



Healesville Environment Watch Inc.

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HEALESVILLE ♦ CHUM CREEK ♦ YARRA GLEN ♦ BADGER CREEK ♦ DIXONS CREEK ♦ STEELS CREEK ♦ TARRAWARRA ♦ TOOLANGI

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Department of Environment, Land, Water and Planning

### **Response to the Review of the Flora and Fauna Guarantee Act**

Healesville Environment Watch (HEWI) is a conservation, education and advocacy group based within Ryrie Ward, Yarra Ranges Council. HEWI was actively involved with surveys for the rare local flora species, *Pomaderris vacciniifolia*, Round-leaf Pomaderris and the February 2009 listing of this species as a threatened taxon under the Flora and Fauna Guarantee Act 1988. We have also been successful in having this species listed as Critically Endangered under the EPBC Act (January 2014).

So we welcome this review of legislation and recommendations to improve fauna and flora protection.

However, fauna and flora legislation can only be effective if:

1. Enforcement is effective. On p8 of the review it is acknowledged that the main problem with the existing legislation is that it has not been properly implemented. Note: Less than 50% of listed species have Action statements or management plans.
2. Listings and species' action plans have clear timelines and the process does not drag on for years.
3. There are adequate resources (budget and trained staff) to implement the legislation.
4. Efforts to protect and restore habitat are not undermined by the efforts of pressure groups representing private interests, such as the Yarra Waterways Group, which has seriously compromised habitat restoration efforts for the lowland Leadbeater's Possum and the Helmeted Honeyeater previously recommended following a VEAC Investigation process and supported by government.

#### Specific Comments

1. We support having a range of compliance tools ranging from stop work to remediation to enforcement. However, we are concerned that providing incentives for businesses to improve environmental performance, the concept of 'earned autonomy' where businesses are rewarded for good performance by reducing regulatory obligations, could have negative consequences and should not occur.

2. The review describes how a broader approach to conservation will be taken, shifting to a landscape approach to protect multiple species as well as efforts to protect threatened and endangered species. We would be very concerned if the landscape approach was given priority over conservation needs of specific species.
3. We agree that there should be more regular reporting and easily accessible information about progress in protecting habitats and species.
4. We felt the acknowledgement of the value of biodiversity to human health and our economy (\$16 - 78 million, P.10) was very important. The opportunity cost of failing to protect our biodiversity was also important to acknowledge.
5. Trying to align federal and state listing and action plans is important but where there is lack of congruency the stronger action plan must be the default plan adopted.
6. Coordination with other government agencies and public bodies is critical but the Minister and DELWP must have legislative powers to oversee and, when necessary, override decisions by other agencies such as VicForests.  
NOTE: The entire Mountain Ash forest ecosystem in the Central Highlands was listed as critically endangered on the International Union for Conservation of Nature (IUCN) Red List of Ecosystems in 2015 but DELWP continues to allow clear-felling in this area.
7. Mapping of critical habitats on public and private land is very important and should be supported by adequate funding.
8. We support the strategic planning approach, which allows for the identification of cumulative impacts of potential developments.

HEWI supports all recommendations made by the Victorian National Parks Association (VNPA) and Environmental Justice Australia (EJA). Specifically, for our region, we urge priority action for the critically endangered Leadbeater's Possum and its primary habitat, Mountain Ash forests in the Central Highlands.

Thank you for the opportunity to participate in this review process.

  
HEWI secretary

