

# Chapter 3

## Recovery Planning

The recovery plans for many species have not been written, or, if they have been written, the actions recommended in them are not implemented or given sufficient funding to effectively implement them.<sup>1</sup>

3.1 Once a species or ecological community is listed as threatened, a recovery plan *may* be made for that species or communities. As outlined in Chapter 1, recovery plans under the EPBC Act are designed to provide for research and management actions necessary to stop the decline of, and support the recovery of, the listed threatened species or ecological community concerned so that its chances of long-term survival in nature are maximised.<sup>2</sup> SEWPAC submitted that recovery plans:

...provide a planned and logical framework for key interest groups and responsible government agencies to coordinate their work to improve the plight of threatened species and/or ecological communities.<sup>3</sup>

3.2 Since amendments to the EPBC Act in 2006, it is no longer compulsory for the minister to make recovery plans for each listed threatened species and ecological community. Rather, an approved conservation advice is required to be in place for each listed threatened species<sup>4</sup> and ecological community. A conservation advice provides guidance on immediate recovery and threat abatement activities that can be undertaken to ensure the conservation of a newly listed species or ecological community.<sup>5</sup> SEWPAC explained that conservation advices 'outline priority research and conservation actions and are made available at the time of listing'.<sup>6</sup>

3.3 Both recovery plans and conservation advices are taken into account under the EPBC Act in decision-making relating to project approvals.<sup>7</sup>

3.4 However, many submissions were critical of the recovery planning process.<sup>8</sup> Key issues raised included:

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1 Professor David Lindenmayer, *Submission 15*, p. 1.

2 EPBC Act, s. 270. See further SEWPAC, *Recovery Plans*, <http://www.environment.gov.au/biodiversity/threatened/recovery.html> (accessed 21 November 2012); and also SEWPAC, *Submission 143*, p. 5.

3 SEWPAC, *Submission 143*, p. 5.

4 except those that are listed as extinct or conservation dependent.

5 EPBC Act, s. 266B; see also SEWPAC, *Conservation Advices*, <http://www.environment.gov.au/biodiversity/threatened/conservation-advice.html> (accessed 21 November 2012).

6 SEWPAC, *Submission 143*, p. 5.

7 SEWPAC, *Submission 143*, p. 5.

- the absence of recovery plans for many species;
- the slow process for developing and adopting recovery plans;
- insufficient funding for, and lack of, implementation of recovery plans; and
- inadequate monitoring and evaluation of recovery planning.

3.5 These issues are discussed in turn below, followed by a discussion of the overall effectiveness of recovery planning.

### *Absence of recovery plans*

3.6 Several submissions expressed concerns about the absence of recovery plans for many species and ecological communities. For example, HSI lamented the fact that the critically endangered Cumberland Plain Woodland has no recovery plan.<sup>9</sup> In the same vein, the Australasian Bat Society noted that the orange (or Pilbara) leaf-nosed bat<sup>10</sup> has no recovery plan, and its enquiries had revealed that 'there is no intention of providing one'.<sup>11</sup>

3.7 The committee received evidence that, under the EPBC Act, recovery plans have been adopted for less than 40% of listed species.<sup>12</sup> At the state level, the committee heard that:

- in NSW, there are more than 1000 listed threatened species and ecological communities, 'but less than 10% of these have finalised recovery plans';<sup>13</sup>
- in Victoria, only half of the listed species have 'action statements';<sup>14</sup>
- in Tasmania, only 20% of listed species have recovery plans;<sup>15</sup> and

8 See, for example, Professor David Lindenmayer, *Submission 15*, p. 1; Zoo and Aquarium Association, *Submission 27*, p. 1; Professor Hugh Possingham and Associate Professor Michael McCarthy, *Submission 127*, p. 3; Australasian Native Orchid Society and the Australian Orchid Council, *Submission 4*, p. 2; Monaro Acclimatisation Society, *Submission 6*, pp 3–4; HSI, *Submission 88*, pp 2–3; WWF-Australia, *Submission 81*, p. 5; Save the Bilby Fund, *Submission 16*, p. 2; Dr Andrew Burbidge, *Submission 46*, p. 1; Dr Martine Maron, *Submission 55*, p. 2; Associate Professor Mark Lintermans, *Submission 60*, pp 1–2; Birdlife Australia, *Submission 82*, p. 7; Nature Conservation Council of NSW, *Submission 134*, p. 2.

9 HSI, *Submission 88*, p. 2.

10 Listed as 'vulnerable' under the EPBC Act: [http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon\\_id=82790](http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=82790) (accessed 15 April 2013).

11 Australasian Bat Society, *Submission 110*, p. 6.

12 See, for example, Professor Hugh Possingham and Associate Professor Michael McCarthy, *Submission 127*, p. 3; Ms Vanessa Bleyer, Lawyers for Forests, *Committee Hansard*, 20 February 2013, p. 22.

13 NPA NSW, *Submission 145*, p. 5; see also Nature Conservation Council of NSW, *Submission 134*, p. 2; BirdLife Australia, *Submission 82*, p. 8 and Australasian Bat Society, *Submission 110*, p. 10; ANEDO, *Submission 137*, Attachment A, p. 27.

14 See for example, ANEDO, *Submission 137*, Attachment A, p. 15; also Ms Yasmin Kelsall, *Submission 100*, p. 1.

- in Western Australia, only 20% of threatened fauna and less than half of threatened flora have a recovery plan<sup>16</sup>—although the Western Australian Premier submitted that there are recovery plans for 86% of 'critically endangered' species and communities, 42% of 'endangered' species and communities and 28% of 'vulnerable' species and communities.<sup>17</sup>

3.8 At the Commonwealth level, SEWPAC submitted that:

There are now 473 recovery plans in place covering 754 threatened species and 23 ecological communities. In addition, there are another 109 plans currently in preparation covering 172 threatened species and 23 ecological communities.<sup>18</sup>

3.9 SEPWAC further advised that 'all threatened species and ecological communities not covered by a recovery plan now have a conservation advice'.<sup>19</sup>

3.10 Professor Hugh Possingham and Associate Professor Michael McCarthy appeared to support the concept of conservation advices, arguing that recovery planning needs to be 'completely overhauled'. They recommended that recovery plans be replaced with a 'national-level strategic planning process where short action plans are designed for each species to meet specific conservation objectives'.<sup>20</sup>

3.11 They argued that 'this process can be completed within a short time frame and can provide a crucial resource for identifying priorities, sourcing funding and evaluating management. Further there must be a commitment to fund these action plans'.<sup>21</sup>

3.12 However, concerns were expressed at the discretionary nature of the recovery plans, and whether conservation advices are a sufficient substitute. For example, Associate Professor Mark Lintermans suggested that the decision to make the preparation of recovery plans discretionary (rather than mandatory) is 'regrettable'.<sup>22</sup> Professor John Woinarski thought that recovery plans are 'far more useful, informative and strategically directive than the currently available alternatives—the limited 'conservation advices'.<sup>23</sup>

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15 BirdLife Australia, *Submission 82*, p. 8; ANEDO, *Submission 137*, p. 4.

16 BirdLife Australia, *Submission 82*, p. 8.

17 Premier of WA, *Submission 169*, p. 2.

18 SEWPAC, *Submission 143*, p. 5.

19 SEWPAC, *Submission 143*, p. 5.

20 Professor Hugh Possingham and Associate Professor Michael McCarthy, *Submission 127*, p. 3.

21 Professor Hugh Possingham and Associate Professor Michael McCarthy, *Submission 127*, p. 3.

22 Associate Professor Mark Lintermans, *Submission 60*, p. 1.

23 Professor John Woinarski, *Submission 48*, p. 4.

3.13 While noting the administration burden of recovery planning, the NT government observed in relation to conservation advices that 'it is not yet clear whether these documents will provide sufficient information to guide recovery'.<sup>24</sup>

3.14 SEWPAC outlined the key differences between conservation advices and recovery plans:

Recovery plans are only prepared where the listed species or ecological community has complex management needs due to its ecology, the nature of threats affecting it, or the number of stakeholders affected by or involved in implementing the necessary actions. Conservation advices are relied upon where the protection needs are well understood and relatively simple.

A conservation advice contains the suggested actions necessary to protect the listed entity that are known at the time of listing.

A recovery plan sets out the systematic framework for the management and research actions necessary to protect and promote the recovery of the listed species or ecological community. A recovery plan identifies objectives, performance measures and monitoring necessary to adaptively manage the protection of the listed entity. The preparation of a recovery plan involves the collation of further information, the input of specialist expertise and collaboration with stakeholders affected or responsible for plan implementation.<sup>25</sup>

### *Slow development of recovery plans*

3.15 Several submissions expressed frustration with the 'slow' process for development of recovery plans.<sup>26</sup> It was observed that there is 'often a significant time lag between listing of threatened species and ecological communities, and the development of recovery plans'.<sup>27</sup> The committee heard of delays of over 10 years between listing and adoption of recovery plans.

3.16 Professor Woinarski noted that the compilation of some recovery plans has been 'protracted—almost interminable':

...rendering the Plans out-of-date when (if) they are finally completed, and leaving a hiatus in management over the long course of their preparation. This problem is either due simply to sub-optimal project management, or (for more complex plans requiring cross-jurisdictional support) to unreasonably long delays in achieving agency or government sign-off, or simply to the plans themselves being unnecessarily detailed and over-

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24 Department of Land Resource Management, NT government, *Submission 159*, p. 3.

25 SEWPAC, *Answers to questions on notice from public hearing*, 15 February 2013, p. 11 [Q.10].

26 See, for example, Wildflower Society of Western Australia, *Submission 21*, p. 2; Dr Emma Rooksby and Dr Keith Horton, *Submission 41*, p. 2; see also Dr Peter Kyne, *Submission 51*, p. 1; Clarence Environment Centre, *Submission 63*, p. 4; Ms Sera Blair, *Submission 67*, pp 1–3; S. Burgess and E. Bradley, *Submission 101*, pp 1–2; Name Withheld, *Submission 120*, p. 1; Australasian Bat Society, *Submission 110*, p. 6; see also ANEDO, *Submission 137*, p. 3.

27 NCC NSW, *Submission 134*, p. 2; NPA NSW, *Submission 145*, p. 5; HSI, *Submission 88*, p. 2; Batwatch Australia, *Submission 139*, p. 1.

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elaborate. In some cases, the resources invested in plan compilation suck out an unreasonably high proportion of funding available for conservation management of the species.<sup>28</sup>

3.17 By way of example, HSI noted that:

...the Grey-headed Flying-fox was listed under the EPBC Act as vulnerable in November 2001. Since that time, a recovery plan has been in preparation, which is being led by the New South Wales Government. Frustratingly, more than 11 years and no doubt many drafts later, we are yet to have a final recovery plan for the species. This is a totally unacceptable situation, with significant delays being a common occurrence.<sup>29</sup>

3.18 Similarly, the Australasian Bat Society noted that 'the time between listing of a species and the availability of a finalised Recovery Plan has varied for each of the Commonwealth listed bat species between one and more than 10 years'.<sup>30</sup>

3.19 The possible consequences of the slow development of recovery plans were illustrated in the case of the spotted-tailed quoll. The committee received evidence that it has taken over 10 years for a recovery plan to be developed since its reclassification as 'Endangered' in 2002:

The species was nominated to be reclassified to Endangered in 2001 and was reclassified in 2002. A draft national recovery plan was published in 2004. A revised recovery plan was published in 2007. The national recovery plan for *Dasyurus maculatus* (spotted-tailed Quoll) has still not been released as of December 2012.

3.20 It was alleged that:

In the interim, the causal factors responsible for the species continuing decline have continued operating, the species range and abundance has continued to decline and no funding has been available to identify and address the factors responsible for the species decline.<sup>31</sup>

3.21 AFMA submitted that its preferred approach, at least in relation to Commonwealth fisheries, 'is to take mitigating action immediately rather than wait years for a species to have a recovery plan developed'.<sup>32</sup>

3.22 HSI suggested that the production of recovery plans be mandatory, and that these be produced within a specified timeframe, for example two years.<sup>33</sup> BirdLife Australia proposed a time limit of within one year of listing.<sup>34</sup>

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28 Professor John Woinarski, *Submission 48*, p. 4.

29 HSI, *Submission 88*, p. 2; see also Batwatch Australia, *Submission 139*, pp 4–6.

30 Australasian Bat Society, *Submission 110*, p. 6 and Table 2.

31 Name withheld, *Submission 120*, p. 1.

32 AFMA, *Submission 148*, Attachment 2, p. 1.

33 HSI, *Submission 88*, p. 2; see also Australian Conservation Foundation (ACF), *Submission 147*, p. 6.

34 BirdLife Australia, *Submission 82*, p. 8.

*Multi-species recovery plans.*

3.23 Several submissions mentioned the advantages of multi-species recovery and even regional recovery plans.<sup>35</sup> Professor Stephen Garnett of BirdLife Australia told the committee that:

There is some potential for having recovery teams across multiple species. It is not a panacea but there can be efficiencies gained there.<sup>36</sup>

3.24 For example, the committee heard of the successful development of a multi-species recovery plan for the Mary River, which was designed as an umbrella protection plan for a number of species, including the Mary River turtle, the Mary River cod, the Queensland lungfish, the giant barred frog and the freshwater mullet.<sup>37</sup> The development of the plan was community-driven, and now needs funding for implementation.<sup>38</sup> Mr Roger Currie from the Wide Bay Burnett Environment Council described the plan's development as a 'new, unique process'. He described consultation with scientists and the community and told the committee that 'It was unanimously agreed that a multispecies plan was better than just having, say, a lungfish recovery plan which failed to pick up the other species'.<sup>39</sup>

3.25 However, Associate Professor Lintermans cautioned not to assume that multi-species recovery approaches will deliver better conservation outcomes. He acknowledged that there 'are compelling ecological arguments to include regional or ecological community-based approaches to threatened species conservation, rather than relying solely in single species efforts'. However, he pointed out that research relating to the US Endangered Species Act indicates that species listed under multispecies recovery plans had less recovery tasks implemented and were more likely to have a declining recovery trajectory than species with dedicated plans. Consequently, he suggested that a mix of single-species and multi-species conservation approaches is required.<sup>40</sup>

3.26 BirdLife Australia similar supported both single species and multi-species plans, but suggested that 'a review of multi-species plans should be conducted to ensure their efficacy'.<sup>41</sup>

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35 See, for example, Minister for Environment and Heritage Protection Queensland, *Submission 130*, p. 4; Mr Bruce Boyes, *Submission 107*; and see also SEWPAC, *Committee Hansard*, 15 February 2013, p. 69.

36 Professor Stephen Garnett, Birdlife Australia, *Committee Hansard*, 20 February 2013, p. 8.

37 Mr Roger Currie, Wide Bay Burnett Environment Council, *Committee Hansard*, 22 February 2013, p. 14; see also Conondale Range Committee, *Submission 96*, p. 2.

38 Mr Roger Currie, Wide Bay Burnett Environment Council, *Committee Hansard*, 22 February 2013, p. 14.

39 Mr Roger Currie, Wide Bay Burnett Environment Council, *Committee Hansard*, 22 February 2013, p. 14.

40 Associate Professor Mark Lintermans, *Submission 60*, p. 2.

41 BirdLife Australia, *Submission 82*, p. 8.

3.27 SEWPAC submitted that:

Recovery planning is also developing more strategic approaches to allow better integration of recovery and threat abatement planning with regional and other planning initiatives. There is increasing emphasis on regional, multi-species and ecological community recovery plans. Regional recovery plans in place include those for the Adelaide and Mt Lofty Ranges in South Australia, King Island in Tasmania and Border Ranges of New South Wales and Queensland. It is recognised however that such regional landscape approaches will not always be appropriate for the recovery needs of some species and therefore individual recovery plans will continue to be developed for particular species as appropriate.<sup>42</sup>

3.28 The committee notes that the Hawke review recommendation that the EPBC Act be amended to allow greater flexibility in the development of recovery plans, particularly to allow for their development at regional scales.<sup>43</sup>

***Lack of implementation of, and funding for, recovery plans***

3.29 One of the key problems identified during the committee's inquiry was that recovery plans (or the state/territory equivalent documents) are not implemented and/or are not given sufficient funding to effectively implement them. This problem was observed at both Commonwealth and state and territory jurisdictions.<sup>44</sup>

3.30 The Arid Lands Environment Centre lamented that:

The large amount of time and resources involved in developing recovery plans is essentially wasted when resources are not available to implement them.<sup>45</sup>

3.31 BirdLife Australia agreed that 'despite the significant time that has been invested in listing and drafting recovery plans, progress in implementation has been poor'.<sup>46</sup> They declared that:

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42 SEWPAC, *Submission 143*, p. 5.

43 Hawke review, recommendation 18, see pp 166–67.

44 Professor David Lindenmayer, *Submission 15*, p. 1; Mr Kevin Bradley, Save the Bilby Fund, *Committee Hansard*, 22 February 2013, p. 4; Save the Bilby Fund, *Submission 16*, pp 3–4; Monaro Acclimatisation Society, *Submission 6*, pp 3–4; Friends of Grasslands, *Submission 86*, pp 2–3; Dr Emma Rooksby and Dr Keith Horton, *Submission 41*, p. 2; Mr Philip Collier, *Submission 30*, p. 2; Dr Peter Kyne, *Submission 51*, pp 1–2; Clarence Environment Centre, *Submission 63*, p. 4; CSIRO, *Submission 77*, p. 3; BirdLife Australia, *Submission 82*, p. 8; NPA NSW, *Submission 145*, p. 5; Nature Conservation Society of South Australia, *Submission 150*, p. 3; Ms Sera Blair, *Submission 67*, pp 1–3; Ms Kerryn Parry-Jones, *Submission 87*, p. 3; S. Burgess and E. Bradley, *Submission 101*, pp 1–2; Ms Glenda Pickersgill, *Submission 102*; Dr Tanzi Smith, *Submission 103*, p. 2; Canberra Ornithologists Group, *Submission 113*, p. 2; Mary River Catchment Coordinating Committee, *Submission 115*, p. 2; Earth Learning Incorporated, *Submission 124*, p. 1; NSW Council of Freshwater Anglers, *Submission 125*, p. 4; Australasian Bat Society, *Submission 110*, pp 5, 8–10 and Appendix 2; NCC NSW, *Submission 134*, p. 2; ANEDO, *Submission 137*, pp 3–4; Batwatch Australia, *Submission 139*, p. 9; The Wilderness Society, *Submission 129*, p. 5.

45 Arid Lands Environment Centre, *Submission 151*, p. 1.

A requirement to implement recovery plans would be one of the simplest and most direct ways to address the biodiversity crisis in Australia.<sup>47</sup>

3.32 Dr Andrew Burbidge noted that the EPBC Act does not require any independent monitoring of the effectiveness of recovery planning, and he argued, that this 'has resulted in resources being committed to drafting plans that have never been implemented, with no Minister or agency being held accountable'.<sup>48</sup>

3.33 SEWPAC advised that:

The implementation of recovery actions is generally the result of collaborative investment in, and participation by, all levels of government, non-government organisations, research organisations and community groups. As the majority of recovery plans under the EPBC Act are adopted state and territory recovery plans, their implementation is largely facilitated by the relevant jurisdiction.<sup>49</sup>

3.34 However, Associate Professor Mark Lintermans observed that:

While the Commonwealth Government is responsible for national listings, preparation of recovery plans and approval of proposed activities that might impact on nationally listed species, financial responsibility for implementation of recovery actions largely rests with the States and Territories. As the States and Territories usually have insufficient resources to implement the required recovery actions, this results in recovery plans being poorly implemented, and so species often have a poor prognosis for recovery. Surely a case exists to argue that there is a Commonwealth responsibility to fund recovery plan implementation for nationally-listed species.<sup>50</sup>

3.35 Indeed, recovery planning was described as 'chronically under-funded'.<sup>51</sup> Ms Alexia Wellbelove from HSI told the committee that:

...for all the recovery plans that I have worked on, there have been no funds in which to deliver those actions identified in the recovery plan. The process it goes through is that SEWPAC, the department, brings together experts, forms a recovery team, gets the best scientific heads on that species around and says, 'How do we improve the conservation status of this species?' and you would have a very fantastic plan. However, in most cases there is then no money to deliver that plan. You may be requiring further scientific research; you may be requiring actions to be taking place on the

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46 Birdlife Australia, *Answers to questions on notice from public hearing*, 20 February 2013, p. 4.

47 BirdLife Australia, *Submission 82*, p. 8.

48 Dr Andrew Burbidge, *Submission 46*, p. 1.

49 SEWPAC, *Submission 143*, p. 5.

50 Associate Professor Mark Lintermans, *Submission 60*, p. 2.

51 ANEDO, *Submission 137*, p. 3.

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ground to protect those species. But with no resources to deliver that, in effect you are not improving the conservation status.<sup>52</sup>

3.36 Ms Rachel Lowry of Zoos Victoria similarly declared that:

We have got the plans for many of the species, but the actions are not happening because they remain unfunded or there is a lack of commitment to see those plans through. In many cases, it is not that we are sitting there going, 'What do we need to do?' We know what needs to be done, we just need to get on with doing it.<sup>53</sup>

3.37 The NT government noted that actions in recovery plans 'are costed for each year of the plan, with costs often totalling multiple millions of dollars over the life of the plan':

However, the required quantum of funds is rarely (if ever) available for recovery actions, making the exercise largely academic.<sup>54</sup>

3.38 Zoos Victoria submitted that the lack of funding for recovery planning has been exacerbated in recent years:

Threatened species recovery programs in regional areas greatly expanded with increased Federal funding that became available under the Natural Heritage Trust. This funding source has subsequently declined under Caring for Our Country (i.e. in terms of the funding allocation specific to threatened species). Zoos Victoria believes that this has reduced the effectiveness of recovery programs in delivering on-ground actions and it would be timely for a review of federal funding mechanisms.<sup>55</sup>

3.39 The Mary River Catchment Coordinating Committee also suggested that there needs to be a 'clear path for funding implementation of recovery plans, including for example, a specific category within the Caring for Our Country process'.<sup>56</sup> These funding programs are discussed further in Chapter 6.

3.40 Another issue raised was the need for funding for recovery plans to be over a long term. For example, Zoos Victoria submitted that:

To be effective, threatened species recovery programs require sustained and long-term funding. Securing funding for longer time periods (e.g. 3+ years) will improve the quality and effectiveness of recovery programs.<sup>57</sup>

3.41 The general need for long-term funding relating to threatened species and communities is also discussed further in Chapter 6.

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52 Ms Alexia Wellbelove, HSI, *Committee Hansard*, 15 February 2013, p. 22.

53 Ms Rachel Lowry, Zoos Victoria, *Committee Hansard*, 20 February 2013, p. 3.

54 Department of Land Resource Management, NT government, *Submission 159*, p. 2.

55 Zoos Victoria, *Submission 42*, p. 4.

56 Mary River Catchment Coordinating Committee, *Submission 115*, p. 2.

57 Zoos Victoria, *Submission 42*, p. 4; see also Dr Andrew Burbidge, *Committee Hansard*, 7 March 2013, p. 1.

3.42 The lack of enforceability of recovery plans was also raised. Currently, recovery plans made under the EPBC Act bind the Commonwealth and Commonwealth agencies: the Commonwealth must implement a recovery plan to the extent to which it applies in Commonwealth areas and Commonwealth agencies must not contravene recovery plans.<sup>58</sup> However, the Young Lawyers' Section of the Law Institute of Victoria suggested that recovery plans should be enforceable across all habitats.<sup>59</sup>

***The Christmas Island pipistrelle: a case study in recovery planning problems?***

3.43 Several submissions put forward the case of the Christmas Island pipistrelle<sup>60</sup> as an example of a failure of processes to protect threatened species, particularly recovery planning processes.

3.44 The Australasian Bat Society alleged that the 'slow conservation status upgrading and recovery planning processes' contributed 'significantly to the recent presumed extinction of the Christmas Island pipistrelle'. Batwatch Australia agreed that the fate of the Christmas Island pipistrelle 'is a stark lesson as to the possible outcomes from an ineffective species listing and recovery planning process'.<sup>61</sup>

3.45 Batwatch Australia explained that:

An alarming drop in species numbers was recorded in 1997 but the species was not listed as endangered until 2001 and a recovery plan was not developed until 2004. In the intervening period, species numbers had fallen further to the point where the species listing was upgraded to critically endangered in 2005 [2006].<sup>62</sup>

3.46 The Australasian Bat Society continued the story:

Once it was finally implemented (in part), the Recovery Plan failed to provide a means for gauging its effectiveness and triggering alternative action when those in place were found to be ineffective. Scientists both within and outside the Government continued to monitor the decline of the pipistrelle throughout the 2000s, regularly alerting the Commonwealth Government to the critical situation and requesting further management and research actions. When this failed and faced with the imminent extinction of the pipistrelle, the ABS [Australasian Bat Society] alerted the media and relevant politicians to the plight of the bat, however six critical months passed before there was finally an announcement of a rescue package for the species. This announcement exceeded (by several months) the deadline

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58 EPBC Act, ss. 268 and 269.

59 Mr Leigh Howard, YLS Law Reform Committee, Law Institute of Victoria, *Committee Hansard*, 20 February 2013, p. 23.

60 A pipistrelle is a small bat. The Christmas Island pipistrelle was Australia's smallest species of bat: see further [http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon\\_id=64383](http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=64383) (accessed 15 April 2013).

61 Batwatch Australia, *Submission 139*, p. 8.

62 Batwatch Australia, *Submission 139*, p. 8.

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for the priority action of captive breeding set by species experts and consequently failed.<sup>63</sup>

3.47 Zoos Victoria told the committee that it had been asked at the eleventh hour to assist with the captive intervention of the Christmas Island pipistrelle, when it was down to less than 10 individuals in the wild. Unfortunately, they arrived 'just in time to record the extinction of the species'.<sup>64</sup>

3.48 The Australasian Bat Society concluded that:

Unarguably, the slowness of the recovery planning and conservation process was a significant factor in the extinction of this species on 26 August, 2009, when the last Christmas Island pipistrelle was recorded.<sup>65</sup>

3.49 The committee notes that the Christmas Island pipistrelle is still listed as 'critically endangered', despite evidence that it became extinct in 2009.

3.50 Batwatch Australia similarly expressed its view that:

The recovery plan itself lacked measures that could be used to gauge the effectiveness of recovery actions and this, allied to a painfully slow government response to the emerging crisis, contributed to the assumed species extinction in late 2009.<sup>66</sup>

3.51 The Australasian Bat Society suggested that lessons should be learnt from this experience:

From this experience, it has become apparent that Recovery Plans require regular review and clear and timely triggers for alternative action if current actions are failing (a standard adaptive management approach) and further, that recovery is not taken for granted but that emergency measures (e.g. immediate captive breeding options) are incorporated into the plans in the event that the species' decline continues unabated.<sup>67</sup>

3.52 The Australasian Bat Society expressed concern that the critically endangered southern bent-winged bat is now at risk from inaction and delays which have 'highlighted a frustrating lack of coordination between Commonwealth and State legislation'. They noted that the southern bent-winged bat has had a recovery plan in South Australia since 2009, but the draft recovery plan under the EPBC Act is currently under review:

With appropriate coordination between States and the Commonwealth Government, the information from this plan could have been quickly and efficiently expanded to cover the remainder of the species' range in Victoria and to finalise a national Recovery Plan. Better coordination between

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63 Australasian Bat Society, *Submission 110*, p. 7.

64 Ms Rachel Lowry, Director, Zoos Victoria, *Committee Hansard*, 20 February 2013, p. 1 and see also p. 3.

65 Australasian Bat Society, *Submission 110*, p. 7.

66 Batwatch Australia, *Submission 139*, p. 8.

67 Australasian Bat Society, *Submission 110*, p. 7.

governments to achieve conservation outcomes would go a long way to improving the efficiency and outcomes of conservation efforts to the benefit of all concerned.<sup>68</sup>

3.53 Indeed Professor John Woinarski suggested that there needs to be more accountability for extinction of threatened species:

...we have learnt very little from extinctions, and I think part of the problem there is that there is no accountability or clear chain of responsibility in the way we manage biodiversity in Australia. So, if species become extinct, it is seen as no-one's fault, and clearly there is no inquest into that extinction. There is no process to apportion responsibility or to learn from that extinction. So I would recommend that we take extinction events far more seriously and try to inquire into the causes and learn from the extinctions so they will be less likely to happen in the future.<sup>69</sup>

3.54 Professor Woinarski suggested that:

An appropriate parliamentary inquiry or coronial inquest should be established following any and every extinction event, designed to identify the factors that contributed to that loss (particularly the policy and/or management shortcomings), and to identify the agencies responsible for such failings. Such inquest should also recommend refinements to management, policy and legislation that serve to reduce the likelihood of future loss.<sup>70</sup>

### ***Inadequate monitoring/review and evaluation of recovery planning***

3.55 The importance of reviewing recovery plans on a regular basis was also emphasised. In particular, it was suggested there was insufficient monitoring, evaluation and reporting to determine the effectiveness of many recovery plans.<sup>71</sup>

3.56 For example, Dr Andrew Burbidge expressed concern that the EPBC Act does not require recovery plans to be monitored, stating his view that 'there is no accountability at any level to show whether they have been implemented or whether they have been successful.'<sup>72</sup>

3.57 Ms Rachel Lowry from Zoos Victoria suggested that regular reviews of recovery plans would be useful:

When you actually go and review some of our more high-profile recovery programs, a lot of them have been doing the same thing for 12, 17 or 20

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68 Australasian Bat Society, *Submission 110*, pp 7–8.

69 Professor John Woinarski, *Committee Hansard*, 7 March 2013, p. 2.

70 Professor John Woinarski, *Submission 48*, p. 10; see also Mr Greg Miles, *Submission 72*, p. 9.

71 See, for example, Professor David Lindenmayer, *Submission 15*, pp 1–2; Zoo and Aquarium Association, *Submission 27*, p. 1; Professor John Woinarski, *Submission 48*, p. 5; Dr Peter Kyne, *Submission 51*, p. 1; Associate Professor Mark Lintermans, *Submission 60*, p. 1; HSI, *Submission 88*, p. 2; Ms Glenda Pickersgill, *Submission 102*; Canberra Ornithologists Group, *Submission 113*, p. 2.

72 Dr Andrew Burbidge, *Committee Hansard*, 7 March 2013, p. 1.

years without the results that they require. They are following a plan that was endorsed, and they have the best of intentions. But at no point is there anything to say: 'After five years, if we do not see something different, we are going to get together and look at this again'.<sup>73</sup>

3.58 The EPBC Act requires recovery plans to be reviewed at least every five years,<sup>74</sup> but, according to HSI, this has not occurred in many cases. They also observed that 'there is no specific funding source available to ensure that the actions set out under the recovery plan can be implemented. As a result, many recovery plans are little more than documents that sit gathering dust on the shelves of Canberra bureaucrat's offices'.<sup>75</sup> HSI recommended that increased and dedicated resources be allocated to fund the implementation and review of recovery plans.<sup>76</sup>

3.59 There was also some discussion about whether the EPBC Act should include provisions to review recovery plans after significant events.<sup>77</sup> For example, several submissions raised the issue of review of recovery plans in relation to the Leadbeater's possum. It was pointed out that the habitat of the Leadbeater's possum was severely affected by the Victorian fires in February 2009, and as a result the recovery plan for the Leadbeater's possum is 'considerably out of date and in urgent need of review'.<sup>78</sup>

3.60 Others expressed concern at the lack of reporting in relation to recovery planning. For example, Associate Professor Mark Lintermans submitted:

Trying to find details of recovery activities directed at threatened species is almost impossible for many species. This difficulty exists at both national and state levels. How can we improve conservation responses to threatened taxa, if we cannot locate information on what has been done previously, and whether it has worked or not?<sup>79</sup>

3.61 He cited the example of the Lake Eacham Rainbowfish:

...the Lake Eacham Rainbowfish has been listed as nationally endangered since the 1990s; new populations were subsequently discovered; the species does not have a recovery plan and none is proposed (TSSC 2011); it has almost no recovery actions reported; no current on-ground recovery actions can be traced; and there is no formal monitoring program to track

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73 Ms Rachel Lowry, Zoos Victoria, *Committee Hansard*, 20 February 2013, p. 6.

74 EPBC Act, ss. 179(2).

75 HSI, *Submission 88*, p. 3.

76 HSI, *Submission 88*, p. 3.

77 See, for example, Ms Vanessa Bleyer, Lawyers for Forests, *Committee Hansard*, 20 February 2013, p. 24.

78 Lawyers for Forests, *Submission 70*, p. 2; see also Ms Vanessa Bleyer, Lawyers for Forests, *Committee Hansard*, 20 February 2013, p. 22; LIV Young Lawyers' Section, Law Institute of Victoria, *Submission 84*; Zoos Victoria, *Submission 42*, p. 3; Ms Sera Blair, *Submission 67*, pp 2–3; Healesville Environment Watch Inc, MyEnvironment Inc and Friends of Leadbeater's Possum, *Submission 92*; Mr Andrew Heaver, *Submission 119*, p. 2.

79 Associate Professor Mark Lintermans, *Submission 60*, pp 1–2.

population or species trend. So how can the effectiveness of current management arrangements be assessed, or generalised to other similar species?<sup>80</sup>

3.62 Some suggested that there should be annual reporting relating to recovery plans.<sup>81</sup> Zoos Victoria suggested that recovery teams should 'undertake an annual review of progress against measurable targets'.<sup>82</sup>

3.63 However, the NT Government expressed concern at the level of administrative burden relating to recovery planning, describing the current recovery plan model as 'cumbersome and inefficient':

The increasing number of threatened species being listed translates to a growing burden of writing, revising and reviewing plans (plans typically have a five-year life). With more than 500 current National Recovery Plans, on average at least 100 need to be reviewed and revised every year, representing a huge burden on government agencies, particularly on SEWPaC.<sup>83</sup>

### ***Overall effectiveness of recovery planning***

3.64 There was considerable discussion during the committee's inquiry as to whether recovery planning has been effective or not in Australia. Many submissions indicated support for recovery planning, and, as outlined earlier in this chapter, concerns were expressed that they have become discretionary rather than mandatory.<sup>84</sup>

3.65 Some were highly critical of the effectiveness of recovery planning. For example, Mr Peter Cosier from the Wentworth Group of Concerned Scientists told the committee:

...we do not take biodiversity conservation in Australia seriously...As it stands, the focus of biodiversity conservation in Australia or threatened species conservation is writing recovery plans. Does anyone seriously believe that preparing 1,790 recovery plans is the appropriate way to manage landscape health in this country? No. We do not need more strategies...To have 1,790 listed species in Australia in 2013, which is about the same number as we had 20 years ago, suggests it has been a complete failure.<sup>85</sup>

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80 Associate Professor Mark Lintermans, *Submission 60*, pp 1–2, citations in original.

81 Monaro Acclimatisation Society, *Submission 6*, p. 6.

82 Zoos Victoria, *Submission 42*, p. 3.

83 Department of Land Resource Management, NT government, *Submission 159*, p. 2.

84 See eg Associate Professor Mark Lintermans, *Submission 60*, p. 1; HSI, *Submission 88*, p. 2; Dr Andrew Burbidge, *Submission 46*, p. 2; Professor John Woinarksi, *Submission 48*, p. 4; CSIRO, *Submission 77*, p. 3.

85 Mr Peter Cosier, Wentworth Group of Concerned Scientists, 15 February 2013, p. 32.

3.66 Professor David Lindenmayer similarly claimed that 'the vast majority of programs to conserve threatened species are unsuccessful or ineffective'.<sup>86</sup>

3.67 Ms Sera Blair described her experience with recovery planning for the Leadbeater's possum:

...I have found the process of threatened species recovery very frustrating, slow moving and wholly inadequate to bring about real conservation gains. Leadbeater's possum is a species we know enough about to save, but our government is choosing not to save.<sup>87</sup>

3.68 Similarly, the Canberra Ornithologists Group submitted that:

With respect to some ACT threatened species such as the Hooded Robin and Brown Treecreeper, action/recovery plans in place for more than a decade, have failed to deliver any improvements and the species continue to decline.<sup>88</sup>

3.69 WWF-Australia observed that to date 'no species listed under the EPBC Act have been down listed as result of genuine population recovery'.<sup>89</sup> Similarly, the Wilderness Society submitted that no threatened ecological community has been delisted due to recovery and that:

Of the 69 species that have been delisted, only one of the nine fauna species, and possibly two of the 60 flora species, have recovered through active management. All of the others have been delisted for a range of reasons that include the discovery of previously unknown subpopulations, the species is no longer recognised as valid, lack of sufficient data for listing, or populations that have seen historical decline but have now stabilised at their reduced size or distribution. In other words, although there may have been some instances of threats being mitigated, investment in species and community recovery does not actually result in recovery.<sup>90</sup>

3.70 Many also pointed to research which indicates that recovery planning has 'no discernible impact' on actual recovery rates.<sup>91</sup> For example, WWF-Australia advised that 'recent research shows no correlation of actual measured recovery or stabilisation of threatened species with recovery effort or recovery plans in Australia'—compared

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86 Professor David Lindenmayer, *Submission 15*, p. 1.

87 Ms Sera Blair, *Submission 67*, p. 1; see also Mr David Blair, *Submission 79*, pp 1–2.

88 Canberra Ornithologists Group, *Submission 113*, p. 2.

89 WWF-Australia, *Submission 81*, p. 2; see also Ms Vanessa Bleyer, Lawyers for Forests, *Committee Hansard*, 20 February 2013, p. 25.

90 The Wilderness Society, *Submission 129*, p. 1.

91 Professor Hugh Possingham and Associate Professor Michael McCarthy, *Submission 127*, p. 3, citing Bottrill, M. C. et al. "Does recovery planning improve the status of threatened species?" *Biol. Conserv.* 144, 1595–1601, (2011); see also eg WWF-Australia, *Submission 81*, p. 5; Dr Peter Kyne, *Submission 51*, p. 1 cf Dr Andrew Burbidge, *Submission 46*, p. 2; Professor John Woinarski, *Submission 48*, p. 4.

to the US where research links single species recovery plans to measured recovery. WWF-Australia concluded that:

This does not suggest that recovery plans are a waste of time, but rather, that in Australia they are not being designed or funded to achieve genuine recovery. The EPBC Act requires that recovery plans be developed and adopted for listed species, but has no requirement regarding implementation and evaluation of implementation of recovery plans.<sup>92</sup>

3.71 Professor John Woinarski cautioned that this recent research is 'strongly contextual', suggesting that:

...it may have been naïve to expect recovery plans for a minority of Australia's threatened species, accompanied by relatively limited funding, and with limited legislative clout, to redress the extensive scale of Australia's ecological dysfunction.<sup>93</sup>

3.72 The *Australian State of the Environment 2011* report observed:

Changes in numbers of listed species must be interpreted with care, because they are only partly due to declines or improvements in the status of species. Often they are due more to the effort put into collecting information, the groups of organisms that are focused on in a particular period and reviews of listed species (conducted by the Australian and state and territory governments), as well as differences in how species are listed by different jurisdictions.

3.73 The report further indicated that:

A recent analysis of taxa listed under the EPBC Act found that the formal status of 75 nationally listed flora taxa and 44 fauna taxa changed between 2002 and 2007. It was concluded that about 46% of these changes occurred because of improved knowledge and 36% were due to taxonomic updates. Real change attributed to decline accounted for 21.3% of flora taxa and 52.3% of fauna taxa. There were no cases of real improvement in the status of listed taxa at the national level.<sup>94</sup>

3.74 In response to questioning on this issue, SEWPAC cautioned that:

There is little evidence to support the view that 'recovery planning has no discernible impact on the recovery of threatened species'... Analysis of progress based on listing category changes during the early stages of implementing long-term recovery programs can be uninformative and result in misinformation.<sup>95</sup>

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92 WWF-Australia, *Submission 81*, p. 5 and Attachment 1, citing Bottrill M et al. (2011) Does recovery planning improve the status of threatened species? *Biological Conservation* 144, pp 1595-1601 and Taylor M, Suckling KF, Rachlinski JJ (2005) The Effectiveness of the Endangered Species Act: A Quantitative Analysis. *BioScience* 55, pp 360-367.

93 Professor John Woinarski, *Submission 48*, p. 4.

94 SEWPAC, *Australian State of the Environment Report 2011*, p. 592.

95 SEWPAC, *Answers to questions on notice from public hearing*, 15 February 2013, pp 9 and 10 [Q.s 8 and 9].

3.75 Others asserted that the reason that the effectiveness of recovery plans is diminished is most likely due to poor implementation and monitoring, and lack of resourcing or funding.<sup>96</sup>

3.76 Dr Burbidge agreed that recovery plans are likely to be 'much more effective' if they are properly resourced and implemented:<sup>97</sup>

There has been a lot of criticism of recovery planning, saying that it does not work. A lot of that criticism is based on short-term evaluation, a lack of understanding that they have been poorly resourced or a lack of understanding of the biology for the species concerned. Some of these threatened species are long-lived, slow-breeding animals, and you cannot solve them on a short-term basis.<sup>98</sup>

3.77 BirdLife Australia similarly believed that 'recovery programs for threatened species are effective and can be cost efficient where adequate resources and expertise have been applied'.<sup>99</sup>

3.78 In support of recovery planning, Associate Professor Lintermans believed that 'the benefits to a species of having a recovery plan are well documented'.<sup>100</sup>

3.79 Professor Woinarski described recovery plans as 'the primary foundation for the management of threatened species'.<sup>101</sup> Professor Woinarski expressed the view that:

...there have been some remarkable successes and we should learn from and celebrate those successes. There are clear examples of where recovery planning, dedicated people and dedicated resources have prevented extinction, and there is much to learn from those cases.<sup>102</sup>

3.80 Certainly, the committee heard several stories of successful recovery programs.<sup>103</sup> For example, the Hunters Bird Observers Club submitted that the status of the Gould's Petrel:

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96 Australasian Bat Society, *Submission 110*, p. 10; Save the Bilby Fund, *Submission 16*, p. 2; Birdlife Australia, *Answers to questions on notice from public hearing*, 20 February 2013, p. 4.

97 Dr Andrew Burbidge, *Submission 46*, p. 1.

98 Dr Andrew Burbidge, *Committee Hansard*, 7 March 2013, p. 1; see also Dr Andrew Burbidge, *Submission 46*, p. 2.

99 BirdLife Australia, *Submission 82*, p. 1; Professor Stephen Garnett, Birdlife Australia, *Committee Hansard*, 20 February 2013, p. 7.

100 Associate Professor Mark Lintermans, *Submission 60*, p. 1 citing Taylor, M. F. J., K. F. Suckling and J. J. Rachlinski (2005). "The effectiveness of the endangered species act: a quantitative analysis." *Bioscience* 55(4): 360–367; and Crouse, D. T., L. A. Mehrhoff, M. J. Parkin, D. R. Elam and L. Y. Chen (2002). "Endangered species recovery and the SCB study: A US Fish and Wildlife Service perspective." *Ecological Applications* 12(3): 719–723.

101 Professor John Woinarski, *Submission 48*, p. 3.

102 Professor John Woinarski, *Committee Hansard*, 7 March 2013, p. 2.

103 See also Regent Honeyeater Recovery Project, *Submission 12*; BirdLife Australia, *Submission 82*, pp 1–4.

...has improved dramatically following successfully implemented remedial actions based on long-term scientifically based research which identified threatening processes and potential recovery actions. The Gould's Petrel experience demonstrates that recovery programs can be successful.<sup>104</sup>

3.81 BirdLife Australia told the committee that 'Australia has been remarkably effective conserving threatened bird species in the 20 years since dedicated funding has been provided' and:

...would have lost many more species had it not been for the concerted efforts of organisations and individuals to save birds and the funding provided for threatened species recovery, mostly from the Commonwealth.<sup>105</sup>

3.82 Similarly, Professor Woinarski submitted that:

Where recovery plans have been appropriately funded and implemented, there are many examples that demonstrate their outstanding conservation success, often notwithstanding the parlous previous situation of the threatened species, and the deeply-rooted environmental problems driving the species' decline. Examples of such success include that of the Northern Hairy-nosed Wombat and Gilbert's Potoroo, where implementation of recovery plans has led to population increase; and Chuditch (Western Quoll), Boodie (Burrowing Bettong), Bridled Nailtail Wallaby, Long-footed Potoroo and Western Swamp Tortoise, where implementation of recovery plans has slowed or halted previous precipitous decline.<sup>106</sup>

3.83 The committee also heard that, in Western Australia at least, Muir's corella was removed from the threatened species list due to successful recovery actions, particularly 'working with landholders on the development and implementation of alternative damage strategies to lethal control'.<sup>107</sup>

3.84 The Commonwealth Scientific and Industrial Research Organisation (CSIRO) observed that lack of monitoring hinders an evaluation of the effectiveness of recovery planning:

Recovery plans are only effective if their implementation results in stabilisation or improvement of the status of the focal species or community. While this is well recognised in science and policy, in practice monitoring activities tend to be poorly conducted, coordinated and reported. Developing a monitoring framework for listed species and communities which are the subject of recovery plans that is integrated into national

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104 Hunter Bird Observers Club, *Submission 176*, p. 2.

105 BirdLife Australia, *Submission 82*, p. 1.

106 Professor John Woinarski, *Submission 48*, p. 4.

107 Premier of Western Australia, *Submission 169*, p. 2.

biodiversity monitoring frameworks will be essential for assessing the performance of those recovery plans.<sup>108</sup>

3.85 Others cautioned against overreliance on the recovery planning process. For example, Mr Atticus Fleming from the Australian Wildlife Conservancy described recovery plans as a 'guide', arguing that 'the really important bit is what you are doing out on the ground'.<sup>109</sup>

*Recovery planning is a long-term process.*

3.86 Many others also pointed out that recovery planning is a long-term process. For example, SEWPAC told the committee that recovery plan implementation 'is a long term process and it may be many years before any significant and long-lasting improvements are observed'.<sup>110</sup> SEWPAC pointed out that:

Australia has a relatively short history in recovery planning—most programs are in the relatively early stages of implementation—compared to the United States where after 40 years of experience a systematic review has only recently been able to document the effectiveness of recovery planning.<sup>111</sup>

3.87 SEWPAC further informed the committee that:

Australia's experience to date in the implementation of recovery planning is that it is likely to have slowed the decline and averted the extinction of many species, but necessarily needs to be supported by ecosystem-scale approaches to maximise effectiveness.<sup>112</sup>

3.88 Ms Rachel Lowry from Zoos Victoria believed that, on the whole, recovery efforts have been quite effective in preventing extinction but that 'we have been very poor at recovering the species'.<sup>113</sup> Mr Kevin Bradley from the Save the Bilby Fund agreed, at least in relation to the bilby, telling the committee that 'we call it a recovery

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108 CSIRO, *Submission 77*, p. 4, citing Lindenmayer D.B., Gibbons P., Bourke M., Burgman M., Dickman C.R., Ferrier S., Fitzsimons J., Freudenberger D., Garnett S. T., Groves C., Hobbs R.J., Kingsford R.T., Krebs C., Legge S., Lowe A J., Mclean R., Montambault J., Possingham H., Radford J., Robinson D., Smallbone L., Thomas D., Varcoe T., Vardon M., Wardle G., Woinarski J. and Zerger A. 2012. "Improving biodiversity monitoring" *Austral Ecology*, 37: 285–294.

109 Mr Atticus Fleming, Australian Wildlife Conservancy, *Committee Hansard*, 22 February 2013, p. 20; see also Associate Professor Michael McCarthy, *Committee Hansard*, 20 February 2013, p. 30.

110 SEWPAC, *Submission 143*, p. 6.

111 SEWPAC, *Answers to questions on notice from public hearing*, 15 February 2013, pp 9 and 10 [Q.s 8 and 9].

112 SEWPAC, *Answers to questions on notice from public hearing*, 15 February 2013, pp 9 and 10 [Q.s 8 and 9].

113 Ms Rachel Lowry, Zoos Victoria, *Committee Hansard*, 20 February 2013, p. 2.

program, but it has not been; it has just been preventing the extinction of the species to date'.<sup>114</sup>

3.89 SEWPAC also cautioned that 'recovery programs are long-term activities':

Many species are threatened due to the legacy of land-use changes and threatening processes and require the long term coordinated efforts of many stakeholders at a range of scales—from site specific and ecosystem level to social and cultural changes. Initial recovery efforts are often directed to improving baseline knowledge of the species, and implementing critical actions to respond to rapid and uncontrollable declines or intervening to slow an existing decline to stabilise the species.<sup>115</sup>

3.90 Many agreed with this. For example, Professor Woinarski agreed that recovery planning is 'a long-term program and we cannot really expect short-term fixes'.<sup>116</sup> Associate Professor Lintermans similarly observed that:

Most species have taken decades to decline and the threats responsible are usually still operating (e.g. habitat loss, invasive species). The great majority of threatened species in Australia are within the lifespan of their first recovery plan, and it is unrealistic to expect recovery to occur in the relatively short period of recovery action.<sup>117</sup>

3.91 Professor Garnett concurred, arguing that 'threatened species need time to recover and short-term funding programs do not give that time. Declines are often slow and recovery slower'.<sup>118</sup> He also observed that recovery planning has a 'patchy success rate', but been most successful where it has 'had members from multiple sectors—research, government and the broader public...the best plans have been decisive in ensuring effective conservation'.<sup>119</sup>

3.92 SEWPAC further argued that:

...there is substantial evidence that many recovery programs have made significant advances in the conservation of threatened species, particularly where collaboration and resource availability services the nature and extent of recovery actions required.<sup>120</sup>

3.93 Finally, SEWPAC reiterated the point that there have been many successful recovery programs:

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114 Mr Kevin Bradley, Save the Bilby Fund, *Committee Hansard*, 22 February 2013, p. 4.

115 SEWPAC, *Answers to questions on notice from public hearing*, 15 February 2013, pp 9 and 10 [Q.s 8 and 9].

116 Professor John Woinarski, *Committee Hansard*, 7 March 2013, pp 4–5.

117 Associate Professor Mark Lintermans, *Submission 60*, p. 1.

118 Professor Stephen Garnett, Birdlife Australia, *Committee Hansard*, 20 February 2013, p. 7.

119 Professor Stephen Garnett, Birdlife Australia, *Committee Hansard*, 20 February 2013, p. 8.

120 SEWPAC, *Answers to questions on notice from public hearing*, 15 February 2013, pp 9 and 10 [Q.s 8 and 9].

Other examples across Australia where investment in and participation by government and the community in recovery programs is leading to conservation success include programs as diverse as those for the northern hairy nosed wombat, *Lasiorninus krefftii*, western swamp tortoise, *Pseudemydura umbrina*, McCutcheon's grevillea, *Grevillea maccutcheonii* and the larger multispecies recovery program for threatened plants on Kangaroo Island.<sup>121</sup>

### ***More strategic recovery planning***

3.94 It was suggested that a more strategic approach to recovery planning is required. For example, several submissions were critical of the lack of performance indicators in many recovery plans.<sup>122</sup> For example, Associate Professor Mark Lintermans was concerned that:

Most current recovery plans lack adequate performance indicators and improved approaches to measuring success of conservation action are required. Using delisting or downlisting of a threatened species to judge recovery actions is a poor indicator of success...<sup>123</sup>

3.95 Zoos Victoria also submitted its support for recovery plans that 'specify recovery models and targets based around sound science and monitoring. What does success look like? Is our current plan adequate to lead us there? Are we on track?'.<sup>124</sup> Ms Rachel Lowry from Zoos Victoria also suggested that 'we need to take a more integrated approach' to recovery planning:

...when you look purely at how we assemble our recovery teams for the species, it is a little mind-boggling to me that we get a group of people who are generally all scientists and viewed as technical experts to sit and develop a plan for the species, when the majority of other problems we need to solve in society require an interdisciplinary approach. There are no recovery teams that have a marketer or a fundraiser on them, and I honestly believe we need to integrate right across the disciplines.<sup>125</sup>

3.96 The Wilderness Society, the National Parks Association of NSW and BirdLife Australia all suggested that recovery goals need to be set based on 'specific, measurable, attainable, realistic and time-bound' ("SMART") objectives.<sup>126</sup>

...a full set of recovery actions required to achieve those objectives with a high degree of confidence, including the location, frequency, duration, effort, and cost of each action, should be developed.<sup>127</sup>

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121 SEWPAC, *Answers to questions on notice from public hearing*, 15 February 2013, pp 9 and 10 [Q.s 8 and 9].

122 ANEDO, *Submission 137*, p. 3.

123 Associate Professor Mark Lintermans, *Submission 60*, p. 1.

124 Zoos Victoria, *Submission 42*, p. 3.

125 Ms Rachel Lowry, Zoos Victoria, *Committee Hansard*, 20 February 2013, p. 4.

126 See, for example, The Wilderness Society, *Submission 129*, p. 4; NPA NSW, *Submission 145*, pp 5–6; BirdLife Australia, *Submission 82*, p. 8.

3.97 Similarly, WWF-Australia argued that recovery plans must 'have clear, scientifically-credible population-based criteria for what constitutes recovery for a given species'.<sup>128</sup> They also suggested that recovery plans include a mandatory requirement to specify and map critical habitats (discussed further in Chapter 5) and guarantees of implementation and evaluation of effectiveness.<sup>129</sup>

3.98 Professor Woinarski told the committee that:

There are some shared characteristics of the programs which have had relative success with threatened species recovery, and they are clear objectives, long-term commitments of resourcing, relatively extensive scale and the capability of the people involved...those characteristics are needed to ensure any sort of success.<sup>130</sup>

3.99 Others pointed to the need for early intervention, arguing that 'early intervention dramatically improves the likelihood of achieving population recovery'.<sup>131</sup> Some also stressed the need for recovery plans need to be specific about accountability and responsibility.<sup>132</sup>

### **Committee view**

3.100 The committee is concerned by the evidence received of the slow development of recovery plans, and the absence of recovery plans for some species. However, the committee welcomes SEWPAC's advice that all EPBC-listed species and communities not already covered by a recovery plan now have a 'conservation advice' in place. The committee notes the evidence querying whether conservation advices are an adequate substitute for recovery plans, but considers that the instigation of conservation advices may have relieved some of the administrative burden of recovery planning. The committee also believes that conservation advices are an important device to identify threats and priority recovery activities at the time of listing of a threatened species or ecological community, rather than waiting years for the development of a recovery plan.

3.101 The committee also endorses the development of multi-species and regional recovery plans, where this is appropriate to achieve a strategic and more effective way of dealing with common issues affecting multiple threatened species.

3.102 However, the committee is persuaded of the need for a more strategic approach to recovery planning. In particular, the committee supports the suggestion that the recovery planning process could be greatly improved by adjusting the focus to producing national level strategic plans, supported by shorter action plans for specific

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127 See, for example, The Wilderness Society, *Submission 129*, p. 4.

128 WWF-Australia, *Submission 81*, p. 5.

129 WWF-Australia, *Submission 81*, p. 5.

130 Professor John Woinarski, *Committee Hansard*, 7 March 2013, pp 4–5.

131 Zoos Victoria, *Submission 42*, p. 4; Hunter Bird Observers Club, *Submission 176*, p. 3.

132 Professor John Woinarski, *Submission 48*, p. 5.

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species. As noted by Professor Hugh Possingham and Associate Professor Michael McCarthy, this process could be completed within a short time frame and could 'provide a crucial resource for identifying priorities, sourcing funding and evaluating management'.<sup>133</sup> The committee notes that this approach would also be consistent with the recommendations of the Hawke review to allow greater flexibility in the development of recovery plans, and for their development at regional scales.<sup>134</sup>

### **Recommendation 8**

**3.103 The committee recommends that the focus of the recovery planning process be on the development of national level strategic plans supported by short action plans for specific species designed to achieve specific objectives against which their success can be measured.**

3.104 It is also important that all relevant plans, whether conservation advices, single species recovery plans, strategic plans supported by action plans as recommended above, or multi-species and regional recovery plans, are developed in a timely manner. The committee recommends that SEWPAC adopt clear protocols to implement streamlined processes that lead to the establishment of all relevant plans within strict timelines, and that the department's performance against those timelines be measured and made publicly available.

### **Recommendation 9**

**3.105 The committee recommends that the Department of Sustainability, Environment, Water, Population and Communities adopt clear protocols to implement streamlined processes that lead to the establishment of relevant plans (including conservation advices, single species recovery plans, strategic plans supported by action plans, and multi-species and regional recovery plans) within strict timelines. The committee further recommends that the department's performance against those timelines be measured and made publicly available.**

3.106 The committee is particularly concerned by the evidence that the protracted bureaucratic processes for developing recovery plans appear to be diverting resources from on-ground action. There also seems to be a lack of regard in this planning process as to what actions can or will realistically achieve. The committee therefore recommends that the action plans (see recommendations 8 and 9) be developed with regard to the likelihood of available funds, and in a manner that allows for the potential prioritisation of actions.

### **Recommendation 10**

**3.107 The committee recommends that action plans be developed with regard to the likelihood of available funds, and in a manner that allows for the potential prioritisation of actions.**

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133 Professor Hugh Possingham and Associate Professor Michael McCarthy, *Submission 127*, p. 3.

134 See Hawke review, recommendation 18.

3.108 The committee is also concerned by evidence about the lack of coordination between Commonwealth, state and territory governments in the development of recovery plans. The committee recommends that the action plans (as recommended above) are developed with specific input from state and territory governments, as well as non-government organisations—especially privately-owned conservation reserve managers, to ensure planned actions are coordinated, supported and implemented.

### **Recommendation 11**

**3.109 The committee recommends that relevant action plans are developed in consultation with state and territory governments, as well as non-government organisations, to ensure planned actions are coordinated, supported and implemented.**

3.110 Evidence was mixed as to the effectiveness of recovery planning. It appears that some recovery programs have been very successful, others less so. The committee commends those individuals and organisations involved in the numerous recovery success stories. The committee recognises the department's evidence that recovery planning is a long-term process, and that more time is needed to evaluate the overall success of recovery planning in Australia.

3.111 The committee is also concerned by evidence of the lack of clarity around measuring the success of recovery planning and the need for achievable targets against which to benchmark actions. The committee recommends that action plans contain key performance indicators for outcomes in specific locations against which funding is directed.

### **Recommendation 12**

**3.112 The committee recommends that all action plans contain key performance indicators for outcomes in specific locations against which funding is directed.**

3.113 The committee is also troubled to hear that many recovery plans have not been reviewed, despite the requirement under subsection 279(2) of the EPBC Act that recovery plans be reviewed at intervals of not longer than five years.

3.114 The committee therefore considers that the department should conduct a review of all existing recovery plans that are five years or older. The committee suggests that this review include an evaluation of the extent to which these recovery plans have been effective in recovering threatened species. This review should also consider where existing recovery plans can be incorporated into new, national strategic plans and form part of a process to transition towards strategic national recovery plans complemented by action plans. The report on this evaluation should be made publicly available.

### **Recommendation 13**

**3.115 The committee recommends that the Department of Sustainability, Environment, Water, Population and Communities conduct a review of all recovery plans older than five years. This review should include an evaluation of the extent to which actions identified in those plans have been implemented and**

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**the success of those actions in recovering threatened species and ecological communities. The report of this review should be made publicly available and should consider where existing recovery plans can be incorporated into national strategic plans complemented by short action plans for certain species, as outlined in recommendation 9.**

3.116 Clearly, recovery efforts will not be successful if recovery plans and conservation advices are not adequately implemented. The committee believes it is essential that both conservation advices and recovery plans are funded, implemented, monitored and reviewed. Equally, such plans must be developed with a realistic appreciation of funding that is likely to be available. Writing plans where there is little or no chance of funding is a diversion of finite resources that could be better used in actual, on-ground action. It is incumbent upon Commonwealth, state and territory governments to ensure potential funding streams are well resourced, identified and understood when planning is undertaken.

3.117 In this context, the committee is particularly concerned to hear that many recovery plans have not been funded nor implemented. The committee is also troubled by the evidence that, in recent years, there have been difficulties in obtaining funding to implement activities under recovery plans. In particular, there needs to be a clear avenue for funding of activities under recovery plans and conservation advices. This is discussed in further detail in Chapter 6, where the committee recommends that the Commonwealth government adjust existing funding programs, such as the Caring for our Country program and the Biodiversity Fund, to ensure that there is dedicated funding for threatened species and ecological communities, including for activities identified in recovery plans and conservation advices.

