

SUBMISSION TO THE EPBC ACT REVIEW

ANON-K57V-XYKS-V

Name

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Organisation

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State or Territory

Victoria

Areas of Interest

Threatened species; Indigenous Australians; Environmental Impact Assessments; Great Barrier Reef; Cumulative impacts; Climate change; Compliance and enforcement; 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?

We depend on the EPBC Act to protect matters of national environmental significance, we do not think the Act goes far enough, in particular in its application. Australia is one of the most biodiverse places on the planet. With such incredible plants, wildlife and ecosystems, we have a vital responsibility to look after them, safeguard the air we breathe, the water we drink and the people and places we love. Right now, our nature protection system is failing. EPBC Act – is weak, outdated and full of holes. It is too weak to stop logging companies bulldozing critically important forests. It is failing to stop coal companies digging mines, polluting our air and water – and doesn't even mention the word 'climate change'.

Under these laws, Australia has become a global deforestation hotspot, with one of the worst rates of mammal extinction in the world. Climate damage is bleaching our reefs and our oceans are choking with plastic. The recent bushfires again remind us, Australia is particularly vulnerable to climate impacts.

We urgently need strong environment laws to protect the places and people we love, and bring our wildlife and ecosystems back from the brink.

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?

Greater inclusion of cost benefit analysis in decision making for ESD would help, but in some instances, the Development just isn't going to be Ecologically Sustainable, and the gate keepers shouldn't need to open up into lengthy discussions. Heritage is safer than our Natural Environments. Our environment laws are meant to protect our animals, plants and nature. These laws are failing and are not doing their job. In our local area you only have to look at the devastation of our State forests and the constant mistakes being made under the law. The most obvious being the lack of protection of the habitat for the Leadbeater Possum.

The EPBC Act is not delivering what was intended nor is it being administered well. I fear in its present form it's not capable of addressing the significant environmental challenges now or in the future. The federal environmental department budget cuts, have lead to extended delays and poor decision making under the EPBC Act. This Act, it seems to us is prone to political interference which has eroded the public's trust in the legislation.

- Australia leads the world on mammal extinction.
- The outlook for Australia's biodiversity is "poor and worsening".
- Australia is a global deforestation hotspot.
- Critical habitats are not being protected.

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

There is a clear and essential need for national environment laws that ensure the federal government leads on the protection and recovery of our environment and cultural heritage. In Australia it is unclear who is ultimately responsible for ensuring our environment is managed well. There is no one jurisdiction is charged with coordinating efforts to protect our environment.

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

The federal government should retain responsibility for Matters of National Environmental Significance, and expand national oversight to:

- Implement controls on deforestation.
- Guarantee the identification and protection of critical habitats for threatened species and the mandatory implementation of wildlife recovery plans and threat abatement plans.
- Mandate incentives for land managers, to protect and restore natural ecosystems on their properties.
- Provide for emergency protections for wildlife that are subject to damaging events, such bushfires.
- Guarantee the identification and protection of critical habitats for threatened species and the mandatory implementation of wildlife recovery plans and threat abatement plans.
- Provide national protections for water resources and national parks and reserves.
- Provide for the mitigation and adaptation to climate change, including a national climate

trigger.

- Ensure binding national standards are set for air pollution and plastic pollution

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?

Australia's environment impacts on all of us and Australia's citizens have a right to be involved in all decisions that affect the use and health of our environment.

Our national environmental laws should:

Guarantee accessible and open community consultation processes for environmental decision making. Ensuring the mandatory disclosure of all decision making information and open access to environmental decision data.

It is paramount to provide the community with access to justice, including ensuring open standing and merits review for environmental decisions, and providing for third-party enforcement rights to hold regulators to account.

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?

We need New, Independent and Trusted Institutions to protect and manage Australia's precious wildlife.

A key failure of the EPBC Act has been the current governance arrangements.

Effective new national environmental laws should:

Establish an independent National Environmental Protection Authority to administer national environmental law at arms length from government. A national EPA is essential to restoring integrity and improving transparency of environmental decision making under national law.

Alongside an independent federal EPA, establish a National Environmental Commission to monitor trends in environmental health, set national standards and undertake bioregional planning so that we more effectively deal with the cumulative impacts on our natural environment and cultural heritage.

A new national environment act should provide the federal government with all the powers it needs to actively protect and manage Australia's environment.

Ensuring the federal government retains primary regulatory responsibility for an expanded list of matters of national environmental significance.

The federal government must be given the power to set binding national standards and objectives that all states must comply with.