

SUBMISSION TO THE EPBC ACT REVIEW

ANON-K57V-XQSJ-K

Name

Andrew Parsons

State or Territory

Victoria

Areas of Interest

The objects of the Act; Threatened species; Matters of National Environmental Significance; Environmental Impact Assessments; Cumulative impacts; Climate change; Compliance and enforcement; Decision making; Public participation in decision making; Biodiversity; Conservation;

Attachment provided

Yes

Do you give permission for your submission to be published?

Yes - with my name and/or organisation (if included)

SUBMISSION RESPONSES

This submission was provided as an attachment only. The attachment is provided on the following pages of this document.

Thank you for the opportunity of making a submission to the Review of the EPBC Act

My name is Andrew Parsons. I am a sixty seven year old retiree who lives in an outer east suburb of Melbourne. Our standard block backs onto a community park and is adjacent to a shared pathway that runs along a former creek bed and as I write this submission I take in a view of eucalyptus trees that gift us the pleasure of seeing and hearing a variety of iconic native Australian birds on a daily basis. In this extraordinary time of the global pandemic we consider ourselves fortunate to be so close to nature in our urban setting.

But this location is not the only reason I hold a close interest in the environment. As a grandparent, a former teacher of Outdoor and Environmental Studies, a keen hiker (in past years), bush walker, bush and coastal camper, active hands on member of a variety of conservation and environmental organisations and groups, most recently being an active campaigner of Eastern Action For The Environment, I strongly believe that now is the time to stop further damage to the environment before the dire consequences become unmanageable for humanity.

Is the EPBC Act delivering what was intended in an efficient and effective manner?

I do not believe it is and I give you this example.

I have been involved in monitoring the progress of the hooded plover, a beach nesting bird found mainly on sandy ocean beaches of eastern Australia. In my role I have walked many times on the beaches of Mornington Peninsular and Wilsons Prom in Victoria. I have personally become aware of the threats facing this native species which has resulted in its conservation status as vulnerable federally and in Victoria. As these birds usually lay their eggs coinciding with the peak period of recreational use of beaches, they are the most threatened of all beach nesting birds.

Yet at the start of 2019 along the coast near Warrnambool the Victorian government allowed an alteration to planning rules to allow commercial horse trainers to exercise up to 160 racehorses on key hooded plover beaches. This decision obviously directly adversely impacts the hooded plover, already vulnerable.

But if the EPBC Act was effective in delivering what was intended i.e. in this case protection of the hooded plover, would this sort of decision be permissible?

Sadly in this case I can only assume that the EPBC Act is not doing its job.

World leader not good outcome

- Australia leads the world on mammal extinction. We have experienced three animal extinctions since 2009, including the first made extinct by climate change (the Bramble Cay Melomys).

This is further evidence that the EPBC Act is not doing its job.

The hooded plover and other vulnerable species will move further towards extinction if environmental laws do not do what they are intended.

- Since the EPBC Act came into operation, 7.7 million hectares of threatened species' habitat has been destroyed which helps explain why Australia is the only developed nation identified as global deforestation hotspot.
- The 2016 State of Environment report highlighted that the outlook for Australia's biodiversity is "poor and worsening" and yet only five critical habitats have been protected in the past 20 years of the EPBC Act.

That is not an act that is doing its job.

Forests not protected

We are now faced with consequences of the unprecedented and widespread bushfires in eastern Australia.

Yet regardless of this the Tasmanian government has made a decision (April 8th commencement) to go ahead and log 356,000 hectares of native forests, including the extensive high quality wilderness Tarkine Forest Reserve. These forests were previously protected under the regional Tasmanian Forest Agreement.

I do not understand why the EPBC Act cannot prevent this further deforestation from taking place.

This is the sort of decision that has prompted me to take the time to write this submission

In Victoria the east Gippsland forests were decimated by the recent fires to the extent that more than 3m hectares of parks and reserves set aside to protect the environment were severely affected.

However once again it is a familiar story.

Despite the loss at the very least of millions of species in addition to widespread damage to critical habitats, future restoration and protection is not guaranteed.

Why?

Because the Victorian government is not going to phase out logging immediately.

I understand that if the Victorian government moved to assessing logging on a case-by-case basis under the EPBC [Environment Protection and Biodiversity Conservation] Act things would be different.

This seems to me therefore to be a matter of process whereby currently the laws as they stand allow a state government to make a decision which is not in the best interests of conservation of the environment.

In these examples for the forests of Tasmania and Victoria it is unclear who is ultimately responsible for ensuring our environment is **managed well**. The current system distributes responsibility across the federation, but no one jurisdiction is charged with coordinating efforts to **protect our environment**. Can I suggest that to allow the EPBC Act to effectively and efficiently to do what it intends **a new national environment act** should provide the federal government with all the powers it needs to actively protect and manage Australia's environment. This includes:

- Ensuring the federal government retains primary regulatory responsibility for an expanded list of matters of national environmental significance.
- Giving the federal government power to set binding national standards and objectives that all states must comply with

Climate Change

The planet is facing the existential threat of climate change yet I cannot find the term 'climate change' in the EPBC Act. Australia is particularly vulnerable to climate impacts as the recent devastating fires show, so this lack of recognition disturbs me.

In late October 2019 I had the pleasure of camping at Point Hicks in the Croajingalong National Park in east Gippsland, a park that has since sadly been heavily impacted on by the recent fires. I was able to witness the raw beauty of the natural environment and at the same time the threatening impacts of climate change. I saw the results of rising sea levels as the sea surges had recently collapsed the sand dunes to within 2 metres of the road, now closed indefinitely. Whilst there we also experienced the hottest October morning on record (Park ranger data) which was a sobering moment.

Not long afterwards the devastating fires took their toll.

From there on the beaches of Croajingalong National Park that are impacting on the breeding capabilities of the hooded plover, to the

drying out of local parks in our local urban area, to the long term loss of white stringy bark trees here in the Maroondah municipality, to the well documented Australian and worldwide impact examples elsewhere, the effects of climate change have become our greatest local and global challenge.

Meanwhile our Australian carbon emissions continue to rise and we are failing to take sufficient action on climate change to meet out Paris targets.

As a consequence I want to know that our environmental laws are up doing something to reverse this trend.

More concerns

- At the same time I am disheartened in the knowledge that **the federal environmental department has been hit heavily by budget cuts, leading to extended delays and poor decision making under the EPBC Act.**
- And that **the EPBC Act is prone to political interference that erodes the public's trust in the legislation. A recent example being the Toondah Harbour development proposal.**

Why is it that the general public perception is that developers always win over environmental protection aspiration (and therefore law)? Occasionally there are wins but mainly losses.

To me that means the environmental law is not strong enough to protect the environment.

If the EPBC Act is not doing what it intends then that means it is not doing its job.

Call for national leadership.

We need national environment laws that ensure the federal government leads on the protection and recovery of our environment and cultural heritage.

In Australia it is **unclear** who is ultimately responsible for ensuring our environment is managed well and my examples from Tasmania and Victoria highlight this fact.

The current system distributes responsibility across the federation, but no one jurisdiction is charged with coordinating efforts to protect our environment.

The federal government should retain responsibility for Matters of National Environmental Significance, and expand national oversight to:

- Guarantee the identification and protection of **critical habitats for threatened species** and the mandatory implementation of **wildlife recovery plans and threat abatement plans**.
- Provide national protections for **water resources and national parks and reserves**.
- Provide for the **mitigation and adaptation to climate change**, including a national climate trigger.
- Create a new classification for **Ecosystems of National Importance** that are essential for people and nature, such as critical water catchments, key biodiversity areas and climate refugia habitat.
- Implement controls on **deforestation** and mandate **incentives** for land managers who are willing to protect and restore natural ecosystems on their properties.
- Provide for **emergency listings and protections** for wildlife and heritage places that are subject to damaging events, such as the current bushfire crisis.
- Ensure binding national standards are set for **air pollution and plastic pollution**

Think global, act local

I pot native plants then put them in the ground to provide habitat for wildlife and increase biodiversity

I monitor birds to assist protection of species

I talk to people about the importance of renewable energy and policies to combat climate change

I support environmental causes

I do this so that I am making a difference to the future of the planet

So that my grandchildren can experience environments that are less damaged than today

And I do all this in the knowledge that Australian environmental law is supporting my efforts

Really truly supporting.

Which is why I took the time to write this submission

Thankyou

Andrew Parsons

