

14th June 2018

SUBMISSION TO THE INDEPENDENT REVIEW OF THE EPBC ACT vs THE AGRICULTURAL SECTOR

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I own a seventy- hectare farm on the Mid North Coast of NSW, and also have a general practice in Newcastle. To date I have had no interactions with the EPBC Act but do feel it has a vital role to play in safeguarding our national and world heritage areas. My impression, however, is that the legislation has let us down in many instances, and so I would like to discuss the last two key questions on page 10 of the AITHER briefing paper.

HOW DO YOU THINK THE AUSTRALIAN GOVERNMENT CAN
IMPROVE ACHIEVEMENT OF ITS ENVIRONMENTAL
PROTECTION CONSERVATION OBJECTIVES THROUGH ITS
INTERACTIONS WITH THE AGRICULTURAL SECTOR?

Agriculture in its present form is developing into a global threat to ecosystems. To provide a current population of 7 billion people with adequate food and fibre means that more than half the planets useable land surface is now farmed and grazed, with a majority of that in a degraded condition. In Australia, half our land is grazed by beef cattle, with constant pressure to clear more every year. The EPBC Act has been insufficient in its current formulation and implementation, to prevent continued clearing for grazing or mining, in key MNES habitats such as the Great Barrier Reef catchment, east coast alluvial woodlands including the Pilliga Scrub, the Goulburn River in the Upper Hunter River catchment, and key Commonwealth Marine areas. Australia is among the highest land clearing nations, and also leads the world in animal species loss, with 54 extinctions to date, and a hundred or more on the threatened list. The EPBC and the Commonwealth have also been unable to prevent widespread water theft and other shocking abuses, of the \$13 billion Murray Darling Basin plan.

I believe that these and other failings are primarily a result of poor resourcing, planning, coordination, communication and lack of transparency. How can farmers, and the general public, have confidence in a system with such a poor record?

IS THERE ANYTHING ELSE YOU WOULD LIKE TO RAISE IN
RELATION TO THE INTERACTION BETWEEN THE EPBC ACT
AND THE AGRICULTURAL SECTOR?

As I am not a legal or industrial relations specialist I can only remind the reviewers that some good points have already been made by the 2016 “Productivity Commission Inquiry into the Regulation of Agriculture”

However, I would remain skeptical of any recommendations giving larger agricultural and mining conglomerates, undue power over decision making regarding the EPBC Act. This has happened all too often. The era of murky behind-closed-doors deals must end.

In addition, although the EPBC Act does not specifically mention climate change by name, it is most certainly a Matter of National Environmental Significance, or MNES.

As agriculture plays an increasing role in sequestering atmospheric carbon, farmers may be asked to set aside and reforest a significant area of their holdings, or to reduce high greenhouse gas emitting activities such as beef and dairy, in favour of pigs, poultry, legumes or tree crops. It is vital that farmers be assured well in advance that they will be generously supported and compensated in such actions, either via the Emission Reduction Fund, a direct carbon tax, or other market based mechanism.

The National LandCare program sets a precedent as just such an enlightened and productive joint venture.

SUMMARY

Legislation must be based on sound, impartial science, be in the best long term national interest, take a broad and long-term approach, be well resourced, cooperative, and above all, fully transparent. It must be strong enough to resist lobbying from short term interest groups.

It would also be a wonderful opportunity to involve the original owners of this land, the Aboriginal people, in the spirit of the Uluru Statement from the Heart.

Hopefully this consultation can be a starting point for developing a better system, addressing these multiple failings. It may be time to make a fresh start with a totally new overarching legislative body which reflects the vital importance of getting this right. So far, the key indicators of rising CO2 levels, ongoing land clearing, increasing species extinction, and ongoing threats to key areas such as the Reef, Pilliga, Tarkine, Hunter Valley, Great Artesian Basin, and the Great Australian Bight, all tell us that we are failing the generations that come after us.

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