



# Recovery planning

Restoring life to our threatened species



AUSTRALIAN  
CONSERVATION  
FOUNDATION



Environmental  
Justice Australia



#### About This Report

Authored by the Australian Conservation Foundation, Birdlife Australia, and Environmental Justice Australia (2015).

#### Australian Conservation Foundation

The Australian Conservation Foundation (ACF) stands for ecological sustainability. We get to the heart of environmental problems by tackling the underlying social and economic causes. We work across society to influence urgent, transformative action to deliver lasting change on the scale required to secure a sustainable environment. We bring people together to champion the true value of our environment and its critical role in sustaining all other systems and in achieving human wellbeing.

#### BirdLife Australia

BirdLife Australia is proud to be the nation's largest bird conservation organisation. As an independent, not-for-profit organisation, our aim is clear: to create a bright future for Australia's birds.

We have been a voice for Australia's birdlife for well over a century, protecting birds and their habitats through on the ground projects and informed advocacy. Rigorous scientific research, monitoring and evaluation of bird populations are carried out by both professionals and citizen scientists and form the basis of all our advocacy work.

With active branches and groups across the country and a dedicated base of staff and volunteers, BirdLife Australia is dedicated to making a real and positive difference to Australia's birds.

#### Environmental Justice Australia

Environmental Justice Australia is a not-for-profit public interest legal practice. Our citizen-funded legal team combines a passion for justice with technical expertise and a practical understanding of the legal system to protect our environment.

We act as advisers and legal representatives to the environment movement, pursuing court cases to protect our shared environment. We work with community-based environment groups, regional and state environmental organisations, and larger environmental NGOs to address climate change, protect nature and defend the rights of communities to a healthy environment.

While we seek to give the community a powerful voice in court, we also recognise that court cases alone will not be enough. That's why we campaign to improve our legal system. We defend existing, hard-won environmental protections from attack. At the same time, we pursue new and innovative solutions to fill the gaps and fix the failures in our legal system to clear a path for a more just and sustainable world.

#### Acknowledgements

We acknowledge the Traditional Owners of this country and recognise their continuing connection to land, waters and community. We pay respect to their elders both past and present and acknowledge the pivotal role that Aboriginal and Torres Strait Islander people continue to play in caring for country and wildlife across Australia.

The authors would like to acknowledge the incredibly important work completed by the threatened species recovery teams, scientists, volunteers and public servants who have dedicated themselves to saving our threatened species – and life as we know it. In particular the authors would like to acknowledge those experts who provided advice and support in the development of this report.

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# Executive summary

Australia is a prosperous nation. Australians love nature and place a high value on the rule of law. The ability of Australian governments to lead enduring social change to improve our country is the envy of the world – look at government programs to reduce rates of smoking or the road toll. Look at the quality and accessibility of our health and education systems.

By comparison, the neglect successive governments have shown Australia's unique plants and animals is extraordinary. As a nation we have consistently failed in our duty of care to protect life in Australia. The actions of our predecessors in clearing and degrading the Australian bush have left present generations with an extinction debt – thousands of species of plants and animals on a pathway to extinction because of the threats already unleashed and because the area of habitat that has been left for them is insufficient to support viable populations into the future. Our national environment law, the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), currently lists 1,839 species and ecological communities as being on this pathway to extinction. But it is not a one-way route.

One of the very reasons the EPBC Act exists is to prevent extinction – to identify the species at risk and the actions the Australian people can and must take to turn their fate around. Yet, for the majority of species it is failing at this most fundamental task. Not because the task is impossible – extinction is far from inevitable for the vast majority of threatened species in Australia. Extinction is the result of the decisions made by successive governments to ignore their own scientific advisers, and to neglect their obligation under our environmental laws to protect the ongoing evolution of life on the Australian continent.

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**Extinction is far from inevitable for the vast majority of threatened species in Australia.**

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Extinction is a choice.

Where we have tried, we have been remarkably successful at recovering threatened species. In many cases averting extinction has been straightforward and relatively inexpensive. However, for every step forward there are too many steps back. A fundamental problem with Australia's state and federal environmental laws is that they are riddled with loopholes and escape clauses allowing ministers to permit inappropriate developments that inexorably push threatened species closer to extinction.

However, many laws, including the EPBC Act, give those same environment ministers the power and the responsibility, should they choose to use it, to arrest declines and stop extinction.

Threatened Species Recovery Plans, developed under the EPBC Act are the Australian Government's key instrument for bringing threatened species back from the brink. They bring together the knowledge, science, and actions needed to recover threatened species and ecological communities.

This report examines whether recovery plans are working to protect the habitat of our most endangered animals and looks at ways to improve recovery planning to give threatened species a better chance of surviving.

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**We argue that successive governments have avoided their responsibility to protect threatened species habitat and have instead entrenched the process of extinction.**

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Analysis completed by the Australian Conservation Foundation, BirdLife Australia and Environmental Justice Australia found that of the 120 most endangered animals covered by recovery plans, only 12 (10 per cent) had plans that placed any prescriptive limits on the future loss of habitat. This is despite the fact that 80 (67 per cent) of them listed habitat loss as a significant threat and recommended active protection of habitat.

The analysis shows that national recovery plans consistently avoid prescriptive measures to protect threatened species habitat.

We argue that successive governments have avoided their responsibility to protect threatened species habitat and have instead entrenched the process of extinction.

Four case studies – Carnaby's Black-Cockatoo, Swift Parrot, Proserpine Rock Wallaby and Southern Cassowary – illustrate that by failing to articulate clear and unequivocal limits on the loss of habitat, most recovery plans allow habitat loss to continue.

There are significant and meaningful reforms that could be made to improve the operation of recovery planning instruments across Australia's threatened species and ecological communities.

The time to act is now.





## RECOMMENDATIONS

1. Where land clearing is known to be a key threat and habitat requirements for threatened species and communities are well understood, recovery plans must provide unambiguous and appropriate prescriptions preventing the loss of critical habitat, consistent with the best available science.
2. Develop revised guidelines governing the preparation of recovery plans to ensure plans detail scientifically robust, specific, measurable and targeted restraints on the destruction of threatened species habitat and outline restorative outcomes that any approval decisions must work toward.
3. Reform the Register of Critical Habitat under the EPBC Act to ensure its effectiveness, including an expansion of the register across tenures and appropriate consideration in regulatory decision making.
4. Develop a publicly available framework to assess and monitor the effectiveness of recovery plans and mandate annual reporting on plan implementation, collated and managed by the Australian Government.
5. Establish a searchable database reporting on the status and implementation of all recovery actions and make such a database publicly available.
6. Invest \$200 million a year to establish a threatened species recovery fund that invests directly in recovery plan implementation and strategic priority recovery actions for Australia's most threatened species.
7. Invest at least \$170 million per year for the strategic growth of the National Reserve System, providing grants to public and private partners to purchase land for new protected areas; establish and manage Indigenous Protected Areas (IPAs); and to establish and manage private land conservation covenants.

# The context and purposes of recovery planning

The world is in the grip of a sixth mass extinction event, driven chiefly by unsustainable human activities.

The loss of species through clearing and fragmentation of habitat, the introduction of invasive species, diseases and pollutants, hunting, and inappropriate fire regimes (to name but a few) have defined the environment that we live in today. The current and future threat of climate change will tip many species over the edge, leaving a devastating loss of life on Earth.

In Australia, we have the shameful title of world leaders in extinction, having had more native mammal species declared extinct than any other nation. And it's not only mammals we're pushing off the extinction cliff. The Australian Government's list of species lost forever formally recognises 93 Australian entries: 27 mammals, 22 birds, 4 frogs, 1 invertebrate and 39 plants.

In reality the number is higher than this, with species such as the Christmas Island Pipistrelle, a bat which disappeared forever when the last of its kind passed in 2009, and the Bramble Cay Melomys, a small rodent not seen since 2007, yet to be formally categorised as extinct.

Just this year, the Leadbeater's Possum, Victoria's faunal emblem, which is threatened by logging in its mountainous habitat at the southern end of the Great Dividing Range, was put on the critically endangered list. Unfortunately the Leadbeater's Possum is not an isolated case. Many species are increasingly sliding closer to extinction. The challenge for all Australians is how to save our species.

We must commit to effective, meaningful action to arrest this alarming trajectory of loss.

The ways in which we can secure species from extinction are varied: from establishing protected areas such as national parks, through to environmental protection laws and captive breeding programs.

The EPBC Act is the main legislative pillar for national threatened species protection in Australia. This law provides for the making or adoption of recovery plans for threatened species and ecological communities.

The model of recovery planning as a mechanism for threatened species management and ecological restoration derives from the United States, where passage of the *Endangered Species Act* of 1972 included provision for listing of threatened or endangered species and the development of plans 'for the conservation and survival of endangered species and threatened species.'<sup>1</sup> The intention of recovery planning, as a legislative instrument, is to establish the processes and mechanisms of ecological restoration.

In Australia, national recovery planning instruments were originally provided for in the Commonwealth's *Endangered Species Protection Act 1992* and are now provided for by its successor, the EPBC Act. Recovery planning also occurs at the state and territory level.





# Recovery planning and approvals under the EPBC Act

Recovery plans are one type of instrument set out in the EPBC Act for the conservation of threatened species. The Act details rules and requirements for the development, content and scope of recovery plans, and provisions for their operation<sup>2</sup> and the Australian Government also provides guidelines for their development.<sup>3</sup>

Presently recovery plans are not directly enforceable. The Australian Government is obligated to implement a recovery plan within a government area and seek the cooperation of the states and territories in implementing a plan, but there is no mechanism under the Act to enforce these obligations.<sup>4</sup> These limitations can hamper their effectiveness.

But recovery plans are not completely toothless. The Federal Environment Minister cannot approve actions that are inconsistent with a recovery plan. This requirement, to avoid inconsistency with a recovery plan in approving development proposals, is an important way in which the EPBC Act can prevent threatened species habitat loss. However, it will only be effective if the recovery plan clearly specifies the habitat requirements of the species and prescribes limits to the loss of habitat.

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Much of the problem lies in the vagueness and timidity of recovery plans.

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Much of the problem lies in the vagueness and timidity of recovery plans. Although the majority list habitat loss as a significant threat and recommend active protection of habitat, our research shows very few precisely and unambiguously place constraints on the loss of critical or important habitat.

A significant constraint on recovery planning effectiveness is also the broad discretion afforded to the Minister as to whether or not recovery plans are even developed for a particular species. Presently there is a shift at the federal level to favouring less robust instruments, such as less detailed conservation advices under the EPBC Act. These documents are not binding on decision makers and are increasingly being relied upon in the place of recovery plans for species that have been identified by the Government as having 'simple' protection needs.<sup>5</sup>







Projects that impact on nationally threatened species and are assessed by the Australian Government are almost invariably approved, albeit with conditions, often that require the provision of some form of biodiversity offset. Offsets are mechanisms intended to compensate for the loss of biodiversity by undertaking positive actions elsewhere. The challenge however, is that the application of offsets for threatened species is poorly monitored and their effectiveness is highly questionable.<sup>6</sup> In fact, rather than being the panacea for our environmental woes, the science is indicating that there are likely to be specific limits to the 'offsetability' of impacts<sup>7</sup> and that many offset policies actually entrench biodiversity declines and losses,<sup>8</sup> as identified in this report's case study of Carnaby's Black-Cockatoo.

Another mechanism under the EPBC Act for the protection of important threatened species habitat is the declaration and placement of areas on the Register of Critical Habitat. As the name suggests, critical habitat is defined as that which is 'critical to the survival of a listed threatened species...'<sup>9</sup> It is identified based on certain considerations, such as whether it is used during periods of stress for a species or used to meet essential life-cycle functions.<sup>10</sup> Even where critical habitat is identified through the recovery planning process, placement of such areas on the register has been limited.

This may be explained through the limited application of the register, which only applies to areas of land and sea owned or managed by the Australian Government. To date only five areas of critical habitat have been declared in the 15-year history of the EPBC Act.

Habitat destruction is not the only driver for threatened species decline, but it is one of the major ones.<sup>11</sup> Other pressures such as disease, invasive predators, inappropriate fire regimes, hunting, pollution and climate change all contribute. However securing and improving existing habitats for threatened species remains one of the most powerful and cost effective conservation tools at our disposal.

Protecting habitat that is critical to the survival of our most threatened species is essential to combating the current extinction crisis.





## ENDANGERED

# CARNABY'S BLACK-COCKATOO

## CASE STUDY

### Offsets entrench the decline of Carnaby's Black-Cockatoo

Carnaby's Black-Cockatoo is one of Western Australia's most loved and recognised threatened species. This charismatic cockatoo, voted as Western Australia's favorite bird in BirdLife Australia's 2013 poll, lives across the south-west and has lost substantial tracts of its foraging and breeding habitat to land clearing for urban and industrial development, mining, forestry and agriculture. The species is long-lived and the population is ageing. It also suffers from an 'extinction debt', meaning the amount of habitat currently available is not sufficient to support the current population into the future.

The national recovery plan for this species contains a clear warning to decision makers. In relation to the future clearing of Carnaby's Black-Cockatoo habitat, it states unequivocally that –

*"If additional clearing of large areas of habitat critical to survival continues and if there is not significant success in replacing important habitat approved for development it is likely there will be further reductions in the population of Carnaby's Cockatoo."*<sup>12</sup>

Despite this warning and the stated aim to improve or maintain Carnaby's Black-Cockatoo habitat, our analysis of approvals under the EPBC Act over an 18-month period shows the Australian Government continues to approve projects that are destroying Carnaby's habitat.

From January 2013 to June 2014 eleven projects were approved under the EPBC Act that allowed companies to clear 3,340 hectares of important Carnaby's habitat. To compensate for this loss, 1,100 hectares of habitat was required to be planted or rehabilitated as offsets, leaving an overall loss of 2,240 hectares during this period.

While these approvals also required 8,612 hectares to be placed under covenant or gazetted as protected areas, protection of existing habitat does not increase the total amount of habitat available.

In addition to these approvals, more than 1000 ha of foraging habitat is currently being cleared every year and has not been referred to the Australian Government for assessment.<sup>13</sup>

This means that in spite of the clear advice of the species recovery plan, Carnaby's downward trajectory has been allowed to continue. Crucially, the focus on providing offsets through the protection of existing habitat has entrenched, if not exacerbated, this decline. If the recovery plan had specified limits to the loss of critical habitat the substantial net loss of habitat may have been avoided.



# How habitat loss is treated in recovery plans

Australia currently has 1,764 taxa (hereafter referred to as species) and 75 ecological communities listed as nationally threatened, with 823 of these species or communities covered by EPBC Act recovery planning instruments.<sup>14</sup>

This number of listed threatened species and communities has grown substantially over the past 15 years, up from 1,462 and 21 in 2000 respectively (Figure 1).

At present there are 204 animals listed as endangered or critically endangered under the EPBC Act. Of these, 120 are covered by species-specific, multi-species or regional recovery plans.

We analysed the recovery plans for these 120 highly threatened animals to ascertain what, if any, limits are prescribed to prevent the loss of habitat.

In analysing these recovery plans for critically endangered and endangered listed fauna, we reviewed:

- Whether habitat clearance, loss and fragmentation was identified as a key threat;
- Whether the recovery plan identified core or critical habitat; and
- Whether the recovery plan prescribed any limits to habitat loss.

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Despite these plans' stated ambition to protect habitat, only a small number of species (12 in total or 10 per cent of those surveyed) had recovery plans that placed any form of prescriptive limit on the future loss of habitat (figure 2).

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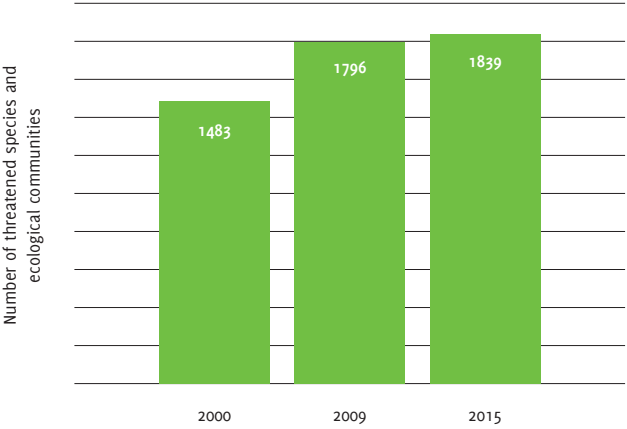




Where habitat loss and degradation is identified as a key threat to a species, and the habitat requirements for such species are well understood, it logically flows that the recovery plan should specify limits to the loss of habitat to halt the decline of a species and aid its recovery. Indeed the Act states that a recovery plan must identify the habitats that are critical to the survival of the species or community concerned and the actions needed to protect those habitats.

\*Source: Australian Bureau of Statistics Australia's Environment: Issues and Trends, Jan 2010 <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4613.0Chapter105Jan+2010> and Department of Environment, Species Profiles and Threats Database [last viewed on 15 June 2015] <http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>

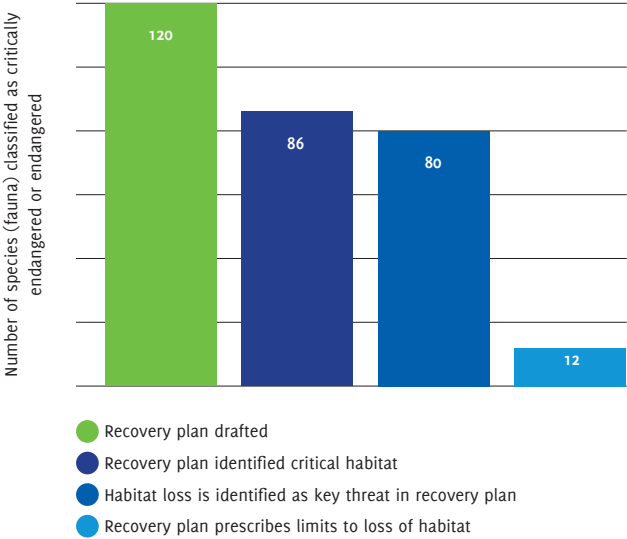
**Figure 1: Growth in EPBC listed threatened species and ecological communities total\***



Of the 120 species examined there were 86 (72 per cent) that were covered by recovery plans that identified habitat critical to survival. A slightly smaller number (80 or 67 per cent), had plans that also identified habitat destruction or clearance (not including inappropriate fire regimes) as a significant threat to survival. In almost all cases where habitat loss is identified as a threat to the species, active protection of habitat is a recommended action in the recovery plan. For example a large majority of species recovery plans surveyed (65 per cent) recommended protection of key habitats using either conservation covenants, landholder agreements or gazettal of areas as nature reserves or national parks as a key action.

Despite these plans' stated ambition to protect habitat, only a small number of species (12 in total or 10 per cent of those surveyed) had recovery plans that placed any form of prescriptive limit on the future loss of habitat (figure 2).

**Figure 2: Recovery plans and limits on habitat loss**







ENDANGERED

## SOUTHERN CASSOWARY

### CASE STUDY

The Southern Cassowary is one of Queensland's most charismatic and well known birds. It is a keystone species, playing a critical role in dispersing seeds that maintain wider ecosystem health in the Wet Tropics World Heritage Area. Cassowaries are threatened by habitat loss and fragmentation, along with the related threats of dog attacks and being hit by cars. Other causes of death include disease and possible competition with feral pigs for food. Cyclones can cause temporary local food shortages.

The issue of habitat loss is discussed in detail in the recovery plan. Actively securing habitat for this species is a first order priority for the recovery team. However the recovery plan does not specifically prescribe limits on the loss of habitat, preferring non-statutory controls through local engagement and planning. Nonetheless the plan does go on to recommend that:

*"In response to ongoing development pressures on habitat in some of the more urbanised areas the development of a new appropriate statutory planning instrument may also be required to ensure development is compatible with cassowary conservation".<sup>19</sup>*

The language is suggestive, rather than directive. A more prescriptive response to these threats would be to specify the areas of critical habitat that must be retained for the species to survive and thrive into the future. Such an approach could occur alongside the development of local planning controls and the active protection of habitat.



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## SWIFT PARROT

### CASE STUDY

The Swift Parrot migrates between Tasmania and mainland Australia. The birds breed predominately on the east coast of Tasmania, then migrate over winter on the mainland in flowering woodlands and forests. They feed preferentially in the largest trees. For breeding and feeding the birds require large trees, because they provide nesting hollows and reliable foraging habitat. The Swift Parrot's recovery plan identifies the key tree species for breeding and winter foraging. The recovery plan refers to 'management actions' relating to habitat protection, such as retaining and expanding mature and mixed aged habitat. But the plan refers vaguely to

*'Encourag[ing] and support[ing] the protection, conservation management and restoration of Swift Parrot nesting and foraging habitat through agreements with landowners, incentive programs and community projects.'<sup>20</sup>*

The recovery plan does not specify the limits to the loss of habitat, either through clearing on the Australian mainland or through forestry operations in the birds' breeding habitat in Tasmania.

The recovery plan for this and other nomadic species could better specify the outcomes for the species under regulatory processes. This could be achieved through prescribing critical habitat that should not be cleared and the appropriate outcomes that should be delivered through environmental approvals.





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## PROSERPINE ROCK WALLABY

### CASE STUDY

The Proserpine Rock Wallaby is an endangered species found around Airlie Beach in North Queensland. Its habitat includes rocky outcrops in semi-deciduous dry vine forest and acacia woodland. Around half the species' population occurs on private (freehold or leasehold) land. Land clearing for residential and tourism developments constitutes a major threat to the species.

The dispersed nature of Proserpine Rock Wallaby populations means further habitat loss and fragmentation is an acute problem for the species. Some habitat areas have been protected as reserves in the past. But the wallaby's recovery plan is vague when it comes to clear actions that would stop habitat continuing to be destroyed. Instead it talks of monitoring and mapping habitat sites, 'promotion' of habitat conservation and management actions (at State and local levels) and the protection of habitat corridors.

The recovery plan contains no direct and clear requirement to avoid or halt land clearing or other destructive activities.

# What do prescriptive limits look like?

Of the recovery plans surveyed, there were a number that presented clear examples of where prescriptions limiting the loss of habitat have been included. Whilst these were not looked at in terms of their coverage or effectiveness, they did demonstrate that prescriptions have been used in recovery plans historically. Examples were seen in the recovery planning documents for threatened species such as the Northern Corroboree Frog, Spotted Tree Frog, Hastings River Mouse and Golden Shouldered Parrot.

For example the Recovery Plan for the Northern Corroboree Frog, a critically endangered alpine species, places prescriptions on forestry operations to limit impacts on key habitat for the species, specifying buffers and no-go zones.<sup>15</sup>

The Recovery Plan for the Hastings River Mouse, an endangered marsupial from the eastern edge of the Great Dividing Range in Northern NSW, states:

"Clearing of native vegetation should not be permitted in Hastings River Mouse medium and high quality habitat and/or where surveys capture Hastings River Mice".<sup>16</sup>

The Spotted Tree Frog, a species that occurs on the western boundary of the Great Dividing Range, has similar recommendations, stating there should be:

"Exclusion of exploration and mining from areas in all catchments where these activities may affect Spotted Tree Frog habitat".<sup>17</sup>

The Recovery Plan for the Golden Shouldered Parrot, a spectacular but endangered bird from the Cape York region, is even more unequivocal, simply stating there should be no land clearing in areas identified as critical habitat.<sup>18</sup>

The issue is, the above examples are the exception, not the norm. But they show it can be done.

The findings of this report are deeply concerning. It means there are very few recovery plans that precisely and unambiguously constrain the destruction of species' habitat, despite habitat loss being outlined as a key risk factor for the majority of Australia's most threatened animals.



# Can recovery plans be better utilised to limit the loss of habitat?

As outlined in this report, recovery plans often discuss land uses or activities in conflict with conservation. That is appropriate. However, there is a distinction to be made between acknowledging those conflicts, on the one hand, and drafting actions, limits or constraints that avoid them, on the other. The construction of management actions should be uncompromising and faithful to the best available science applicable to the problem of species survival and recovery.

The question must be asked: why have recovery plans not been more ambitious in constraining the loss of habitat? It is widely accepted that preventing the loss of habitat is one of the most cost effective means of saving species from extinction. So why not clearly require prescriptive limits to loss of critical habitat in recovery plans?

Scientific uncertainty probably provides one explanation. Despite the vast majority of recovery plans being clear about habitat that is critical to a species' survival, uncertainties about the distributions of species often remain. So recovery teams and governments reflect that uncertainty through vague language in recovery plans, but uncertainty should not excuse a failure to take positive action which may help a threatened species to recover. This is consistent with the precautionary principle, a guiding principle of the EPBC Act, which states that the absence of scientific certainty should not excuse a lack of action to prevent environmental degradation.

Another more worrying explanation for the general failure to include prescriptions on habitat loss is likely to be self-censorship by recovery teams and the public sector that are responsible for developing such plans. The preparation of recovery plans involves collaboration and negotiation between independent scientific teams and public servants. Inevitably, bargaining and negotiation are part of this process. Setting limits to loss, however scientifically robust, necessarily constrains the future discretion of a minister. Constraining ministerial discretion is often viewed unfavourably by public servants.

Documents obtained by Environment Tasmania in 2015 that relate to the logging of critical Swift Parrot habitat in Tasmania highlight how decisions can be made that are not in the interests of threatened species recovery. These documents, obtained via Freedom of Information, showed senior executives in the Tasmanian Department of Primary Industries, Parks, Water & the Environment supported logging in critical areas of Swift Parrot habitat, despite receiving specific scientific advice that logging critical habitat would further threaten the species and inhibit its recovery.<sup>21</sup> The reasons for the departure from scientific advice are unclear, but it is apparent that commercial logging prevailed over critical habitat protection despite expert advice highlighting serious negative outcomes for the species.

It is not surprising that there is a level of political influence in threatened species management, particularly when threatened species are seen as an obstacle to development.

There is a role for recovery plans in specifying and prescribing appropriate and scientifically robust limits to the loss of threatened species habitat and the appropriate outcomes that environmental regulation should achieve.

There is also a role for expanding the Register of Critical Habitat that currently operates under the EPBC Act. Expanding the register across tenures and declaring more critical habitat will significantly improve protections for nationally threatened species and ecological communities.

Overall, recovery plans can be more effective in saving species from extinction.

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There is a role for recovery plans in specifying and prescribing appropriate and scientifically robust limits to the loss of threatened species habitat.

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## RECOMMENDATIONS

1. Where land clearing is known to be a key threat and habitat requirements for threatened species and communities are well understood, recovery plans must provide unambiguous and appropriate prescriptions to prevent the loss of critical habitat, consistent with the best available science.
2. Develop revised guidelines governing the preparation of recovery plans to ensure plans detail scientifically robust, specific, measurable and targeted restraints on the destruction of threatened species habitat and outline restorative outcomes that any approval decisions must work toward.
3. Reform the Register of Critical Habitat under the EPBC Act to ensure its effectiveness, including an expansion of the register across tenures and appropriate consideration in regulatory decision making.



# Accountability and monitoring

Accountability and monitoring of the implementation of recovery plans is manifestly inadequate. Despite recommendations in reports commissioned by the federal Department of the Environment<sup>22</sup> and inquiries conducted by the Australian Senate,<sup>23</sup> there remains no auditable or transparent mechanism for the public to determine what specific recovery actions have been funded or implemented as part a national recovery plan.

There are at least 315 recovery plans that are more than five years old. The vast majority of these have not been reviewed since their original preparation. Although considerable effort and expense went into the original study and preparation of recovery measures for the relevant species, lack of monitoring has left the return on this investment uncertain.

Adaptive management only works when effective ongoing monitoring and reporting is part of the mix. The Australian Government has invested in a monitoring, evaluation, reporting and improvement framework, but this is tied almost exclusively to the administration of funding provided under existing and historic Australian Government grant

programs (such as the Natural Heritage Trust, Caring for Our Country and Landcare), not recovery plans. Monitoring and auditing of obligations arising out of the EPBC Act are a critical element of government business, but have suffered from significant underinvestment and criticism.<sup>24</sup> In its response to the Australian Senate inquiry into the effectiveness of threatened species and ecological communities' protection in Australia, the Australian Government acknowledged the shortcomings of not implementing effective monitoring and committed to a strategic review of recovery plan effectiveness and greater public transparency.<sup>25</sup> Such a framework is yet to be developed.

## RECOMMENDATIONS

4. Develop a publicly available framework to assess and monitor the effectiveness of recovery plans and mandate annual reporting on plan implementation, collated and managed by the Australian Government.
5. Establish a searchable database reporting on the status and implementation of all recovery actions and make such a database publicly available.



# Financing of recovery plans and habitat protection

That recovery planning implementation has no dedicated federal funding pool remains an acute problem.

Most funding for the recovery of threatened species at the national level has been, and continues to be, tied to other programmatic spending and is constrained by these programs' grant guidelines. While these programs can help in the process of threatened species recovery, they are no substitute for strategic funding for priority actions identified in recovery plans.

Recovery programs for threatened species can be effective, but it is apparent the current resources allocated to the protection of Australia's threatened species are not up to the task of preventing extinction and improving the conservation status of the species and ecosystems most in need.

The sad thing is the costs of recovering threatened species are not exorbitant in the context of national budgets. Previous research has highlighted that the majority of recovery plans could be implemented with a modest investment. Studies completed in 2009 highlighted that 50 per cent of recovery plans could be implemented for less than \$200,000, with only 16 plans exceeding the \$1 million mark.<sup>26</sup> When looked at in total, these costs average out to approximately \$100,000 per annum per recovery plan. Similar research has estimated that for just \$10 million annually all Australia's bird species could be secured from extinction,<sup>27</sup> and that an investment of \$290 million over 10 years would be enough to save all Australia's threatened macropods.<sup>28</sup>

Leading experts in conservation have called for an annual investment of \$200 million by the Australian Government to help save our threatened species.<sup>29</sup> An annual Australian Government investment of this amount would make a significant contribution to the recovery of Australia's 1839 threatened species and ecological communities.

For the vast majority of plans surveyed that identified habitat loss as a key threat, the formal protection of habitat in some form was also identified as a key recovery action.

These activities range from negotiating private landholder agreements to protecting habitat as a public reserve. However it is important to note that many recovery plans did not account for the full costs of implementing such actions.

For the first time since 1993 there is now no Australian Government program that supports the establishment of new protected areas across Australia. Yet there are many gaps in the National Reserve System that need to be filled, including critical corridors and climate refuges that will be essential for supporting life.<sup>30</sup> There are also still many threatened species, including in higher threat areas like the Great Dividing Range, that have no or inadequate habitat coverage within the reserve system.<sup>31</sup>

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For the first time since 1993 there is now no Commonwealth program that supports the establishment of new protected areas across Australia.

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Climate change will be one of the most significant drivers of species loss over coming decades, exacerbating the already devastating effects of land clearing, invasive predators, fire and pollution. Protecting key climate refuge habitat is vital to the survival of our threatened species.<sup>32</sup>

It has been estimated that an investment of \$170 million per year is needed to effectively protect key habitats and ecosystems around Australia to meet our international obligations.<sup>33</sup> We need a new era of investment in public and private protected area establishment and management - building on successes of past programs to complete and connect our network of national parks, reserves and private conservation lands and enhance management effectiveness in these areas.

## RECOMMENDATIONS

6. Invest \$200 million a year to establish a threatened species recovery fund that invests directly in recovery plan implementation and strategic priority recovery actions for Australia's most threatened species.

7. Invest at least \$170 million per year for the strategic growth of the National Reserve System, providing grants to public and private partners to purchase land for new protected areas; establish and manage Indigenous Protected Areas (IPAs); and to establish and manage private land conservation covenants.



# Next generation of national environment laws

Improving habitat protections under the EPBC Act can help us save our vanishing species. But the failure to date of Australia's current environment laws to protect our threatened species is alarming.

If life in Australia is to thrive for generations to come, we need a new national nature protection framework, backed by strong environment laws and regulated by bodies independent of government.

PlacesYou Love, an alliance of 42 non-government organisations, which includes the Australian Conservation Foundation, BirdLife Australia and Environmental Justice Australia, has established a panel of some of Australia's pre-eminent environmental law experts to draft options for a new nature protection framework. The panel will release several public discussion papers in the second half of 2015 with an aim to start a discussion with the Australian community about how to better protect life in our country.

Further information on the PlacesYou Love Alliance and the work of the expert panel is available at:  
**[www.placesyoulove.org](http://www.placesyoulove.org)**

**PLACES  
YOU  
LOVE**



## Endnotes

Note: case study species are listed as endangered consistent with the EPBC Act June 2015.

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