

SUBMISSION TO THE EPBC ACT REVIEW

ANON-K57V-XF29-P

Name

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State or Territory

Outside Australia

Areas of Interest

Koalas;

Attachment provided

No

Do you give permission for your submission to be published?

Yes - with my name and/or organisation (if included)

SUBMISSION RESPONSES

QUESTION 1: Some have argued that past changes to the EPBC Act to add new matters of national environmental significance did not go far enough. Others have argued it has extended the regulatory reach of the Commonwealth too far. What do you think?

The EPBC Act does not protect Koalas; they need the Koala Protection Act.

QUESTION 2: How could the principle of Ecologically Sustainable Development (ESD) be better reflected in the EPBC Act? For example, could the consideration of environmental, social and economic factors, which are core components of ESD, be achieved through greater inclusion of cost benefit analysis in decision making?

Industry has not met the requirements of the current EPBC Act. If they had, Koala habitats would be safe.

QUESTION 3: Should the objects of the EPBC Act be more specific?

The Koala does not have time for a review and needs the Koala Protection Act right now; it will lead the way to better protection of all species.

QUESTION 4: Should the matters of national environmental significance within the EPBC Act be changed? How?

Yes, include the Koala Protection Act.

QUESTION 5: Which elements of the EPBC Act should be priorities for reform? For example, should future reforms focus on assessment and approval processes or on biodiversity conservation? Should the Act have proactive mechanisms to enable landholders to protect matters of national

environmental significance and biodiversity, removing the need for regulation in the right circumstances?

Yes, enact the Koala Protection Act.

QUESTION 6: What high level concerns should the review focus on? For example, should there be greater focus on better guidance on the EPBC Act, including clear environmental standards? How effective has the EPBC Act been in achieving its statutory objectives to protect the environment and promote ecologically sustainable development and biodiversity conservation? What have been the economic costs associated with the operation and administration of the EPBC Act?

The Koala Protection Act will protect Koala trees – that simple.

QUESTION 7: What additional future trends or supporting evidence should be drawn on to inform the review?

Standardised mapping of Koala habitat .

QUESTION 8: Should the EPBC Act regulate environmental and heritage outcomes instead of managing prescriptive processes?

Of course!

QUESTION 9: Should the EPBC Act position the Commonwealth to take a stronger role in delivering environmental and heritage outcomes in our federated system? Who should articulate outcomes? Who should provide oversight of the outcomes? How do we know if outcomes are being achieved?

The Koala Protection Act articulates the answer to this Question.

QUESTION 10: Should there be a greater role for national environmental standards in achieving the outcomes the EPBC Act seeks to achieve? In our federated system should they be prescribed through:

- **Non-binding policy and strategies?**
- **Expansion of targeted standards, similar to the approach to site contamination under the National Environment Protection Council, or water quality in the Great Barrier Reef catchments?**
- **The development of broad environment standards with the Commonwealth taking a monitoring and assurance role? Does the information exist to do this?**

Yes!

QUESTION 11: How can environmental protection and environmental restoration be best achieved together?

Actually controlling industry to meet environmental standards instead of finding loopholes.

QUESTION 12: Are heritage management plans and associated incentives sensible mechanisms to improve? How can the EPBC Act adequately represent Indigenous culturally important places? Should protection and management be place-based instead of values based?

Effective Consultation .

QUESTION 13: Should the EPBC Act require the use of strategic assessments to replace case-by-case assessments? Who should lead or participate in strategic assessments?

Yes and have good mapping – the key to all good decisions.

QUESTION 14: Should the matters of national significance be refined to remove duplication of responsibilities between different levels of government? Should states be delegated to deliver EPBC Act outcomes subject to national standards?

No!

QUESTION 15: Should low-risk projects receive automatic approval or be exempt in some way?

- How could data help support this approach?
- Should a national environmental database be developed?
- Should all data from environmental impact assessments be made publicly available?

There is no low risk projects for Koalas. Good mapping is essential.

QUESTION 16: Should the Commonwealth's regulatory role under the EPBC Act focus on habitat management at a landscape-scale rather than species-specific protections?

Yes the Koala Protection Act does this.

QUESTION 17: Should the EPBC Act be amended to enable broader accreditation of state and territory, local and other processes?

No – the States are incapable of protecting the Koala – See 2011 Senate Report which made that point.

QUESTION 18: Are there adequate incentives to give the community confidence in self-regulation?

No!

QUESTION 19: How should the EPBC Act support the engagement of Indigenous Australians in environment and heritage management?

- How can we best engage with Indigenous Australians to best understand their needs and potential contributions?
- What mechanisms should be added to the Act to support the role of Indigenous Australians?

Yes!

QUESTION 20: How should community involvement in decision-making under the EPBC Act be improved? For example, should community representation in environmental advisory and decision making bodies be increased?

Yes community representation should be increased.

QUESTION 21: What is the priority for reform to governance arrangements? The decision-making structures or the transparency of decisions? Should the decision makers under the EPBC Act be supported by different governance arrangements?

Legislation that is not complicated – the Koala Protection Act – it seeks to protect vegetation.

QUESTION 22: What innovative approaches could the review consider that could efficiently and effectively deliver the intended outcomes of the EPBC Act? What safeguards would be needed?

More knowledge and resources in the Department – that has been whittled away over the years.

QUESTION 23: Should the Commonwealth establish new environmental markets? Should the Commonwealth implement a trust fund for environmental outcomes?

The EPBC Act is supposed to protect species and habitats and enforcing their protection by law.

QUESTION 24: What do you see are the key opportunities to improve the current system of environmental offsetting under the EPBC Act?

Offsets do not work and should not be considered at this time in history; it only appeases industry.

QUESTION 25: How could private sector and philanthropic investment in the environment be best supported by the EPBC Act?

- **Could public sector financing be used to increase these investments?**
- **What are the benefits, costs or risk with the Commonwealth developing a public investment vehicle to coordinate EPBC Act offset funds?**

It does already and industry takes it all.

QUESTION 26: Do you have suggested improvements to the above principles? How should they be applied during the review and in future reform?

The Koala Protection Act.

QUESTION 27: Is the EPBC Act delivering what was intended in an efficient and effective manner?

No!

QUESTION 28: How well is the EPBC Act being administered?

Not at all well and not in a consistent fashion.

QUESTION 29: Is the EPBC Act sufficient to address future challenges? Why?

It must include the Koala Protection Act – the fires have shown how important the Koala is to the landscape.

QUESTION 30: What are the priority areas for reform?

The Koala Protection Act that reverses the onus of proof onto the proponent, not the community.

QUESTION 31: What changes are needed to the EPBC Act? Why?

If the existing law worked, the Koalas would be safe.

QUESTION 32: Is there anything else of importance to you that you would like the review to consider?

You have to keep large forests in tact and that can only happen with stronger legislation.