



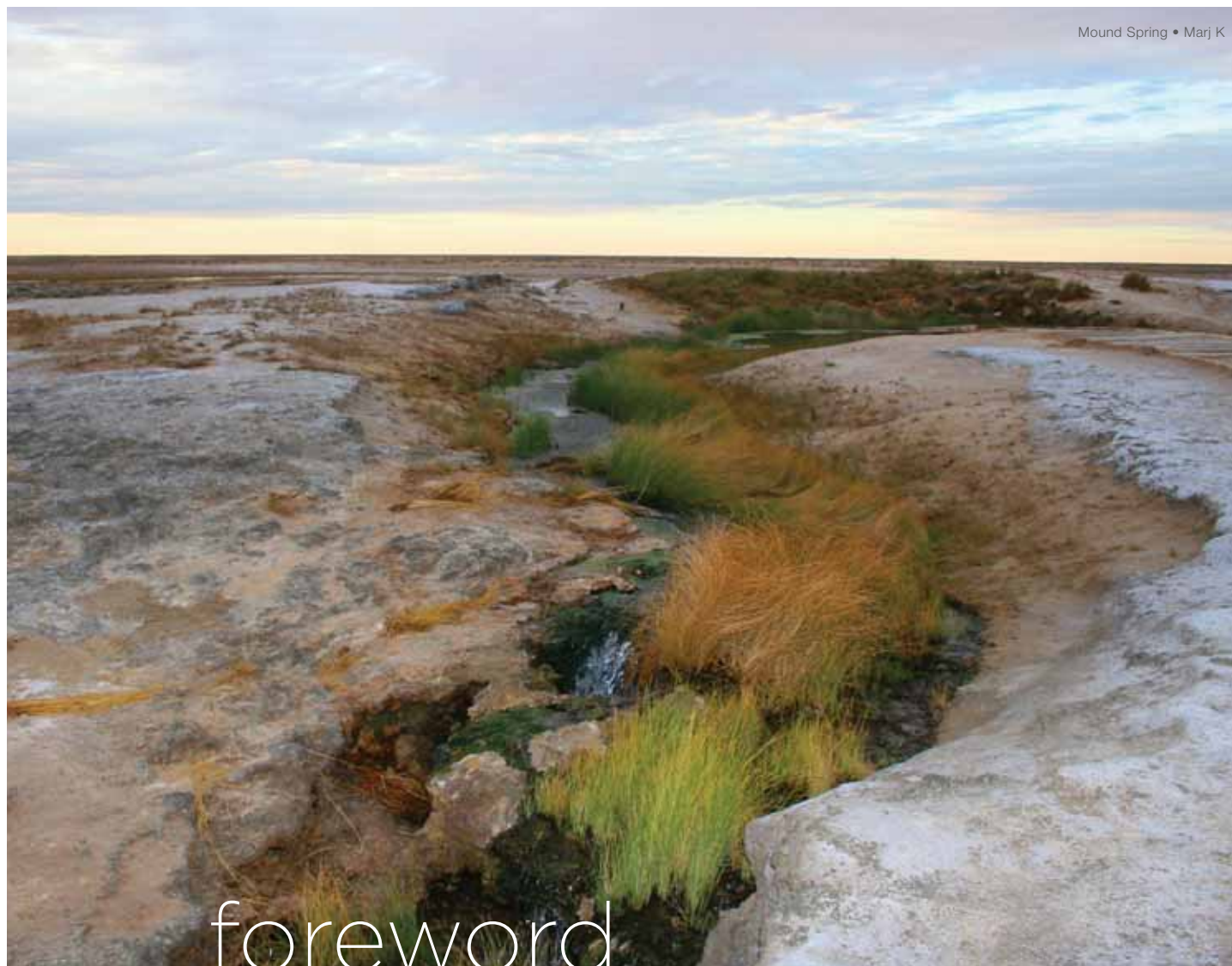
Great Western Woodlands • Lynn Webb

SPECIAL BULLETIN

## Conserving Australia's Threatened Ecosystems

*An overview of HSI's Habitat Protection Program*





“ **HSI Australia** has completed twenty years of remarkable and groundbreaking work for Australia’s wildlife and natural places. This has included national breakthroughs in legislation and legal challenges to protect species—from rare birds and marsupials to threatened whales. Congratulations to Michael and Verna and everyone at HSI. **Australia is greener, livelier and more diverse because of your dedication and very real achievements.**

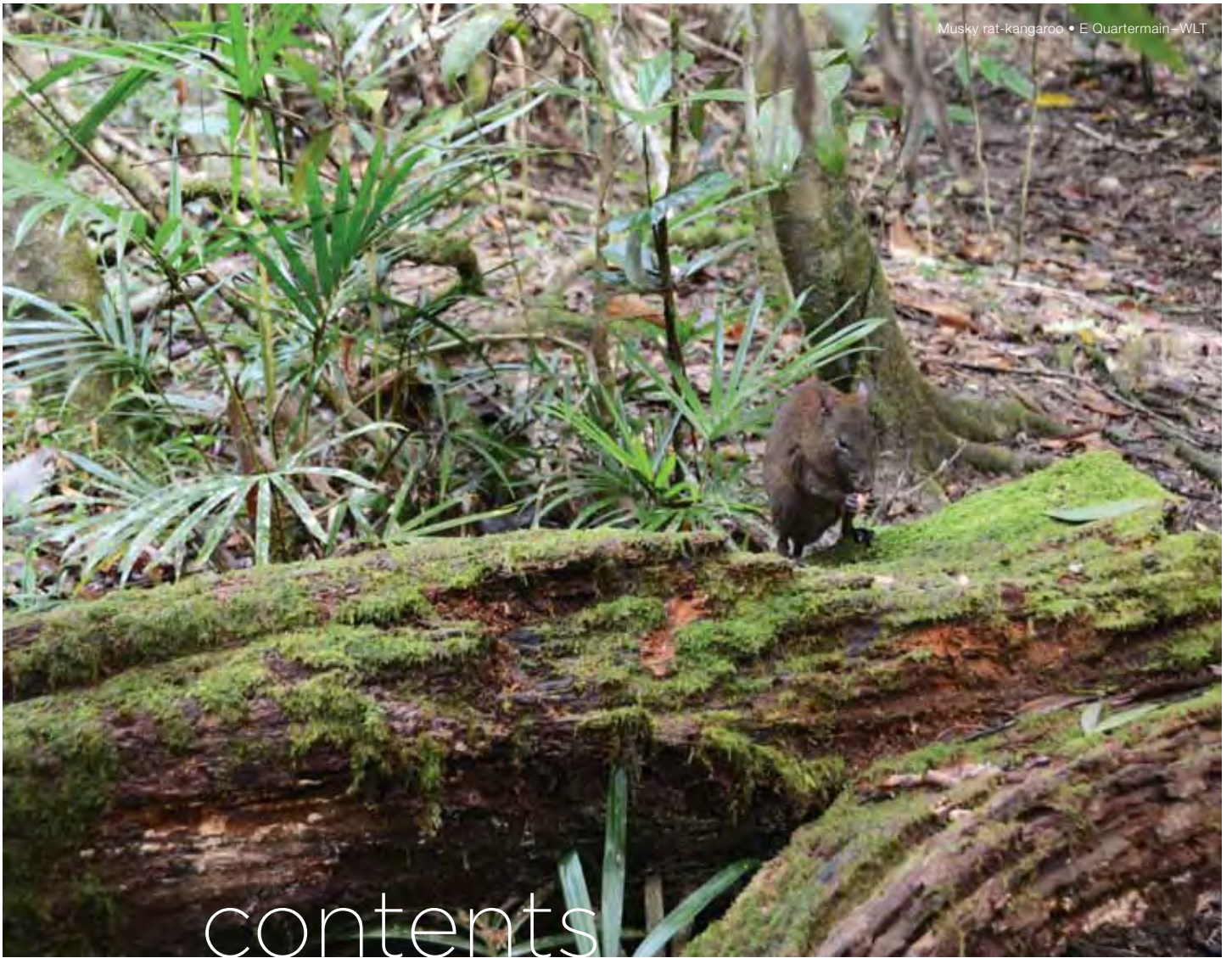
”  
Bob Brown  
HOBART

Cover: Great Western Woodlands in southwest Australia—the subject of HSI National Heritage and Threatened Ecological Community nominations.

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ISBN: 978-0-9925571-2-6

Printed on recycled paper



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# directors' note

Shark Creek Conservation Area • P Kelly-WLT

## Taking HSI into an even more successful third decade

**On HSI Australia's twentieth birthday we are pleased to have the opportunity to review our work of the last two decades. This brief overview focusses on our various habitat protection programs across the country, to coincide with the IUCN World Parks Congress in Sydney, November 2014.**

Our efforts have been many and varied, encompassing biodiversity policy and law; terrestrial and marine species protection in Australia and internationally; a broad conservation treaty program; fisheries and fisheries bycatch, particularly seabirds and sharks; Antarctica; climate change and biodiversity; the Extinction Denied global conservation grants program; disaster relief funding; domestic grants programs; a range of animal protection and farm animal campaigns and our habitat protection program.

We are very proud to have instigated such a wide range of campaign activities and actions, and to have done so by utilising tight resources in the most efficient manner possible. We have achieved much since we were launched in Sydney in 1994 by Bob Brown and the late John Hoyt, CEO of The Humane Society of the United States/Humane Society International, working with minimal budgets and staff.

We would like here to express our gratitude to Dr John Grandy, without whose forethought and vision HSI would not be operating in Australia today.

We sincerely thank *all those* that have been involved in helping build HSI Australia, and who are far too numerous to mention, and assure them that we intend taking HSI into an even more successful third decade, though in full knowledge that the forces currently reigned against the natural world are indeed formidable—but then so is the Australian conservation movement.

Verna Simpson  
DIRECTOR, HSI

Michael Kennedy  
DIRECTOR, HSI



# introduction

HSI's activities included enlisting the help of Sir David Attenborough and dozens of other dignitaries...

**The following pages convey our program efforts since 1994 aimed at protecting Australia's precious wildlife habitats wherever significant opportunities arose, and in the process keeping carbon in the ground.**

These efforts have centered on campaigning for the introduction of strategic national and state environmental laws and the broad subsequent use of those laws; promoting appropriate biodiversity conservation policy in the corridors of Parliament House in Canberra; enlisting the cooperation and help of the rural community to protect diminishing ecosystems; and identifying important wildlife habitats and preparing scientific justifications for conservation action.

These habitat programs have been necessarily complemented by a range of other HSI conservation actions and activities that are not addressed in this short review, but they include campaigning on land clearing and other key environmental threats, for example achieving recognition in national and state law of "land clearing" and "anthropogenic climate change"<sup>1</sup> as 'Key Threatening Processes' – and enlisting the help of Sir David Attenborough and dozens of other global environmental dignitaries to lobby consecutive Prime Ministers over these issues.

HSI was a key NGO player, working closely with colleague NGOs and the offices of the Ministers responsible, to help bring into force the NSW *Threatened Species Conservation Act, 1995*, the threatened species amendments to the NSW *Fisheries Management Act, 1994*,

the *Environment Protection and Biodiversity Conservation Act, 1999 (EPBC Act)* and subsequent *EPBC Act* amendment bills for National and Commonwealth Heritage and wildlife import and export controls.

Through the passage of the *EPBC Act* in 1999, in which HSI played a pivotal role, new or improved national protection was afforded Australia's World Heritage properties, National and Commonwealth Heritage places, wetlands of international importance (Ramsar wetlands), Commonwealth marine reserves, Threatened Ecological Communities and critical habitats, as Matters of National Environment Significance. The *EPBC Act* also put in place new and national management rules for all such protected areas, including Biosphere Reserves.

Time alone will tell whether these campaigns and programs will result in effective long-term protection for these spectacular natural places, but for the moment we hope we have helped give stronger protection to millions of hectares of wildlife habitats, with millions more awaiting Commonwealth and state government decisions.

These achievements and protections are now severely threatened by the Federal Government's determination to devolve all of its national environment powers under the *EPBC Act* to the states and territories, who are themselves in the process of destroying hard-won environmental safeguards and laws. This is not a publication about future policy needs, but we do offer some obvious national conservation policy imperatives at the end of this document.

1. Commonwealth EPBC Act: Loss of climatic habitat caused by anthropogenic emissions of greenhouse gases; Land clearance (M. Kennedy, M. Krockenberger, and J. Kirkpatrick). NSW TSC Act: Anthropogenic climate change; Clearing of native vegetation. Victorian FFG Act: Loss of terrestrial climatic habitat caused by anthropogenic emissions of greenhouse gases.



# threatened ecological communities

Threatened Ecological Communities under the EPBC Act represent the world's most comprehensive national list of protected ecosystems

**Humane Society International's priority program for the nomination of Threatened Ecological Communities (TECs) under the *Environment Protection and Biodiversity Conservation Act, 1999* (EPBC Act) and other state and territory threatened species and fisheries laws, has been partly determined by our view that the process is one of the most cost effective landscape scale/ ecosystem level conservation measures easily available to the Australian public.**

HSI has been a primary contributor to the development of the national list of threatened ecosystems, being responsible for some 21 of the 67 (31.3%) TECs currently protected under the *EPBC Act*, and a further 12 of the 17 (70.6%) communities currently under assessment by the Threatened Species Scientific Committee (TSSC). (See table on page 7). It has been suggested by Gregory Andrews, the Commonwealth Government's Threatened Species Commissioner, that the schedule of Threatened Ecological Communities under the Act represents the world's most comprehensive national list of protected ecosystems<sup>1</sup>.

Our best estimates put the combined remaining extent of listed HSI nominated TECs at approximately 3,750,000 hectares or 62.5% of the 6 million hectares thought to be covered by the *EPBC Act*. Prior to the 2014 listing of 'Proteaceae Dominated Kwongkan Shrublands of the Southeast Coastal Floristic Province of Western Australia', which covers 1,185,188 hectares, HSI nominations had contributed 78% of the area

of all *EPBC Act* listed TECs. HSI is also responsible for the listing of the TEC with the largest remaining area of occupancy, 'Coolibah — Black Box Woodlands of the Darling Riverine Plains and the Brigalow Belt South Bioregions', which occupies 1,321,103 hectares across New South Wales and Queensland, as well as the first TEC ever listed under Commonwealth law — 'Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest' (jointly with the Australian Conservation Foundation). At the time of listing in 1998 (under the *Endangered Species Protection Act, 1992*) the Federal Environment Minister noted that this "listing of native habitat is a major advance for nature conservation in Australia"<sup>2</sup>.

#### Listing benefits

*"The listing of TECs under the EPBC Act provides the opportunity for a form of landscape or ecosystem level protection. The Threatened Species Scientific Committee (the Committee), which provides advice to the Minister on prioritising and assessing TECs, has been increasingly moving to a systems-based approach to defining and protecting TECs under the Act. Examples include the broad-scale listings of woodlands such as 'White Box-Yellow Box-Blakely's Red Gum Grassy Woodland', 'Grey Box (Eucalyptus microcarpa) Grassy Woodlands of South-eastern Australia', and 'Coolibah-Black Box Woodlands of the Darling Riverine Plains and the Brigalow Belt South Bioregions', which cover vast areas and ecological systems of inland Australia across several state borders. Assessment for listing of Australia's first major river system, the 'River*

*Murray and associated wetlands, floodplains and groundwater systems, from the junction with the Darling River to the sea' ecological community, is also based on such a landscape/systems-based approach."* (See Murray Darling debacle in this chapter).

*Listing at the broader, landscape scale provides for a more efficient and effective approach and complements the listing of single threatened species and other environmental conservation measures such as the national reserve system. It allows for protection of both the biotic components and the ecological functions and services that the TECs provide (for example: shelter for stock, natural management of water and air, habitat for pollinators, carbon storage, etc.)"*<sup>3</sup>

The listing of a TEC under the *EPBC Act* not only provides legislative protection and national recognition that its long-term survival is under threat by elevating it as Matter of National Environmental Significance (MNES), but aims to prevent further decline and to promote and assist recovery through conservation advice, recovery plans and other landholder, agency, and community efforts. As an MNES, listed TECs require the approval of the Commonwealth Minister for the Environment before any proposed activity that may have a significant impact upon the community can proceed. The detailed nature of TEC definitions and listings means they are immediately effective once gazetted, providing umbrella protection for all component species, flora and fauna, often threatened themselves, at an easily-identifiable and much quicker rate than other mechanisms.

Many of these Threatened Ecological Communities will never receive the full conservation reserve status that they deserve, making the continued listing and required impact assessment processes across all tenures even more critical. Similarly, native vegetation clearance laws will be more effective if the assessment systems recognise all known TECs.

#### Recovery plans and conservation advice

TEC listings also lead to improved awareness, information and education about the community and the threats that may impact on it. A range of associated publications become available through the Departmental website, such as Listing and/or Conservation Advices; Recovery Plans; fact sheets, brochures, and the Department's online database and *EPBC Act* Protected Matters search tools. A past TEC listing resulting from an HSI nomination for example, 'Grey Box (*Eucalyptus microcarpa*) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia', gazetted in mid-2010, now has an array of information and management advice available relating to its protection, including 'Grey Box (*Eucalyptus microcarpa*) Grassy Woodlands and Derived Native Grasslands of South-Eastern Australia: A guide to the identification, assessment and management of a nationally threatened ecological community'<sup>4</sup> and 'Farming and Nationally Protected Grey Box Woodlands and Grasslands.'<sup>5</sup>

At present 26 ecological communities have recovery plans in place, and a further 28 have such plans being drafted. The remaining 13 communities listed under the *EPBC Act* have detailed Conservation Advices, in which priority conservation actions and other guidance for environmental decision-making are provided, prepared prior to and made publicly available at the time of their gazettal. The use of Conservation Advices by the Department of Environment in part reflects increasingly restricted budgets and a severe backlog in recovery planning.

#### Environmental stewardship programs

Such listings also assist in the prioritisation of conservation funding, predominantly through the National Reserve System (NRS) and the Environmental Stewardship Program (ESP) which provide funding to land managers to protect and rehabilitate targeted MNES on private land. To date listed TECs have been a major target of this program,

with HSI nominated communities such as 'Natural grasslands on basalt and fine-textured alluvial plains of northern New South Wales and southern Queensland' and 'Weeping Myall Woodlands' benefiting. The receipt of ESP funding is also linked the acceptance of 'on-farm covenants', and the listing of TECs can also result in their incorporation into new protected area dedications. Many are represented on private lands and protected under in-perpetuity conservation agreements, and their presence is often an important factor in identifying suitable properties of high conservation value for such covenants.

The 2011-12 Federal budget saw \$82.4 million invested over the next four years of the ESP after a highly successful initial round, with landholders now able to access 15-year grants to take long-term action on their land to reduce grazing intensity, and control weeds and feral animals. Funding round two in 2012 for example, was conducted in the Adelaide and Mount Lofty Ranges, Northern and Yorke, and South Australian Murray Darling Basin NRM regions of South Australia, and targeted 'Peppermint Box (*Eucalyptus odorata*) Grassy Woodland of South Australia' and 'Iron-grass Natural Temperate Grassland of South Australia', both of which are classified as Critically Endangered Ecological Communities.

TECs provide vital habitat, refuge, and wildlife corridors for many plants and animal species, including those that are threatened themselves or in decline but not yet listed. They provide increased resilience of Australia's unique biodiversity, particularly in light of a changing climate, as well as a range of ecosystem services such as: the natural management of air, water and soil nutrients; the reduction or control of erosion, salinity and acid sulphate soils; and the storage of carbon.

To date 67 terrestrial, freshwater and marine TECs covering around 6 million hectares have been listed and protected under the *EPBC Act* as Matters of National Environmental Significance, with the current national list representing more than 150 Vulnerable, Endangered and Critically Endangered ecological communities and equivalents recognised under state laws, with an approximate former extent of around 31 million hectares. **It is important to note here that none of the nomination work carried out by HSI would be at all possible without decades of scientific endeavour by many botanists, ecologists and other scientists across the country. Australians are in their debt.**

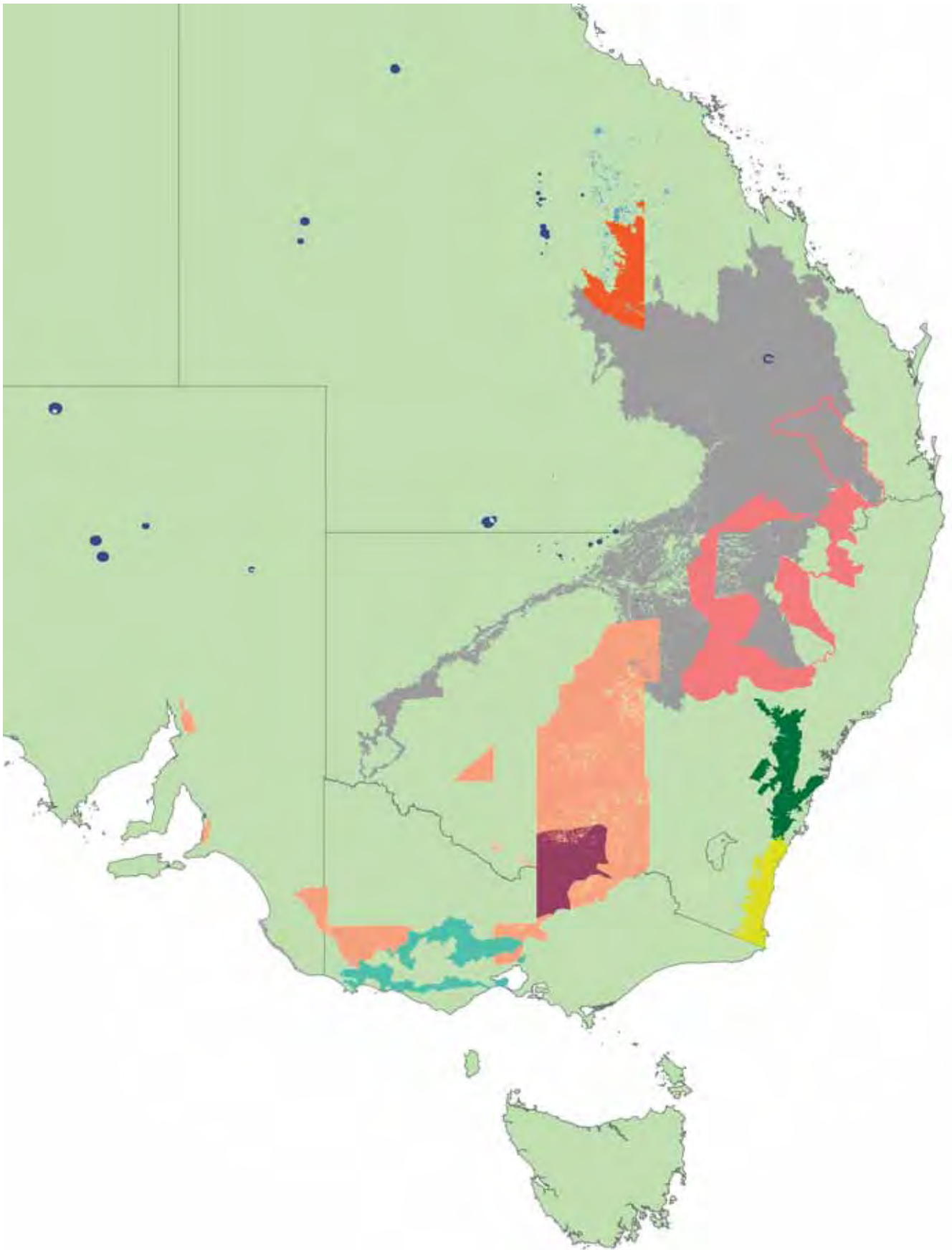
#### Murray Darling debacle

Following nominations by HSI many years earlier, Federal Environment Minister Mark Butler moved to list the 'River Murray and associated wetlands, floodplains and groundwater systems, from the junction of the Darling River to the sea' and the 'Wetlands and inner floodplains of the Macquarie Marshes' as Critically Endangered TECs under the *EPBC Act* in 2013. These listings were pioneering examples of aquatic ecosystem conservation, taking a whole-of-system approach to provide the connectivity essential to protect and improve the ecological functioning and health of these nationally iconic ecosystems. The 'River Murray' listing was some 400,045 hectares in extent while the 'Macquarie Marshes' covered approximately 228,235 hectares.

However, despite the TSSC considering that there was "overwhelming evidence" to list the ecological communities at the highest possible threat level after close to five years of assessment, with both meeting several listing criteria for a threatened status (only one is required to warrant a listing), and being among the most threatened communities ever included on the *EPBC Act* schedules, the in-coming Coalition Government removed them from the Act.

It was the very first time since the concept of Threatened Ecological Communities had been embedded in Commonwealth law through the *Endangered Species Protection Act, 1992*, that a recommendation

Geographical boundaries for a selection (12/21) of EPBC Act listed TECs resulting from HSI nominations





## Names and status of Threatened Ecological Communities nominated by HSI for EPBC Act (federal) listing

Ecological community	Status	Map
Brigalow ( <i>Acacia harpophylla</i> dominant and co-dominant)	Listed	
Coolibah–Black Box Woodlands of the Darling Riverline Plains and the Brigalow Belt South Bioregions	Listed	
Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest	Listed	-
Giant Kelp Marine Forests of South East Australia	Listed	
Gippsland Red Gum ( <i>Eucalyptus tereticornis</i> subsp. <i>mediana</i> ) Grassy Woodland and Associated Native	Listed	-
Grey Box ( <i>Eucalyptus microcarpa</i> ) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia	Listed	
Lowland Grassy Woodland in the South East Corner Bioregion	Listed	
Lowland Native Grasslands of Tasmania	Listed	-
Natural Grasslands of the Murray Valley Plain	Listed	
Natural Grasslands of the Queensland Central Highlands and the northern Fitzroy Basin	Listed	
Natural grasslands on basalt and fine-textured alluvial plains of northern New South Wales and southern Queensland	Listed	
Natural Temperate Grassland of the Victorian Volcanic Plain	Listed	
New England Peppermint ( <i>Eucalyptus nova-anglica</i> ) Grassy Woodlands	Listed	
Semi-evergreen vine thickets of the Brigalow Belt (North and South) and Nandewar Bioregions	Listed	-
Subtropical and Temperate Coastal Saltmarsh	Listed	-
Temperate Highland Peat Swamps on Sandstone	Listed	-
The community of native species dependent on natural discharge of groundwater from the Great Artesian Basin	Listed	
Upland Basalt Eucalypt Forests of the Sydney Basin Bioregion	Listed	
Upland Wetlands of the New England Tablelands and the Monaro Plateau	Listed	-
Weeping Myall – Coobah - Scrub Wilga Shrubland of the Hunter Valley	Listed	-
Weeping Myall Woodlands	Listed	-
River Murray and associated wetlands, floodplains and groundwater systems, from junction of the Darling River to the sea	Disallowed	-
Wetlands and inner floodplains of the Macquarie Marshes	Disallowed	-
Hinterland Sand Flats Forests and Woodlands of the Sydney Basin Bioregion	FPAL	-
Cooks River and Castlereagh Ironbark Forest of the Sydney Basin Bioregion	FPAL	-
Eucalypt Woodlands of the Western Australian Wheatbelt	FPAL	-
<i>Posidonia</i> Seagrass Meadows	FPAL	-
Hunter Valley remnant woodlands and open forests	FPAL	-
Southern Highlands Shale Woodland	FPAL	-
The community of estuarine species dependent on salt-wedge estuaries of southern Australia	FPAL	-
Poplar/bimble box grassy woodland on alluvial plains	FPAL	-
Warkworth Sands Woodland	FPAL	-
<i>Euclayptus ovata</i> woodland and forest in Tasmania	FPAL	-
<i>Casuarina glauca</i> (Swamp Oak) Coastal Floodplain Forest	FPAL	-
Freshwater Floodplains of the Timor Sea drainage division	Pending	-
Bangalay Sand Forest of the Sydney Basin, South East Corner and East Gippsland Bioregions	Pending	-
Banded Ironstone Formation Vegetation Complex of the Yalgoo, Coolgardie and Avon Wheatbelt Bioregions	Pending	-
Tropical Freshwater Floodplains of Northern Australia	Superseded	-
East Coast Floodplain Vegetation Complex	Superseded	-
Western Australian Banded Ironstone Vegetation Complex	Superseded	-

Inclusion on a Finalised Priority Assessment List (FPAL) sets a date for the Threatened Species Scientific Committee to provide detailed listing advice to the Commonwealth Environment Minister to base their decision on.

Only a selection of HSI nominated EPBC Act listed TECs (12/21) are shown on the accompanying map due to a lack of publicly available data.

from the TSSC to the Minister to list a TEC was rejected by Parliament, as a result of political pressure by rural industry lobbyists. It did not bode well for future protective listings.

In the same year, the International Union for the Conservation of Nature and Natural Resources (IUCN) initiated the development of risk assessment criteria to support a global Red List of Ecosystems. Twenty ecosystems were selected internationally to test the framework, with six of the eight found in Australia being largely consistent with HSI TEC nominations, including 'Swamps, marshes and lakes in the Murray-Darling Basin'.

### NSW TEC listings

HSI is responsible for the nomination of some 24 of the 104 (23.1 %) listed communities under the *Threatened Species Conservation Act, 1995 (TSC Act)* with more in the final stages of the assessment process, covering approximately 1.5 million hectares—though this is a very rough figure due to the lack of data from the Office of Environment and Heritage.

Fifteen of these TECs have equivalents at the Federal level (indicated by \* on table opposite) as a result of HSI nominations, and therefore provide a dual level of protection, with examples including the 'New England Peppermint (*Eucalyptus nova-anglica*) Woodland on Basalts and Sediments in the New England Tableland Bioregion'—the large majority of the TEC's extent is within NSW but full protection for the Queensland occurrences is provided through the *EPBC Act* listing, and the 'Cumberland Plain Woodland in the Sydney Basin Bioregion'. The NSW Cumberland Plain listing was largely consistent with the first ever *EPBC Act* TEC listing and was also the first TEC to be listed under the *TSC Act*, welcomed by a Daily Telegraph front page headline: "Urban Bush Seized—Conservation order threatens new homes".<sup>5</sup>

We believe that it is likely that the schedule of Threatened Ecological Communities under the NSW *Threatened Species Conservation Act, 1995* is the most comprehensive **state list** of protected ecosystems in the world. However, an analysis of outcomes for HSI nominated TECs listed under the *TSC Act* found conservation actions resulting from the listings, aside from their essential role in guiding development approvals, was generally lacking. There is an urgent need for the NSW Government to allocate sufficient funds to the Office of Environment and Heritage to complete recovery plans for all listed TECs.

Notable conservation outcomes from TEC listings however have included: 46,000 hectares of State forest with substantial tracts of 'Sandhill Pine Woodland in the Riverina, Murray-Darling Depression and NSW South Western Slopes bioregions' and 'Inland Grey Box Woodland in the Riverina, NSW South Western Slopes, Cobar Peneplain, Nandewar and Brigalow Belt South Bioregions' were converted to National Parks; and 'Cumberland Plain Woodland in the Sydney Basin Bioregion' was classified as Priority Conservation Lands (PCLs) to receive preference investment under the Growth Centres Biodiversity Offset Program (approximately ¾ of the \$530 million Growth Centres Conservation Fund).

It is imperative that the *EPBC Act* remains resilient and able to effectively protect these vital threatened ecosystems, but the Commonwealth Government is already well advanced in its plan to devolve its major protective powers under the *EPBC Act* to the states and territories.

## Protecting endangered Porcupine grass community

**A good example** of *TSC Act* listings safeguarding against significant developments is the 2009 illustration of the NSW Government's approval of the development of a 596 turbine wind farm at Silverton, in the direct vicinity of a Threatened Ecological Community nominated for legislative protection under the *TSC Act* by HSI in 2008. The community, 'Porcupine Grass / Red Mallee / Gum Coolabah hummock grassland / low sparse woodland on metamorphic ranges on the Barrier Range in the Broken Hill Complex Bioregion', had a very restricted distribution, extending over a mere 250 hectares. Existing on such a small geographical area, the community was particularly susceptible to development, utility construction and other long term threats.

Although the nomination was still in the assessment process, the then NSW Department of Environment and Climate Change, and the proponent of the wind farm, Silverton Wind Farm Developments Pty Ltd, acknowledged the importance of the ecological community during the environmental impact assessment stage. **Accordingly, the proponent altered the development proposal during the design phase and incorporated a range of conservation controls into the project design.**

To minimise the impacts of the development on the ecological community, the turbines were to be placed outside of the community, access tracks and cabling routes determined by a qualified ecologist and diverted around its range, and a recovery plan, goat management plan, and vegetation management plan were to be implemented.

1. *Threatened Species Commissioner, Twitter (@tscommissioner), September 16 2014. <http://goo.gl/xEeGIS>*

2. *Commonwealth Department of Environment Media Release, 'Australia's First Endangered Bushland Listed', September 23 1998. <http://goo.gl/sKvcXc>*

3. *National Threatened Ecological Community Strategic Workshop, Threatened Species Scientific Committee, 8–9 March 2012. <http://goo.gl/0mIAR0>*

4. *Grey Box (*Eucalyptus microcarpa*) Grassy Woodlands and Derived Native Grasslands of South-Eastern Australia: A guide to the identification, assessment and management of a nationally threatened ecological community. Commonwealth Department of Sustainability, Environment, Water, Population, and Communities, 2012. <http://goo.gl/GPzwFT>*

5. *Farming and National Protected Grey Box Woodlands and Grasslands. Commonwealth Department of the Environment, Water, Heritage and the Arts, 2010. <http://goo.gl/VvHNjn>*

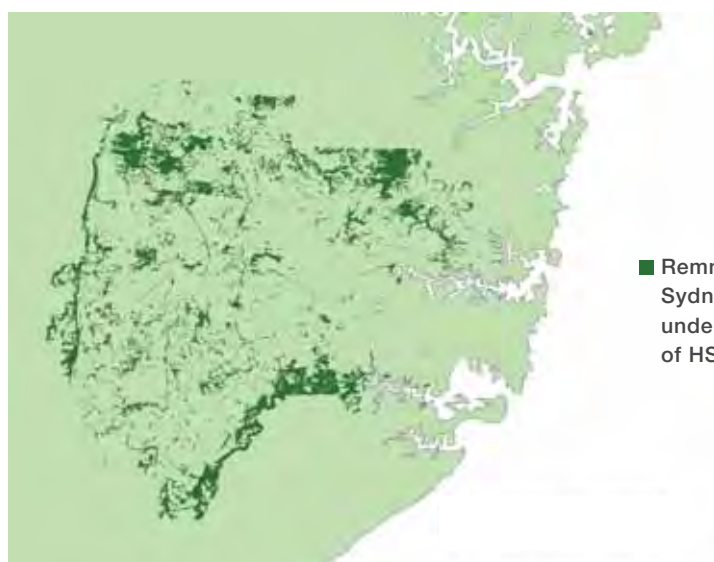
6. *The Daily Telegraph, 'Urban Bush Seized – Conservation Order Threatens New Homes', May 31 1997*

## Names and status of Threatened Ecological Communities nominated by HSI for TSC Act (NSW) listing

Ecological community	Status
Cumberland Plain Woodland in the Sydney Basin Bioregion*	Listed
Semi-evergreen Vine Thicket in the Brigalow Belt South and Nandewar Bioregions*	Listed
Brigalow within the Brigalow Belt South, Nandewar and Darling Riverine Plains Bioregions*	Listed
New England Peppermint ( <i>Eucalyptus nova-anglica</i> ) Woodland on Basalts and Sediments in the New England Tableland Bioregion*	Listed
Ribbon Gum—Mountain Gum—Snow Gum Grassy Forest/Woodland of the New England Tableland Bioregion	Listed
Montane Peatlands and Swamps of the New England Tableland	Listed
Upland Wetlands of the Drainage Divide of the New England Tableland Bioregion*	Listed
Robertson Rainforest in the Sydney Basin Bioregion*	Listed
Robertson Basalt Tall Open-forest in the Sydney Basin Bioregion*	Listed
Southern Highlands Shale Woodlands in the Sydney Basin Bioregion*	Listed
Native Vegetation on Cracking Clay Soils of the Liverpool Plains	Listed
Lowland Grassy Woodland in the South East Corner Bioregion*	Listed
Dry Rainforest of the South East Forests in the South East Corner Bioregion	Listed
Brogio Wet Vine Forest in the South East Corner Bioregion	Listed
Milton Ulladulla Subtropical Rainforest in the Sydney Basin Bioregion	Listed
Coolibah-Black Box Woodland in the Darling Riverine Plains, Brigalow Belt South, Cobar Peneplain and Mulga Lands Bioregions*	Listed
Myall Woodland in the Darling Riverine Plains, Brigalow Belt South, Cobar Peneplain, Murray-Darling*	Listed
Hunter Valley Weeping Myall Woodland of the Sydney Basin Bioregion*	Listed
Inland Grey Box Woodland in the Riverina, NSW South Western Slopes, Cobar Peneplain, Nandewar, Brigalow Belt South Bioregions*	Listed
Sandhill Pine Woodland in the Riverina, Murray-Darling Depression and NSW South Western Slopes*	Listed
Marsh Club-rush Sedgeland in the Darling Riverine Plains Bioregion*	Listed
Mallee and Mallee-Broombush dominated woodland and shrubland, lacking Triodia, in the NSW South Western Slopes Bioregion	Listed
Porcupine Grass – Red Mallee – Gum Coolabah hummock grassland/low sparse woodland in the Broken Hill Complex Bioregion	Listed
Castlereagh Scribbly Gum Woodland in the Sydney Basin Bioregion	Listed
Candlebark – Apple Box – Narrow-leaved Peppermint tall open forest on granite in the Tumbarumba region of the South East Highlands and upper NSW South-western Slopes Bioregions	Pending
Coolac-Tumut serpentinite shrubby woodland in the NSW South Western Slopes and South Eastern Highlands Bioregions	Preliminary Listing
Belah Woodland in the eastern Darling Riverine Plains, Brigalow Belt South and NSW South-western Slopes Bioregions**	Withdrawn
Poplar Box grassy woodland of the eastern Darling Riverine Plains, Brigalow Belt South and NSW South-western Slopes Bioregions**	Withdrawn

\*TECs with equivalent EPBC Act listings

\*\*Nominations temporarily withdrawn due to unavailable data



■ Remnants of Cumberland Plain Woodland in the Sydney Basin Bioregion, the first TEC to be listed under both federal and NSW legislation as a result of HSI nominations

## A tale of what could have been...

**Before being removed by a set of weakening** amendments to the *EPBC Act* in 2006, Section 185, was a progressive amendment secured during the EPBC Senate negotiations between the Australian Democrats and the Government that was meant to ensure a speedy and comprehensive listing process.

Section 185 allowed the Federal Environment Minister to assess all the ecological communities on state and territory lists for consideration for *EPBC Act* listing and also required the Minister to keep the *EPBC Act* lists “up to date”. The idea behind s185 was to bring the EPBC lists rapidly up to date and to reduce the reliance on ad hoc nominations from the public. Section 185 should have led to near comprehensive protection for all nationally endangered and vulnerable ecological communities across Australia.

HSI attempted to take full advantage of an amendment it helped negotiate, but things did not progress well. In 2000, HSI referred to the Commonwealth Minister for the Environment, all officially recognised state and territory lists of Threatened Ecological Communities, including forest communities identified in the Tasmanian and other Regional Forests Agreements (RFAs). These lists were subsequently gazetted under the *EPBC Act*, and Environment Minister Robert Hill instructed the Threatened Species Scientific Committee (TSSC) to assess the 500+ ecological communities these lists represented for *EPBC Act* protection.

Therefore, by the end of 2000, the TSSC had literally millions of hectares of threatened wildlife habitats awaiting its critical assessment. In realisation of such a heavy workload, the TSSC set about developing a ‘Strategic Framework’ which was supposed to help them systematically go through all the ecological communities, to identify those that were nationally threatened and qualified for *EPBC Act* listing.

Then, in April 2001, Robert Hill listed Brigalow woodlands, blue grasslands, semi evergreen vine thickets and mound springs. These were four highly biodiverse ecological communities, primarily found in Queensland, representing over one million hectares of threatened habitats, that had been submitted by HSI under the old Commonwealth *Endangered Species Protection Act* in 1999, due to concerns they were rapidly falling under the bulldozer in Queensland. Farming lobby groups, particularly Agforce, had an apoplectic fit and there was a subsequent call for the Environment Minister’s resignation.

**Predictably, no more ecological communities were listed during the rest of the Government’s term and only two were listed by the subsequent Environment Minister.** HSI’s concern for an apparent slow-down in assessing ecological communities led us to trigger an investigation by the Australian Audit Office into *EPBC Act* listing processes, resulting in a highly critical Audit Office report. Whether consecutive Ministers continued to receive advice on TEC listings from the TSSC during this time or whether the Department simply ran dead on the process, are open to conjecture. We suspect it was a combination of the two, but it was very clear to HSI that the National Farmers Federation successfully used its political clout to strangle the *EPBC Act* listing process.

In addition to the massive number of TECs already awaiting adjudication, HSI also squeezed a 2001 Federal Election commitment from the Liberal Party, agreeing to refer all the Threatened Ecological Communities identified by the Commonwealth’s yet to be published Terrestrial Biodiversity Assessment Audit to the TSSC for potential listing under the *EPBC Act*. The Audit subsequently identified nearly 3,000 nationally threatened communities, but a returned Coalition Government failed to deliver on the promise.



Mary River floodplains • I Wierink



# wildlife land trust

The Wildlife Land Trust network represents 300 registered sanctuaries in six states covering approximately 40,000 hectares

**HSI Directors Michael Kennedy and Verna Simpson have held a decades-old interest in and concern for conservation efforts on private land. Verna Simpson was the fundraiser called in by Bob Brown when he first set up the Australian Bush Heritage Fund (ABHF) in the early '90s, where she established a firm financial base for purchasing conservation land across Australia.**

**Verna, in 10 years as a Director of ABHF, helped secure a significant number of highly biodiverse wildlife sanctuaries, while Michael Kennedy was a member of the inaugural Scientific Committee.**

The continuing interest of HSI in conservation on private land led to a two year contract with the Federal Government to manage the Commonwealth's National Land for Wildlife and National Bush for Wildlife programs. At the time, the Land for Wildlife program consisted of approximately 12,500 private sanctuaries covering in the region of 2 million hectares around the country.

This program was secured and managed in a cooperative effort with environmental and social consultants Community Solutions led by Judy Lambert and Jane Elix. It was undertaken following a proposal Community Solutions and HSI put to the Commonwealth Environment Minister to establish a national 'Wildlife Refuge Link', with the project's formal work program requiring the project team to "link existing habitat management agreement holders not currently in Land for Wildlife networks into a network for ongoing support".

The work program also required the project to "develop ideas for improved support (and 'club' membership) for covenant holders".

#### Getting started

The Humane Society Wildlife Land Trust (HSWLT) was established by The Humane Society of the United States (based in Washington DC) in 1993. The HSWLT now owns and manages over 100 sanctuaries across the United States, with a Mission that states, "The Humane Society Wildlife Land Trust celebrates and protects wild animals by creating permanent sanctuaries, preserving and enhancing natural habitat, and confronting cruelty." The Wildlife Land Trust (WLT) network globally now links over 800,000 hectares of conservation land, with over 400 sanctuaries and projects in a dozen countries, including WLT Australia registered sanctuaries in India, Indonesia and South Africa.

The combination of the long-term commitment of HSI's directors to conservation on private land, the desire to at least partially implement the idea of a national 'Wildlife Refuge Link', and the success of the Wildlife Land Trust in the United States, convinced HSI to set up the WLT in Australia. Consequently, in 2007, HSI Australia established the Wildlife Land Trust—and now has 300 registered sanctuaries in six states covering approximately 40,000 hectares, protecting a range of threatened species and ecological communities, and keeping more carbon in the ground. 75 of those sanctuaries have in-perpetuity protection through various covenanting schemes nationally, while

over 100 are involved in wildlife care and rehabilitation programs. The map opposite displays the location of all WLT sanctuaries in Australia overlaid on the Great Eastern Ranges corridor, and shows that the distribution of WLT member sanctuaries largely follows the populated regions of Australia. New South Wales is the most represented state in the WLT with 125 sanctuaries, although Queensland boasts the largest land coverage with 22,250 hectares of wildlife-friendly land. Unlike the WLT in the United States, the WLT in Australia is effectively a 'club' for like-minded wildlife sanctuary owners (building on the concept developed with Community Solutions) who sign a non-binding 'letter of agreement' relating to conservation management, and are not owned or purchased by HSI/WLT.



Locations of HSWLT sanctuaries in the United States

Benefits of membership of the Australian WLT program include: becoming part of a continually growing national and international network of sanctuaries promoting best conservation practices and protecting wildlife and habitats around the world; help from HSI if a member has problems with local developments impacting their sanctuary; the facilitation of useful communication between sanctuary members, WLT staff and experienced land managers and native wildlife rehabilitators; advice and help on upgrading protection for sanctuaries if required, including undertaking covenanting processes on behalf of the owner; the opportunity to talk about the invaluable work undertaken to protect important wildlife habitats through feature pages on our website and in our regular Wildlife Lands newsletter; large WLT signs to signify member properties, and potential access to management grant monies through the Private Land Conservation Grants Program.

#### In-perpetuity Conservation Agreements

The WLT signed a MoU with the Office for Environment and Heritage Conservation Partners Program in New South Wales in 2013, which aimed to “work in partnership on the establishment, monitoring and support of WLT voluntary Conservation Agreement covenants to landholders registered with the Wildlife Land Trust.”

Since developing this important cooperative agreement the WLT has been liaising with several sanctuary owners who are keen to enter into legal arrangements that will protect their land in-perpetuity. The WLT has been prioritising and assessing suitable properties in cooperation with the Office of Environment and Heritage, with three sanctuaries currently nearing the final goal of establishing legally-binding conservation agreements. It is our intent to encourage all sanctuary owners to consider upgrading protection for their properties through one binding scheme or another.

The WLT does own and manage the covenanted 120 hectare Warriwillah Wildlife Sanctuary just south of Canberra, gifted to HSI by Garth Dixon, and the WLT has made modest financial contributions to the

purchase of important conservation reserves in Tasmania, Queensland and Indonesia (see following chapter). WLT Australia is also represented on the US Wildlife Land Trust Board of Advisors and the US Wildlife Land Trust Habitat Protection Advisory Committee.

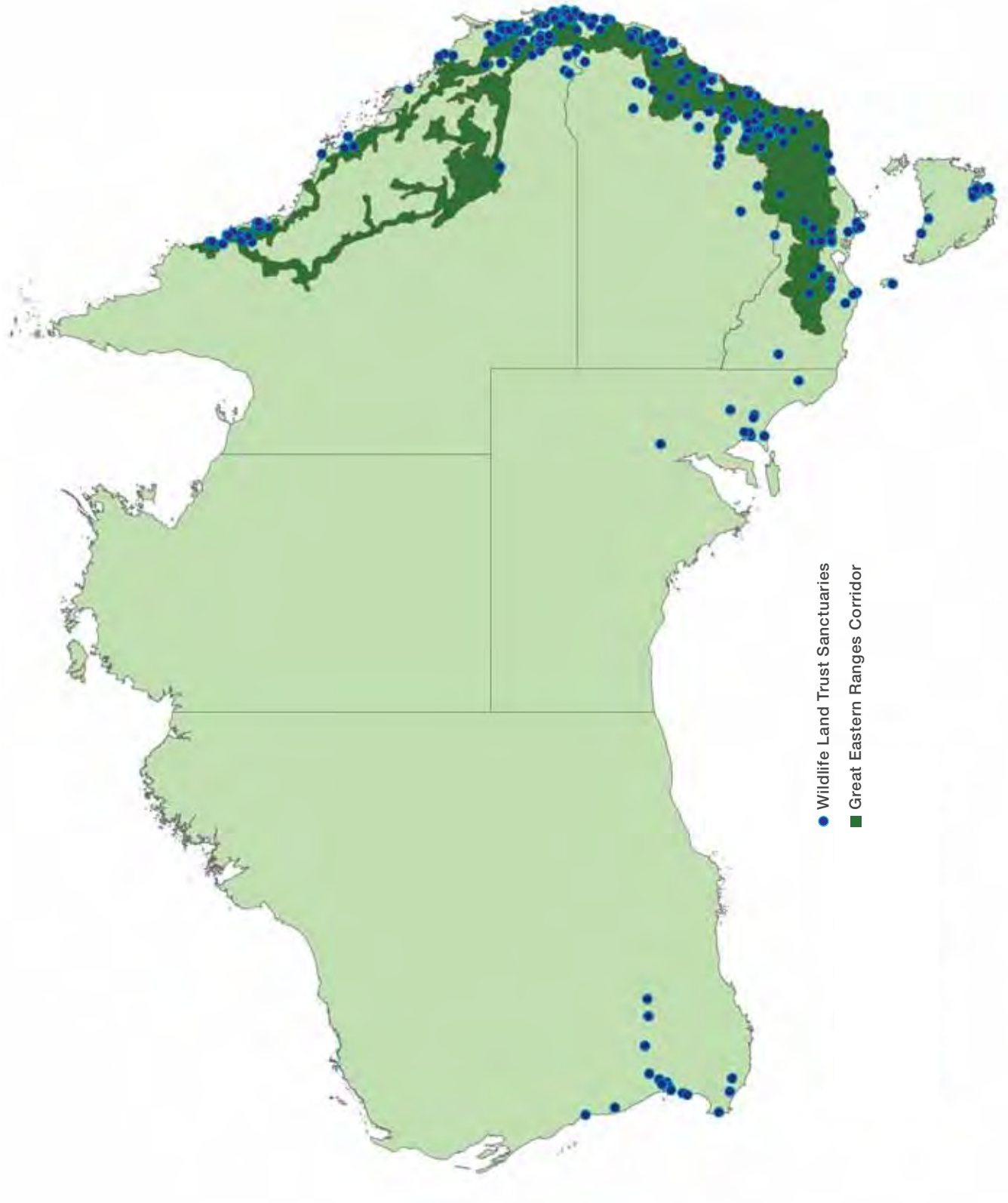
#### Grants program

The WLT is a founding partner of the NSW Private Land Conservation Grants Program, administered by the Foundation for National Parks and Wildlife (with the NSW Office of Environment and Heritage Conservation Partners Program, NSW Conservation Trust, Paddy Pallin Foundation, Diversicon Environment Foundation, the NSW Catchment Management Authority and the Community Environment Network). Three successful years of grants led to significant investment by the NSW Government's Environmental Trust, and since 2008 in excess of \$1 million has been awarded to 266 projects around NSW for biodiversity conservation works, including many WLT sanctuary owners. In 2014 the program was launched in Victoria, and there are plans to see a successful roll-out nationwide. This program supports landholders dedicated to conservation and achieving biodiversity protection activities on their land—an essential follow-up to the initial entering-into of private land conservation programs.



Squirrel glider • J McCann–WLT

Distribution of Australian WLT sanctuaries in relation to the Great Eastern Ranges conservation corridor





# wildlife corridors, land purchase and legal action

HSI has distributed approximately \$5,000,000 in grant monies to nearly 400 projects in over 30 countries

**HSI does not have a major program which engages in the purchase and protection of conservation properties, but we have from time to time made modest contributions to the purchase of pockets of habitats, often involving the development of critical wildlife habitat corridors. We have also been active participants in promoting and helping to protect important wildlife corridor initiatives internationally.**

These efforts are usually linked to projects associated with our global Extinction Denied program, which provides small grants for wildlife and habitat protection in dozens of countries around the world (HSI has distributed approximately \$5,000,000 in grant monies over the last 15 years to nearly 400 projects). Many grants and projects are also linked to the Wildlife Land Trust (WLT) activities in Australia and in the United States, with the latter organisation having similar grants programs, including involvement in key wildlife corridor initiatives.

HSI has always had an eye to the courts, keen to use legal processes to help achieve conservation outcomes and to stop environmental degradation. While to date we have instigated some nine legal challenges and helped financially support a further nine, most dealt with the direct threats to endangered species. It has often been difficult to get into court on purely habitat protection grounds, but there have been a few instances where we have been able to support such actions.

The following provides examples of HSI and WLT wildlife corridor and land purchase contributions and selected legal actions:

#### **Queensland land purchase contribution/corridor**

In 2013, working with Rainforest Rescue, HSI contributed to the purchase of a pristine rainforest block in the remaining Daintree lowland forests of north Queensland. The block has been purchased along with three other adjacent blocks, forming an almost continuous track of rainforest, containing 128 different plant species and five threatened species. HSI's National Heritage nomination (with planning consulting firm ARUP and the Daintree Rainforest Foundation) for the listing of the remaining 85 square kilometres of Daintree Lowland Rainforest, is still with the Commonwealth awaiting prioritised assessment.

#### **Tasmanian land purchase contribution**

In 2011, HSI and the Wildlife Land Trust worked with Rainforest Rescue to help purchase "Forest Lodge" a property containing 80 hectares of pristine old growth forest in Tasmania. This stunning property comprises old growth rainforest on the Rattler Range, with the Mount Victoria Forest Reserve surrounding it on three sides. Large myrtle-beech and sassafras trees dominate the property, ancient species that evolved from species growing in Gondwana. And it is home to rare and endangered animals such as the spotted quoll, Tasmanian devil and wedge-tailed eagle.



### Queensland land purchase contribution

The Australian Wildlife Conservancy (AWC) has been at the forefront in protecting vast areas of Australia's magnificent mega-biological diversity. Their 2010 purchase of the 14,000 hectare "Bowra" in Queensland, recognised as a biodiversity *hotspot* for birds, is an important addition to the AWC sanctuary network. HSI and the Wildlife Land Trust made a modest financial contribution to the purchase of this critical bird habitat area, with an AWC major donor matching our contribution dollar for dollar.

### Corridor - National Partner Organisation Great Eastern Ranges Corridor (GER)

The WLT is a National Member Organisation of the Great Eastern Ranges (GER) Conservation Corridor Initiative. Within the corridor the WLT unites a strong presence of conservation minded landowners, with approximately 110 New South Wales, 20 Victorian and 70 Queensland member sanctuaries, amounting to more than 30,000 hectares, currently lying within the general GER bounds. HSI has sought to protect habitats within the GER through multiple listings of Threatened Ecological Communities, National Heritage places and national recognition of biodiversity *hotspot* areas.

### Corridor - Associate Member Kosciuszko to Coast Corridor (K2C)

The WLT is also an associate member of the GER regional partner, the Kosciuszko 2 Coast (K2C) corridor. The K2C region is a particularly concentrated one for WLT membership, with 26 sanctuaries covering around 4,000 hectares. Both the GER and K2C sanctuary owners benefit from the NSW Private Land Conservation Grants Program of which the WLT is a partner organisation. *See chapter on WLT*

### Corridor - Gondwana Link Corridor

HSI's habitat protection efforts in south-western Australia have aligned closely with the Gondwana Link conservation corridor, which stretches from the mouth of the Margaret River through the wheat belt region and former goldfields of Kalgoorlie. For example, the National Biodiversity *Hotspots* of Busselton Augusta, Central and Eastern Avon Wheatbelt and Fitzgerald River Ravensthorpe all intersect the corridor, and HSI Threatened Ecological Community (Eucalypt Woodlands of the Western Australian Wheatbelt – for which a listing decision is due at the end of 2014) and National Heritage (Great Western Woodlands) nominations were submitted to protect critical remnants of battered ecosystems in the wider area. Furthermore, Wildlife Land Trust membership in the region continues to grow with three properties covering 50 hectares at present.

### Land purchase/corridor/re-vegetation - Bali, Indonesia

HSI and the WLT have been working on the island of Bali and its satellite island Nusa Penida for nearly 15 years. Besides supporting a number of re-vegetation programs through the offices of the Friends of the National Parks Foundation (FNPF), HSI also purchased over 5 hectares of coastal rainforest for FNPF, helping to protect a 250 hectare community forest corridor reaching down to the sea. This initiative with FNPF made a significant contribution to the implementation of the Nusa Penida Bird Sanctuary program.

### Corridor/re-vegetation - Kalimantan, Indonesia

HSI has been supporting a range of conservation and community support programs through the FNPF and their work in Tanjung Puting National Park in Kalimantan for nearly 15 years now. Along with protecting existing forests, one of the most important aspects of the work has been to ensure the replanting of a 415 hectare corridor linking in-tact tropical forests, following illegal logging and fires. HSI is also supporting FNPF's rehabilitation/corridor work in Lamandau River Wildlife Reserve in Central Kalimantan Province, by helping secure important major donor funding.

### Land purchase contribution/corridor management Sulawesi, Indonesia

During 2010, HSI and the WLT helped purchase a small but critical piece of rainforest corridor habitat in Sulawesi. The Alliance for Tompotika Conservation (AITo) were in the process of establishing the new Tompotika Forest Preserve, consisting of 10,000 hectares of Sulawesi lowland, hill, and submontane forest. Several hundred hectares of privately-owned land needed to be purchased or leased from local villagers as a key 'gateway/corridor' area that controls the main access route to the mountain and its forests, containing a number of highly endangered species.

### Land purchase contribution/corridor management Sulawesi, Indonesia

In 2014, HSI and the WLT again worked with AITo on the Maleo Corridor project in protecting the critical corridor of natural vegetation connecting the world's best remaining communal nesting ground for the endangered maleo bird with the forested hills 500-1500 metres away. We committed resources to allow for either the purchase or the conservation management of the corridor.

### Island leasing/conservation management Sulawesi, Indonesia

In 2014, the AITo had negotiated a lease for a very special seven hectare uninhabited island, Tangkuladi Island, near the maleo program above. The island is a key daytime roosting spot for several species of flying-fox, all of whom are thought to be in steep decline. AITo closed a two year trial conservation lease of the island which will fully protect the thousands of bats and also nesting sea turtles. HSI and the WLT's contribution would help pay for any outstanding lease provisions or for securing effective arrangements for its permanent protection.

### Corridor - Kitenden Wildlife Corridor, Kenya

HSI has committed essential financial support to help create and manage the Kitenden Wildlife Corridor, which links West Kilimanjaro in Tanzania with Amboseli National Park in Kenya. Partnering with the Born Free Foundation we are supporting the work of the African Wildlife Foundation, working with local communities to encompass more privately owned land in safeguarding connectivity between Kenya's Amboseli Ecosystem and Tanzania's West Kilimanjaro Ecosystem. These landscapes are endowed with large populations of free ranging wildlife.

### Corridor - Kavango-Zambezi Transfrontier Conservation Area program

HSI has provided modest resources to the far reaching research and conservation program: Landscape Connectivity in the Kavango-Zambezi Transfrontier Conservation Area, under the auspices of the Namibia Nature Foundation. The landscape linking Greater Kafue Ecosystem in western central Zambia to Chobe National Park and East Caprivi Region has been promoted as a corridor facilitating the movement and conservation of terrestrial mammals within the vast Kavango-Zambezi Transfrontier Conservation Area, covering five African countries and almost 300,000 square kilometres.



Grey-headed flying-fox • N Edards

#### **Legal action – critical habitats – grey-headed flying fox**

Having gained national legal protection for the vulnerable grey-headed flying-fox, HSI subsequently financed Bat Advocacy in NSW to challenge the Federal Government over its approval to allow the Royal Botanic Gardens in Sydney to permanently move a large grey-headed flying-fox colony. HSI was concerned for the species' loss of its critical habitat site, and the case had the potential to demonstrate the importance of critical habitats in this national legal setting. HSI had taken similar action in the Supreme Court of Victoria highlighting critical habitat issues.

#### **Legal action – protecting Tasmanian forests**

In 2007, a landmark court action by Senator Bob Brown established that the *Environment Protection and Biodiversity Conservation Act, 1999* protected listed endangered species in all Regional Forest Agreements Areas, including the Wielangta Forest. This was a significant legal win by Bob Brown which the Commonwealth and Tasmanian governments appealed, and HSI was privileged to be able to help provide modest financial resources to help defend the initial decision.

#### **Legal action – Cumberland Plain Woodland**

HSI financially supported proceedings brought against Penrith City Council, Maryland Development Company Pty Ltd and St Marys Limited (the latter two companies being subsidiaries of Lend Lease) by the Western Sydney Conservation Alliance. The case challenged the validity of the Council's decision to approve a number of development applications which impacted upon several listed Threatened Ecological Communities and species. This included the Cumberland Plain Woodland, which was listed under both the Commonwealth and state threatened species laws due to multiple HSI nominations between 1997 to 2007. The Court ordered that the operation of consents be suspended and that they only be validated upon the Council reconsidering the development application having regard to the details of the Recovery Plan.

#### **Legal action – protecting Papua New Guinea's tropical forests**

In 2007 HSI provided financial support to Papua New Guinea (PNG) Eco-Forestry Forum to commence legal actions in opposing illegal logging operations. In 2008 PNG Eco-Forestry Forum won a Supreme Court Case that saved 800,000 hectares of pristine rainforest from logging in the Kumula Dosa forest area. In 2009 the Eco-Forestry Forum was successful in the courts again, protecting the same forest from the Office of Climate Change and Lands Department, with an injunction stopping these wayward government authorities from issuing carbon trade and agricultural licences.

#### **International law – forests and climate change**

Since attending the *United Nations Framework Convention on Climate Change* (UNFCCC) talks to help develop the 'Bali Road Map' in 2007, and ensure that forest/biodiversity protection became a part of the climate change negotiations, HSI has been very active in continuing to brief countries on the design of the REDD (Reduced Emissions from Deforestation and Forest Degradation in Developing Countries) mechanism. This has been to ensure REDD will be as effective as possible at forest protection and restoration, while including safeguards for biodiversity conservation and the rights of indigenous peoples and local communities. To that end HSI was a founding member of the international Ecosystems Climate Alliance (ECA) which is a coalition of conservation groups campaigning at the UN to keep forests intact and their carbon out of the atmosphere. HSI will continue to work on this issue through to the Paris UNFCCC meeting in late 2015.

HSI has also been pleased to contribute funds (jointly with the German Government) for mapping work to identify biodiversity and carbon *hotspots* around the world where REDD funds should be prioritised, research undertaken by the United Nations Environment Program World Conservation Monitoring Centre (UNEP-WCMC).

HSI has been funding rainforest protection and rehabilitation programs in Tanjung Puting National Park in Kalimantan for nearly 15 years



Tanjung Puting rehabilitation • M Kennedy



The *hotspots* program helped purchase 7 high conservation value properties covering around 1.3 million hectares

# australian biodiversity hotspots

Kimberley • Ecopix



Cape York • M Kennedy

**In 2001, during the Federal election campaign, HSI gained a new policy commitment that would “direct the Commonwealth’s Threatened Species Scientific Committee to advise on regional biodiversity hotspots across Australia for priority action under the NHT (Natural Heritage Trust); and “give priority to NHT projects which implement regional strategies to conserve biodiversity in the hotspot regions.”<sup>1</sup>**

In 2002, shortly after the Federal election, the Commonwealth announced the allocation of resources to permit the Threatened Species Scientific Committee (TSSC - established under the *Environment Protection and Biodiversity Conservation Act, 1999*) to undertake the biodiversity hotspots review. The Government was encouraged to hurriedly develop this new-found policy by Dr Tom Lovejoy, President of the Heinz Centre for Science, Economics and the Environment, and past Chief Biodiversity Adviser to the President of the World Bank, whilst visiting Australia.

In late 2002, a workshop sponsored by the Australian Museum and HSI and under the auspices of the TSSC, produced a list of 15 priority biodiversity hotspots for the Commonwealth Environment Minister to consider and finally accept. They were:

1. Einasleigh and Desert Uplands (Queensland) 2. Brigalow North and South (Queensland and New South Wales) 3. Border Ranges North and South (Queensland and New South Wales) 4. Midlands of Tasmania 5. Victorian Volcanic Plain 6. South Australia’s South-East/ Victoria’s South-West 7. Mt Lofty/Kangaroo Island (South Australia) 8. Fitzgerald River Ravensthorpe (Western Australia) 9. Busselton Augusta (Western Australia) 10. Central and Eastern Avon Wheatbelt (Western Australia) 11. Mount Lesueur-Eneabba (Western

Australia) 12. Geraldton to Shark Bay sand plains (Western Australia) 13. Carnarvon Basin (Western Australia) 14. Hamersley-Pilbara (Western Australia) 15. North Kimberley (Western Australia) *See map opposite.*

In the first half of 2003, the Government announced that it proposed to use the 15 identified biodiversity hotspots, “to assist with the directional funding for the extension of the Natural Heritage Trust. All regions will be preparing regional plans and investment strategies to enhance biodiversity conservation; however, within regions containing hotspots, priority will be given to funding management actions that address the conservation of the hotspot values or address any specific threats.”<sup>2</sup>

Consequently, in the financial year 2003-2004, national and regional funding approved under the NHT for projects within the 15 agreed biodiversity hotspots was approximately \$50 million, or roughly half of the entire NHT budget for the same period.

The Minister officially launched the national biodiversity hotspots policy in October 2003, referring to the decision in identifying the 15 hotspots as a “world first”.<sup>3</sup> The Minister also announced that “Around a further \$10 million will also be available for projects through the regional competitive component of the National Heritage Trust. This component of the Trust is available to regions for high priority, multi-regional and hotspots has been identified as a theme.”

Additionally, it was announced that 8 bushcare co-ordinators and over 60 regional facilitators were being trained in hotspots conservation management, to help communities better manage their land.

“By concentrating on these hotspot areas where needs are greatest and where the pay-off from safeguard measures would be greatest, conservationists can engage in a more systematised response to the challenge of large scale impending extinctions.”

*Professor Norman Myers (Green College, Oxford University, UK), inventor of the biodiversity hotspots theory.*

## Further hotspot initiatives benefiting regional protected areas

In early 2004, following a proposal from HSI and supported by the Australian Wildlife Conservancy (AWC), Australian Democrats Leader Senator Meg Lees was successful in negotiating with the Prime Minister, a three-year, \$10 million Regional Natural Heritage Program (RNHP), providing grants to NGOs working on the ground in regional biodiversity hotspot areas.

This program leveraged a further \$13 million, allocating resources to NGOs in Indonesia, Papua New Guinea, Vietnam, Laos, East Timor, the Philippines, Cambodia, Malaysia, Myanmar, Thailand, Singapore, Tonga, Vanuatu, Fiji, Tuvalu, Marshall Islands, Cook Islands, Kiribati, New Caledonia, Samoa, French Polynesia, and other island nations and important biodiversity sites in Micronesia and Polynesia.

These projects mainly focused on helping to prepare for and/or manage protected areas. HSI and AWC served on the RNHP Taskforce formed to advise the Minister on program expenditure, while the President of Conservation International, Dr Russ Mittermeier made a presentation to the Australian Government in support of the RNHP.

## Purchasing and managing protected area hotspots

In the second half of 2004, the Australian Democrats, supported by HSI, negotiated another hotspots package with the Prime Minister, to provide \$36 million over three years for domestic hotspots conservation efforts. The hotspots program was re-badged as “Maintaining Australia’s Biodiversity Hotspots”, with the Commonwealth Environment Minister advised by an Expert Advisory Committee consisting of two representatives each from EPBC Act constituted advisory bodies, the Biological Diversity Advisory Committee and the Australian Heritage Council, and included HSI staff members.

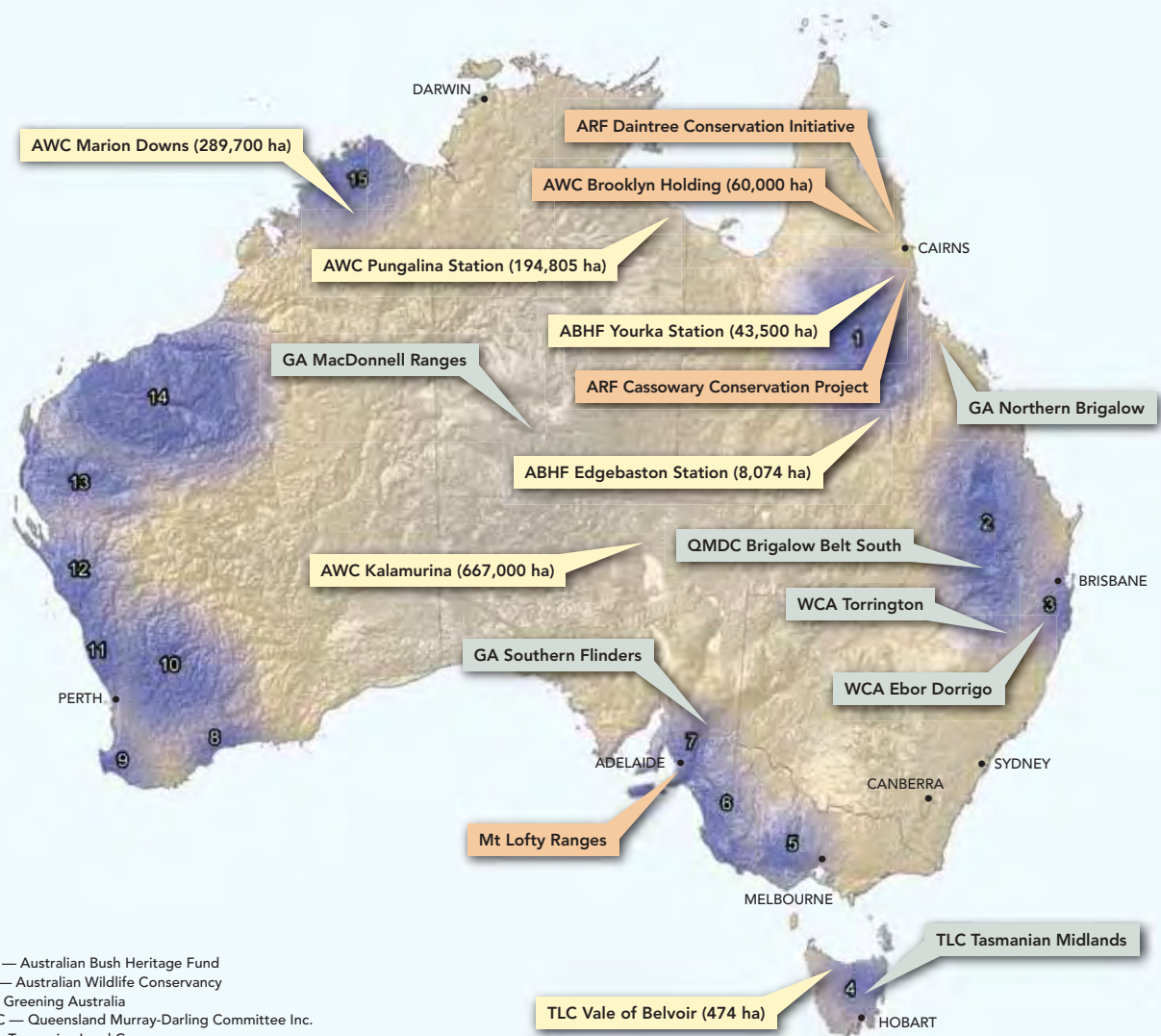
The map opposite shows the acquisitions and stewardship programs funded during the course of the program. The program contributed to the purchase of seven properties (theoretically including them in the National Reserve System), covering approximately 1.3 million hectares, with an additional 14 small properties covering 142 hectares in the Daintree area. Approximately \$5 million was leveraged through the acquisition component while \$6 million was allocated under the stewardship component, targeting some 180,000 hectares and approximately 90 landholders. Monies left over at the end of the biodiversity hotspots program were subsequently allocated to the National Reserve System budget.

1. *Our Future Action Plan: A Better Environment*, Howard Government policy document, pp. 32, November 2001. <http://goo.gl/1F1fFL>

2. *Humane Society International Technical Bulletin* 13, pp. 6, December 2008. <http://goo.gl/og2Xtp>

3. *Sydney Morning Herald*, ‘Helping hand for environment hotspots’, October 4 2003. <http://goo.gl/1d0lji>

## Maintaining Australia's Biodiversity Hotspots



ABHF — Australian Bush Heritage Fund  
 AWC — Australian Wildlife Conservancy  
 GA — Greening Australia  
 QMDC — Queensland Murray-Darling Committee Inc.  
 TLC — Tasmanian Land Conservancy  
 WCA — Wetland Care Australia

Information provided by Commonwealth Department of Environment, Heritage and The Arts 2008.

### Biodiversity Hotspots

- |                                 |   |                                       |
|---------------------------------|---|---------------------------------------|
| 1 Einasleigh and Desert Uplands | 6 South East SA and South West Victoria | 11 Mount Lesueur Eneabba              |
| 2 Bingalow North and South      | 7 Mt Lofty / Kangaroo Island            | 12 Geraldton to Shark Bay sand plains |
| 3 Border Ranges North and South | 8 Fitzgerald River Ravensthorpe         | 13 Camarvon Basin                     |
| 4 Midlands of Tasmania          | 9 Busselton Augusta                     | 14 Hamersley / Pilbara                |
| 5 Victorian Volcanic Plain      | 10 Central and Eastern Avon Wheat Belt  | 15 North Kimberley                    |

### Investment

- |   |   |  |
|---|---|--|
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #cccccc; border: 1px solid #000;"></span> Stewardship projects | <span style="display: inline-block; width: 15px; height: 15px; background-color: #ffffcc; border: 1px solid #000;"></span> Acquisition projects | <span style="display: inline-block; width: 15px; height: 15px; background-color: #ffcc99; border: 1px solid #000;"></span> Early investments |
|---|---|--|



# natural heritage places

HSI has proposed over 50 National Heritage nominations for assessment by the Commonwealth

**HSI was a key player in the passage of the EPBC Act 'heritage' amendments in 2003, which established the National Heritage List and the Commonwealth Heritage List. They became new Matters of National Environmental Significance (MNES). Consequently, an action that has, will have, or is likely to have, a significant impact on the ecological character of a National Heritage or Commonwealth Heritage listed place, must be referred to the Commonwealth Minister and undergo an environmental assessment and approval process. The passage of the EPBC Act itself in 1999, also gave increased protection to all World Heritage sites in Australia.**

The heritage amendments triggered the introduction of a new National Heritage Program, initially worth around \$50 million. HSI subsequently became a member of the inaugural Australian Heritage Council (AHC) and began to help develop both the National and Commonwealth lists. In 2004, as a member of the AHC, HSI took part in an expert workshop with the Australian Museum, the Commonwealth Environment Department and the CSIRO Centre for Plant Biodiversity Research, to identify 14 natural area *hotspots* for priority assessment as National Heritage listed places. These priorities were then made public, while the AHC also agreed to complement this list by developing an additional 'interim list' of areas that warranted assessment, subsequently prepared by the two AHC Councilors specialising in natural areas.

Together with important national fossil sites, the National Heritage

List (NHL) currently contains over 50 separate natural area listings (including the 15 World Heritage natural area sites that the AHC ensured were automatically transferred to the NHL). The new heritage regime also undertook to implement a long-term assessment of all World Heritage sites with a view to adding new conservation values for protection.

Besides playing a role in the early development of the NHL, HSI also undertook a targeted public nomination program which in part reflected agreed AHC natural area priorities and HSI's own priorities based on work by Lambert and Kennedy<sup>1</sup>. Priorities, among the 13 proposed by HSI, included Southwest Western Australia, Carnarvon Basin, Hamersley-Pilbara, North Kimberley, Great Eastern Australian Forests (later to become Conservation International's 35th Global Biodiversity *Hotspot*), Brigalow North, the Einasleigh and Desert Uplands, and the Tasmanian Midlands.

Some of the more notable terrestrial heritage listings in which HSI has had a particular involvement include the AHC initiated Australian Alps nomination, covering an area of some 1.6 million hectares in 11 National Parks and Nature Reserves in NSW, the ACT and Victoria; NSW's Ku-ring-gai Chase National Park, one of the top five plant biodiversity *hotspots* in the country (and the first National Heritage area listed by public nomination following an HSI submission) and the West Kimberley.

1. *Humane Society International Special Bulletin, 'Conserving Australian Landscapes Beyond the National Reserve System', January 2009. <http://goo.gl/sQM8mo>*

In 2011, the Commonwealth Government announced the addition of more than 19 million hectares of the West Kimberley in Western Australia to the NHL, representing the largest land-based conservation area ever protected under Australian law. HSI had helped ensure top ten prioritisation for the Kimberley as an AHC member, publicly nominated several areas within the Kimberley for National Heritage listing, and gained recognition of the North Kimberley as a National Biodiversity *Hotspot*.

Thirteen National Heritage nominations by HSI are either awaiting a final decision by the Commonwealth Minister or awaiting priority listing for assessment, including approximately 10 million hectares of the Great Western Woodlands in Western Australia, and the Cooper Creek sub-catchment, covering somewhere in the region of 12 million hectares. HSI has also for many years been promoting the late Professor Peter Cullen's concept of an *EPBC Act* 'Heritage Rivers' program, but with no appreciable progress.

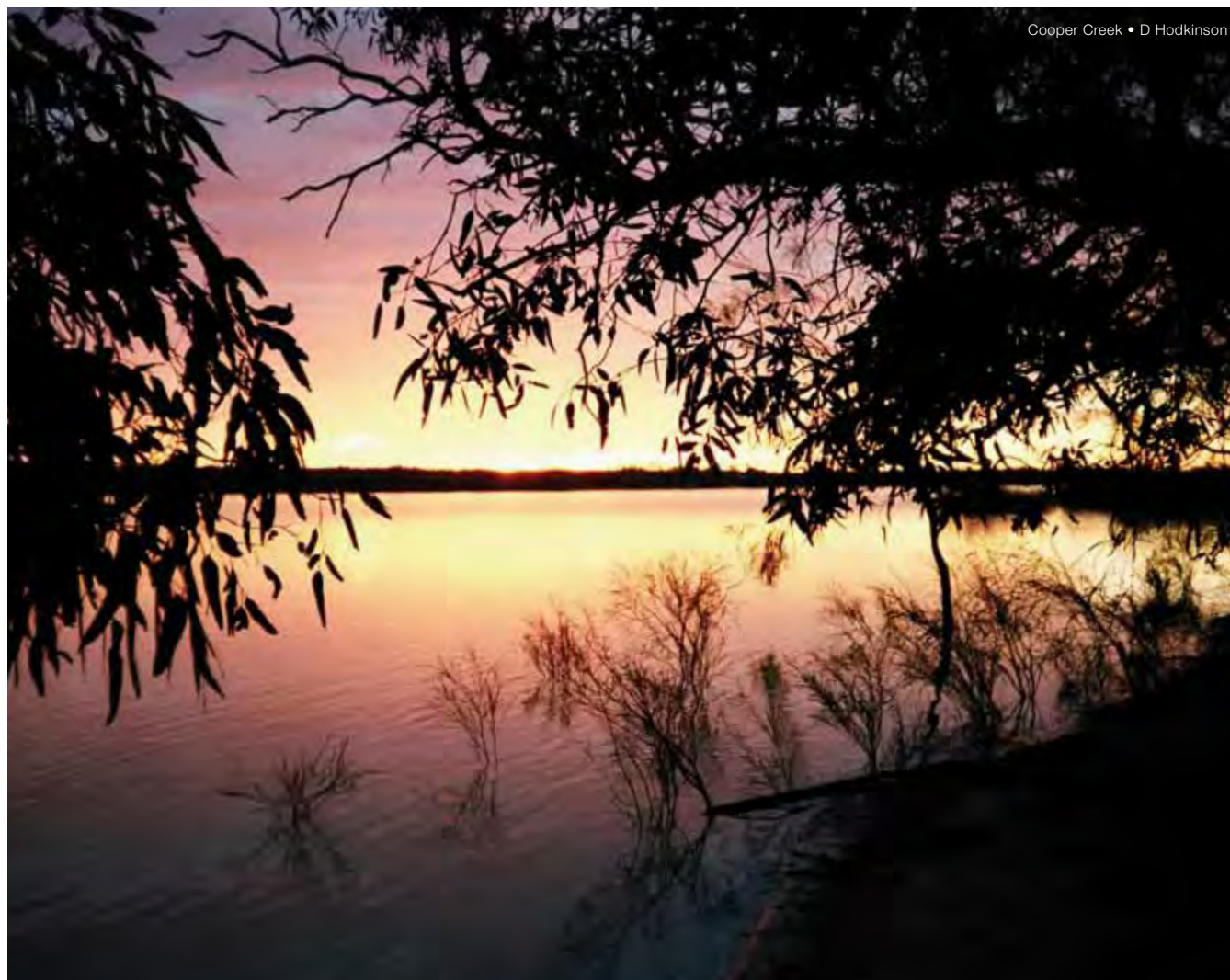
Of particular note is the added protection to be given to key habitats in South Western Australia's National and Global Biodiversity *Hotspot*, with the current National Heritage listings for the Stirling Range and Porongurup National Park and the potential future listings of over 500,000 hectares of National Parks, Nature Reserves and Crown land in the Fitzgerald River/Ravensthorpe area — and 115,000 hectares in the Beekeepers-Lesueur-Coomallo Area and Nambung National Park. A Ministerial decision on these listings is imminent.

The *EPBC Act* heritage amendments also established the Commonwealth Heritage List (CHL) which saw the Government and the AHC facilitate the immediate transfer of 32 Commonwealth owned natural area sites to the list, conferring increased protection to terrestrial and marine wildlife habitats totaling some 3 million hectares. These areas included for example the 566,000 hectare Yampi Defense Area in the north-west Kimberley and the 871,000 hectare Bradshaw Defense Area in the Northern Territory (see marine NHL and CHL areas on page 26).

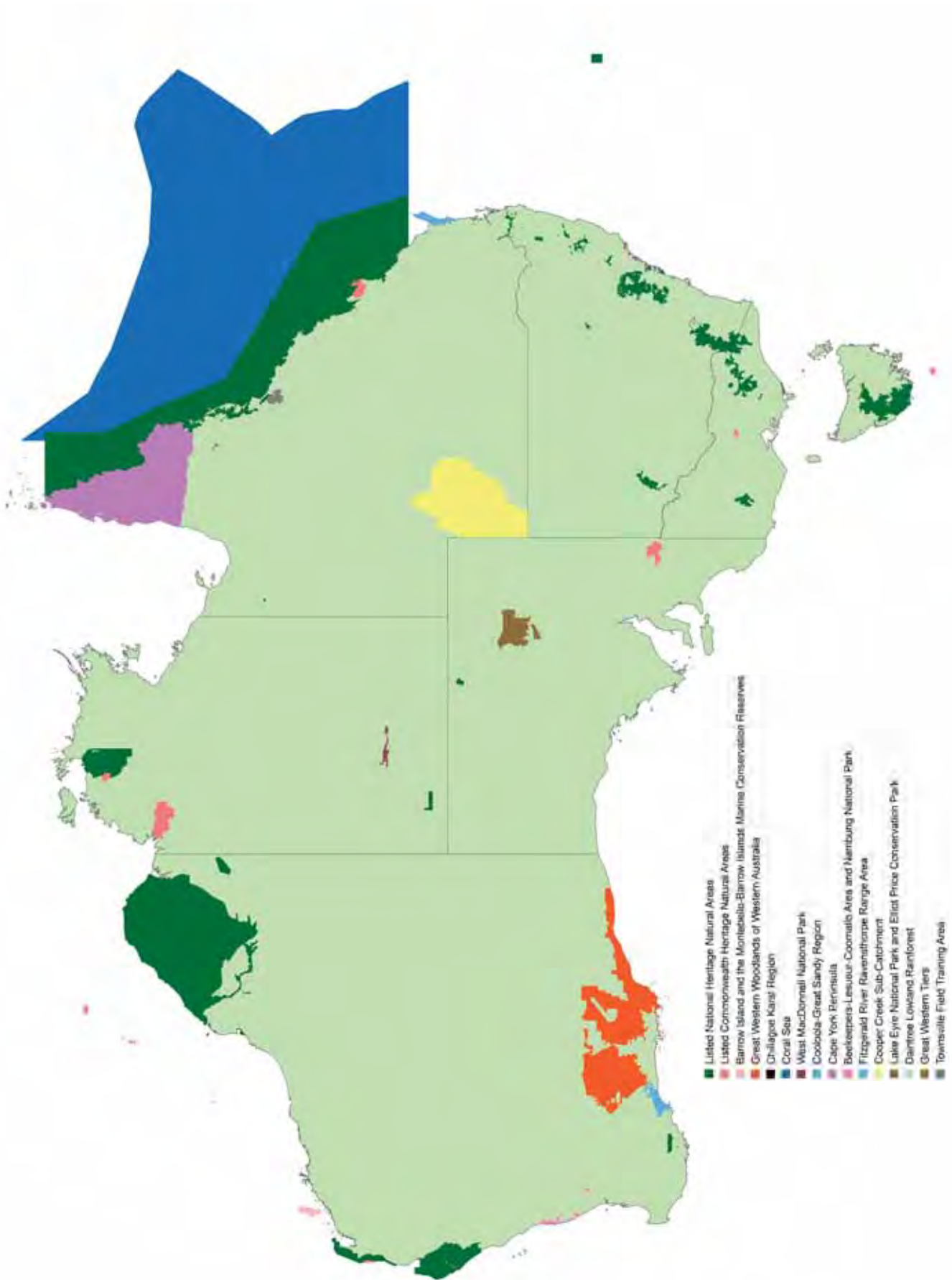
#### **Ramsar wetlands**

The passage of the *EPBC Act* in 1999 also saw, for the first time since Australia had ratified the *Convention on Wetlands of International Importance*, Ramsar sites receiving full national protection, and recognised as Matters of National Environmental Significance. As with all other MNES matters, any actions that have, will have, or are likely to have, a significant impact on the ecological character of a Ramsar wetland must be referred to the Commonwealth for assessment and approval. The *EPBC Act* also establishes a process for identifying Ramsar wetlands and encourages best practice management through nationally consistent management principles. There are currently 65 Ramsar wetlands protected under the *EPBC Act*.

But the real national protections once afforded heritage places and Ramsar sites under the *EPBC Act* are being devolved to the states and territories by the Coalition Government.



Listed National and Commonwealth Natural Heritage places and pending HSI nominations





## HSI National/Commonwealth Heritage nominations and listings

Name	Proposed status	Progress
The Ningaloo Coast	National Heritage	Listed
Ku-ring-gai Chase National Park, Lion Island, Long Island and Spectacle Island Nature Reserves	National Heritage	Listed
Tasmanian Seamounts	Commonwealth Heritage	Listed
Daintree Lowland Rainforest <sup>1</sup>	National Heritage	Awaiting priority assessment
Tarkine Wilderness Area <sup>2</sup>	National Heritage	Currently under priority assessment
Fitzgerald River-Ravensthorpe Range Area	National Heritage	Currently under priority assessment
Beekeepers-Lesueur Coomaloo Area and Nambung National Park	National Heritage	Currently under priority assessment
Townsville Field Training Area	Commonwealth Heritage	Currently under priority assessment
Coringa-Herald Nature Reserve, the Coral Sea	National Heritage	Incorporated into the Coral Sea priority assessment
Lihou Reef Nature Reserve, the Coral Sea	National Heritage	Incorporated into the Coral Sea priority assessment
Great Western Tiers <sup>2</sup>	National Heritage	Awaiting priority assessment
Great Western Woodlands (Western Australia)	National Heritage	Awaiting priority assessment
Lake Eyre National Park and Elliot Price Conservation Park	National Heritage	Awaiting priority assessment
Cooper Creek sub-catchment	National Heritage	Awaiting priority assessment
Cape York Peninsula	National Heritage	Awaiting priority assessment
Cape York Peninsula Emergency Listing	National Heritage	Rejected
Brisbane Water and Bouddi National Parks	National Heritage	AHC decision that unlikely to meet NHL criteria
Paroo River catchment	National Heritage	AHC decision that unlikely to meet NHL criteria
Barrow Island and the Montebello/Barrow Islands Marine Conservation Reserves	National Heritage	Awaiting priority assessment
Australian Antarctic Territory (AAT) and Australian Antarctic Whale Sanctuary (EEZ)	National Heritage	Awaiting priority assessment
The Coral Sea <sup>3</sup>	National Heritage	Currently under priority assessment
Prince Regent National Park, Kimberley	National Heritage	Incorporated into the West Kimberley National Heritage listing
Drysdale River National; Kimberley	National Heritage	Incorporated into the West Kimberley National Heritage listing
Augustus, Bigge, Unwins, Wollaston and Middle Osborn Islands off West Kimberley coast as critical dingo habitats and priority populations	National Heritage	Incorporated into the West Kimberley National Heritage review
Frazer Island as critical dingo habitat and priority population as critical dingo habitats and priority populations	National Heritage	To be included in future review of Frazer Island WH values
Kakadu/Kapalga as critical dingo habitats and priority populations	National Heritage	To be included in future review of Kakadu WH values
Arafura, Bradshaw, Simpson Desert and Kosciusko as critical dingo habitats and priority populations	National Heritage	Rejected
19 Grey Nurse Shark Critical Habitat/Marine biodiversity <i>Hotspot</i> sites	National Heritage	Rejected

1. With ARUP and the Daintree Rainforest Foundation

2. Jointly with the Tasmanian Conservation Trust (rejected by Commonwealth and then nominated by the Australian Heritage Council)

3. In cooperation with the Pew, ACF, TWS, AMCS, WDCS and CAFNEC

## Natural areas listed or triggered for assessment while HSI a member of AHC

Name	Proposed status	Progress
Glass House Mountains National Landscape	National Heritage	Listed
Warrumbungle National Park	National Heritage	Listed
Royal National Park and Garawarra State Conservation Area	National Heritage	Listed
Grampians National Park (Gariwerd)	National Heritage	Listed
Stirling Range National Park	National Heritage	Listed
Australian Alps	National Heritage	Listed
Elizabeth Springs	National Heritage	Listed
Witjira-Dalhousie Springs	National Heritage	Listed
Porongurup National Park	National Heritage	Listed
Christmas Island	National Heritage	Currently under priority assessment
Cooloola-Great Sandy Region	National Heritage	Currently under priority assessment
West MacDonnell National Park	National Heritage	Currently under priority assessment
NSW Greater Blue Mountains Area (additional Values review)	National Heritage	Currently under priority assessment

## Natural areas given priority assessment by the AHC in 2004

Name	Proposed status	Progress
Mound Springs (SA and QLD)	National Heritage	Listed
Stirling Ranges NP, Porongurup NP, Fitzgerald River NP, Esperance (Stokes NP, Cape Le Grand NP) (WA)	National Heritage	Stirling Ranges: Listed Porongurup: Listed Fitzgerald River, Esperance (Stokes, Cape Le Grand): No progress
NE NSW and SE QLD—including, but not restricted to: Tamborine Mountain NP (QLD), Conondale Ranges NP (QLD), Macleay Gorges area (NSW) including parts of New England NP (NSW), Oxley Wild Rivers NP (NSW), Willi Willi NP (NSW) in the plateau and gorges areas	National Heritage	No progress
Lofty Ranges/Kangaroo Island (SA)	National Heritage	No progress
Kimberley–Mitchell/Lawley Rivers Region (including Prince Regent NR/Drysdale River NP) (WA)	National Heritage	Listed
Wooroonooran NP (and adjacent private property) (QLD)	National Heritage	No progress
Western MacDonnell Ranges (NT)	National Heritage	Currently under priority assessment
Eighty Mile Beach and Mandora Marsh (WA)	National Heritage	No progress
Great Western Tiers (TAS)	National Heritage	Awaiting priority assessment
The Paroo River (NSW/QLD)	National Heritage	AHC decision that unlikely to meet NHL criteria
Nullarbar Pleistocene Fossils (WA)	National Heritage	No progress
Mt Lesueur/Beekeepers NP/Swan Coastal Plain (WA)	National Heritage	Currently under priority assessment
Barrow Island (WA)	National Heritage	Awaiting priority assessment
Iron Range and MacIllwaith Range (QLD) Cape York	National Heritage	Awaiting priority assessment



# marine, coastal and island habitat protection

Giant Kelp Marine Forests of South East Australia, proposed by HSI, was the first, and at present the only marine threatened ecosystem to be listed under Commonwealth law.

**Our marine policy and habitat protection work started in 1994, when in collaboration with WWF Australia (World Wide Fund for Nature), HSI issued a policy directions paper by Dr Keith Suter<sup>1</sup>, on the implementation of the *United Nations Convention on the Law of the Sea*, which urged the development of an Australian “Oceans Policy”. Subsequently, in 1996, HSI began to work with the Commonwealth Government in developing a broad Oceans Policy for Australia, setting the scene for future national action, while at the same time seeking immediate protective measures for key marine wildlife habitats.**

#### Critical habitats for marine species

One of our early achievements was the first and only listing and protection of five critical habitats for three threatened albatross species breeding in Australia, under the *Environment Protection and Biodiversity Conservation Act, 1999* (EPBC Act), following our successful nominations to list a number of albatross species. Similarly, after gaining the listing of the grey nurse shark under NSW, Victorian and Commonwealth law, we worked with colleague NGOs to give protection to 19 critical habitats for the species along the east coast of Australia, including the Commonwealth Cod Grounds for which we fought very hard. HSI also unsuccessfully sought National Heritage listings for these critical habitats.

As a member of the Commonwealth’s Dugong Advisory Group in the

mid-nineties, HSI worked with the Office of the Federal Environment Minister and key NGOs in a Commonwealth/state review of dugong conservation in the southern part of the Great Barrier Reef, culminating in a decision by the Commonwealth to dedicate 16 Dugong Protected Areas along the Queensland coastline. HSI had earlier initiated, in cooperation with a number of NGOs from north Queensland, a nomination to protect the dugong as a vulnerable species under the Commonwealth’s *Endangered Species Protection Act, 1992*.

We also gained the only marine critical habitat protective listing under the New South Wales *Threatened Species Conservation Act, 1995* (*TSC Act*) for an endangered population of little penguins just north of Sydney’s CBD at Manly. HSI had previously nominated this endangered population under the *TSC Act*, one of only three “endangered populations” ever listed under the Act (all nominated by HSI and two colleague NGOs). With the passage of the *EPBC Act*, HSI helped see the establishment of the Australian Whale Sanctuary across all of Australia’s ocean and island territories, including the vast 2.04 million square kilometres of Exclusive Economic Zone (EEZ) off Australia’s Antarctic Territory and Australian sub-Antarctic Islands.

In more recent years, HSI has also taken the lead in precipitating large fisheries area closures, due to unacceptable dolphin and Australian sea lion mortalities, in part thanks to our successful legal challenge over Australia’s largest export fishery. The first major closures occurred in

*1. Humane Society International & World Wide Fund for Nature, ‘The History of the Development of the Law of the Sea – The Importance for Global Marine Conservation and Recommendations for Australian Action’, Dr Keith Suter, 1994*

2010 when the Australian Fisheries Management Authority put in place emergency measures closing approximately 27,239 square kilometres of fishery to the use of gill nets. With strict trigger limits for Australian sea lions and dolphins put in place, closures have been enacted if trigger limits are reached and industry persists in killing these protected marine species. This has led to improved conservation outcomes for these species with far less impact by fishing activities.

Trying to improve upon the woeful state of critical habitat listings under the *EPBC Act*, HSI published a report with WWF in 2010, which identified over 260 separate marine critical habitat areas of 16 species of whales, dolphins, sharks, turtles and the Australian sea lion and dugong. This report urged the Australian Government, amongst other actions, to list all the highlighted critical habitats for these marine species under the *EPBC Act's* Register of Critical Habitats.

HSI had managed to gain a Federal election commitment from the Coalition Government in 2001 which promised to list on the Register, all critical habitats of all endangered and critically endangered species, but it was a promise never kept. Targeting the protection of these marine critical habitats and listing on the *EPBC Act* Register should be a major priority for any Commonwealth Government.

#### **National and Commonwealth Heritage listings**

Following the passage of the *EPBC Act* and the 'heritage amendments', the Great Barrier Reef and other marine World Heritage sites in Australia (including Macquarie Island, Heard and MacDonal Islands, the Lord Howe Island Group and Shark Bay), all received increased protection through their subsequent addition to the National Heritage List. HSI was able to help guide future National Heritage marine area priorities through its membership of the inaugural Australian Heritage Council (AHC).

A number of Commonwealth marine protected areas and islands covering over 1,000 square kilometres were also given added protection under the *EPBC Act's* Commonwealth Heritage List, immediately upon the enactment of the new heritage provisions. These marine areas included Shoalwater Bay Military Training Area, Norfolk Island, North Keeling Island, Ashmore Reef, parts of Christmas Island, Seringapayam and Scott Reefs and Surrounds in the Timor Sea, and Mermaid Reef –Rowley Shoals in North West Western Australia and the Ningaloo Marine Area.

Other island nominations include several key habitats off the Kimberley Coast (protected as a part of the West Kimberley National Heritage listing) while HSI has also been successful in gaining National Heritage listings for the Lion, Long and Spectacle Island Nature Reserves in New South Wales (as a part of the Ku-ring-gai Chase National Park listing). Barrow Island and the Montebello-Barrow Conservation Reserves were also prioritised by the AHC for assessment and listing, with HSI nominating the areas for protection in 2008.

HSI was successful with its nomination of the 7,000 square kilometre Ningaloo Reef and Coast for the National Heritage List (helping trigger a successful Commonwealth nomination for World Heritage protection) and the nomination of Tasmania's Sea Mounts on the Commonwealth Heritage List (CHL), the first public Commonwealth Heritage nomination and listing under the new law. HSI had previously sought protection for the sea mounts as a threatened ecological community under the *EPBC Act*.

Additionally, in cooperation with several other NGOs, HSI pursued protection for the 100,000 square kilometre Coral Sea under the National Heritage List (including separate nominations for the Coringa-Herald and Lihou Reef National Nature Reserves). A decision on the Coral Sea listing due from the Commonwealth in 2014 was suddenly postponed by the Minister in late October, just before the IUCN World Parks Congress.

A decision based entirely upon political considerations has now been pushed back until June 30th, 2017.

HSI concurrently developed National Heritage nominations seeking further legal protection for Australia's Antarctic Territory and its EEZ/Whale Sanctuary, and successfully defended the sanctuary in the Federal Court against the incursion of Japanese whalers.

#### **National marine reserves**

Emerging from the early Oceans Policy review, HSI helped secure a Commonwealth Government commitment to the marine bioregional program, which included the development of a system of national marine protected areas. The marine bioregional program and its protected area component were brought directly under the control of the *EPBC Act* bioregional planning provisions.

In June 2012 the Commonwealth Government announced its plan for a new network of marine reserves around Australia. Working with our colleague conservation organisations through the 'Protect our Coral Sea', 'Save Our Marine Life', and "Save Our Tropical Sealife' coalitions, HSI helped secure this commitment to dedicate a comprehensive marine reserve system, covering a huge 3.1 million square kilometres and representing more than a third of Commonwealth waters (totalling 60 reserves). This would have been the largest network of marine protected areas in the world. Despite management plans being finalised in 2013, and due to come into effect in July 2014, the new Coalition Government set aside these management plans as soon as they formed Government in September 2013, planning to undertake a review of the management arrangements for the proposed marine reserve system. HSI and our colleagues view this review as totally unnecessary duplication of the process already undertaken and are extremely disappointed at the delay this will mean for protection of marine critical habitats, with the review not due to conclude until mid-2015.

#### **Coastal and marine Threatened Ecological Communities**

While continuing to promote the need for a national marine reserve system, HSI has also concentrated recent efforts on seeking protection under the *EPBC Act* and *TSC Act* for threatened coastal and marine habitats, such as sea grass beds, kelp forests, salt marshes and estuaries. Following a number of HSI Threatened Ecological Community (TEC) nominations, the Commonwealth has already given national protection under the *EPBC Act* to 'Subtropical and Temperate Saltmarsh', which occurs in six states, and 'Giant Kelp Marine Forests of South East Australia', which was the first, and at present the only marine TEC to be listed under the Act.

Additionally, two HSI nominations with marine components have been prioritised for further assessment and are nearing their listing decision deadlines, being 'Posidonia Seagrass Meadows' and 'The community of estuarine species dependent on salt-wedge estuaries of southern Australia'.

#### **International marine protected area projects**

Internationally, and through our success in working with the Australian Democrats to establish the \$10 million Regional National Heritage Program (RNHP) HSI was a key adviser to the Commonwealth Minister for the Environment on the expenditure of program monies for marine protected area dedication and management in South East Asia and the South Pacific. The following projects were funded by the RNHP program:

Coral Triangle - protected area and community based management in Indonesia, the Philippines and Malaysia; the conservation of coral reef hotspots in the Bismarck Sea, Papua New Guinea and strengthening of marine protected areas in eastern Indonesia in the heart of the Coral Triangle; management and enforcement in Coral Reserve areas

in the Central Provinces, Vietnam; effective marine protected area management in Wakatobi National Park in Indonesia; enhancement of marine biodiversity conservation efforts in Votua Village, Fiji; the implementation of two marine sanctuaries in the Atoll of Ailuk, Marshall Islands; effective management of World Heritage sites and capacity building for protected areas in the Marshall Islands; protecting Central Pacific Transboundary Heritage sites in the Cook Islands and Kiribati; and the conservation of Ahnd Atoll and Small Islands, Pohnpei State, Federated States of Micronesia.

Including marine projects funded in the Coral Triangle by the RNHP, and all HSI funded projects in the region to date, we have been able to help facilitate nearly 50 marine and terrestrial protected area program activities in the six Coral Triangle States.

#### Antarctic marine reserves

As a Board and Council member of the Antarctic and Southern Ocean Coalition (ASOC) and a Partner in the Antarctic Ocean Alliance (AOA), HSI has been supporting the long-term campaign to dedicate vast marine reserves in the Southern Ocean, primarily at meetings of the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR). The AOA is proposing a representative system of marine protected areas containing 19 separate reserves, including the 3.6 million square kilometres of the Ross Sea. An HSI consultant has been acting

as an advisor on the Australian Government Delegation to CCAMLR for many years, representing the Australian conservation movement.

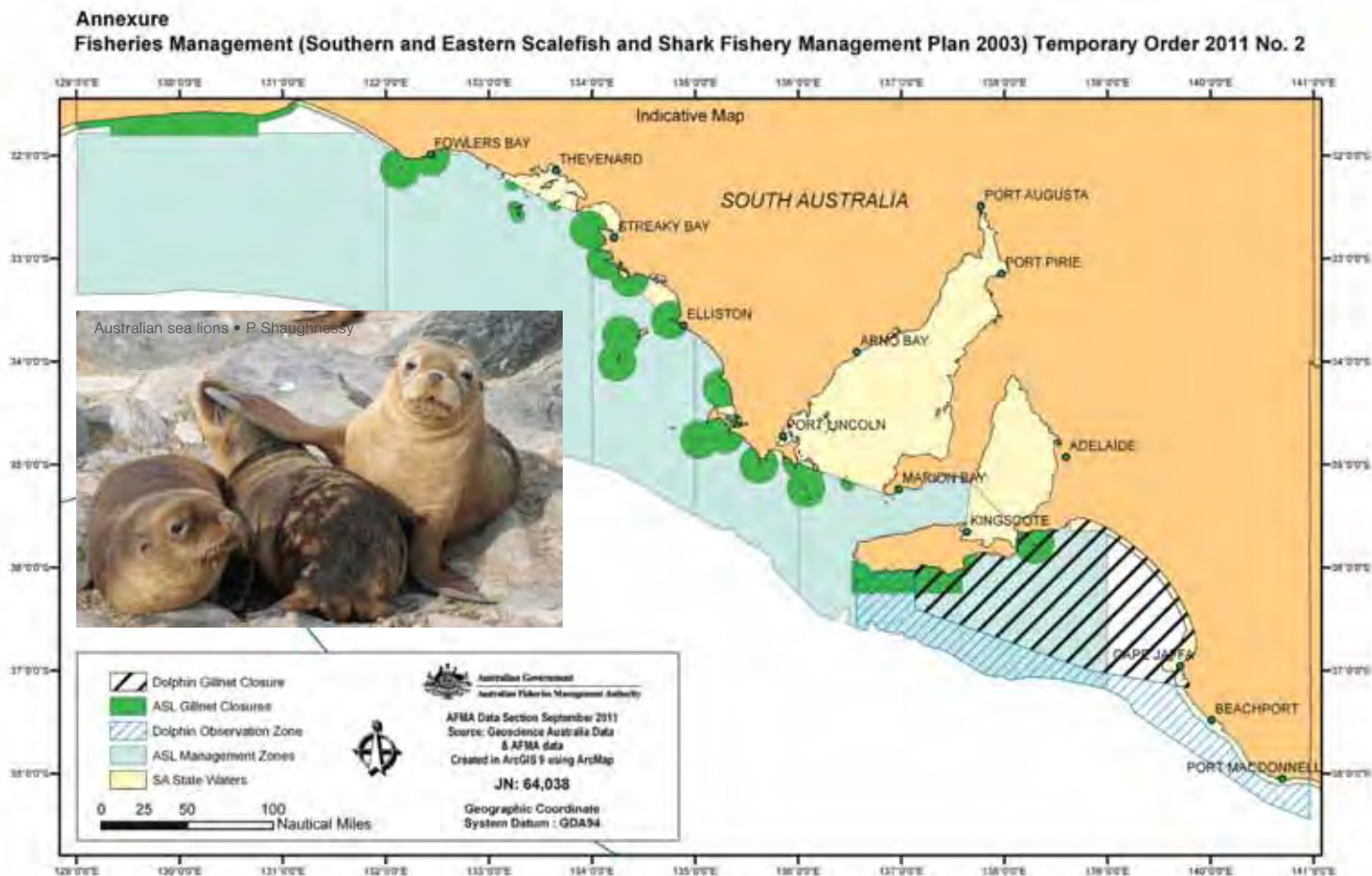
#### Global oceans governance and protected areas

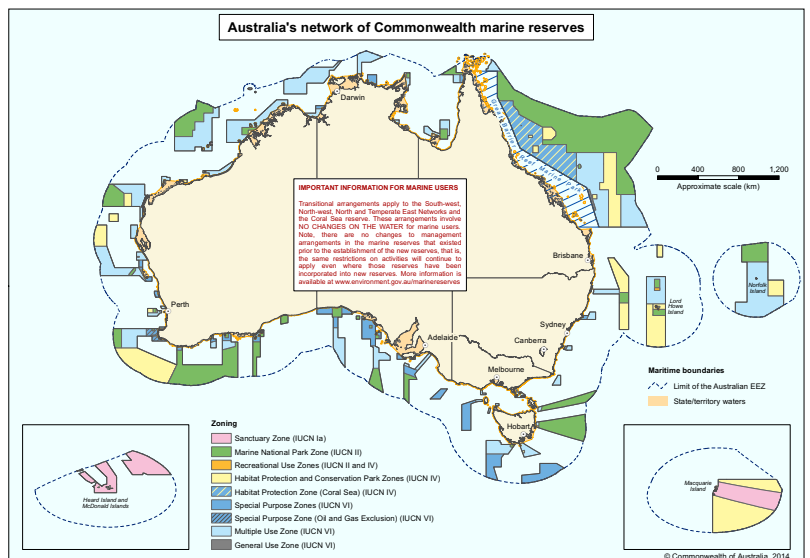
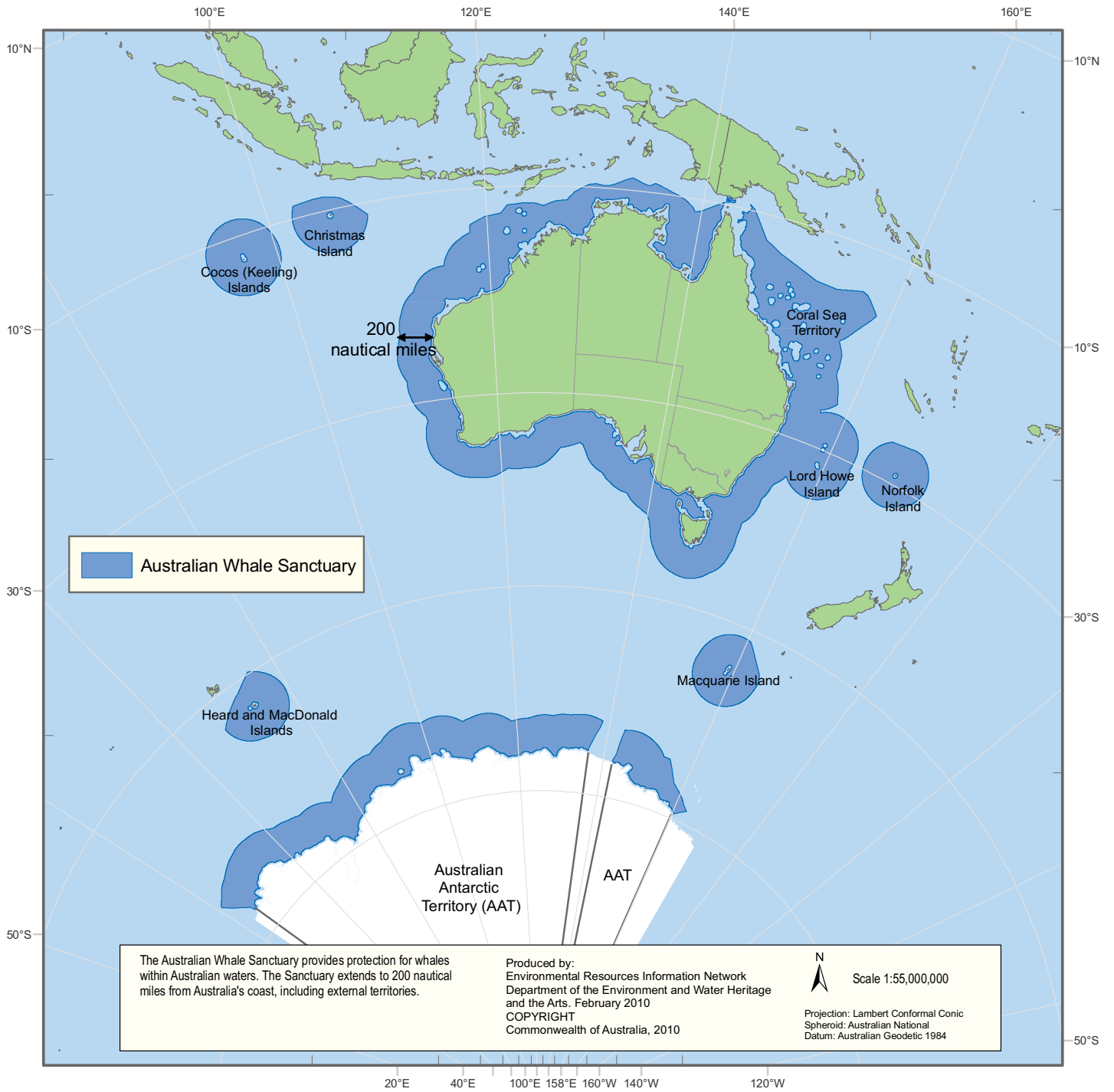
HSI has had a long history of monitoring ongoing international talks relating to the potential governance and conservation of high seas biodiversity. In recent years we have been helping to promote the need for a new global regime under the auspices of the United Nations. In cooperation with the Global Oceans Commission and other NGOs, we have been researching legal options for a new international agreement, and raising awareness in Australia.

High seas marine protected areas would be a key focus of any new regime sought by conservation organisations around the world. HSI has been pushing the Australian Government to support a new and fully comprehensive regime at the current series of UN Ad Hoc Open-Ended Informal Working Groups to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction (BBNJ)—which includes responses to climate change. HSI has been represented at these talks as an adviser on the Australian Government Delegation. A decision on a new regime is due by the UN before the end of 2015.

In 2010 an HSI legal challenge led to the first major closure of approximately 27,239 square kilometres of fishery to the use of gill nets

Map detailing fishery closure areas to protect Australian sea lions and dolphins







Wandering albatross • C Tait



Ningaloo • G Perry

# government action required



...none of HSI's nomination work would be possible without decades of scientific endeavour by many botanists, ecologists and other scientists across country. Australians are in their debt.

- 1 **The Commonwealth must retain full and comprehensive *EPBC Act* powers**, putting back all of the conservation provisions removed in 2006.
- 2 This must include as a priority **full public access to the courts**.
- 3 The following Matters of National Environment Significance (MNES) **triggers must be added** to the *EPBC Act*: vulnerable ecological communities; land clearing, dam building, 15 national biodiversity hotspots; ecosystems of national importance; wetlands of national importance; all critical habitats; the National Reserve System; all remaining Australian wild rivers; and major greenhouse gas emitting projects.
- 4 The Commonwealth must **allocate significantly more resources** to permit the assessment of all nationally Threatened Ecological Communities (TECs), including 'vulnerable' communities, which must also become MNES matters and trigger the *EPBC Act*.
- 5 The Commonwealth must **develop a 10 year strategy** for assessing and listing all known TECs and revert to the original *EPBC Act* public nomination processes that requires the Commonwealth to assess all public nominations received, and not leave the Minister to determine priorities.
- 6 The *EPBC Act* Register of Critical Habitats **must be reinstated and reinvigorated**, and used to list the critical habitat areas for all listed TECs and species. All items on the Register must also become MNES matters.
- 7 Further and significant **funding must be allocated to existing Commonwealth stewardship programs** to provide management funds to land owners with TECs, linked to the development of conservation agreements.
- 8 Commonwealth must undertake a 'quick and dirty' **assessment of all endemic state and territory TECs** for immediate transfer to the schedules of the *EPBC Act*, if not already listed. A list of those TECs that HSI believes should be included in the Federal list from the NSW *Threatened Species Conservation Act, 1995* is included in the Appendix.
- 9 The Commonwealth and states and territories must seek to **include as many recognised TECs** in the National Reserve System as soon as possible.
- 10 The Commonwealth must commit to a fully developed, funded and representative **National Reserve System by 2020**.
- 11 The Commonwealth must take a **far broader view of places with potential for National Heritage listing**. The political parties and NGOs that secured the passage of the heritage amendments did not intend that the listing process should be restricted in any way. It must be seen as a critical national conservation tool for protecting Australia's biological diversity, and not just a rarified stamp collection.





HSI nominated threatened ecosystems cover approximately 3,750,000 hectares or 62.5% (21 habitats) of the 6 million hectares thought to be covered by the *EPBC Act*

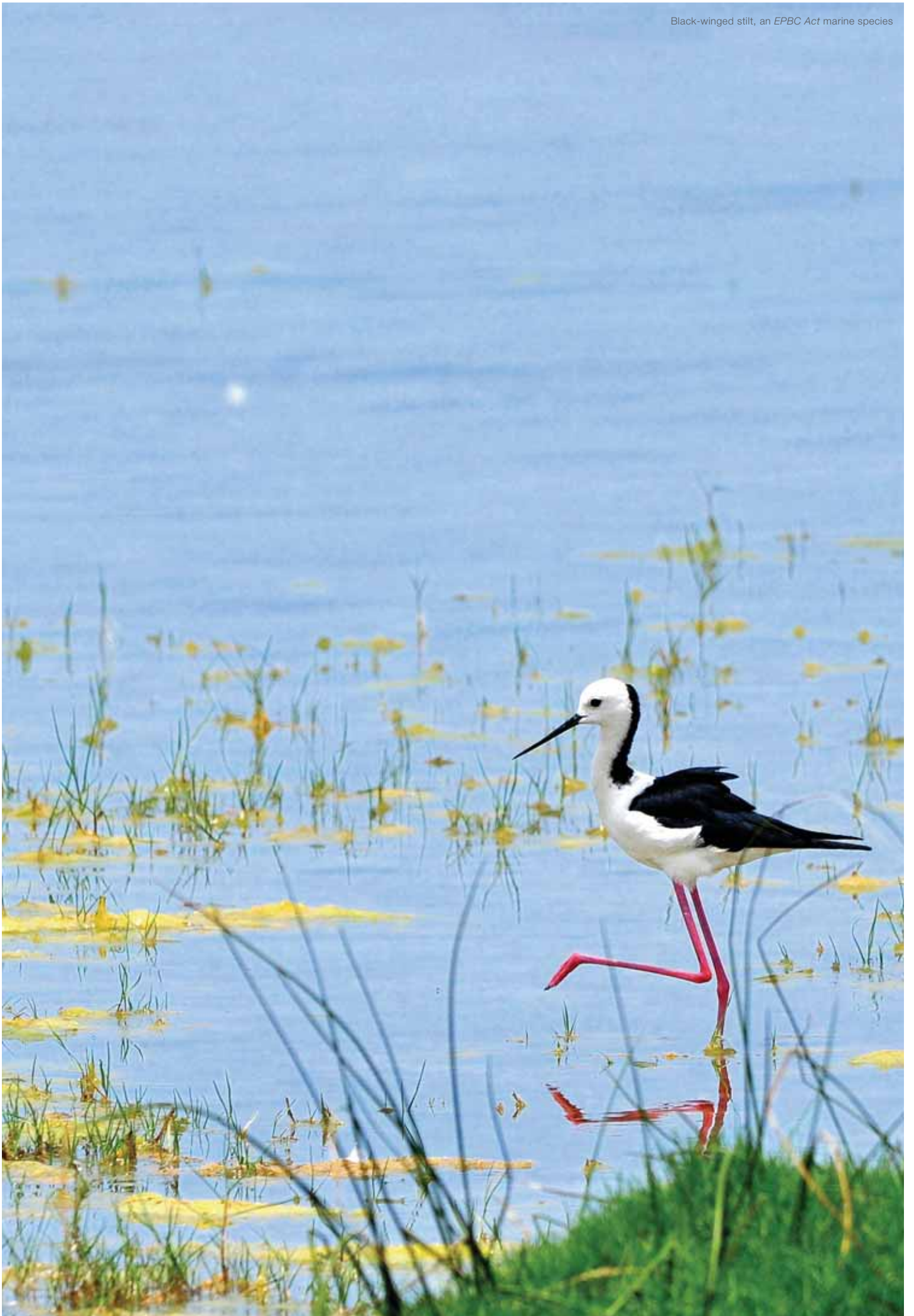
- 12 The Commonwealth must look at a raft of new heritage conservation themes, including arid/semi-arid zone refugia; a ‘heritage species’ program; nationally and internationally important Threatened Ecological Communities; eucalypts; ‘heritage rivers’; ‘wildlands’; migratory species congregations, biodiversity *hotspots*; from which to **trigger natural areas for assessment and listing**.
- 13 The Commonwealth must ensure that the much neglected and underfunded National and Commonwealth natural heritage listing **programs are reinvigorated and given a new and significantly increased funding commitment over the next 10 years**.
- 14 The Commonwealth must **re-establish a National Biodiversity Hotspots Program** to help purchase high value conservation areas within the 15 nationally agreed *hotspots*, providing stewardship monies for land owners and managers, and continue to use the *hotspot* priorities to help guide national program funding.
- 15 State and local governments must **provide rate relief for land-holders** with in-perpetuity conservation agreements in effect on their properties—as both an incentive to enter into such agreements and protect high biodiversity value land, and to provide additional resources for its management.
- 16 Governments must **review relevant taxation laws**, necessary to properly recognise conservation as a legitimate land use; allow owners of land managed for conservation purposes to deduct non-capital expenditures on conservation works against income tax; and allow land protected by in-perpetuity conservation mechanisms to be exempt from capital gains tax on future sale or purchase.
- 17 Commonwealth and state governments **must increase stewardship funding** available for Threatened Ecological Communities on private land, as well as reinvigorating and providing adequate resources for programs to establish in-perpetuity conservation agreements through both government and non-government programs.
- 18 The Federal Government must also immediately **embrace the substantial body of science** already amassed in the composition of the national marine reserve system, and sign off on a world class network of marine parks without any further delay.

# appendix

## Priority Threatened Ecological Communities endemic to NSW and listed under the TSC Act that HSI has proposed for EPBC Act listing

State Listed Endemic Ecological Community	State Status
Aquatic ecological community in the natural drainage system of the lowland catchment of the Lachlan River	Endangered
Araluen Scarp Grassy Forest in the South East Corner Bioregion	Endangered
Blue Mountains Shale Cap Forest in the Sydney Basin Bioregion	Endangered
Brogo Wet vine Forest in the South East Corner Bioregion*	Endangered
Dry Rainforest of the South East Forests in the South East Corner Bioregion*	Endangered
Duffys Forest Ecological Community in the Sydney Basin Bioregion	Endangered
Genowlan Point <i>Allocasuarina nana</i> Heathland	Endangered
Gnarled Mossy Cloud Forest on Lord Howe Island	Critically Endangered
Howell Shrublands in the New England Tableland and Nandewar Bioregions	Endangered
Hunter Valley Foothills Slaty Gum Woodland in the Sydney Basin Bioregion	Vulnerable
Illawarra Lowlands Grassy Woodland in the Sydney Basin Bioregion	Endangered
Illawarra Subtropical Rainforest in the Sydney Basin Bioregion	Endangered
Kurnell Dune Forest in the Sutherland Shire and City of Rockdale	Endangered
Low Woodland with Heathland on Indurated Sand at Norah Head	Endangered
Maroota Sand Swamp Forest	Endangered
McKies Stringybark/Blackbutt Open Forest in the Nandewar and New England Tableland Bioregions	Endangered
Mt Canobolas Xanthoparmelia Lichen Community	Endangered
O'Hares Creek Shale Forest	Endangered
Pittwater Spotted Gum Forest	Endangered
Quorrobolong Scribbly Gum Woodland in the Sydney Basin Bioregion	Endangered
Robertson Rainforest in the Sydney Basin Bioregion*	Endangered
Southern Highlands Shale Woodland in the Sydney Basin Bioregion*	Endangered
Southern Sydney Sheltered Forest on Transitional Sandstone Soils in the Sydney Basin Bioregion	Endangered
Sun Valley Cabbage Gum Forest in the Sydney Basin Bioregion	Critically Endangered

\*HSI nomination led to TSC Act listing





Glossy black-cockatoos • J Sohnrey-WLT

promoting policy in Parliament's corridors  
enlisting the help of the rural community  
identifying wildlife habitats  
preparing scientific justifications