

SUBMISSION TO THE EPBC ACT REVIEW

ANON-K57V-XYXW-D

Name

Anandashila Saraswati

State or Territory

Western Australia

Areas of Interest

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.

Anandashila Saraswati

Dear Professor Samuel and Independent Review Panel,

I am writing to make a submission into the 2019-2020 Independent Review of the EPBC Act. In this submission I will discuss the following issues:

- How the EPBC Act fails to protect the environment, especially matters of national environmental significance;
- The fact that 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);
- Since the EPBC Act came into operation, 7.7 million hectares of threatened species' habitat has been destroyed;
- The lack of community consultation under the current Act;
- Change needed to ensure the EPBC Act works as it was intended.

My name is Anandashila Saraswati, also known as Nandi Chinna. I am a research consultant and poet, living and working on [REDACTED]. My research projects include a social and cultural history of the King's Park and Botanic Garden in Perth, and interpretive materials for the Department of Parks and wildlife WA, Long Trails Maps. I am a passionate lover of wild places and the creatures that inhabit them. I am a bushwalker, a kayaker and cyclist. I experience a great deal of stress relief and personal joy by walking in wild places and I'm extremely concerned about the loss of biodiversity that has occurred under the current in EPBC act.

[REDACTED] I grew up in an Australia which was characterised by an abundance of wilderness habitats which supported huge diversity of unique Australian species. Over my lifetime I have witnessed destruction of natural habitat on a massive scale. In fact my lifetime has been witness to just a small portion of the estimated 100 extinctions that have taken place in Australia since colonisation.

A recent study conducted by researchers at Charles Sturt University and the Australian National University concluded that: exactly 100 plant and animal species

are validly listed as having become extinct in the 230 years since Europeans colonised Australia. These include: 38 plants, such as the magnificent spider-orchid, 1 seaweed species, 34 mammals including the thylacine and pig-footed bandicoot, 10 invertebrates including a funnel-web spider, beetles and snails, 9 birds, such as the paradise parrot, 4 frogs, including two species of the bizarre gastric-brooding frog which used its stomach as a womb, 3 reptiles including the Christmas Island forest skink, and 1 fish, the Pedder galaxias. (<https://theconversation.com/scientists-re-counted-australias-extinct-species-and-the-result-is-devastating-127611>).

In addition to this list of extinctions, is an ever growing list of species listed as critically endangered, including the forest red tailed black cockatoo, the Carnaby's cockatoo, and the graceful Sun moth, which are all currently trying to survive in my home state of Western Australia. I wrote this poem to express my extreme distress and grief over the situation of the Carnaby's cockatoo, which is critically endangered due to excessive loss of habitat in the south-west of Western Australia.

Manning Ridge
Calyptrorhynchus latirostris, Carnaby

At 6pm
the black birds flew over,
so low I could see into
the dark shafts of their eyes.

They were all coming in.
The sky was filled
with what I had always known.
Then everything began to recede.

I was the last person left,
the black bird bursting
inside my chest,
squalling and flapping against my ribs.

In this moment, my learning was lost.
All the taxonomies,
the families, the lists of species
falling one by one
from the hill of my globe.
More than anything else

I wanted the birds
as they disappeared over the ridge,

their cries becoming a part
of the recording of history.

(Chinna, Nandi, *Swamp; Walking the Wetlands of the Swan Coastal Plain*, Fremantle Press, 2014)

I have personally been involved in many environmental campaigns, including the fight to save the Franklin River, the old growth forests of Southwest Western Australia, and currently the campaign to protect the Fitzroy River, one of Australia's last flowing wild rivers. I have been through extensive submission processes for various levels of State and Federal environmental assessments, including Public Environmental Reviews.

I was also involved in was the campaign to save the Beeliiar Wetlands from the construction of the Roe 8 highway extension. I was involved in this campaign for nine years and was bitterly disappointed at the levels of protection offered to one of the last wetland suites on it's kind left on the Swan Coastal Plain. After extensive testimony by the top hydrologists, botanists, and flora experts in Western Australia, who all recommended that the Beeliiar Wetlands be offered the highest level of protection, because of the lack of power of the EPBC Act, the Western Australia state government was given the green light to bulldoze threatened ecological communities.

Some of the issues I would like to see addressed in this review are:

- the inclusion of Aboriginal heritage in EPBC protections. Currently in Western Australia, Aboriginal heritage sites have been downgraded, and not considered adequately enough in public environmental reviews;
- a high level of scrutiny of the use of offsets, offsets that are currently being sanctioned are often inappropriate because they are long distance away from the habitat that is being cleared, they are not like for like, and the relocation of reptiles and mammals is known to have a dismal survival rate;
- stronger powers given to EPBC to stand up to ministers who are being pressured by business interests, and other ministers in the own cabinets, to veto recommendations by Environmental Protection Agencies. (Communities can go through extensive and time-consuming processes to address failures and recommendations in a PER. Environmental Protection Agencies can make recommendations on the protection of particular ecosystems and areas, however the minister always has the final say, and can reject these recommendations);

- Development and implementation of recovery plans for threatened species, which the Act has largely failed to do in its 20 years. This will insure the protection of habitat which is essential if threatened species are to be saved from extinction;
- Creation of a new National Environment Act that enshrines Federal Government leadership over nature protections, contains real safeguards against extinctions, including ending the destruction of endangered species habitat, and sets out clear rights of appeal and consultation for communities;
- Establishment of an independent National Environment Commission that establishes a coordinated national system of environmental protections and policy responses necessary to support restoration of our environment to health and ensure regulatory resilience to future impacts. This agency should be required to be open and accountable, with a requirement to release freely accessible reports annually, on the efficacy of conservation action and funding, and the progress of recovery of natural systems;
- Establishment of an independent Environment Protection Agency to act as watch-dog over government, and ensure environmental protection laws are being adhered to and enforced;
- Allocation of sufficient funding, staffing, and resources are put in place to support the long term recovery and sustainability of Australian biodiversity;
- Provision of a central role for community, with enshrined rights and participation in planning and decision-making;
- Factoring in of the effects of climate change in any future environmental assessments.

This review of the EPBC Act is an opportunity to take stock of the current state of Australia's biodiversity and the protections that current legislation offer. As an Australian citizen I give the current regulatory frameworks, and implementation and administration of the EPBC Act a fail. Legislation as it stands has overseen unprecedented loss of habitat, accelerated land clearing, and lack of protection for critically endangered species. The summer of 2020, with its catastrophic bushfires, has shown us just how vulnerable and fragile the current state of Australia's biodiversity is. Australia cannot return to business as usual after the catastrophic 2019-2020 summer bushfires. The same laws and policies that have failed wildlife over decades and done little to address the climate crisis can't be relied on to help us recover after the bushfires.

I urge you and the panel to urgently take notice of the above concerns, and recommend strengthening the regulatory framework of the EPBC Act to offer real and stringent protections for our remaining natural habitats and the biodiversity that inhabits them.

Thank you for your consideration of my submission. I'm happy for you to contact me regarding the contents of my submission. I can be reached at

[REDACTED]

Sincerely

Anandashila Saraswati (Nandi Chinna)