

## **Submission regarding the effectiveness of threatened species and ecological communities' protection in Australia**

I would like to voice my concern that species protection and ecological communities' protection in Australia is inadequate.

The number of listed threatened and endangered species is very low compared to the reality of actual threatened and endangered flora and fauna.

The method for having a species listed is cumbersome and there is no emergency listing process as far as I am aware.

A further weakness, after listing, is that the action statements and recovery plans are slow to be written and adopted.

Implementation of action statements and recovery plans seems to be haphazard and there is little accountability for outcomes in this regard.

My personal experience has been witnessing the destruction of rich bio-diverse forest habitat in the central highlands at Toolangi in Victoria. It is habitat for Leadbeater's possum, sooty owls and many other species.

It is beautiful mixed age forest that has so many values in an ecological sense and also in a cultural and touristic sense being within an hour of Melbourne and the home of the poet C J Dennis.

I grew up in this area and I am greatly saddened to see this green refuge (from such a large area of 2009 burnt forest around it) being actively logged and seeing so many native animals displaced from the area and endangered.

A recent Supreme Court of Victoria case, now on appeal, tried to use the Action Statement for Leadbeater's possum and other forest management documents to protect its habitat in Toolangi. (*MyEnvironment v Vic Forests*)

This case at first instance achieved very little but Osborn J did comment on the need for clear Action Statements and for the legislative schema to be improved. Please look at that case and follow its progress.

The Commonwealth Government should not be handing over more control of the environment to the States and it must keep its vigil over inappropriate treatment of our environment by State sanctioned bodies.

Please also pay regard to the evidence and submissions to this Inquiry from such leading figures such as Dr David Lindenmayer and Sarah Blair and environmental groups such as MyEnvironment and HEWI.

**JAMES G. SAMARGIS, Barrister**

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