

# **Inquiry into the Environment Protection and Biodiversity Conservation Amendment (Save the Koala) Bill 2021**

## **Senate Environment and Communications Legislation Committee**

### **Introduction**

I would like to thank you for this opportunity to respond to your inquiry into the Environment Protection and Biodiversity Conservation (EPBC) Amendment (Save the Koala) Bill 2021. I support the intention of the Bill to prohibit the Minister from approving activity that would lead to destruction of koala habitat. In all aspects of protecting Australia's natural environment, the traditional knowledge and practices of Aboriginal and Torres Strait Islander ecological experts, community representatives and organisations, particularly Aboriginal community controlled organisations (ACCOs), must be drawn upon. Genuine and ongoing partnership between Federal, State, Territory and Local Governments and these Aboriginal and Torres Strait Islander experts, community representatives and organisations is essential, as set out in the new National Partnership Agreement on Closing the Gap (Coalition of Peaks, 2020). I welcome the opportunity to discuss the issues and recommendations presented in this submission with you.

### **About the author**

Dr Adam Paul Heaton was awarded a PhD in education in 2014 at Charles Darwin University. The focus of his PhD was in Aboriginal Studies and Aboriginal Affairs, with a key emphasis on achieving pro-social and anti-racism outcomes. Adam was awarded a Bachelor of Arts (BA) in Aboriginal Affairs Administration in 2000, and with Honors and a Merit Award in 2007. He also completed his BA in Education in 2007, and is currently completing the Graduate Diploma in Strategic Leadership. He has worked for over 20 years in the Aboriginal Affairs, broader social services and education sectors. Over his career he has worked at numerous NGOs and Australian Government Departments of Social Services, Education, Employment, Health, Veteran's Affairs and Aboriginal and Torres Strait Islander Services (ATSIS) serving the Commission (ATSIC). Adam has published ten peer reviewed research papers and over forty submissions into Australian Government inquiries, in which he advocates for the rights of Aboriginal people and better outcomes for them. Adam has also authored books based on his experiences spearheading projects that assist over 500 children in remote communities in Africa.

### **Recommendations**

That, in genuine and ongoing partnership with Aboriginal and Torres Strait Islander experts, community representatives and organisations, Federal, State, Territory and Local Governments:

1. invest in the regrowth of tens of thousands of primary koala feed trees to optimise the chance of protecting and building the nations' koala population;
2. strengthen their laws pertaining to the protection and regrowth of koala habitats;
3. invest significantly in consulting and employing Aboriginal and Torres Strait Islander people as Rangers, environmental officers and in a wide range of other environmental and ecological services, and have them central in policy development and program implementation and evaluation;
4. invest in educational, training, employment and business opportunities for Aboriginal and Torres Strait Islander people in rural and remote communities, so they may more fully participate in nature conservation practices for protecting and increasing koala populations;

5. develop and implement:
  - a. emergency management plans to reduce the impact of bushfires and other natural disasters;
  - b. a sustainable funding model for Aboriginal-led national management programs; and
  - c. cross-cultural training for all fire managers, whether Aboriginal and/or Torres Strait Islander or not, to understand and value traditional practises;
6. fund the diversification of local economies in rural and remote communities, to optimise opportunities for local Aboriginal and Torres Strait Islander people to better engage in ecological practices;
7. increase funding for ACCOs for the delivery of a greater range of clean energy, waste management, recycling and other environmental and ecological services, in order for more Aboriginal and Torres Strait Islander people in regional areas to be employed and native fauna and flora will be protected and strengthened; and
8. implement the recommendations put forward by WWF Australia in its 2019 Koala Habitat Conservation Plan, including elevating the conservation of koalas and their habitat to a national policy priority for the Federal Government.

### **The need to invest in Aboriginal and Torres Strait Islander traditional ecological knowledge and expertise**

The numbers of koalas, and various other Australian native fauna, have been in decline mainly due to deforestation and forest degradation. The NSW koala population has declined by at least 28.52% and as high as 65.95% over the three most recent koala generations, inclusive of the impacts of the fire events up until mid-December 2019 (Lane, Wallis, and Phillips, 2020). Prior to the catastrophic 2019-20 bushfires, due to deforestation and other threats, koalas were projected by Blanch and Taylor (2019) to be on track to becoming extinct in the wild across most or all regions in Queensland, New South Wales and the Australian Capital Territory by 2050. Following the catastrophic 2019-20 bushfires, the estimated median reduction in the native occupancy rate of koalas was 71% compared to pre-fire occupancy levels (Phillips, Wallis and Lane, 2021). Largely due to the failure of Federal, State and Territory Governments to pass strong laws to protect koala habitats, at least 885,596 hectares of forests and woodlands known or likely to be koala habitat were bulldozed between 2000 and 2016.

The situation requires urgent attention, and the need to draw upon Aboriginal and Torres Strait Islander knowledge and expertise is critical. Prior to 1788 and through to today, Aboriginal people have been deeply engaged in conservation of koalas and their habitat, including the recently vulnerable koala populations in Queensland, NSW and ACT. Aboriginal and Torres Strait Islander people are committed to the protection and sustainable management of Country. The impact of the 2019-20 bushfire crisis on the land, and the ongoing decline of the nation's flora and fauna, is particularly devastating for Aboriginal and Torres Strait Islander people and will have an enduring impact on the social and emotional wellbeing of affected communities. Such government support for engaging Aboriginal and Torres Strait Islander people and their knowledge and expertise fulfils with United Nations' Declaration of the Rights of Indigenous Peoples (UNDRIP, 2007) Article 24:

Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.

Federal, State, Territory and Local Governments should also support the endeavours of Aboriginal and Torres Strait Islander peoples and communities in maintaining and developing their cultural practices, as per UNDRIP (2007) Article 31:

Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

It is imperative to better draw upon the traditional knowledge and expertise in ecological practices of Aboriginal and Torres Strait Islander people. Investment in our First People is integral to investing in the environmental health of our nation. Such investment must extend to bolstering educational, training, employment and business opportunities for Aboriginal and Torres Strait Islander people in rural and remote communities, so that they can participate more comprehensively in nature conservation practices for protecting and increasing koala populations and other native Australian animals. With Federal, State, Territory and Local Government fiscal support, extending education and training opportunities to Aboriginal and Torres Strait Islander people in ecological services, including on Country, would also make a real difference.

An area of employment particularly ripe for expansion, pending further investment, is that of Aboriginal and Torres Strait Islander Rangers, who draw upon traditional skills and connection and knowledge of Country to protect and maintain local flora and fauna, as well as build and maintain the health and wellbeing of their communities (Preece, 2019). More than 700 Aboriginal and Torres Strait Islander people are employed as Rangers around Australia, but there is room for more (Country Needs People, 2019). In early 2020, the Federal Government committed \$102 million over seven years from 2021 to support Aboriginal and Torres Strait Islander Rangers who are playing a critical role in protecting Australia's network of national parks and reserves (Allam, 2020). Creating a national land management program would further create jobs at the local level, ensure knowledge is passed on, improve land management practices, and ensure strong partnerships with landowners and environmental interests, and bolster the ongoing, effective maintenance and management of our land, flora and fauna.

Federal, State and Territory Governments must make a greater investment in consulting and employing Aboriginal and Torres Strait Islander people as Rangers, environmental officers and in a wide range of other environmental and ecological services, and have them central in policy development and program implementation and evaluation. By investing in more Ranger and other jobs in ecological services for Aboriginal and Torres Strait Islander people, not only will employment opportunities be optimised, but so too will ecological outcomes, including for our koala populations under peril. Clean energy, energy efficiency technology, waste management and recycling are emerging industries that will also contribute substantially to us better looking after the planet, and our koala populations. At present a very low number of Aboriginal and Torres Strait Islander people are employed in these industries. By Increasing Federal, State and Territory Government funding for ACCOs, a greater range of clean energy, waste management and recycling services to be delivered and more Aboriginal and Torres Strait Islander people in regional areas to be employed, Australia's native fauna and flora will be protected and multiplied.

Another integral aspect of investing in Aboriginal and Torres Strait Islander people and their traditional ecological knowledge and expertise, toward achieving better outcomes for koalas and other native flora and fauna, must be the diversification of local economies in rural and remote

communities. There is currently extensive fragility in rural and remote communities due to high costs in transporting goods, a lack of internet connectivity, challenges in recruiting and retaining staff and rampant racial prejudice and discrimination, including in systems of education, employment, business and government (Heaton, 2019). Environmental setbacks include a lack of access to land and water for Aboriginal and Torres Strait Islander people and communities, and surrounding flora and fauna, as well as the impacts of climate change. Opportunities to broaden Aboriginal and Torres Strait Islander people's engagement and business enterprises on Country, and to better protect Country and its flora and fauna, are optimised through increased support from Federal, State, Territory and Local Governments. In consultation and negotiation with ACCOs, the service delivery of each ACCO needs to be broadened, with additional, appropriate funding attached, so that they may better deliver ecological and environmental health services, delivered by Aboriginal and Torres Strait Islander Rangers, Environmental Health Workers and other workers delivering ecological services. ACCOs provided immediate support to communities affected by the bushfire crisis without the benefit of additional funding, resources, staffing or surge capacity, but this is not acceptable and should not be repeated.

It is also imperative to strengthen Federal, State and Territory Government laws, to see the rampant deforestation and destruction of the habitat of koalas and many other wildlife species slowed, and even halted. A predominant issue is the shortage of primary koala feed trees, which are essential for koala movement and survival. Federal, State and Territory Governments must invest in the regrowth of tens of thousands of primary koala feed trees to optimise the chance of protecting and building the nations' koala population. Aboriginal and Torres Strait Islander environmental and ecological experts, community representatives and ACCOs must be central in the strengthening of laws pertaining to the protection and regrowth of koala habitats.

### **Conclusion and recommendations**

Ensuring the protection and repopulation of our koalas, and other native flora and fauna, is a highly important issue for Aboriginal and Torres Strait Islander people, and can be best achieved by drawing upon their traditional knowledge and expertise. Genuine and ongoing partnership between Federal, State, Territory and Local Governments and Aboriginal and Torres Strait Islander experts, community representatives and organisations is essential for seeing the results that we need to see. For the sake of Australia's koala population and other native flora and fauna, as well as for the wellbeing of Aboriginal and Torres Strait Islander people and communities, through such partnership, greater funding from these levels of government must be directed to:

1. invest in the regrowth of tens of thousands of primary koala feed trees to optimise the chance of protecting and building the nations' koala population;
2. strengthen their laws pertaining to the protection and regrowth of koala habitats;
3. invest significantly in consulting and employing Aboriginal and Torres Strait Islander people as Rangers, environmental officers and in a wide range of other environmental and ecological services, and have them central in policy development and program implementation and evaluation;
4. invest in educational, training, employment and business opportunities for Aboriginal and Torres Strait Islander people in rural and remote communities, so they may more fully participate in nature conservation practices for protecting and increasing koala populations;
5. develop and implement:
  - a. emergency management plans to reduce the impact of bushfires and other natural disasters;

- b. a sustainable funding model for Aboriginal-led national management programs; and
  - c. cross-cultural training for all fire managers, whether Aboriginal and/or Torres Strait Islander or not, to understand and value traditional practises;
6. fund the diversification of local economies in rural and remote communities, to optimise opportunities for local Aboriginal and Torres Strait Islander people to better engage in ecological practices;
  7. increase funding for ACCOs for the delivery of a greater range of clean energy, waste management, recycling and other environmental and ecological services, in order for more Aboriginal and Torres Strait Islander people in regional areas to be employed and native fauna and flora will be protected and strengthened; and
  8. implement the recommendations put forward by WWF Australia in its 2019 Koala Habitat Conservation Plan, including elevating the conservation of koalas and their habitat to a national policy priority for the Federal Government.

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