



RE: Submission to the Senate Inquiry into Nature Positive Bills

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Dear Senate Standing Committee on Environment and Communications

The International Fund for Animal Welfare (IFAW) is a global non-profit helping animals and people thrive together. Working in more than 40 countries around the world we rescue, rehabilitate, and release animals, and restore and protect their natural habitats.

IFAW welcomes the opportunity to provide feedback to the Senate Inquiry into the provisions of the Nature Positive Bills.

We write as a long-time member of the Places You Love Alliance (PYLA) and on behalf of our national supporter base of 412,000 people who are deeply concerned about the state of Australian nature and want to see stronger laws to protect it long into the future.

IFAW welcomes the bills to establish Environment Information Australia (EIA) and a new federal Environment Protection Agency (EPA) as a step in the right direction. However, they fall significantly short of what's necessary to stop the destruction of nature and halt species extinctions in Australia, because they will be enforcing and informing existing broken laws.

As part of PYLA, we have pushed for a national EPA for many years and welcome the government's commitment to implement this important reform. However, it is important this is done well – the new EPA needs to be strong, independent and accountable to ensure that laws are enforced and decision making is free from political interference.

Key changes to the current Bill which would help deliver this include an independent board made up of people with suitable qualifications and experience. The Board would appoint the CEO, set and implement the strategic direction for the EPA, to ensure it is doing its job.

IFAW feels that communities and individuals are often ignored or not taken seriously when they raise the alarm about nature law-breaking.

Therefore, the EPA should be required to:

- Act on complaints that someone is taking an action that harms threatened species habitat or other protected matters without seeking an approval; and
- Respond to requests to use powerful new Environment Protections Orders to protect the environment where someone is breaking the law or failing to comply with an approval.

As they stand, these Bills fail to deliver strong, legally enforceable national environmental standards that should be the foundation of any national environmental law reform.

IFAW has serious concerns that if these Bills are passed without amendments to strengthen the institutions they establish, and without a commitment by this Government to introduce and pass strong national environmental standards, they will not be up to the task of making a real difference to protecting and restoring nature.

IFAW urges the Committee to recommend the following in their Report to the Senate:

1. That amendments are passed to create the legislative framework to enable the development and implementation of National Environment Standards.
2. The *Nature Positive (Environment Information Australia) Bill 2024* is amended to:
 - a. include a definition of “Nature Positive” that is consistent with our international commitments; and
 - b. task by statute that the EIA monitor and evaluate the development and implementation of threatened species conservation plans and provide an annual report to Parliament on progress.
3. The *Nature Positive (Environment Protection Australia) Bill 2024* is amended so that it is governed by an independent Board of suitably qualified members, reporting to a joint Parliamentary Committee.

Additionally, IFAW urges the government to consider other reforms to the EPBC Act that can be made now, rather than delaying important improvements to nature protection. Key changes that could be made without further delay include:

- Clearly defining unacceptable impacts, ruling out destruction of critical habitat and other unacceptable impacts upfront, rather than allowing these proposals even get into assessment and approval system.
- Strengthening community rights and consultation opportunities under the EPBC Act.
- Halting unregulated deforestation by repealing exemptions for “continuous use” and native forest logging under Regional Forest Agreements.
- Address the elephant in the room in our current national nature protections laws which contain no explicit requirement to consider the climate harm caused by new fossil fuel projects put forward for approval.
- Lastly, there needs to be adequate long-term resourcing, funding and capacity, for the implementation of both the EPA and EIA to allow both to be effective in their respective roles and functions.

IFAW urges the Committee to strongly advocate for robust amendments to these bills and for the comprehensive package of nature law reforms to be introduced this year. Australia’s unique biodiversity cannot wait any longer.

Yours sincerely

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