

Photo- Meghan Lindsay

## Lyrebird Nest detection report

Dandenong Ranges National Park  
Olinda Bartlett Track, Site Number PP-01-BA

Report on the detection of a Superb Lyrebird (*Menura novaehollandiae*) nest at Forest Fire Management Victoria's proposed site for log removal operations: Olinda Bartlett Track, Site Number PP-01-BA.



## Abstract

An active nest of a Superb Lyrebird (*Menura novaehollandiae*) was detected within the Dandenong Ranges National Park in an area proposed by Forest Fire Management Victoria for log removal operations. The site is known as Olinda Bartlett Track, Site Number PP-01-BA.

This investigation concludes that Forest Fire Management Victoria and VicForests have failed to identify and protect National Park values such as the active lyrebird nest in this area. The proposed log removal operations with heavy machinery are within confirmed lyrebird habitat, in contravention of the Code of Practice for Bushfire Management (The Code) for Public Land, Wildlife Act 1975 and National Parks Act 1975

**Field research conducted by:** Meghan Lindsay

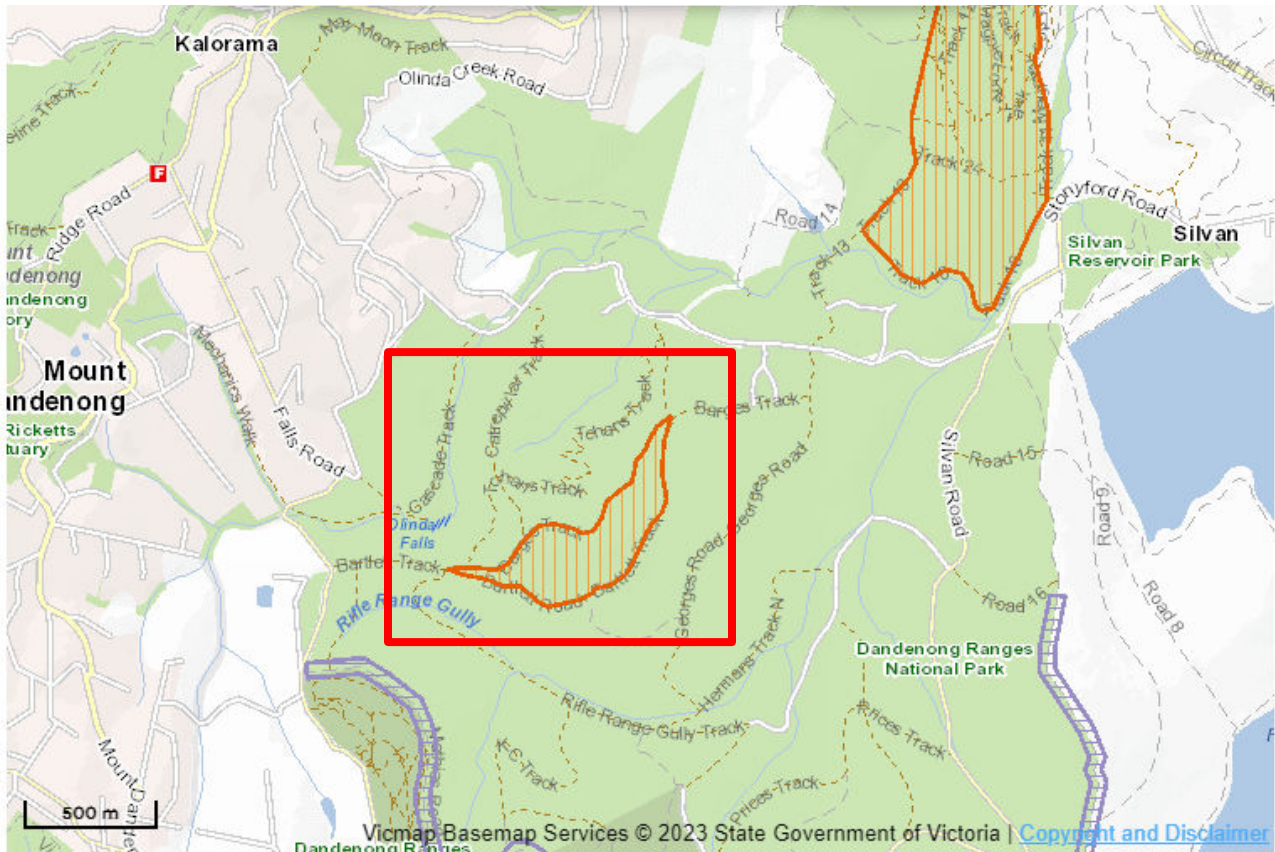
**Authors:** Meghan Lindsay, Jordan Crook and Blake Nisbet

**Date of investigation:** 16/07/2023

**Date of report:** 15/8/2023

## Location details

This investigation was undertaken in the Dandenong Ranges National Park at Forest Fire Management Victoria's proposed site for log removal operations, Olinda Bartlett Track, Site Number PP-01-BA.



**Figure i.** Map showing the location of the log removal areas investigated (in red box) in the context of the Dandenong Ranges National Park, image taken as a screenshot from the Managing fire risk - timber that fell during 2021 storms (ffm.vic.gov.au) on 31/7/2023

## Method

Site perimeter walk:

- Perimeter walk of site area from existing track.
- Nest was photographed.
- A GPX waypoint was taken at the location of the nest where it was first detected.

## Results

This investigation detected an active nest of a Superb Lyrebird (*Menura novaehollandiae*) within the Dandenong Ranges National Park in an area proposed by Forest Fire Management Victoria for log removal operations. The site is known as Olinda Bartlett Track, Site Number PP-01-BA. The nest is located at GPS coordinates 55H 357190 5810880

Results are provided in the following sections:

- Results 1: Figures 1, Image of Lyrebird nest within an area proposed by Forest Fire Management Victoria for log removal operations
- Results 2: Figure 2 - Map of Lyrebird nest location within an area proposed by Forest Fire Management Victoria for log removal operations
- Results 3: .Map with Lyrebird nest detection and required exclusion area



## Results 1



Figure 1. Image of Lyrebird nest within an area proposed by Forest Fire Management Victoria log removal operation



## Results 2

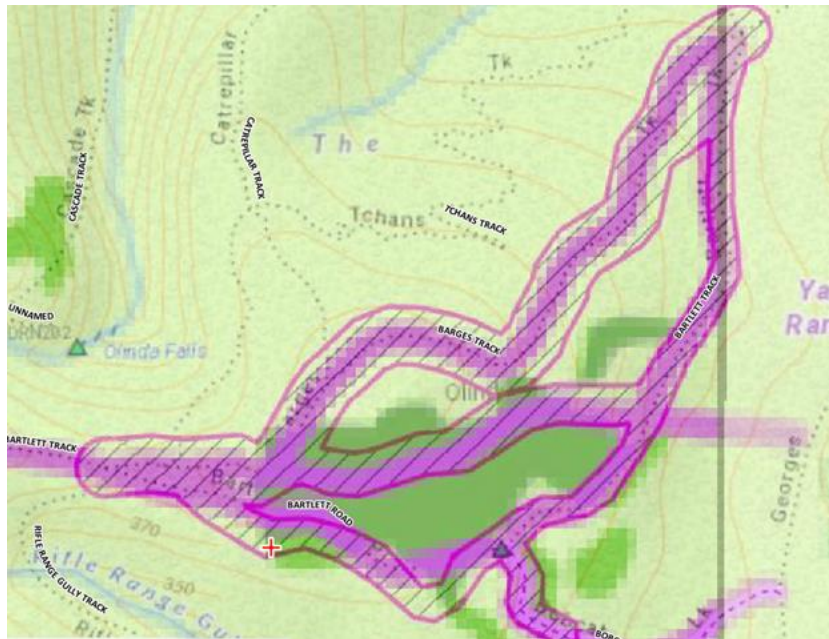


Figure 2: Map of Lyrebird nest location within an area proposed by Forest Fire Management Victoria log removal operation. Lyrebird nest represented by red cross

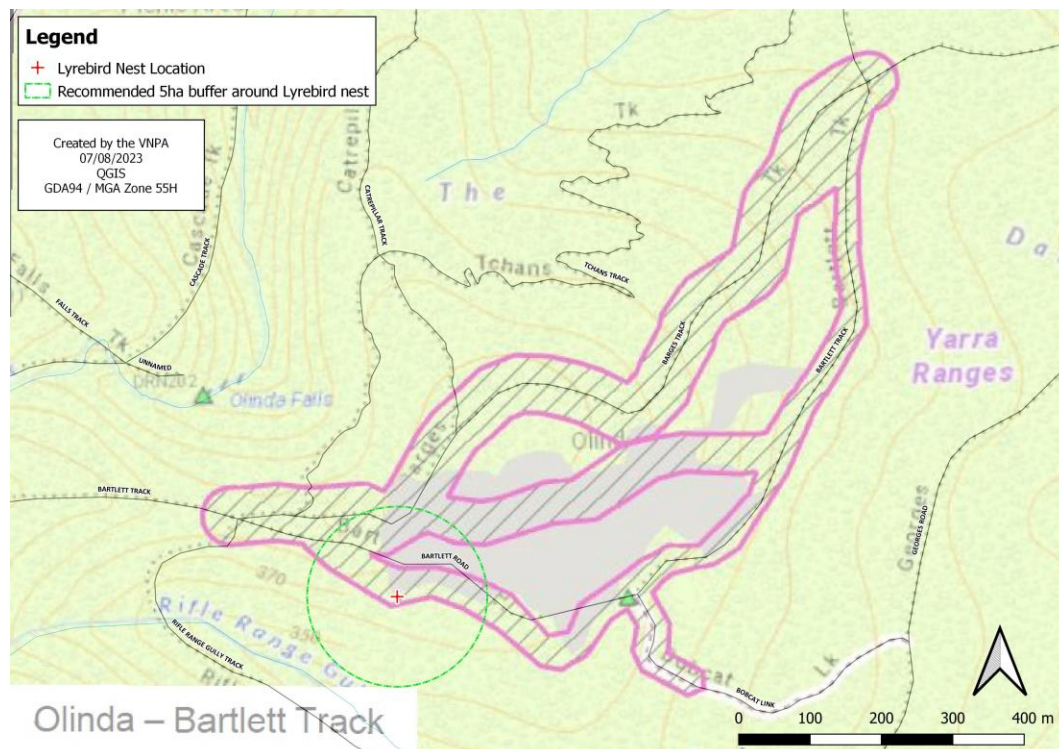


Figure 3: Map with Lyrebird nest detection and required exclusion area

## Discussion

### Mandatory actions

#### Code of Practice for Bushfire Management (The Code) for Public Land

Under the Code of Practice for Bushfire Management (The Code) for Public Land the Primary objectives for bushfire management on public land in Victoria are<sup>1</sup>;

- To minimise the impact of major bushfires on human life, communities, essential and community infrastructure, industries, the economy and the environment. Human life will be afforded priority over all other considerations.
- To maintain or improve the resilience of natural ecosystems and their ability to deliver services such as biodiversity, water, carbon storage and forest products.

The proposed log removal operations within the Dandenong Ranges National Park do not meet either objectives of The Code.

Nor does it meet the *Actions* for managing Bushfire Moderation Zone (BMZ) areas *Action 129 of The Code* which states “Where practicable, the BMZ **will aim to achieve ecological outcomes by seeking to manage for ecologically desirable fire regimes**, provided bushfire protection objectives can still be met. This may include using other fuel management methods”. No evidence has been produced to indicate logs on the ground have increased fuel loads within the BMZ areas of the National Park.

There is scant evidence that fallen logs contribute greatly to fire risk, and in fact may even impede flame spread<sup>2</sup>. Fallen logs continue to store much carbon and provide critical habitat for small mammals, insects and reptiles.

As such, we contend that the proposed log removal operations within the Dandenong Ranges National Park does not meet either objectives of The Code.

We believe that Log removal focused on removing of logs in lengths suitable for use as “Viable” commercial use will cause greater injury to the natural ecosystem and endanger values and services the park protects, such as biodiversity, water, carbon storage. And under which National parks are it is legislatively required to protect such values.

---

<sup>1</sup> Code of Practice for Bushfire Management for Public Land (as amended June 2022), Department of Environment, Land, Water and Planning 2022

<sup>2</sup> Sullivan, A. L., McCaw, W. L., Cruz, M. G., Matthews, S., & Ellis, P. F. (2012). Fuel, fire weather and fire behaviour in Australian ecosystems. *Flammable Australia: fire regimes, biodiversity and ecosystems in a changing world*, 51-77.

Removing logs within 30-40 meters off the tracks in smaller lengths using rubber wheeled machinery such as the machine depicted below (Photo 1) has so far been rejected by Forest Fire Management Victoria. To use machines of this nature would reduce impact on the park.

The effects of log removal from disturbed landscapes are known to increase the severity of bushfire<sup>3</sup>.

A review of 90 publications on salvage logging after large disturbance events, such as wind throw, insect attack and fire events, found that effects of the operations can have a perverse impact on fuel loads. Regrowth stimulated by the ground disturbance may reach high levels within several years of the operation, while damaging regulation of ecosystem services.

As Leverkus et.al concludes *“The overall negative impact of salvage logging on the provision of regulating ecosystem services calls for **careful consideration of alternative management strategies, at least in areas dedicated to nature conservation**. This in turn requires explicit consideration of natural disturbances in natural resource management policies to avoid hasty and unplanned decision making.”*<sup>4</sup> Our emphasis added.



Photo 1. The Menzi Muck, Spider Works 2023. <https://spiderworks.com.au/services/>

---

<sup>3</sup> Lindenmayer, D. B., Zylstra, P., Kooyman, R., Taylor, C., Ward, M., & Watson, J. E. (2022). Logging elevated the probability of high-severity fire in the 2019 – 20 Australian forest fires. *Nature Ecology & Evolution*, 6(5), 533-535.

<sup>4</sup> Salvage logging effects on regulating ecosystem services and fuel loads, Leverkus et.al, *Frontiers in Ecology and the Environment* Volume 18, Issue 7 p. 391-400 (2020)



## Dandenong Ranges National Park Management Plan

National Parks in Victoria are managed under the National Parks Act 1975 through Management Plans (The Management Plan) to meet the legal obligations in managing the National Park and its natural and cultural values under the objectives of the Act.

The Dandenong Ranges National Park is managed under the *Dandenong Ranges National Park Management Plan March 2006 (Amended October 2017)*, Parks Victoria.

The Management Plan highlights the Superb Lyrebird population within the park as being “Regionally significant”<sup>5</sup> and that continued recovery of the population will rely on control of pest plant and animal species and rehabilitation of habitat. Further damage to existing known Lyrebird habitat is unacceptable.

Under section 4.6 Fire Management of the Management Plan under section Aims are not met by the existing log removal operation within the park, these points are below;

- Protect life and property from damage, ***and the park from injury, by wildfire.***
- ***Minimise the adverse environmental impact of fires and fire suppression.***
- ***Identify fire regimes appropriate to the conservation of flora and fauna.***

Points 2 and 3 have not been met by the planned log removal operations so far in the planning process.

All native wildlife on land under the National Parks Act is protected.

## Wildlife Act 1975

Under Section 58 of the Wildlife Act *58 Molesting and disturbing etc. protected wildlife it is an offence to;*

- a) wilfully molests or injures protected wildlife or wilfully causes protected wildlife to be molested or injured;*
- b) wilfully disturbs, chases or herds protected wildlife or wilfully causes protected wildlife to be disturbed, chased or herded;*

---

<sup>5</sup> 4.4 Fauna, Dandenong Ranges National Park is managed under the Dandenong Ranges National Park Management Plan March 2006 (Amended October 2017), Parks Victoria

- c) *(c) wilfully separates protected wildlife from its young or causes it to be so separated— shall be guilty of an offence against this Act.  
Penalty: 20 penalty units.*

Proposed log removal operations in the Dandenong Ranges National Park by FFMV in the recommended 5ha territory range of the detected Superb Lyrebird nest site would contravene the Wildlife Act and cause undue harm to the animal and their young and or separation of young from the adult bird.

Further recommendations are found in the Recommendation section of this report.

Superb Lyrebird are considered Protected Wildlife as per the Act.

### **Lack of oversight of fire management planning and operations including Environment Protection and Biodiversity Conservation Act 1999**

Fire Management operations can and do have a significant impact on plantlife, wildlife and natural ecosystems across Victoria. This is recognised as a threatening process for many State and Commonwealth listed species due to loss of hollow bearing trees, clearing of firebreaks and habitat impacting ecosystem connectivity and direct morality.

Fire management operations are also subject to the Commonwealths Environment Protection and Biodiversity Conservation Act 1999 (EPBC) with 9 listed wildlife species found in and within 5km of the proposed log removal areas within the National park. In December 2022, the VNPA and local Landcare groups wrote to the Federal Minister, over concerns about these operation on matter of national significance. The response from the Federal Department was dismissive and largely left any assessment to FFMV.

“Thank you for providing information regarding listed threatened species that may occur within the proposed storm debris removal areas. The department has engaged with the Victorian Department of Energy, Environment and Climate Action (DEECA) to ensure they are aware of obligations to protect threatened species under the EPBC Act. I understand that DEECA has undertaken **a self-assessment** to identify relevant protected environmental values and implement appropriate management controls and will refer proposals if a significant impact on a protected matter is likely to occur.” Department of Climate, Energy, Environment & Water Feb 2022. We believe Matter of National Environmental Significance' (MNES) such as listed species and Key Threatening Processes listed under the EPBC Act will be impacted, and have not been assessed under planning and operation of the proposed log removal from the national park including;

- Dieback caused by the root-rot fungus (*Phytophthora cinnamomi*)
- Fire regimes that cause declines in biodiversity
- Infection of amphibians with chytrid fungus resulting in chytridiomycosis
- Land clearance
- Novel biota and their impact on biodiversity

Through inquiry community groups have learnt the Office of the Conservation Regulator (OCR) that they have no regulatory oversight of operations planned by FFMV even though operations such as native forest logging, camp fire restrictions and Wildlife issues are handled by the OCR.

This is highly concerning and reinforces the need for more transparency in FFMVs planning and operations and the need for independent oversight and regulation of the organisation and its operations, such oversight would likely have reduced the impact of the proposed log removal operations in the Dandenong Ranges National Park and allayed concerns from scientists, community members and conservation groups.

The current 'self-assessment' system is akin to marking your own homework. The marking of one's own homework does not allow for improvement in operations nor the level of oversight or transparency required when operating in such important areas of public land such as national parks and conservation reserves.

## Conclusion

- This report details the detection of a Superb Lyrebird nest forest within an area proposed by Forest Fire Management Victoria for log removal operations. The site is known as Olinda Bartlett Track, Site Number PP-01-BA
- This report concludes that VicForest and Forest Fire Management Victoria, through failing to identify Superb Lyrebird nest and/or its habitat, has planned to conduct log removal operations within the breeding area the Superb Lyrebird.

## Recommendations

- DEECA, as a minimum, must restrain VicForests from conducting timber collection operations within the Olinda Bartlett Track, Site Number PP-01-BA site in the Dandenong Ranges National Park
- DEECA must install a buffer zone around the known Superb Lyrebird nest site measuring 5 hectares in size and exclude all activities in the area until the beginning of December 2023
- DEECA must remove clause from Memorandum of Understanding (MOU) between FFMV and VicForest that removed wood must be used for "Highest and best use" and replace with clauses on the need to operate in an ecologically sensitive manner while conducting operations in accordance with the park management plan and relevant Park and wildlife legislation
- Any wood and or woody debris must not be exploited commercially, but be retained in the immediate area or elsewhere within the park and protected areas estate.
- Further comprehensive surveys for National Park values and State and Commonwealth listed species and threatening processes must be undertaken within and adjacent the coupe at Olinda Bartlett Track, Site Number PP-01-BA by independent ecologists.
- Forest Fire Management Victoria must refer the proposed log removal operation within the Dandenong Ranges National Park to the Department of Climate Change, Energy, the



Environment and Water as a Controlled Action under the EPBC Act due to the scale and cumulative impact the operations pose to Matter of National Environmental Significance' (MNES)



We respectfully acknowledge the Traditional Custodians of the land on which the Dandenong Ranges National Park is the Wurundjeri people of the Kulin Nation.

We acknowledge the many First Peoples of the area now known as Victoria and honour their continuing connection to and caring for Country.

We support Traditional Owner joint-management of parks and public land for conservation of natural and cultural heritage.