

ISC



Invasive Species Council
AUSTRALIA

Submission in response to Victoria's draft Invasive Plants and Animals Policy Framework

Invasive Species Council

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INTRODUCTION

The Invasive Species Council welcomes the Victorian Government's focus on reform of invasive species policy as represented by the draft IPA Policy Framework.

In particular, we welcome proposed commitments to or consideration of:

- (1) A comprehensive risk management approach to address species at all stages of invasion (p. 8)
- (2) Mandatory risk assessment where risks from possible introductions of new species are unknown – as required by the precautionary principle (p. 8)
- (3) Legislative reform (pp. 10, 21), including the suggestion that a 'permitted list' approach is needed to prevent high-risk introductions (pp. 20, 21) (but note qualifications below).
- (4) A centralised approach to weed containment to overcome the inconsistencies or limitations of region-by-region prioritisation (p. 21)

However, there are number of concerning deficiencies in the proposed framework which will undermine goals of sustainability, environmental protection and biodiversity conservation, and see invasive species problems continue to worsen.

DEFINE IMPORTANT TERMS, EXPAND DEFINITION OF INVASIVE

Various terms used in the document need defining before the proposed framework can be properly critiqued. In particular, the following three terms need defining or clarification:

'High-risk' invasive species – defining the assessment threshold at which an invasive species is designated 'high-risk' is critical to being able to assess the adequacy of the proposed focus. The threshold could be set so high as to exclude many or most harmful species from consideration. (Note below comments on the problem of confining the focus to high-risk species.)

'High-value' assets - again, this needs to be defined before any judgement can be made about the adequacy of the proposed focus. Many conservation assets could be excluded if the government sets a too-high threshold.

Invasive species – define invasive species to include not only those species exotic to Australia but native Australian species, including native Victorian species, that have been spread beyond their natural range by human actions.

Many examples exist of where indigenous species pose significant threats to natural environments, eg *Pittosporum undulatum* threatening the moist forests of the Otways, *Acacia longifolia* spp. *longifolia* threatening the Grampians, and *Leptospermum laevigatum* threatening nationally significant heathland vegetation on the Great Ocean Road. Evidence suggests that climate change is likely to exacerbate the invasive potential of indigenous species.

We understand that developing a workable definition of invasive that incorporates native / indigenous species is difficult, but it is vital that this issue be addressed. The exclusion of indigenous species present in any plant community protected under the Flora and Fauna Guarantee Act from declaration as pest plants under the CaLP Act; the protection of any plant species native to Victoria under the Victorian Planning Provisions (even though it may be a serious weed); and the specification of ‘exotic’ pests in the National Parks Act to the exclusion of indigenous pests, are all obstacles to the development of an acceptable and effective invasives strategy for Victoria. This issue should be addressed across all legislation and regulation dealing with biodiversity and land management in Victoria. At the very least, all such legislation and regulation must include reference to indigenous invasive pests. ISC would like to work with DPI to help draft an acceptable definition of invasive species that includes native species.

Recommendation: Provide definitions of ‘high-risk invasive species’ and ‘high-value assets.’ Define ‘invasive species’ to include invasive species indigenous to Australia, including Victoria.

PROVIDE THE CONTEXT FOR REFORM, INCLUDING CLIMATE CHANGE

ISC recommends that the document provide more of the context for reform by identifying the major gaps or failings in current invasive species policies and legislation that need to be addressed – for example, the failure to prevent the high and increasing annual rate of plant naturalisations. There should be a critical assessment of what is currently working and what is not as the basis for reform.

As context, there should also be recognition of looming climate change: climate change is likely to worsen many invasive species threats and increase the pressure on species and ecosystems already under threat from invasive species. Under climate change, what is considered low-risk now may become high-risk, and the value of conservation assets will change as well. Climate change warrants greater precaution in release and spread of invasive species and increases the imperative to reduce invasive species risks.

Recommendations: Document the rationale for reforms, including a critical analysis of the problems that need to be addressed, and the successes, gaps and failures in current approaches. Include climate change as a highly significant context and imperative for reforms to reduce the impacts of invasive species.

IDENTIFY SPECIFIC GOALS THAT WILL ACHIEVE THE VISION OF ENHANCED CONDITION

The goals section does not explicate any specific goals, but merely discusses the desirability (and difficulties) of prevention, eradication, containment and asset-based protection. There are implied goals of preventing ‘high-risk’ introductions, eradicating ‘high-risk’ invasive species at any early stage of invasion and containing other ‘high-risk’ species, and protecting ‘high-value’ assets.

The vision on p. 7 provides the most explicit articulation of what the government might

want to achieve, but there is no linkage between the vision and the goals. For example, the vision includes “the enhanced condition of our land and water environments, including biodiversity”. But there is no examination of whether the framework’s focus just on high-risk invasive species will be sufficient to achieve “enhanced condition”. It seems highly doubtful (see below).

Recommendation: Identify specific goals that are consistent with the vision, including “the enhanced condition of our land and water environments, including biodiversity.”

ADOPT A PERMITTED LIST APPROACH, REVIEW LEGISLATION

The Invasive Species Council is pleased to see some focus on the virtues of a permitted list approach to plants (pp. 20, 21). However, we advocate that it be elevated from an approach to be considered to one adopted as essential to preventing unsafe introductions. Developing a permitted list approach should be one of the highest priority reforms. With restrictions on only a small proportion of invasive species, Victoria currently has a very high level of exposure to future threats constituted by the thousands of weeds or potential weeds that can be imported into Victoria from elsewhere in Australia, or from one Victorian region to another, without any risk assessment.

As noted below, it is insufficiently precautionary to limit the focus to ‘high-risk’ invasive species. The goal should be to limit introductions to low-risk species (as is the case for the federal and Western Australian permitted list systems).

A review of all legislation with a bearing on invasive species and biodiversity protection is warranted to ensure Victoria has a strong regulatory basis for effective protection.

Recommendation: Adopt a permitted list approach as fundamental to preventing future unsafe introductions, permitting the release only of low-risk species. Conduct a review of relevant legislation.

RECOGNISE THE PERILS OF PRIORITISATION

The Invasive Species Council supports the need for prioritisation as the basis for allocating resources and implementing reforms. It is vital to ensure that environmental factors are appropriately weighted in such decision-making. The difficulty of according economic value to environmental outcomes is recognised in the framework document, with the comment that “there is no single widely accepted approach” p. 14. Applying a benefit-cost analysis approach needs to take into account the high non-monetary benefits associated with protection of biodiversity.

However, we are concerned that there is the potential for many important invasive species problems to be excluded on the basis of prioritisation, and for prioritisation to be used as the rationale for providing inadequate resources or for limiting regulatory reform.

There is much in the framework document to give rise to these concerns:

- the restricted focus on ‘high-risk’ invasive species (with no definition provided);
- the restricted focus on ‘high-value’ assets (with no definition provided) – eg. “Government intervention is only warranted to protect high-value assets” (p. 8);
- and the failure to identify the need for greater government resourcing to address invasive species problems.

The Invasive Species Council is greatly concerned that prioritisation of fewer ‘high-risk’ invasive species and ‘high-value’ assets will take the place of providing adequate resources and undertaking effective legislative and policy reform.

Recommendations: Ensure that the focus on prioritisation is coupled with a commitment to provide adequate resources to achieve prevention, eradication, containment and asset-based protection necessary to reduce the threat to Victoria’s environment from invasive species. Commit to developing a robust method of weighting environmental factors in prioritisation that is consistent with the high values of protecting our natural heritage.

ADOPT AN APPROPRIATE LEVEL OF PROTECTION, CONSIDER CUMULATIVE IMPACTS AND FUTURE CLIMATE CHANGE

Under this policy framework, the government proposes to limit prevention, eradication and containment efforts to just those species designated ‘high-risk’ (undefined) and asset-protection efforts to just ‘high-value’ assets (undefined). This is far too limited a focus to reduce invasive species impacts and prevent future threats, and to achieve the vision of “the enhanced condition of our land and water environments, including biodiversity.”

In particular, prevention should be aimed at all but low-risk species (as is the case with the federal government and WA government systems). Any other goal will result in the introduction of numerous more invasive species and a worsening of Victoria’s already devastating problems. As noted in the framework document, it is far more effective and cost-effective to prevent introductions than to contain or control invasive species.

It is unlikely that management of risks associated with the use of invasive species subject to conditions (21) will be effective in preventing invasions. The evidence suggests that if a species can escape into the wild, it usually will, despite conditions. (This has occurred, for example, with research plots, where management should be optimal.)

Much of the damage caused by invasive species is cumulative and interactive in nature – caused by multiple threats or invasive species interacting with other processes such as fire and climate change. These synergistic and cumulative impacts are generally unpredictable. Assessed individually, many of the invasive species involved may not count as high-risk species, but their presence in the environment contributes to serious threats. In this respect, the proposed focus just on high-risk invasive species is insufficient to reduce many invasive species threats.

The focus just on assessed high-risk species also neglects the inherent unpredictability of invasive species threats, and is contrary to the precautionary principle. The unpredictability will be exacerbated by future climate change that will alter risks in ways that can’t be confidently predicted and increase the vulnerability of native ecosystems and species to

invasive species.

The same concerns apply to the exclusive focus on high-value assets (see below).

Recommendations: Adopt an appropriate level of protection that is consistent with reducing the impacts of invasive species, and preventing future threats. Limit future introductions to low-risk species. Broaden the focus in the framework to include the cumulative and synergistic impacts of invasive species that are not addressed through an exclusive focus on assessed high-risk invasive species. Increase the level of protection in recognition that that climate change is likely to increase invasive species threats and the vulnerability of native species and ecosystems to these threats.

CONSIDER BROADER APPROACHES TO ASSET-BASED PROTECTION

The Invasive Species Council is concerned about the limitations of a focus just on protecting ‘high-value’ assets from invasive species. The concern is based in part on the lack of definition of high-value, but also that it perpetuates a piecemeal approach to conservation, neglecting the importance of maintaining or restoring ecological processes, which are not mentioned in the framework document. Invasive species are implicated in multiple ways in compromising ecological processes. It also neglects the probable dynamic nature of environmental value under climate change.

The focus on high-value assets also neglects the timeframe issue, the fact that spread of an invasive species will occur over decades and centuries. Government intervention may be justified where valued assets are not under direct threat, but where failure to take action may result in the spread of invasive species into other areas, including those of high value.

The nominated approach to protecting assets should also include regulatory tools. For example, it can be wasted effort to control invasive species in particular places if there is consistent replenishment of them due to lack of controls on use of these species, such as weeds that spread from nearby gardens or farms.

Recommendation: Ensure that protection or restoration of ecological processes is included as part of or in addition to protection of high-value assets from invasive species threats, and take account of the likely changing value of assets under climate change.

COMMIT TO PROVIDING ADEQUATE RESOURCES, USER PAYS

There is need for the government to invest significantly more in addressing invasive species threats, not just reallocate existing funds. The threshold of resourcing adequacy should be defined and estimated, and the government should commit to providing adequate resources to achieve the reduction of the impacts of invasive species and the enhancement of condition of the environment and biodiversity. We are currently far under that threshold of adequacy.

Much of the language in the document seems designed to limit expectations – eg. “we should be wary of over-reliance on and over-confidence in what can be achieved through

government regulation and funding” (p.10) – rather than expressive of a commitment to enact reforms sufficient to address the threats.

Although government regulation cannot be enforced in all circumstances (p. 10), it is vital that there be greater commitment to enforcement, to demonstrate a commitment by government and authorities in achieving the controls that legislation and regulation are designed for. At present most legislation and regulation relating to the management of invasive species is largely ignored by the agencies charged with their implementation. This has created a sense in the community that the regulations are meaningless and can be flaunted with no consequences.

ISC supports the application of ‘user pays, beneficiary pays, risk creator pays’ approaches alone or in combination, as appropriate. We are particularly supportive of the ‘risk creator pays’ scenario, as it has the potential to strongly discourage the introduction of species that may become invasive, if risk creators are made liable for remedial measures. A polluter pays approach should encompass not only introductions new to Victoria but already invasive species introduced to new locations.

Recommendations: Acknowledge the need to provide adequate resources for addressing invasive species threats and commit to meeting the threshold of adequacy. Adopt cost-sharing approaches where there are private benefits in the risky use of invasive species.

RECOGNISE AND ADDRESS CONFLICTS OF INTEREST

One important issue not adequately addressed in the policy framework is the role that conflicts of interest have in preventing effective action on invasive species. To reduce the impacts of invasive species, the government has to be prepared to assess and ban or restrict the use of species that have commercial or social value for some sectors.

The framework document alludes to this problem by saying that currently Victorian Weed Risk Assessment “calculates a score without using potential commercial value to offset key negative impacts” (p. 14). However, the risk assessment process is hardly ever applied to plants that have commercial value, particularly to the agricultural sector. Another example is the failure to declare feral deer as a pest species – because of the influence of hunters on invasive species policy – despite their environmental threat. Currently, such conflicts of interest lead to threats being ignored, and there is not even cost-benefit analysis (which has problems when applied to invasive species threats).

Independence in risk assessment is essential. It is not appropriate for a government department that is promoting a particular species, such as a pasture species, to undertake the assessment for this species.

Recommendation: Recognise the conflicts of interest that exist with invasive species with value to some sectors, and commit to addressing this through broad application of risk assessment to invasive species, regardless of the species’ commercial or social value, as the basis for more rigorous and transparent decision-making about their status. Ensure that risk assessments are conducted by independent assessors.

FACILITATE MEANINGFUL POLICY PARTNERSHIPS

The framework documents neglects somewhat the importance of involving community and community groups in policy-making and decision-making on invasive species, although it strongly endorses partnerships on control of invasive species. For example, the community should be involved in processes such as nomination of species for declaration (rather than restricting it to CMAs).

Respect and support for community also involves ensuring that their work is not undermined by permissive policies that allow the continued sale and release of threatening invasive species. For example, many volunteers undertake weed control only to have their work undone by the continued planting of the species they are trying to control.

Recommendations: Include advocacy groups as important partners in invasive species policy-making and ensure that the community has the right to be involved in decisions, eg. by nomination of invasive plants for declaration. Recognise that part of supporting the work of community groups in controlling invasive species is to ensure that there is much more effective regulation to prevent perpetuation of the problems.

INCLUDE INVASIVE PATHOGENS IN THE FRAMEWORK

Invasive pathogens are a serious environmental threat in Victoria: dieback fungus (*Phytophthora cinnamomi*) kills native plants; chytrid fungus threatens frogs; and the invasive orange pore fungus has recently appeared in Melbourne reserves. This category of invasive species should be included in such a policy framework.

Recommendation: Include invasive pathogens in the policy framework.

CONCLUSION

The Invasive Species Council is keen to be involved in the reform process, and we look forward to the rapid development of specific reforms that have a realistic prospect of achieving the government's vision of enhanced condition of our land and water environments, including biodiversity.