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The General Manager
Clarence Valley Council.

SUBMISSION

to Priorities and Actions

Draft Biodiversity Strategy 2020 - 2025

Introduction

The Clarence Environment Centre (CEC) has maintained a shop-front in Grafton for over 30 years, and has a proud history of environmental advocacy. The conservation of the Australia's natural environment, both terrestrial and and marine, has always been a priority for our members, and we believe the maintenance of healthy ecosystems and biodiversity is of paramount importance.

The centre was also heavily involved in the development of the original Strategy in 2010, and therefore has had a long involvement. So it is disappointing that the Strategy has largely failed to protect biodiversity in the LGA.

Discussion.

That failure is not the fault of the Strategy, it's aims and objectives overall are very good. The blame must be directed at Council itself, from planners, through management, to elected councillors, very few of whom, it would appear, have ever read the document, and have little or no understanding of the critical need to protect biodiversity in order for humanity to survive.

Our cynicism is based on reality, as evidenced by the following example. The 2010 strategy states:

“Biodiversity Management Plan (DECCW 2010) identifies clearing and fragmentation as the most important contributor, to the loss and modification of habitat and decline of native species. That Plan recommends the adoption of a net gain in vegetation as a priority outcome, going on to assert: “In the Clarence Valley, the loss and fragmentation of native vegetation is the number one threat to biodiversity,

That led to Action 5.1 which stated: ***Any removal of native vegetation, as part of a development application where clearing cannot be avoided, shall be offset to ensure a net gain in vegetation. Factors such as the status of the vegetation to be cleared, its local distribution and significance to threatened flora and fauna will be considered in determining a development application for land identified as a wildlife corridor, priority conserve or restore area. Any offsets (either on site or offsite) to bring about a net gain in vegetation shall be protected in perpetuity***

Despite this clear commitment to a net gain of native vegetation, survey results published in the Draft of the current (2020) Strategy review, appear to indicate that the majority of respondents believe otherwise, showing that:

- ***84 % of respondents consider the major issue facing biodiversity conservation in the Clarence is land clearing***

A year ago, when explaining why the Review was being undertaken and asking the public for input, Council's request began with a summary explaining: ***“This Strategy proposes a number of new actions that will be required to prevent the decline in biodiversity. A net gain in native vegetation, and education on the pivotal role biodiversity plays, are critical actions that Council and the community will need to embrace if we are to protect our rich biodiversity for future generations”.***

This is another indication that the Strategy's failure, so why is the LGA still experiencing net loss of native vegetation, that now requires “new actions”, and why is excessive land clearing continuing?

The evidence is all around us, “under-scrubbing”, a common practice of taking a bulldozer to understorey vegetation, transforming native bushland into parkland, is rife. That practice effectively reduces biodiversity by probably more than 90%, and apart from the loss of shrubs, vines and ground cover herbage, under-scrubbing removes habitat for small bushland birds and mammals, and most of the invertebrates that fill the lower levels of the food chain.

The problem stems to a large degree from historical zoning of land as large lot rural residential, by previous Shire Councils which the Clarence Valley Council has steadfastly refused to wind back. When subdivisions on those mainly forested lands occur, and building applications are received, Council insists that a minimum of one hectare, more on steep slopes, to be cleared for bushfire protection. That is just the start, landowners often continue the clearing and under-scrubbing well beyond the one hectare.

The 2010 Strategy recognised the threat posed by the ***“general under-scrubbing that is associated with human habitation in bushland areas”***, but nothing has been done to curb it, in fact it appears Council staff deliberately turn a blind eye to the practice, as is evidenced by the following.



The above images are of a large lot residential property on Shannondale Road, one of several that, over the past 10 - 15 years have turned the landscape from that at left, to what is shown at right. That clearing has been ongoing and continues today. Council staff have driven past along the access to their Shannon Creek dam, and for the past 5 years at least, a Council ranger and a Council planner have lived on that road and also driven past at least twice daily, and no one has done anything to stop it. This practice is occurring across the entire LGA, and to compound the seriousness of this particular clearing, it lies at the centre of a mapped regional wildlife corridor, a landscape feature the Strategy vowed to protect and enhance!

Why therefore, is this being allowed to occur with such a comprehensive Strategy in place, supposedly put in place to protect biodiversity and prevent this from happening? Why have so many damaging developments since been approved? Why has Council refused to change it's LEP to require DAs to be lodged by the intensive horticulture industry? Why are landholders still allowed to burn species into extinction? Why has council not wound back the thousands of hectares of land zoned for 'large lot residential' in the LGA, and why are we creating industrial zones in bushland areas such as the airport precinct, and on the banks of the lower Clarence River, which have the potential to pollute significant aquatic and marine ecosystems?

These are all matters that have been raised by us previously on frequent occasions, and all matters that could help protect biodiversity if addressed.

We raised all of these matters as part of our invited input last year, and it is gratifying to note, in respect to under-scrubbing, the inclusion of Action 2,12 - ***“Promote the importance of retaining different ‘layers’ of vegetation on private land, and discourage the practice of underscrubbing which removes important habitat for a range of species”.***

That gratification is dented somewhat by the preceding Action aimed at ***“minimising impacts caused by human-induced disturbance”***, Action 2.11, which states: ***“Ensure road design and traffic management incorporates measures to reduce the threat of road kill to native fauna, especially in identified ‘black spots’ and in key corridor areas”.*** While this action looks good, I fear that, rather than impose speed limits or other such methods to reduce road kills, that will actually lead to the removal of native vegetation to improve visibility.

On the matter of roadside vegetation protection, the 2010 Strategy's promise, Action 3.6, was to ***“Manage roadside vegetation to maintain biodiversity values”.*** However, destruction of threatened and high conservation value habitat on roadsides, not to mention habitat trees, continues unabated. The image at right shows the destruction of endangered Weeping Tea Tree near Coutts Crossing, 4m outside the recommended slashing width. It's on a straight section of road with good visibility, and the fact that this is not the first time this has occurred, suggests the destruction was malicious.



Then there was the infamous approval of the Hickey Street Development at Iluka which allows the destruction of areas of two Threatened Ecological Communities, and mapped in the Strategy as containing high and very high priority areas for ecological repair, and also containing known habitat for some dozen threatened fauna species including Koalas.

That approval went against many of the aims, not only of the Strategy, but also the Koala Plan of Management, and despite all of that no offsets were required, even though the Strategy called for (Action.5.1) the preparation of, ***“a biodiversity development control plan outlining the criteria (including required offsets for any unavoidable clearing) for any development involving removal of native vegetation”.***

While acknowledging the genuine intentions of those involved in developing this Strategy, and the recommended actions, is it any surprise that we have little confidence that the reviewed Strategy will produce any better outcomes than it's predecessor?

Concerns and recommendations

There are numerous clauses in the Draft that are rendered ineffective through the weak terminology used. For example, the action suggesting that *“Landholders be encouraged to manage wetlands and saltmarsh through protection with fencing and regeneration”*. These communities are crucial for biodiversity and therefore crucial for human survival, and supposedly protected under law. Therefore landowners should be **required** to protect them from livestock, not just **“encouraged”**.

This example highlights the need for tougher legislation, and if that's not a Council responsibility, then Council should be lobbying strongly for changes to be made. This is particularly the case with most agricultural pursuits where there are few restrictions to land-clearing.

It should be impressed on landowners that they operate within a catchment and have a social responsibility based on the fact that whatever they do on their properties have the potential to impact on everyone downstream.

We strongly disagree with the "right to farm" philosophy which questions the right of "laté sipping city dwellers" to dictate what farmers can or cannot do, when the results of their actions have the potential to impact on those very people, through reduction of air and water quality for example. It is also curious that those same landowners are the first to demand Government assistance when drought, fire or floods impact their business. They seem to completely overlook the fact that it is not the Government that provides the relief funding, it is ultimately the taxpayers of Australia, with the laté sipping city dwellers contributing the most.

Therefore, we believe a lot stronger stance be taken on environmental protection matters and, again, if this is not seen as a Council responsibility, those responsible bodies should be lobbied to make the required changes. For example, why are landowners along the Nymboida River allowed to allow their cattle free access to the river, to defecate into the drinking water for over 100,000 people living along the coast from Iluka to well south of Coffs Harbour?

While not altogether a matter for action under a biodiversity management strategy, the following nevertheless comes under the land-use category. We believe, it should be recognised that probably more than 75% of land currently grazed by cattle in the Clarence Valley is dry sclerophyll forest of low fertility, and not only is it environmentally destructive, but economically unviable. Cattle browse and trample native vegetation, cause major erosion of creek and river banks and contribute to river sedimentation and poor water quality.



Also, during drought conditions, many of those cattle are close to starvation, and in that weakened condition succumb to all manner of threats from predators (I have personally witnessed a cow that had collapsed after calving, with a Goanna eating away at her rear end while the poor animal was still alive).

The image at left is also of a common occurrence, and many animals in those remote locations suffer lingering deaths as a result. The animal cruelty aspects of this should be a concern to Council and all citizens, but despite that Council appears happy to condone it.

There's no better example of that than the cattle feed-lot across Rushforth Road from the new works depot, where there is no shade, and cattle had to endure 40 degree plus temperatures last summer.

Requiring intensive horticultural activities to develop without the need to lodge a development application, or a comprehensive water management plan is also something that should be addressed. These are all activities that directly impact on the environment and others within the community, and Council should be representing everyone within that community.

Ultimately, compliance monitoring and enforcement are crucial, something else that has been sadly lacking in the past at all levels of government.

All these agricultural activities fly in the face of the Strategy's objectives, namely to:

- ♣ *Protect areas of native vegetation*
- ♣ *Reduce the loss of native vegetation to facilitate a net gain in vegetation in the LGA*
- ♣ *Revegetate riparian zones*
- ♣ *Encourage the protection and management of regrowth in identified corridors.*

Yet all those activities are allowed without any regulation or scrutiny. Why is that, particularly the last, where landowners are allowed to bulldoze 30 year old forests without question because, under state legislation, any vegetation that had established since 1990 is determined to be regrowth.

One notable deficiency in the Draft is an adequate bushfire management response, where just three pathetic actions on bushfire management are put forward, We would expect that after the recent horrific bushfire season, with its associated loss of lives, scores of homes and unimaginable loss of wildlife, those compiling this strategy could have come up with something a little more appropriate than the following, calling for:

- *Ecological burns undertaken in environmentally sensitive areas on Council land.*
- *Bushfire Risk Information Management System (BRIMS) assessment undertaken prior to burns on Council Land, and*
- *Burning associated with cleared vegetation for subdivisions prevented.*

We are aware that bushfire management is a State responsibility, but we need some strong approaches to State Government, demanding that an adequately trained and resourced **professional** fire fighting force be established.

Climate change is real and the bushfire threat will only worsen over time, so If we truly want to protect biodiversity, fire frequency and intensity needs to be dramatically reduced. To achieve that, high tech surveillance mechanisms must be deployed, and rapid response units trained to extinguish fires, with the help of aerial support, within minutes of an outbreak, before they rage out of control.

Total fire bans should have been put in place much earlier in 2019, from mid winter, and this should be the norm in future droughts, because we now know that fire kills trees outright when moisture levels are so low, and that loss we cannot afford.

We thank you for the opportunity to comment, and hope you find these comments constructive.

Yours sincerely

John Edwards
Honorary Secretary.