

Comments on

An Independent review of interactions between the

EPBC Act and the agriculture sector

Wildlife Preservation Society of Queensland

JUNE 2018

Background

The State Council of the Wildlife Preservation Society of Queensland (Wildlife Queensland) has directed that comments regarding the independent review of interactions between the EPBC Act and the agriculture sector be forwarded for consideration. Wildlife Queensland is one of the longest established and most respected wildlife-focused conservation groups in Queensland. With over 6500 supporters spread across branches throughout the State, Wildlife Queensland is a strong voice for our wildlife and its habitat.

Wildlife Queensland is apolitical. Our aims include;

- ☐ **Preserve** the flora and fauna of Australia by all lawful means
- ☐ **Educate** the community in an understanding of the principles of conservation and preservation of the natural environment
- ☐ **Discourage** by all legal means, the possible destruction, exploitation and unnecessary development of any part of the natural environment.
- ☐ **Encourage** rational land use and proper land planning of existing and future development, and the use of the natural environment and its management.

Our aims reflect a strong interest in conserving our biodiversity, protecting our natural landscape and opposing unnecessary development. In stating that, Wildlife Queensland is not opposed to and appreciates the need for ecological sustainable development striving to achieve a balance among ecologically sustainable development society needs and biodiversity conservation.

Wildlife Queensland is not opposed to reviews or amendment to environmental legislation as circumstances change or the intent of the legislation is not achieved. However such amendments must strengthen environmental legislation not weaken it.

Wildlife Queensland takes this opportunity to provide comment for consideration.

Comment

There is no question that understanding your obligations under the EPBC Act can at times be a challenge. The discussion paper adequately outlines such situations. An understanding is further complicated by States being responsible for all vegetation management but the EPBC Act only applies to particular species or selected ecological communities. A major concern from Wildlife Queensland's perspective is the reliance on existing knowledge and ability to correctly identify species and regional ecosystems. Unfortunately information available to landholders such as species data bases, trigger maps and vegetation maps are not always 100% correct particularly depending on the scale of the mapping. Furthermore cumulative effects within a region rather than impact on a single property is not readily accessible and cannot be always taken into consideration. Such information may be required to determine if a proposed action is significant.

However simplifying or amending legislation and regulations is not the answer with the risk of creating further environmental harm especially when biodiversity is in decline.

When the Queensland Government introduced vegetation management legislation in the late 2000's the Queensland Government funded AgForce to run educational workshops state-wide to inform landholders. The involvement of AgForce with a high degree of acceptance by the community resulted in better outcome. It was not Government delivering the message. If landholders are being challenged and having difficulty in understanding their obligations perhaps the Commonwealth Government should consider funding industry groups to deliver appropriate workshops.

With regard to the frustration by farmers resulting from poor coordination between the relevant Commonwealth and State authorities with differing but related legislative responsibilities Wildlife Queensland acknowledges the efforts by the Commonwealth and Queensland State Government to address this issue. Wildlife Queensland is aware of the recently signed MOU to develop and implement a Common Assessment Method to align listing of threatened species but it is our understanding that Queensland did not sign up with regard to ecological communities. While Wildlife Queensland is supportive with some reservation of the single environmental assessment process under the EPBC Act we are totally opposed to a single environmental process –the so called One-Shop Stop.

Key questions for consultations

Wildlife Queensland has elected only to address certain questions as others are not really relevant.

1. Wildlife Queensland has interacted with the EPBC Act in the past in requesting proposed developments be declared a controlled action. Most interactions if not all, except perhaps from some broad scale vegetation clearing, have not been from the Agricultural Sector but from proposed developments impacting World Heritage properties or RAMSAR sites.
2. While not claiming expert knowledge, some Wildlife Queensland current contractors and Councillors have a sound to good working knowledge of the EPBC Act
3. On occasions from the Queensland Environmental Defenders Office
4. Not Relevant
5. Not Relevant
6. Not Relevant
7. Not Relevant
8. Not Relevant
9. Undertake /fund systematic surveys of flora and fauna in areas where knowledge gaps exist. Ensure vegetation mapping is accurate, at an appropriate scale and readily accessible to landholders. Explore the feasibility of initially modelling the potential distribution range of all endangered species making the data available. Ideally vulnerable species should also be modelled. Access to such data would assist in determining if a referral was required.
10. It is appreciated that the Productivity Commission in 2017 'found that it could be unduly onerous on a farmer to deal with the complexity of the requirements and actions requiring compliance with the act'. However this has to be put in perspective. Australia's environmental legislation and its application have failed to protect our biodiversity. The laws have not stopped the decline and ongoing species loss Evidence abounds that these laws and their application have not even arrested the decline in our

biodiversity. Introduce transparency by all means provide a regulatory framework, that is clear, sensible, easy to navigate and that harmonises across jurisdictions. Wildlife Queensland would not be opposed provided such action was not taken at the expense of our ever diminishing natural heritage. Environment legislation needs to be strengthened not weakened under the guise of red tape reduction.

Conclusion

Wildlife Queensland is not opposed to a review but would be strongly opposed if the outcome of the review weakened environmental legislation. Furthermore while this comes as somewhat of a surprise it appears there is an urgent need to educate farmers about their obligations under relevant legislation, Finally good information is required to underpin appropriate strategies to ensure development is ecologically sustainable and profitable in the longterm but such activities should not be undertaken at the expense of our environment and its wildlife. Resources are required to ensure such information is available.

Thank you for the opportunity to comment.

A handwritten signature in dark ink, appearing to read 'Des Boyland', followed by a stylized flourish or mark.

Des Boyland, Policies and Campaigns Manager.,