The NSW government Koala Strategy, the Saving Our Species Iconic Koala Project (SOS project) and the review of SEPP 44 (Koala Habitat Protection)

Submission from Jill Hartley

Thank you for the opportunity to make a submission on this vital issue.

NSW needs to do so much more to alleviate the plight of the koala & to stop the wilful destruction of its precious habitat.

It is not good enough that Forestry NSW is concerned primarily with the trees & not with animals and that OEH are primarily concerned with animals & not the trees in State Forests.

1. Exemption of RFA areas from the Commonwealth EPBC Act

The exemption of Regional Forest Agreement (RFA) areas from the Commonwealth Environment Protection Biodiversity Conservation (EPBC) Act 1 has meant that there has been no meaningful protection for almost 20 years. Since the establishment of the RFAs, the Commonwealth’s principal environmental law has not applied in State Forests where Australia’s most intensive logging for woodchips has been carried out.

The exemption is based on the assumption that RFAs provide “equivalent protection” to the EPBC Act. However, in NSW (and other States), nobody actually monitors logging impacts to ensure that RFAs do provide equivalent protection. As far as NSW is concerned, the Commonwealth has shown no interest in finding out whether protection is equivalent and adequate or not.

The report One Stop Chop: How Regional Forest Agreements Streamline Environmental Destruction documents how this is a national problem.

Since the commencement of the RFAs there have been hundreds of instances of well documented threatened species rules being breached either by the Forestry Corporation of NSW or by logging contractors engaged by it or by South East Fibre Exports/ Allied Natural Wood Exports.

2. Federal listing has not helped the south east NSW Koala - Phascolarctos cinereus

The federal listing of the koala as a vulnerable species in April 2012 has done nothing for NSW far south coast koalas living in State Forests. Virtually all far south coast koalas are in State Forests and thus do not benefit directly from the Commonwealth listing because of the EPBC Act exemption for RFA areas.

All State Forests in south east NSW are covered by Regional Forest Agreements (RFAs) and the current law falsely assumes that these provide equivalent and adequate protection for threatened species, including the koala.

We have seen time and time again that threatened species prescriptions are either useless or are flouted with impunity by State logging agencies. Since the commencement of the RFAs there have been hundreds of instances of well documented threatened species rules being breached either by the Forestry Corporation of NSW or by logging contractors engaged by it or by South East Fibre Exports.

3. NSW Measures to protect the Koala in Logging

The Forestry Corporation of NSW currently operates under antiquated provisions applying an outdated Integrated Forestry Operations Approvals (IFOA) regime. These IFOAs have been under
revision for some years and have still not been finalised. When logging in koala habitat, one of the current IFOA provisions requires loggers to look up into the tree they are about to cut down, to determine whether there is a koala in it.

- This measure is clearly absurd because virtually all logging these days is done by mechanical harvesters, which have solid steel roofs. It would not be possible for the operator of the mechanical harvester to look up the tree through the roof.

- Neither would it be possible for another worker on the site to perform this task because occupational health and safety requirements would not permit another worker to stand close enough.

4. Conclusions

Exemption of RFA areas from the EPBC Act has not served Australia’s threatened species in forests, including the koala well.

The RFA exemption from the EPBC Act should cease. State Ministers have shown they are prepared to arbitrarily override prescriptions when they clash with the perceived interests of loggers.

The Hawke Review - recommended that it should be reconsidered, but that recommendation was dismissed peremptorily by both the then Shadow Minister for the Environment and the Minister.

No effort has ever been made to ascertain whether State Government prescriptions under Regional Forest Agreements are adequate for the needs of threatened species and research is never conducted to test whether they work or not. In the event that the exemption is not ended, the Commonwealth should require this monitoring and research post logging as a condition of the exemption, at the very least.

Current logging rules in koala habitat are antiquated and unenforceable. With little or no prospect of that changing, logging in all native forests should cease.

5. Climate Change

Koala SEPP should address the very pressing issue of climate change & the impacts it will have upon the koala.

6. Development

Document must expand the scope of development covered & not limiting SEPP only to Council; approved developments.

7. Comprehensive Koala Plans of Management

Mandate the Comprehensive Koala Plans of Management linked to recovery planning.

8. Recommend the creation of more National Parks to protect Koala habitat - such as the Great Koala National Park proposed for the Northern Coast of NSW. A similar would should ALSO be created for the southern NSW.

9. Restrict dogs in known koala regions.

10. These actions should be considered urgent.

Thank you.