



8 February 2011

Committee Secretary
Senate Standing Committee on Environment and Communications
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

Email to: ec.sen@aph.gov.au

Dear Sir/Madam,

Re: Inquiry into the status, health and sustainability of Australia's koala population

Thank you for the opportunity to comment on the Inquiry into the Status, Health and Sustainability of Australia's Koala Population. The Urban Development Institute of Australia (Queensland) (UDIA (Qld)) is the peak industry body representing the development industry in Queensland. The development industry in Queensland directly employs 235,000 fulltime equivalent employees, around 10.9% of the total Queensland workforce with indirect employment reaching a further 143,800 families.

Critical to the industry and the economic benefits it provides is an efficient, comprehensible and equitable environment in which to operate. A clear regulatory environment that provides adequate development land supply, efficient processes and minimum costs on development enables an affordable housing supply with the social benefits this brings together with wider economic benefits. In addition a clear regulatory environment can reduce community disruption and disputation as the location for development is made clear and the areas preserved for biodiversity protection are safeguarded.

UDIA (Qld) has worked intensively with the Queensland state government, as recently as late last year regarding the South East Queensland (SEQ) Koala Conservation State Planning Policy and SEQ Koala Conservation State Planning Regulatory Provisions to define appropriate development locations and measures to safeguard and enhance Koala habitat. The work has developed a sophisticated new regime for Koala protection in South East Queensland.

UDIA (Qld) does not make claims as to present Koala population numbers or other scientific aspects. We do however seek that any decision is made on sound scientific information. It is clear to us, that at least in Queensland, issues around Koala population protection are very substantially affected by emotional or other views based on values which can lead to incorrect outcomes. It is critical that this hyperbole is stripped away and true scientific measures utilised.

Legislative Environment – Environmental Protection and Biodiversity Conservation Act

UDIA (Qld) stated in our letter to the Department of the Environment, Water, Heritage and the Arts in June 2010 concerning the Environment Protection and Biodiversity Conservation Act 1999 (EPBC) nomination to list Koalas as a threatened species, that it would not support such a listing. We considered this as being premature, perhaps overly influenced by issues in limited locations and not clearly (at least to the Institute) based on unambiguous scientific evidence. The listing would create a difficult regulatory load that is particularly of concern given the ailing state of development activities and construction employment in Queensland and particularly is unnecessary at this time as a consequence of recent new controls for SEQ applied by the Queensland government.

Whilst the Act is focused on matters of national environmental significance, the effect of promulgation of a species under the Act in addition to or as an overlay on other sustainability policy and legislation is leading to a piecemeal outcome that diminishes its ability to address the overall sustainability of the country and the communities that the Australian government serves. The urban development industry is not seeking to weaken environmental outcomes but to ensure environmental assessment is conducted at the appropriate time within the development cycle to provide certainty to developers and the community whilst allowing appropriate flexibility based on clear and transparent, scientifically based policies.

In the industry's experience, due to the lack of certainty about what is required, the lack of defined thresholds and the legal uncertainty of other government agencies, many developments are being referred that are not significant under the Act. There is a need for clearer guidelines on when a development project needs to be (or is recommended to be) referred. The current framework provided by the Act for the conservation of Australia's biodiversity appears to be driven on a project by project basis without sufficient understanding of the broader status of the listed species, which limits its effectiveness. The Act tends to focus on habitat retention at all costs rather than the current and future needs of the species in question.

Management of Land Use in the Context of Koala Habitat Protection

In light of the Industry's experience with Queensland State Government's draft Koala SPP and SPRP for South-East Queensland, the following recommendations are offered as a means of clarifying how competing social, economic and environmental interests need to be carefully managed:

- Further investigation should be made of the broader landscape matrix with the aim to ensure that larger core bushland habitat areas are protected and embellished as a high priority, consistent with landscape ecology principles.
- An alternate approach to koala conservation should be adopted and should focus on earlier net benefit for conservation and sustainable population growth. In particular the approach should focus on rehabilitation of habitat in non urban areas together with definition and reinforcement of core habitat, carrying capacity and linkage areas.
- Areas not required for urban development that provide an effective safe haven for Koalas should be identified, ranked and subsequently enhanced and rehabilitated.
- Should the government wish to progress the current management arrangements for Koalas and Koala Habitat, it should:
 - obtain independent advice on the spatial and development impact and prepare a Regulatory Impact Statement for community consideration.
 - consider the impact on development yields and Identified Growth Areas (IGAs) of South-East Queensland (SEQ) and redraw the SEQ Regional Plan and the SEQ Infrastructure Plan and Program as they will become superseded.

- exempt all property purchased and owned by development companies for development.
- commence investigation of new additional appropriate urban areas with koala habitat preservation constraints in mind to meet land supply needs.
- develop a health/sustainability rating system for remaining koala populations within SEQ.

It is important that information around this issue is clear to ensure the most appropriate outcomes are achieved. Unfortunately there appears to be significant conjecture on a number of the matters around koala behaviour and response to development and substantial hyperbole from some sectors of the community has assisted to obfuscate the matter. While we understand that the key causes for untimely koala loss appear to be disease, motor vehicle strike and dog attack it is not clear the cause or proper response to the disease problem. It must be clear that a number of koala populations in South East Queensland in particular are under significant threat. Indeed, given mortality and disease rates, it may well be that a number of existing populations are unable to be saved and any action taken may be an ineffective, costly and misguided attempt at achieving conservation. The Industry would welcome a summation for general use of accepted scientific material relevant to the development industry that is closely referenced. Additional information or research should also be provided or undertaken as to the likely effectiveness of the proposed controls.

The UDIA also considers that further investigation should be made of the broader landscape matrix to ensure that larger core bushland habitat areas are protected and embellished as a high priority, consistent with landscape ecology principles. This would take precedence over seeking to maintain small and less viable habitat links/patches across the region and adjacent areas, dependent on the broader landscape context and the level of threats to koalas in areas that adjoin connecting habitat. Protection of larger, higher quality habitat connections, and habitat in areas that pose relatively lower threats to koalas should generally take priority over smaller, lower quality habitat and less viable connections in relatively high threat areas. It is recommended that a Strategic Ecosystem Mapping process based on thorough scientific analysis be undertaken which identifies a robust network of ecological reserves and corridors which are intended to provide the ecological function/foundation for maintained and improved biodiversity outcomes over future generations. This mapping could be comprehensively ground-truthed and allow for updates and amendments over time to address errors or when more detailed ground-truthed data and scientific analysis is available. Such mapping could identify core habitats and corridors as well as supplementary habitats to provide the organising basis for optimising protection, acquisition and rehabilitation efforts, including strategic location of biodiversity offset rehabilitation programs and planting undertaken for carbon bio-sequestration programs.

Most recent regulatory instruments on this topic seek to encourage significant habitat area retention and provide reference to habitat links, however development assessment outcomes from this are likely to be random and inefficient. Rather it is recommended there should be greater orientation to defining regional core habitats and to defining important local habitat linkages. With clarity on habitat quality, landscape values across and around the site and threats to koalas associated with each linkage area, development proponents and assessors would be better placed to respond and optimise outcomes.

The UDIA considers that the key objectives for ensuring the future health and sustainability of Koala populations should include:

- maximise protection for the koalas;
- ensuring a sensitive balance between the koalas and people;

- maintain economic growth for the state in the development sector and the broader community;
- achieve speedy habitat improvement and rehabilitation;
- reduce current koala losses;
- bolster existing functional koala communities;
- prioritise core population and habitat areas with a high carrying capacity;
- achieve a net benefit for koala habitat over habitat loss areas;
- prioritise sustainable koala populations; and
- address current key koala killers including arterial roads adjacent to habitat areas and health issues.

The UDIA also strongly recommends that any government policy should focus on encouraging landowners to support rehabilitation activities on their properties and education and incentives to support private actions.

Industry Considerations

True sustainability is achieved using a triple bottom line approach. Without the combination and consideration of the three elements of social, economic and environmental sustainability, each element is not fully achievable. Indeed, a strongly functioning and efficient development sector can substantially enhance the capacity to deliver better and stronger environmental outcomes.

For example, good planning policy and growth management in the social, economic and environmental context requires integration with the overarching strategy and structure of a number of planning instruments from regional to local perspective. Fundamental changes in policy have the potential to add significantly to market uncertainty, impact asset values, and bring into question the legitimacy of the substantial planning process that has occurred in the past. This level of uncertainty adds unacceptable dimensions to housing affordability and economic stability.

Given the significant investment in both time and money in the planning, marketing and delivery (including infrastructure delivery) that the development industry, relevant local governments and State agencies have already invested in many projects across South-East Queensland (and other areas of Australia), any new requirement for an additional layer of environmental assessment at the Commonwealth level would be unreasonable for existing developments which have been identified as necessary to meet the urban development needs of the region i.e. land identified in the South-East Queensland Regional Plan or as Urban Development Areas under the Urban Land Development Authority. Furthermore, development that is being delivered in accordance with an existing approval should not be the subject of any new Commonwealth requirements, as this would undermine the commercial certainty the development industry reasonably requires in order to continue with the significant ongoing investment in major urban projects.

Given the importance of connectivity between habitat patches for koala populations, habitat and land acquisition, along with managed connections is paramount to the sustainable conservation of the species. Therefore, any decision-making in relation to the Koala at the Commonwealth level should allow for offsets that include the opportunity for contributions to an initiative such as Ecofund to ensure the best areas of koala habitat and connectivity can be acquired and protected.

UDIA (Qld) is actively working to improve biodiversity retention and enhancement with support to revegetation initiatives and improved planning outcomes. Do not hesitate to contact this office should you have any queries or wish to discuss this matter further.

Yours sincerely

Urban Development Institute of Australia (Queensland)

Brian Stewart

Chief Executive and General Counsel