



Gippsland Environment Group Inc

By email: info@geg.org.au

Date 16-12-2025

To: EPBC Compliance and Enforcement at the Department of Climate Change, Energy, the Environment and Water.

By email: environment.compliance@dcceew.gov.au

Formal Complaint and Request for Urgent Intervention — Damage to *Grevillea celata* Habitat and Glossy Black-Cockatoo Feed Trees within the Nowa Nowa Lyles Break Planned Burn (GP-TBO-NOW-0368)

Please accept this letter and associated survey reports as a **formal submission and complaint** regarding serious and avoidable damage to habitat for two nationally listed threatened species—***Grevillea celata*** and the **Glossy Black-Cockatoo**—associated with pre-burn mechanical works by Forest Fire Management Victoria (FFMV) conducted within the **Nowa Nowa Lyles Break planned burn area (GP-TBO-NOW-0368)**.

Sent with this email - and in following emails - as separate PDF files are **four survey reports from surveys undertaken in November 2025** by Gippsland Environment Group, containing maps, photos, GPS coordinates and field observations. Spatial data is available on request.

The impacts documented in the attached survey reports provide evidence of a serious failure of compliance with statutory requirements under the **Flora and Fauna Guarantee Act 1988 (FFG Act)** and the **Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)**.

1. Conservation Background: *Grevillea celata*

Grevillea celata is listed as **Critically Endangered (CR)** under the **Victorian FFG Act**, and **Vulnerable (VU)** under the **EPBC Act**. Reference: VicFlora species profile ¹ (Royal Botanic Gardens Victoria).

¹ <https://vicflora.rbg.vic.gov.au/flora/taxon/c5f363f4-cb85-43d6-9e20-98b6fb7c946b>

The species is **known only from the Colquhoun State Forest east of Bruthen**, growing in highly restricted habitat on **red siliceous or pale granitic sands in dry sclerophyll forest**²

Given this extremely limited distribution, the survival of the species depends on the protection of every known plant and habitat patch

1.1 Documented Threats to *Grevillea celata*

According to the **2021 Threatened Species Assessment**³ (Victorian Government): The species is threatened by numerous **climatic, physical and biotic factors**, including:

Climatic / physical threats

- Decreased rainfall and increased evaporation
- Extreme temperatures and drought
- Increased frequency and intensity of bushfires
- Unseasonal prescribed burning, *especially winter burning*
- Plants are **likely to be killed by fire and do not require fire for regeneration**

Biotic threats

- Weed invasion
- Cinnamon root-rot fungus (*Phytophthora cinnamomi*)
- Nectar robbing by honeybees (ineffective pollinators)
- Reduced pollination success due to declines in honeyeater pollinators
- Reduced co-occurring floral resources (*Correa reflexa*, *Epacris impressa*, *Banksia marginata*) due to inappropriate fire regimes

Floral resources critical for pollination are **severely reduced by increased fire frequency, intensity, and poorly timed burns**.

1.2 Recovery Plan Directives

The **National Recovery Plan for *Grevillea celata***⁴ (2006) explicitly identifies:

- *Plants on Lyles Break are threatened by inappropriate fire regimes.*
- *Road works and slashing are additional threats to roadside populations.*

The roadside works and planned ignition activities documented in this complaint align directly with the threats identified in both the species assessment and the Recovery Plan.

² <https://vicflora.rbg.vic.gov.au/flora/taxon/c5f363f4-cb85-43d6-9e20-98b6fb7c946b>

³ https://bio-prd-naturekit-public-data.s3.ap-southeast-2.amazonaws.com/species_assessments/Grevillea_celata_504716.pdf

⁴ <https://www.dcceew.gov.au/environment/biodiversity/threatened/recovery-plans/national-recovery-plan-colquhoun-grevillea-grevillea-celata>

2. Glossy Black-Cockatoo: Critical Post-Fire Vulnerability

The Glossy Black-Cockatoo is listed as **Vulnerable (EPBC)** and the **Victorian population occurs only in East Gippsland.**

2.1 Post-fire impacts

- **64%** of Glossy Black-Cockatoo Victorian habitat burned in the **2019–20 Black Summer bushfires**
- A 2024 peer-reviewed study in *Australian Field Ornithology*⁵ estimates a **75% decline** in Victoria since 2020
- The Victorian population is now highly dependent on **unburnt forest** east of Lake Entrance

2.2 Highly specialised diet

In East Gippsland, Glossy Black-Cockatoos feed **exclusively** on **black sheoak (*Allocasuarina littoralis*) seeds.**

Ecologist Peter Menkhorst notes the species has “*one of the most specialised diets of any Australian bird*”, and that **any remaining unburnt black sheoak stands “are of critical importance.”**

A Victorian Government post-fire biodiversity report⁶ confirms surviving sheoak stands are of “**great significance**” and require “**great care**” in management.

Given this context, any additional loss of black sheoak habitat represents a significant threat to the recovery and persistence of the species in Victoria.

3. Documented Damage by FFMV Pre-Burn Works

3.1 *Grevillea celata* plants damaged

Roadside bulldozer and tree felling operations undertaken by Forest Fire Management Victoria (FFMV) along **Smarts Break** and **Lyles Break** have directly impacted known *Grevillea celata* sites within the planned burn area.

⁵ https://www.researchgate.net/publication/380183762_Impacts_of_bushfire_on_the_Glossy_Black-Cockatoo_Calyptorhynchus_lathami_and_its_single_food_source_in_eastern_Victoria

⁶ https://www.wildlife.vic.gov.au/_data/assets/pdf_file/0035/589805/Biodiversity-Bushfire-Response_Supplementary-report-on-bushfire-impacts-on-species-in-Victoria-.pdf

Despite plants being **clearly marked with pink tape**—indicating staff had identified and mapped them—bulldozers entered these areas, causing:

- Felling of trees into marked *G. celata* habitat
- Soil scraping around the plants
- Pushing debris into piles across occupied habitat

Multiple *G. celata* plants were found:

- Inside pushed-up debris heaps
- Beneath felled trees
- Buried within disturbed soil

It appears that two *G. celata* plants may have been **dug up** amongst the bulldozer works and taken away.

These actions contravene basic threatened-species avoidance obligations and directly undermine requirements outlined in the species' Recovery Plan.

3.2 Destruction of Glossy Black-Cockatoo feed trees

Along Lyles Break, **black sheoak** —the Glossy Black-Cockatoo's essential food trees—were cut down and pushed into debris piles.

Orts (chewed cone fragments) were found beneath the felled trees, confirming **active and recent feeding**.

A short survey of sheoaks on the southern side of Lyles Break also revealed numerous orts, demonstrating that this area constitutes **critical feeding habitat** for the species, which is already constrained to small unburnt forest refuges.

The destruction of feed trees and disturbance in this location therefore represent a significant and avoidable threat to a species already under severe post-fire pressure.

4. Imminent Risk from Proposed Direct Ignition

Along Lyles Break, the bulldozer and tree felling works have created large volumes of dead and drying fuel. It appears FFMV intend to **directly ignite** these debris piles during the planned burn.

This would:

- Kill remaining *Grevillea celata* plants (a fire-sensitive species)
- Destroy fire-sensitive black sheoaks and nearby fire that doesn't kill sheoak trees, will cause cones to open and drop seed and Glossy-Black Cockatoos will not feed on seed on the ground

- Remove active Glossy Black-Cockatoo feeding sites and further reduce feeding habitat for a rapidly declining population
 - Exacerbate the decline of two threatened species with limited surviving habitat
 - Breach principles in both species' conservation documentation
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5. Requested Immediate Actions

Both these species have extremely limited remaining habitat in Victoria. Further disturbance risks **extinction** of *Grevillea celata* and continued decline of the Glossy Black-Cockatoo.

In light of the EPBC-listed status of both species and the severity of observed impacts, we request the following:

1. **Immediate removal of the Nowa Nowa Lyles Break planned burn (GP-TBO-NOW-0368) from the current burning schedule.**
 2. If the burn is not removed from the burning schedule, **it must be referred to the Australian Government as a controlled action under the EPBC Act**, acknowledging the significant risk to listed species and critical habitat.
 3. **A formal investigation** into FFMV actions, decision-making processes, and compliance with state and federal threatened species responsibilities.
 4. **Immediate protective measures and remediation** for impacted *Grevillea celata* habitat and Glossy Black-Cockatoo feeding sites.
 5. **Implementation of strict protocols** to prevent further incursions into mapped threatened-species habitat during planned burn operations.
 6. **Please advise what *Phytophthora* protocols** were adhered to regarding hygiene of machinery
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6. Request for Written Response

We request a written response confirming receipt of these complaints and reports and we request to be kept informed of all findings and actions taken.

Thank you for your attention to these serious matters.

Sincerely,



Jade Kemety
GEG President

Gippsland Environment Group Inc

Maps

Map below shows Gippsland Environment Group (GEG) *Grevillea celata* and Glossy Black-Cockatoo habitat surveys in a section of **Nowa Nowa-Lyles Brk** planned burn. Red circle indicates approximate location of area surveyed on Lyles Bk, south of Lyles Bk and Smarts Bk <https://plannedburns.ffm.vic.gov.au/burn-site/3009968>

Survey dates: 04-11-2025, 14-11-2025, 21-11-2025 and 28-11-2025

SAFE

Nowa Nowa - Lyles Brk

5km SE of Nowa Nowa

LAND MANAGEMENT OBJECTIVE
To develop a fuel reduced area to the North West of Nowa Nowa Community .

[Learn about the strategy behind this burn](#)

AGENCY:	FFM Vic	PLANNED AREA/LENGTH:	406 ha
DISTRICT:	Tambo	TREATED AREA/LENGTH:	7 ha
REGION:	Gippsland	TREATMENT TYPE:	Fuel Reduction
NUMBER:	GP-TBO-NOW-0368	PROPOSED YEAR:	2026

General enquiries for this burn:
VicEmergency Hotline
1800 226 226

Green = total planned burn area
Red circle = approximate location of area surveyed by GEG

Lyles Break

Smarts Break

Planned burn area

Below: Known *Grevillea celata* plants within the planned burn site as mapped on the **Victorian Biodiversity Atlas (VBA)**

Red circle = approximate location of area surveyed by GEG

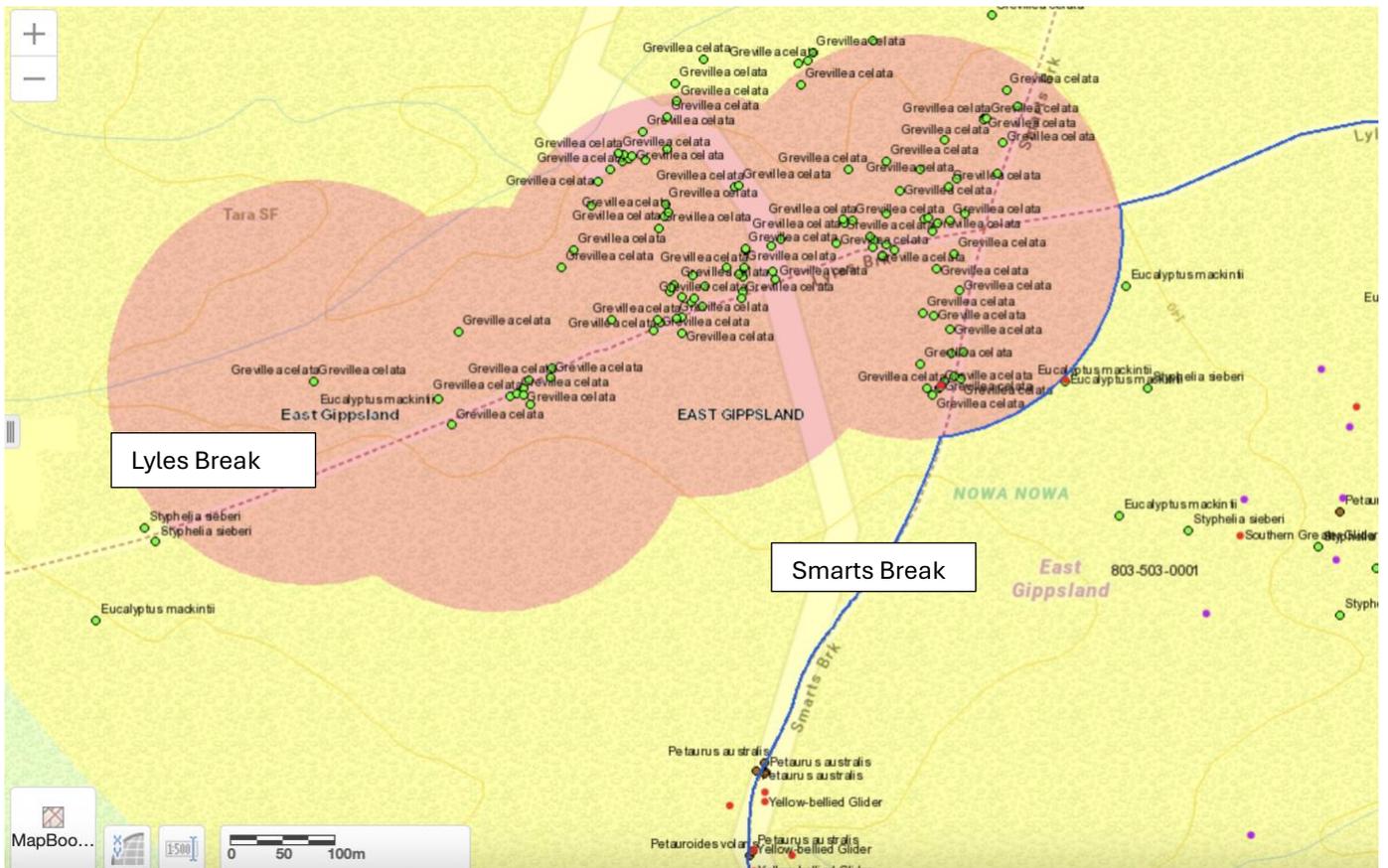
Lyles Break

Smarts Break

200 m
500 ft

Screenshot

Below: *Grevillea celata* as mapped on the **Forest Information Portal**. The pink area indicates a **Special Protection Zone for *Grevillea Celata*** – a sensitive area where bulldozers and logging was not permitted <https://maps.ffm.vic.gov.au/fip/index.html?viewer=fip>



Below: Waypoints mapped by GEG along Lyles Bk and Smarts Bk showing *Grevillea celata* and black sheoaks damaged by road works. Waypoints in the red circles indicate active Glossy Black-Cockatoo (GBC) feed trees.

Survey dates: 04-11-2025, 14-11-2025, 21-11-2025 and 28-11-2025

