

Submission to the Independent Review of the EPBC Act.

Matters of National Environmental Significance need to include the following:

- Climate change impacts from unsustainable power use & development, unsustainable oil consumption, unsustainable industry and development
- Protection from nuclear development.
- Complete protection of old-growth forests.
- Protection of rivers so vital environmental flows continue to provide natural habitat for freshwater fish, turtles, frogs, as well as marine species which depend on freshwater surges for habitat, such as marine turtles, dugongs and migratory birds.
- Water use policies that are sustainable, catching and storing water where it falls rather than diverting water by pipeline from one catchment to another which destroys complete eco-systems.
- The complete protection of all eco-systems that provide valuable habitat for a wealth of biodiversity as well as species declared threatened, endangered or at-risk.

State governments need to be blocked under the Act from carrying out any alteration to the above ecological communities. Currently, State governments carry out extensive alterations to ecological communities without any Federal approval process. An example of this is currently occurring in the Mary River floodplain, where hundreds of tonnes of Mary River sand are being extracted daily in a massive excavation which will cause the river to have high levels of silt in characteristic flood events. This silt has significant impacts to the dugong habitat, causing the seagrass beds to die, which the dugongs depend on for their food. The Great Sandy Strait is one of the most significant habitats for dugongs in Australia, and need to be protected under the EPBC Act from the Queensland government's destruction of their environment.

State and Territory legislation needs to be harmonized with the approval processes of the EPBC Act so that environmental destruction like the above example does not continue to occur.

In order for the EPBC Act to provide an effective regulatory framework for the conservation of Australia's biodiversity, improvements need to be made to prevent the destruction of ecological communities, especially for threatened and iconic species such as the Queensland lungfish. The damming of the Burnett River in Queensland should not have been permitted. In this river, the Queensland Lungfish is now unable to swim unimpeded to upstream riffle zones to breed. Because this species can live for 100 years, there are still lungfish living in the healthier areas of this river, however, they face the threat of extinction if they cannot breed. The Mary River is the last remaining natural habitat of this ancient and valuable species which pre-dates dinosaurs. The damming of the Mary River as proposed and preliminary work already having commenced is certain to force the Australian lungfish into extinction. This would be a shameful thing to allow, since the international community is watching the fate of this iconic species.

There are disturbing gaps between the protection that is offered these threatened and endangered species between the Commonwealth and State regimes.

Conservation provisions and management plans for Ramsar wetlands need to include the protection of natural flows from rivers, which are required to provide freshwater surges for marine species to breed, and nutrients which sustain food supplies for marine wetlands species.

Federal legislative provisions for the protection of indigenous heritage need to be aligned with State legislation so that native title compensation can only be paid to individuals who are able to demonstrate their connection with the land. The current State system is wide open for plane-loads of indigenous people to be flown in to agree to compensation for land use without demonstrating their tribal connection to the area. An example of this is the process which was used by the Queensland government to pay compensation to indigenous groups for their proposed Traveston Crossing Dam without individuals establishing their connection to the area. This dam would inundate valuable indigenous cultural heritage sites of national significance if it was built. Current provisions for the protection of valuable indigenous heritage sites is inadequate and tragically lacking.

The sustainable use of water as a natural resource in Australia needs to be protected in the EPBC Act, given the high conservation value of our marine eco-systems and the characteristic arid zones of this country. Climate change impacts need to be included as well, given that dry periods may become more frequent and widespread in Australia. The destruction which has occurred due to continued unsustainable levels of extraction in the Murray-Darling River systems could be repeated in other Australian river systems if sustainable water use is not ensured under Federal law.

The conservation of ecological integrity and biological diversity needs to be protected under the EPBC Act so that State governments are not able to destroy areas of remarkable biodiversity such as the Mary River in Queensland, which is home to six species of freshwater turtles. This level of biodiversity needs to be completely protected immediately under federal provision as a fundamental consideration.