



The Arid Lands Environment Centre (ALEC) is central Australia's peak environmental organisation that has been advocating for the protection of nature and ecologically sustainable development of the arid lands since 1978. ALEC is actively involved through research, advocacy and conservation in protecting native fauna and preserving habitat that is critical for the survival of threatened species.

The Environment Centre Northern Territory (ECNT) is another peak community sector environment organisation in the Northern Territory, raising awareness amongst community, government, business and industry about environmental issues and assisting people to reduce their environmental impact and supporting community members to participate in decision making processes and action.

ALEC and ECNT assert that the current commonwealth environmental regulatory and policy framework is falling far short of maintaining ecosystem function, critical habitat and therefore preventing the decline in the diversity and abundance of fauna populations. There are multiple systemic flaws in the operation of national environmental regulations and programs which are driving the fauna extinction crisis. This crisis is especially apparent in the NT.

a) the ongoing decline in the population and conservation status of Australia's nearly 500 threatened fauna species;

The scientific material relating to threatened species is unequivocal in the conclusion that fauna populations are declining, this decline is accelerating and there is no anticipated change in this trend. Central Australia has experienced arguably the greatest rate of mammal extinction in the world. This is due to a multitude of factors that interact to create cumulative threats to fauna populations.

In the arid lands of the Northern Territory the key drivers of mammal extinction are the introduction of feral predators, changed fire regimes and invasive plant species. Climate change is emerging as a new key threat multiplier.

It is not clear why this Inquiry has only targeted fauna populations. The separation between fauna and flora is an arbitrary boundary that does not reflect the ecological realities of environmental systems. The health of both populations are interdependent. Preventing the decline in fauna populations requires a holistic and systemic approach to environmental conservation that includes preserving the health of vegetation communities, climate change mitigation and surface and groundwater protection.

One of the key threats to fauna in arid Australia is the spread of Buffel grass which is competing with native plants that provide vital food sources while also disrupting natural fire regimes. It is therefore impossible to evaluate the causes of fauna extinction in arid central Australia without also considering the role of invasive plant species.

Other invasive plant species are similarly disturbing natural fire regimes across savannah country, such as Gamba grass. Reversing the decline in fauna populations is thus in part dependent upon concerted Commonwealth actions to reduce the spread and introduction of invasive plant species.

d) the adequacy of Commonwealth environment laws, including but not limited to the Environment Protection and Biodiversity Conservation Act 1999, in providing sufficient protections for threatened fauna and against key threatening processes;

The *EPBC Act* has mostly failed in its fundamental purpose to prevent nationwide declines in biodiversity and populations of nationally listed fauna species. This Act operates to facilitate development at the expense of threatened species, critical habitat and biodiversity. It enables approvals that steadily increases the stresses on threatened species by permitting large scale land clearing, habitat degradation and the spread of feral predators.

Population health, extent and abundance are assessed only in the context of a project impact assessment. This relies on the scientific material being prepared by a proponent that is not subject to stringent evidentiary standards with ultimately a view that the project should be approved. We are not aware of any cases where the Commonwealth as exercised its power under the *EPBC Act* to refuse a development based on an acceptable impact on listed species in arid Australia, yet the decline in species is obvious and continuing. The Commonwealth environmental protections provide a framework for assessing impacts through a piecemeal approach which is incapable of truly integrating the cumulative impacts of harmful land use practices that are causing the drastic decline in fauna populations.

Commonwealth approvals for projects referred under the *EPBC Act* do not require the proponent to *prevent* impacts to threatened species but rather to minimise. Approvals ultimately permit large scale habitat destruction for multiple species to an extent that is quantified only by reference to the material available through one specific project assessment. Such approvals do not design an acceptable management approach to minimise impacts by referring to other projects that are progressing through approvals in the same region. In other words, the Act does not enable decision makers to consider the broader context of assessment stresses in a region that may be facing multiple development proposals. It is incapable of truly assessing the cumulative stresses on a fauna population, such as future stresses from regional land use developments.

This purely reactive approach through project assessment will never be capable of reducing the current rate of fauna extinction as prevention is not a priority factor for consideration by decision makers exercising authority under the Act. There must be an improved focus on prevention in order to address ‘death by a thousand cuts’.

As the Act is fundamentally failing to achieve its desired purpose there needs to be a systemic review of the legislative process and framework with a view to reforming the entire Act.

e) the adequacy and effectiveness of protections for critical habitat for threatened fauna under the Environment Protection and Biodiversity Conservation Act 1999;

Protections for critical habitat are currently ineffective and inadequate. No critical habitat has been listed on the register since 2005. This is obviously not reflective of the scientific reality of the increasing extent and value of critical habitat around Australia. This is another fundamental deficiency in the current framework that relates to political and economic impediments to listings.

Penalties for offences under critical habitat only applies to Commonwealth land which means there are effectively no enforcement provisions for most of the land in the Northern Territory. This also

raises a more fundamental question about habitat protection that crosses jurisdictions and varying forms of land tenure. There needs to be a holistic and cross tenure procedure than can provide for consistent levels of protection and enforcement regardless of the form of land tenure or legal jurisdiction.

The current extinction crisis requires urgent and significant coordinated action across the nation. There needs to be a process for creating a national response, including enforceable timelines on threat abatement plans that are supported by adequate and committed funding.

f) the adequacy of the management and extent of the National Reserve System, stewardship arrangements, covenants and connectivity through wildlife corridors in conserving threatened fauna;

There are inadequate provisions to facilitate stewardship arrangements across varying jurisdictions and different forms of land tenure. This failure is compounded by the lack of an effective process to facilitate cross jurisdictional collaboration between various land managers and land holders.

Non-government organisations are performing the role of the Commonwealth government in restoring the ecological health of critical habitat. The Newhaven wildlife sanctuary is one such example where private landholders have created a secure refuge for the sensitive fauna endemic to arid Australia.

The National Reserve system is not responding to the urgent need to provide for climate resilience and adaptation as the climate warms. Climate change is one of the key drivers of faunal extinction as it exacerbates pre-existing threats. The National Reserve System could operate as a key climate change adaptation measure, but it is not being utilised in this way. Wildlife corridors will be key in reducing the stress on fauna populations in arid Australia as animals start to move large distances as their range of climatic suitability transforms.

g) the use of traditional knowledge and management for threatened species recovery and other outcomes as well as opportunities to expand the use of traditional knowledge and management for conservation;

ALEC and the ECNT considers funding and support of Indigenous Ranger programs to be a highly effective strategy of threatened species conservation. Ranger programs offer a multitude of benefits, both improving ecological resilience and lasting social, economic and cultural benefits. Keeping people on country is key to also continue monitoring and engaging in regular feral predator eradication across large areas of land in central Australia. This area is experiencing some of the worst rates of mammal extinctions in the world, so conservation and protection efforts should be focused there.

Aboriginal Land in the NT includes some of the most nationally valuable, vulnerable and significant ecosystems. The Indigenous land managers of this estate are the custodians of large areas of land that support critical habitat for many nationally listed species. It is globally acknowledged that indigenous land managers and the use of local knowledge is playing and will play a critical role in the future of biodiversity conservation. Indigenous managed and run land management programs are delivering substantial and sustained conservation benefits. The support, preservation and encouraged use of

traditional ecological knowledge in remote regions in biodiversity conservation is thus key to ensuring Australia can meet its international biodiversity obligations.¹

Traditional ecological knowledge is key to informing a broad approach to fauna conservation. It acknowledges the interconnectedness of all aspects of an ecosystem or habitat. Fauna populations and health will only be maintained if the health of the entire system as a whole is the focus of conservation strategies. An exemplary threatened species recovery program is operating in the APY lands of South Australia through the Warru (Black Footed Rock Wallaby) Recovery Program. This program, that operates through the work of Indigenous Rangers is providing tangible outcomes in terms of reversing the decline in Wallaby populations while also protecting the overall health of those lands.

h) the adequacy of existing funding streams for implementing threatened species recovery plans and preventing threatened fauna loss in general;

Current funding streams are inadequate. Federal resourcing of threatened species recovery programs has been on a downward trajectory for many years and continues to decline over the forward estimates. This is at a critical time when funding needs to be significantly increased. There is a critical lack of committed funding to support necessary work with threatened species recovery plans. There will be no change in the quality of protection or any change in the rate of extinction unless funding streams are expanded and increased.

This ultimately rests on a Departmental commitment to acknowledge what scientists, citizens and concerned organisations are communicating.

l) any related matters.

This inquiry is but one of many into the state of species conservation and extinction in Australia. Environmental organisations, other NGOs and scientific organisations are aware of the decline in biodiversity and the role of Australia in driving global fauna extinction. This inquiry should go further than simply outlining what we know but commit to providing substantive proposals for reform that are based on the wealth of knowledge that has been building for decades.

The best available evidence and science has demonstrated for many decades that fauna species are in decline and critical habitat continues to be degraded and lost. Therefore, this fundamentally becomes a question of economics and politics. Departmental budgets must be increased or at least restored to levels that allow adequate resourcing of essential programs. The cost of biodiversity monitoring and protection cannot be left to the private consultants that undertake assessments for the proponents of development.

There is a very real risk that this inquiry will simply reiterate what we already know, and the insights will fall on deaf ears. There is broader issue at stake here. While we have inquiry after inquiry, the patience and knowledge of experts and concerned citizens is stressed. If inquiries like this prove unable to guide the direction of Departmental priorities, public confidence in our democratic institutions will continue to erode. The government has a moral and ethical obligation to incorporate the findings from this inquiry and act on them accordingly.

¹ <https://theconversation.com/remote-indigenous-communities-are-vital-for-our-fragile-ecosystems-38700>

Without concerted Federal government support for a renewed direction in threatened species conservation and protection the observed rate of fauna extinctions will continue. It is vital that all future programs addressing fauna extinction take a holistic and integrated approach to ecosystem management that considers current and emerging threats, especially climate change mitigation and adaptation.