December 5, 2012

Committee Secretary
Senate Standing Committees on Environment and Communications
PO Box 6100, Parliament House
Canberra ACT 2600

Dear Senators

I write to submit a piece for the Senate Inquiry State of Australia's Environment under the heading "The effectiveness of threatened species and ecological communities' protection in Australia," including "the management of key threats to listed species and ecological communities, the development and implementation of recovery plans, the management of critical habitat across all land tenures, regulatory and funding arrangements at all levels of government, timeliness and risk management within the listings process, the historical rcord of state and territory governments on these matters and any related matter."

I write as someone very concerned about the protection of our fragile environment from both the State and Federal Governments. I believe that Australia is a place of incredible wealth and ecological richness. Every year we sink billions of dollars into managing threatened species and yet the gaps in effective risk management are growing. Evidence of this was detailed in the recent Auditor General's report_on the state's agencies in charge. The report concluded that the agencies, the Dept. of Primary Industries and the Dept. of Sustainability and Environment are failing in their duty of care and this has massive implications. To stop 'the second wave of extinction' somebody is going to have to take the wheel.

This mounting crisis is not simply confined to Victoria, the other states have similar problems so Commonwealth Senator Larissa Waters has successfully committed the Senate Standing Committees on Environment and Communications to investigate. This doesn't happen every day so everyone who has concerns, has important information or has simply borne witness to this ever growing debt to the natural environment *must get involved* .

We are one of the wealthiest countries in the world and yet we monitor more species into extinction than any other country on earth. The 'extinction makers', both Labor and the Coalition, have little hope of securing the public's faith without an intelligent policy to address this looming crisis.

Under current legislation, (i.e. the Victorian Flora and Fauna Guarantee Act 1988 and the federal Environment Protection and Biodiversity Conservation Act 1999) not all endangered or threatened species are protected – only those that have been listed.

There is no automatic process for a threatened species to be listed; listing depends on somebody submitting an application. Often the professionals with the requisite knowledge to complete the application are so overwhelmed they don't have the time to do it, so an endangered species can remain unlisted for years.

Once an application has been made for a species to be listed, the process of approval can take years.

There is no emergency listing process, so a newly discovered species, or one that suddenly becomes critically endangered as a result of a catastrophic event is not protected until the process, no matter how protracted, has been completed.

After listing, it can take several more years for an action statement/recovery plan to be written, approved and adopted.

Action statements are generally written by knowledgeable scientists and others but may be poorly constructed so that they do not give effective protection. They can be subject to interpretation and challenged in unintended ways that favour development and exploitation over conservation.

Governments can tend to support development and exploitation over conservation, even though they publicly espouse the importance of biodiversity protection.

Once the Action Statement or Recovery Plan has been written it may or may not be implemented; funding required for implementation may not be available.

No one effectively ensures, supervises or monitors implementation.

Often no one is held accountable for failure to implement an action statement or for failure of an implemented action statement to protect the threatened species.

Often Action Statements and Recovery Plans are not reviewed and updated.

In practice the main practical value of Action Statements and Recovery Plans appears to be that they are invoked by vested interests, government agencies and governments to claim that species are protected, even when the intended protection is not effective and the species continues to decline.

Thanking you for your attention to this vital matter

Yours Sincerely
Tom Kingston