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Comments on proposal to delist *Isoodon obesulus obesulus* (southern brown bandicoot (south-eastern))

EEG Inc has been working to protect the environment, forests and wildlife of East Gippsland since the early 1980s. We have a membership and supporter base of over 1000 people.

We strongly believe the proposal to totally delist the *Isoodon obesulus obesulus*, Southern Brown Bandicoot (SBB) would be ill-considered. If it can be proven that the species is in strong and sustained recovery, the more precautionary response would be to downgrade its status until the knowledge gaps can be filled, not totally delist it (the gaps are acknowledged and referred to in the information package and other papers).

In the *Action Plan for Australian Mammals*, Woinarski claims this species is of 'least concern' but we find little solid evidence as to why. The joining of the previous sub species into the one species is an issue which is not being questioned or considered in this consultation. The very separate Tasmanian SBB, we believe should not be used to lower the status and therefore protection of the mainland species, as Tasmania does not have the same level of predation pressure.

Although there has been *relatively* valuable research carried out on the SBB compared to many other species, there is still not enough credible scientific evidence to determine its overall population, response to threats or projected impacts in the near future. To make a determination to delist this species would require much more validated data and information that can be presented.

Victorian fire regime – large scale destruction of ground habitat

The work Woinarski has done does not appear to take into account the massive increase in inappropriate and extremely damaging government burns as a result of the 2009 Victorian Bushfire Royal Commission recommendations. The recommendation that 5% of the state's public lands be burnt annually did not consider environmental impacts, nor was there any scientific basis for this recommendation. In fact the BRC's expert scientific committee recommended that this NOT be carried out state-wide as the ecological impacts would be too devastating. The years of burning since then has seen inappropriate, large scale burns

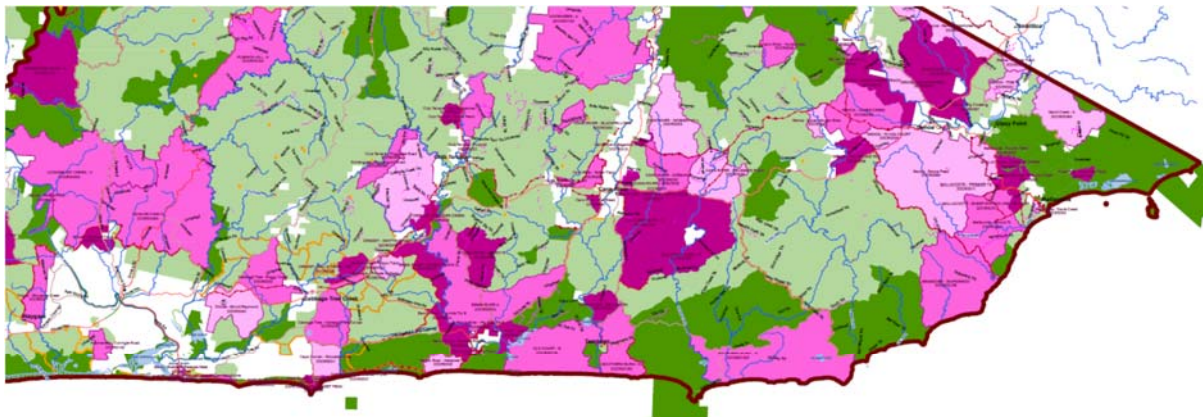
(sometimes totalling thousands of ha per burn) carried out in order to meet the arbitrary and uninformed figure.

Impacts on populations of the SBB have not been properly assessed. There would be no doubt that the burns would have destroyed nesting cover and opened up much of its prime habitat to predation by foxes. We don't know if this has extinguished local populations and isolated surviving patches. Almost no research has been done post fires, to determine overall impacts.

The below is an example of the size of the burns in SBB habitat and the map which shows planned burns. These are no less destructive because they are government initiated 'bushfires'. They are located over classic SBB habitat right through a major conservation area, the Croagingalong National Park.

Final 2011/12 - 2013/14 Fire Operations Plan - Gippsland Region (East Gippsland Area)

							environmental and cultural assets where this can be achieved without compromising the APZ fuel management objectives.			
ORBOST	20BE0028	BENDOC - HELENS TRACK SOUTH	7KM ESE BENDOC	DSE	AUTUMN	FUEL REDUCTION	Maximise ecological outcomes and protect identified environmental and cultural assets, while providing a barrier to the spread of wildfire.	SWMZ	FU759847	347
ORBOST	20BE0027	BENDOC - MARIOTT CREEK	4KM S BENEOC	DSE	AUTUMN	FUEL REDUCTION	Maximise ecological outcomes and protect identified environmental and cultural assets, while providing a barrier to the spread of wildfire.	SWMZ	FU676822	270
ORBOST	20CR0043	CANN RIVER - DRUMMER ROAD	12KM E CANN RIVER	DSE	AUTUMN	FUEL REDUCTION	Provide a barrier to the spread of wildfire within SWMZ. Emphasis on the protection of identified environmental and cultural assets is required while providing fire protection benefits which compliment a whole of landscape mosaic burning approach in EAZ.	SWMZ	GU025420	3355
ORBOST	20CR0046	CANN RIVER - KOOLA CREEK	20KM NE CANN RIVER	DSE	AUTUMN	ECOLOGICAL	Emphasis on the protection of identified environmental and cultural assets is required. Provide fire protection benefits which compliment a whole of landscape mosaic burning approach.	EMZ	GU090600	1643
ORBOST	20CR0008	CANN RIVER - TENNYSON	39KM N CANN RIVER	DSE	AUTUMN	FUEL REDUCTION	Emphasis on the protection of identified environmental and cultural assets is required. Provide fire protection benefits which compliment a whole of landscape mosaic burning approach.	EMZ	FU885800	5769
ORBOST	20CR0053	CANN RIVER - WOMBAT HILL	12KM NE CANN RIVER	DSE	AUTUMN	ECOLOGICAL	Emphasis on the protection of identified environmental and cultural assets is required. Provide fire protection benefits which compliment a whole of landscape mosaic burning approach.	EMZ	FU977495	3901
ORBOST	20OR0041	CAPE CONRAN - EDUCATION AREA	CAPE CONRAN	PARKS VICTORIA	AUTUMN	ECOLOGICAL	Maintain health & biodiversity of coastal heath & woodland evcs by maintaining broad acre mosaic and mix of growth stages for EVCA.	EMZ	FU540170	1436



Legend - Fire Operations Plan (FOP)

- ACTIVITY TYPE**
- STRATEGIC BREAKS AREA
 - - - - - STRATEGIC BREAKS
- FIRE OPERATIONS PLAN (FOP)**
- 2012 - 2013
 - 2013 - 2014
 - 2014 - 2015



Previous years' burns (2009-2012) to meet the state's burn targets show the incremental burning of Victoria's prime habitat for this species. There could be no more effective method to increase its vulnerability to predation, if it were a deliberate extinction program!

Despite the Bushfire Royal Commission's recommendation of surveys to determine environmental impacts, there has been minimal to no monitoring of mammal species to determine populations before and after the burns.

The Southern Brown Bandicoot is considered to be vulnerable to large 'management burns' and prefer healthy complex habitat (Catling).ⁱ

EEG has requested reasons behind 'ecological' burns in some areas but there has been no detailed explanation offered. There appears to be no data to determine which areas require burns for 'ecological' reasons but this term has been used to justify burning large areas that are otherwise unable to be justified.

We are extremely concerned that the Victorian state government's fire management practices are reducing species ability to recover their numbers and survive in the long term. Local extinctions are a very real likelihood.

In the dissenting report to the Bushfire Royal Commission, Prof. Michael Clarke gives very useful observations on the impacts that increased burning regimes in Victoria will have. On page 14 of his report he writes:

There are NO published empirical data on how these aspects of fire mosaics will affect native plants, animals and ecosystem processes in Victoria – and yet fire management in Victoria has committed to large-scale implementation of this new approach, and a greatly increased burn area each year. Although there is a general aim to achieve a proportional mix of age-classes determined by the life-cycles of plant species regarded as key fire response species, to date, there are **no specific guidelines or goals** for what **kind of mosaic** is desired **within** each landscape burn.

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This report highlights the many problems with the increased burn regime now being implemented. These sentiments are also reflected in his paper *Catering for the needs of fauna in fire management: science or just wishful thinking?*ⁱⁱⁱ

There are many articles which give clear evidence of the impacts of inappropriate burns on small mammal populations such as *Habitat or fuel? Implications of long-term, post-fire dynamics for the development of key resources for fauna and fire*^{iv}

Fox and cat predation in East Gippsland

The Southern Ark project has been effective in some areas reducing fox numbers to a level that has noticeable results. It has not eradicated foxes completely and has not targeted cats or wild dogs. The ratio of foxes to SBBs has changed but it does not guarantee that burning enormously large tracts of habitat will not invite easy predation for weeks and months

afterwards. Burning plus introduced predators is a 'double whammy' for the SBB.

If the SBB is delisted, we assume that will mean reduced funds or reduced reason to continue fox control programs. This would then be counterproductive to the recovery of populations that have suffered predation by foxes. There would be a perverse outcome here. Should the Southern Ark program lose its funding, fox predation will again be a major threat.

The recent paper *Ongoing unravelling of a continental fauna: Decline and extinction of Australian mammals since European settlement*, makes it very clear that the greatest threats to the CWR mammals is predation by foxes and cats^v

To add to the predation issue is the massive network of roads and tracks through the region. Much of this is to enable logging. The Shire manages over 2,700kms of roads, VicRoads is responsible for 1,160kms of roads and the department in charge of state forests DELWP, around 8,000kms = 11,860kms of feral animal throughways over a small region. Very few places remain without a road or track nearby. Even snig tracks used by the logging industry are used frequently by predators and fox scats are easily found along the length. Coupe tracks and snig tracks can take 30 years for vegetation to re-establish in the compacted soil. For that time, these areas would not provide safe habitat for Bandicoots, even if other habitat requirements were present.

Logging and climate change

We believe that the threats to Bandicoots change but are not reduced. The threats listed in the information package seems to be mostly correct however there is no mention of the impacts of climate change, such as increased bushfires (CSIRO). This major oversight is very evident.

We strongly disagree that logging has minimal impact. In some areas where understory/ground cover has returned, bandicoots can recolonise, but there are many examples of failed regeneration, especially in coastal and foothill forests. There is also minimal research on how this logging impacts the abundance of underground fungi the bandicoot relies on in winter and spring.

Current recovery efforts

Besides local community efforts to re-establish habitat and protect colonies, there is an often an appallingly dysfunctional government regulatory system to protect species. This system is wilfully abused. This failure has been well documented in reports written by The Victorian Auditor General and Environmental Justice Australia. *Where's the Guarantee? Implementation and enforcement of the Flora and Fauna Guarantee Act 1988 & Wildlife Act 1975*^{vi} and *The adequacy of threatened species & planning laws in all jurisdictions of Australia*^{vii} makes it clear that states are not looking after threatened species.

From *AN ASSESSMENT OF THE ADEQUACY OF THREATENED SPECIES & PLANNING LAWS IN ALL JURISDICTIONS OF AUSTRALIA, DECEMBER 2012*

Given the common failings of legislation in all jurisdictions, a clear finding of this report is that threatened species laws in all jurisdictions needed to be reviewed, strengthened, and fully resourced and implemented. Given the decline in biodiversity in each State and Territory, combined with increasing population pressures, land clearing, invasive species and climate change, now is not the time to be streamlining and minimising legal requirements in relation to threatened species assessment.

From: ***Where's the Guarantee? Implementation and enforcement of the Flora and Fauna Guarantee Act 1988 & Wildlife Act 1975. EDO May 2012***

3.3 The Auditor-General's performance audit

*In April 2009, the Victorian Auditor-General (Auditor-General) released a 'performance audit', the Administration of the Flora and Fauna Guarantee Act. The audit's objective was to review DSE's administration of the FFG Act and to assess how effective the processes and actions developed under the Act have been in preserving Victoria's native flora and fauna.³ The Auditor-General found that **the FFG Act 'no longer provides an effective framework for the conservation and protection of Victoria's native flora and fauna.'**⁴ The Auditor-General's report reveals a number of deficiencies in the management processes and the use of conservation and control measures and various powers under the Act. The Auditor-General was, however, unable to determine whether the Act is achieving its main objectives. This was due to a **lack of comprehensive and reliable data on the conservation status of threatened species and the lack of an appropriate outcome and output performance measurement framework.**⁵*

8. Conclusions and recommendations

The Victorian Auditor-General's performance audit of the administration of the FFG Act revealed a number of deficiencies in DSE's administration of the Act. Among the conclusions, the Auditor-General noted that: the full range of management processes and conservation and control measures and various powers under the Act are not being used by DSE; the listing process is compromised by gaps in scientific data and limited stakeholder participation; there is a **significant backlog of listed items with no Action Statements; and there is lack of monitoring and review or revision of Action Statements.** Three years on, our analysis of DSE's implementation of the FFG Act shows that little has changed. ...A number of recommendations made in this report would assist DSE in improving implementation and enforcement of Victoria's key biodiversity legislation and in achieving greater accountability and transparency.

From:

Victorian Auditor-General. Administration of the Flora and Fauna Guarantee Act 1988. April 2009^{viii}

1.2 Conclusions

The full range of 'management processes' and 'conservation and control measures' available in the Act has not been used.

Action statements are the primary tools in the Act being used to protect and conserve threatened flora and fauna. However, the effort directed to listing threatened species and processes has not been matched by effort to develop action statements, to monitor the implementation of actions, or assess their effectiveness. The gap between listed items and items with action statements continues to widen.

The lack of baseline data and outcome or output performance measures means it is not possible to conclude whether the Act has achieved its primary objectives. The available data, which is patchy, indicates that it has not.

Suggestion that overlap with EPBC Act-listed threatened ecological communities should afford the southern brown bandicoot (south-eastern) and its habitat some protection.

This is not happening - see above section. State sanctioned destructive land management that has potential major impacts on federally listed threatened species is not being referred to the

Federal Environment Department by responsible authorities as the Victorian government. This could also be the case for other states which preference development over environment. State agencies simply 'consider' there to be no threat and so never refer plans under their EPBC obligations. There is currently a legal action pending over the state government's continued burns in Western Victoria threaten the survival of at least three endangered species listed under the EPBC. The government is maintaining it does not need to refer their burns to the federal government despite evidence they are destroying crucial habitat, feed trees and nesting sites.

This clipping from the Herald Sun in 2013 shows that despite having state legislation, threatened species are increasingly at risk due to weakness of the laws coupled with an unwillingness to abide by the laws.

No plan to save threatened animal species

- *Michelle Ainsworth*
- *Sunday Herald Sun*
- April 13, 2013 7:15PM

THERE are no plans to save most Victorian animals and plants that are at risk of becoming extinct.

This is despite **new data revealing more animals are becoming threatened.**

The latest list of threatened animals, released by the Department of Sustainability and Environment, found **one animal had become extinct in the wild in the past five years and more than 50 had advanced into more serious categories of threat.**

The eastern barred bandicoot is now extinct in the wild, after being listed as critically endangered on the 2007 list.

The spokesman for Environment Minister Ryan Smith, James Martin, said **there were 275 action statements for 681 threatened species or communities.**

He said the bandicoot was extinct in the wild but it had been found "in some areas that have been fenced to protect them but this is not classified as 'in the wild'."

Greens MP Greg Barber said each threatened species needed an action statement to outline how it could be saved. **"More than a third of the plants, animals, communities and processes that were listed a quarter of a century ago still do not have action statements,"** Mr Barber said.

"An action statement is the most basic description why the plant or animal is threatened and what needs to be done to save it.

"It can be used by all levels of government that make decisions about planning, burning, logging, reserves and roads."

Mr Martin said the advisory list provided information on the conservation status of threatened animals but there were no direct legal consequences or requirements flowing from an animal being included.

Only animals on an official "threatened list" under the Flora and Fauna Guarantee Act were required to have an action statement.

Of the mammals on the latest list, nine were extinct, nine were regionally extinct and one was extinct in the wild. Another 13 were either critically endangered or endangered in some way.^{ix}

In summary, EEG maintains that the Southern Brown Bandicoot is not recovering to any degree that would warrant a delisting. We hope this information can be used to support its continued acknowledgment as threatened under the EPBC Act.

Sincerely



Jill Redwood
Coordinator

ⁱ The distribution and abundance of ground-dwelling mammals in relation to time since wildfire and vegetation structure in south-eastern Australia. P. C. Catling A, N. C. Coops B and R. J. Burt. CSIRO Wildlife Research Volume 28, 2001

ⁱⁱ <http://royalcommission.vic.gov.au/Documents/Document-files/Exhibits/EXP-016-001-0002.pdf>

ⁱⁱⁱ <http://www.publish.csiro.au/paper/WR07137.htm>

^{iv} <http://onlinelibrary.wiley.com/doi/10.1111/j.1365-2664.2010.01906.x/abstract>

^v <http://www.pnas.org/content/early/2015/02/03/1417301112.full.pdf>

^{vi} <https://envirojustice.org.au/major-reports/wheres-the-guarantee-implementation-and-enforcement-of-the-flora-and-fauna-guarantee>

^{vii} <https://envirojustice.org.au/major-reports/the-adequacy-of-threatened-species-planning-laws-in-all-jurisdictions-of-australia>

^{viii} http://www.audit.vic.gov.au/reports_and_publications/latest_reports/2009/20090401-flora-fauna.aspx

^{ix} <http://www.heraldsun.com.au/news/victoria/no-plan-to-save-threatened-animal-species/story-e6frf7kx-1226619834591>