



26 March 2020

EPBC Act Review Secretariat

Re: Independent review of the Environment Protection and Biodiversity Conservation Act

To the Secretariat,

Thank you for this opportunity to make a submission to the statutory review of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (hereafter 'EPBC Act' or 'the Act').

The Society for Conservation Biology Oceania Section (SCBO) is the peak professional group for conservation biology in Australia, with 500 members that include conservation scientists, policy-makers and managers. Our role is to provide scientific information for management and policy decisions about the long term sustainability and future of ecosystems and their dependent organisms, recognising the importance of ecosystem services for humanity and based on the best available science.

The EPBC Act is not adequately delivering on its objectives of conserving Australia's biodiversity, protecting the environment and promoting ecologically sustainable development. More than 7.7 million hectares of potential habitat of threatened species has been cleared since the Act came into force in 2000¹. While 1,390 species were affected, 93% of this clearing was not referred to the Federal Government and hence was not scrutinised under the EPBC Act. Further, populations of threatened species are declining across Australia² and species' extinctions are ongoing³. Ineffective or inadequate administration, monitoring and regulation of the Act is contributing to the continued loss of Australia's biological heritage. The terms and implementation of the Act require serious improvement to address the current and future challenges facing Australia's environment.

We have provided detailed responses to questions 1, 3, 4, 5, 6, 8, 9, 13, 21 and 24 in the online form. The key messages and recommendations contained therein are:

¹ Ward, MS, et al. (2019) Lots of loss with little scrutiny: The attrition of habitat critical for threatened species in Australia. *Conservation Science and Practice* 1:e117.


² <https://tsx.org.au/visualising-the-index/2018-tbx/>

³ Woinarski, JCZ, et al. (2017) The contribution of policy, law, management, research, and advocacy failings to the recent extinctions of three Australian vertebrate species. *Conservation Biology* 31:13-23.

- 1) Establish an independent regulator, such as a national Environmental Protection Agency or Environment Commission, that administers a national assessment and compliance regime (see question 21).
- 2) Lessen the discretionary decision-making powers of the relevant ministers (see question 21).
- 3) Expand matters of national environmental significance (see questions 1 and 4).
- 4) Refine the objects of the Act to be specific towards environment protection, biodiversity conservation and the prevention of extinctions (see question 3).
- 5) Critical habitat is demarcated, protected, monitored and regulated; explicit, quantitative guidelines on what constitutes a 'significant impact' are developed; and unreferral habitat loss is monitored and regulated (see question 6).
- 6) Strategic assessments overseen by an independent commission and using best-practice tools and standards are used to reduce cumulative impacts (see question 13).
- 7) Offsets should only be used as a last resort and not as a generalised mechanism for offsetting habitat loss. When used, benefits should be calculated in a consistent and defensible way and offsets should be secured before impacts occur (see question 24).

The SCBO welcomes the opportunity to provide further information or to discuss our submission in more detail.

Yours sincerely,



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