our Country*”.

The Yorta Yorta JMP draft plan begins with a stark reminder of atrocities inflicted earlier.

Such atrocities need to be told, but introducing a park management plan with such historic, divisive detail risks leaving the public to feel the JMP joint management is not about joint management, but returning Barmah to sole Aboriginal management ownership. Especially since only heritage items that are listed in the Heritage Act 2017 (Vic.); will be ‘managed’.

Local Aboriginal people, proudly describing themselves as Bangerang, attended the Barmah JMP meeting also felt alienated by the JMP plan. In particular objecting to new *Yorta Yorta country* signage replacing *Bangerang* signs, a division highlighted when a Yorta Yorta JMP person told a local Bangerang to remove a Bangerang country sign she had on her property.

The JMP also explains that the Federal Court (1998) rejected the Yorta Yorta’s native title claim, a rejection ruling that was subsequently upheld by the full Federal Court (2001).

Reading the Federal Court Australia (Vic) registry of the 1995 Yorta Yorta native title claim, helped explain why the Yorta Yorta native claim was rejected and why a key JMP draft plan representative reacted so strongly to people proud to be called Bangerang. *For example*;

Edward Curr, (1841-1851) an early squatter in title claim area, wrote of Aboriginal groups he described as Bangerang. Robinson, another 1850s source used the name Pinegerines. Curr also wrote of 9 tribes in the area speaking either pure Bangerang or dialects of that tongue.

Mr Richard Atkinson, a senior claimant group member, in the case, identified himself as of the Bangerang tribe, along with others who specifically identify themselves as Bangerang.

Aboriginal 1998/2001 native title claimants described the Yorta Yorta community as people who are descendants of the original inhabitants, which included people who were identified as, or identified (themselves) as, Pangerang or Bangerang peoples.

The claimant’s expert witness invariable identified his clients as “Yorta Yorta / Bangerang people”. It seems the name Yorta Yorta was first used in 1984 when former reserve land at Cummeragunja was vested in the *Yorta Yorta* Local Aboriginal Land Council.

If the Yorta Yorta JMP draft is to “change the Barmah story” the ABA respectively suggest that it acknowledges in words and ownership evidence the Bangerang’s view of history.

Colonial/Aboriginal Shared History

The ABA supports the promotion of accurate, shared Colonial and Aboriginal heritage values for Barmah, such as retaining a heritage population of 150 Brumbies living wild in Barmah.

A JMP plan that genuinely incorporates all Aboriginal and Colonial shared values has the strongest potential to provide lasting stability to all of Barmah’s valued shared history.

The JMP draft states that *Colonial/Shared History* places will be managed in accordance with the **Heritage Act 2017 (Vic.)**, and the **Burra Charter** (Australia ICOMOS 2013), including the Heritage Register listing significant places/objects and provides public access to information.

ABA highly concerned that the JMP draft only protects colonial heritage that is listed in the Victorian Heritage Act, however we support compliance to the Burra Charter, because;

Victorian Heritage Act 2017 List - The ABA is highly concerned that only items on the list will be kept because the list fails to the retention of 150 Barmah Brumbies. These Brumbies are highly valued by many communities because they represent Barmah's living social history.

Burra Charter - The ABA supports the charter's protection of heritage values, for example;

- Each group's heritage values" Reflect the diversity of our communities, telling us about who we are and the past that has formed us and the Australian landscape".
- (and are) "Irreplaceable and precious and must be conserved for present and future generations in accordance with the principle of inter-generational equity".

It is time to move on from conflict and follow the Burra Charter's approach of "*Co-existence of cultural values should always be recognised, respected and encouraged*", which for the ABA includes how Barmah Brumbies can co-exist with our shared Barmah social heritage.

The JMP draft stop horse riding – because, we were told, horse riders who do not keep to the tracks *may* cause significant environmental damage, especially in Barmah's floodplains.

The JMP draft plan to ban horse riding (except to Barmah's heritage stockyards) has been proposed *despite* two Yorta Yorta and a VEAC supporting horse riding in Barmah, viz;

1. [The Yorta Yorta Co-operative Management Agreement Fact Sheet states that this agreement does not require any changes to public access arrangements or fees to parks, forests or reserves within the designated Areas.](#)
2. The review by VEAC review recommended horse riding on formed roads and tracks and overnight camping with horses be continued in Barmah's park.
3. The Yorta Yorta *Whole of Country Plan* embraced horse riding to "develop recreational opportunities such as hiking, camping, horseback riding, canoeing, fishing and boating".

The ABA argues that this can also happen when recreational 4WD/2WD vehicles, trail-bikes, walkers and hikers have access and stray from the permitted open tracks and roads.

Banning horse riding is a major reduction in public access that runs *contrary to the Yorta Yorta agreement*. Is also discriminatory and illogical since any impact from horse riding on tracks is negligible compared to cars, bikes and cyclists? Asked why horse riding will stop but not other "vehicles", was that horse riding is too hard to police compared to vehicles!

Barmah's Heritage Valued Brumbies

[The JMP draft plan states that - totemic animals on Yorta Yorta Country, which includes; all plants and animals are part of Creation and always important.](#)

Yet the JMP will use removal options including trapping and rehoming and lethal control of free ranging Brumbies by professional *shooters* to exterminate Barmah's heritage Brumbies.

Wild horses and their continuing presence as wild animals in the (Barmah) landscape symbolically creates for many in the local community a feeling of continuing connection to a particular aspect of the region's history that they value highly

The JMP draft also states that in a region (Barmah) where much of the original forest and woodland has been cleared for agriculture and settlement, the Barmah Park remains in a condition that most closely resembles Yorta Yorta Country during ancestral times.

This raises the question, if Barmah Park remains in a condition that most closely resembles country during ancestral times – why, now, seek to remove Barmah's Brumbies.

Discriminatory goals - the JMP seems fixated on *removing all horses*, while only *reducing* population densities of other invasive animals including feral pigs, deer, goats and sheep and *reducing* the extent of encroaching native species (Giant Rush and River Red Gum).

The ABA urges the JMP to therefore reduce the Brumby populations to 150.

ABA Barmah Brumby Recommendations

1. Join with Barmah local Communities (incl. those supporting Brumby/horse riding),
2. Before deciding the level of horse only impacts in Barmah national park, first;
 - correct inappropriate water regimes,
 - reduce other ungulates populations to below 150,
 - reduce Brumby population down to, but not less than, 150, then
3. Conduct robust, credible research studies (involving local horse groups) to identify the sustainable density/number of Brumbies the environment can sustain,
4. Embrace the retention of an agreed Brumby number to manage in the park, and
5. Manage a genetically viable Brumby population by partnering with local Brumby interest groups that can deliver fertility control and organise rehoming options.

The ABA urges the JMP plan to embrace Barmah's Brumby supporters in order to ensure Barmah's rich, varied history endures. The Burra Charter shows the importance of managing cultural conflict and to respect all multicultural values. No one group's value base can ever be ranked against another, each community holds dearly to their past and present values.

Please contact myself on 0400-558-772 for further information/queries on our submission

Yours sincerely,



Australian Brumby Alliance Inc.
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