

# FLORA AND FAUNA GUARANTEE ACT REVIEW. MARCH 2017



In appreciation:

Thank you, Minister for Energy, Environment and Climate Change Hon Lily D'Ambrosio, for allowing the Victorian community to comment on this review of the Flora and Fauna Guarantee Act, [the Act] which is close to the heart of most caring Victorians. It being important to tighten and enforce this already good and valuable legislation, as there are few failings within it. The Victorian government have not enforced the provisions of the Act to make it effective. Not enforcing the Act has allowed and hastened Victoria's biodiversity decline.

In the review paper, this is stated:

[quote]

The Victorian Government has prepared a consultation paper to seek feedback on how to improve the Act. The paper draws together the key findings from targeted consultation with stakeholders and analysis of previous external reviews of the Act. The suggested improvements in the paper aim to improve our ability to stop the decline of native species and better address the impacts of climate change on biodiversity.

[end quote]

It's difficult to believe this review is to "stop the decline of native species". As enforcing the existing Act would have already gone much toward doing exactly that, and lessening the impact of climate change on the biodiversity. Putting an end to duck shooting, properly inspecting and monitoring the cull permits handed out by the DELWP would have contributed to stopping the decline of native species.

I believe this review of the Act, has the purpose of making it easier for businesses and private landholders to clear land, cut down trees and destroy wildlife. By removing habitat, leaving wildlife vulnerable and moving into conflict so there would be reason to kill them.

This was also stated in the paper:

[quote]

Victoria's natural environment provides an abundance of social and economic advantages. It provides us with food, resources, clean air and water, as well as tourism and recreational opportunities

important for economic benefits and sense of well-being. It is clear that many Victorians value and take pride in the continued survival of our unique flora and fauna.

[end quote]

The “pride in the continued survival of our unique flora and fauna” has not been government policy. In many cases all the above deliberately ignored by Victorian governments of all persuasions. In particular where building, land clearing, tree removal on private land, outdated, destructive logging methods, massive or other fires were deliberately lit by the DELWP under the spurious titles of “fuel reduction” or “environmental” burns have been encouraged and falsely sold to the general public as keeping them safe from fire is considered as being more important. Enormous numbers of individuals and species reduction, and loss of diversity in the gene pool [biodiversity] being the result as if we can afford to lose these. Though it beggars belief, it continues to this day.

Certainly the Victorian state government acts in the way of these words by William Whewell: “.....forgot, or feared, to consult nature, to seek for new truths, to do what the great discoverers of other times had done; they were content to consult libraries.....”

#### SUMMARY

- Enforce the Flora and Fauna Guarantee Act. Certainly tighten it. Do not do, what this review was instigated to bring about; to dilute it so the value of our flora and fauna, which can never be replaced is diminished.
- Greater consultation with all interested parties. Include wildlife shelter operators, carers and organisations who deal with these.
- Reduction or complete cessation of ineffective, destructive forest burns that are only assisting in generating overtime for DELWP staff. Just give the staff the money instead. Thus eliminating the need to earn the money by creating destruction.
- Understand that grass on private land is the most common cause of wild fires. Label fires on that country for what they are. Mulch that grass, not forested areas.
- Subjugation of fire overlays by wildlife overlays.
- Call the forest a “forest”, to show just how valuable it really is to the state, country and the world. Jettison the word “bush” when referring to Australian forest.
- Greater scrutiny by the state and transparency and consultation on local government policy and intent by the community, of tree removal and degradation of natural resources.
- Review the cull permit [Authority to Control Wildlife [ATCW]] process, ensure that inspections are carried out, increase transparency, and allow inspection of the documents by interested parties. Disallow easy, fast, DELWP staff assisted access to ensure cull permits are granted.
- More education for people about fires, to allay their fears and have them become more aware about their own and neighbours backyard, the import-

ance of wildlife, our shared habitat, our water and air quality, and how it ties together.

- Act on recovery plans of flora and fauna, regardless that the signatures of other states environmental ministers are missing from the documents.

#### THE SHAMEFUL DECLINE IN NATIVE SPECIES

The shameful decline in all things that are native in Victoria Australia is due to:

- the Flora and Fauna Guarantee Act not being enforced
  - the Flora and Fauna Guarantee Act has largely been a hindrance to all governments because it stops them from allowing business to do what they want with any area of land. Much too often we have seen logging, or land clearing, road construction allowed, where there have been less than cursory, or no checks, on site at all. Checks that should be carried out diligently to detect any evidence of the many species that are being dragged closer to the abyss of extinction. It has been the case that volunteer citizen naturalists and scientists have found flora and fauna that should have been discovered by any reasonable check.

It is well known, by conservationists and wildlife carers, the policy of the DELWP is not to look too hard for endangered species. The purpose of being to find loopholes in the legislation so business has an easier run at destroying the valuable habitat of wildlife, while they create even greater wealth for their shareholders. When it is erroneously assumed their role is to protect wildlife and their habitat. Fauna and flora alike.

- the official inspection process by DELWP is conducted by people who have little knowledge of wildlife, and even less concerning endangered plants and none at all about how the forest works and what benefits it delivers to the planet.
- the Australian forest degraded as “bush”
  - the continued reference to the Australian forested areas as “bush” is deliberate. This term degrading the forest as something of little value, when in fact the opposite is true. Forests produce timber [though harvested by the worst and most destructive method, doing immense damage, and yet no one stops it being done so] medicinal plants, new, exciting, as yet undeveloped food sources, important as yet untapped genetics, ornamental plants of the future, unsurpassed water filter and carbon sink. As well there is the decreasing numbers of wildlife unique to Victoria and Australia, that ensure the forests remain viable and productive and offer tourist opportunities second to none, until their numbers are decimated so they will be seen only by the very fortunate. Almost the case now. Labelling and calling our forests “bush” is nugacious and the first insidious step in the process of decline, as we see today. Therefore forests can be degraded, raped and pillaged and their products sold for a pittance.

- “bush fires” are so called when they are grass fires
  - decline in the value of our forest, in the minds of the general public is huge when the term “bush” fire is used. When in fact it is obviously, and often a grass fire. By not correctly naming the type of fire, the public assume it started or was started in the bush/forest.
- the ridiculous and spurious fuel reduction and environmental burns
  - burns that have these labels are quite incorrect and are obviously fires that are started by the DELWP to assuage the fear so often portrayed by the general public about wildfires that might start in the forest. These destructive, wasteful burns, much favoured by DELWP staff for overtime pay, destroy food sources, habitat and small wildlife. Wasteful as they have never been required for the purpose the name gives them. They are not the only, as suggested; or natural way to germinate hard coated native seed. Fire smoke does germinate the seed, but is not required or desired to do that.

It has been shown, and we have personal experience of plants that are touted as needing fire and smoke to germinate, volunteering in places where a fire has never occurred in living memory. [Raymond Island] Yet there are plants of varying ages, some only 12 months old, of these species, growing happily where the seeds have dropped. The hard coated seed may have required some years to soften and germinate, but that is as nature intended. In a wildfire or deliberate burn, these seeds would germinate in quantity, shortly after the event, but too great to benefit the forest, other than as pioneer plants to protect the now denuded damaged soil from the ravages of the weather.

- the DELWP are still burning too much for these false reasons and it is a very large part of the decline of flora and fauna, especially smaller, young plants and the smaller wildlife like, lizards, bandicoots, potoroos and insects etc.. The latter being the food supply of some of the former.
- of course the fiasco of these burns is that they are never “cool” burns, an absurd term to beguile the general public. These fires always burn more than the DELWP suggest they will. The fires climbing up the trunks of trees and into the canopy and often getting out of control and becoming a minor forest fire, having escaped because they were lit when conditions counter indicated this. Having happened too often. It demonstrates again that the fire controllers from the top down really have no idea. There is a greater need of education.

Recently we saw again, 30° Celsius day, no rain for weeks, everything bone dry. DELWP lit up 1,400 ha of forest south of Bendoc in March 2017. All ground life dead or dying and nature’s hard-working decomposers gone. This is wasteful, careless, absolute destruction for no reason. Even the DELWP people on the ground wondered what the people sitting behind desks in offices, who gave the order, were thinking. The department that is responsible for looking after the forest and biodiversity and of Victoria and conducting this review did

that? No wonder many of us believe this review has anything to do with halting the decline of native species.

- mulching is only marginally better and is indiscriminate as to what plants are mulched. The machine mulching everything it is capable of chewing up. Only very large plants are immune from the mulching blades. The only back handed advantage in this method of destruction is, the material remains on site and will eventually be broken down and supply nutrients in greater number than ash.
- allowing local government to make ruling without scrutiny and inspection, taking in the bigger picture, regarding tree and land clearing
  - local government are generally ill equipped to see the bigger picture as to conservation, food source, habitat and environmental advantage, beyond the issue of the landholders wants..
- the DELWP rubber stamping local government decisions
  - DELWP rubber stamp too many of the local government decisions without examination or inspection, and in the past the local governments were penalised by losing grants from the state government if they did not burn a certain acreage each year.
- lack of consultation with the resident and wildlife caring communities on sensitive environmental issues
  - wildlife carers are seldom if ever consulted about any of the DELWP policies. They are ignored to the point where the DELWP hand out cull permits to landholders that are adjacent or close to wildlife shelters. Wildlife shelters and carers are not informed directly about and burns or action that endangers the viability of their surrounding area. When informed of errors, the DELWP plead ignorance. Yet the same department has bestowed the authorisation to the wildlife shelter to exist? Obviously different sections of the department do not talk to one another. That being the case they should not be the same department, because the advantage of shared knowledge is lost.
  - wildlife shelter operators should be included in all discussions about land clearing or proposed burns in an area they service. This is an imperative.
- lack of education about the important role that native fauna and flora play in the environment and ecosystem
  - as in the case of cull permits handed out to landholders next to wildlife shelters, the people who want to cull wildlife, use the lowest common Neanderthal approach to the situation, by killing what they don't like. The DELWP should arrange a consultation with the wildlife shelter operator and cull permit applicant so both can gauge each others needs and fears. Explain how important native wildlife/plants is to Victoria, Australia and all it relies upon.
- fire overlays erroneously take precedence over all flora and fauna concerns
  - fire overlays should never over rule wildlife concerns. Fire overlays are generally devised in case a fire happens. The flora and fauna are there already and will remain so, and return when evicted by a natural fire event more quickly.

- recovery plans for wildlife
  - e.g. Spotted Tail Quoll and Grey Headed Flying Foxes which have not seen any action. Possibly with the excuse that other states have not signed the paperwork, but that excuse is so lame it doesn't deserve consideration. The Victorian government is responsible for Victoria and it's fauna and flora. Sign the paper if agreed, and once the paper is signed put the recovery plan into action. Don't wait for other tardy state Environmental Ministers to sign. The recovery plans already highlight a desperate need. Not acting is degrading the biodiversity even more.

The above, though not exhaustive, are reasons for the degradation that Victoria has endured and the decline in biodiversity of flora and fauna that continues. Are we at the tipping point? Some will suggest we are well past it, and racing down the wrong side and deeper into decay.

In the words of William Whewell: ".....forgot, or feared, to consult nature, to seek for new truths, to do what the great discoverers of other times had done; they were content to consult libraries....."

There needs to be more serious consultation, and decisions need to be made after examination of all reports and voices heard. Each area/region must be taken on it's own merits, not be roped into an incorrect assumption of topography, plant and animal population sameness because seemingly it has similar characteristics identified and highlighted in other areas.

Consulting those who have dirt under their fingernails, and clothes eucalyptus scented by the forest, is important. Even if they are not as articulate as the university graduate. Often they have first hand experience of the wildlife they care about and their habitat.

Time to step up, to get it right. Strengthen and tighten the legislation.

Thank You,

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