

SUBMISSION TO THE EPBC ACT REVIEW

ANON-K57V-XZ8V-D

Name

xuela sledge

State or Territory

New South Wales

Areas of Interest

Threatened species; Cumulative impacts; Climate change; Compliance and enforcement; Decision making; Public participation in decision making; Biodiversity; Conservation; Water;

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?

I feel very strongly that MNES need to be expanded to include ecosystems of national significance, vulnerable ecological communities, the Australian national reserve system, greenhouse gas emissions, critical habitat and climate refugia, significant land clearing and water resources, high concentrations of biodiversity (biodiversity hot spots), nationally significant wetlands, wild rivers and wildlife corridors. MNES are currently not expanded broadly enough

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?

ESD is currently not defined in the EPBC, nor is there a rationale why it is included in the Act. In order for ESD to have any benefit in the Act there needs to be an over-arching aim or objective of what it is that we want to achieve/ what is the big picture related to ESD?

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

Yes - the objects of the EPBC Act - if reflected upon have not done the job they were intended on doing, as Australia's environmental indicators are all declining. The objects of the Act need to be less ambivalent and more clear. Less emphasis on development applications and more on the real conservation of biodiversity needs to be stated in black and white terms. Objects need to be spelled out that are mandatory ie. clearing of critical habitat will NOT be allowed. Objects need to take a

systems approach and be adhered to as a matter of urgency eg. Australia's biological diversity and ecosystem integrity are maintained and enhanced. If this aim cannot be addressed in development approvals then the approval CANNOT be approved. No go zones need to be identified. Cumulative impacts need to be addressed at a regional scale. A regional scale that makes sense, not just those formed by state or territory borders.

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

As stated above, MNES needs to include much more scope than what merely exists. A trigger could be introduced to suggest that something is considered nationally significant if it has incredibly high conservation values, if it is already greatly compromised in scale, if it is highly sensitive. At present MNES is not capturing enough natural values of this country and as such we are still going backwards on the extinction scale. WRT species that are listed at a state and federal level, how can they benefit from protection with two Acts prescribing different things. Vulnerable species and communities need to be included, in addition to iconic and cultural species.

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?

All elements of the EPBC Act need reforms. Assessment and approvals could be lessened in terms of duplication. State/ territories and Commonwealth need not both carry out independent assessments, but rather in partnership and an integrated manner. There needs to be mandatory public consultation in this field too. Without duplication then COMPLIANCE AND REGULATION would not be so problematic, and have a better chance at occurring.

The other main mechanism requiring prioritisation is the protection of biodiversity via planning. How many plans have been made in all reality? Planning to protect biodiversity needs to be backed financially and what the planning states should be mandatory with strong and prescriptive language eg. No clearing further of a landscape which is already critically endangered.

Bio-regional planning should be more strategic and cover regions defined not by state borders, and instead by what community or catchment is reasonable to be considered per project or activity.

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?

Yes - better guidance and more resources available on how to carry out procedures described in the EPBC Act. The EPBC Act has not been effective in the conservation of biodiversity or the promotion of ESD. Australian species are all still declining. Standards need to be clear and possibly taken from international legislation that is working. To date not enough financial backing has been put behind the EPBC Act, this needs to be increased so that the environment can be better considered in planning and approvals and better conserved through rigorous conservation plans.