

**SUBMISSION FROM BOB BROWN FOUNDATION TO THE SENATE STANDING COMMITTEE ON
ENVIRONMENT AND COMMUNICATION**
**RE: ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION AMENDMENT (SAVE THE
KOALA) BILL 2021**

The Bob Brown Foundation supports the Environment Protection and Biodiversity Conservation Amendment (Save the Koala) Bill 2021 **which seeks to amend parts of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) to impose a prohibition on the clearing of koala habitat.**

This bill will prevent the Minister from approving an action under the EPBC Act where that action consists of or involves the clearing of koala habitat.

The bill also removes the exemption of Regional Forest Agreements from requirements of the EPBC Act where there is, may, or is likely to be a significant impact on koalas.

This will be an essential first step to save koalas from extinction.

Introduction:

The Koala is a national icon which needs distinct protection as it is on the brink of extinction. In 2012 NSW, Queensland and the ACT listed koalas as vulnerable after they had experienced decades of decline. It is estimated that koala numbers in NSW dropped 26% between 1990 and 2011.

Deforestation in NSW accelerated when the NSW Government repealed the *Native Vegetation Act 2003* and replaced it with the *Biodiversity Conservation Act 2016*, which significantly weakened land clearing and environmental controls on native forest logging. In 2019 a NSW Natural Resources Commission's report revealed that land clearing had increased 13-fold, and biodiversity is now at risk in 11 out of 13 regions in NSW.¹

In 2019 a NSW Government enquiry titled "Koala populations and Habitat" ²found that the koala will be extinct by 2050 unless strong government action is taken to protect it.

¹ Review of land management and biodiversity conservation reforms (<https://www.nrc.nsw.gov.au/land-mngt>)

² Koala populations and habitat in New South Wales
(<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2536>)

The main threats to koalas are the following, resulting in loss and fragmentation of habitat:

- Clearing for urban development and infrastructure
- Land clearing for farming purposes
- Logging of native forests (often for woodchips or biofuel)
- Logging and land clearing for mining projects
- Megafires, fuelled by the climate crisis

Adding to the ongoing threats is an increase in fire risk due to climate heating. It is estimated that overall Australia lost 61 000 koalas and more than 500 000 hectares of forest during the black summer bushfires of 2019/2020. Megafires will increase as our planet is heating, resulting in higher loss of koalas and other wildlife in the coming years.

Additionally, salvage logging in forests after fires results in further damage and loss of habitat. Images shocked the world when in Victoria and NSW the government allowed forestry works to continue and reduced any koala habitat.

The increasing heat, generated by climate change, will push koalas further towards the coast where it is cooler, as inland NSW, Qld and Victoria will become inhabitable. This puts koalas further into conflict with urban sprawl and development as the coastal regions get developed further.

Reasoning:

In the context of koalas, it is often talked about as a “death of a thousand cuts”. Koala habitat rarely gets protected when it competes with development approvals for mining or urban development. Every time a development approval is signed over koala habitat one more crucial colony gets lost. This has led to the koala now facing extinction. It is urgently required that approvals are assessed for their cumulative impacts on koala habitat, rather than on a one-by-one approach.

The Environment Protection and Biodiversity Conservation Amendment (Save the Koala) Bill 2021 would put an urgent break on this system of the “death by a thousand cuts”. A prohibition on logging in areas where koalas are likely to be present or may be present in the future due to existence of feeding and habitat trees would be a good step forward to ensure their survival. Considering the koala crisis, the Federal Environment Minister Sussan Ley has ordered a “census” on koalas to establish numbers already. This should not be jeopardized by ongoing logging operations before we don’t know the exact numbers of koalas particular along the east coast.

The Threatened Species Scientific Committee is currently providing advice to the Federal Environment Minister regarding the status of east coast koalas. Results are due in October 2021 and listing the koala along the east coast as endangered would support their recovery by providing additional resources and protections. Current logging operations could be in conflict with these findings.

The Environment Protection and Biodiversity Conservation Amendment (Save the Koala) Bill 2021 would also provide time for Local Government Areas (LGA) to provide Koala Plan of Management for approval and for the NSW government to approve those that have been lingering in its offices for years waiting for approval. This will result in communities having an opportunity to develop a recovery plan to double koala populations in every Koala Management area. NSW Environment Minister Matt Kean has stated he seeks to “double koala numbers” by 2050.

In NSW native forest logging causes 62%³ of total annual koala habitat loss. Koalas predominantly live in NSW on privately owned land, with two thirds of the population finding habitat on private land.

The Bob Brown Foundation supports the removal of the **exemption of Regional Forest Agreements from requirements of the EPBC Act** where there is, may, or is likely to be a significant impact on koalas. Furthermore, we advocate that EPBC Act exemptions for any forestry activity including logging in native forests, logging of endangered species habitat and destruction of the native forest environment would not be beneficial for koalas. States as an active player in native forest logging cannot be trusted with safeguarding our wildlife, as can be seen in NSW, where logging increased without oversight, resulting in a huge loss of wildlife.

Habitat loss is the primary driver of species decline in Australia. The EPBC Act must address the ongoing decline in the population and conservation status of Australia's nearly 500 threatened fauna species, including the koala. Ongoing loss and degradation of fauna habitat, especially clearing of high value conservation forest, is not being addressed as the most significant threat driving fauna extinctions. The **Environment Protection and Biodiversity Conservation Amendment (Save the Koala) Bill 2021**, would dramatically increase this protection for the koala. Vast amounts of unchecked habitat clearance continue in Australia despite environmental legislation.⁴

³ Taylor MFJ (2020) Koala habitat clearing increased after 2012 listing, WWF Australia, p. 6 <<https://bit.ly/3drPJU0>>

⁴ V.J. Neldner, M.J. Laidlaw, K.R. McDonald, M.T. Mathieson, R.I. Melzer, R. Seaton, W.J. F. McDonald, R. Hobson, and C.J. Limpus (2017). Scientific review of the impacts of land clearing on threatened species in Queensland. Queensland Government, Brisbane. & Jenny Lau and Margaret Quixley, Birdlife Australia, February 2018, Restoring the Balance, The Case for a New Generation of Environment Laws. & Saunders, Debbie & Russell, Tracey. (2016). Settlement and Swift Parrots - Historic and ongoing habitat loss for a critically endangered species (1788-2016). Papers and Proceedings - Royal Society of Tasmania. 150. 10.26749/rstpp.150.2.55.

State and Commonwealth legislation, actions and processes are not adequate to halt declines of threatened species towards extinction. State-level protections and assessment processes are weak, ineffective, and are failing to halt threatened species declines⁵. Therefore, Commonwealth legislation and other mechanisms must be strengthened such as proposed in this bill ⁶.

It must also be a goal to strengthen compliance mechanisms between National, State and local governments for threatened fauna protection. Current recovery processes are not working and that unless major changes are made overall, more extinctions are inevitable. National Threat Abatement Plans must receive greater priority under all levels of government.

We need to start making real commitments to protect this iconic species. A prohibition on logging in areas where koalas are likely to be present or may be present in the future due to feeding trees would be a good step forward.

The Bob Brown Foundation urges the Senate Standing Committee on Environment and Communication to support this bill.

⁵ Michelle S. Ward, Jeremy S. Simmonds, April E. Reside, James E. M. Watson, Jonathan R. Rhodes, Hugh P. Possingham, James Trezise, Rachel Fletcher, Lindsey File, Martin Taylor, 08 September 2019, Lots of loss with little scrutiny: The attrition of habitat critical for threatened species in Australia, in Conservation Science and Practice, A journal for the Society of Conservation Biology. & Shephard, J., & Warren, K., 2018 Conservation Medicine Program in the School of Veterinary and Life Sciences at Murdoch University, Submission to Senate Inquiry into Australia's Faunal Extinction Crisis. [cited 17 Apr 20].

⁶ Invasive Species Council (2018) KTPs & TAPS: Australia's failure to abate threats to biodiversity. Discussion paper, May 2018. Invasive Species Council. Fairfield, Victoria. <https://invasives.org.au/wp-content/uploads/2018/05/KTPs-and-TAPs-discussion-paper-23-May-2018.pdf>