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14 January 2014

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

ec.sen@aph.gov.au

Dear Secretary,

Inquiry into the Environment Legislation Amendment Bill 2013
Submission by the Wildlife Preservation Society of Queensland, Townsville Branch Inc.

On 17 January 2013 our organisation made a submission to your committee on the *Environment and Biodiversity Conservation Amendment (Retaining Federal Approval Powers) Bill 2012*.

In that submission we outlined our organisation's 45-year history of involvement with the conservation of wildlife, wildlife habitat, vegetation communities and marine and terrestrial ecosystems in our region. We noted that we had played a part in the protection of two of the country's most iconic regions – the Great Barrier Reef and the Wet Tropics – and that we have always had a special involvement in the protection of threatened and endangered species in North Queensland.

The thrust of that submission was that Australia needed to maintain strong and effective Commonwealth legislation in order to give the highest standard of protection to our rich natural heritage, unique wildlife and biodiversity, and to ensure that our international obligations to protect World Heritage areas, wetlands, migratory and threatened species were fulfilled. We argued strongly that the *Environment Protection and Biodiversity Conservation Act 1999* should not be weakened in any way.

In the twelve months since that 2013 submission we have witnessed an escalation of damaging processes occurring on land and sea and an increasing willingness by our own state government to repeal or water down laws designed to protect our environment – witness the winding back of Wild Rivers and vegetation management legislation – and to allow damaging actions such as the dumping of millions of tonnes of dredge spoil into the waters of the Great Barrier Reef. Consequently our concern that existing Commonwealth environmental legislation must not only be maintained but also greatly strengthened, has intensified.

With specific regard to the *Environment Legislation Amendment Bill 2013* (Schedule 1), we argue that for any environmental legislation to be effective, and for decisions made under that legislation to be transparent, there *must* be a requirement for proper scientific evidence and conservation advice to be sought, and there *must* be a requirement for the Minister to pay due regard to that evidence and advice. To give the Minister licence to disregard approved conservation advice, as this Bill appears to do, is completely unacceptable and any provision for such disregard has no place in any environmental legislation – whether or not it is retrospectively applied.

With regard to the increase in penalties for the harming or killing of turtle or dugong in Schedule 2, we naturally support appropriate penalties for the harming or illegal killing of any native wildlife, especially of species that are under threat.

However must to point out that, in Queensland at least, the major threat to populations of both dugong and marine turtles arises from the ever-expanding urban, industrial and agricultural development along the coast and from activities further inland whose impacts are eventually felt offshore. We submit that the toll of dugong or turtles from illegal killing would be far less than that which arises from an accumulation of impacts, including but not confined to: reduced water quality, loss or smothering of seagrass beds, degradation of nesting beaches (turtles), boat strike, entanglement in fishing gear, ingestion of plastics and other human debris. Climate change will also specifically affect turtle reproduction as a result of higher sand temperatures while sea level rise, increased sea-surface temperature, increased intensity and frequency of storms and cyclones are likely to negatively impact on the health and extent of sea-grass – which in turn will affect green turtles and dugong.

Without significant, determined and well-resourced efforts to reduce these impacts and their devastating consequences and without a commitment to the establishment, maintenance and policing of adequate marine reserves, increased penalties to deter illegal harm by individual persons is likely to seem little more than token protection. While such measures may prevent unnecessary suffering or death of individual animals – which we would certainly applaud – their overall impact on the health of dugong and turtle populations is likely to be negligible compared with these other, larger threats.

Thank you for the opportunity to comment on this Bill,

With regards,

Liz Downes
President