

Annex I

A decade of political commitments – with resulting inaction – regarding the Flora and Fauna Guarantee Act

2006	<i>Our Environment, Our Future – Sustainability Action Statement 2006</i> : The government made a commitment to develop a White Paper on biodiversity ‘to bring together all our current and future programs to protect and restore our land and biodiversity’.
2008	<i>Land and Biodiversity in a time of Climate Change (2008)</i> : Green Paper (in essence a draft to the White Paper) that sets out proposals for strategies, action and initiatives.
2009	<i>Land and Biodiversity in a time of Climate Change (2009)</i> : White Paper.
2010-2014	No further action during Liberal–National Coalition government.
2014	Andrews Government commits to review the Flora and Fauna Guarantee Act
July 2015–April 2016	The Department for Environment, Land, Water and Planning commences an internal review process of the Flora and Fauna Guarantee Act including targeted stakeholder engagement and seeks feedback on a draft public consultation paper.
23 May 2016	Cabinet reshuffle re-assigning climate change and environment portfolios from Lisa Neville to Lily D’Ambrosio.
Present	Draft public consultation paper scrapped. No further stakeholder engagement on progress of review of FFG Act. No clear guidance from Department or Minister’s office around ambitions or plans for review of the FFG Act.

Annex II

Case study 1: The Tiger Quoll in the Otways

The Tiger Quoll is the largest remaining carnivorous marsupial on the Australian mainland. It is understood that other native mammals, such as bandicoots and potoroos, will benefit from the successful conservation of large native predators such as the Tiger Quoll.

The Tiger Quoll is listed as endangered under the EPBC Act and vulnerable under the Flora and Fauna Guarantee Act.

The Tiger Quoll was once extensively found throughout the Otways. Now their population is in dire straits. They were feared extinct in the region until they were rediscovered in 2012. Unless more is done to protect Tiger Quolls in the Otways, they, along with other endangered mammals, are at risk of extinction in the region.



Threats include foxes and feral cats and habitat fragmentation. Critical information gaps are also hampering conservation efforts.

It is believed that mapping of Tiger Quoll distribution will enable identification of where habitat fragmentation is limiting connectedness of the quoll population and enable protection of critical remnant vegetation and restore vital wildlife corridors.

The Flora and Fauna Guarantee Act does not currently provide any assistance in achieving these outcomes for the Tiger Quoll in the Otways and the long-term viability of the Tiger Quolls in the Otways is in question. The Conservation Ecology Centre in Cape Otway is working with public and private land managers, NGOs and research institutions to provide information vital to longer term conservation of the Tiger Quoll, along with other threatened mammal species including the long-nosed potoroo, long-nosed bandicoot and broad-toothed rat.

A reformed FFG Act will provide an enabling framework for these key Otway community members to continue to work together to identify and protect critical habitat on both public and private land. Under our proposal for a reformed FFG Act, the interested members of the community come together to agree the necessary actions that are needed. These are then formulated into a 'Landscape Action Plan' and given binding legal effect by Ministerial Order, and would be accompanied by long-term funding commitments.

For comment: [<http://www.conservationecologycentre.org/about/>]

Case study 2: Leadbeater's Possum



Leadbeater's Possum is a small marsupial found in the forests of Victoria's Central Highlands. As Victoria's faunal emblem, the possum has been the subject of many conservation efforts.

Leadbeater's possum is listed as critically endangered under the EPBC Act, and threatened under the Flora and Fauna Guarantee Act.

By the 1950s, Leadbeater's Possum was presumed to be extinct, but it was rediscovered in 1961. Since then, the possum's population increased, but a number of factors, including the 2009 Black Saturday Bushfires, have meant that its numbers have since plummeted. It is believed that 45% of Leadbeater's Possums' habitat was destroyed in the fire alone, leaving it highly vulnerable to continued threats.

Current frameworks have failed to maintain the sustainability of the species for the near future. FFG Act provisions do not address key threats to the species, failing to establish substantive measures to protect Victoria's flora and fauna. By way of illustration, laws in Victoria have prioritised forestry and other land-use laws to the harm of Leadbeater's Possum. The specific and fragile combination of the forest environments that the possum relies on is slowly dwindling while the FFG Act remains silent on its destruction.

An overhaul of the FFG Act would help to ensure that there is an adequate protection strategy in place for the critically endangered marsupial. The efforts of conservation groups have been admirable, but current environmental protection laws must reflect the reality of the situation: that we may lose Victoria's faunal emblem if its protection doesn't change.

Case Study 3: Burrunan Dolphin



The Burrunan Dolphin is a subspecies of Bottlenose Dolphin that inhabits parts of Victoria's Port Phillip Bay and Gippsland Lakes. The Burrunan Dolphin was only discovered as a subspecies in 2011.

The dolphin is listed as a threatened mammal under the FFG Act in May 2013 and will be classified as data deficient under the EPBC Act.

The Burrunan Dolphin travels in small and isolated groups, and its lack of genetic diversity and proximity to human threats make it particularly vulnerable to harm. Despite its listing in the FFG Act, it seems that little has been done to protect the endemic species from an increasing list of threats.

As a result, it is vital that the FFG Act facilitates management of these issues more effectively. Like many of our marine mammals, the Burrunan Dolphin is constantly threatened by shipping, commercial activities, recreation and fishing. Recent monitoring of the dolphins' health has found that heavy metals are being ingested by the mammals, which may prove fatal to its longevity.

A comprehensive reform of the FFG Act could provide the mechanisms necessary for the Burrunan Dolphin to continue to exist in Victoria's waters. It's important that the Act reflects the importance of research and management to the prosperity of the subspecies.

For further information see: <http://ammcf.org.au/project-burrunan/>

Case Study 4: Mornington Peninsula/ Western Port Biosphere

Sustainability relies on balancing the interests of both natural and developed environments to the benefit of both. The Western Port Biosphere is comprised of conservation areas and developed landscapes that interact to promote sustainable development. Around 670,000 people inhabit the area, which adjoins several National Parks, as well as important RAMSAR wetlands and marine reserves.

Initiatives such as the Western Port Biosphere exhibit the importance of understanding the way development and the natural environment function together. The FFG Act must also reflect a more balanced approach to this issue, by emphasising the importance of preserving our fragile environments from the risk of human threats.

The Biosphere demonstrates the constant threats our environment faces at any one time: pollution, waste, climate change, urban expansion, and impacts from industrial and agricultural development in the area. A reformed FFG Act would adequately address these threats in relation to their impact on our flora and fauna, as current measures fail to effectively protect vulnerable environments from degradation.

For further information, see: <https://www.biosphere.org.au/>