

A photograph of a dense, moss-covered forest. A path of fallen leaves leads through the trees, which are heavily laden with moss and ferns. The scene is misty and green, with a dark semi-transparent overlay at the top containing text.

Strong National Environment Laws

to protect the places, people
and wildlife we love

June 2018

**PLACES
YOU
LOVE**

The Case for Change

Australians love nature

Whether playing on pristine beaches, exploring colourful reefs, walking through bushland teeming with wildlife or relaxing by rivers flowing with clean water, we love getting out and enjoying our natural environment.

But we are not looking after it

Despite Australia's natural beauty and our love for nature, the health of our natural environment is in serious and rapid decline. Australia has already lost more mammals than any other nation and we are in the midst of an extinction crisis.

Nearly two thousand Australian plants, animals and ecosystems are on the threatened species list, yet their legal protection has not led to their recovery, nor prevented the loss of their habitat. Instead populations of threatened wildlife continue to plummet.

Soil and water quality is getting worse and invasive species like cats, cane toads and fire ants are degrading our farms, forests and bushland. Tree clearing has become such a problem that eastern Australia has been declared a top 10 global deforestation hotspot.

Scorecard - State of the Environment 2016

Component	Grade
Global climate change - aquatic system	2016 
Clearing and fragmentation of native ecosystems - terrestrial vegetation Queensland	2016 
Clearing and fragmentation of native ecosystems - terrestrial other states & territories	2016 
Invasive species and pathogens - terrestrial systems	2016 
Invasive species and pathogens - aquatic systems	2016 

Source: Pressures affecting biodiversity (2016, 2011)
<https://soe.environment.gov.au/assessment-summary-82-pressures-affecting-biodiversity>

Climate change is making things worse

Thousands of Australians suffer from poor air quality. Our communities and our ecosystems are already struggling to adapt to a warming world. The impacts of climate change will become more pervasive and compound existing threats.

The need for well-coordinated and implemented climate adaptation is becoming more pressing every year, but Australia has no national adaptation plan for critical areas such as human health.

Governments are failing to act

The Australian Government continues to allow the clearing of hundreds of thousands of hectares of native bushland - even though it destroys the critical habitat which our threatened species, like the koala, need to survive.

To make matters worse, this clearing dumps millions of tonnes of soil and other pollutants into the already stressed Great Barrier Reef.

Outdated and uncoordinated state laws allow old growth forests and woodlands to be logged, bull-dozed and burnt. Weak laws do little to stop Governments giving conflicted and even corrupted approval to destructive and unsustainable development.

Our national environment laws are failing to protect the environment

Australia's preeminent national nature law, the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), is nearly two decades old. It fails to tackle the most pervasive threats to our environment, including habitat loss and climate change.

It gives far too much discretion to the Environment Minister to make decisions that are bad for the environment, and it does not deal well with the cumulative impacts of development.

As a result, the EPBC Act has failed to deliver the protections it promised.

We need new laws for the 21st Century

Australia needs a new national system of environmental protection that draws on the strengths of each level of government, if we are to meet the complex environmental challenges of the 21st century.

Reforms Needed

1

Create strong national environment laws that genuinely protect Australia's natural environment.

The Australian Government must retain responsibility for, and effectively protect, current Matters of National Environmental Significance.

National oversight must be expanded to a broader set of matters to ensure more effective and efficient environmental protection of:

- Australia's national parks and reserves,
- Critical habitat and climate refugia for threatened species;
- Impacts from land clearing;
- Greenhouse gas emissions and air pollution;
- Water resources;
- Ecosystems and wetlands of national significance;
- Protecting against invasive species;
- National biodiversity hotspots; and
- Vulnerable ecological communities.

2

Establish an independent National Sustainability Commission

The Commission will be responsible for developing plans, setting standards and reporting on performance.

The National Sustainability Commission will:

- Develop enforceable national, regional, threat abatement and species level conservation plans.
- Work with state and territory agencies to undertake strategic regional planning and report on national environmental performance.
- Set nationally binding environmental standards, including for air pollution.
- Develop a national climate and health adaptation plan.
- Undertake horizon scanning, risk assessments and contingency planning to mitigate future risks such as new invasive species.

3

Establish an independent National Environmental Protection Authority (EPA)

The EPA will conduct transparent environmental assessments and inquiries as well as undertake monitoring, compliance and enforcement of environmental conditions and standards. It will operate at arm's-length from government to ensure it is independent and impartial.

The National EPA will:

- Assess and either approve or reject activities that are potentially destructive or harmful of the environment.
- Make recommendations to the Independent EPA Board who make the final approval or rejection decision.
- Undertake proactive monitoring of projects, and compliance with the plans and standards developed by the Sustainable Australia Commission.

4

Guarantee community rights and participation

Strengthening community rights and increasing participation is critical to improving the accountability of, and access to, environmental decision-making.

Stronger environment laws must include:

- 'Open standing', so everyday Australians can take national environmental issues to court.
- Third-party enforcement of environmental conditions and standards.
- Open access to information about decision making and environmental trends.
- Review of environment approval decisions based on their merits.
- Protections for costs in the public interest to ensure the cost of legal action is not prohibitive.





The Places You Love Alliance

The Places You Love Alliance represents over 1.5 million Australians – people who love our national parks, wildlife, and precious natural beauty.

We stand up for nature and fight for stronger, more effective and efficient national environment laws.

The alliance campaigned successfully to prevent the wind-back of national environmental protections and is well on its way to securing a new generation of stronger laws that can safeguard the places, people and wildlife we love.

The Places You Love Alliance consists of 45 environment groups including:

ACT Conservation Council	Environment Centre NT	Queensland Conservation Council
Arid Lands Environment Centre	Environment Tasmania	Queensland National Parks Association
Australasian Bat Society	Environment Victoria	Rainforest Rescue
Australian Conservation Foundation	Environmental Justice Australia	Sunshine Coast Environment Council
Australian Marine Conservation Society	Environs Kimberley	Swan Estuary Reserves Action Group
Australian Rainforest Conservation Society	Friends of the Earth Melbourne	Tasmanian Conservation Trust
Bat Conservation & Rescue Queensland Inc	Greenpeace Australia	Tasmanian National Parks Association
BirdLife Australia	Householders' Options to Protect the Environment (HOPE) Inc	The Wilderness Society
Birds SA	Humane Society International	Total Environment Centre
Cairns and Far North Environment Centre	International Fund for Animal Welfare	Urban Bushland Council WA
Climate and Health Alliance	Invasive Species Council	Victorian National Parks Association
Colong Foundation for Wilderness Conservation Council of SA	The Jane Goodall Institute Australia	Wildlife Preservation Society of Queensland
Conservation Council of WA	National Parks Association of the ACT	WWF-Australia
Doctors for the Environment Australia	National Parks Australia Council	
	Nature Conservation Council of NSW	
	Nature Conservation Society of SA	
	North Queensland Conservation Council	

Legal advice provided to Places You Love Alliance members by Environmental Defenders Office NSW and Environmental Justice Australia.

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