

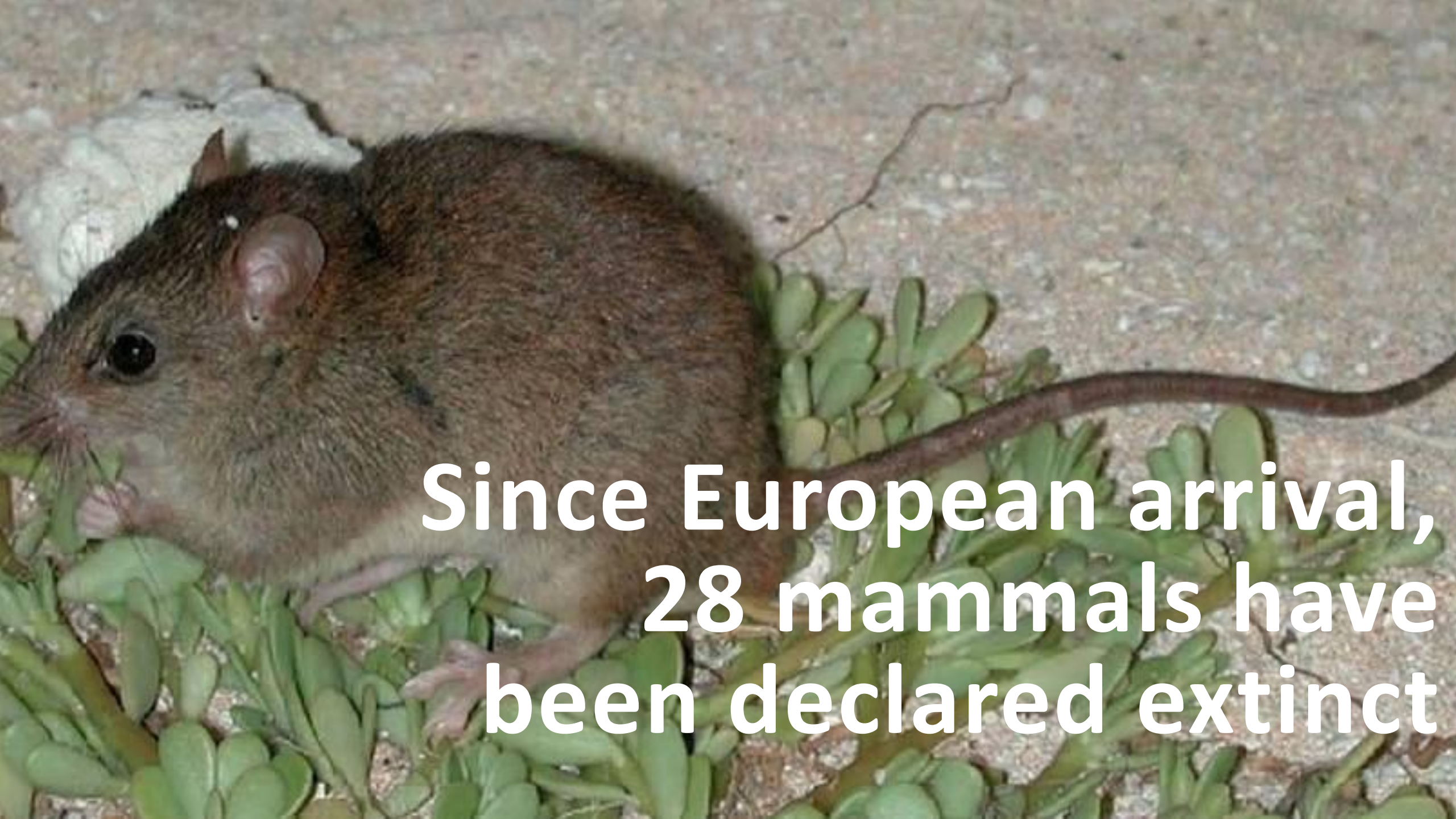
The urgent need for a new generation of national environment laws

Andrew Picone
Protected Areas Program Coordinator





- **457 threatened species of fauna**
- **1318 threatened species of flora**
- **83 threatened ecological communities**



**Since European arrival,
28 mammals have
been declared extinct**

An aerial photograph of a forest landscape. The foreground and middle ground show a mix of dense green forest and a large area of cleared land with scattered trees. The background features a dark, forested hill under a cloudy sky. The text is overlaid on the left side of the image.

“The main pressures facing the Australian environment today are the same as in 2011: climate change, land-use change, habitat fragmentation and degradation, and invasive species. In addition, the interactions between these and other pressures are resulting in cumulative impacts, amplifying the threats faced by the Australian environment.” – SoE 2016

The indicative distribution mapping represents the broad environmental stage in which these communities are likely to be found. These communities have typically been heavily cleared and fragmented into mostly small scattered patches throughout their range.



Australian Government

Department of the Environment and Energy



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* listed under the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act) as at September 2018.

Map produced by: Environmental Resources Information Network

Contextual data sources: from the Department of the Environment and Energy, Geoscience Australia, Public Sector Mapping Agency, Department of Agriculture, Commonwealth Scientific and Industrial Research Organisation and the Australian Bureau of Statistics.

caveat: The information presented in this map has been provided by a range of groups and agencies. While every effort has been made to ensure accuracy and completeness, no guarantee is given, nor responsibility taken by the Commonwealth for errors or omissions, and the Commonwealth does not accept responsibility in respect of any information or advice given in relation to, or as a consequence of, anything containing herein.

<http://www.environment.gov.au/growth/epbcpublications/communities.pdf> or use the internet search term 'epbc ecological communities'

Maps are available on the SPRAT profiles and spatial data can be downloaded from: <http://www.environment.gov.au/science/eis/databases/maps/eis/eis>

Technical advice is available from the Department using the general enquires portal: <http://www.environment.gov.au/webform/webform-feedback>

The community of native species dependent on natural discharge of groundwater from the Great Artesian Basin

Marine Environments

- Great Kelp Marine Forests of South East Australia
- Posidonia australis* seagrass meadows of the Manning-Hewesbury ecoregion
- Subtropical and Temperate Coastal Saltmarsh



Environment and Heritage Australia

THE CASE FOR CHANGE

The current national environment law, the ***Environment Protection and Biodiversity Conservation Act 1999*** is nearly 20 years old.

Written at a time when most threats were not well understood, it allows for too much discretion, enables poor decisions and fails to address cumulative impacts.

And besides, it isn't working.

Fast-tracking extinction

Australia's national environmental law



Nationally threatened species habitat loss 2000-2017

TYPES OF LOSS	LOSS OF LIKELY THREATENED SPECIES HABITAT (hectares)	LOSS OF KNOWN THREATENED SPECIES HABITAT (hectares)	TOTAL HABITAT LOSS (%)
Potentially regulated habitat loss under EPBC Act	786,462	274,048	10.53
Unregulated habitat loss under EPBC Act	6,660,938	922,695	89.47
Total habitat loss 2000-2017	7,447,400	1,196,743	
Total nationally threatened species habitat loss 2000-2017	7,473,237		

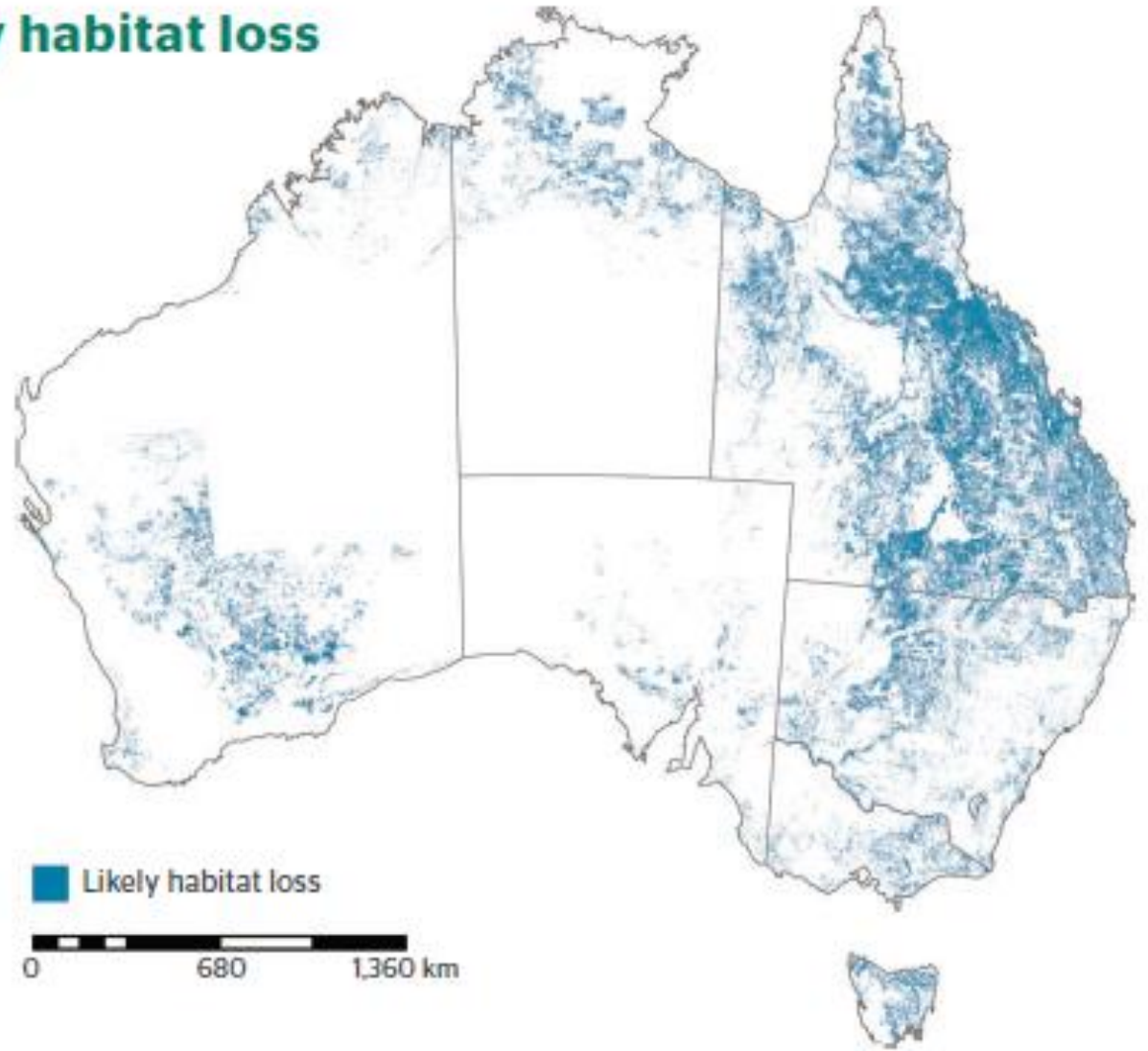


Fast-tracking extinction

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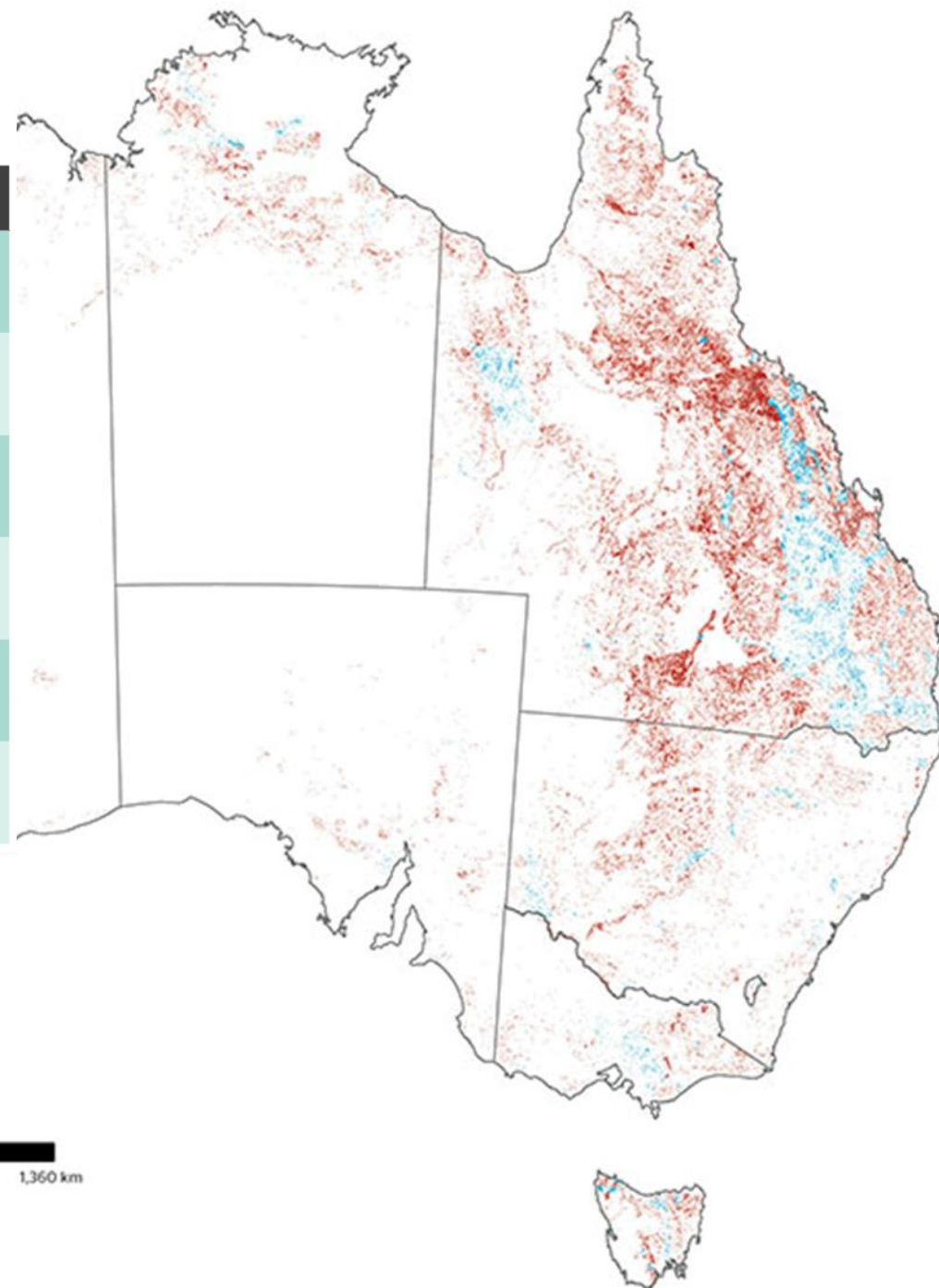
Likely habitat loss



Total loss of likely or known threatened species habitat

Overview of datasets used for analysis

NAME	SOURCE	RESOLUTION/SCALE	YEAR(S)
Burnt areas	AusCover and University of Maryland MODIS burned areas collection 45	250m–500m	2000–2017
Species of National Environmental Significance	Department of Environment and Energy	100m	2018
EPBC Act Referrals Spatial Dataset	Department of Environment and Energy	1km	2018
Forest cover	Department of Environment and Energy, National Greenhouse Gas Inventory (NCAS)	0.00025 dec. degr.	1991–2018
Land use	Australian Bureau of Agricultural and Resource Economics and Sciences	50m and 1000m	1997–2015
Major Vegetation Subgroups v5 preclearing	Department of Environment and Energy, National Vegetation Information System (NVIS)	100m	pre-clearing



CASE STUDIES



Murray Darling Basin



Land clearing for Agriculture



Regional Forest Agreements

REFORMS NEEDED

1. New national environment laws
2. An Sustainable Australia Commission
3. A National Environment Protection Authority
4. Community Rights and Participation

1. NATIONAL ENVIRONMENT LAWS THAT GENUINELY PROTECT AUSTRALIA'S NATURAL AND CULTURAL HERITAGE

New laws would effectively protect matters of national significance with expanded oversight and powers for:

- Critical habitat & climate refugia
- Excessive land clearing
- Greenhouse gas and pollution
- National significant ecosystems
- Protecting against invasive species
- Protected areas

2. A NATIONAL SUSTAINABILITY COMMISSION

- Develop national environmental plans that are coordinated, strategic and at appropriate scales.
- Set binding national standards, methodologies and targets for a range of environmental indicators
- Establish national standards for environmental assessment and approvals
- Intervene at any jurisdiction to contain high-threat invasive species
- Accredite ecologically sustainable industries

3. AN INDEPENDENT NATIONAL ENVIRONMENT PROTECTION AUTHORITY

An independent national EPA would:

- Operate at arms length from government,
- Lead environmental impact assessments that affect matters of national significance,
- Make transparent approval decisions,
- Undertake compliance and enforcement actions

4. COMMUNITY RIGHTS AND PARTICIPATION

Access to justice is a crucial component of public confidence in environmental decision making.

This includes:

- Open standing provisions for anyone to seek a review of government decisions, enforce a breach or anticipated breach of law.
- Extend legal standing to merits review of approval and permitting decisions to improve rigour and transparency.
- Protection from costs in public interest legal proceedings.

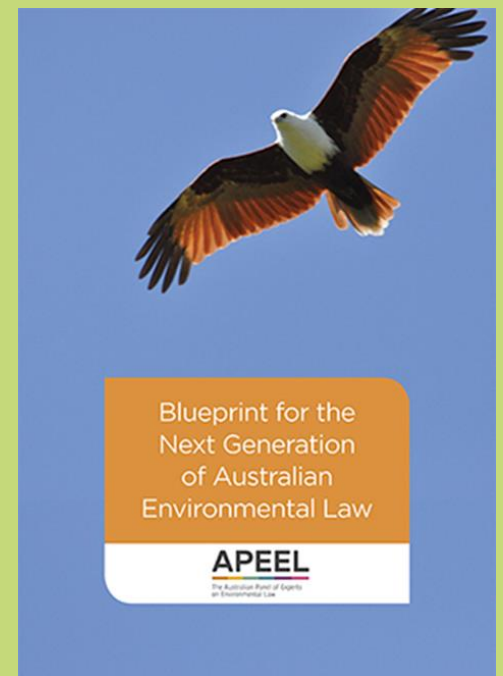
FOR MORE INFORMATION:



- <https://www.acf.org.au/reports>
- <http://apeel.org.au/papers>
- <http://www.placesyoulove.org/>



Or get in touch: Andrew.picone@acf.org.au



Thanks and acknowledgments:

- Places You Love Alliance
- Australian Panel of Experts on Environmental Law

