



NATIONAL PARKS ASSOCIATION OF THE ACT INC.

EPBC Act Review Secretariat
Department of the Environment and Energy
GPO Box 787
CANBERRA ACT 2601
Via epbcreview@environment.gov.au

Dear Professor Samuel and Independent Review Panel

Submission to the Independent Review of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The National Parks Association of the ACT (NPA ACT) welcomes the opportunity to make a submission to the Independent Review of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The NPA ACT is a community-based conservation organisation with more than sixty years of working to protect our natural environment through an active outings and work party program; participation in Parkcare activities; an extensive publication program; public meetings and conferences and engagement with government policies and programs. The NPA ACT has seen the operation of the EPBC Act through the Gungahlin and Molonglo strategic environmental assessments that have occurred in the ACT.

General comments on the EPBC Act

The NPA ACT has been particularly concerned that the EPBC Act has:

- not facilitated national environmental leadership;
- increased reliance on environmental offsets;
- not been effective in reducing the environmental pressures on Australia's threatened species; and
- not been an effective vehicle for combatting climate change.

Overall, since the introduction of the EPBC Act, the state of Australia's environment has deteriorated, as evidenced by review of the State of the Environment Reports issued by the Commonwealth, states and territories.

Specific comments on the EPBC Act

National Leadership

Federation, in many ways, has been a disaster for the environment. Australia's jurisdictions have enacted vastly different legislation, have amended environmental legislation based on ideology and have been able to reduce resources needed for the management of the environment with relative immunity. This has been exacerbated when the Commonwealth fails to adequately monitor matters of national significance.

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There is an opportunity for a review of environmental legislation to achieve common environmental management based on adaptive scientific principles which can be led by the Commonwealth in order to achieve greater protection for Australia's environment.

In particular, the Commonwealth should be provided with the tools it needs to undertake a national leadership in the protection of Australia's environment. There is a clear need to:

- ensure that nationally consistent and binding environmental standards are promulgated by the Commonwealth and adopted by the states and territories for the overall improvement in the state of the environment;
 - expand the matters addressed under matters of national environmental significance; and
- to see a reduction in regulatory duplication between the requirements of the Commonwealth and the states and territories on environmental matters with the Commonwealth retaining the right for the legislation and management of matters of national environmental significance.

Environmental offsets

The NPA ACT has been concerned about the increased use of environmental offsets both within the ACT and in Australia more generally. It sees that, in the main, environmental offsets lead to a net reduction in the species and ecosystems under the offsets.

The Commonwealth has been a key contributor to environmental offsets through requiring offsets to occur in respect to aspects of strategic assessments. Offsetting should be an absolute last resort in the protection of species and ecosystems and the Commonwealth should be actively seeking other mechanisms for the environmental protection before the use of offsets. There should be a recognition that some ecosystems are simply too important to be subject to offsetting.

Environmental pressures

As identified in the numerous State of the Environment reports across Australia pressures are continuing to grow on Australia's environment. Matters such as land clearing, bushfire hazard reduction and pollution in general all have the potential to have impacts outside of the jurisdiction in which they arise. It is therefore vital that changes to the EPBC Act or the creation of new legislation maintain the concept of matters of national environmental significance. And these matters be expanded for their limited base. In particular, the NPA ACT would like to see all conservation reserves be covered under the matters, not just Commonwealth managed ones. The matters should also be expanded to cover matters like land clearing and bushfire hazard reduction to ensure the highest possible environmental principles are applied to these practices.

Climate Change

The matters of national environmental significance should also include climate change. Climate change is probably the greatest threat to Australia's environment and clear national leadership on this matter should be enshrined in any amendment to the EPBC act or new environmental legislation

In addition, the NPA ACT notes the submission made by the Places You Love Coalition and supports the content and recommendations of that submission to the Independent Review.

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Should you require any further information regarding the NPA ACT's input, please do not hesitate to contact the NPA ACT office, attention of Mr Rod Griffiths, Convener, NPA ACT Environment Sub-committee.

Yours sincerely



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