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

By email to: ec.sen@aph.gov.au

28 April 2021

Dear Mr Palethorpe

Re: Senate inquiry on the *Environment Protection and Biodiversity Conservation Amendment (Save the Koala) Bill 2021*

Humane Society International (HSI), the world's largest conservation and animal welfare organisation, welcomes the opportunity to provide this submission to the Senate inquiry into the *Environment Protection and Biodiversity Conservation Amendment (Save the Koala) Bill 2021* (the Bill).

HSI has a long-standing interest in the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), actively engaging in implementation of the EPBC Act and its reform processes including contributing to the two reviews of the EPBC Act and a number of Senate inquiries relating to the EPBC Act, including most recently the Senate inquiry on the *EPBC Amendment (Streamlining Environmental Approvals) Bill 2020* and the *EPBC Amendment (Standards and Assurance) Bill 2021*, both currently in the Senate. We have produced detailed policy documents outlining what reformed national environmental laws should look like to help abate the extinction crisis currently facing Australia.¹ HSI has an extensive track record on nominations, with our scientific nomination program responsible for the listing of more than 70 threatened species and millions of hectares of wildlife habitat protected under the EPBC Act. We have also acted as a member of a number of recovery teams and have significant knowledge and experience in how the EPBC Act has worked to protect and recover threatened species, and areas where it is not working.

HSI has a long-standing interest in the protection of the koala, and in 2020 partnered with WWF-Australia and the International Fund for Animal Welfare to nominate the east coast koala population to be uplisted to endangered under the EPBC Act, (deliberations on which are due later in 2021) following their listing as Vulnerable in 2012. Since 2012, koalas have suffered

¹ EDO NSW and Humane Society International Australia, *Next Generation Biodiversity Laws – Best practice elements for a new Commonwealth Environment Act* (2018), Humane Society International Ltd, Sydney. https://hsi.org.au/uploads/publication_documents/HSI_EDO_Next_Generation_Report_WEB.pdf; EDO NSW and Humane Society International Australia, *Next Generation – Best practice wildlife trade provisions in national law* (2019), Humane Society International Ltd, Sydney. https://hsi.org.au/uploads/publication_documents/HSI_EDO_Best_practice_wildlife_trade_provisions_report.pdf



relentless ongoing pressure. Land clearing has ramped up, increasing 13-fold in New South Wales since the government weakened native vegetation laws in 2016. Climate change has supercharged droughts and heat waves, increasing koala deaths as their feed trees die-off and waterways where koalas drink dry out.

Koalas were already on the path to extinction in eastern Australia². Then came the 2019-2020 bushfires when the koala became the unfortunate wildlife icon of the crisis both internationally and domestically.

In 2019/20 two reports were commissioned by HSI's partners from consultancy Biolink, led by specialist koala ecologist Dr Stephen Phillips. These reports show a severe proportional reduction in the koala population size in Queensland and New South Wales, a key criterion to warrant an uplisting to endangered.

The Queensland report by Wallis *et al*³. estimates that Queensland's koala population has crashed by at least 50% since 2001 because of deforestation, drought and the recent bushfires. It also found:

- Forest fires in the Sunshine State killed a minimum of 672 koalas between August and December 2019,
- Koalas appear to be functionally extinct in central Queensland's Mitchell Grass Downs bioregion, and
- It is estimated there has been an 80% decline across the Mulga Lands in the states south-west, previously considered to support the second highest proportion of koalas across all bioregions in Queensland.

The second report by Lane *et al* analysing the New South Wales koala population⁴, found that koala's in NSW have also suffered a decline of between 33% and 61% since 2001, with a conservative estimate of 6382 koalas killed in the 2019-20 bushfires up to 13 February 2020. HSI is also a joint nominee to the NSW nomination to list the koala as Endangered under the *Biodiversity Conservation Act 2016*.

Many important populations were directly in the path of the 2019/20 bushfires, and may not recover without serious and long term rescue efforts. Experts fear the fires have accelerated the march towards many localised extinction events for koalas.

HSI would like to see broad and comprehensive reforms to Australia's environment laws to provide strengthened protection for Australia's wildlife and their habitats. The EPBC Act is not delivering protection and recovery for threatened species. Very few listed species are experiencing recovery. For example, a report commissioned for HSI and AMCS to review the

² Blanch, S. and Taylor, M., 2019. *Koalas face extinction in eastern Australia, a deforestation hotspot*, WWF-Australia Briefing, May 2019, available for viewing at <https://www.wwf.org.au/ArticleDocuments/351/Briefing%20-%20koala%20extinction%20risk%20in%20Eastern%20Australia%20WWF-Aus%20Nov%202019.pdf.aspx?OverrideExpiry=Y>

³ Wallis, K., Lane, A. and Phillips, S. 2020. *A review of the conservation status of Queensland populations of the Koala (Phascolarctos cinereus) arising from events leading up to and including the 2019 fire events*. Report commissioned by the World Wide Fund for Nature-Australia (WWF-Australia), in collaboration with Humane Society International (HSI) and International Fund for Animal Welfare (IFAW). Biolink Ecological Consultants, Uki NSW. Available for download at <https://www.wwf.org.au/ArticleDocuments/353/A%20Review%20of%20the%20Conservation%20Status%20of%20QLD%20Koalas.pdf.aspx>

⁴ Lane, A., Wallis, K., and Phillips, S. 2020. *A review of the conservation status of New South Wales populations of the Koala (Phascolarctos cinereus) leading up to and including part of the 2019/20 fire event*. Report to International Fund for Animal Welfare (IFAW). Biolink Ecological Consultants, Uki NSW. https://d1jyxxz9imt9yb.cloudfront.net/resource/original/Review_of_Conservation_Status_NSW_Biolink_for_IFAW_with_addendum_2_up_to_Feb_13.pdf

recovery planning for threatened sharks⁵ found that current recovery efforts for threatened shark species have not been successful. The Act is inadequate to address challenges currently facing our threatened species. Even targeted funding and concerted action as set out in the Threatened Species Strategy has failed to enable the meeting of targets to demonstrate signs of recovery in all the priority species as noted in their annual progress reports.⁶ There is also a lack of integration between the parts of the Act that deals with planning approvals, and the part which addresses the conservation and recovery of threatened species. This has led to, and continues to result in, approvals continuing to cause adverse impacts on threatened species, undermining recovery efforts. Whilst these systemic problems remain in the Act, these problems will continue and are only exacerbated by the other EPBC Amendment Bills (in particular the Streamlining Environmental Approvals and Standards and Assurance Bills). In the absence therefore of the wholesale reforms required to strengthen the EPBC Act, this Bill is required to give the koala the urgent protection it needs.

As submitted in our evidence on other EPBC Amendment Bills, we support strong, legally binding national environment standards. This should include the development of a national environment standard to protect the koala. Current proposed reforms are inadequate to provide the level of protection and certainty required by the koala in the face of such precipitous declines. The koala simply cannot afford to wait for further tranches of legislative reform, the priorities of which are unclear and provide no certainty.

It is for these reasons that HSI supports the proposed Bill, which we consider will introduce important additional protections under the EPBC Act to help better protect koalas and their critical habitat. It is essential that the destruction of koala habitat is slowed and the additional statutory test for determining significant impacts on koalas under section 18 and 18A, the removal of the 'RFA exemption' where forestry operations will have or are likely to have significant impacts on koala, and the prevention of approvals being given by the Minister to actions involving the clearing of koala habitat are vital.

It is HSI's conclusion that the additional increased legal protections for koalas in the EPBC Act as set out in the Bill are vital additional protections needed to address the decline of koala populations, and an important step to aiding in much needed recovery efforts. HSI therefore recommends to the Committee that this Bill proceed.

Yours sincerely



Alexia Wellbelove
Senior Campaign Manager

⁵ Rayns, N. December 2019 *Review of Recovery Planning Efforts for Threatened Sharks: Status, Analysis & Future Directions*
https://hsi.org.au/uploads/publication_documents/Review_of_shark_recovery_plans_FINAL.pdf
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⁶ <https://www.environment.gov.au/biodiversity/threatened/publications/threatened-species-strategy-year-four-progress-report>