



Australians for Animals

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APRIL 2020 NEWSLETTER



KILLING OUR KOALAS RECKLESS IRRESPONSIBLE GOVERNMENTS

The NSW Environment Protection Agency has approved logging in forests hard hit by bushfires in the state's north.

No assessment on the toll on koalas and other wildlife has been made. In early March, the agency gave the go ahead to the Forestry Corporation to log 5062 hectares, or 18 times the size of Sydney's CBD – in 19 compartments within three state forests on the Richmond River lowlands.

90 per cent of koalas were lost in the burned areas. Koalas in NSW are struggling to survive.

This is the reality of the Berejiklian government. It's almost beyond belief that any government could go ahead with what amounts to the deliberate extermination of koalas. Not just in the north of the state which is the remaining heartland of koalas but the entire state.

In Campbelltown, the koala colony is the last disease free population left in the state. A good number of koalas

with a future that is now extinction as the government allows a massive urbanisation project which will wipe out their habitat.

Our environmental legislation is apparently useless. AFA has tried repeatedly over the last five years to get up legal challenges with the Environmental Defenders Office, to no avail. In spite of clear evidence of non compliance of conditions of approval.

The EDO now only takes one client on an issue and unless senior counsel decides that any lawsuit has a possibility of winning, the matter doesn't go ahead. No precedental legal challenges are run any more, ensuring that the government is literally getting away with murder.

The same situation is happening in Queensland.



THE PANDEMIC IMPACTS ON WILDLIFE

Yes, we're going through a long long nightmare. The bushfires were dreadful, then came floods and now a pandemic. Some people believe the pandemic is Mother Earth fighting back. Who knows.

But what we do know is that cramming people into cities, allowing unchecked pollution, wiping out wildlife and their habitats, killing wildlife, eating bats (for heaven's sake) and other animals makes for a perfect storm in terms of viruses.

The end result is shocking. Many people have died. Our wildlife and environment is now at the bottom of the political pile.

It's downright terrifying to listen PM Morrison's statements in the media that " he will fast track new and existing major infrastructure projects and adopt an aggressive pro business strategy to help the country claw its way out of an expected virus induced

recession."

This means scrapping environmental laws, ensuring no public interest legal challenges, wiping out any barriers to development. In fact, the NSW government has led the way by continuing to log in unburned forests, forests which are primary koala habitat.

No amount of protest has stopped the government from wiping out these precious forests. Every email, letter, phone call, petition is ignored. Trucks have been seen taking out logs in the area which conservationists have fought hard to have declared the Great Koala National Park.



DROUGHT AND BUSHFIRES HELL REALMS

AFA has spent the last three months entirely focused and involved in the dreadful impacts of the bushfire inferno and the ongoing drought.

In March, Independent MLC Justin Field was able to force the release of a previously secret report by the Natural Resources Commission on the impacts of NSW government's changes to land clearing laws in 2016. The report revealed that land clearing approvals have increased by 1200% since 2016.

Justin Field summed up his concerns in an email to AFA.

"The results are heartbreaking and evidence of the environmental vandalism being encouraged under the policies of the National Party in NSW.

The Natural Resources Commission report described land clearing as a "State-wide risk to biodiversity."

"We always knew these laws were going to lead to more land clearing but I've been shocked by the results and even the few limited protections the laws give are not being complied with."

The NRC's report found:

- In 2018/19, over 37,000 hectares were approved to be cleared, almost 13 times the annual average rate of approval in the ten years prior to 2016/17 of approximately 2,700 hectares.
- Land clearing approvals almost doubled between 2018 (25,247 hectares) and 2019 (43,553 hectares) just after the most controversial element of the land clearing reform was implemented.
- Almost 60% - or 7,100 hectares - of clearing between August 2017 and January 2018 was 'unexplained'.
- Nine of eleven regions in NSW were assessed as a "high biodiversity risk" because of high

levels of clearing and insufficient areas set aside for conservation, seemingly in contravention of the regulations.

Justin Field wrote: "Our environmental protection laws in NSW are broken. Rampant land clearing, the logging of burnt and unburnt forests and the diversion of billions of litres of water from our rivers are leaving forests, woodlands and grasslands and the biodiversity they support scarred and starved."

The North East Forest Alliance called for an immediate halt to land clearing in NSW.

"We are in a climate and extinction emergency, clearing more vegetation and releasing its carbon into the atmosphere is pouring more fuel onto the fire, it has to stop.

"Last year over half of north-east NSW's remnant native vegetation was burnt with the likely death of over 350 million native mammals, birds, lizards and frogs, including thousands of Koalas.

"Many species of plants and animals have had their populations decimated and are teetering on the brink of extinction, it is outrageous that the NSW Government is now allowing land-clearing and logging to push many populations over the brink."

Their Environmental Condition Score (ECS) is data 'collated from a vast number of measurements on the state of the environment, weather, oceans, fire, water, soils, vegetation, population pressure and biodiversity.'

Australia scored 0.8 out of 10.

The report says that "immediate action is needed to put Australia's environment on a course to recovery."

The report indicates that the entire



nation suffered terrible environmental conditions in 2019. Conditions which can be traced back to dry, hot conditions. Drought.

Even a cursory check of the report makes very grim reading. Dust storms, dieback of forests, wind erosion, dried up inland water systems, catastrophic biodiversity loss as a result of bushfires and drought have created a dire situation.

NSW scored 0.3 out of 10.

Undeterred by this critical report, NSW Planning Minister Robert Stokes announced that the government "will cut red tape and fast track planning process to keep people in jobs and the Construction industry moving.

THIS IS THE FAST TRACK PLAN

Create opportunities for more than 30,000 construction jobs in the next six months;

- Fast-track assessments of State Significant Developments, rezonings and development applications (DAs), with more decisions to be made by the Minister if required;
- Support councils and planning panels to fast-track local and

regionally significant DAs;

- Introduce a 'one stop shop' for industry to progress projects that may be 'stuck in the system';
- Clear the current backlog of cases stuck in the Land & Environment Court with additional Acting Commissioners; and
- Invest \$70 million to co-fund vital new community infrastructure in North West Sydney including roads, drainage and public parks to unlock plans for the construction of thousands of new houses.

Unfortunately, pandemic restrictions make the likelihood of any legal action to restrain Minister Stokes' enthusiastic eradication of planning legislation and the public interest somewhat difficult.

But it's hard to believe Stokes could, "clear the current backlog of cases stuck in the Land & Environment Court "without a state takeover of the judiciary.

However, as Stokes appears to be the driving force for development at any cost alongside his premier, one unknown side effect of the mental state caused by the pandemic could be delusions of grandeur.

PLEASE HELP SAVE THE KOALAS

www.givenow.com.au/koalacrisis

AND AT THE FEDERAL LEVEL

Conservation and animal welfare groups have been working hard putting together submissions for the “independent” review of the EPBC Act. Unfortunately, the reality of what the Morrison government is doing to this Act is not widely understood.

In October, 2019, Environment Minister Sussan Ley said that “cutting delays in project approvals could save the economy \$300m a year”. The Morrison government promised to “tackle green tape”.

A panel of experts led by Professor Graeme Samuel was put together to do the legally required ten year review.

The panel members are enough to give anyone concerned about wildlife a major headache.

We have Bruce Martin, an indigenous man who is president of the Cape York Peninsula Live Export Group. Dr Erica Smyth with 40 years experience in the oil and gas industry and Dr Wendy Craik, former head of the Great Barrier Reef Marine Park Authority.

Professor Andrew MacIntosh, a legal expert from the ANU had to leave the panel as he was appointed a commissioner in the Royal Commission into the bushfires.

So no legal experts, no ecologists, no NGOs, just a bunch of people with zero credentials in terms of protecting biodiversity.

It is important to note that in accordance with section 522A of the EPBC Act, the review is supposed to examine:

- A. the operation of the Act, and
- B. the extent to which the objects of the Act have been achieved.

Instead, “The review will make recommendations to modernise the EPBC Act” ...including an objective to “provide a streamlined environmental assessment and approvals process.”

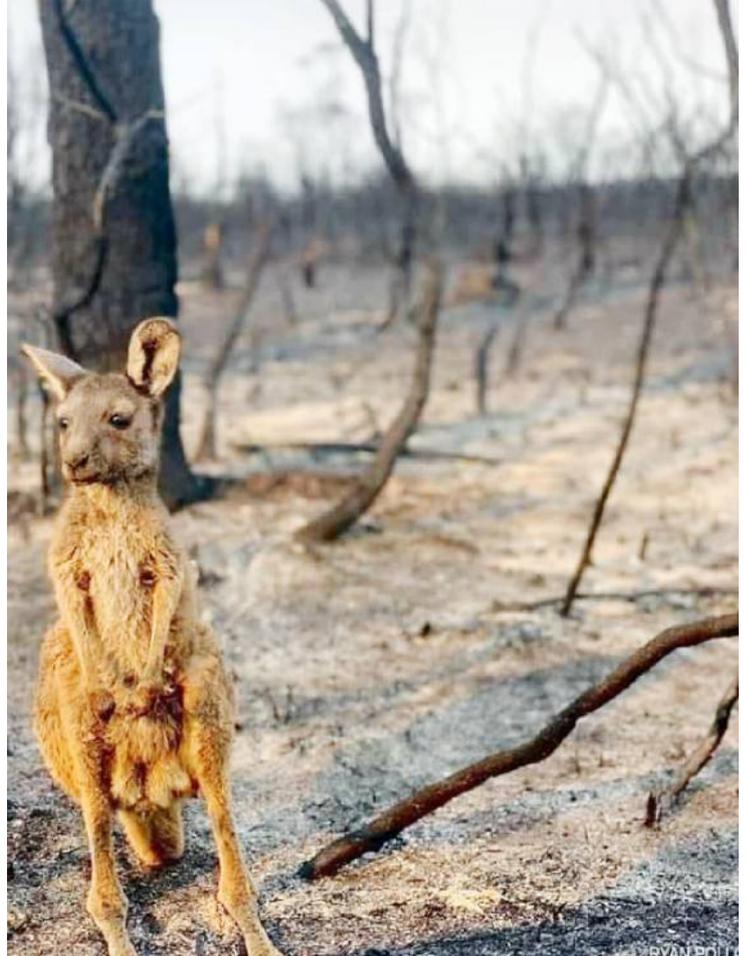
And (b.) making decisions simpler, including by reducing unnecessary regulatory burdens for Australians, businesses and governments,”

Bottom line. Don't expect any changes to benefit biodiversity or the environment as a result of this useless review. Just another tick a box exercise by the federal government!

Access to legal challenges to protect the environment and biodiversity is rapidly disappearing at the state and federal level. There's simply zero recognition of the fact that Australia's future depends on restoring a healthy environment.

Nothing could underline the importance of a healthy environment more than the evidence of pollution disappearing from Europe and other countries as polluting industries are closed down over the pandemic.

Whilst any thinking person understands that the economy must be revived if people are to survive financially and to have a future, this surely is a time for deep reflection on how that future should manifest.



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**AUSTRALIANS FOR ANIMALS
PO BOX 414 BRUNSWICK HEADS 2483**



www.givenow.com.au/koalacrisis

AFA IS ON THE JOB

AFA contacted lawyers at Earth Justice when the dreadful massacre of koalas surviving the bluegum plantation "harvest" at Portland happened. Who can forget the dead and dying koalas.

The Victorian government issues authorisations for bluegum plantations which demand plantations provide a koala plan of management and a population estimate of koalas in their plantations. This should be public information as the government claims transparency.

There are many questions about who is to blame for this shocking treatment of koalas and it was important to go back to first base and get the relevant documents. AFA needed to find out how many koalas were in the plantations as the numbers were relevant to the numbers killed.

Unfortunately, the only way to get this information is via a Freedom of Information request. This is the Victorian government's weapon in ensuring that the longest delays make acquiring any useful data well nigh impossible. AFA is still waiting over a year now for data on the number of koalas translocated, the number of koalas injured and the mortality from one single region. The delays just go on and on.

So AFA was not surprised when we received a notification from the FOI department that the koala plan of management and any population estimate were not available as the Portland massacre was now a legal matter.

This response is entirely unacceptable. These documents which allowed the government to authorise the development of the bluegum plantation should be available. There's no good reason why they are not. But as we have discovered, this government hides everything.

With no MP in the state parliament willing to ask questions (we have repeatedly tried to contact Andy Meddick's office with zero success), and our legal advice is that FOI is the only way to access the documents which allowed the authorisation, AFA expects that another six months or more will pass before any information is available.

All we do know is that there's some kind of legal action. Against who? No one is telling AFA.

This is a scandalous situation. It's also virtually impossible to contact anyone in the relevant Department as no one answers the phone and you are left to try and wander through links which lead nowhere.

The mismanagement of koalas in Victoria is a national scandal. Thankfully, we have a volunteer who is checking the government gazette every week to check for any plantation authorisations as the lawyers have advised we can take some legal action over any koala management plan in the future.



AFA'S EPBC REVIEW RECOMMENDATIONS

- That the Koala Referral Guidelines are made mandatory.
- That corporations and developers are no longer allowed to self refer development. (This allows developers to claim that the damage to koala habitat by their projects is minimal, thus avoiding any approval conditions that require protection of koalas.
- That an independent, non political, transparent agency comprising recognised koala experts and conservation representatives be set up to assess development projects which will impact koalas.
- That emergency provisions which allow for immediate listing of a species are included in the EPBC Act.
- That any National Koala Strategy (now 9 years overdue) is developed by the same independent panel.
- That compliance, monitoring and legal action is taken against developers who breach approval conditions.
- That all koala management plans submitted by developers be publicly available.
- This is just the short version of our list!

AFA IS ON THE JOB

We have a sign on letter to Ita Buttrose, Chair of the ABC on the plight of koalas, signed by hundreds and hundreds. The letter will be sent as soon as the intense focus on Covid 19 dies down,

AFA is also in intense discussions with a brilliant retired lawyer and an Aboriginal native title tribe over a potential legal challenge which, if it succeeds, would create a massive national precedent that allows some critical koala habitat to be saved.

But its early days and the courts are basically shut down. But a legal firm has offered to work on the matter on a pro bono (free) basis.

We're also thrilled by a massive effort by well known European musicians

who have put together wonderful compilations to raise funds for acquiring habitat. More on this effort soon!

So please continue to support AFA. We continue to work through the lockdown seeking all the help we can find to ensure koalas and our wildlife survive these dreadful governments.

***For the Animals,
Sue Arnold & Friends***



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