



environmental defender's office new south wales

Submission on Threatened Species Priorities Action Statement (PAS)

18th August 2006

The EDO Mission Statement

To empower the community to protect the environment through law, recognising:

- ◆ *the importance of public participation in environmental decision making in achieving environmental protection*
- ◆ *the importance of fostering close links with the community*
- ◆ *that the EDO has an obligation to provide representation in important matters in response to community needs as well as areas the EDO considers to be important for law reform*
- ◆ *the importance of indigenous involvement in protection of the environment.*

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Introduction

The Environmental Defender's Office of NSW (EDO) welcomes the opportunity to comment on the **Threatened Species Priorities Action Statement** and accompanying report, currently being exhibited by the Department of Environment and Conservation (DEC).

While we support initiatives to more effectively target limited resources (and in this context support for example, multi-species recovery plans), we maintain that there should be an overall increase in resources to DEC to obviate the need to sacrifice individual planning for certain species. The fact that recovery and threat abatement plans are no longer strictly mandatory statutory duties must not result in decreased funding allocations to DEC. Recovery and threat abatement plans are vital tools for conserving threatened species in NSW, and must be fully supported as a priority for the NSW Government.

Section 90A of the *TSC Act 1995* provides that the PAS is a statement that:

- (a) sets out the strategies (*recovery and threat abatement strategies*) to be adopted for promoting the recovery of each threatened species, population and ecological community to a position of viability in nature and for managing each key threatening process, and
- (b) establishes relative priorities for the implementation of recovery and threat abatement strategies, and
- (c) establishes performance indicators to facilitate reporting on achievements in implementing recovery and threat abatement strategies and their effectiveness, and
- (d) contains a status report on each threatened species, where information is available, and
- (e) sets out clear timetables for recovery and threat abatement planning and achievement.

The draft has attempted to address these objectives. Our specific comments relate to gaps and areas where the draft PAS may be strengthened, namely:

1. The need for identification of responsibilities and assessment of capacities
2. The need for greater analysis of priorities
3. The need for greater focus on threat abatement
4. The need for a coordinated and integrated habitat approach to threatened species protection and management
5. The need for greater detail and more prescription in priority actions
6. The need for expert advice.

1. The need for identification of responsibilities and assessment of capacities

The draft PAS does not clearly identify responsibilities for the implementation of priority actions and therefore it does not enable an assessment of the capacity of the government agencies and other organizations responsible for the implementation of actions. Enormous resources will be required to implement the draft PAS. It contains a total of 7,215 priority actions that apply to 675 threatened species, including 3,120 high priority actions. A key reason why government agencies have failed to achieve conservation goals is due to limited resources. Recovery plans and management actions are inadequately

resourced and a lack of regional capacity has been identified as a key limitation to the achievement of biodiversity outcomes across a large part of Australia.¹

We consider the draft PAS must include an honest and robust assessment of the capacity of the organisations responsible for the implementation of priority actions and must be realistic about what can be achieved. Most importantly, the capacity assessment must form the basis for, and feed back into, the prioritization process. If the organizations responsible for the implementation of priority actions do not have adequate resources to effectively implement them, then it is vital that priorities are re-analysed and re-adjusted so that optimum biodiversity outcomes are achieved.

2. The need for greater analysis of priorities

The draft PAS appears to involve only very limited additional analysis of the relative value of priority actions for each threatened species beyond that already undertaken for existing recovery plans. DEC has recognised that preparing separate recovery plans for each threatened species had become unworkable, and we understood that a purpose of the draft PAS was to overcome this problem. Limited further analysis of the relative value of priority actions for each threatened species would appear to undermine this purpose. We believe further analysis is vital in determining the most appropriate allocation of limited resources to achieve optimum biodiversity outcomes. In addition, the basis for determining the relative value of priority actions is not clearly articulated or defined and the level of expertise and extent of consultation with experts outside DEC to determine priorities is unclear. We believe that decisions about prioritization for each threatened species must be informed by a high level of expertise, particularly in cases where information is lacking.

The draft PAS does not consider in any detail the prioritization of priority actions between threatened species. We believe this is vital in determining the most appropriate allocation of limited resources to achieve optimum biodiversity outcomes, for the following reasons:

- Historically, resources have tended to be allocated to species with the highest risk of extinction.² However, in order to achieve optimum biodiversity outcomes, limited resources may best be allocated to less threatened species because substantial resources are likely to be required for highly threatened species with only a small probability of persistence or recovery.³ To minimize overall species loss, resources should be allocated to recovery actions such that the marginal rate of increase in viability is equalized across all threatened species.⁴ We believe it is important for the draft PAS to consider the level of threat or management need for each threatened species versus the probability of the persistence or recovery of that species. We recognize that this will require a substantial amount of good quality information,

¹ Sattler, P and Creighton, C. (2002) 'Australian Terrestrial Biodiversity Assessment', National Land and Water Resources Audit

² Possingham, H. et al. (2002) 'Limits to the use of threatened species lists' *Trends in Ecology and Evolution* 17,11 pp 503-507

³ Possingham, H. et al. (2002) 'Limits to the use of threatened species lists' *Trends in Ecology and Evolution* 17,11 pp 503-507; Rohlf, D. (1991) 'Six biological reasons why the Endangered Species Act doesn't work – And what to do about it' *Conservation Biology* 5, pp 273-282

⁴ Possingham, H. et al. *op. cit.*

which is not currently available in many cases. However, we believe the draft PAS should identify research priorities for obtaining this information.

- Species have different functional attributes, which may make some more important than others in maintaining ecosystem function and resilience. While historically the more iconic species have tended to be the focus of recovery efforts,⁵ these are not necessarily the species that play the most important role in ecosystem function and resilience. While we recognise a value in protecting iconic species (for example, greater generation of public awareness of threatened species issues), we consider that the draft PAS should include the prioritization of threatened species based on their functional attributes, where this information is available. There should be a focus on those species that are key functional species – a species or group of species that plays a key role in maintaining ecosystem function and resilience (for example, the Grey-headed Flying-fox). This approach is likely to have broader biodiversity benefits, and may reduce the risk of non-threatened species becoming threatened and threatened species becoming further threatened. We recognize that in many cases, information on the functional attributes of threatened species is not currently available. However, we believe the draft PAS should identify research priorities for obtaining this information.

3. The need for greater focus on threat abatement

The draft PAS largely maintains a focus on recovery over threat abatement. We believe there is a need in NSW to shift the focus away from the recovery and urgent care of threatened species towards addressing the drivers of biodiversity decline through the implementation of longer-term preventative measures. Such an approach places more emphasis on the reasons for extinction, and less emphasis on the symptoms. It will likely have broader benefits for a larger range of species by preventing non-threatened species from becoming threatened and threatened species from becoming further threatened. In addition, it is widely recognised that the cost of species and ecosystem recovery and the restoration of ecological processes will far outweigh the cost of managing many threatening processes.⁶

The draft PAS should focus on identifying, prioritizing, and managing key threatening processes on a regional scale. We note that only 11 threat abatement plans are proposed to be prepared out of a current list of 29 key threatening processes. In addition, only two threat abatement plans are proposed for completion by 2008. We understand that where a threat abatement plan is not proposed, DEC will prepare a ‘statement of intent’. It is unclear what a statement of intent will comprise, and we are concerned that it does not have the legislative force of a threat abatement plan.

4. The need for a coordinated and integrated habitat approach to threatened species protection and management

The draft PAS largely maintains a single-species approach to conservation, with a focus on the protection and management of habitats for individual threatened species. Strategies and priority actions are identified for each individual species without any

⁵ Possingham, H. et al. *op cit*; and; Rohlf, D *op cit*.

⁶ For example: Sattler, P and Creighton, C. (2002) ‘Australian Terrestrial Biodiversity Assessment’, National Land and Water Resources Audit

coordination or integration between species. This approach does not allow for the strategic identification and prioritization of the most important habitats to protect and manage at a landscape or regional scale. We believe such an approach is important where only limited resources exist for conservation.

There is a need in NSW to shift the focus from a single-species approach to conservation to the protection and management of a diversity of habitats that support the broadest possible range of threatened and non-threatened species. Such an approach is more likely to have broader biodiversity benefits than a single-species approach. In particular, it better addresses the likelihood of there being large gaps in the threatened species lists under the *TSC Act 1995*. For example, very few species of invertebrates and fungi are listed. In reality, this may allow extinction to continue in certain groups of species, including species that may be important in maintaining ecosystem function and resilience. A habitat approach is more likely to secure those species not listed under the *TSC Act 1995* and better addresses the protection of ecosystem function and resilience.

We support a focus on the preparation of recovery plans for multi-species (such as the proposed Border Ranges hotspot multi-species recovery plan) and endangered ecological communities (such as the proposed Cumberland Plain recovery plan) because these place more emphasis on the protection of habitats that are likely to support a wider range of threatened and non-threatened species. We believe the draft PAS should also identify as a priority: research to determine the habitat requirements of each threatened species on a regional scale; and the use of surveys and predictive techniques to identify areas within a region that contain suitable habitats for the broadest possible range of threatened and non-threatened species. The protection and management of these areas of habitat should then be made a priority.

5. The need for greater detail and more prescription in priority actions

There is a need for priority actions to be described in greater detail in order to: ensure that government agencies and others responsible for implementation have a clear understanding of their responsibilities; enable proper analysis of whether priority actions are the most appropriate to achieve biodiversity outcomes; and to avoid duplication of effort. We also believe that in order for priority actions to be translated into effective action on the ground, there is a need for the draft PAS to be more prescriptive about how actions are to be incorporated into existing legislative and management frameworks. For example, a priority action for Pittwater Spotted Gum Forest is to 'prepare and implement site specific plans of management'. It is unclear exactly what this means. Many patches of Pittwater Spotted Gum Forest occur within Council reserves, which are already subject to plans of management. Is this a duplication of effort and would other actions have greater biodiversity outcomes?

6. The need for expert advice

A considerable level of expertise is required to prepare the draft PAS, particularly in cases where decisions regarding priorities for the allocation of limited resources need to be made based on very little information. We recognize that in preparing and reviewing the draft PAS, DEC is to seek advice from various committees and advisory councils. However, we believe that further consideration should be given to establishing a specialist expert panel (this may comprise members of these committees and advisory

councils as well as academics) that would play a more direct role in the preparation of the draft PAS.

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